



TOWN OF MOUNTAIN VILLAGE
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TOWN OF MOUNTAIN VILLAGE MINUTES OF THE MAY 16, 2019 REGULAR TOWN COUNCIL MEETING

The meeting of the Town Council was called to order by Mayor Laila Benitez at 8:31 a.m. on Thursday, May 16, 2019 in the Mountain Village Town Hall, 455 Mountain Village Boulevard, Mountain Village, Colorado.

Attendance:

The following Town Council members were present and acting:

Laila Benitez, Mayor
Dan Caton, Mayor Pro Tem
Dan Jansen
Bruce MacIntire
Patrick Berry
Jack Gilbride
Natalie Binder

The following Town Council members were absent:

Also in attendance were:

Kim Montgomery, Town Manager
Jackie Kennefick, Town Clerk
Susan Johnston, Deputy Town Clerk
Christina Lambert, Deputy Town Clerk
Jim Mahoney, Assistant Town Attorney
Sarah Abbott, Associate Town Attorney
Sue Kunz, Director of Human Resources
Chris Broady, Chief of Police
Kevin Swain, Finance Director
Julie Vergari, Chief Accountant
Zoe Dohnal, Community Engagement Coordinator
Michelle Haynes, Director of Planning and Development Services
John Miller, Senior Planner
Cecilia Curry, VCA Manager
Rob Johnson, Transit Operations Manager
Finn Kjome, Director of Public Works
Jim Loebe, Director of Transit and Recreation
Jim Soukup, Chief Technology Officer
JD Wise, Plaza Services Manager
Steven Lehane, Broadband Services Director
Sam Starr, Planner
Keith Brown
Chris Hawkins
Karey Van Duzer
Peter Ricciardelli
Matt Skinner
Erik Fallenius
Mike Theile
Leah Kropuenske
Don Imwalle
Allan Vajda

Anton Benitez
Tim Johnson
Robert Stenhammer
Sherri Reeder
Robin Wolff
Jonathan Greenspan
Rick Flores
Andrew Shaffer
Laurel Robinson
Steve Roth
Ann Barker
Jill Brooke
Rick Flores
Jacob Linn
Heidi Stenhammer
Ben Beddow
Garrett Brafford
Julia Caulfield
David Ausencio
Todd Brown
Rudy Sharp
Kristin Meucci
Tracy Boyce
Robin Pale
Michael Martelon
David MacKown
Adam Miller
Dan Zemke
Landon Osilvra

Executive Session for the Purpose of a Personnel Matter Pursuant to C.R.S. Section 24-6-402((4)(f)(I)), and for 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 Dan Jansen and seconded by Jack Gilbride, Council voted unanimously 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 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 8:32 a.m.

Council returned to regular session at 9:48 a.m.

Council took a break from 9:48 a.m. to 9:55 a.m.

Public Comment on Non-Agenda Items (4)

There was no public comment.

Consideration of Approval of the April 25, 2019 Regular Town Council Meeting Minutes (6)

Town Clerk Jackie Kennefick presented. On a **MOTION** by Dan Caton and seconded by Patrick Berry, Council voted unanimously to approve the April 25, 2019 Regular Town Council meeting minutes with the correction of Anton Benitez' title from Executive Director to TMVOA President and CEO.

Consideration of a Request from Stephanie Jacobson to Own and Occupy Prospect Plaza 2-3A with an Exception to the Town of Mountain Village Employee Housing Restriction Ordinance No. 1997-05 Section D. Definitions 4. Employee (6)

This item was withdrawn from the agenda.

Liquor Licensing Authority: (7)

- a. **Consideration of an Application by Telski Food & Beverage Services dba Tomboy Tavern for a Temporary Modification of Premises on a Hotel & Restaurant with Optional Premises Liquor License for a Private Event at the Ridge Club on July 6, 2019**

Deputy Town Clerk Susan Johnston presented. Patrick Berry recused himself due to his employment with Telski. On a **MOTION** by Dan Caton and seconded by Bruce MacIntire, Council voted unanimously to approve an application by Telski Food & Beverage Services dba Tomboy Tavern for a Temporary Modification of Premises on a Hotel & Restaurant with Optional Premises liquor license for a private event at the Ridge Club on July 6, 2019.

