



TOWN OF MOUNTAIN VILLAGE
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TOWN OF MOUNTAIN VILLAGE MINUTES OF THE DECEMBER 8, 2022 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, December 8, 2022. 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
Jack Gilbride
Pete Duprey (via Zoom)
Patrick Berry

Also in attendance were:

Paul Wisor, Town Manager
Michelle Haynes, Assistant Town Manager
Susan Johnston, Town Clerk
Kim Schooley, Deputy Town Clerk
David McConaughy, Town Attorney
Lizbeth Lemley, Finance Director
Julie Vergari, Assistant Finance Director
Chris Broady, Police Chief
Adam Menter, Police Officer
Amy Ward, Community Development Director
Kathrine Warren, Public Information Officer
JD Wise, Economic Development & Sustainability Director
Lauren Kirn, Environmental Efficiencies & Grant Coordinator
Jaime Holmes, HR Director
Connor Reilly, VCA Manager
Jodi Miller, Office Manager/Evidence Custodian
Matt Moir, Deputy Police Chief
Erica Moir, Police Officer
Jim Soukup, Chief Technology Officer
Molly Norton, Community Engagement Coordinator
Lindsay Niehaus, HR Coordinator
Claire Perez, Planner
Lauren Tyler, GIS Administrator
Kate Burns, Controller
Jim Loebe, Transit & Recreation Director
Chris Paulk
Kevin Younger
Luke Weidner
Bryan Woody
Sam Barnes
Jolana Vanek

Sean DeLand
Kiera Skinner
Mike Foster
Garret Smith
Elly Schaefer
Heather Widlund
John Bennett
Kenny Maenpa
Jason Zende Del
Anne Reissner
Jason Criado
Yvette Rauff
Patrick Latcham
Stephanie Fanos
Chris Hawkins
Ronald Whitcomb
Ryan Dohnal
Tom Richards
David Averill
John Miller
Victor Toce
Cheryl Miller
Rick Greubel
Amy H.
Tyler Gibbs
Chad Horning
Stefanie Solomon
Max Kay
Chris Neylan
John Pandolfo
Art Bonavoglia

Public Comment on Non-Agenda Items (2)

There was no public comment.

Swearing in and Introduction of: (3)

a. Officer Peter Menter

Police Chief Chris Broady introduced Officer Peter Menter. Mayor Benitez swore in Officer Menter.

Telluride Tourism Board (TTB) Marketing Update (4)

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

Consideration of the Village Court Apartments Phase IV West Building Floor Plan, Cost and Considerations (5)

Triumph Development West representatives Mike Foster and Garret Smith and Town Manager Paul Wisor presented. The Mayor opened a public hearing. Public comment was received from Chad Horning, Chris Neylan, Bryan Woody, Luke Weidner, Sam Barnes, and Katie Adams. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Marti Prohaska and seconded by Dan Caton, Council voted 6-1 (with Harvey Mogenson dissenting the floor plan only) to approve the separate floor plan scenario between building E and building W and giving the Town Manager authority to release funds to continue with the project.

Mountain Village Housing Authority: (6)

Consideration on First Reading of an Ordinance Conveyance of Lot 644 from the Town of Mountain Village to the Town of Mountain Village Housing Authority

Town Attorney David McConaughy, Assistant Town Manager Michelle Haynes, and Paul Wisor presented. Council discussion ensued. On a **MOTION** by Harvey Mogenson and seconded by Patrick Berry, Council voted 7-0 to approve on first reading an Ordinance conveyance of Lot 644 to the Mountain Village Housing Authority consistent with Home Rule Charter Section 11.5 and set the second reading, public hearing and final Council vote for the January 19, 2023 Regular Town Council meeting.

Consideration of Approval of a Resolution to Adopt Amendments to the 2011 Town of Mountain Village Comprehensive Plan Legislative (7)

MIG Project Manager Elly Schaefer and Michelle Haynes presented. Council discussion ensued. The Mayor opened a public hearing. Public comment was received from Chad Horning, Stephanie Fanos, Chris Hawkins, Luke Weidner, Cheryl Miller, and Patrick Latcham. The Mayor closed the public hearing. On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted unanimously to adopt a Resolution adopting amendments to the 2011 Town of Mountain Village Comprehensive Plan with the addition of a developer banner on the cover.

Council took a break from 4:02 to 4:15 p.m.

911 Emergency Response, Mapping, Communication and Readdressing in Mountain Village (8)

Michelle Haynes, Community Development Director Amy Ward, San Miguel County GIS Director Heather Widlund, and Chris Broady presented. Council discussion ensued. Council consensus was in favor of moving forward with the project.

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: (9)

a. Consideration of Approval of the November 17, 2022 Regular Town Council Meeting Minutes

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

Consideration of Appointment: (10)

Susan Johnston presented.

a. Business Development Advisory Committee (BDAC) – Two Merchant Seats

On a **MOTION** by Marti Prohaska and seconded by Harvey Mogenson, Council voted unanimously to appoint Ryan Dohnal and Bryan Thames as the Mountain Village Merchant Representatives to the Business Development Advisory Committee for one-year terms.

b. Ethics Commission – One Alternate Seat

On a **MOTION** by Dan Caton and seconded by Patrick Berry, Council voted unanimously to appoint Mike Weist to the alternate seat on the Ethics Commission for a two-year term.

