



TOWN OF MOUNTAIN VILLAGE
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TOWN OF MOUNTAIN VILLAGE MINUTES OF THE AUGUST 19, 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, August 19, 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
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
Kate Burns, Controller
Jim Loebe, Director of Transportation & Recreation

Cameron Kelly
Heather Knox
Jonathan Greenspan
Keith Brown
Lisa Hehmann
Anton Benitez
Chad Horning
Jeff Proteau
Mickey Salloway
Elli Schaefer
Andrew Knudtsen
Jonathan Heroux

Public Comment on Non-Agenda Items (2)

Public comment was received by Jonathan Greenspan.

Council moved to agenda item 4.

Executive Session for the Purpose of Determining Positions Relative to Matters That May Be Subject to Negotiations, Developing Strategy for Negotiations, and Instructing Negotiators With Respect to Phase IV of VCA Pursuant to §24-6-402(4)(e), C.R.S. (3)

On a **MOTION** by Marti Prohaska and seconded by Pete Duprey, Council voted unanimously to move into Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators with respect to phase IV of VCA pursuant to §24-6-402(4)(e), C.R.S. at 2:04 p.m.

Council returned to open session at 2:35 p.m.

Consideration of a Proclamation Acknowledging September as Suicide Prevention Month (4)

The Mayor read the Proclamation. Tri-County Health Network Behavioral Health Operations Coordinator Corinne Cavender accepted the Proclamation and updated Council on the community resources available. She thanked Council for their support. On **MOTION** by Pete Duprey, and seconded by Patrick Berry, Council voted unanimously to approve a Proclamation acknowledging September as Suicide Prevention Month.

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 July 15, 2021 Regular Town Council Meeting Minutes**
- b. **Consideration of a Resolution Supporting Community Housing Incentive**

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.

Consideration of Grants Committee Appointments: (6)

- a. **Two Mountain Village Resident Seats**

Susan Johnston presented. Dan Caton recused himself. Cameron Kelly and Heather Know introduced themselves and made statements. On a **MOTION** by Marti Prohaska and seconded by Pete Duprey, Council voted unanimously to appoint Heather Knox to the two-year term resident seat and Liz Caton to fill the one-year term on the Grants Committee. Council thanked Ms. Cameron for her application and encouraged her to apply for other committees.

Consideration of Ethics Committee Appointments:(7)

- a. **One Regular Seat for a Two-Year Term**
- b. **One Alternate Seat for a Two-Year Term**

Susan Johnston presented. Keith Brown and Heather Knox introduced themselves and made statements. On a **MOTION** by Patrick Berry and seconded by Marti Prohaska, Council voted unanimously to appoint Heather Knox to the regular seat and Keith Brown to the alternate seat on the Ethics Commission for two-year terms.

Council moved to agenda item 9.

Comprehensive Plan Update Regarding Community Open House Feedback and Final Draft Amendment Recommendations (8)

Michelle Haynes presented. MIG Consultant Elli Schaefer, Andrew Knudtsen of EPS presented. Council discussion ensued. Public comment was received from Anton Benitez, Chad Horning, Jeff Proteau and Mickey Salloway.

Council moved to agenda item 9c.

Finance: (9)

Chief Accountant Julie Vergari presented.

- a. **Presentation of the July 31, 2021 Business & Government Activity Report (BAGAR)**
- b. **Consideration of the June 30, 2021 Financials**
- c. **Presentation of the 2020 Auditors Report and 2020 Comprehensive Audited Financial Report**

Council discussion ensued. On a **MOTION** by Pete Duprey and seconded by Patrick Berry, Council voted unanimously to approve the June 30, 2021 Financials as presented.

Principal on the audit Lisa Hehmann presented along with Julie Vergari. Council discussion ensued.

Moved back to agenda item 8 after 9a &b.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Regarding Amendments to the Community Development Code Consistent with the Town of Mountain Village Community Housing Initiatives; Specifically, Amendments to Reintroduce Duplex Development within an Overlay District in the Single Family Zone District, Modifications to the Definition of Accessory Dwelling Unit (ADU), Removing Mother-in-Law Suite, Allowing for Expedited Review for Deed Restricted Projects and Clarifying that an ADU is Allowed within Detached Condominium Development and other Conforming Amendments (10)

Planning and Development Services Director Michelle Haynes presented. Council discussion ensued. Harvey Mogenson made a MOTION to approve the Ordinance with the exception of the duplex; Motion Failed. On a MOTION by Pete Duprey and seconded by Marti Prohaska, Council voted 6-1 (with Harvey Mogenson dissenting) to approve on first reading an Ordinance regarding the CDC amendments supporting Community Housing Initiatives found attached to the Ordinance as exhibit A. and to also direct staff to update the Official Zoning Map to include the duplex overlay generally shown as exhibit C and to confer with Council members regarding concerns related to duplex development and to set the second reading, public hearing and final Council vote for September 16, 2021.

