



TOWN OF MOUNTAIN VILLAGE
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**TOWN OF MOUNTAIN VILLAGE
MINUTES OF THE OCTOBER 19, 2023
REGULAR TOWN COUNCIL MEETING**

The meeting of the Town Council was called to order by Mayor Martinique Prohaska at 2:00 p.m. on Thursday, October 19, 2023. The meeting was held in person and with virtual access provided through Zoom.

Attendance:

The following Town Council members were present and acting:

Marti Prohaska, Mayor
Scott Pearson, Mayor Pro Tem
Harvey Mogenson (via Zoom)
Jack Gilbride
Pete Duprey (via Zoom)
Tucker Magid

Also in attendance were:

Paul Wisor, Town Manager
Michelle Haynes, Assistant Town Manager
Susan Johnston, Town Clerk
Kim Schooley, Deputy Town Clerk
Christine Gazda, Assistant Town Attorney
Lizbeth Lemley, Finance Director
Chris Broady, Police Chief
Amy Ward, Community Development Director
Kathrine Warren, Public Information Officer
Jaime Homes, HR Director
JD Wise, Economic Development & Sustainability Director
Lauren Tyler, GIS Administrator
Kyle Tanguay, Facilities Maintenance Manager
Sue Kunz
Chris Lehrman
Mark Hendrickson

Tim Johnson
Huascar Gomez
Jennifer Zanardi
Madeline Gomez
Rachel Olson
Thomas Printz
Stephanie Fanos
Christopher Hawkins
Destiny Farr
David Ballode
Katsia Lord
Madeline Tanguay
Dylan Brooks
Kim Riddle
Chad Hill
Will Ellis

Executive Session for the Purpose of: (2)

- a. **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 to the Ice Rink Management Agreement Pursuant to C.R.S. 24-6-402(4)(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, In Connection With Oak Street Station Pursuant to C.R.S. 24-6-402(4)(a), (b), and (e)**

On a **MOTION** by Tucker Magid and seconded by Scott Pearson, Council voted unanimously to move into Executive Session for the purpose of:

- a. 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 to the Ice Rink Management Agreement pursuant to C.R.S. 24-6-402(4)(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, in connection with Oak Street Station pursuant to C.R.S. 24-6-402(4)(a), (b), and (e)

at 2:02 p.m.

Council returned to open session at 2:26 p.m.

Public Comment on Non-Agenda Items (3)

There was no public comment.

Consideration of a Proclamation Declaring October 2023 as Domestic Violence Awareness Month (4)

San Miguel Resource Center Advocacy Services Manager Destiny Farr presented. Mayor Prohaska read the proclamation. On a **MOTION** by Jack Gilbride and seconded by Tucker Magid, Council voted unanimously to approve a proclamation declaring October 2023 as Domestic Violence Awareness Month in the Town of Mountain Village.

Council moved to agenda item 6.

Introduction of New Staff Member: (5)

- a. **Kyle Tanguay, Facilities Maintenance Manager**

Public Works Director Finn Kjome introduced new Facilities Maintenance Manager Kyle Tanguay.

Council moved to agenda item 10.

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: (6)

- a. **Consideration of Approval of the September 20, 2023 Regular Town Council Meeting Minutes**

Town Clerk Susan Johnston presented. Council discussion ensued. On a **MOTION** by Scott Pearson and seconded by Jack Gilbride, Council voted unanimously to approve the Consent Agenda as presented.

Department Updates (7)

Paul Wisor presented. Council discussion ensued. Council directed staff to continue with this format.

Council moved to agenda item 5.

Work Session Regarding a Water and Sewer Rate Study (8)

Town Manager Paul Wisor, Finance Director Lizbeth Lemley and Finn Kjome presented. SGM engineers Kim Riddle, Chris Lehrman, and Chad Hill presented. Council discussion ensued. Council directed staff to charge a lower rate for deed restricted homes. The charges will be \$5 per month/\$60 per year billing surcharge and half the cost for tap fees. Council also directed staff to move forward with the Alternative 3 rate increase recommendation, which is an inflation-based rate increase.

