



TOWN OF MOUNTAIN VILLAGE  
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**TOWN OF MOUNTAIN VILLAGE  
MINUTES OF THE JANUARY 19, 2023  
REGULAR TOWN COUNCIL MEETING**

The meeting of the Town Council was called to order by Mayor Laila Benitez at 2:00 p.m. on Thursday, January 19, 2023. 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  
Harvey Mogenson  
Marti Prohaska  
Jack Gilbride  
Pete Duprey  
Patrick Berry

**Also in attendance were:**

Paul Wisor, Town Manager  
Michelle Haynes, Assistant Town Manager  
Susan Johnston, Town Clerk  
Kim Schooley, Deputy Town Clerk  
David McConaughy, Town Attorney  
Lizbeth Lemley, Finance Director  
Julie Vergari, Assistant Finance Director  
Chris Broady, Police Chief  
Dennis Friedrich, Municipal Judge  
Amy Ward, Community Development Director  
Kathrine Warren, Public Information Officer  
JD Wise, Economic Development & Sustainability Director  
Lauren Kirn, Environmental Efficiencies & Grant Coordinator  
Kate Burns, Controller  
Marleina Fallenius, Planning Tech & Housing Coordinator  
Molly Norton, Community Engagement Coordinator  
Jim Soukup, Chief Technology Officer  
Claire Perez, Planner  
Jaime Holmes, HR Director  
Jodi Miller, Office Manager/Evidence Custodian  
Jonathan Greenspan  
Chris Knight  
Joe Coleman  
Katsia Lord  
Adam Raiffe  
Steven Peletz  
Keith Hampton  
Don Morgan  
Chris Hawkins  
Keith Hampton  
Javier Rojas  
G. Robson  
Robert Connor

Sean DeLand  
Anton Benitez  
Ankur Patel  
Matthew Shear  
Alan Kadin  
Julia Caulfield  
Mike Foster  
Heather Hoffmann  
John Miller  
Kristin Decker  
Anna Wilson  
Michael O'Connor  
Garret Smith  
Madeline Gomez  
David Bulson  
Melina Saunders  
Jennifer Zanardi  
Justin Criado  
Cyndi Stovall  
Jacqueline Kadin  
Julia Dullien  
Greg Sands  
Sofia Bolio Hernandez  
Winston Kelly  
Avani Patel  
Gan Ieehanantakul  
Matthew Hintermeister  
Aline Arguelles  
Wesley Massey Hill  
Bryan Thames  
Aela Morgan  
Nikoleta Angelova

**Public Comment on Non-Agenda Items (2)**

There was no public comment.

**Oath of Office for Municipal Judge Dennis Friedrich (3)**

Mayor Benitez performed the Oath of Office for Municipal Judge Dennis Friedrich.

**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: (4)**

- a. **Consideration of Approval of the December 8, 2022 Regular Town Council Meeting Minutes**
- b. **Consideration of Approval of the January 4, 2023 Special Town Council Meeting Minutes**

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

**Liquor Licensing Authority: Quasi-Judicial (5)**

- a. **Consideration of Re-Certification of the Mountain Village Promotional Association and Common Consumption Area**

Susan Johnston and TMVOA President & CEO Anton Benitez presented. Council discussion ensued regarding the Promotional Association security plan. The Mayor opened a public hearing. Public comment was received from Jonathan Greenspan, Derrek Medina, and John Miller. The Mayor closed the public hearing. On a **MOTION** by Marti Prohaska and seconded by Dan Caton, Council voted unanimously to continue the re-certification of the Mountain Village Promotional Association and Common Consumption Area to the March 16, 2023 regular Town Council meeting.

**Finance: (6)**

Finance Director Lizbeth Lemley and Assistant Finance Director Julie Vergari presented.

- a. **Presentation of the December 31, 2022 Business & Government Activity Report (BaGAR)**
- b. **Consideration of Approval of the November 30, 2022 Financials**

Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to approve the November 30, 2022 Financials as presented.

**Mountain Village Housing Authority: (7)**

- a. **Second Reading, Public Hearing and Council Vote on an Ordinance Conveyance of Lot 644 from the Town of Mountain Village to the Town of Mountain Village Housing Authority**

Assistant Town Manager Michelle Haynes presented. The Mayor opened a public hearing. There was no public comment. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Pete Duprey and seconded by Patrick Berry, Council voted 7-0 to adopt an Ordinance conveyance of Lot 644 from the Town of Mountain Village to the Town of Mountain Village Housing Authority.

On a **MOTION** by Marti Prohaska and seconded by Jack Gilbride, Council voted unanimously to convene as the Mountain Village Housing Authority.