Consideration of a Resolution Approving a Conditional Use Permit Pursuant to Community Development Code Section 17.4.14, to Allow for a Trash Enclosure on a Portion of OS-1-R1, Town Hall Subarea, 455 Mountain Village Boulevard (11)

Mayor Benitez turned the meeting over to Mayor Pro Tem Dan Caton. Michelle Haynes presented. Applicants Anton Benitez and Joe Solomon also participated. Public comment was received from Jonathan Greenspan. Council discussion ensued. On MOTION by Marti Prohaska and seconded by Harvey Mogenson, Council voted unanimously to adopt a Resolution approving a Conditional Use Permit Pursuant to Community Development Code Section 17.4.14, to Allow for a Trash Enclosure on a Portion of OS-1-R1, Town Hall Subarea, 455 Mountain Village Boulevard with the following conditions:

- 1) A variance from the tramway board must be approved for the location of the trash enclosure within a perimeter of the ski lift and airspace prior to issuance of a building permit.
- 2) Provide a detailed trash and delivery plan for the market assuring that the primary deliveries and pickups will continue to occur from the loading dock and not create any nuisance or hazard by forcing deliveries to the front of the store.
- 3) Associated use, location and cost sharing agreements will be executed to the satisfaction of the respective parties prior to the issuance of a Certificate of Completion and include and may not be limited to the easement agreement.
 - a. Assure that the trash enclosure will be modified or relocated should the town develop Land Unit 1, the Village Station Condominiums in the future and written into the easement agreement.
- 4) The CUP remains valid for a ten-year period at which time it can be reapplied for. Staff reserves the right to revisit the trash and delivery plan which would be complaint driven, and on an as needed basis.
- 5) The Town Council can periodically review the terms of the CUP with the owner to address issues or concerns with the intent that delivery and trash management continue to be mitigated. The Town reserves the right to impose additional conditions to mitigate impacts at the Town Council's sole and absolute discretion and/or the ability to revoke or suspend this CUP upon a violation of any conditions.
- 6) Mitigation and avoidance of wetlands is a requirement of approval consistent with Town regulations.

Council took a break from 5:00 p.m. to 5:16 p.m.

Second Reading, 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 Four (4) Employee Condominium Zoning Designation Units (12)

Senior Planner John Miller presented. Stephanie Fanos legal counsel for the applicant and Timothy Losa presented and answered questions. The Mayor opened the public hearing. No public comment was received. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Pete Duprey, Council voted 7– 0 to adopt 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 Four (4) Employee Condominium Zoning Designation Units with the removal of a duplicate exception of number 9.

Discussion of Belvedere Phase III Development, Parcel 3R Belvedere Park Condominiums, Mountain Village, Lot 27A, 112 Lost Creek Lane (13)

Michelle Haynes presented. Chris Chapin of Idarado Real Estate Co. and Attorney Jim Mahoney, counsel for the applicant presented. Council discussion ensued. Council consensus was in favor of the project.

Consideration of Adoption of the Trails Master Plan (14)

Director of Transit and Recreation Jim Loebe presented. Council discussion ensued. On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted unanimously to adopt the Trails Master Plan as presented.

On a **MOTION** by Patrick Berry and seconded by Dan Caton, Council voted unanimously to convene as the Mountain Village Housing Authority.

Mountain Village Housing Authority: (15)

a. Consideration of a Resolution Approving the Sale of Town of Mountain Village Housing Authority Revenue Refunding Bonds (Village Court Apartments Project)

Paul Wisor presented. Council discussion ensued. On a **MOTION** by Pete Duprey and seconded by Jack Gilbride, Council voted unanimously to adopt a Resolution approving the sale of Town of Mountain Village Housing Authority revenue refunding bonds (Village Court Apartments Projects).

On a MOTION by Marti Prohaska and seconded by Dan Caton, Council voted unanimously to reconvene as the Town Council.

Council Boards and Commissions Updates: (16)

- 1. Telluride Tourism Board - Berry**
- 2. Colorado Flights Alliance - Gilbride**
- 3. Transportation & Parking –Duprey/Mogenson**
- 4. Budget & Finance Committee –Gilbride/Duprey/Mogenson**
- 5. Gondola Committee – Caton/Berry/Prohaska**
- 6. Colorado Communities for Climate Action – Berry**
- 7. San Miguel Authority for Regional Transportation (SMART)- Caton/Prohaska/Mogenson**
- 8. Telluride Historical Museum- Prohaska**
- 9. Alliance for Inclusion – Prohaska**
- 10. Green Team Committee- Berry/Prohaska**
- 11. Business Development Advisory Committee – Caton/Duprey**
- 12. San Miguel Watershed Coalition- Prohaska**
- 13. Telluride Mountain Village Owners Association Governance Auxiliary Committee – Duprey**
- 14. Wastewater Committee- Duprey/Mogenson**
- 15. Mayor’s Update – Benitez**

Staff Reports: (17)

a. Human Resources

Director Jaime Holmes presented. Council discussion ensued. Council consensus was to make the employee compensation increase a priority.

b. Town Manager

Kim Montgomery presented her report. Council discussion ensued.

Other Business (18)

a. Discussion of COVID Policies and Procedures

Kim Montgomery presented. Council discussion ensued. Council consensus was to wait for the public health order before revising the Town policy.

There being no further business, on a **MOTION** by Dan Caton and seconded by Pete Duprey, Council voted unanimously to adjourn the meeting at 7:02 p.m.

Respectfully prepared and submitted by,



Susan Johnston
Town Clerk