



TOWN OF MOUNTAIN VILLAGE
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TOWN OF MOUNTAIN VILLAGE MINUTES OF THE FEBRUARY 17, 2022 REGULAR TOWN COUNCIL MEETING

The meeting of the Town Council was called to order by Mayor Laila Benitez at 2:01 pm on Thursday, February 17, 2022. Due to the Town's Disaster Declaration of March 19, 2020 related to the COVID-19 virus, the meeting was held in person and 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
Harvey Mogenson
Marti Prohaska
Jack Gilbride (Arrived at 5:09 p.m.)
Pete Duprey

The following Town Council members were absent:

DRB Members Present:

Banks Brown
Adam Miller
Greer Garner
Scott Bennett
Ellen Kramer
Liz Caton
David Craige (Via Zoom)
Shane Jordan (Via Zoom)

Also in attendance were:

Paul Wisor, Town Manager
Susan Johnston, Town Clerk
Kim Schooley, Deputy Town Clerk
Lizbeth Lemley, Finance Director
Julie Vergari, Chief Account
Zoe Dohnal, Business Development and Sustainability Director
Kathrine Warren, Public Information Officer
Lauren Kirn, Environmental Efficiencies and Grant Coordinator
Michelle Haynes, Director of Planning & Development Services
Amy Ward, Senior Planner
David McConaughy, Town Attorney
John Miller, Community Housing Program Director & Senior Planner
Chris Broady, Police Chief
Jim Soukup, Chief Technology Officer
Emily Pierson, Broadband Administrative Assistant
Mike Otto, Town Forester/GIS Assistant
Lars Forsythe, Building Inspector
JD Wise, Assistant Director of Public Works
Connor Reilly, VCA Property Manager
Dev Motwani, Developer Merrimac Ventures

Douglas Tueller
Paula Eisenberg
Shaw Construction
Shawnda Meier
Stefanie Solomon
Jeff Kirby
Alline Argueles
Lee Betten
Randy Timmerman
Kathy McJoynt
Andrew Butler
David Averill
Justin Craido
Amy Markwell
Ankur Patel
Kyle Conley
Bohdan Iwanetz
Brian Woody
Chris Chaffin
Emma Brown

Dale Reed, Merrimac COO
Jay Khoriaty, Developer Fort Partners
Kirsten Murray, Design Architect Olson Kundig
Jeff Busby, Design Architect Olson Kundig
Rob Rydel Achitect of Record Oz Architecture
Jeff Zimmerman, Landscape Architect Design Workshop
Dave Ballode, Civil Engineer Uncompahgre
Dave Bulson, Surveyor
Chris Hazen, Wetlands Specialist
Lisa McGovak
Carly Shaw
Sean DeLand
Matt Skinner, Colorado Flights
Rachel Shindman, EPS
Andrew Knudtsen, EPS
Elly Schaefer, MIG
Marcin Ostromecki
Mark O'Dell
Mark Ruckoldt
Randy Podolski
Matthew Hintermister
Stephanie Fanos
Tom Richards
Gabby Clune
Julia Caulfield
Su Oz
David Spector
Huascar Gomez
George Bryant
Jonathan Greenspan
Joe Coleman
Bob Gleason
Jeffrey Busby
Teri Steinberg
Randy Averitte
Chris Hanson
Frost Prioleau
Chris Paulk
Nathan Frerichs
Bill Fandel
Linda Brown

Anton Benitez
Tamara Bujakowski
Stephen Kear
Scott Pittenger
Richard Lee
Patrick Zoidis
Patrick Willis
Mike Weist
Mike Shimkonis
Mark Satler
Don Morgan
Jack Wolinetz
Jean Nictakis
Joan Semeria
KC Kaissi
Larry Dillon
Bruce Crown
Michael Gorman
Mathew Zarembo
Chad Horning
Orsolya Palacios
Tige Savage
Yvette Rauff
Louis Alaia
Kaye Simonson
Paul Zoidis
Jeff Roberts
Steve Togni
Matt Lewis
Joan May
Dan Garner
Elaine Grillo
Daniel Zempke
Bill Whitehurst
David Eisenberg
John Reynders
Andy Nadel
Patrick Latcham
Ana Bowling
Eric Fallenius

Public Comment on Non-Agenda Items (2)

No public comment was received.

Recognition of the Public Works Department for the 30 Plus Hour Effort to Restore Ski Ranches Water Service (3)

Assistant Director of Public Works JD Wise introduced members of the Water Department and Road & Bridge Department. Council thanked them for their dedication on the repair of a water mainline break in Ski Ranches on January 19, 2022.

Introduction (4)

Chief Technology Officer Jim Soukup introduced new IT Network & Server Administrator Johnny Aird and new Broadband Administrative Assistant Emily Pierson to Council.

