



TOWN OF MOUNTAIN VILLAGE
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TOWN OF MOUNTAIN VILLAGE MINUTES OF THE NOVEMBER 19, 2020 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, November 19, 2020. Due to the Town's Disaster Declaration of March 19, 2020 related to the COVID-19 virus, the meeting was held with virtual access provided through Zoom.

Attendance:

The following Town Council members were present and acting:

Laila Benitez, Mayor
Dan Caton, Mayor Pro Tem
Patrick Berry
Pete Duprey
Natalie Binder
Marti Prohaska
Jack Gilbride

The following Town Council members were absent:

Also in attendance were:

Kim Montgomery, Town Manager
Susan Johnston, Town Clerk
Christina Lambert, Senior Deputy Town Clerk
Paul Wisor, Town Attorney
Kevin Swain, Director of Finance
Julie Vergari, Chief Accountant
Chris Broady, Chief of Police
Jaime Holmes, Director of Human Resources
Zoe Dohnal, Business Development and Sustainability Senior Manager
Kathrine Warren, Public Information Specialist
Michelle Haynes, Director of Planning & Development Services
John Miller, Senior Planner
Amy Ward, Planner
Seth Carson, VCA Maintenance Manager
Jim Loebe, Director of Transit & Recreation
Jim Soukup, Chief Technology Officer
Steven Lehane, Director of Broadband
Kate Burns, Controller
Finn Kjome, Director of Public Works
JD Wise, Assistant Director of Public Works
Jon Tracy, Recreation Supervisor
Steve Evans
Tyler Newman
Justin Kilbane
Heather Knox
Tom Kennedy
Randy Root
Tom Richards

David Petty
Anton Benitez
Michael Martelon
Matt Skinner
Corenna Howard
Jonette Bronson
Robert Stenhammer
Cath Jett
Kevin Jones
Delanie Young
Cecilia Curry
Elizabeth Savage
John Howe
Julia Caulfield
Keith Hampton
Kiera Skinner
Jonathan Greenspan
Madeline Gomez
Marla Meridith
Sherri Reeder
Mya McCoy
Todd Brown
Reginald Bevalacqua
John A Wagner
Judy Thompson
Todd Campbell
Jeff Proteau

On a **MOTION** by Laila Benitez and seconded by Pete Duprey, Council voted unanimously to add an agenda item regarding Telluride Mountain Village Owners Association (TMVOA) elections to the executive session.

Executive Session for the Purpose of Receiving Legal Advice and Determining Positions Relative to Matters that may be Subject to Negotiations, Developing Strategy for Negotiations, and Instructing Negotiators with Respect to Telluride Conference Center Pursuant to § 24-6-402(4)(b) and (e) and for the Purpose of Receiving Legal Advice and Determining Positions Relative to Matters that may be Subject to Negotiations, Developing Strategy for Negotiations, and Instructing Negotiators with Respect to TMVOA Elections Pursuant to 24-6-402(4)(e).

On a **MOTION** by Dan Caton and seconded by Patrick Berry, Council voted unanimously to enter into executive session for the purpose of receiving legal advice and determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators with respect to Telluride Conference Center and TMVOA elections pursuant to § 24-6-402(4)(b) and (e) at 8:32 a.m.

Council returned to open session at 9:21 a.m.

Public Comment on Non-Agenda Items (3)

No public comment was received.

Consideration of an Appointment to the Green Team Committee: (4)

1. One "At Large" Seat Month

Senior Deputy Clerk Christina Lambert presented. Jonette Bronson and Heather Knox made statements of interest. Green Team Chair Cath Jett provided comment. On a **MOTION** by Dan Caton and seconded by Natalie Binder, Council voted unanimously to appoint Jonette Bronson to the vacated "At Large" seat through September 2021.

Consideration of an Appointment to the Business Development Advisory Committee (BDAC): (5)

1. Mountain Village Merchant Seat

Dan Caton presented. Kevin Jones provided a statement of interest. Council discussion ensued regarding amending BDAC Bylaws to include two Mountain Village Merchant members. Council directed staff to agendaize an item amending the bylaws to allow for two Mountain Village Merchant seats at the December 3, 2020 Special Town Council meeting. On a **MOTION** by Marti Prohaska and seconded by Jack Gilbride, Council voted unanimously to appoint Stanya Gorriaz to the Mountain Village merchant seat for a one-year term.

Marketing Telluride Inc., (MTI) and Colorado Flights Alliance (CFA) Bi-Annual Report (6)

Telluride Tourism Board President and CEO Michael Martelon and Colorado Flights Alliance CEO Matt Skinner presented.

2020 Regional Green House Gas Report Discussion (7)

Business Development and Sustainability Senior Manager Zoe Dohnal and Patrick Berry presented. Public comment was received by Cath Jett, Todd Brown and Jonathan Greenspan. Council discussion ensued.

Consideration of Approval of the Solar Incentive Program (8)

Marti Prohaska presented. Council discussion ensued. On a **MOTION** by Pete Duprey and seconded by Patrick Berry, Council voted unanimously to approve the \$50,000 for solar marketing incentive in 2021.

