



TOWN OF MOUNTAIN VILLAGE
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**TOWN OF MOUNTAIN VILLAGE
MINUTES OF THE FEBRUARY 16, 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, February 16, 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 (via Zoom)
Marti Prohaska
Jack Gilbride (via Zoom)
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 (via Zoom)
Lizbeth Lemley, Finance Director
Julie Vergari, Assistant Finance Director
Chris Broady, Police Chief
Jim Soukup, Chief Technology Officer
Amy Ward, Community Development Director
Kathrine Warren, Public Information Officer
JD Wise, Economic Development & Sustainability Director
Jim Loebe, Transit & Recreation Director
Rob Johnson, Operations Manager
Finn Kjome, Public Works Director
Kate Burns, Controller
Marleina Fallenius, Planning Technician & Housing Coordinator
Lauren Kirn, Environmental Efficiencies & Grant Coordinator
Jaime Holmes, HR Director
Lindsay Niehaus, HR Coordinator
Conor Intemann, Gondola Maintenance Manager
Molly Norton, Community Engagement Coordinator
Sean DeLand
Chris Hazen
Steven Paletz
Casey Rosen
JR Kraft
Andrew Vidor

Andy Rutz
Callie New
Patrick Latcham
Jim Pritchard
Chris Sommers
David Averill
Michael K
Stephanie Fanos
Matt Lewis
Ian McCormick
John Miller
John Kraft
Christine Cagliostro
Allison McClain
Carly Clevensine
Ankur Patel
Bryan Woody
Marcin Ostromecki
Darla Calloway
Douglas Tooley
Winston Kelly
Lindsey Welter
Aline Arguelles
Paul Savage
Lisa Boyce
Matt Hintermeister
Patrick Shanahan

Executive Session for the Purpose of: (2)

- 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 Sale of the Broadband System Pursuant to C.R.S. 24-6-402(4)(a), (b), and (e)**
- 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 San Joaquin Construction 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 Proposed Gondola Financing Pursuant to C.R.S. 24-6-402(4)(a), (b), and (e)**

On a **MOTION** by Dan Caton and seconded by Pete Duprey, 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 sale of the broadband system pursuant to C.R.S. 24-6-402(4)(a), (b), and (e)
- 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 San Joaquin construction 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 proposed gondola financing pursuant to C.R.S. 24-6-402(4)(a), (b), and (e)

at 2:01 p.m.

Council returned to regular session at 2:58 p.m.

Council took a break from 2:58 to 3:05 p.m.

Public Comment on Non-Agenda Items (3)

There was no public comment.

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 January 19, 2023 Town Council Meeting Minutes**
- b. **Consideration of Approval of the January 30, 2023 Special Town Council Meeting Minutes**

Town Clerk Susan Johnston presented. Council discussion ensued. On a **MOTION** by Patrick Berry and seconded by Dan Caton, Council voted unanimously to approve the Consent Agenda as presented with a minor change to the January 19, 2023 minutes adding a note on agenda item 16 that the Council Boards and Commissions updates were skipped and that only a brief update for the Gondola Committee was presented.

Consideration of Appointment of One Alternate Seat to the Board of Adjustments and Appeals (5)

Assistant Town Manager Michelle Haynes presented. Applicant Ian McCormick made a comment. Council discussion ensued. On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted unanimously to appoint Ian McCormick to the alternate Building Board of Appeals seat.

Finance: (6)

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

a. Presentation of the January 31, 2023 Business & Government Activity Report (BaGAR)

b. Consideration of Approval of the December 31, 2022 Financials

Council discussion ensued. On a **MOTION** by Pete Duprey and seconded by Jack Gilbride, Council voted unanimously to approve the December 31, 2022 Financials as presented.

Council moved to agenda item 19.

Consideration of a Resolution Approving a Conditional Use Permit for a Driveway on Lot OSP 18A
This Item was Continued from the January 19, 2023 Town Council Meeting Quasi-Judicial (7)

Patrick Berry recused himself. Community Development Director Amy Ward presented. Steven Paletz with Akerman LLP, Environmental Consultant Chris Hazen and Project Engineer David Ballode representing the applicant presented. The Mayor opened a public hearing. Public comment was received from Paul Savage. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Harvey Mogenson and seconded by Dan Caton, Council voted 4-2 (with Pete Duprey and Marti Prohaska dissenting) to deny a Resolution regarding a Conditional Use Permit approval for driveway access on Lot OSP-18A to the adjacent Lot SS811, based on the evidence provided in the staff record of memo dated February 6, 2023, and the findings of this meeting and asked staff and legal to draft a denial resolution with findings to the March 16, 2023 Town Council meeting.

Council heard agenda items 8 and 9 concurrently.

