



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 AUGUST 18, 2022 REGULAR TOWN COUNCIL MEETING

The meeting of the Town Council was called to order by Mayor Laila Benitez at 2:01 pm on Thursday, August 18, 2022. 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
Harvey Mogenson
Marti Prohaska (via Zoom)
Pete Duprey
Jack Gilbride

The following Town Council members were absent:

Patrick Berry

Also in attendance were:

Paul Wisor, Town Manager	Sean DeLand
Michelle Haynes, Assistant Town Manager	Kiera Skinner
Susan Johnston, Town Clerk	Jacob Smith
Kim Schooley, Deputy Town Clerk	Caitlin Quander
David McConaughy, Town Attorney	Chris Magranahan
Chris Broady, Police Chief	Matt Shear
Zoe Dohnal, Director of Operations and Development	Adam Raiffe
Kathrine Warren, Public Information Officer	Cyndi Bock
Lauren Kirn, Environmental Efficiencies and Grant Coordinator	Kristine Perpar
Jim Soukup, Chief Technology Officer	John Howe
Lizbeth Lemley, Finance Director	Jeff Kirby
Sam Quinn-Jacobs, Planning Technician	Henry Hardy
Rodney Walters, Town Forester/GIS Assistant	Alan Kadin
Sabra Tandy, Accounts Receivable	Jennifer Vogel
Marleina Fallenius, Planning Technician/Housing Coordinator	Tom Thorpe
Bob Patterson	Cath Jett
Deanna Rhodes-Tanner	David Foster
Mike Sanders	Justin Criado
Katia Lorde	Jennifer Zanardi
Avani Patel	Gary Giles
Nikoleta Angelova	Andrew Rostek
Steve Paletz	Yvette Rauff
Ankur Patel	David Foster
John Jett	TD Smith
Margaret Rinkevich	Linda McMahon
John Miller	Heidi Stenhammer

Joe Colman
Tami Richardson
Jolana Vanek
Richard Thorpe
Winston Kelly
Jean Nicktakis
Alex Martin
Brian Eaton
Steve Togni
Joan May
Peter Ricciardelli
Austin Halpern
Ann Barker

Thomas Kennedy
Jackie Kadin
Cyndi Stovall
Stephanie Fanos
Dovid Spector
Tyler Newman
Chris Hawkins
G. Robson
Rosie Cusack
Kim Hewson
Dave Jones
David Jaskel
Anita Seitz

Executive Session for (2)

- a. **Conference with the Town Attorney for the Purpose of Receiving Legal Advice on Specific Legal Questions, to Determine Positions Relative to Matters That May Be Subject to Negotiations Developing Strategy for Negotiations and/or Instructing Negotiators, and to Discuss the Purchase or Acquisition of Real Property, Pursuant to CRS 24-6-402(4)(a), (b), and (e); and**
- b. **Conference with the Town Attorney for the Purpose of Receiving Legal Advice on Specific Legal Questions, to Determine Positions Relative to Matters That May be Subject to Negotiations Developing Strategy for Negotiations and/or Instructing Negotiators, and to Discuss the Purchase or Acquisition of Real Property (Lot 615), Pursuant to CRS 24-6-402(4)(a), (b), and (e)**

On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to move into Executive Session for

- a. Conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions, to determine positions relative to matters that may be subject to negotiations developing strategy for negotiations and/or instructing negotiators, and to discuss the purchase or acquisition of real property, pursuant to CRS 24-6-402(4)(a), (b), and (e); and
- b. Conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions, to determine positions relative to matters that may be subject to negotiations developing strategy for negotiations and/or instructing negotiators, and to discuss the purchase or acquisition of real property (Lot 615), pursuant to CRS 24-6-402(4)(a), (b), and (e) at 2:01 p.m.

Council resumed regular session at 2:34 p.m.

Public Comment on Non-Agenda Items (3)

No public comment was received.

