



TOWN OF MOUNTAIN VILLAGE
455 Mountain Village Blvd. Suite A
Mountain Village, Co 81435
970-728-8000
970-728-4342 Fax
mvclerk@mtnvillage.org

TOWN OF MOUNTAIN VILLAGE MINUTES OF THE JULY 15, 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, July 15, 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
Jack Gilbride
Marti Prohaska
Harvey Mogenson

The following Town Council members were absent:

Also in attendance were:

Kim Montgomery, Town Manager
Susan Johnston, Town Clerk
Jodi Miller, Deputy Town Clerk
Paul Wisor, Town Attorney
Julie Vergari, Chief Accountant
Chris Broady, Chief of Police
Jaime Holmes, Human Resources Director
Lindsay Niehaus, Human Resources Coordinator
Zoe Dohnal, Business Development and Sustainability Director
Kathrine Warren, Public Information Specialist
Michelle Haynes, Director of Planning & Development Services
John Miller, Senior Planner
Jim Soukup, Chief Technology Officer
Steven Lehane, Director of Broadband Services
Finn Kjome, Director of Public Works
Rob Johnson, Transit Operations Manager
Kate Burns, Controller
Jim Loebe, Director of Transit & Recreation
Timothy Losa
Yvette Rauff
Ruth Hensen
Joe Solomon
Steve Togni

Chad Horning
Bohda (Bo) Iwanetz
Charles Howard
Matt Skinner
David Balode
Michael Martelon
Jonathan Greenspan
Kari Distefano
Mary Mogenson
Keith Brown
Heather Knox
Dan Jansen
Julia Caulfield
Sue Berg
Louis Alaia
Susan Alaia
Donald Strickert
Jenny Daley
Stephanie Fanos
Dave Foster
Frank Hensen
Chris Hawkins

Administration of Oath of Office to Newly Elected Council Members (2)

Town Clerk Susan Johnston administered the oaths of office to newly elected Town Council members Harvey Mogenson, Patrick Berry and Jack Gilbride.

Election of Mayor and Mayor Pro Tem (3)

Mayor Pro Tem Dan Caton presided. Council discussion ensued. Laila Benitez was nominated by Marti Prohaska and elected to the position of Mayor by a unanimous vote. Mayor Benitez presided. Dan Caton was nominated by Jack Gilbride and elected to the position of Mayor Pro Tem by a unanimous vote.

Public Comment on Non-Agenda Items (4)

Public comment was received by Jonathan Greenspan.

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: (5)

- a. **Consideration of Approval of the June 17, 2021 Regular Town Council Meeting Minutes**
- b. **Consideration of a Resolution to Eliminate the Green Team Bylaws**
- c. **Consideration of a Resolution to Eliminate the Business Development Advisory Committee (BDAC) Bylaws**
- d. **Consideration of a Resolution to Eliminate the Plaza Vending Committee Bylaws**
- e. **Consideration of Adoption of Rules of Conduct for Meetings and General Business**

Town Clerk Susan Johnston presented. On a **MOTION** by Dan Caton and seconded by Patrick Berry, Council voted unanimously to approve the Consent Agenda as presented.

Second Reading, 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 (6)

Town Attorney Paul Wisor presented. The Mayor opened the public comment. No public comment was received. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Marti Prohaska and seconded by Pete Duprey, Council voted 7-0 to adopt 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.

Council Boards and Commissions Updates:

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 – Caton/Benitez**
12. **San Miguel Watershed Coalition- Prohaska**
13. **Telluride Mountain Village Owners Association Governance Auxiliary Committee - Duprey**
14. **Mayor's Update – Benitez**

Council Boards and Commissions Appointments:

1. **Telluride Tourism Board (One Council Member)**

This Council member is appointed by the Telluride Tourism Board.

2. **Colorado Flights Alliance (One Council Member)**

On a **MOTION** by Patrick Berry and seconded by Dan Caton, Council voted unanimously to appoint Jack Gilbride to Colorado Flights Alliance.

3. **San Miguel Watershed Coalition-(One Council Member)**

On a **MOTION** by Jack Gilbride and seconded by Harvey Mogenson, Council voted unanimously to appoint Marti Prohaska to the San Miguel Watershed Coalition.

4. Transportation & Parking – (Two Council Members)

On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted unanimously to appoint Harvey Mogenson and Pete Duprey to Transportation and Parking.

5. Budget & Finance Board –(Two Council Members)

On a **MOTION** by Dan Caton and seconded by Patrick Berry, Council voted unanimously to appoint Jack Gilbride and Harvey Mogenson with Pete Duprey transitioning off the committee by December 31, 2021.