Consideration of a Resolution to Approve a Major Subdivision Application for Lots 126R, 152R, OSP-118 and OSP-126 per Community Development Code Section 17.4.13 Quasi-Judicial (8)

Crescendo Planning + Design representative Andy Rutz presented on behalf of staff. Applicant Base Telluride, LLC representative Darla Callaway presented. The Mayor opened a public hearing. Public comment was received from Casey Rosen and Douglas Tooley. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Marti Prohaska and seconded by Dan Caton, Council voted unanimously to continue a Resolution of a major subdivision application and replat at Lots 126R and 152R and Tracts OSP-118 and OSP-126, until March 16, 2023, to be paired with a second reading of an ordinance for a rezone and density transfer on the same lots, consistent with the tables and exhibits provided by the applicant as part of this record and with the findings and conditions outlined in the staff memo.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance to Consider a Rezone and Density Transfer Application for Lots 126R and 152R per Community Development Code Section 17.4.10 Quasi-Judicial (9)

Crescendo Planning + Design representative Andy Rutz presented on behalf of staff. Applicant Base Telluride, LLC representative Darla Callaway presented. The Mayor opened a public hearing. Public comment was received from Casey Rosen and Douglas Tooley. 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 approve on first reading an Ordinance considering a rezone and density transfer application for Lots 126R and 152R and Tracts OSP-118 and OSP-126 and set the second reading, public hearing and final Council vote for the March 16, 2023 Town Council meeting.

Council took a break from 5:19 to 5:30 p.m.

Council heard agenda items 11 and 12 concurrently.

Consideration of a Resolution to Approve a Minor Scale Subdivision for Lots 619 & 638 to Replat into Lot 619R per Community Development Code Section 17.4.13 Quasi-Judicial (11)

Harvey Mogenson recused himself. Amy Ward presented. Applicant Harvey Mogenson commented. The Mayor opened a public hearing. There was no public comment. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Jack Gilbride and seconded by Patrick Berry, Council voted unanimously to approve the Resolution for a minor subdivision for Lots 619 and 638-C to replat into 619-R

and with the findings contained within the staff report of record dated February 6, 2023, and with the conditions outlined in the staff memo.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance to Consider a Rezone and Density Transfer Application on Lots 619 & 638 per Community Development Code Sections 17.4.9 & 17.4.10 Quasi-Judicial (12)

Harvey Mogenson recused himself. Amy Ward presented. Applicant Harvey Mogenson commented. 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 Dan Caton, Council voted 6-0 to approve on first reading an Ordinance considering a rezone and density transfer application on Lots 619 and 638 with the findings and conditions outlined in the staff memo and set the second reading, public hearing and final Council vote for the March 16, 2023 Town Council meeting.

Council heard agenda items 13 and 14 concurrently.

Consideration of a Resolution to Approve a Minor Scale Subdivision for Lots 901-R2 and 902-R2 to Replat into Lot 901-R3 per Community Development Code Section 17.4.13 Quasi-Judicial (13)

Amy Ward presented. Council discussion ensued. On a **MOTION** by Patrick Berry and seconded by Marti Prohaska, Council voted unanimously to continue the consideration of a Resolution to approve a minor scale subdivision for Lots 901-R2 and 902-R2 to replat into Lot 901-R3 per Community Development Code section 17.2.10 to the Town Council meeting on March 16, 2023.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance to Consider a Rezone and Density Transfer Application for Lots 901-R1 & 901-R2 per Community Development Code Sections 17.4.9 & 17.4.10 Quasi-Judicial (14)

Amy Ward presented. Council discussion ensued. On a **MOTION** by Patrick Berry and seconded by Marti Prohaska, Council voted 7-0 to continue the first reading, setting of a public hearing and council vote on an Ordinance to consider a Rezone and Density Transfer Application for Lots 901-R1 and 901-R2 per Community Development Code sections 17.4.9 and 17.4.10 to the Town Council meeting on March 16, 2023.

Discussion Regarding the Lot 644 Deed Restriction Framework and Lottery Priority *Continued from the January 19, 2023 Meeting* (15)

Town Manager Paul Wisor and Michelle Haynes presented. Council discussion ensued. Staff will present deed restrictions at the March 16, 2023 Town Council meeting.

Telluride Conference Center (TCC) Seasonal Update (16)

Telluride Ski and Golf Vice President of Sales and Marketing Patrick Latcham presented. Council discussion ensued.

Introduction to the Importance of Managed Parking (17)

Transit and Recreation Director Jim Loebe and Walker Consultants Principal/Director of Studies Andrew Vidor presented. Council discussion ensued.

Staff Report: (18)

a. Broadband and IT

Chief Technology Officer Jim Soukup was not able to present to Council in person and this agenda item was skipped.

Council moved to agenda item 20.

Council Boards and Commissions Updates: (19)

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

Council moved to agenda item 7.

Other Business (20)

Paul Wisor shared that the Town is starting a committee to name Lot 644 and asked for two Council members to volunteer for that committee. Mayor Benitez and Marti Prohaska volunteered. Susan Johnston shared that the town would begin advertising for the June 27, 2023 municipal election and presented the Election Communications Plan to Council.

There being no further business, on a **MOTION** by Patrick Berry and seconded by Marti Prohaska, Council voted unanimously to adjourn the meeting at 6:47 p.m.

Respectfully prepared,



Kim Schooley
Deputy Town Clerk

Respectfully submitted,



Susan Johnston
Town Clerk

