



455 Mountain Village Blvd. Suite A
Mountain Village, Co 81435
970-728-8000
970-728-4342 Fax
myclerk@mtnvillage.org

**TOWN OF MOUNTAIN VILLAGE
MINUTES OF THE OCTOBER 15, 2015
REGULAR TOWN COUNCIL MEETING**

The meeting of the Town Council was called to order by Mayor Dan Jansen at 8:31 a.m. on Thursday, October 15, 2015 in the Mountain Village Town Hall, 455 Mountain Village Town Hall Boulevard, Mountain Village, Colorado.

Attendance:

The following Town Council members were present and acting:

Dan Jansen, Mayor
Marty McKinley, Mayor Pro-Tem
Michelle Sherry
Dan Caton
Laila Benitez
Bruce MacIntire
Cath Jett

Also in attendance were:

Kim Montgomery, Town Manager
Jackie Kennefick, Director of Administration/Town Clerk
Susan Johnston, Deputy Town Clerk
Christina Meilander, Administrative Services Coordinator
David Reed, Town Attorney, via conference call
Jim Mahoney, Assistant Town Attorney
Kevin Swain, Finance Director
Chris Broady, Police Chief
Glen Van Nimwegen, Dir. of Planning & Development Services
Deanna Drew, Director of Plazas & Environmental Services
JD Wise, Plaza Services Manager
Finn Kjome, Public Works Director
Chris Colter, Director of Transit & Recreation
Dave Bangert, Forester/Planner
Sue Kunz, Human Resources Director
Corrie McMills, Human Resources Coordinator
Randy Kee, Building Official
Rob Johnson, Transit Operations Manager
Jim Loebe, Gondola Maintenance Manager
Rachelle Redmond, MVPD Lieutenant

Michael Martelon
Mandy Miller
Doug Tooley
Anton Benitez
Robert Stenhammer
Alexa Child
Ellie Slegers
Doug Ford
Sean Stogner
Nathan Frerichs
Carly Shaw
Dan Garner
Carol Custer
Tommy Hein
TD Smith
Tyler Lamb

Public Comment for Non-Agenda Items (2)

Public comment was received by Michelle Sherry.

Consideration of a Proclamation Declaring October 2015 Domestic Violence Awareness Month (3)

Council Member and San Miguel Resource Center (SMRC) Volunteer Advocate Cath Jett read the Proclamation. SMRC Executive Director Mandy Miller thanked Council for their support and accepted the Proclamation. On a **MOTION** by Marty McKinley and seconded by Dan Caton, Council voted unanimously to approve a Proclamation declaring October "Domestic Violence Awareness Month".

Consideration of Approval of the September 16, 2015 Town Council Minutes (4)

On a **MOTION** by Cath Jett and seconded by Michelle Sherry, Council voted unanimously to approve the September 16, 2015 Town Council meeting minutes adding to the public comment for non-agenda item section that Council directed staff to walk the area with Chris Hamm and look at ways to increase safety.

Council Boards and Commissions Updates: (5)

a. Eco Action Partners(EAP) –Sherry

Michelle Sherry stated that EAP continues to work on the regional composting project and has applied for a grant to help fund the project. San Miguel Power is looking into a pre-pay program that will help lower income families. EAP is considering a hydroelectric project to replace the Solar Array Program.

b. Telluride Historical Museum-Sherry

Ms. Sherry reported that the Museum will be closed from October 15th through November 30th for off season. The Museum is conducting lamplight cemetery tours and will have a haunted house for Halloween.

c. San Miguel Watershed Coalition – Jett

Ms. Jett reported that San Miguel Watershed Coalition and Trout Unlimited were co-applicants for the Southwest Basin Roundtable grant. The grant would provide funding for an environmental and recreational water needs assessment on the San Miguel River.

d. Colorado Flights Alliance – Jansen

Mayor Jansen stated that CFA is reporting a twenty percent increase in the number of seats sold from last year. He stated that CFA's payouts to the airline guarantee program will be very low due to increased performance.

e. Transportation & Parking- Benitez/MacIntire

There was no update.

f. Budget & Finance Committee – McKinley/Caton

Mr. McKinley stated that the departmental budget presentations are October 29, 2015.

g. Gondola Committee – McKinley/Caton

There was no update.

h. Mayor's Update – Jansen

Mayor Jansen stated that a public forum was held by the Telluride Hospital District to provide an update on the new Medical Center. Topics included financing options, the wetland mitigation process, and discussion of the Critical Access Hospital (CAH) designation. The Hospital District Board is conducting these sessions every few months and the public is encouraged to participate.

