

TOWN OF MOUNTAIN VILLAGE

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**TOWN OF MOUNTAIN VILLAGE
MINUTES OF THE NOVEMBER 16, 2023
REGULAR TOWN COUNCIL MEETING**

The meeting of the Town Council was called to order by Mayor Martinique Prohaska at 2:00 p.m. on Thursday, November 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:

Marti Prohaska, Mayor
Scott Pearson, Mayor Pro Tem
Harvey Mogenson (via Zoom)
Jack Gilbride
Pete Duprey (via Zoom)
Tucker Magid

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
Chris Broady, Police Chief
Amy Ward, Community Development Director
Kathrine Warren, Public Information Officer
JD Wise, Economic Development & Sustainability Director
Jim Loebe, Transit & Recreation Director
Molly Norton, Community Engagement Coordinator
Marleina Fallenius, Housing Program and Policy Manager
Lauren Tyler, GIS Administrator
Jason Habib, Planning Technician
Maegan Eckard, Administrative Assistant
Claire Perez, Planner
Jaime Holmes, HR Director
David Shawcroft
Kathy Ohman
Addie Gomez
Jason Smith
Patrick Berry
Allison McClain
Paul Savage
Kirk Young
Jennifer Cordova
Nick Barker
Erica Jurecki
Jay Luckenbach

Tim Barber
Huascar Gomez
Heather Knox
Joanne Young
Gregory Shawcroft
David Averill
Frank Hensen
Jennifer Z
John Miller
Lori Michaels
Ruth Hensen
Valerie Child
Kimberly Riddle
Baily Leppek
Madeline Gomez
Margaret Rinkevich
Stephanie Fanos
Drew Nelson
Douglas Tooley
L Milligan
Jonathan Greenspan
Tom Richards
L Milligan
Keith Hampton
Mickey Salloway
John Horn
Joe Trombello
Audrey Mosher
Tracey Nicole

On a **MOTION** by Scott Pearson and seconded by Tucker Magid, Council voted unanimously to add item d. 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 Lot 640BR Unit 1, OSP 33, Lot 641C pursuant to C.R.S. 24-6- 402(4)(b) and (e) to the Executive Session.

Executive Session for the Purpose of: (2)

- a. **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 Paid Parking Pursuant to C.R.S. 24-6-402(4)(b) and (e)**
- b. **Receiving Legal Advice on Specific Legal Questions, In Connection With Conduct of Public Meetings Pursuant to C.R.S. 24-6- 402(4)(b) and (d)**
- c. **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 Lot 615-1CR Pursuant to C.R.S. 24-6- 402(4)(b) and (e)**
- d. **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 Lot 640BR Unit 1, OSP 33, Lot 641C Pursuant to C.R.S. 24-6-402(4)(b) and (e)**

On a **MOTION** by Scott Pearson and seconded Tucker Magid, Council voted unanimously to move into Executive Session for the purpose of:

- a. 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 paid parking pursuant to C.R.S. 24-6-402(4)(b) and (e)
- b. Receiving legal advice on specific legal questions, in connection with conduct of public meetings pursuant to C.R.S. 24-6- 402(4)(b) and (d)
- c. 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 Lot 615-1CR pursuant to C.R.S. 24-6- 402(4)(b) and (e)
- d. 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 Lot 640BR Unit 1, OSP 33, Lot 641C pursuant to C.R.S. 24-6- 402(4)(b) and (e)

at 2:03 p.m.

Council returned to open session at 2:57 p.m.

Public Comment on Non-Agenda Items (3)

Public comment was received from Jonathan Greenspan.

Staff Introductions: (4)

- a. **Jason Habib – Planning Technician**

Community Development Director Amy Ward introduced new Planning Technician Jason Habib.

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 October 11, 2023 Special Town Council Meeting Minutes**
- b. **Consideration of Approval of the October 19, 2023 Regular Town Council Meeting Minutes**

Town Clerk Susan Johnston presented. Council discussion ensued. On a **MOTION** by Scott Pearson and seconded by Tucker Magid, Council voted unanimously to approve the Consent Agenda with changes to the October 11, 2023 Special Town Council Meeting minutes to include a statement for the Child Development Fund regarding potential expansion of the childcare facility by 50%.

Department Updates (6)

Town Manager Paul Wisor presented. Council discussion ensued. Council directed staff to distinguish topics within each department update.

Consideration of a Resolution Adopting the Water and Sewer Rate Study and Amending the Fee Schedule to Adjust Water and Sewer Fees and Charges Legislative (7)

Finance Director Lizbeth Lemley presented. Mayor Prohaska opened the public hearing. Public comment was received from Keith Hampton and Douglas Tooley. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Pete Duprey and seconded by Scott Pearson, Council voted unanimously to approve a Resolution approving the SGM rate study and adjusting water and sewer fees and charges as set forth in Exhibit A to the resolution.

Town Council Acting as the Board of Directors for the Dissolved Mountain Village Metro District: (8)

- a. **Public Hearing on the Proposed 2024 and Revised 2023 Budgets**

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

Lizbeth Lemley presented. Chairperson Prohaska opened the public hearing. There were no public comments. The Chairperson closed the public hearing. Board discussion ensued.

On a **MOTION** by Jack Gilbride and seconded by Tucker Magid, the Board voted unanimously to reconvene as the Town of Mountain Village Town Council.

Finance: (9)

Lizbeth Lemley presented.

