



TOWN OF MOUNTAIN VILLAGE
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**TOWN OF MOUNTAIN VILLAGE
MINUTES OF THE FEBRUARY 21, 2019
REGULAR TOWN COUNCIL MEETING**

The meeting of the Town Council was called to order by Mayor Laila Benitez at 8:35 a.m. on Thursday, February 21, 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

Also in attendance were:

Kim Montgomery, Town Manager
Jackie Kennefick, Town Clerk
Susan Johnston, Deputy Town Clerk
Christina Lambert, Deputy Town Clerk
David Reed, Town Attorney
Jim Mahoney, Assistant Town Attorney
Sue Kunz, Director of Human Resources
Chris Broady, Police Chief
Kevin Swain, Finance Director
Julie Vergari, Chief Accountant
Bill Kight, Director of Communications & Business Development
Zoe Dohnal, Community Engagement Coordinator
Kathrine Warren, Marketing & Communications Coordinator
Michelle Haynes, Director of Planning and Development Services
John Miller, Senior Planner
Sam Starr, Planner
Rob Johnson, Transit Operations Manager
Finn Kjome, Director of Public Works
JD Wise, Plaza Services Manager
Jim Loebe, Director of Transit and Recreation

Anton Benitez
Tim Johnson
Steve Togni
Michael Martelon
Julia Caulfield
Lexi Tuddenham
John Horn
Steve Hemphill
Sam Barnes
Charity Banker

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 Patrick Berry and seconded by Dan Caton, Council voted unanimously 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 8:35 a.m.

Council returned to regular session at 9:45 a.m.

Council took a break from 9:45 a.m. to 9:49 a.m. (3)

Public Comment on Non-Agenda Items (4)

Public comment was received by Lexi Tuddenham.

Consideration of Approval of the January 17, 2019 Regular Town Council Meeting Minutes (5)

Deputy Town Clerk Susan Johnston presented. On a **MOTION** by Dan Caton and seconded by Patrick Berry, Council voted unanimously to approve the January 17, 2019 Regular Town Council meeting minutes as presented.

Liquor Licensing Authority:

- a. **Consideration of an Application by Telski Food & Beverage Services dba Tomboy Tavern for Temporary Modification of Premises on a Hotel & Restaurant with Optional Premises Liquor License for an End of Season Celebration April 7, 2019 from 12:00 p.m. to 5:00 p.m. (6)**

Patrick Berry recused himself due to his employment with Telski. Susan Johnston presented. Council discussion ensued. 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 an End of Season celebration April 7, 2019 from 12:00 p.m. to 5:00 p.m. as presented.

- b. **Consideration of an Application by Sunshine Pharmacy, LLC dba Sunshine Pharmacy for a New Fermented Malt Beverage Liquor License at 567 Mountain Village Blvd Unit 110**

Patrick Berry recused himself due to his employment with Telski who owns the property where the business will be. Susan Johnston 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 Dan Jansen and seconded by Jack Gilbride, Council voted unanimously to approve an application by Sunshine Pharmacy, LLC dba Sunshine Pharmacy for a new Fermented Malt Beverage liquor license at 567 Mountain Village Blvd. Unit 110 as presented.

- c. **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 Wedding Reception on April 6, 2019 at the Ridge Club**

Patrick Berry recused himself due to his employment with Telski. Susan Johnston presented. Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to approve an application by Telski Food & Beverage Services dba Tomboy Tavern for a Temporary Modification of Premises to extend the optional premise Allred's licensed boundary to include the Ridge Club for a private wedding reception on April 6, 2019 as presented.

Marketing Telluride, Inc. (MTI) Quarterly Report (7)

Telluride Tourism Board President and CEO Michael Martelon presented.

Consideration of a Settlement Agreement Resolving Civil Action No. 2015CV30031, San Miguel County District Court, concerning the Ridge Project and Lot 161-CR (8)

Assistant Town Attorney Jim Mahoney presented. Council discussion ensued. On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, voted unanimously to continue this item to the March 21, 2019 Town Council meeting.