- b. **Consideration of an Application for a Special Event Permit for the Telluride Reserve on Behalf of Telluride Mountain Village Owners Association for Events at Nine Private Homes in Mountain Village on August 16 - 17, 2019 from 10:00 a.m. to 3:00 p.m.**

Susan Johnston presented. Laila Benitez recused herself because of her ties with TMVOA and Dan Caton recused himself because he owns one of the homes for the event. Dan Jansen chaired the meeting for this item. On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted unanimously to approve an application for a Special Event Permit for the Telluride Reserve on behalf of TMVOA for events at nine private homes in Mountain Village on August 16-17, 2019 from 10:00 a.m. to 3:00 p.m.

- c. **Consideration of a Special Event Liquor Permit Application by Telluride Wine Festival Foundation for Events at the Ridge Club Great Room on June 28-29, 2019 from 8:00 a.m. to 8:00 p.m.**

Susan Johnston presented. On a **MOTION** by Natalie Binder and seconded by Jack Gilbride, Council voted unanimously to approve a Special Event Liquor permit application by Telluride Wine Festival Foundation for events at the Ridge Club Great Room on June 28-29, 2019 from 8:00 a.m. to 8:00 p.m.

- d. **Consideration of a Special Event Liquor Permit Application by Telluride Wine Festival Foundation for a Grand Tasting Event to be held in Heritage Plaza June 29, 2019 from 3:00 - 7:00 p.m.**

Susan Johnston presented. Sherri Reeder and applicant Laurel Robinson provided public comment. On a **MOTION** by Bruce MacIntire and seconded by Natalie Binder, Council voted unanimously to approve a Special Event Liquor Permit application by Telluride Wine Festival Foundation for a Grand Tasting event to

be held in Heritage Plaza June 29, 2019 from 3:00 p.m. – 7:00 p.m. conditional upon approval of the Special Event application through the Planning Department.

e. **Consideration of a Report of Changes from the Mountain Village Promotional Association to Expand the Common Consumption Area and Include One Additional Liquor Licensed Premise and Expanded Areas Along with a Security and Signage Plan**

President and CEO of TMVOA Anton Benitez presented. Council discussion ensued. On a **MOTION** by Natalie Binder and seconded by Jack Gilbride, Council voted unanimously to approve the Report of Changes to expand the Common Consumption Area and include the Telluride Distillery as an additional liquor licensed premise attached to the Common Consumption Area, including the security plan, signage design and location, attachment of non-liquor licensed premises subject to signing the consent form, dates and hours of activation and any other details of the Common Consumption Area shown in the application.

Finance: (8)

Director of Finance Kevin Swain presented. Council discussion ensued.

- a. **Presentation of the April 30, 2019 Business & Government Activity Report (BAGAR)**
- b. **Consideration of the March 31, 2019 Financials**

On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted unanimously to approve the March 31, 2019 Financials as presented.

- c. **Goal Setting for 2020 Budget**

Kevin Swain presented. Council discussion ensued. Council directed staff to present a more detailed report on the Master Trails Plan including proposed safety improvements and their costs at the July Council meeting.

Consideration of Acceptance of Access Tract AT-14 from Telluride Ski and Golf LLC, and 2019 Amendment of the Memorandum of Understanding Regarding Comprehensive Plan Public Benefits to Include this Conveyance (9)

Assistant Town Attorney Jim Mahoney, Chief of Police Chris Broady and Town Manager Kim Montgomery presented. Patrick Berry recused himself due to his employment with Telski. On a **MOTION** by Dan Jansen and seconded by Dan Caton, Council voted unanimously to Accept Access Tract AT-14 from Telluride Ski and Golf LLC. On a **MOTION** by Dan Caton and seconded by Natalie Binder, Council voted unanimously to approve the 2019 amendment to the Memorandum of Understanding regarding Comprehensive Plan public benefits to include this conveyance.