Gay Ski Week Update (6)

Telluride Tourism Board President and CEO Michael Martelon presented the above update stating that Gay Ski Week was started approximately thirteen years ago in Mountain Village using a fee for service business model. Telluride Mountain Village Owners Association (TMVOA) funded the event with the idea that over time the event would become self-sustaining. TMVOA has decided not to fund Gay Ski Week in 2016. Council discussion ensued regarding developing a task force to aid in transitioning the event to another type of business model. Mr. Martelon stated that he did not want to ignore any piece of business and that Gay Ski Week has a significant economic impact on Mountain Village. Straight Out Media is the promoter of Gay Ski Week and the organization is willing to transition the event to a local group over a two year period. Public comment was received by TMVOA Executive Director Anton Benitez and Douglas Ford. Mr. Benitez stated that the hope is for Gay Ski Week to secure a local producer for the event as well as sponsor support. Council Member Laila Benitez volunteered to serve on the task force. Council directed staff to agendize an item at the October 29, 2015 Special Town Council meeting to discuss setting aside funds to support the event.

Consideration of Re-Appointment of Judge Dennis Friedrich to the Position of Municipal Judge (7)

On a **MOTION** by Cath Jett and seconded by Dan Caton, Council voted unanimously to re-appoint Judge Dennis Friedrich to the position of Municipal Judge for a two year term.

Second Reading, Public Hearing and Council Vote on an Ordinance Revising Chapter 17.5.15(E) of Town of Mountain Village Community Development Code regarding Vending Regulations (8)

Plazas and Environmental Services Director Deanna Drew presented the above item. Extensive Council discussion ensued regarding adding special event vending on a staff level approval, increasing the number of vendors in Conference Center Plaza, plowing the Village Pond for broom ball and other activities, and reactivating the Plaza Use Committee to address these types of issues. Public comment was received by Doug Tooley. Council directed staff to agendaize a work session to discuss re-instituting the Plaza Use Committee and to create bylaws, the scope of the committee's authority, the composition of committee members and the budgetary impact. On a **MOTION** by Cath Jett and seconded by Dan Caton, Council voted 7-0 to adopt an Ordinance revising Chapter 17.5.15 (E) of Town of Mountain Village Community Development Code regarding vending regulations including the following sections:

- Section 3: The seasonal deadlines for applications to be considered shall be March 1st for the summer season and September 1st for the winter season. All applications filed after such deadlines *may* not be accepted.
- Section 3a: Diversity (in town and between vendors) of food offered, goods, wares, merchandise, services and *hours of operation*
- Section 4a: Up to four vending carts on Heritage Plaza, one vendor on Sunset Plaza and one on Conference Center Plaza
- Section 4diii: Approved vendors may apply to the Vending Committee for occasional extended hours during times the Vending Committee has determined have sufficient traffic. Such requests shall be approved or denied at the discretion of the Vending Committee

Consideration of a Resolution Amending the Community Development Department Fee Schedule Regarding the Fees for Vending Cart Applications and Rents as Well as Applications Fees for Temporary Cell on Wheels (COW) (9)

Deanna Drew presented the above item. Council discussion ensued. On a **MOTION** by Cath Jett and seconded by Dan Caton, Council voted unanimously to adopt a Resolution amending the Community Development Department Fee Schedule regarding the fees for vending cart applications and rents as well as applications fees for Temporary Cell on Wheels (COW) as presented but with the Cell on Wheel fees contingent upon Council's approval of agenda item #10.

First Reading, Setting of a Public Hearing, and Council Vote on an Ordinance Amending the Community Development Code (CDC) to Provide for Temporary Cell Towers on Wheels (COWS) (10)

Director of Planning and Development Services Glen Van Nimwegen presented the above item stating that per the CDC, the permanent cell tower structure must go through a process and that unfortunately there has been a delay in constructing the permanent tower. This delay created a need for a temporary cell tower until the permanent structure is completed. The amendment allows for a Class 1 approval which is a staff level approval. The COW may be located in any zoning district and is temporary. Council discussion ensued. Mr. Van Nimwegen stated that the Town will provide power and fiber and that the maximum height of the tower is sixty feet. The Design Review Board has recommended approval of the use of the COW for a temporary solution for up to one year. The COW will operate 24 hours a day. On a **MOTION** by Michelle Sherry and seconded by Laila Benitez, Council voted 7-0 to approve on first reading an Ordinance amending the Community Development Code to provide for Temporary Cell Towers on Wheels (COWS) as presented and to and set the second reading, public hearing and Council vote for October 29, 2015