- b. **Consideration of a Resolution Expressing the Intent of the Issuer to be Reimbursed for Certain Expenses Relating to the Acquisition of Property in Ilium for the Purpose of Residential Workforce Housing**

Town Manger Paul Wisor and Michelle Haynes presented. The Mayor opened a public hearing. There was no public comment. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Harvey Mogenson and seconded by Dan Caton, Council voted unanimously to adopt a Resolution expressing the intent of the issuer to be reimbursed for certain expenses relating to the acquisition of property in Ilium for the purposes of residential workforce housing.

On a **MOTION** by Jack Gilbride and seconded by Marti Prohaska, Council voted unanimously to reconvene as the Mountain Village Town Council.

**Discussion Regarding the Lot 644 Deed Restriction Framework and Lottery Priority (8)**

Paul Wisor and Michelle Haynes presented. Council discussion ensued. The Mayor opened a public hearing. Public comment was received from Kathrine Warren and John Miller. The Mayor closed the public hearing. Staff will present a revised draft to Council at the regular Town Council meeting on February 16, 2023.

**Community Forestry Program Update and State of the Forest Report (9)**

Forester/GIS Assistant Rodney Walters presented. Council discussion ensued.

**Consideration of a Resolution Approving a Conditional Use Permit for a Driveway on Lot OSP 18A  
*The Applicant has Requested that this Item be Continued to the February 16, 2023 Town Council Meeting (10)***

Community Development Director Amy Ward presented. The Mayor opened a public hearing. There was no public comment. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Pete Duprey and seconded by Harvey Mogenson, Council voted unanimously to continue the consideration of a Resolution approving a conditional use permit for a driveway on Lot OSP 18A to the regular Town Council meeting on February 16, 2023.

**Consideration of a Resolution for a Major Subdivision to Replat Portions of Property Between Lot  
109R and OS-3-BR-2 *To be Continued to the March 16, 2023 Town Council Meeting (11)***

Michelle Haynes and Amy Ward presented. The Mayor opened a public hearing. There was no public comment. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Patrick Berry and seconded by Harvey Mogenson, Council voted unanimously to continue the consideration of a Resolution regarding a major subdivision application to replat portions OS-3BR-2 into Lot 109R and a portion of Lot 109R into OS-3BR-2, along with a small right of way dedication to the Mountain Village Boulevard, resulting in a net increase to OS-3BR-2, Village Center active open space of 84 square feet, decrease of Lot 109R of 175 square feet and 77 square feet dedicated to Mountain Village Boulevard, Active Open Space right of way that consists of an existing portion of the bridge to the March 16, 2023 regular Town Council meeting.

Council took a break from 4:04 to 4:15 p.m.

Council opened agenda items 12 and 14 at the same time.

**First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Regarding a Major  
Planned Unit Development (PUD) Amendment to the Formerly Named Mountain Village Hotel  
PUD, to Consider Amendments to the Existing PUD for Lot 109R for a Mixed-Use Hotel/Resort  
Development Including Plaza, Commercial, Hotel and Residential Use with a Maximum Height  
Request up to 96'8" *Continued from June 16, 2022, August 18, 2022 and November 17, 2022 Quasi-  
Judicial (12)***

Michelle Haynes and Amy Ward presented followed by applicants Katsia Lord, Steven Peletz, Chris Knight, Ankur Patel and Julia Dullien. The Mayor opened a public hearing. Public comment was received from Joseph Coleman, Jacqueline Kadin, Kristin Decker, Wesley Hill, Robert Connor, Chris Hawkins, Winston Kelly, Don Morgan, and Keith Hampton. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Laila Benitez and seconded by Harvey Mogenson, Council voted 6-1 (with Patrick Berry dissenting) directing staff to prepare a Resolution to deny the Ordinance regarding a major planned unit development (PUD) amendment to the formerly named Mountain Village Hotel PUD to be evaluated at the March 16, 2023 regular Town Council meeting and directing staff to work with the applicant to present the changes that have been made to the PUD prior to a vote to deny.

**First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Regarding a Rezone  
of Portions of Town Owned Village Center Active Open Space (OS-3-BR2) to 109R PUD, and 109R  
PUD to Village Center Active Open Space (OS-3- BR2) Consistent with CDC Section 17.4.9 *Quasi-  
Judicial (14)***

Michelle Haynes and Amy Ward presented followed by applicants Katsia Lord, Steven Peletz, Chris Knight, Ankur Patel and Julia Dullien. The Mayor opened a public hearing. Public comment was received from Joseph Coleman, Jacqueline Kadin, Kristin Decker, Wesley Hill, Robert Connor, Chris Hawkins, Winston

Kelly, Don Morgan, and Keith Hampton. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Laila Benitez and seconded by Harvey Mogenson, Council voted 6-1 (with Patrick Berry dissenting) directing staff to prepare a Resolution to deny the Ordinance regarding a rezone of portions of town owned village center active open space (OS-3-BR2) to 109R PUD, and 109R PUD to Village Center active open space (OS-3-BR2) consistent with CDC section 17.4.9 and directing staff to work with the applicant to present the changes that have been made to the PUD prior to a vote to deny.

