



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 JANUARY 19, 2017 REGULAR TOWN COUNCIL MEETING

The meeting of the Town Council was called to order by Mayor Dan Jansen at 8:32 a.m. on Thursday, January 19, 2017 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
Laila Benitez
Michelle Sherry
Bruce MacIntire
Cath Jett via conference call

The following Town Council members were absent:

Marty McKinley, Mayor Pro-Tem
Dan Caton

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
Jim Mahoney, Assistant Town Attorney
Sarah Abbott, Associate Town Attorney
Kevin Swain, Finance Director
Julie Vergari, Chief Accountant
Nichole Zangara Riley, Director of Marketing & Business Development
Chris Broady, Police Chief
Glen Van Nimwegen, Dir. of Planning & Development Services
Deanna Drew, Director of Plazas & Environmental Services
Finn Kjome, Director of Public Works
Sam Starr, Planner
Dawn Katz, Director of Mountain Munchkins
Steve Lehane, Director of Cable & Broadband Services
Phil Evans

Tim Johnson
Alec Jacobson
Rich Nuttall
Robert Stenhammer
Heather Knox
Rube Felicelli
Erich Lange
Kris Bartosiak
Harper Meek
Pam Guillory
Lavern Johnson
Liz Caton
Greer Garner
David Eckman
Luke Trujillo
Keith Brown
David Craig
Banks Brown

Alec Jacobson presented each Council member with a copy of the book *The Well Tempered City* by Jonathan Rose about the role of cities in addressing important issues. Mr. Rose was the Keynote Speaker at the Ideas Festival last September.

Executive Session for the Purpose of a Personnel Matter Pursuant to C.R.S. Section 24.6.402((4)(f)(I)), and 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 (2)

On a **MOTION** by Laila Benitez and seconded by Bruce MacIntire, Council agreed to enter into Executive Session for the purpose of a personnel matter pursuant to C.R.S. Section 24.6.402((4)(f)(I)), and 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 8:33 a.m.

Council returned to regular session at 9:28 a.m.

Public Comment for Non-Agenda Items (3)

No public comment was received.

Consideration of Approval of Minutes of the December 8, 2016 Regular Town Council Meeting (4)

Deputy Town Clerk Susan Johnston presented. On a **MOTION** by Bruce MacIntire and seconded by Laila Benitez, Council voted unanimously to approve the December 8, 2016 meeting minutes with the following changes:

Agenda item 6; *correction of a spelling error Conde Nast Traveler*

Agenda item 10; *The Town of Mountain Village co-owns and co-funds the Regional Wastewater Treatment Plant; The Mayor disclosed that his company has a partnership with Stantec in the Oil and Gas sector.*

Consideration of a Resolution Designating Posting Locations for the Town's Ordinances and Public Notices (5)

Director of Administration/Town Clerk Jackie Kennefick presented the above item. Council discussion ensued. On a **MOTION** by Bruce MacIntire and seconded by Laila Benitez, Council voted unanimously to adopt a Resolution designating posting locations for the Town's Ordinances and public notices.

Liquor Licensing Authority: (6)

Consideration of Re-certification of the Mountain Village Promotional Association and Common Consumption Area

Susan Johnston presented the application stating that it was reviewed by Assistant Town Attorney Jim Mahoney and Police Chief Chris Broady. Mr. Mahoney recommended including the following conditions with the re-certification approval:

- Applicant shall provide new license agreement to the Clerk's Office no later than April 1, 2017 which evidence the use of Town of Mountain Village and TSG property for the common consumption area beyond the existing license agreements which expire April 1, 2017
- Applicant shall provide an updated insurance certificate to the Clerk's Office prior to May 1, 2017 to shown coverage for the remainder of the 2017 calendar year

Ms. Johnston stated that a license agreement has been drafted with a renewal date of January 31, 2018 and that staff will have it executed. On a **MOTION** by Laila Benitez and seconded by Bruce MacIntire, Council voted unanimously to approve the re-certification of the Mountain Village Promotional Association and Common Consumption Area with the conditions listed above.

