



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 MAY 16, 2024
REGULAR TOWN COUNCIL MEETING**

The meeting of the Town Council was called to order by Mayor Marti Prohaska at 2:02 p.m. on Thursday, May 16, 2024. 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)
Pete Duprey (via Zoom)
Tucker Magid (via Zoom)
Huascar E. Gomez

The following Town Council member was absent:

Jack Gilbride

Also in attendance were:

Paul Wisor, Town Manager
Michelle Haynes, Assistant Town Manager (via Zoom)
Susan Johnston, Town Clerk
Kim Schooley, Deputy Town Clerk
David McConaughy, Town Attorney
Lizbeth Lemley, Finance Director
Chris Broady, Police Chief
JD Wise, Economic Development & Sustainability
Director
Molly Norton, Community Engagement Coordinator
Lauren Kim, Environmental Efficiencies & Grant
Coordinator
Amy Ward, Community Development Director
Kathrine Warren, Public Information Officer
Finn Kjome, Public Works Director
Scott Pittinger, Public Works Director
Jim Loebe, Transit & Recreation Director
Jim Soukup, Chief Technology Officer

Rob Johnson, Transit Manager
Jaime Holmes, HR Director
Drew Nelson, Senior Planner
Lauren Tyler, GIS Administrator
Brittany Newell, Rental Properties Manager
Claire Perez, Planner II
Julie Vergari, Assistant Finance Director
Marleina Taix, Housing Manager
Kyle Tanguay, Facilities Maintenance Manager
Tim Barber
Madeline Gomez
David Mack
Dan Montgomery
Jack Wesson
Chris Chaffin
Matt Skinner
Patrick Latcham
Sherri Reeder

Stephanie Fanos
Leslie Browning

Geneva Shaunette

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 with the Regional Wastewater Treatment Plant Pursuant to C.R.S. 24-6-402(4)(e)**
- b. **Determining Positions Relative to Matters that may be Subject to Negotiations, Developing Strategy for Negotiations and/or Instructing Negotiators, In Connection with the Proposed Gondola Replacement and Expansion Pursuant to C.R.S. 24-6-402(e)**
- c. **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 Proposed Elections Related to Future Operation, Maintenance and Construction of the Gondola Systems Pursuant to C.R.S. 24-6-402(4)(b) and (e)**

Additional Executive Session Item Added by Mayor Prohaska:

- d. **Discussion with the Town Attorney for Legal Advice Regarding Pending Litigation Involving the Developer of Lot 109R Pursuant to C.R.S. 24-6-402(4)(b)**

On a **MOTION** by Scott Pearson and seconded Huascar E. Gomez (Rick), 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 with the Regional Wastewater Treatment Plant pursuant to C.R.S. 24-6-402(4)
- b. Determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations and/or instructing negotiators, in connection with the proposed gondola replacement and expansion pursuant to C.R.S. 24-6-402(e)
- c. 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 proposed elections related to future operation, maintenance and construction of the gondola systems pursuant to C.R.S. 24-6-402(4)(b) and (e)
- d. Discussion with the Town Attorney for legal advice regarding pending litigation involving the developer of Lot 109R pursuant to C.R.S. 24-6-402(4)(b)

at 2:05 p.m.

Council returned to open session at 3:08 p.m.

Consideration of a Proclamation Declaring the Month of May as Mental Health Awareness Month

(3)

Mayor Pro Tem Scott Pearson read the proclamation. Tri-County Health Network Immigrant Affairs Advocate Laura Fehrenbacher made a comment. Council discussion ensued. On a **MOTION** by Marti Prohaska and seconded by Huascar E. Gomez (Rick), Council voted unanimously to approve a Proclamation declaring the month of May as Mental Health Awareness Month.

Staff Introductions: (4)

a. Chris Yeh, VCA Maintenance Team

Facilities Maintenance Manager Kyle Tanguay introduced the new VCA Maintenance Team member Chris Yeh.

b. Aidan Flynn, Forestry Crew Leader

c. Alicia Web, Forestry Technician II

d. Trey Seeking, Forestry Technician I

e. Jonah Rofulowitz, Forestry Technician I

Town Forester Rodney Walters introduced new Forestry Crew Leader Aidan Flynn, Forestry Technician II Alicia Web, Forestry Technician I Trey Seeking, and Forestry Technician I Jonah Rofulowitz.

f. Jordan Menefee, Lead Preschool Teacher

Childcare Director Chambers Squier introduced the new Lead Preschool Teacher Jordan Menefee.