Consent Agenda

All matters in the Consent Agenda are considered to be routine by the Town Council and will be enacted with a single vote. There will be no separate discussion of these items. If discussion is deemed necessary, that item should be removed from the Consent Agenda and considered separately: (5)

- a. **Consideration of Approval of the January 20, 2022 Regular Town Council Meeting Minutes**
- b. **Consideration of Approval to Amend the Rules for the Conduct of Meetings and General Business**

Town Clerk Susan Johnston presented. On a **MOTION** by Dan Caton and seconded by Pete Duprey, Council voted unanimously to approve the Consent Agenda as presented.

The Town Council and Design Review Board (DRB) Opened the Joint Special Meeting at 2:05 pm for the Purposes of agenda items 6 & 7.

Patrick Berry and Marti Prohaska recused themselves for agenda items 6 and 7.

A Design Review Board Recommendation to Town Council Regarding a Conceptual Site-Specific Planned Unit Development (SPUD) Application for a Mixed-Use Hotel, Branded Residence and Condominium Project at 161CR, Lot 67, Lot 69R-2, Lot 71R, OS-3Y (Commonly Called the Pond Lots) (and a Request to Incorporate Portions of OS-3BR2 and OS-3XRR Owned by the Town of Mountain Village in the Amount of .478 acres) into the Site-Specific Development Approval (SPUD) with a Concurrent Vested Property Rights Request (6)

Director of Planning & Development Services Michelle Haynes, Senior Planner Amy Ward, Town Attorney David McConaughy and Applicant Merrimac Ventures presented. DRB discussion ensued. Public comment was received by Anton Benitez, Bob Gleason, Dan Garner, Frost Prioleau, Mark Satler Joseph Coleman, Dan Zempke, Linda Brown, Dr. Lou Alaia, Bill Fandel, Patrick Latcham, Jeff Kirby, Tige Savage, KC Kaissi, Randy Podolsky, Douglas Tueller, Brian Woody and Chad Horning. The Mayor closed public comment. On a **MOTION** by Liz Caton and seconded by Adam Miller, DRB voted unanimously to close the public hearing. DRB discussion ensued. On a **MOTION** by David Craige and seconded by Ellen Kramer, DRB voted 4-3 (with Banks Brown, Adam Miller and Scott Bennett dissenting. Shane Jordan did not vote as he is an alternate member of DRB) to reopen the hearing and continue the application to allow the applicant to provide more information based on public comment, DRB comments and staff recommendations to the amended date of March 17, 2022.

On a **MOTION** by Banks Brown and seconded by Ellen Kramer, DRB voted unanimously to adjourn the joint Town Council and Design Review Board meeting.

On a **MOTION** by Dan Caton and seconded by Pete Duprey, Council voted unanimously to continue the Town Council hearing to the March 17, 2022 Town Council meeting and adjourn the joint Town Council and Design Review Board meeting continuing with the regular February 17, 2022 Town Council meeting.

Consideration of Approval of a Conceptual Site-Specific Planned Unit Development (SPUD) Application for a Mixed-Use Hotel, Branded Residence and Condominium Project at 161CR, Lot 67, Lot 69R-2, Lot 71R, OS-3Y (Commonly Called the Pond Lots) (and a Request to Incorporate Portions of OS-3BR2 and OS-3XRR Owned by the Town of Mountain Village in the Amount of .478 acres) into the Site-Specific Development Approval (SPUD) with a Concurrent Vested Property Rights Request (7)

The Design Review Board did not provide a recommendation to Council.

The Design Review Board adjourned at 4:56 p.m. The Regular Town Council meeting continued.

Council took a break from 4:56 p.m. to 5:06 p.m.

Patrick Berry and Marti Prohaska rejoined the meeting at 5:06 p.m.

January 25, 2022 Internet Outage Report (8)

Jim Soukup and Town Manager Paul Wisor presented. Council discussion ensued.

Jack Gilbride arrived at 5:09 p.m.

Second Reading, Public Hearing and Council Vote on an Ordinance Amending Section 1.08 of the Town of Mountain Village Municipal Code - General Penalties (9)

David McConaughy 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 Caton and seconded by Patrick Berry, Council voted to approve 7-0 on second reading an Ordinance Amending Section 1.08 of the Town of Mountain Village Municipal Code - General Penalties.

Second Reading, Public Hearing and Council Vote on an Ordinance Regulating Weight Size of Motor Vehicles Continue to the March 17, 2022 Town Council Meeting (10)

Paul Wisor presented. On a **MOTION** by Patrick Berry and seconded by Jack Gilbride Council voted unanimously to continue the item to the March 17, 2022 Town Council meeting.