Second Reading, Public Hearing and Council Vote on an Ordinance to Rezone Lot 617 Quasi Judicial (11)

Glen Van Nimwegen presented the above item. The Mayor opened the public hearing. There was no public comment. The Mayor closed the public hearing. On a **MOTION** by Cath Jett and seconded by Dan Caton, Council voted 7-0 to approve an Ordinance to rezone Lot 617 as presented.

Staff Reports: (12)

a. Police

Chief of Police Chris Broady presented his report stating that overall service calls are up thirty-eight percent from 2014 summer season. The fourth annual National Night Out in August was a great success with approximately three hundred attendees. Chief Broady is actively recruiting for an officer to replace Ted Holland who is retiring in December. The speed limit has been dropped to 15 mph in the Meadows. Chief Broady stated that the problem bear discussed at the September meeting had been dispatched and that there have been no bear intrusions since.

b. Planning and Development Services

Glen Van Nimwegen presented his report stating that several projects have progressed over the last six months including:

- Forest Thinning & Management Project and Fire Mitigation (near completion)
- Village Court Apartments (VCA) Natural Gas Conversion Project (Staff is determining the return on investment (ROI) and Deanna Drew is working with Resource Engineering Group consultants) An update from the consultants will be presented at the November meeting.
- Telecommunication Ordinance Changes
- Building Permit Software (Close to approving a contract with Meritage Systems of Fort Collins)

Mr. Nimwegen welcomed VCA Property Manager Patrick Meucci who was hired to replace Steven Spencer. Mr. Meucci is planning to implement a new phone service for after-hours calls and work orders. He has received bids for resurfacing the parking lot and is analyzing other methods of snow removal. VCA is full and has an estimated two year wait list. Council discussion ensued on what the reasons are for employees leaving town positions and how Mountain Village compares to other towns. Human Resources Director Sue Kunz stated that she has this information and will provide it to Council. Council thanked Mr. Nimwegen for a great report.

c. Town Manager

Town Manager Kim Montgomery presented her report announcing the September Great Services Award Co-winners; Nichole Zangara Riley, Robert Haining (the E.coli false positive effort) and Brooke Ruggles at Mountain Munchkins. Chris Colter has officially announced his retirement in early 2016. The Medical Center wetland permit response is due to the US Army Corps on October 21st however; a two week extension has been requested.

Executive Session for the Purpose of Receiving Legal Advice Pursuant to C.R.S. 24-6-402(b), and for the Purpose of Negotiations Pursuant to C.R.S. 24-6-402(4)e (13)

On a **MOTION** by Dan Caton and seconded by Michelle Sherry, Council agreed to enter into Executive Session for the purpose of receiving legal advice pursuant to C.R.S. 24-6-402(b), and for the purpose of negotiations pursuant to C.R.S. 24-6-402(4)e at 11:02 a.m. Council took a short break before returning to regular session.

Council returned to regular session at 1:17 p.m.

Finance: (15)

Finance Director Kevin Swain presented the following:

a. Presentation of the September 2015 Business & Government Activity Report (BAGAR)

Council discussion ensued.

Discussion on Conceptual Plans for Lot 27A; 112 Lost Creek Lane (16)

Glen Van Nimwegen presented the above item stating that the owner (TCH Belvedere Phase Three, LLC) is proposing to build out the remaining parcel with ten townhomes, seven flats, a loft unit and five efficiency units. The proposal is for twenty-three units however, at this time, the person equivalent density is unknown. Council discussion ensued. TD Smith and architect Tommy Hein presented the proposed plans. Mr. Hein and Mr. Smith asked if Council was open to a reduction of density on this site. They noted that they are exploring an entry to the ski area as well as connecting the new complex to the neighboring Lumiere Hotel, who has expressed interest in managing the project. Council consensus was in favor of the project as

presented and the reduction of density was not of major concern. Council thanked them for presenting the plans early in the process.

