



TOWN OF MOUNTAIN VILLAGE
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**TOWN OF MOUNTAIN VILLAGE
MINUTES OF THE NOVEMBER 21, 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, November 21, 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 (via Zoom)
Jack Gilbride (Absent)
Harvey Mogenson (via Zoom)
Pete Duprey (via Zoom)
Tucker Magid
Huascar E. Gomez (Rick)

The following Town Council members were absent:

Jack Gilbride

Also in attendance were:

Paul Wisor, Town Manager
Kate Burns, Controller
Drew Nelson, Senior Planner
Rob Johnson, Transit Operations Manager
Amy Ward, Community Development Director
Jim Loebe, Director of Transit & Recreation
Jaime Holmes, Director of Human Resources
Claire Perez, Planner II
Erin Howe, Planning Tech
Kathrine Warren, Communications Manager
JD Wise, Economic Development & Sustainability Director
Chris Broady, Police Chief
Michelle Haynes, Assistant Town Manager
Susan Johnston, Town Clerk
Mae Eckard, Deputy Town Clerk
David McConaughy, Town Attorney
Lizbeth Lemley, Finance Director
Brittany Newell, Rental Properties Manager
Molly Norton, Community Engagement Coordinator
Lauren Tyler, GIS Administrator

Sherri Reeder
Natalie Grooms
Peter Mitchell
Marisa Marshalka
Cath Jett
Jonathan Greenspan
Madelaine Balestrier
Laura Aleman
James Roche
George Harvey
Jason Habib
Cristina Lucas
Sterling Parks
Ashley Denton
Pedro Maquera
David Bourne

Sydney Roop, Accounting Technician and Payroll
Scott Pittenger, Public Works Director
Wiley Freeman
Paul Horn
Brad Zaporski
Rube Felicelli

Tim Barber
Stephanie Fanos
Adrian Bergere
Ron Bercovitz
Frost Prioleau
Madeline Gomez

Executive Session for the Purpose of:

- a. **Conference with Town Attorney for the Purpose of Receiving Legal Advice on Specific Legal Questions Regarding Proposed Legislation Pursuant to C.R.S. 24-6-402(4)(b)**
- b. **Conference with Town Attorney for the Purpose of Receiving Legal Advice on Specific Legal Questions Regarding Proposed Legislation Pursuant to C.R.S. 24-6-402(4)(b)**
- c. **Determining Positions Relative to Matters that May be Subject to Negotiations; Developing Strategy for Negotiations; and Instructing Negotiators Regarding the Acquisition of Land Pursuant to C.R.S. 24-6-402(4)(a), (b), and (e)**

On a **MOTION** by Tucker Magid and seconded by Huascar Gomez (Rick), Council voted unanimously to move into Executive Session at 2:00 p.m. for the purpose of:

- a. Conference with Town Attorney for the Purpose of Receiving Legal Advice on Specific Legal Questions Regarding Proposed Legislation Pursuant to C.R.S. 24-6-402(4)(b)
- b. Conference with Town Attorney for the Purpose of Receiving Legal Advice on Specific Legal Questions Regarding Proposed Legislation Pursuant to C.R.S. 24-6-402(4)(b)
- c. Determining Positions Relative to Matters that May be Subject to Negotiations; Developing Strategy for Negotiations; and Instructing Negotiators Regarding the Acquisition of Land Pursuant to C.R.S. 24-6-402(4)(a), (b), and (e)

Council resumed the regular meeting at 2:48 p.m.

Public Comment on Non-Agenda Items (3)

Public comment was received from Jonathan Greenspan.

Staff Introductions (4)

- a. **Mae Eckard, Deputy Town Clerk**

Town Clerk Susan Johnston introduced Deputy Town Clerk Mae Eckard.

