



TOWN OF MOUNTAIN VILLAGE
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TOWN OF MOUNTAIN VILLAGE MINUTES OF THE JUNE 17, 2021 REGULAR TOWN COUNCIL MEETING

The meeting of the Town Council was called to order by Mayor Laila Benitez at 2:00 p.m. on Thursday, June 17, 2021. Due to the Town's Disaster Declaration of March 19, 2020 related to the COVID-19 virus, the meeting was held in person and with virtual access provided through Zoom.

Attendance:

The following Town Council members were present and acting:

Laila Benitez, Mayor
Dan Caton, Mayor Pro Tem
Patrick Berry
Pete Duprey Via Zoom
Natalie Binder Via Zoom
Jack Gilbride
Marti Prohaska

The following Town Council members were absent:

Also in attendance were:

Kim Montgomery, Town Manager	Pam Pettee
Susan Johnston, Town Clerk	Carson Bryant
Christina Lambert, Senior Deputy Town Clerk	Douglas Tooley
Paul Wisor, Town Attorney	Elly Brophy
Julie Vergari, Chief Accountant	Heather Knox
Chris Broady, Chief of Police	Andrew Knudtsen
Jaime Holmes, Human Resources Director	Tyler Gibbs
Zoe Dohnal, Business Development and Sustainability Director	Stephanie Fanos
Kathrine Warren, Public Information Specialist	Yvette Rauff
Michelle Haynes, Director of Planning & Development Services	H. Moffett
John Miller, Senior Planner	Anton Benitez
Jim Soukup, Chief Technology Officer	Katie Singer
Kate Burns, Controller	Erika Builder
Jim Loebe, Director of Transportation & Recreation	Jonathan Greenspan

Town Attorney Paul Wisor proposed amending the agenda. On a **MOTION** by Jack Gilbride and seconded by Natalie Binder, Council voted unanimously to amend the agenda to include an agenda item regarding a Norwood Deed Restriction and to exclude agenda item 4b on the consent agenda.

Executive Session for the Purpose of Receiving Legal Advice and Determining Positions Relative to Matters that may be Subject to Negotiations, Developing Strategy for Negotiations, and Instructing Negotiators with Respect to:

- a. Sherry v. Moir, et al. Pursuant to § 24-6-402(4)(b) and (e)
- b. Discussing Personnel Matters in Connection with COVID-19 Response Pursuant to Section 24-6-402(4)(b) and (f)(II) C.R.S.

On a **MOTION** by Marti Prohaska and seconded by Pete Duprey, Council voted unanimously to move into Executive Session for the purpose of receiving legal advice pursuant to (a.) Sherry v. Moir, et al.

pursuant to § 24-6-402(4)(b) and (e) and (b.) discussing personnel matters in connection with COVID-19 response pursuant to Section 24-6-402(4)(b) and (f)(II) C.R.S. at 2:03 p.m.

Council returned to open session at 2:30 p.m.

Public Comment on Non-Agenda Items (3)

Public comment was received from Pam Pettee and Douglas Tooley.

Consent Agenda:

All matters in the Consent Agenda are considered to be routine by the Town Council and will be enacted with a single vote. There will be no separate discussion of these Items. If discussion is deemed necessary, that item should be removed from the Consent Agenda and considered separately: (4)

- a. **Consideration of Approval of the May 20, 2021 Regular Town Council Meeting Minutes**
- b. **First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Amending Ordinance 2014-03**
- c. **Consideration of Approval to Dissolve the Town Hall Subarea Planning Committee and the Conference Center Committee.**

Town Clerk Susan Johnston presented. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to approve the Consent Agenda noting that item 4b was removed.

MIG Presentation on Mountain Village Economic Conditions and Implications for the Comprehensive Plan Amendment (5)

Andrew Knudtsen EPS, Carson Byant EPS and Elly Brophy MIG presented. Council discussion ensued. Public comment was received from Douglas Tooley.

Finance: (6)

Chief Accountant Julie Vergari presented.

- a. **Presentation of the April 30, 2021 Business & Government Activity Report (BAGAR)**
- b. **Consideration of Approval of the April 30, 2021 Financials**

Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to approve the April 30, 2021 Financials as presented.

- c. **2022 Budget Policies and Goals Worksession**

Julie Vergari presented. Council discussion ensued. Council directed staff to use 4% as a placeholder for employee compensation until the Finance Committee has a final recommendation.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Amending Section 2.04.010(B) of the Town of Mountain Village Municipal Code to Clarify Oversight of and Reporting By Certain Department Heads (7)

Town Attorney Paul Wisor presented. Council discussion ensued. On a **MOTION** by Jack Gilbride and seconded by Natalie Binder, Council voted 7-0 to approve on first reading an Ordinance amending Section 2.04.010(B) of the Town of Mountain Village Municipal Code to clarify oversight of and reporting by certain department heads and to set the second reading, public hearing and final Council vote for July 15, 2021.

Second Reading, Public Hearing and Council Vote on an Ordinance Authorizing Future Members of Town Council to be Eligible for Certain Benefits (8)

Paul Wisor presented. Council discussion ensued. On a **MOTION** by Jack Gilbride and seconded by Dan Caton, Council voted 7-0 to adopt an Ordinance authorizing future members of Town Council to be eligible for certain benefits.