KOTO Broadcast Discussion (9)

Natalie Binder presented. Council discussion ensued.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Amending the Town of Mountain Village Affordable Housing Deed Restriction (10)

Town Attorney Paul Wisor presented. Council discussion ensued. On a **MOTION** by Natalie Binder and seconded by Dan Caton, Council voted 7-0 to approve on first reading an Ordinance amending the Town of Mountain Village Affordable Housing Deed Restrictions and to set the second reading, public hearing and final Council vote for December 10, 2020.

Consideration of Forest Management Programs, Staffing and Budget Implications (11)

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 unanimously to approve the following items:

1. Approve a Town Forester/GIS Assistant Position.
2. An additional [\$25,000] to leverage for forestry grant funding opportunities
3. Amend the fee schedule to include [enforcement of the existing] fee for a tree removal permit, a fee for forest management plans and fire mitigation plans and [a fee for defensible space site walks]
4. Increase the defensible space rebate to 50% or a total of \$10,000 per property
5. Terminate a 2021 contract with West Region Wildfire Council for Defensible Space Site Walks and Prescriptions, and the Town Forester would assume this role.

On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to convene as the Mountain Village Metro District Board.

Town Council Acting as the Board of Directors for the Dissolved Mountain Village Metro District: Public Hearing on the Proposed 2021 and Revised 2020 Budgets (12)

Director of Finance Kevin Swain presented. The Mayor opened the public hearing. No public comment was received. The Mayor closed the public hearing.

On a **MOTION** by Jack Gilbride and seconded by Pete Duprey, Council voted unanimously to re-convene as the Mountain Village Town Council.

Finance: (13)

Director of Finance Kevin Swain presented

- a. **Presentation of the October 31, 2020 Business & Government Activity Report (BAGAR)**
- b. **Consideration of the September 30, 2020 Financials**

On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to approve the October 31, 2020 Financials as presented.

- c. **First Reading, Setting of a Public Hearing and Council Vote on an Ordinance of the Town Levying Property Taxes for the Year 2020 to be Collected in 2021**

Council discussion ensued. On a **MOTION** by Pete Duprey and seconded by Jack Gilbride, Council voted 7-0 to approve on first reading an Ordinance of the Town levying property taxes for the year 2020 to be collected in 2021 with the following revisions: and to set the second reading, public hearing and final vote for December 10, 2020.

- d. **First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Adopting the 2021 Budget and Revising the 2020 Budget**

Council discussion ensued. Public comment was received by Keith Hampton. On a **MOTION** by Dan Caton and seconded by Pete Duprey, Council voted 7-0 to approve on first reading an Ordinance adopting the 2021 Budget and revising the 2020 Budget noting that VCA numbers for free cable services beginning in December and continuing into 2021 for a period based on budget caution levels per Council's discretion with the public health orders and adding the \$5000 KOTO grant funding and to set the second reading, public hearing and final vote for December 10, 2020.

- e. **Consideration of a Resolution Adopting Certain Fee Schedules Effective January 1, 2021**

Council discussion ensued. On a **MOTION** by Pete Duprey and seconded by Jack Gilbride, Council voted unanimously to approve a Resolution adopting certain fee schedules effective January 1, 2021.

Consideration of a Resolution to Approve a Conditional Use Permit to Allow for a Driveway and Associated Access Over an Estimated 800 Square Foot Portion of OSP 20 Benefitting Lot 716 Consistent with Table 3-1: Town of Mountain Village Use Schedule *Quasi-Judicial* (14)

Michelle Haynes presented. Patrick Berry recused himself. 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 Caton and seconded by Natalie Binder, Council voted unanimously to adopt a Resolution approving a Conditional Use Permit to allow for a driveway and associated access over an estimated 800 square foot portion of OSP 20 benefitting Lot 716 consistent with Table 3-1: Town of Mountain Village Use Schedule.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Regarding a Density Transfer and Rezone Located at Lots 517 and 518, 146 Russell Dr., to Transfer One Single-Family Unit of Density into the Density Bank This item Designation *Quasi-Judicial* (15)

Jack Gilbride recused himself because he lives adjacent to the project. Planner Amy Ward presented. The Mayor opened the public hearing. Public comment was received by David Petty. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Natalie Binder and seconded by Marti Prohaska, Council voted 6-0 to approve on first reading an Ordinance for a rezone and density transfer application pursuant to CDC sections 17.4.9 and 17.4.10 to transfer one density unit (four-person equivalent density) to the Density Bank for Lot 517 and to set the second reading, public hearing and final Council vote for December 10, 2020 with the following findings and conditions:

Findings:

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.