Second Reading, Public Hearing and Council Vote on an Ordinance Amending Municipal Code Chapter 9.18 to Implement Certain Dismount Zones for Bicycles (10)

Jim Mahoney and Chris Broady presented. Council discussion ensued. The Mayor opened the public hearing. No public comment was received. The Mayor closed the public hearing. On a **MOTION** by Bruce MacIntire and seconded by Jack Gilbride, Council voted 7-0 to approve an Ordinance amending Municipal Code Chapter 9.18 to implement certain dismount zones for bicycles.

Gondola Subcommittee Update (11)

TMVOA Director of Operations and Finance Garrett Brafford and Anton Benitez presented. Council discussion ensued. Council was in consensus to support the scope of the Gondola subcommittee direction. Subcommittee members are representatives from: Town of Telluride, Telluride Ski & Golf, TMVOA, San Miguel County and the Town of Mountain Village.

Council took a break from 11:55 a.m. to 12:28 p.m.

Consideration of Design Review Board Appointments

- a. **One Regular Seat**
- b. **One Alternate Seat**

Senior Planner John Miller presented. On a **MOTION** by Dan Jansen and seconded by Jack Gilbride, Council voted unanimously to appoint Cath Jett to the regular seat and Adam Miller to the alternate seat on the Design Review Board.

Second Reading, Public Hearing and Council Vote on an Ordinance Approving A Density Transfer and Rezone for the Expansion Area of Lot 600A, also Known as Elkstone Quasi-Judicial (13)

John Miller presented. Council discussion ensued. Public comment was received by the applicant's representative Alpine Planning President Chris Hawkins. The Mayor opened the public hearing. No public comment was received. The Mayor closed the public hearing. On a **MOTION** by Dan Caton and seconded by Bruce MacIntire, Council voted 7-0 to approve an Ordinance regarding the rezone and density transfer application pursuant to CDC Sections 17.4.9 & 17.4.10 of the Community Development Code, to rezone Lot 600A and transfer two condominium density units (6-person equivalent density) from the density bank to the expansion area of the subject lot based on the evidence provided within the Staff Report of record dated April 11, 2019 with the following four conditions:

- The owner of record of density 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
- The final location and design of any buildings, grading, landscaping, parking areas, and other site improvements shall be determined with the required Design Review Process application pursuant to the applicable requirements of the CDC
- The Property Owner must demonstrate ownership of the additional two (2) condominium density (six-person equivalent density) prior to the issuance of a building permit
- The Property Owner must ensure and demonstrate to the Design Review Board at the Property Owners Final Architecture and Site Review that the final location and design of any building, grading, landscaping, parking areas, and other site improvements related to the project – on or off of Lot 600A, allow for the future construction of the Elk Pond Loop Trail as envisioned in the Town of Mountain Village Trails Master Plan. If the Design Review Board determines that this cannot be accomplished, then the Design Review Board shall impose a setback from the lot line which would allow for the future construction of the Elk Pond Loop Trail in conjunction with the protection of environmentally sensitive features.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Amending the Community Development Code Sections 17.15.12 – Lighting Regulations, 17.5.15 – Commercial, Ground Level and Plaza Area Design Regulations, and 17.8 – Definitions (14)

John Miller presented. Council discussion ensued. On a **MOTION** by Jack Gilbride and seconded by Bruce MacIntire, Council voted 7-0 to approve an Ordinance on first reading amending the Community Development Code Chapter 17.5 Design Regulations, Sections 17.15.12 – Lighting Regulations, 17.5.15 – Commercial, Ground Level and Plaza Area Design Regulations; and Chapter 17.8 – Definitions; and to set the second reading, public hearing and final vote for June 13, 2019.

First Reading, Setting of a Public Hearing and Council Vote on an Amendment to the Community Development Code (CDC) to Allow for Staff Level Review of Synthetic Roof Materials at Section 17.5.6.C.3. Roof Material and Other Clarifying Amendments (15)

Director of Planning and Development Services Michelle Haynes presented. Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted 7-0 to approve an Ordinance approving an amendment to the Community Development Code to allow for staff level review of synthetic roof materials at Section 17.5.6.C.3 roof material and other clarifying amendments and to set the second reading, public hearing and final vote for June 13, 2019.