Consent Agenda: (5)

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:

- a. **Consideration of Approval of October 9, 2024 Special Budget Meeting Minutes**
- b. **Consideration of Approval of October 17, 2024 Regular Town Council Meeting Minutes**
- c. **Consideration of Approval of a Three-Year Lease Extension with the Telluride Regional Airport Authority for the Use of Lot R**

Susan Johnston presented. Council discussion ensued. On a **MOTION** by Huascar Gomez (Rick) and seconded by Tucker Magid, Council voted unanimously to approve the Consent Agenda with edits to the October 9th Special Budget Meeting Minutes, agenda item 8b. The following statement was added: Discussion ensued *regarding creating a paving plan with some road usage data behind it.*

Consideration of Appointments: (6)

- a. **One Regular Seat on the Ethics Commission for a Two-Year Term**

Susan Johnston presented. Council discussion ensued. Applicants, Cath Jett and Marisa Marshalka introduced themselves. On a **MOTION** by Scott Pearson and seconded by Pete Duprey, Council voted (5-1) to appoint Cath Jett to the Ethics Commission for a regular seat and two-year term.

Department Updates and Business and Government Activity Report (BaGAR) (7)

Town Manager Paul Wisor presented. Council discussion ensued. Council directed staff to create a Press Release regarding the new bus stop at Village Court Apartments.

Discussion Regarding a Town of Mountain Village Social Media Policy (8)

Communications Manager Kathrine Warren presented.

Consideration of Approval of the 2024-2025 Telluride Ski & Golf Winter Parking Agreement (9)

Paul Wisor presented. Council discussion ensued. On a **MOTION** by Harvey Mogenson and seconded by Huascar Gomez (Rick), Council voted unanimously to approve the 2024-2025 Telluride Ski & Golf Winter Parking Agreement as presented.

Ratification of Contract to Buy and Sell Land by and Between the Town of Mountain Village and Dylan Bates for the Acquisition by Mountain Village of 622 Mountain Village Boulevard, Unit 101A

Legislative (10)

Economic & Sustainability Director JD Wise and Paul Wisor presented. Council discussion ensued. On a **MOTION** by Huascar Gomez (Rick) and seconded by Tucker Magid, Council voted 5-1 (with Harvey Mogenson dissenting) to ratify a contract to buy and sell land by and between the Town of Mountain Village and Dylan Bates for the acquisition by Mountain Village of 622 Mountain Village Boulevard, Unit 101A.

San Miguel Watershed Coalition Report for 2024 & 2025 (11)

Sustainability & Grant Projects Manager Lauren Kirn introduced SMWC Director Adrian Bergere. Adrian Bergere presented. Council discussion ensued.

Consideration of a Resolution Adopting the 2025 Fee Schedule (12)

Finance Director Lizbeth Lemley presented. Council discussion ensued. On a **MOTION** by Huascar Gomez (Rick) and seconded by Tucker Magid, Council voted unanimously to approve a Resolution adopting the 2025 Fee Schedule

On a **MOTION** by Tucker Magid and seconded by Huascar Gomez (Rick) Council voted unanimously to convene as the Town of Mountain Village Housing Authority.

Town of Mountain Village Housing Authority: (13)

a. **Consideration of a Resolution of the Town of Mountain Village Housing Authority Adopting the TMVHA Fee Schedule for 2025**

Council discussion ensued. The Mayor opened public comment. Public comment was received by Sterling Parks. The Mayor closed public comment. Council directed staff to create a graduated scale on the units with larger increases and to work to get to the desired level over the course of three years. Changes to be made and presented at the December 12th meeting.

On a **MOTION** by Huascar Gomez (Rick) and seconded by Tucker Magid, Council voted to continue this item to the December 12th, 2024 meeting.

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

On a **MOTION** by Tucker Magid and seconded by Huascar Gomez (Rick), Council voted unanimously to convene as the Directors for the Dissolved Mountain Village Metro District.

Town Council Acting as the Board of Directors for the Dissolved Mountain Village Metro District: (14)

a. **Public Hearing on the Proposed 2025 and Revised 2024 Budgets**

Chairperson Prohaska opened the public hearing. No public comments were received. The Chairperson closed the public hearing. Council discussion ensued.

On a **MOTION** by Tucker Magid and seconded by Huascar Gomez (Rick), Council voted unanimously to reconvene as the Mountain Village Town Council.