Condition:

1. The density transfer approval is conditioned upon the minor subdivision plat approval by the Town Council.

Consideration of a Resolution regarding a Conditional Use Permit to Allow for a Health and Wellness Program to Occur Within a Single-Family Home Located at Lot 114, 160 Country Club Drive, Pursuant to Section 17.4.14 *Quasi-Judicial* (16) *This item was continued from the October 15, 2020 Regular Town Council meeting. The applicant has requested that the application be withdrawn.*

Senior Planner John Miller presented. The applicant requested that the application be withdrawn. No action was taken.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Regarding a Major PUD Amendment to Extend the Length of Validity and Vested Property Rights for a Site-Specific Development Plan for Lot 109R from December 8, 2020 to December 8, 2022 *Quasi-Judicial* (17)

Michelle Haynes presented. Council discussion ensued. Applicant Tom Kennedy provided a statement. The Mayor opened the public hearing. No public comment was received. The Mayor closed the public hearing. On a **MOTION** by Marti Prohaska and seconded by Jack Gilbride, Council voted (7-0) to approve on first reading an Ordinance regarding a Major PUD Amendment to extend the length of validity and vested property rights for a site-specific Development Plan for Lot 109R from December 8, 2020 to December 8, 2022 and set the second reading, public hearing and final vote for December 3, 2020.

Second Reading, Public Hearing and Council Vote on an Ordinance Regarding a Density Transfer and Rezone located at Lot 648AR, 313 Adams Ranch Road, to Rezone and Convert Three (3) Units or 3,264 Square Feet of Commercial Space into Four (4) Employee Apartments (18)

The Mayor recused herself because she lives adjacent to the project. Patrick recused himself because he works for TSG. John Miller and applicant Jeff Proteau presented. Council discussion ensued. The Mayor Pro Tem opened the public hearing. Public comment was received by Judy Thompson. The Mayor Pro Tem closed the public hearing. On a **MOTION** by Natalie Binder and seconded by Marti Prohaska, Council voted (5-0) to approve an Ordinance regarding a Density Transfer and Rezone located at Lot 648

AR, 313 Adams Ranch Road, to rezone and convert three units or 3,264 square feet of commercial space into four employee apartments.

Council took a break from 11:30 a.m. to 11:35 a.m.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Regarding a Rezone and Density Transfer Application to Rezone Columbia Place Condominiums (Lot 37) Units 5-12 (8 units total) from a Hotel Efficiency Zoning Designation to Lodge Zoning Designation Quasi-Judicial (20) *This Item was Continued from the October 15, 2020 Regular Town Council*

Natalie Binder recused herself because she lives adjacent to the project. John Miller and Independent Agent Robert Stenhammer presented. Public comment was received by Tom Richards. Council discussion ensued. On a **MOTION** by Pete Duprey and seconded by Dan Caton, Council voted (6-0) to approve on first reading an Ordinance regarding a rezone located at Lot 37, Columbia Place Condominiums, to rezone Units 5-12 from a Hotel Efficiency zoning designation to a Lodge zoning designation with the following findings and conditions as noted in the staff report of record dated November 6, 2020 and contingent on setting the actual parking fee and timing of payment and to set the second reading, public hearing and final vote for December 10, 2020.

Consideration of a Resolution Regarding a Variance for Parking Requirements for 6 of the 8 Units at Columbia Place Condominiums (Lot 37) Units 5-12 (8 Units Total), (a Request to Waive a Parking Space Equivalent of 3 Parking Spaces) Quasi-Judicial This Item was Continued from the October 15, 2020 Regular Town Council Meeting (21)

John Miller presented. Council discussion ensued. On a **MOTION** by Marti Prohaska and seconded by Dan Caton, Council voted unanimously to table the item.

Council moved to agenda item 23.

Jim Loebe provided an update stating that due to the warmer weather the ice rink may not open for Thanksgiving.

San Miguel Regional Housing Authority (SMRHA) Update and Review of 2021 Budget and Goals (22)

Director Corenna Howard presented the report. Council discussion ensued.

Natalie Binder left the meeting at 12:14 p.m.

Council moved to agenda item 24.

Staff Reports: (23)

a. Transit & Recreation

Director Jim Loebe presented his report. Council discussion ensued.

b. Public Works

Director Finn Kjome presented his report. Council discussion ensued.

c. Town Manager

Kim Montgomery presented her report. Council discussion ensued.

Council moved to agenda item 22.

Other Business (24)

Pete Duprey discussed an email that was received by Suse Connelly regarding masks. Council discussion ensued. Council direction was to require KN95 or N95 masks or CDC standard qualified masks for all employees and to agendize a discussion at the December 3, 2020 Special Town Council meeting on the cost associated and possible distribution methods to provide qualified masks to the public.

Council directed staff to agendize the VCA Request for Proposal (RFP) process at the December 10 , 2020 regular meeting.

a. Safer at Home Public Order Discussion


Council discussion ensued stating that the current level of orange may be changing to red due to the number of recent positive Covid cases. The ski resort would remain open under a change to level red.

b. Consideration of Approval for the Hiring of a Recently Vacated Water Department Position and Road and Bridge Position

Finn Kjome presented. Council discussion ensued. On a **MOTION** by Jack Gilbride and seconded by Patrick Berry, Council voted unanimously to approve hiring the water department and road and bridge positions.

There being no further business, on a **MOTION** by Dan Caton and seconded by Pete Duprey, Council voted unanimously to adjourn the meeting at 12:16 p.m.

Respectfully prepared and submitted by,


Susan Johnston
Town Clerk