



TOWN OF MOUNTAIN VILLAGE
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**TOWN OF MOUNTAIN VILLAGE
MINUTES OF THE JUNE 20, 2024
REGULAR TOWN COUNCIL MEETING**

The meeting of the Town Council was called to order by Mayor Marti Prohaska at 2:00 p.m. on Thursday, June 20, 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
Pete Duprey
Tucker Magid
Huascar E. Gomez

The following Town Council member was absent:

Jack Gilbride

Also in attendance were:

Michelle Haynes, Assistant Town Manager
Susan Johnston, Town Clerk
Kim Schooley, Deputy Town Clerk
David McConaughy, Town Attorney
Haley Carmer, Assistant Town Attorney
Kate Summers, Town Attorney Intern
Lizbeth Lemley, Finance Director
Chris Broady, Police Chief
JD Wise, Economic Development & Sustainability Director
Molly Norton, Community Engagement Coordinator
Lauren Kirn, Environmental Efficiencies & Grant Coordinator
Amy Ward, Community Development Director
Kathrine Warren, Public Information Officer
Jim Soukup, Chief Technology Officer
Julie Vergari, Assistant Finance Director
Chambers Squier, Day Care Director
Finn Kjome, Public Works Director
Rob Johnson, Transit Manager

Drew Nelson, Senior Planner
Lauren Tyler, GIS Administrator
Erin Howe, Planning Tech
Tim Barber
Madeline Gomez
Kenneth Adler
David Averill
Sherri Reeder
Sophie Fabrizio
Heidi Lauterbach
Heather Knox
Amy Alvarez
Scott Robson
Ryan McGovern
Len Rybicki
Anne Reissner
Paul Savage
Jonathan Greenspan

Dan Jansen
Jim Royer

Dawn Katz

Executive Session for the Purpose of: (2)

- a. **Conference with Town Attorney for the Purpose of Receiving Legal Advice Regarding a Franchise Agreement and Use of Town Rights of Way, Pursuant to C.R.S. 24-6-402(4)(b)**
- b. **Conference with the Town Attorney for the Purpose of Receiving Legal Advice on Specific Legal Questions and Determining Positions Relative to Matters that may be Subject to Negotiations, Developing Strategies for Negotiations, and Instructing Negotiators with Respect to Town of Mountain Village v. K. Alexander, Pursuant to C.R.S. 214-6-402(4)(b)**
- 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 the Acquisition of Land Pursuant to C.R.S. 24-6-402(4)(b) and (e)**

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

- a. Conference with Town Attorney for the purpose of receiving legal advice regarding a franchise agreement and use of town rights of way, pursuant to C.R.S. 24-6-402(4)(b)
- b. Conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiations, developing strategies for negotiations, and instructing negotiators with respect to Town of Mountain Village v. K. Alexander, pursuant to C.R.S. 214-6-402(4)(b)
- 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 the acquisition of land pursuant to C.R.S. 24-6-402(4)(b) and (e)

at 2:03 p.m.

Council returned to open session at 2:57 p.m.

Consideration of a Proclamation Declaring the Month of June as Immigrant Heritage Month (3)

Huascar E. Gomez (Rick) read the proclamation. Tri-County Health Communities That Care Latinx Parent Advisor Julia Millan accepted the proclamation and thanked Council for their support. Council discussion ensued. On a **MOTION** by Huascar E. Gomez (Rick) and seconded by Tucker Magid, Council voted unanimously to approve a Proclamation declaring the month of June as Immigrant Heritage Month.

Staff Introductions: (4)

a. Erin Howe, Planning Technician

Community Development Director Amy Ward introduced the new Planning Tech Erin Howe.

Council took a break from 3:07 to 3:14

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 May 16, 2024 Regular Town Council Meeting Minutes

Town Clerk Susan Johnston presented. Council discussion ensued. On a **MOTION** by Pete Duprey and seconded by Tucker Magid, Council voted unanimously to approve the Consent Agenda as presented.

Department Updates (6)

Assistant Town Manager Michelle Haynes presented. Council discussion ensued.

Finance: (7)

a. Presentation of the May 31, 2024 Business & Government Activity Report (BAGAR)

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

Consideration of a Resolution Concerning Telluride Conference Center Event Contracts (8)

Economic Development & Sustainability Director JD Wise and Town Attorney David McConaughy presented. Council discussion ensued. On a **MOTION** by Scott Pearson and seconded by Huascar E. Gomez (Rick), Council voted unanimously to approve a Resolution concerning Telluride Conference Center event contracts as presented.

Consideration of an Agreement Between the Town of Mountain Village and TSG Ski & Golf, LLC For Use of the Zipcar Car Share Program (9)

JD Wise and David McConaughy presented. Council discussion ensued. On a **MOTION** by Pete Duprey and seconded by Huascar E. Gomez (Rick), Council voted unanimously to approve an Agreement between the Town of Mountain Village and TSG Ski & Golf, LLC for use of the Zipcar Car Share Program as presented.