Work Session Regarding Change Order to VCA Phase IV West Building Stemming From Soil Conditions, Foundation Modifications, and Association Delays (9)

Paul Wisor, Assistant Town Manager Michelle Haynes, Triumph Development Chief Operating Officer Michael O'Connor, Shaw Construction Senior Project Manager Mark Hendrickson, and Architect Rachel Olson presented. Council discussion ensued. Council directed staff to proceed with Option 1-Winter construction with design modifications to minimize winter conditions.

Council took a break from 4:27 to 4:35 p.m.

Council moved to agenda item 11.

Finance: (10)

Lizbeth Lemley presented.

- a. **Presentation of the September 30, 2023 Business & Government Activity Report (BAGAR)**
- b. **Consideration of the Third Quarter 2023 Financials**

Council discussion ensued. On a **MOTION** by Pete Duprey and seconded by Jack Gilbride, Council voted unanimously to approve the Third Quarter 2023 Financials as presented.

Council moved to agenda item 8.

Consideration of a Resolution Approving a Road Right-of-Way Encroachment at Lot 166AR2-2, 1 Stonegate Drive, Mountain Village Quasi-Judicial (11)

Community Development Director Amy Ward presented. Applicant Katsia Lord, Principal Architect with Vault Design presented. Council discussion ensued. Mayor Prohaska opened the public hearing. There was no public comment. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Tucker Magid and seconded by Scott Pearson, Council voted unanimously to approve a Resolution for a Road Right-of-Way Encroachment at Lot 166AR2-2, 1 Stonegate Drive, based on the evidence provided in the staff record of memo dated October 12, 2023, and the findings of this meeting, with the following conditions:

1. Prior to issuance of building permit, the engineered soil nail design will be reviewed by Town Public Works and Town Engineers for necessary approvals.
2. Prior to building permit, a development agreement will be entered into between the Town and the applicant to ensure completion of the engineered retaining wall rebuild, inclusive of a financial guarantee for 125% of the projected cost. The form of the development agreement shall be reviewed by the Town Attorney and may be approved by the Town Manager without further Council action.
3. A license agreement with the Town for any road right of way encroachments will be entered into prior to the issuance of a building permit. The form of the license agreement shall be reviewed by the Town Attorney and may be approved by the Town Manager without further Council action.
4. An updated as built exhibit showing all constructed encroachments in the right of way will be recorded with the license agreement and recorded with the County prior to the issuance of a Certificate of Occupancy.
5. The right of way encroachments are premised on the subdivision and site specific design approvals. If the design approval expires, the right of way encroachment approval also expires.

Second Reading, Public Hearing and Council Vote on an Ordinance Regarding Approving a CDC Amendment Adding CDC Section 17.6.6.D.1 and Amending CDC Section 17.5.13.M to Allow for the Adoption of the Town of Mountain Village Addressing Standards Document Quasi-Judicial (12)

GIS Administrator Lauren Tyler presented. Mayor Prohaska opened the public hearing. There was no public comment. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Scott Pearson and seconded by Tucker Magid, Council voted 6-0 to approve an Ordinance adopting standards for street names and addresses and amending chapters 17.4 and 17.6 of the Town code.

Consideration of an Approval of an Intergovernmental Agreement for Cost-Sharing of the Planning and Gondola Project Development Phase of the Gondola Project Legislative (13)

Paul Wisor presented. Council discussion ensued. On a **MOTION** by Mayor Prohaska and seconded by Tucker Magid, Council voted unanimously to approve an Intergovernmental Agreement for cost-sharing of the Planning and Gondola Project development phase of the Gondola Project.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance to Authorize the Use of Golf Carts on Certain Municipal Roads Legislative (14)

Paul Wisor and David McConaughy presented. Mayor Prohaska opened the public hearing. There was no public comment. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Scott Pearson and seconded by Pete Duprey, Council voted 6-0 to approve on first reading an Ordinance amending section 10.12.010 of the Mountain Village Municipal Code to authorize the operation of golf carts on designated thoroughfares and golf cart paths and to set the second reading, public hearing, and final Council vote for the November 16, 2023 Regular Town Council meeting.

Council broke for dinner from 5:10 to 5:22 p.m.

Council moved to agenda item 20.