Consideration of Appointment: (11)

a. Public Arts Commission (PAC) – One Staff Representative Replacing Zoe Dohnal

Susan Johnston presented. On a **MOTION** by Dan Caton and seconded by Marti Prohaska, Council voted unanimously to appoint JD Wise as the staff representative of the Public Arts Commission with a term expiring August of 2026.

Town Council Acting as the Board of Directors for the Dissolved Mountain Village Metro District: (13)

On a **MOTION** by Dan Caton and seconded by Marti Prohaska, Council voted unanimously to convene as the Mountain Village Metro District.

Finance Director Lizbeth Lemley and Assistant Director Julie Vergari presented.

a. Consideration of a Resolution Adopting the 2023 Mountain Village Metro District Budget

Council discussion ensued. On a **MOTION** by Harvey Mogenson and seconded by Dan Caton, Council voted unanimously to adopt a Resolution adopting the 2023 Mountain Village Metro District Budget.

b. Consideration of a Resolution Appropriating Sums of Money for 2023

Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to adopt a Resolution appropriating sums of money for 2023.

c. Consideration of a Resolution Revising the 2022 Budget

Council discussion ensued. On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted unanimously to adopt a Resolution revising the 2022 budget.

d. Consideration of a Resolution Re-Appropriating Sums of Money for 2022

Council discussion ensued. On a **MOTION** by Jack Gilbride and seconded by Harvey Mogenson, Council voted unanimously to adopt a Resolution re-appropriating sums of money for 2022.

e. Consideration of a Resolution Setting the Mill Levy for 2022 to be Collected in 2023

Council discussion ensued. On a **MOTION** by Patrick Berry and seconded by Dan Caton, Council voted unanimously to adopt a Resolution setting the mill levy for 2022 to be collected in 2023.

On a **MOTION** by Jack Gilbride and seconded by Harvey Mogenson, Council voted unanimously to reconvene as the Mountain Village Town Council.

Finance: (14)

Lizbeth Lemley and Julie Vergari presented.

a. Presentation of the November 30, 2022 Business & Government Activity Report (BaGAR)

b. Second Reading, Public Hearing and Council Vote on an Ordinance of the Town Levying Property Taxes for the Year 2022 to be Collected in 2023

The Mayor opened the public hearing. No public comment was received. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Marti Prohaska and seconded by Harvey Mogenson, Council voted 7-0 to adopt an Ordinance of the town levying property taxes for the year 2022 to be collected in 2023 beginning January 1st.

c. Second Reading, Public Hearing and Council Vote on an Ordinance Adopting the 2023 Budget and Revising the 2022 Budget

The Mayor opened the public hearing. No public comment was received. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Marti Prohaska and seconded by Patrick Berry, Council voted 7-0 to adopt an Ordinance adopting the 2023 budget and revising the 2022 budget.

Council moved to agenda item 16.

Telluride Regional Airport Authority (TRAA) Bi-Annual Report (15)

Telluride Regional Airport FBO Manager Kenny Maenpa presented. Council discussion ensued.

Council moved to agenda item 18.

Council Boards and Commissions Updates: (16)

1. Telluride Tourism Board – Berry
2. Colorado Flights Alliance – Gilbride
3. Transportation & Parking – Mogenson/Duprey
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) – Berry/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

Other Business (17)

Paul Wisor shared that due to Environmental Efficiencies & Grant Coordinator Lauren Kirn's efforts, this region has the highest recycle rate in greater Colorado.

Council moved to agenda item 15.

Executive Session for the Purpose of: (18)

- 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, In Connection With Scythian LTD, Cloud 9 Investments, LLC and Cloud 9 Land Holdings, LLC v. the Town of Mountain Village, Colorado, The Town of Mountain Village Town Council, Colorado; Tiara Telluride, LLC; Vault Management, Pursuant to C.R.S. 24-6-402(4)(a), (b), and (e)
- 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, Pursuant to C.R.S. 24-6-402(4)(a), (b), and (e)
- c. Conference with the Town Attorney for the Purpose of Determining Positions Relative to Matters that may be Subject to Negotiations; Developing Strategy for Negotiations; and Instructing Negotiators Related to Affordable Housing Pursuant to C.R.S. 24-6-402(4)(e)
- d. Discussion of Personnel Matters for Which the Employee has Consented: Town Manager Review, Pursuant to C.R.S. 24-6-402(4)(f)

On a MOTION by Jack Gilbride and seconded by Harvey Mogenson, Council voted unanimously to move into Executive Session for the purpose of:

- 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, in connection with Scythian LTD, Cloud 9 Investments, LLC and Cloud 9 Land Holdings, LLC v. the Town of Mountain Village, Colorado,

the Town of Mountain Village Town Council, Colorado; Tiara Telluride, LLC; Vault Management, pursuant to C.R.S. 24-6-402(4)(a), (b), and (e)

- 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, pursuant to C.R.S. 24-6-402(4)(a), (b), and (e)
- c. Conference with the Town Attorney for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators related to affordable housing pursuant to C.R.S. 24-6-402(4)(e)
- d. Discussion of personnel matters for which the employee has consented: Town Manager review, pursuant to C.R.S. 24-6-402(4)(f)

at 5:10 p.m.

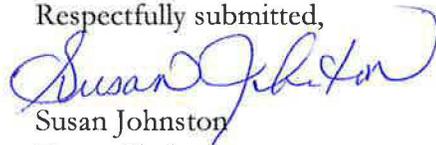
There being no further business Council voted unanimously to adjourn the meeting.

Respectfully prepared,



Kim Schooley
Deputy Town Clerk

Respectfully submitted,



Susan Johnston
Town Clerk