6. Gondola Subcommittee (Two Council Members)

On a **MOTION** by Jack Gilbride and seconded by Pete Duprey, Council voted unanimously to appoint Patrick Berry and Dan Caton with Marti Prohaska as an alternate to the Gondola Subcommittee.

7. Colorado Communities for Climate Action –(One Council Member)

On a **MOTION** by Dan Caton and seconded by Marti Prohaska, Council voted unanimously to appoint Patrick Berry to Colorado Communities for Climate Action.

8. San Miguel Authority for Regional Transportation (SMART)- (Three Council Members – Two Regular and One Alternate Seat)

On a **MOTION** by Jack Gilbride and seconded by Harvey Mogenson, Council voted unanimously to appoint Marti Prohaska and Patrick Berry to the regular positions and Harvey Mogenson to the alternate position.

9. Telluride Historical Museum- (One Council Member)

On a **MOTION** by Pete Duprey and seconded by Dan Caton, Council voted unanimously to appoint Marti Prohaska to the Telluride Historical Museum Board.

10. Telluride Conference Center Work Group– (Two Council Members)

On a **MOTION** by Marti Prohaska and seconded by Dan Caton, Council voted unanimously to appoint Jack Gilbride and Pete Duprey to the Telluride Conference Center Work Group.

11. Alliance for Inclusion – (One Council Member) (Latino Advocacy Committee)

On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted unanimously to appoint Marti Prohaska to Alliance for Inclusion (Latino Advocacy Committee).

12. Green Team Committee- (Two Council Members)

On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to appoint Marti Prohaska and Patrick Berry to the Green Team Committee.

13. Business Development Advisory Committee (Two Council Members)

On a **MOTION** by Patrick Berry and seconded by Harvey Mogenson, Council voted unanimously to appoint Dan Caton and Pete Duprey to the Business Development Advisory Committee.

14. Ethics Commission- (Two Council Members)

On a **MOTION** by Jack Gilbride and seconded by Harvey Mogenson, Council voted unanimously to appoint Pete Duprey and Dan Caton to the Ethics Commission.

15. Mountain Village Condominium Association (One Council Member)

On a **MOTION** by Marti Prohaska and seconded by Jack Gilbride, Council voted unanimously to appoint Pete Duprey to the Mountain Village Condominium Association.

16. Telluride Mountain Village Owners Association Governance Auxiliary Committee – (One Council Member)

Pete Duprey will serve two years on the Telluride Mountain Village Owners Association Governance Auxiliary Committee. No vote was taken as he had just recently been appointed.

17. Grant Committee (Two Council Members)

On a **MOTION** by Dan Caton and seconded by Harvey Mogenson, Council voted unanimously to appoint Laila Benitez and Marti Prohaska to the Grant Committee.

18. Plaza Vending Committee (One Council Member)

On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to address Plaza Vending issues under the Business Development Advisory Committee.

20. Employee Development Board (Two Council Members)

On a **MOTION** by Harvey Mogenson and seconded by Marti Prohaska, Council voted unanimously to appoint Pete Duprey and Patrick Berry to the Employee Development Board.

19. Wastewater Committee (Two Council Members)

On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted unanimously to appoint Pete Duprey and Harvey Mogenson to the Wastewater Committee.

Consideration of Ethics Committee Appointments: (9)

a. One Regular Seat for a Two-Year Term

b. One Alternate Seat for a Two-Year Term

On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to continue this item to the August 19, 2021 Town Council meeting.

Finance: (10)

Chief Accountant Julie Vergari presented.

a. Presentation of the June 30, 2021 Business & Government Activity Report (BAGAR)

Julie Vergari presented. Council discussion ensued. Council directed Ms. Vergari to poll staff to see how much time is spent on department numbers utilized to create the BAGAR. Additionally, Council directed staff to present at the August Town Council meeting, the budget impact of increasing wages and end of season bonuses from and the transition of the employee shuttle over to SMART.

Discussion Regarding Federal Public Transportation Mask Requirements (11)

Paul Wisor and Director of Transit and Recreation Jim Loebe, Business Development and Sustainability Director Zoe Dohnal, Police Chief Chris Broady and Information Specialist Kathrine Warren presented. Extensive Council discussion ensued. Council direction was to revise signage and approved staffing and communications plan.

Consideration of a Resolution Regarding a Minor Subdivision Request to Vacate a General Easement and to Relocate the Meadows Trail Out of the Town Easement onto the Town Unimproved Right of Way and Other Associated Relocation Elements Affecting Adjacent Properties, Lot 615-1CR, TBD Lawson Overlook (12)

Senior Planner John Miller provided background for the Resolution. Applicant Frank Hensen, Alpine Planning Chris Hawkins and Attorney Joe Solomon presented the application. Council discussion ensued. Public comment was received from Heather Knox. On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted unanimously to table this item.