**Staff Report: (15)**

- a. **Economic Development and Sustainability**
  - i. **Telluride Conference Center Seasonal Update**

Economic Development and Sustainability Director JD Wise presented. Council discussion ensued.

**Council Boards and Commissions Updates: (16)**

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. **Alliance for Inclusion - 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**

Due to time constraints, the only Council Board and Commissions update was from Mayor Pro Tem Caton regarding the Gondola Committee.

**Other Business (17)**

There was no other business.

On a **MOTION** by Jack Gilbride and seconded by Harvey Mogenson, Council voted unanimously to add to the Executive Session agenda item “e” to receive legal advice from the town attorney concerning the Lot 109R lawsuit pursuant to C.R.S. 24-6-402(4)(a), (b), and (c).

Council took a break from 7:40 to 7:45 p.m.

**Executive Session for the Purpose of: (18)**

- a. **Conference with the Town Attorney for the Purpose of Receiving Legal Advice on Specific Legal Questions, to Determine Positions Relative to Matters that may be Subject to Negotiations, Developing Strategy for Negotiations and/or Instructing Negotiators, In Connection With the Acquisition of Approximately 55 Acres Known as the Alexander Parcel Pursuant to C.R.S. 24-6-402(4)(a), (b), and (c)**
- b. **Conference with the Town Attorney for the Purpose of Receiving Legal Advice on Specific Legal Questions, to Determine Positions Relative to Matters that may be Subject to Negotiations, Developing Strategy for Negotiations and/or Instructing Negotiators, In Connection With the Wastewater Treatment Plant Pursuant to C.R.S. 24-6-402(4)(b) and (c)**
- c. **Conference with the Town Attorney for the Purpose of Receiving Legal Advice on Specific Legal Questions, to Determine Positions Relative to Matters that may be Subject to Negotiations, Developing Strategy for Negotiations and/or Instructing Negotiators, In Connection With the Telluride Conference Center Pursuant to C.R.S. 24-6-402(4)(b) and (c)**
- d. **Conference with the Town Attorney for the Purpose of Receiving Legal Advice on Specific Legal Questions, to Determine Positions Relative to Matters that may be Subject to**

**Negotiations, Developing Strategy for Negotiations and/or Instructing Negotiators, In Connection With the Acquisition of Land Pursuant to C.R.S. 24-6-402(4)(a), (b), and (c)**

- e. **Conference with the Town Attorney for the Purpose of Receiving Legal Advice on Specific Legal Questions, to Determine Positions Relative to Matters that may be Subject to Negotiations, Developing Strategy for Negotiations and/or Instructing Negotiators, In Connection With the Lot 109R Lawsuit Pursuant to C.R.S. 24-6-402(4)(a), (b), and (e)**

On a **MOTION** by Patrick Berry and seconded by Dan Caton, Council voted unanimously to move into Executive Session for the purpose of:

- a. Conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions, to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations and/or instructing negotiators, in connection with the acquisition of approximately 55 acres known as the Alexander parcel pursuant to C.R.S. 24-6-402(4)(a), (b), and (c)
- b. Conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions, to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations and/or instructing negotiators, in connection with the Wastewater Treatment Plant pursuant to C.R.S. 24-6-402(4)(b) and (e)
- c. Conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions, to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations and/or instructing negotiators, in connection with the Telluride Conference Center pursuant to C.R.S. 24-6-402(4)(b) and (e)
- d. Conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions, to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations and/or instructing negotiators, in connection with the acquisition of land pursuant to C.R.S. 24-6-402(4)(a), (b), and (e)
- e. Conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions, to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations and/or instructing negotiators, in connection with the Lot 109R lawsuit pursuant to C.R.S. 24-6-402(4)(a), (b), and (e)

at 7:45 p.m.

There being no further business, on a **MOTION** by Harvey Mogenson and seconded by Jack Gilbride, Council voted unanimously to adjourn the meeting at 8:57p.m.

Respectfully prepared,



Kim Schooley  
Deputy Town Clerk

Respectfully submitted,



Susan Johnston  
Town Clerk