Finance: (15)

Lizbeth Lemley presented.

a. **First Reading, Setting of a Public Hearing and Council Vote on an Ordinance of the Town Levying Property Taxes for the Year 2024 to be Collected in 2025**

Council discussion ensued. On a **MOTION** by Pete Duprey and seconded by Huascar Gomez (Rick), Council voted 6-0 to approve on first reading, an Ordinance Levying property taxes for the year 2024 to be collected in 2025 and to set the second reading, public hearing and Council vote for the December 12, 2024, Town Council meeting.

b. **First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Adopting the 2025 Budget and Revising the 2024 Budget**

Council discussion ensued. Council directed staff to reduce the San Miguel Water Coalition budget from \$10,000 to \$5,000. On a **MOTION** by Scott Pearson and seconded by Harvey Mogenson, Council voted 6-0 to approve on first reading, an Ordinance adopting the 2025 budget and revising the 2024 budget and to set the second reading, public hearing and Council vote for the December 12, 2024 Town Council meeting.

Council took a break from 5:16 p.m. to 5:25 p.m.

Second Reading, Public Hearing, and Council Vote on an Ordinance Regarding a CDC Amendment to CDC Section 17.5.14 Private Art, Pursuant to CDC Section 17.1.7 (16)

Senior Planner Drew Nelson presented. Council discussion ensued. The Mayor opened public comment. No public comment was received. The Mayor closed public comment. On a **MOTION** by Pete Duprey and seconded by Huascar Gomez (Rick), Council voted 6-0 to approve on first reading, an Ordinance regarding changes to the Community Development Code to Section 17.5.14 Private Art.

Conceptual Work Session Regarding a Potential Height Variance and Vested Property Rights for Lot 98, Pursuant to Section 17.4.6 of the Community Development Code (17)

Drew Nelson presented. Council discussion ensued.

Council moved to agenda item 20.

First Reading, Setting of a Public Hearing, and Council Vote on an Ordinance to Consider a Rezone and Density Transfer Application for Lot 908 Per Community Development Code Sections 17.4.9 and 17.4.10 (18)

Drew Nelson presented. The attorney for the applicant Stephanie Fanos, addressed Council. On a **MOTION** by Mayor Prohaska and seconded by Harvey Mogenson, Council voted 3-3 (with Tucker Magid, Scott Pearson & Pete Dupey dissenting). The **MOTION** resulted in a tie. On a **MOTION** by Mayor Prohaska and seconded by Scott Pearson, Council voted unanimously to continue the Density Transfer and

Rezone Application for Lot 908 to the December 12th, 2024, meeting.

(19) Dinner break

Council worked through the dinner break.

History on the Prohibition of the Subdivision of Single-Family Lots (20)

Community Development Director Amy Ward presented. Council discussion ensued.

Council moved to agenda item 18.

Second Reading, Public Hearing and Council Vote on an Ordinance to Consider a Rezone and Density Transfer Application for Lots 1001 and 1005R per Community Development Code Sections 17.4.9 and 17.4.10 (21)

Planner II Claire Perez and Assistant Town Manager Michelle Haynes presented. Council discussion ensued. The Mayor opened a public hearing. No public comment was received. The Mayor closed the public hearing. On a **MOTION** by Huascar Gomez (Rick) and seconded by Tucker Magid, Council voted 6-0 to approve an Ordinance regarding the Density Transfer and Rezone application, pursuant to CDC Sections 17.4.9 & 17.4.10 of the Community Development Code, to transfer 14 units of density on Lot 1001 and 8 units of density on Lot 1005R to the density bank based on the evidence provided within the staff report of record dated November 11, 2024, and with the following conditions:

1. The owner of record of density in the density bank, shall be responsible for all dues, fees, and any taxes associated with the assigned density and zoning until such time as the density is either transferred to a lot or another person or entity.