Employee Introductions (4)

- a. **Rodney Walters, Town Forester/GIS Assistant**
- b. **Sabra Tandy, Accounts Receivable**
- c. **Marleina Fallenius, Planning Technician/Housing Coordinator**

Assistant Town Manager Michelle Haynes and Finance Director Lizbeth Lemley introduced new employees Rodney Walters, Sabra Tandy, and Marleina Fallenius.

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 12, 2022 Special Town Council Meeting Minutes**
- b. **Consideration of Approval of the July 21, 2022 Town Council Meeting Minutes**

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

Consideration of Appointment to the Grants Committee Replacing Mayor Benitez (6)

Town Manager Paul Wisor presented. Council discussion ensued. On a **MOTION** by Marti Prohaska and seconded by Dan Caton Council voted unanimously to appoint Jack Gilbride to the Grants Committee replacing Mayor Benitez.

Consideration of a Resolution Making an Appointment to the Telluride Regional Airport Authority Board (7)

- a. **One Regular Seat for a Four-Year Term**

Susan Johnston presented. Council discussion ensued. Applicants Bob Patterson, Mike Sanders, John Jett, Peter Ricciardelli, Jennifer Vogel, and Jeff Kirby made comments. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted to approve the Resolution appointing Jennifer Vogel to the regular seat on the Telluride Regional Airport Authority Board for a four-year term ending August 2026.

Consideration of Appointments to the Public Arts Commission Board (8)

- a. **Two Artists or Arts Professionals**
- b. **One Public at Large**
- c. **One Council Member**

Susan Johnston presented. Council discussion ensued. Applicants Deanna Rhodes-Tanner, Margaret Rinkevich, Austin Halpern, and Ann Barker made comments. On a **MOTION** by Pete Duprey and seconded by Jack Gilbride, Council voted unanimously to appoint Harvey Mogenson and Zoe Dohnal as the Council and staff representatives respectively, with terms expiring August 2026 and to appoint Pete Mitchell and Margaret Rinkevich as regular members (artist or art professionals) expiring August 2024 and appoint Ann Barker to the at-large seat expiring August 2024.

Second Reading, Public Hearing and Council Vote on an Ordinance Regarding Lot 164A, Winterleaf, a Condominium Community, to Rezone from the Multi-Family Zone District to the Single-Family Common Interest Community Zone District Consistent with CDC Section 17.4.9 and CDC Section 17.3.4G Quasi-Judicial (9)

Michelle Haynes presented. The Mayor opened a public hearing. There was no public comment. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Pete Duprey and seconded by Marti Prohaska, Council voted 6-0 to adopt an Ordinance regarding Lot 164A, Winterleaf, a Condominium Community, to rezone from the multi-family zone district to the single-family common interest community zone district with the following findings and conditions as stated in the staff memo of record:

Findings:

1. The application meets the SFCI criteria found at CDC Section 17.3.4.F.
2. The application meets the rezone criteria for decision found at Section 17.4.9.C.3.
3. The applicants have agreed to readdress the properties for 911 emergency response purposes.
4. The associated minor subdivision was approved with conditions by Town Council on July 21, 2022.

Conditions:

1. The applicant is responsible for associated recording fees at the clerk and recorder's office related to recordation of the Ordinance.

2. Direct staff to update the Official Zoning Map for Lot 164A from Multi-Family to Single Family Common Interest Zone District.