Bi-Annual Report for TRAA (Telluride Regional Airport Authority) (7)

Airport Manager Rich Nuttall presented the above report stating that the Airport's operating net income rose 133% in 2016 over 2015, and is the largest net operating income the Airport has achieved in its history. The airport has paid off its hangar debt and the C approach has been approved. The approach will help secure future airline service by allowing larger jets to land at TEX. Terminal improvements will be complete by fall 2017. The airport is purchasing new runway de-icing equipment, which will allow them to open the runways sooner in bad weather.

Presentation of EAP (Eco Action Partners) 2017 Work Plan Including Mountain Village Specific Efforts (8)

EAP Director Heather Knox presented the 2017 work plan highlighting Mountain Village specific efforts. She listed the Energy/Greenhouse gas reduction programs:

- San Miguel Power Association Income Qualified Program Weatherization and Income Qualified Solar (Thirty participants currently with three residing in Mountain Village)

SMPA Board President Rube Felicelli added that the program has helped members make their homes more energy efficient and to pay their bills. The weatherization is funded by State grants with no cost to the member. Once the weatherization is complete, the SMPA member is eligible for a free solar panel associated with their account in the new SMPA Income Qualified solar garden. SMPA has a separate program where EAP will perform an analysis of a home to determine its energy efficiency. The inspector will advise the

homeowner on what needs to be done and a rebate program is available to aid with the upgrades. CARE (Cooperative for Assistance and Relief Everywhere) contracted with EAP to handle the weatherization portion of the Income Qualified Program.

- Greenlights Regional LED Program (sold over 7000 LED bulbs) and referred a new Mountain Village business looking for LED lighting to Mountain Village staff
- Sneffels Energy Board (tracks greenhouse gas emissions and produces a Regional Green House Gas Impact Report)
- Tri-State Electricity Mix
- Energy Efficiency Building Codes
- EAP provides technical assistance as needed for energy mitigation calculations and implementation questions on the Mountain Village energy code requirements for Mountain Village SMART Building Program
- Colorado CPACE Program (Commercial Property Assessed Clean Energy Program)

Waste Reduction Programs:

- CDPHE (Colorado Department of Public Health and Environment) Planning Grant looking to identify a site for neighborhood composting (Village Court Apartments) was suggested as a Mountain Village location
- Regional Electronics Recycling
- Sunset Concert Series Cups (EAP is considering asking for a variance from the State on requirements for disposable cups)

Education/Community Outreach Programs:

- EcoAction Partners Impact Report
- Mountain Village Green Certified Businesses
- Truth or Dare School Program

Council discussion ensued regarding the proposed Mountain Village local composting program. Ms. Knox thanked Council for their support.

Finance: (9)

a. Presentation of the December 31, 2016 Business & Government Activity Report (BAGAR)

Director of Finance Kevin Swain presented the BAGAR. Council discussion ensued.

b. Consideration of the November 2016 Financials

Mr. Swain presented the financials. Council discussion ensued. On a **MOTION** by Laila Benitez and seconded by Bruce MacIntire, Council voted unanimously to approve the November 2016 financials.

c. Consideration of a Resolution Amending Resolution 2016-1117-17 Cable Rates

Mr. Swain presented stating that this Resolution will amend Resolution 2016-1117-17 which set the rates prior to an additional rate increase from a basic services program provider. On a **MOTION** by Michelle Sherry and seconded by Laila Benitez, Council voted unanimously to adopt a Resolution amending Resolution 2016-1117-17 as presented.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Regarding the Following Proposed Actions for Lot 640A, 306 Adams Ranch Road: (10)

- The Proposed Rezoning of the Southern .55 Acres of Lot 640A (2.56 Acres) from Multi-Family Zone District to Class 2 Active Open Space and the Remaining 2.01 Acres to Class 3 Active Open Space; and**
- The Transfer of 15 units of Employee Apartment or Condominium Units (45 Person Equivalent Density) from the Density Bank to Lot 640A for a Total of 45 Units of Employee Apartment or Condominium Units (135 person Equivalent Density).**

(The Applicant has Requested that this Item be Continued to the February 16, 2017 Town Council Meeting)

On a **MOTION** by Bruce MacIntire and seconded by Michelle Sherry, Council voted unanimously to continue this item to the February 16th, 2017 Town Council meeting with direction to staff to instruct the

applicant that this is the final opportunity to continue and that the applicant must notice all properties within a 400 ft. radius of Lot 640A, of both the DRB meeting and the Town Council meeting in February.