Second Reading, Public Hearing and Council Vote on an Ordinance to Consider a Rezone and Density Transfer Application for Lot 644 per Community Development Code Sections 17.4.9 and 17.4.10 (22)

Claire Perez presented. Council discussion ensued. The Mayor opened a public hearing. No public comment was received. The Mayor closed the public hearing. On a **MOTION** by Tucker Magid and seconded by Huascar Gomez (Rick), Council voted 6-0 to approve an Ordinance on first reading regarding the Density Transfer and Rezone application, pursuant to CDC Sections 17.4.9 & 17.4.10 of the Community Development Code, to transfer 12 units of density to the density bank based on the evidence provided within the staff report of record dated November 11, 2024, and with the following condition:

1. The owner of record of density in the density bank, shall be responsible for all dues, fees, and any taxes associated with the assigned density and zoning until such time as the density is either transferred to a lot or another person or entity.

Discussion Regarding Town Commercial Property Vacancy Tax Ordinance (23)

Town Attorney David McConaughy presented. Council discussion ensued regarding the length of the vacancy period which Council agreed, should be more than 180 days. Council consensus was to focus on restaurants and retail spaces and not on 2nd floor units.

San Miguel Power Association Timing Matters Program Update (24)

Manager of Member and Energy Services, Wiley Freeman presented. Comments were received from Rube Fellicelli. Council discussion ensued.

Council Boards and Commissions Updates: (25)

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. **Infrastructure Committee – Duprey & Magid**
12. **Telluride Conference Center Committee – Duprey & Magid**
13. **Miscellaneous Boards and Commissions**
14. **Mayor's Update**

On a **MOTION** by Huascar Gomez (Rick) and seconded by Tucker Magid, Council voted unanimously to continue the meeting beyond 6 hours.

Other Business (26)

- a. **Consideration of the 2025 Town Council Meeting Dates**

Council discussion ensued. Council consensus was to change the June 19th meeting to June 18th, 2025, and begin the meeting at 8:30 a.m. to accommodate the Bluegrass Festival.

Executive Session for the Purpose of: (27)


- a. **Determining Positions Relative to Matters that May be Subject to Negotiations; Developing Strategy for Negotiations; and Instructing Negotiators Regarding Wastewater Treatment Plant Pursuant to C.R.S. 24-6-402(4)(e)**

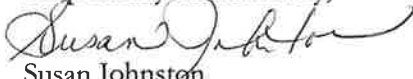
- b. Determining Positions Relative to Matters that May be Subject to Negotiations; Developing Strategy for Negotiations; and Instructing Negotiators Regarding the Ilium Community Housing Parcel Pursuant to C.R.S. 24-6-402(4)(e)
- c. Conference with Town Attorney for the purpose of Receiving Legal Advice on Specific Legal Questions Regarding Nuisance on Private Land pursuant to C.R.S. 24-6-402(4)(b)
- d. Determining Positions Relative to Matters that May be Subject to Negotiations; Developing Strategy for Negotiations; and Instructing Negotiators Regarding Ongoing Operations with Regional Partners Pursuant to C.R.S. 24-6402(4)(e)

On a **MOTION** by Tucker Magid and seconded by Huascar Rick (Gomez) Council voted unanimously to move into Executive Session at 8:05 p.m. for the purpose of:

- a. Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators regarding a 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 instructing negotiators and conference with the town attorney for legal advice regarding an acquisition of land pursuant to C.R.S. 24-6-402(b) and (e)
- c. Conference with Town Attorney for the purpose of Receiving Legal Advice on Specific Legal Questions Regarding Nuisance on Private Land pursuant to C.R.S. 24-6-402(4)(b)
- d. Determining Positions Relative to Matters that May be Subject to Negotiations; Developing Strategy for Negotiations; and Instructing Negotiators Regarding Ongoing Operations with Regional Partners Pursuant to C.R.S. 24-6402(4)(e)

There being no further business, on a **MOTION** by and seconded by, Council voted unanimously to adjourn the meeting at 9:08 p.m.

Respectfully prepared by,

Mae Eckard
Deputy Town Clerk

Respectfully submitted by,

Susan Johnston
Town Clerk