Consideration of a Resolution of the Town of Mountain Village Housing Authority Authorizing the Leasing of Certain Real Property and the Execution and Delivery of a Site and Improvement Lease Agreement and a Lease Purchase Agreement, and Other Documents Incidental Thereto All for the Purpose of Financing or Reimbursing the Cost of Acquiring Approximately 55-Acres of Property for the Purpose of Developing, Constructing and Equipping Residential Workforce Housing; Setting Forth Certain Parameters and Restrictions With Respect to the Financing; Authorizing Officials of the Authority to Take All Actions Necessary or Appropriate to Carry Out the Transactions Contemplated Hereby; and Providing for Other Matters Related Thereto (16)

On a **MOTION** by Jack Gilbride and seconded by Tucker Magid, Council voted unanimously to convene as the Mountain Village Housing Authority.

Paul Wisor and Lizbeth Lemley presented. Chairperson Prohaska opened the public hearing. There was no public comment. The Chairperson closed the public hearing. Council discussion ensued. On a **MOTION** by Scott Pearson and seconded by Tucker Magid, the Board voted unanimously to approve a Resolution authorizing the lease purchase agreement and associated documents for the acquisition of the Alexander property.

On a **MOTION** by Jack Gilbride and seconded by Tucker Magid, Council voted unanimously to re-convene as the Mountain Village Town Council.

Consideration of a Resolution Concerning the Town of Mountain Village Housing Authority and its Execution and Delivery of a Site and Improvement Lease Agreement, a Lease Purchase Agreement, and Other Documents Incidental Thereto; Authorizing and Directing Actions By the Town Manager in Connection With the Lease Financing; and Ratifying Prior Actions Taken in Connection Therewith (17)

Paul Wisor and Lizbeth Lemley presented. Council discussion ensued. Mayor Prohaska opened the public hearing. There was no public comment. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Tucker Magid and seconded by Jack Gilbride, Council voted unanimously to approve a Resolution authorizing the lease purchase agreement and associated documents for the acquisition of the Alexander property.

Council moved to agenda item 21.

Work Session Regarding a Potential Road Right-of-Way Encroachment at Lot 7 TBD Vischer Drive (18)

Amy Ward and applicant Christopher Hawkins with Alpine Planning, LLC presented. Council discussion ensued. Council consensus was not in favor of the road right-of-way encroachment as presented.

Update Regarding the Rico Annexation into the R-1 School District and Bond Measure (19)

Citizen Issue Committee members Dillon Brooks, Sue Kunz, and Madeline Tanguay presented. Council discussion ensued.

Council moved to adjournment.

Council Boards and Commissions Updates: (20)

1. **Telluride Tourism Board – To be Appointed (TBA)**
2. **Colorado Flights Alliance – Gilbride**
3. **Transportation & Parking – Mogenson & Duprey**
4. **Budget & Finance Committee – Duprey, Mogenson & Pearson**
5. **Gondola Committee – TBA & Mogenson**
6. **Colorado Communities for Climate Action – TBA**
7. **San Miguel Authority for Regional Transportation (SMART) – TBA & Magid**
8. **Telluride Historical Museum – Prohaska**
9. **Alliance for Inclusion – Prohaska**
10. **Green Team Committee – TBA**
11. **Mountain Village Business Development Advisory Committee (BDAC) – Duprey & Pearson**
12. **Wastewater Committee – Duprey & Magid**
13. **Mayor's Update – Prohaska**

Council moved to agenda item 16.

Other Business (21)

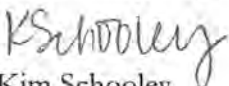
a. **Consideration of the 2024 Regular Town Council Meeting Dates**

Susan Johnston presented. Council consensus was in favor of the proposed 2024 Town Council meeting dates with the exception of April 18th which was moved to April 25th. This was done to accommodate the Telluride School District spring break.

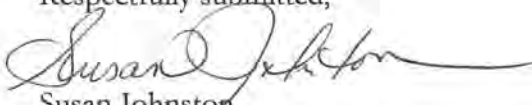
Council moved to agenda item 18.

There being no further business, on a **MOTION** by Jack Gilbride and seconded by Tucker Magid, Council voted unanimously to adjourn the meeting at 6:44 p.m.

Respectfully prepared,


Kim Schooley
Deputy Town Clerk

Respectfully submitted,


Susan Johnston
Town Clerk