Consideration of a Resolution Approving a Conditional Use Permit for 45 Employee Apartments or Condominium Units on the Central 1.41 Acres of Lot 640A. The Address of the Property is 306 Adams Ranch Road (11)

(The Applicant has Requested that this Item be Continued to the February 16, 2017 Town Council Meeting)

On a **MOTION** by Bruce MacIntire and seconded by Michelle Sherry, Council voted unanimously to continue this item to the February 16th, 2017 Town Council meeting with direction to staff to instruct the applicant that this is the final opportunity to continue and that the applicant must notice all properties within a 400 ft. radius of Lot 640A, of both the DRB meeting and the Town Council meeting in February.

Second Reading, Public Hearing and Council Vote on an Ordinance Regarding (1) A Major Amendment to the See Forever Planned Unit Development to Convert the Proposed Restaurant and Related Space, Known as COM-1 per the See Forever Village at The Peaks Subdivision Plat Recorded At Reception Number 379984, to Residential Condominium; (2) Rezoning of Approximately 500 Square Feet of Town Owned Open Space, Parcel OS-3J that is Located Directly Below the Deck of Unit A101 of the See Forever Condominium Plat from Full Use Active Open Space to Village Center; and (3) Rezone and Transfer of a Condominium Unit of Density (3 Person Equivalent) to the See Forever PUD. The address of the property is 117 Sunny Ridge Place (12)

(The Applicant has Requested that this Item be Continued to the February 16, 2017 Town Council Meeting)

On a **MOTION** by Michelle Sherry and seconded by Laila Benitez, Council voted unanimously to continue this item to the February 16th, 2017 Town Council meeting.

Consideration of a Resolution to Approve the See Forever Plaza III – Replat No. 3 Minor Subdivision (13)

(The Applicant has Requested that this Item be Continued to the February 16, 2017 Town Council Meeting)

On a **MOTION** by Michelle Sherry and seconded by Laila Benitez, Council voted unanimously to continue this item to the February 16th, 2017 Town Council meeting.

Moved to Agenda Item 20

Consideration of Approval of the Mountain Village Community Grant Committee Bylaws and Adoption of Program Guidelines (14)

Director of Plazas & Environmental Services Deanna Drew presented stating that the goal of the Committee will be to evaluate grant applications and make detailed recommendations to Council for final funding determination. Grant funding will be awarded to two types of applicants: (1) those promoting year round economic vitality and (2) those supporting health and human services. The deadline for applications will be September 1st with recommendations made to Council by the end of September. Ms. Drew stated that TMVOA (Telluride Mountain Village Owners Association) is re-analyzing their grant guidelines to be in line with the Town's. Jim Mahoney noted that the Town's guidelines are more specific to nonprofits. Council discussion ensued on including for-profit applicants that provide economic vitality; such as Wagner Skis. Council was in favor of considering these types of applicants. On a **MOTION** by Bruce MacIntire and seconded by Michelle Sherry, Council voted unanimously to adopt the Mountain Village Community Grant Committee Bylaws and program guidelines with the addition of the following items:

1. Applicant Eligibility: Remove 501c(3) but add that non-profits are preferred
2. Economic Vitality: Add definition to the term "economic vitality" but leave it broad enough for flexibility

3. Add the exclusion: the Applicant has been approved for a grant from TMVOA for the same program/event in the past 24 months or has a current application in to TMVOA for the same program/event. The purpose of this exclusion is to prevent an applicant from receiving funds from both the Town of Mountain Village and TMVOA.
4. The committee will consider emergency, out of season funding requests in limited situations. Council agreed to establish a contingency fund for these types of requests.