Consideration of Appointments to the Meadows Resident Advisory Board (11)

a. Appointment of Four Board Members

Michelle Haynes and Paul Wisor presented. Twelve applications were received. Council discussion ensued. Jonathan Greenspan and Joan May made statements. On a **MOTION** by Pete Duprey and seconded by Dan Caton, Council voted unanimously to appoint Heather Knox, Mathew Zarembo, Abbott Smith, and Erika Builder to the Meadows Resident Advisory Board for a 3-4-month commitment. Council member Patrick Berry volunteered to serve on the Board.

Council broke for dinner from 5:20 p.m. to 5:35 p.m.

Finance (13)

- a. Presentation of the January 31, 2022 Business & Government Activity Report (BAGAR)**
- b. Consideration of Approval of the December 31, 2021 Financials**

Finance Director Lizbeth Lemley and Chief Accountant Julie Vergari presented. Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to approve the December 31, 2021 Financials.

Emergency Preparedness Review (14)

This agenda item was continued to a later date.

Community Housing Mitigation Methodology (15)

Michelle Haynes, Paul Wisor, Rachel Shindman with EPS, and Andrew Knudtsen with EPS presented. Council discussion ensued. Council consensus was in favor of moving forward with what was proposed by EPS.

Village Court Apartments Quarterly Report (16)

VCA Manager Connor Riley presented. Council discussion ensued.

Colorado Flights Alliance (CFA) Bi-Annual Report (17)

Colorado Flights Alliance CEO Matt Skinner presented. Council discussion ensued.

Council Boards and Commissions Updates (18)

- 1. Telluride Tourism Board-Berry**
- 2. Colorado Flights Alliance-Gilbride**
- 3. Transportation & Parking-Mogenson/Duprey**
- 4. Budget & Finance Committee-Gilbride/Duprey/Mogenson**
- 5. Gondola Committee-Caton/Berry/Prohaska**
- 6. Colorado Communities for Climate Action-Berry**

7. San Miguel Authority for Regional Transportation (SMART)-Berry/Prohaska/Mogenson
8. Telluride Historical Museum- Prohaska
9. Latinx Advocacy Committee-Berry/Prohaska
10. Green Team Committee-Berry/Prohaska
11. Business Development Advisory Committee-Caton/Duprey
12. San Miguel Watershed Coalition-Prohaska
13. Telluride Mountain Village Owners Association Governance Auxiliary Committee-Duprey
14. Wastewater Committee-Duprey/Mogenson
15. Mayor's Update-Benitez

Staff Reports (19)

a. Business Development and Sustainability

Director Zoe Dohnal presented. Council discussion ensued.

Other Business (20)

There was no other business.

Executive Session for the Purpose of (21)

- a. For the Purpose of Receiving Legal Advice and Determining Positions Relative to Matters that may be Subject to Negotiations, Developing Strategies for Negotiations, and Instructing Negotiators Pursuant to Section 24-6-402(4)(b) and (e) and to Discuss the Purchase, Acquisition, Lease, Transfer, or Sale of Real, Personal or Other Property Interest Under CRS 24-6-402(4)(a) in Connection with Lot 615-1CR**
- b. For the Purpose of Receiving Legal Advice and Determining Positions Relative to Matters that may be Subject to Negotiations, Developing Strategies for Negotiations, and Instructing Negotiators Pursuant to Section 24-6-402(4)(b) and (e) and to Discuss the Purchase, Acquisition, Lease, Transfer, or Sale of Real, Personal or Other Property Interest Under CRS 24-6-402(4)(a) in Connection with a Proposed Real Estate Transaction**
- c. For the Purpose of Receiving Legal Advice and Determining Positions Relative to Matters that may be Subject to Negotiations, Developing Strategies for Negotiations, and Instructing Negotiators Pursuant to Section 24-6-402(4)(b) and (e) in Connection with TMVOA Membership and Voting Rights**

On a **MOTION** by Dan Caton and seconded by Harvey Mogenson, Council voted unanimously to move into Executive Session for the purpose of receiving legal advice and determining positions relative to matters that may be subject to negotiations, developing strategies for negotiations, and instructing negotiators pursuant to Section 24-6-402(4)(b) and (e) and to discuss the purchase, acquisition, lease, transfer, or sale of real, personal or other property interest under CRS 24-6-402(4)(a) in connection with a) Lot 615-1CR and b) a proposed real estate transaction, and c) receiving legal advice and determining positions relative to matters that may be subject to negotiations, developing strategies for negotiations, and instructing negotiators pursuant to section 24-6-402(4)(b) and (e) in connection with TMVOA membership and voting rights at 7:24 p.m.

Council resumed regular session at 8:55 p.m.

There being no further business, on a **MOTION** by Pete Duprey and seconded Harvey Mogenson, Council voted unanimously to adjourn the meeting at 8:55 pm.

Respectfully prepared and submitted by,


Susan Johnston
Town Clerk