Consideration of Approval of an Assignment Agreement Between TSG Ski & Golf, LLC and the Town of Mountain Village Assigning Existing Telluride Conference Center Event Agreements (10)

JD Wise and David McConaughy presented. Council discussion ensued. On a **MOTION** by Pete Duprey and seconded by Tucker Magid, Council voted unanimously to approve an Assignment Agreement Between TSG Ski & Golf, LLC and the Town of Mountain Village assigning existing Telluride Conference Center event agreements as presented.

Consideration of Approval of a Partial Assignment Agreement Between TSG Ski & Golf, LLC and the Town of Mountain Village Assigning Portions of Existing Telluride Conference Center Event Agreements (11)

JD Wise and David McConaughy presented. Council discussion ensued. On a **MOTION** by Marti Prohaska and seconded by Harvey Mogenson, Council voted unanimously to approve a Partial Assignment Agreement between TSG Ski & Golf, LLC and the Town of Mountain Village assigning portions of existing Telluride Conference Center event agreements as presented.

Discussion Regarding Funding of Mountain Village Floor Connector *Legislative (12)*

Lizbeth Lemley presented. Telluride Mountain Club representative Sophie Fabrizio made a comment. Council discussion ensued. Council directed staff to move forward with the funding and to contribute \$150,000 from the \$600,000 originally budgeted for trail improvement projects to the Mountain Club for the Mountain Village to Valley Floor Singletrack connector trail.

Council moved to agenda item 16.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Calling for a Special Election on October 1, 2024 and Setting Ballot Questions Regarding Proposed Amendments to the Mountain Village Home Rule Charter *Legislative (13)*

David McConaughy and Lizbeth Lemley presented. Public comment was received from Paul Savage, Jim Royer, Dan Jansen, Jonathan Greenspan, and Heather Knox. Council discussion ensued. On a **MOTION** by Scott Pearson and seconded by Pete Duprey, Council voted 6-0 to approve an Ordinance submitting ballot questions to qualified electors at the regular election to amend the Town of Mountain Village Home Rule Charter on first reading, with the regular election date of June 24, 2025 and setting a public hearing for July 18, 2024 regular Town Council meeting with the amendments to leave the regular municipal election dates to be the last Tuesday in July of odd numbered years and to include permitting the issuance of revenue bonds by special authorities. The new ordinance will include the following five charter amendments for voters to consider:

1. Allowing property owners holding property in LLCs or trusts to vote like other non-resident property owners

2. Clarifying the effective dates of ordinances
3. Allowing publication of ordinances via the Town website rather than by newspaper
4. Reconciling a conflict between the Town Code and the Charter regarding Design Review Board member terms
5. Authorizing the issuance of revenue bonds without an election

Council broke for dinner from 5:15 to 5:32 p.m.

Consideration of a Resolution Approving a Height Variance Application for Lot 165, Unit 2, TBD Cortina Drive, Pursuant to CDC Section 17.4.16 Legislative (14)

Planner II Claire Perez presented. Applicant Ken Adler with KA Design Works presented. Council discussion ensued. On a **MOTION** by Pete Duprey and seconded by Tucker Magid, Council voted unanimously to approve a Resolution approving a Height Variance Application allowing a maximum height of up to seven feet above the allowable, per the height restrictions listed in the CDC for portions of a new single-family residence located at Lot 165 Unit 2, TBD Cortina Drive based on the evidence provided in the staff record of memo dated June 4, 2024, and the finding 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 6, 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, the variance would not cover portions of the building that are not thus described.

Council moved to agenda item 19.

Second Reading, 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 (15)

Amy Ward presented. The Mayor 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 Pete Duprey, Council voted 6-0 to approve on second reading an Ordinance regarding the proposed changes to the Community Development Code sections 17.6.1 Environmental Regulations and 17.8.1 Definitions as attached in the packet materials as exhibit A.

Council moved to agenda item 17.

Update Regarding Village Court Apartments Bus Stop Construction/ Funding Timeline (16)

Amy Ward presented. Council discussion ensued.

Council moved to agenda item 15.

Work Session Regarding VCA Voter Registration (17)

Council members Scott Pearson and Huascar E. Gomez (Rick) presented. Council discussion ensued.

Council moved to agenda item 13.

Presentation Regarding Kamikatsu, Japan, a Zero-Waste Community (19)

Michelle Haynes and Environmental Efficiencies & Grant Coordinator Lauren Kirn presented. Council discussion ensued.

Regional Youth Hangout Update and Next Steps (20)

Tri-County Health Communities That Care Manager Dawn Katz, Town of Telluride Town Manager Scott Robson, and Town of Telluride Recreation Facilities Manager Ryan McGovern presented. Council discussion ensued.

Council Boards and Commissions Updates: (21)

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 (22)

There was no public comment.

Other Business (23)

There was no other business.

There being no further business, on a **MOTION** by Huascar E. Gomez (Rick) and seconded by Tucker Magid, Council voted unanimously to adjourn the meeting at 7:18 p.m.

Respectfully prepared,



Kim Schooley

Deputy Town Clerk

Respectfully submitted,



Susan Johnston

Town Clerk