Council took lunch from 12:15 p.m. to 12:29 p.m.

Consideration of Approval of Telluride Conference Center (TCC) Committee Bylaws (15)

Jim Mahoney stated that the goal of the Committee is to evaluate the Conference Center performance and options for the future of the Conference Center once the bonds are paid off at the end of 2017. Council discussion ensued. Council directed staff to include the TCC Committee in Council updates on the agenda once they have begun their process. On a **MOTION** by Laila Benitez and seconded by Michelle Sherry, Council voted unanimously (4-0) to appoint Council members Marty McKinley and Bruce MacIntire, staff members Kim Montgomery, Kevin Swain, and Jim Mahoney to the Committee, and to adopt the Telluride Conference Center Committee Bylaws with the addition of the following items:

- Incorporate evaluation of the Conference Center study
- Evaluate the performance of TCC under various management structures
- Ensure that there is not too narrow of a scope considered to allow for all options
- Allow for Council member whose term is up in June 2017 to continue on the committee if not re-elected to maintain consistency
- Report to Council with monthly updates

Cath Jett rejoined the meeting at 12:35 p.m.

Conceptual Work Session with the Design Review Board (DRB) to Discuss Proposed Changes to Chapter 17.5 Design Regulations of the Community Development Code (CDC) (16)

Director of Planning & Development Services Glen Van Nimwegen presented noting that DRB has held five meetings on the proposed changes and is recommending approval on the draft as presented in the packet. The process was an effort to reduce inflexible standards and emphasize the importance of creating a comprehensive design that addresses the Mountain Village Design Theme. DRB members Keith Brown, Liz Caton, Greer Garner, David Craig, Luke Trujillo, Phil Evans, David Eckman, and Banks Brown were in attendance. The majority of the proposed changes fall into the following categories:

- Section 17.5.3 was bolstered to emphasize the Board's principal duty of ensuring the implementation of the Town Design Theme and applicants must be responsive to the Board's direction.
- Substituted references to "solid, heavy" and "thick" bases as a design requirement for a building design that appears "grounded" to the site to withstand alpine forces of wind, snow and heavy rain. The list of materials that support this design was expanded that could make up the base, but stone remains as the principal base material.
- Eliminated the requirements that a gable roof shall be the primary form, and the roof pitch must be a minimum of 6:12 and a maximum of 12:12. Added the requirement that roof design shall be made up of multiple forms that emphasize sloped planes, varied ridgelines and vertical offsets.
- Increased the list of appropriate roof materials to include black or gray standing seam materials that are not reflective. Provided for the general approval of certain synthetic materials after they have been proven to meet stated standards of durability, high strength and high quality design.
- Eliminated the requirements that individual windows could not be larger than 40 square feet and only 20% of the north elevation shall be glass. Instead, the new regulations require window use and placement be responsive to energy requirements, be an integral part of the design of the structure and be sensitive to adjoining properties. The standard that no more than 40% of the exterior of a structure be glass remains.

Luke Trujillo stated that the changes proposed are considerable and will allow more expressive designs to be presented. Rustic materials and earth tone colors will ensure a blended transition from the established style already present in Mountain Village. Colors and accent materials will contribute to the palette. The changes are reflective of the variance requests the Board has been receiving. DRB has been empowered to determine whether or not the lighting works with the dark sky lighting regulations. The Town can be flexible but empower DRB to make the decision on the overall design theme. Public comment was received by Harper Meek and Kris Bartosiak. Council discussion ensued and consensus was in support of the changes.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance to Amend Chapter 17.5 Design Regulations of the Community Development Code (17)

Glen Van Nimwegen presented the above Ordinance. On a **MOTION** by Cath Jett and seconded by Laila Benitez, Council voted (5 -0) (Marty McKinley and Dan Caton were absent) to approve on first reading an Ordinance amending Chapter 17.5 design regulations of the Community Development Code and to set the second reading, public hearing and final Council vote for February 16, 2017.