Consideration of First Reading of an Ordinance Regarding a Major Planned Unit Development (PUD) Amendment to the Formerly Named Mountain Village Hotel PUD, to Consider Amendments to the Existing PUD for Lot 109R for a Mixed-Use Hotel/Resort Development Including Plaza, Commercial, Hotel and Residential Use with a Maximum Height Request up to 96'8" Quasi-Judicial - Continued from the June 16, 2022 Regular Meeting (10)

Michelle Haynes presented followed by applicants Matthew Shear, Ankur Patel, Katsia Lord, Adam Raiffe, Nikoleta Angelova, Avani Patel with Vault Home Collection and Steve Paletz with Akerman, LLP representing the applicants. The Mayor opened a public hearing. Public Comment was received from Brian Eaton, Jolana Vanek, Joseph Coleman, Jackie Kadin, Alan Kadin, David Foster, and Winston Kelly. The Mayor closed public comment. Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted to continue the first reading of an Ordinance for the Major PUD amendment for Lot 109R with improvements shown on OS-3BR-2, to a Town Council meeting to be held on November 17, 2022 and with the following summary direction:

1. Incorporate the DRB conditions of approval into the final design.
2. Direction regarding the major subdivision application request to consent.
3. Direction regarding the public benefits.
4. Direction regarding consideration for use of town land.

Council took a break from 3:50 p.m. to 3:56 p.m.

Consideration on First Reading of an Ordinance, Setting a Public Hearing and Council Vote Regarding a Major PUD Amendment to Extend the Length of Validity and Vested Property Rights for a Site-Specific Development Plan for Lot 109R, Commonly Known as the Mountain Village Hotel, from December 8, 2022 to December 8, 2024 Quasi-Judicial (11)

Michelle Haynes presented. The Mayor opened a public hearing. Public Comment was received from David Foster and Joseph Coleman. The Mayor closed public comment. Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Pete Duprey, Council voted 6-0 to approve on first reading of an Ordinance a third major PUD amendment for Lot 109R to extend the PUD Agreement and the associated vested property rights to a period of nine months, expiring on September 8, 2023, and set the second reading, public hearing and final Council vote for the September 22, 2022 Regular Town Council meeting.

David McConaughy left the meeting at 5:24 p.m.

Consideration of a Resolution Regarding a Variance Request for Heights up to 46.58' for a New Single-Family Home on Lot 927R2, 125 Sundance Lane, Pursuant to CDC Sections 17.5.6 and 17.4.16. Quasi-Judicial - Continued from the Regular Town Council Meeting on July 21, 2022 (12)

Michelle Haynes presented. The Mayor opened a public hearing. There was no public comment. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Pete Duprey and seconded by Jack Gilbride, Council voted unanimously to approve a Resolution for a height variance of 11.75' above the allowable per the height restrictions listed in the CDC at a new single-family home located at Lot 927R2, 125 Sundance Lane based on the evidence provided in the staff record of memo dated August 5, 2022, and the findings of this meeting, with the following conditions:

1. The approved height variance is valid only with the design presented for initial DRB review on August 4, 2022 and is valid only for the 18 month period of that design approval. One 6-month extension of the original design review approval is allowable.
2. The height variance is specific to the area described in the staff memo on figures 2-5 and represented in the DRB approved drawings. Should any modifications to the building design occur, including future expansion, that the variance would not cover portions of the building that are not highlighted in red.

Telluride Tourism Bi-Annual Report (13)

Telluride Tourism Board Executive Director Kiera Skinner presented. Council discussion ensued.

Council broke for dinner from 6:00 p.m. to 6:10 p.m.

Colorado Communities for Climate Action (CC4CA) Update (14)

CC4CA Executive Director Jacob Smith presented. Council discussion ensued.

Staff Reports: (16)

a. Technology & Broadband Services

Chief Technology Officer Jim Soukup presented. Council discussion ensued.

Other Business (17)

There was no other business.

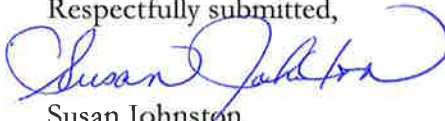
There being no further business, on a **MOTION** by Dan Caton and seconded Jack Gilbride, Council voted unanimously to adjourn the meeting at 6:38 p.m.

Respectfully prepared,



Kim Schooley
Deputy Town Clerk

Respectfully submitted,



Susan Johnston
Town Clerk