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 April 25, 2024 Regular Town Council Meeting Minutes

Town Clerk Susan Johnston presented. Council discussion ensued. On a **MOTION** by Scott Pearson and seconded by Huascar E. Gomez (Rick), Council voted unanimously to approve the Consent Agenda as presented.

Council moved to agenda item 7.

Liquor Licensing Authority: Quasi-Judicial (6)

a. Consideration of an Application for a Special Event Permit by San Miguel Mentoring Partnering with Telluride Food & Vine for a Special Event at the Telluride Raquet Club on June 14, 2024 from 9:00 AM to 2:00 PM

Susan Johnston and Event Coordinator Meehan Fee presented. Council discussion ensued. On a **MOTION** by Huascar E. Gomez (Rick) and seconded by Tucker Magid, Council voted to approve an Application for a Special Event Permit by San Miguel Mentoring partnering Telluride Food & Vite for a special event at the Telluride Raquet Club on June 14, 2024 from 9:00 a.m. to 2:00 p.m.

Council moved to agenda item 8.

Department Updates (7)

Town Manager Paul Wisor presented. Council discussion ensued.

Council moved to agenda item 6.

Finance: (8)

a. Presentation of the April 30, 2024 Business & Government Activity Report (BAGAR)

Lizbeth Lemley and Assistant Finance Director Julie Vergari presented. Council discussion ensued.

Consideration of a Resolution to Participate in The Centennial State Liquid Investment Pool (CSLIP) (9)

Lizbeth Lemley presented. Council discussion ensued. On a **MOTION** by Harvey Mogenson and seconded by Huascar E. Gomez (Rick), Council voted unanimously to approve a Resolution presented to participate in the Centennial State Liquid Investment Pool, CSLIP.

Second Reading, Public Hearing and Council Vote on an Ordinance Regarding Proposed CDC Building Code Amendments, Pursuant to CDC Section 17.1.7 Legislative (10)

Chief Building Official Lars Forsythe and Community Development Director Amy Ward presented. Mayor Prohaska opened the public hearing. There were no public comments. The Mayor closed the public hearing. Council discussion ensued.

a. International Plumbing Code (IPC)

On a **MOTION** by Pete Duprey and seconded by Huascar E. Gomez (Rick), Council voted 6-0 to approve on second reading an Ordinance amending CDC Section 17.7.17 regarding the International Plumbing Code (IPC) as presented.

b. International Fuel Gas Code (IFGC)

On a **MOTION** by Scott Pearson and seconded by Tucker Magid, Council voted 6-0 to approve on second reading an Ordinance amending CDC Section 17.7.14 regarding the International Fuel Gas Code (IFGC) as presented.

c. International Energy Conservation Code (IECC)

On a **MOTION** by Pete Duprey and seconded by Harvey Mogenson, Council voted 6-0 to approve on second reading an Ordinance amending CDC Section 17.7.12 regarding the International Energy Conservation Code (IECC) as presented.

Second Reading, Public Hearing, Council Vote on an Ordinance Regarding a CDC Amendment to Open Space Map Reference, Pursuant to CDC Section 17.3.10 Legislative (11)

Amy Ward presented. Mayor Prohaska opened the public hearing. There were no public comments. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Huascar E. Gomez (Rick) and seconded by Harvey Mogenson, Council voted 6-0 to approve on second reading an Ordinance amending Section 17.3.10 of the Community Development Code regarding reference to the Open Space Map as presented.