Consideration of Approval of Additional Funding for the AECOM Contract Relative to the Town Hall Subarea Master Plan to Include AECOM Attending Adoption Meetings and Preparing Illustrative Renderings (18)

Glen Van Nimwegen presented the above item. On February 11, 2016 the Town Council approved a Memorandum of Understanding with Telluride Mountain Village Owners Association (TMVOA) and Telluride Ski and Golf (TSG) on the process to amend the Town Hall Subarea Plan of the Comprehensive Plan. Provisions of the MOU were the formation of a planning committee made up of representatives from the Town, TMVOA (Telluride Mountain Village Owners Association) and TSG (Telluride Ski & Golf). The cost of the plan would be shared equally among the three entities. The Town entered into a contract with AECOM for \$172,500 of which one third is part of the Planning and Development Services budget. The contract included the option of adding services to include:

- The creation of two perspective renderings of the preferred alternative of the Town Hall Subarea at an additional cost of \$40,000; and
- AECOM staff presenting the final recommendations to the Design Review Board and Town Council at an additional cost of \$5,750.

The planning process has proceeded with two, two-day planning charrettes with the Committee and the community. The alternatives were presented on January 4th at a Town Hall Subarea Plan community forum. A preferred alternative is forming which will be presented to the public in March. The Committee believes the optional renderings would help gain public support for the new vision of the Town Hall subarea and AECOM staff will attend the subsequent adoption hearings to answer question. TSG and TMVOA are in agreement with funding the additional services. The Town's portion of the added services is \$15,250. Council discussion ensued. On a **MOTION** by Laila Benitez and seconded by Michelle Sherry, Council voted unanimously to approve the funding of the Optional Additional Services 1 and 2 of the AECOM contract and direct staff to approve the appropriate Change Order with a condition that any Council comments on the initial site plan be directed to legal by February 22nd. If any Council member has serious concerns the site plan will be revisited.

Consideration of Finalization of Contribution Amount for Mental Health through Tri County Health Network in 2017 (19)

Town Manager Kim Montgomery presented stating that the Town of Telluride has already contributed \$19,000 for mental health through Tri County Health Network, and plans to contribute up to \$30,000. San Miguel County has agreed to pledge \$30,000. Council discussion ensued. Public comment was received by Erich Lange with Tri County Health Network who stated that Telluride Foundation may also contribute but at this time the level of funding is unknown. On a **MOTION** by Laila Benitez and seconded by Bruce MacIntire, Council voted unanimously to contribute \$30,000 for mental health through Tri County Health Network in 2017.

Council Boards and Commissions Updates: (20)

a. San Miguel Watershed Coalition (SMWC)– Jett

Ms. Jett stated that SMWC is in the process of finalizing both their bylaws and forest health plan. They are working with grant writing partners for 2017 projects and creating a response plan for the river in the event of a large mine breach.

b. Colorado Flights Alliance (CFA) – Jansen

The Mayor added that CFA is considering a D approach which will allow for higher approach speeds, faster descents and larger planes at the Telluride Airport. In order to move forward with the improved approach, CFA will need to start working with the airlines that have larger planes to negotiate routes and revenue guarantees. The Montrose Airport is under construction for the outdoor baggage claim expansion. The return of TEX commercial air service is doing well.

c. Transportation & Parking- Benitez/MacIntire

The holiday parking was handled very smoothly. Heritage Parking Garage is doing very well with the new cost structure and the Park Mobile App is increasing in downloads and usage.

d. Budget & Finance Committee – McKinley/Caton

There was no update.

e. Gondola Committee – McKinley/Caton

There was no update.

f. Colorado Communities for Climate Action (CC4CA)- Jett

Ms. Jett stated that they are preparing for a new administration.