Second Reading, Public Hearing, and Council Vote on an Ordinance Approving a Density Transfer and Rezone for Lots 161A-R2 and 161D-2 (9)

Senior Planner John Miller presented. The Mayor opened the public hearing. Public comment was received by John Horn. The Mayor closed the public hearing. Mr. Miller stated that there was one change to the Ordinance from the first reading which was to remove the title "Esquire" after John Horn's name as the Owner's representative. Council discussion ensued. On a **MOTION** by Dan Jansen and seconded by Dan Caton, Council voted 7-0 to adopt an Ordinance approving a density transfer and Rezone for Lots 161A-R2 and 161D-2, 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.

2. 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.
3. At the time of future development of the Lots, the applicant or owner shall be required to meet all applicable parking standards and requirements for the site. In addition, the applicant shall be required as necessary to update any outstanding parking agreements to better reflect the density that has been transferred into the density bank from the Ridge Development.

Council moved to agenda item 13

Discussion Regarding Use of Lot OSP-39 Also Known as the Wood Lot, for Arborist/Tree Removal Professional Use, Including Consideration of Continued Use, Discontinued Use and/or Possible Mitigating Measures (10)

Director of Planning and Development Services Michelle Haynes presented. Council discussion ensued. Council directed staff to move forward with determining the cost of landscaping along the road to obscure the Wood Lot from view.

Finance: (11)

a. Presentation of the January 31, 2019 Business & Government Activity Report (BAGAR)

Director of Finance Kevin Swain presented.

b. Consideration of the December 31, 2018 Financials

Mr. Swain presented. Council directed staff to schedule a work session at the March Council meeting to discuss the sewer expansion and funding mechanisms. On a **MOTION** by Dan Jansen and seconded by Jack Gilbride, Council voted unanimously to approve the December 31, 2018 Financials as presented.

c. Consideration and Ratification of the 2020 Budget Process

On a **MOTION** by Patrick Berry and seconded by Dan Caton, voted unanimously to approve the 2020 Budget process.

Vending Cart Committee Formation (12)

Community Engagement Coordinator Zoe Dohnal presented stating that the proposed committee would meet bi-annually prior to the summer and winter seasons to review vending applications. Council direction was to proceed with drafting bylaws for the Plaza Vending Committee allowing for flexibility to be inclusive of pop-up vending in the future.

Council took a lunch break from 12:00 p.m. to 12:27 p.m.

Council Boards and Commissions Updates: (13)

- 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 (SMART)-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**

Staff Reports: (14)

a. Human Resources

Director Sue Kunz presented her report. Council discussion ensued regarding re-evaluating the requirements and qualifications for the *Farm to Community* program for next year. Council requested that each department include an organizational chart along with the budget information.

b. Town Manager

Town Manager Kim Montgomery presented her report. Michelle Haynes presented on the Village Court Apartments Expansion Request for Proposal process. Council discussion ensued. The VCA sub-committee reviewed the proposals for stick frame plans and have recommended the Bauen Group for architectural services. Council directed staff to proceed with a contract with Bauen group and to obtain a cost estimate and timeline for modular construction as another option. Council authorized the Mayor to execute the final contract with Bauen. The VCA sub-committee will review the modular option information and present their recommendation to Council for the final approval and ratification at a future meeting.

Other Business: (15)

a. Notification of Design Review Board Seats Expiring with Appointments to be Made in March as per Policy

Town Clerk Jackie Kennefick presented.

b. Consideration for Approval of a Letter of Support for the Mautz Brothers' Application for a Colorado Department of Public Health and Environment Grant for a Composting Facility

Patrick Berry presented. On a **MOTION** by Jack Gilbride and seconded by Bruce MacIntire, Council unanimously approved a letter of support for the Mautz Brothers' application for a Colorado Department of Public Health and Environment Grant for a Composting Facility.

Michelle Haynes and Finn Kjome presented regarding the appearance of the Black Hills Gas ancillary utility buildings on Mountain Village Blvd. Council consensus was in favor of removing of the buildings and proceeding with a landscaping plan. In the meantime, Council requested that the site be blocked with snow until landscaping can begin.

There being no further business, on a **MOTION** by Dan Jansen and seconded by Dan Caton, Council voted unanimously to adjourn the meeting at 1:45 p.m.

Respectfully prepared,



Susan Johnston
Deputy Town Clerk

Respectfully submitted,



Jackie Kennefick
Town Clerk