- a. **Presentation of the October 31, 2023 Business & Government Activity Report (BAGAR)**
- b. **First Reading, Setting of a Public Hearing and Council Vote on an Ordinance of the Town Levying Property Taxes for the Year 2023 to be Collected in 2024**

Council discussion ensued. The Mayor opened the public hearing. Public comment was received from Douglas Tooley. The Mayor closed the public hearing. On a **MOTION** by Pete Duprey and seconded by Harvey Mogenson, Council voted 6-0 to approve on first reading an Ordinance of the Town levying property taxes for the year 2023 to be collected in 2024 and to set the second reading, public hearing and final Council vote for December 14, 2023.

- c. **First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Adopting the 2024 Budget and Revising the 2023 Budget**

Council discussion ensued. The Mayor opened the public hearing. Public comment was received from Douglas Tooley. The Mayor closed the public hearing. On a **MOTION** by Pete Duprey and seconded by Tucker Magid, Council voted 6-0 to approve on first reading an Ordinance adopting the 2024 budget and revising the 2023 budget and to set the second reading, public hearing, and final Council vote for December 14, 2023.

Town of Mountain Village Housing Authority: (10)

a. Consideration of a Resolution of the Town of Mountain Village Housing Authority Adopting the TMVHA Fee Schedule for 2024 Legislative

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

Housing Program and Policy Manager Marleina Fallenius presented. Chairperson Prohaska opened the public hearing. Public comment was received from Douglas Tooley. The Chairperson closed the public hearing. Board discussion ensued. On a **MOTION** by Pete Duprey and seconded by Tucker Magid, the Board voted unanimously to adopt by Resolution the Town of Mountain Village Housing Authority 2024 Fee Schedule.

On a **MOTION** by Scott Pearson and seconded by Jack Gilbride, the Board voted unanimously to reconvene as the Town of Mountain Village Town Council.

Consideration of a Resolution Ratifying the Execution and Delivery of a Deed to the Mountain Village Housing Authority Legislative (11)

Town Attorney David McConaughy presented. Mayor Prohaska opened the public hearing. Public comment was received from Douglas Tooley. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Marti Prohaska and seconded by Scott Pearson, Council voted unanimously to approve a Resolution ratifying the execution and delivery of a deed to the Mountain Village Housing Authority.

Second Reading, Public Hearing and Council Vote on an Ordinance to Authorize the Use of Golf Carts on Certain Municipal Roads Legislative (12)

Paul Wisor presented. Mayor Prohaska opened the public hearing. Public comment was received from Douglas Tooley. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Scott Pearson and seconded by Jack Gilbride, Council voted 6-0 to approve an Ordinance amending section 10.12.010 of the Mountain Village Municipal Code to authorize the operation of golf carts on designated thoroughfares and golf cart paths as attached to the Ordinance as exhibit A.

Council took a break from 4:18 to 5:00 p.m.

Consideration of a Memorandum of Understanding Regarding Paid Parking (14)

Paul Wisor presented. Council discussion ensued. On a **MOTION** by Jack Gilbride and seconded by Tucker Magid, Council voted 6-0 to continue the item to the November 30, 2023 Special Town Council meeting.

Council moved to agenda item 17.

Cheezy LLC's Appeal of Plaza Vending Panel Decision Quasi-Judicial (15)

Applicant and Cheezy LLC Owner Greg Shawcroft presented and called Tracey Nicole, Jay Luckenbach, and Audrey Mosher as witnesses. Economic Development & Sustainability Director JD Wise and Community Engagement Coordinator Molly Norton presented. Council discussion ensued. On a **MOTION** by Scott Pearson and seconded by Jack Gilbride, Council voted 5-1 (with Harvey Mogenson dissenting) to approve Cheezy LLC's appeal of the Plaza Vending Panel decision, allowing for the full menu that Cheezy LLC applied for, that the permit be granted for one winter season, directing the Town Attorney to prepare the written decision within 30 days, and refunding Cheezy LLC's appeal fee.

Council moved to agenda item 18.

Appointment of Qualified Resident to Fill Town Council Vacancy Legislative (16)

Paul Wisor presented. Applicants Huascar E. Gomez (Rick), Joanne Young, and Heather Knox presented. Council discussion ensued. On a **MOTION** by Scott Pearson and seconded by Jack Gilbride, Council voted 6-0 to appoint Huascar E. Gomez (Rick) to fill the Town Council vacancy and to be sworn in at the November 30, 2023 Special Town Council meeting.

Council took a break from 5:51 to 6:00 p.m.

Council moved to agenda item 15.

Council Boards and Commissions Updates: (17)

1. **Telluride Tourism Board – To be Appointed (TBA)**
2. **Colorado Flights Alliance – Gilbride**
3. **Transportation & Parking – Mogenson & Duprey**
4. **Budget & Finance Committee – Duprey, Mogenson & Pearson**
5. **Gondola Committee – TBA & Mogenson**
6. **Colorado Communities for Climate Action – TBA**
7. **San Miguel Authority for Regional Transportation (SMART) – TBA & Magid**
8. **Telluride Historical Museum – Prohaska**
9. **Alliance for Inclusion – Prohaska**

Council directed staff to update the name of this organization to Collaborative Action for Immigrants (CAFI).

10. **Green Team Committee – TBA**
11. **Mountain Village Business Development Advisory Committee (BDAC) – Duprey & Pearson**
12. **Wastewater Committee – Duprey & Magid**
13. **Mayor's Update – Prohaska**

Council directed staff to include the Housing Committee and Telluride Conference Center Committee in the updates list.

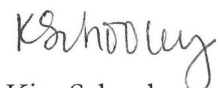
Council moved to agenda item 16.

Other Business (18)

There was no other business.

There being no further business, on a **MOTION** by Scott Pearson and seconded by Tucker Magid, Council voted unanimously to adjourn the meeting at 7:24 p.m.

Respectfully prepared,



Kim Schooley
Deputy Town Clerk

Respectfully submitted,



Susan Johnston
Town Clerk