Discussion Regarding Draft Community Development Code (CDC) Language Consistent with the Community Housing Initiatives to Re-Introduce Non-Subdividable and Subdividable Duplex Development in an Overlay District Within the Single-Family Zone District, Modify the Definition of an Accessory Dwelling Unit (ADU) and Remove the Definition of a Mother-In-Law Suite (9)

Planning and Development Services Director Michelle Haynes presented. Council discussion ensued. Council direction was to amend the definition of the ADU and remove the mother-in-law suite from the CDC. Public comment was received by Douglas Tooley.

Consideration of a Resolution Approving the Your Equity Support (YES) Program and Supporting Documentation (10)

Paul Wisor presented. Council discussion ensued. Council consensus was to allow a current owner to put their unit into the program with the understanding that the Housing Director and Town Manager evaluate each situation for compliance. Council consensus was to utilize YES funds to purchase raw land inside Town limits. On a **MOTION** by Marti Prohaska and seconded by Patrick Berry, Council voted unanimously to adopt a Resolution approving the Your Equity Support (YES) Program and supporting documentation.

Council took a break from 5:15pm to 5:37 p.m.

Second Reading, Public Hearing and Council Vote on an Ordinance to Extend a Vested Property Right and Plan at Lot 1003R-1, 433 Mountain Village Boulevard, Gondola Parking Garage Expansion from October 20, 2021, to October 20, 2031 (11)

Senior Planner John Miller presented. Council discussion ensued. The Mayor opened the public hearing. No public comment was received. The Mayor closed the public hearing. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted 7-0 to approve an Ordinance to extend a vested property right and plan at Lot 1003R-1, 433 Mountain Village Boulevard, Gondola Parking Garage expansion from October 20, 2021, to October 20, 2031 pursuant to CDC section 17.4.17.

The Mayor re-opened public comment. Public comment was received by Douglas Tooley.

Second Reading, Public Hearing and Council Vote on an Ordinance to Consider a Vested Property Right and Plan Extension for Lot 1001R, 415 Mountain Village Boulevard, Village Court Apartments (VCA) Phase IV from July 18, 2021, to July 18, 2031 (12)

John Miller presented. Council discussion ensued. The Mayor opened a public hearing. There was no public comment. The Mayor closed the public hearing. On a **MOTION** by Marti Prohaska and seconded by Natalie Binder, Council voted 7-0 to approve an Ordinance considering a vested property right and site-specific development plan application at Lot 1001R, 415 Mountain Village Boulevard, Village Court Apartments (VCA) Phase IV from July 18, 2021 to July 18, 2031 pursuant to CDC Section 17.4.17.

Consideration of Support for the Revised Wording of the Plaque on the Permanent Tribute to the Allred's and Jim Wells on Oak Street Plaza (13)

Telluride Foundation representative Katie Singer presented. On a **MOTION** by Marti Prohaska and seconded by Jack Gilbride, Council voted unanimously to approve the revised wording of the plaque on the permanent tribute to the Allred's and Jim Wells on Oak Street Plaza with a small clarification to the second to last paragraph.

Staff Reports: (14)

a. Town Manager

Kim Montgomery presented her report. Council discussion ensued.

Town Council Informational Council Boards and Commissions Updates (15)

- 1. Telluride Tourism Board – Berry**
- 2. Colorado Flights Alliance – Gilbride**
- 3. Transportation & Parking – Benitez/Duprey**
- 4. Budget & Finance Committee – Gilbride/Duprey**

5. Gondola Committee – Caton/Berry
6. Colorado Communities for Climate Action – Berry
7. San Miguel Authority for Regional Transportation (SMART) – Caton/Prohaska
8. Telluride Historical Museum – Prohaska
9. Alliance for Inclusion – Binder
10. Green Team Committee – Berry/Prohaska
11. Business Development Advisory Committee (BDAC) – Caton/Benitez
12. Mayor's Update – Benitez

The Mayor presented outgoing Council member Natalie Binder with a plaque, thanking her for her service to the community and wishing her well.

Other Business (16)

a. **Ethics Commission July Appointments; One regular and One Alternate Seat**

Susan Johnston presented stating that the Ethics Commission appointments would be made at the July 15, 2021 Town Council meeting.

b. **TMVOA Update on Summer Programming**

Pete Duprey opened the discussion. TMVOA Executive Director Anton Benitez presented the summer programming which did not include Sunset Concerts Series and instead focused on optimizing consistent activity and vibrancy throughout the week. Council discussion ensued. Mr. Benitez stated that he would meet with the Board to see if they would consider an alternate location for the concerts.

Consideration of a Norwood Deed Restriction Purchase

Paul Wisor presented regarding a Habitat for Humanity home in Norwood. The sale of the home was held up because FHA and HUD will not accept the deed restriction. On a **MOTION** by Natalie Binder and seconded by Jack Gilbride Council voted unanimously to allow Attorney Paul Wisor to amend the deed restriction to allow the home to close.

There being no further business, on a **MOTION** by Natalie Binder and seconded by Dan Caton, Council voted unanimously to adjourn the meeting at 6:21 p.m.

Respectfully prepared and submitted by,



Susan Johnston
Town Clerk