First Reading, Setting of a Public Hearing, and Council Vote on an Ordinance Regarding Community Development Code Amendments of CDC Section 17.6.1 Environmental Regulations and 17.8.1 Definitions Legislative (12)

Amy Ward and Rodney Walters presented. Council discussion ensued. On a **MOTION** by Huascar E. Gomez (Rick), and seconded by Scott Pearson, Council voted 6-0 to approve on first reading an Ordinance regarding Community Development Code Amendments of CDC Section 17.6.1 Environmental Regulations and 17.8.1 Definitions and to set the second reading, public hearing, and final Council vote for the June 20, 2024 Regular Town Council meeting with the following five amendments:

1. Update the valuation in section A.2.b to \$500,000,
2. Update the valuation to section A.2.c. regarding landscaping to \$100,000,
3. Keep the language that refers to firewood in Zone 1 as it currently exists,
4. Create language that specifically allows for above grade flowerboxes as an architectural element, not a landscaping element, and
5. Change the wording in section A.2.c to exclude hardscaping, etc. from the valuation.

Council took a break from 4:43 to 4:48 p.m.

Consideration of a Resolution Approving a Height Variance Application for Lot 166AR2-10, TBD Stonegate Drive, Pursuant to CDC Section 17.4.16 Quasi-Judicial (13)

Senior Planner Drew Nelson presented. Applicant Jack Wesson presented. Public comment was received from David Mack and Dan Montgomery. Council discussion ensued. On a **MOTION** by Pete Duprey and seconded by Huascar E. Gomez (Rick), Council voted 5-1 (with Scott Pearson dissenting) to approve a Resolution approving a Height Variance Application allowing a maximum height of 6 feet above the allowable, per the height restrictions listed in the CDC for portions of a new single-family residence located

at Lot 166AR2-10, TBD Stonegate Drive based on the evidence provided in the staff record of memo dated May 6, 2024, and the findings of this meeting and with the following conditions:

1. The approved height variance is valid only with the design presented for Initial DRB review on May 2, 2024, 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 in Figure 6 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 thus described.

Second Reading, Public Hearing and Council Vote on an Ordinance Regarding a Major PUD Amendment for Lot 38-50-51RR, 568 Mountain Village Boulevard, Madeline Hotel and Residences, Pursuant to CDC Section 17.4.12 Quasi-Judicial (14)

Drew Nelson, Economic Development & Sustainability Director JD Wise, and Community Engagement Coordinator Molly Norton 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 Huascar E. Gomez (Rick) and seconded by Scott Pearson, Council voted 6-0 to approve an Ordinance regarding a major PUD amendment for Lot 38-50-51RR, 568 Mountain Village Blvd, Madeline Hotel and Residences, pursuant to CDC section 17.4.12 as presented.

Winter Parking Recap (15)

Transit & Recreation Director Jim Loebe and Transit Operations Manager Rob Johnston presented. Council discussion ensued.

Council took a break from 6:00 to 6:03 p.m.

Summer Trails Update (16)

Jim Loebe presented. Council discussion ensued.

Telluride Tourism Board Update (18)

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

Discussion of Town-Owned Properties for Development of Deed Restricted Housing (19)

Paul Wisor and Assistant Town Manager Michelle Haynes presented. Public comment was received from Brian Kanaga, Chris Chaffin, and Leslie Browning. Council discussion ensued.

Council Boards and Commissions Updates: (20)

1. Telluride Tourism Board – Gomez
2. Colorado Flights Alliance – Gilbride
3. Transportation & Parking – Duprey & Mogenson
4. Budget & Finance Committee – Duprey, Pearson, & Mogenson
5. Gondola Committee – Mogenson, Prohaska, & Pearson
6. Colorado Communities for Climate Action – Pearson
7. San Miguel Authority for Regional Transportation (SMART) – Magid, Mogenson, & Gomez
8. Telluride Historical Museum – Prohaska
9. Collaborative Action for Immigrants (CAFI) – Gomez
10. Mountain Village Business Development Advisory Committee (BDAC) – Pearson & Duprey
11. Wastewater Committee – Duprey & Magid
12. Housing Committee – Duprey & Magid
13. Telluride Conference Center Committee – Duprey & Magid
14. Miscellaneous Boards and Commissions
15. Mayor's Update

Public Comment on Non-Agenda Items (21)

There was no public comment.

Other Business (22)

There was no other business.

There being no further business, on a **MOTION** by Scott Pearson and seconded by Huascar E. Gomez (Rick), Council voted unanimously to adjourn the meeting at 7:15 p.m.

Respectfully prepared,



Kim Schooley

Deputy Town Clerk

Respectfully submitted,



Susan Johnston

Town Clerk