Council took a break from 4:50 to 5:08

Revised Trails Master Plan Discussion (13)

Jim Loebe Dave Foster presented. Council discussion ensued. Public comment was received from Douglas Tooley and Heather Knox.

Consideration of a Resolution Regarding a Variance Request for Building Height, Pursuant to CDC Section 17.4.16. C on Lot 615-1CR, TBD Lawson Overlook *Staff has requested that this item be continued to the August 19, 2021, Regular Town Council Meeting* (14)

John Miller presented. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to table the above Resolution.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Regarding a Density Transfer and Rezone on Lot 30, 98 Aspen Ridge, to Increase the Condominium Density from Nine (9) Condominium Zoning Designation Units and Two (2), Employee Condominium Zoning Designation Units to Sixteen (16) Condominium Zoning Designation Units and Three (3) Employee Condominium Zoning Designation Units (15)

John Miller presented. Applicant Tim Losa and Attorney Stephanie Fanos presented. Council discussion ensued. Public comment was received by Jenny Daley and Yvette Rauff. On a **MOTION** by Jack Gilbride and seconded by Pete Duprey, Council voted 7- 0 to approve on first reading an Ordinance regarding the rezone and density transfer application pursuant to CDC Sections 17.4.9 & 17.4.10 of the Community Development Code, rezoning the existing uses on Lot 30 to Employee Condominium and increasing the

total Density on the site from 9 condominium units, two employee apartments, and commercial space, to 16 condominium units and 3 employee condominiums, with the following findings and conditions as noted in the staff report of record dated July 6, 2021, and to set the second reading, public hearing and final Council vote for August 19, 2021.

1. The Ordinance shall indicate the change in commercial space and the size of the converted employee condominium in square feet.
2. The final location and design of any buildings, grading, landscaping, parking areas, and other site improvements shall be determined with the required Design Review Process application pursuant to the applicable requirements of the CDC.
3. The Lot list shall be updated to reflect one built employee condominium, 2 unbuilt employee condominiums, and 16 unbuilt condominiums assigned to the Lot.
4. Town of Mountain Village Deed Restrictions for each built unit shall be executed prior to the issuance of a Certificate of Occupancy per Section 17.3.9 consistent with the requirements found at CDC Section 17.3.9.
5. The Owner of Lot 30 shall enter into a development agreement with the Town of Mountain Village to specify that all unconstructed employee condominium density assigned to Lot 30 must be constructed and completed within 5 years of the issuance of a Certificate of Occupancy for 98 Aspen Ridge.

Discussion Regarding a Potential Site-Specific Planned Unit Development (SPUD) on Lots 162A & B, TBD San Joaquin Road (16)

John Miller informed Council that the request had been withdrawn.

On a **MOTION** by Marti Prohaska and seconded by Jack Gilbride, Council voted unanimously to convene as the Mountain Village Housing Authority. The Mayor recused herself from agenda item 17.

Mountain Village Housing Authority (17)

1. Consideration of a Request for an Exemption to the R-1 School District Boundary Employment Requirement, 201 Boulders Way, Lot 5 Boulders Way

Paul Wisor presented. Council discussion ensued. On a **MOTION** by Pete Duprey and seconded by Jack Gilbride, Council voted 5-1 (with Harvey Mogenson dissenting), to approve an exception for Mr. Andrew Brown, owner of 21 Boulders Way, to the R-1 School District employment boundary requirement, pursuant to his deed restriction found at reception no. 400257, for a period of three years to expire on July 15, 2024 and direct staff to provide an exception letter for Town files and for Mr. Brown's records.

On a **MOTION** by Marti Prohaska and seconded by Pete Duprey, Council voted unanimously to reconvene as Town Council.

Colorado Flights Alliance Bi-Annual Report (18)

Matt Skinner presented. Council discussion ensued.

TSG Quarterly Report (19)

Chad Horning presented. Council discussion ensued.

Staff Reports: (20)

a. Marketing & Business Development

Zoe Dohnal presented her report. Council discussion ensued.

b. Technology & Broadband Services

Jim Soukup presented his reports. Council discussion ensued.

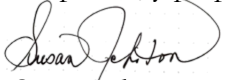
c. Town Manager

Kim Montgomery presented her report. Council discussion ensued.

Other Business (21)

There being no further business, on a **MOTION** by Jack Gilbride and seconded by Marti Prohaska, Council voted unanimously to adjourn the meeting at 7:33 p.m.

Respectfully prepared and submitted by,


Susan Johnston
Town Clerk