Council moved to agenda item 20 at 1:15 p.m.

Efficiency Lodge and Short-Term Accommodations Discussion Regarding Potential Community Development Code Amendment to Clarify Unit Use Restrictions (16)

Associate Town Attorney Sarah Abbott and Michelle Haynes presented. Bruce MacIntire recused himself because he owns property which is affected by this discussion. Council discussion ensued. Ms. Haynes stated that the nine public comment emails received would be included in the final Town Council packet of record. Public comment was received from Daniel Zemke, Peter Ricciardelli, Mike Theile, Allan Vajda, Rudy Sharp, Bruce MacIntire, Keith Brown, and David MacKown. Council consensus was to continue discussions with staff and the legal department in order to address this issue thoroughly and fairly.

Marketing Telluride Inc. and Colorado Flights Alliance Bi-Annual Reports (17)

President and CEO of Marketing Telluride Inc. Michael Martelon and Colorado Flights Alliance Chief Operating Officer Matt Skinner presented their reports.

On a **MOTION** by Dan Caton and seconded by Patrick Berry, Council voted unanimously to extend the meeting beyond 6 hours

Staff Reports: (18)

a. Transit & Recreation

Jim Loebe presented his report.

1. 2019 Budget Discussion

b. Public Works

Director Finn Kjome presented his report.

1. 2019 Budget Discussion

c. Town Manager

Town Manager Kim Montgomery presented her report.

Consideration of a Resolution Amending and Restating Resolutions 2018-0719-14, Resolution 2019-0117-02 and Resolution 2019 -0321-05 of the Town Council of Mountain Village Approving Alternative Parking Requirements for Lots 161A-1R, 161A-2, 161A-3, 161A-4, 161D-1 and 161D-2 (Collectively the Ridge Development to Extend the Expiration Date to June 14, 2019 (19)

Jim Mahoney presented the above item. On a **MOTION** by Bruce MacIntire and seconded by Jack Gilbride, Council voted unanimously to adopt a Resolution amending and restating Resolutions 2018-0719-14, Resolution 2019-0117-02 and Resolution 2019-0321-05 of the Town Council of Mountain Village approving alternative parking requirements for Lots 161A.

Council Boards and Commissions Updates: (20)

- a. **San Miguel Watershed Coalition-Starr**
- b. **Colorado Flights Alliance-Jansen**
- c. **Transportation & Parking-MacIntire/Benitez**
- d. **Budget & Finance Committee-Caton/Gilbride**
- e. **Gondola Committee-Caton/Berry**
- f. **Colorado Communities for Climate Action-Berry**
- g. **San Miguel Authority for Regional Transportation -Benitez/Caton/Binder**
- h. **Eco Action Partners-Berry**
- i. **Telluride Historical Museum-Berry**
- j. **Telluride Conference Center-MacIntire**
- k. **Alliance for Inclusion-Berry/Benitez**
- l. **Green Team Committee- Berry/MacIntire**
- m. **Telluride Tourism Board-Jansen**
- n. **Community Grant Committee-Benitez/Binder**
- o. **Mayor's Update- Benitez**

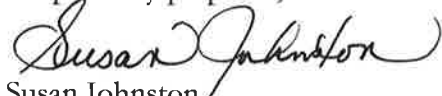
Council moved to agenda item 16 at 1:40 p.m.

Other Business: (21)

The Mayor thanked Dan Jansen for his eight years of public service with the Town as former Mayor and as Town Councilor. Mr. Jansen stated that he enjoyed serving on Town Council and learned a lot. A celebration is planned for a later date as Mr. Jansen will be out of town for the June meeting which would have been his final meeting.

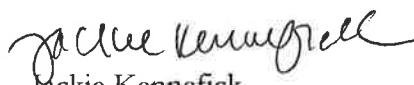
There being no further business, on a **MOTION** by Patrick Berry and seconded by Dan Caton, Council voted unanimously to adjourn the meeting at 3:45 p.m.

Respectfully prepared,



Susan Johnston
Deputy Town Clerk

Respectfully submitted,



Jackie Kennefick
Town Clerk