g. San Miguel Authority for Regional Transportation (SMART)-Benitez

Laila Benitez stated that the Board has established accounts at Alpine Bank and chosen the legal counsel of Paul Taddune. Mr. Taddune is based out of Aspen but has a Montrose office and conducts business using Web X for meetings. The Community Advisory Board will consist of one representative or resident from each jurisdiction, one at large community member, two seats for business owners and one member from Telluride Ski & Golf. The Administrative Advisory Board will consist of two members from each jurisdiction most likely the County Administrator/Town Managers and the Transit Directors. Ms. Benitez stated that the search for an Executive Director position has begun and that they have submitted two grant applications to the State to help fund the development of a web site and an app for local transportation options.

h. Eco Action Partners(EAP) –Sherry

There was no update.

i. Telluride Historical Museum-Sherry

Ms. Sherry stated that the museum has received grant funding from the Telluride Foundation. Upcoming activities include a snowshoe tour and the museum is featuring an online historic photo collection.

j. Mayor's Update-Jansen

The Mayor stated that the *Mountain Venture Summit* will be held February 2-4th in Mountain Village. The summit focus is “How to Reinvent the Future of Mountain Towns with new Opportunities and Businesses”. Mayor Jansen and Kim Montgomery attended the Mayors and Managers Summit in Montrose yesterday to discuss issues of life in mountain towns. Several challenges that were discussed included: work force housing, child care, cable and broadband service, economic vitality, and funding for infrastructure. The Mayor suggested that Mountain Village offer to host the summit in 2018. Mayor Jansen encouraged Council attendance at the *Colorado Municipal League Annual Conference* in June. The Mayor applauded the work of the Telluride Foundation who has granted over 40 million dollars to the region over the years. The pocket park at the base of the Gondola in Telluride has been put on hold due to challenges with determining who would be responsible for funding the construction and maintenance of the sidewalk. Mountain Village owns the property but it is located in Telluride. Mountain Village has decided to move forward independently with work force housing and hire a consultant to explore constructing additional units at the Village Court Apartments.

Staff Reports: (21)

a. Mountain Munchkins

Mountain Munchkins Director Dawn Katz presented her report stating that the *Family Date Night* fundraiser raised almost \$3000 towards the scholarship program and was very well attended. Mountain Munchkins received a \$25,000 grant from Temple Hoyne Buell that will also help fund the scholarship program. Council directed Ms. Katz to include an analysis outlining specific needs for a potential facility expansion in her 2017 goals. She stated that staffing is the biggest challenge she faces. Council thanked her for her report.

b. Cable & Broadband Services

Cable & Broadband Services Director Steve Lehane stated that there were no broadband or cable issues over the holiday season. The department has launched *TV Anywhere* which allows customers to access videos on several different devices anywhere and anytime. Customers will be assigned a user name and password and will receive instructions on how to access this cable feature soon.

c. Town Manager


Jeff Passeul from the Recreation Department was the December *Great Services Award* winner for his excellent customer service, attitude and hard work on maintaining the ice at the Village Pond. On January 17th there was a demonstration to determine what can be done to reduce the impact of the light required for the communication tower on the ridge from the San Sophia station. Mr. Loebe had the upper deck lights turned off and everyone thought the difference was significant. The lighting is adequate for operations with the first deck lights on. The upper lights will be turned on only if work needs to be done on the upper level. Council agreed that this was a win-win situation and as a bonus will save the Town money on energy consumption.

Other Business (22)


Laila Benitez stated that the Mountain Village merchants plan to schedule a meeting to discuss rejuvenating the Core area. Council discussed moving the date of the June Town Council meeting due to conflicts with travel, Bluegrass and the CML Conference and will again discuss the date at the February 16, 2017 Town Council meeting.

There being no further business, on a **MOTION** by Laila Benitez and seconded by Michelle Sherry, Council unanimously agreed to adjourn the meeting at 2:32 p.m.

Respectfully prepared,


Susan Johnston
Deputy Town Clerk

Respectfully submitted,


Jackie Kennefick
Town Clerk