Municipal Legislation Update (17)

Legal intern Alexa Child provided an update on recent legislation affecting Colorado Municipalities. The following ten House Bills were most applicable to the Town of Mountain Village:

- HB 15-1192 Allowing Licensed Premises in Entertainment Districts
- HB 15-1130 Overseas and Military Voters
- HB 15-119 Regulation of Pesticide Applicators
- HB 15-1029 Telehealth for rural areas with population less than
- HB 15-1197 Indemnity in Public Construction Contracts
- HB 15-1017 Private Volunteer Fire Departments
- HB 15-058 Eyewitness Identification Policies and Procedures
- HB 15-1031 Regulation of Powdered Alcohol
- HB 15-254 Municipal Utilities-Solar Credits
- HB 15-08 Water Efficiency Plans and Trashing

Council thanked Ms. Child for her thorough presentation and congratulated her on passing the Colorado Bar Exam.

TMV Safety Committee Recommendation to Limit Availability of Blankets to Gondola Passengers (18)

Director of Transit & Recreation Chris Colter and Transit Manager Rob Johnson presented the above item. Mr. Johnson stated that the town's safety committee had raised concerns about the cleanliness of the gondola blankets and offered several solutions including: limiting the number of blankets to 75, limiting blanket availability based on the temperature threshold and having other regional entities take on the responsibility of the blankets. Extensive Council discussion ensued. Public comment was received by Corrie McMills and Tyler Lamb. Ms. McMills stated that the purpose of the safety committee is to discuss issues, assess the risk and present possible solutions. Council directed staff to work together with the safety committee to explore ways to preserve the program and come up with a proposal to present to Town Council as an action item at a later meeting.

David Reed left the meeting at 2:05 p.m.
Michelle Sherry left the meeting at 2:05 p.m.

Doppelmayr Engineering Study for the Gondola (19)

The Mayor framed the discussion stating that Long Term Gondola Strategic Planning was started about one and a half years ago to address the following four questions:

1. Do we want the Gondola to continue after 2027?
2. What kind of machine do we want?
3. Who owns and operates it in 2028?
4. Who pays for it?

Gondola Maintenance Manager Jim Loebe stated that the September 2, 2015 Doppelmayr Engineering Study concluded that the machine has been very well maintained over the last nineteen years. The report stated that the current machine could run indefinitely with proper maintenance, however; the possibility that parts may become obsolete was also discussed. Doppelmayr provided three scenarios for the Town to consider:

1. Bring the existing system up to design capacity with additional cabins
2. Replace existing cabins, suspensions, lines, and terminal components
3. Complete replacement of current system and demolition of old machine

Mr. Colter stated that ridership has been steadily increasing each year which may mean more repair work and maintenance. This could potentially be problematic prior to 2027. The Gondola Sub Committee will work with TMVOA to develop several maintenance and repair scenarios and how to prioritize them. The Mayor stated that the next step is to schedule an Intergovernmental Meeting with the Town of Telluride and San

Miguel County to discuss if the Gondola will continue to operate after 2027 and what type of Gondola system will be operated. Council thanked Mr. Loebe and Mr. Colter for their thorough presentation.

On a **MOTION** by Bruce MacIntire and seconded by Laila Benitez, Council voted unanimously to extend the meeting past 6 hours.

Other Business: (20)

a. Notification to Council of Opening of One Regular and One Alternate Seat on the Telluride Regional Airport Authority (TRAA) Board

Director of Administration/Town Clerk Jackie Kennefick stated that there are two openings on the TRAA Board that need to be filled. One regular and one alternate seat will be advertised and the appointment will be agendized at the November Town Council meeting.

b. Proposed 2016 Town Council Meeting Schedule

Ms. Kennefick presented the above item. Council discussion ensued. The following is the agreed upon 2016 Town Council meeting schedule:

January 21st
February 11th
March 16th (Wednesday - Meeting start time 3:00 p.m.)
April 21st
May 19th
June 16th
July 21st (Meeting start time 3:00 p.m.)
August 18th
September 15th
October 20th
November 17th
December 8th (Meeting start time 3:00 p.m.)

There being no further business, on a **MOTION** by Cath Jett and seconded by Dan Caton, Council unanimously agreed to adjourn the meeting at 3:07 p.m.

Respectfully prepared,



Susan Johnston
Deputy Town Clerk

Respectfully submitted,



Jackie Kennefick
Town Clerk