



**Town Council
Town Council Meeting Minutes
Tuesday, January 16, 2024**

4:00 PM

130 Kearns Road

Town Council Chambers

Snowmass Village, CO, 81615

You can watch the meeting live online on our website at tosv.com

Mayor Madsen called to order the Regular Meeting of the Snowmass Village Town Council on Tuesday, January 16, 2024, at 4:03 pm.

A complete live recording of this meeting can be found at www.tosv.com under Town Council Meetings. This meeting will be archived indefinitely, allowing you to view it at anytime.

1) CALL TO ORDER

4:03pm

2) [ROLL CALL](#)

Council Members Present: Susan Marolt, Alyssa Shenk, Tom Fridstein, and Bill Madsen. Britta Gustafson appeared virtually.

Council Members Absent: none

Staff Present: Clint Kinney, Town Manager; Jeff Conklin, Town Attorney; Terri Everest, Assistant Housing Director; Mitch Osur, Operations and Compliance Manager; Andy Worline, Parks, Recreation & Trails Director; Riley Bonilla, Asst. Parks & Recreation Director; Barb Peckler, Office Manager & Court Clerk; and Megan Harris Boucher, Town Clerk.

Public Present: Ali Naaseh-Shahry, Lucy Peterson, Dave Spence, and Nicholas Grau.

3) **PROCLAMATIONS AND PRESENTATIONS**

3.A) [YouthZone Update](#)

[Page 3 Agenda Item Summary - YouthZone.pdf](#) 
[Pages 4-19 YouthZone Presentation.pdf](#) 

Ali Naaseh-Shahry, Data and Development Specialist for YouthZone, presented materials published in the packet. His presentation included YouthZone's Mission, Vision, goals and information on the community it serves.

Council asked a few questions during and directly after the presentation regarding the challenges of mental health and substance use, as well as about the screening process and what the program provides to those referred to YouthZone.

Other areas discussed included restorative justice and the need for more complete and thorough education on Marijuana. Naaseh-Shahry thanked the Council for past financial support through the Community Grant process.

4) **PUBLIC COMMENT**

Nick Grau, SMV employee living in TOSV employee housing. Grau thanked the town for addressing the concern he had with recently installed heat tape on his building. He suggested the addition of a sidewalk next to Tasters. He also suggested Lot 7 be utilized for a bus stop or expanded transit area. He further commented that YouthZone is a great program and believes there is a need for realistic education regarding alcohol, drugs and MJ use.

5) **CONSENT AGENDA**

5.A) 2024 Agenda Overview

[Pages 20-23 2024 Agenda Overview.pdf](#) 

5.B) Minutes for Approval

[Pages 24-29 12-18-23 TC Minutes - Draft.pdf](#) 

Council had a few small corrections to the minutes. Boucher will get those edits and typographical corrections made.

Councilmember Shenk moved to approve the Consent Agenda. Councilmember Marolt seconded. All in favor.

6) **PUBLIC HEARINGS - QUASI-JUDICIAL HEARINGS**

7) POLICY/LEGISLATIVE PUBLIC HEARINGS

7.A) [Ord No. 1, Series of 2024 - RE Festival Liquor License - First Reading](#)

[Pages 30-31 Agenda Item Summary - Festival Permits.pdf](#) 

[Pages 32-33 Ordinance No. 01, Series 2024 Re Festival Permits.pdf](#) 

[Pages 34-39 Exhibit A - Festival Permits.pdf](#) 

Town Attorney Jeff Conklin summarized the agenda item and explained the Ordinance. Conklin described the new State liquor license called the “Festival Permit.” One difference is that our local Special Event Liquor Permit requires sponsorship by a non-profit entity. The proposed local Festival License does not require non-profit involvement and would allow the Town to exercise greater control over any local festival and help determine which permit/license to utilize.

Applicants would apply contemporaneously to both the State Festival Permit and the local Festival Permit. Only certain types of Liquor Licenses can apply for a Festival Permit and there are a limit to how many festivals are allowable for each applicant. This would be similar to Common Consumption Area, CCA, but the local Festival Permit process would be simpler. A single permit can authorize up to 9 festivals.

In addition, this Ordinance would update our local code as the State Liquor Code changed which Title of the State Statues it was located within, so this would clean up those references.

Small typographical error was pointed out and will be corrected.

Councilmember Fridstein motioned to approve Ordinance No. 01, Series of 2024 on First Reading. Councilmember Marolt seconded. All in favor.

Council agreed to put this on Consent for second reading at next regular Town Council meeting on February 5, 2024.

7.B) Ord No. 2, Series of 2024 - RE Amending Code to Incorporate additional permissible uses of Lodging Tax as approved by 2022 election. - First Reading

[Pages 40-41 Agenda Item Summary - Incorporate 2022 Ballot Issue 2C.pdf](#) 

[Pages 42-46 Ordinance No. 02, Series of 2024 - Incorporate 2022 Ballot Issue 2C.pdf](#) 

[Pages 47-49 Resolution 47, Series of 2002 - Marketing Sales Tax Ballot Question.pdf](#) 

[Pages 50-70 Ordinance No. 3, Series of 2016.pdf](#) 

[Pages 71-73 Resolution 23, Series of 2022 - Ballot Issue 2C.pdf](#) 

[Pages 74 2022 Ballot Issue 2C - Results.pdf](#) 

Town Attorney Jeff Conklin summarized the proposed Ordinance No. 02, Series of 2024 regarding amending the code to incorporate the voter approved changes to the use of

the Lodging Tax and Sales Tax. Conklin gave some background for reference and highlighted the changes proposed to the code.

Councilmember Sherk asked for clarification on Line 137 of the Ordinance which refers to the annual rebate amount as \$50. Council did increase that amount to \$75. Kinney clarified that they did increase it to \$75 administratively and the minimum by voter approval can be no LESS than \$50, but Council can choose to do more by policy.

Councilmember Fridstein moved to approve Ordinance No. 02, Series of 2024 on first reading. Councilmember Marolt second. All in favor.

Council agreed to put this on Consent for second reading at next regular Town Council meeting on February 5, 2024.

8) ADMINISTRATIVE REPORTS

8.A) [Town Park Project Update](#)
[Pages 75-76 Agenda Item Summary - Town Park Owner's Update for TC 1-16-24.pdf](#) 
[Pages 77-90 Town Park - Phase I - Progress Update 01.10.24.pdf](#) 

Andy Worline & Riley Bonilla presented materials published in the packet as an update on the Town Park project. This 6.5-million-dollar project is on schedule and on budget.

Council asked about the current parking, the future parking configuration, plans for the existing sheds on the property, time frame for moving the cell tower, and details on the play field adjacent to the Rodeo area. In addition, Council asked some questions regarding sound complaints that have come in. Worline clarified the noise was due to the ground heaters. The contractor has erected several sound barriers in an effort to neutralize it as much as possible.

The project is on schedule to be done before Rodeo starts in the summer of 2024.

8.B) [Housing Regulations - Inheritance Discussion](#)
[Pages 91-93 Agenda Item Summary - Housing Inheritance Discussion.pdf](#) 
[Pages 94-117 Attachment 1 - Ordinance 17 of 1994.pdf](#) 

Town Manager Clint Kinney summarized the agenda item, highlighted specific areas for Town Council to discuss and asked for specific direction for drafting an Ordinance.

Council had a robust discussion on both the Local Preference Option and the Crossings-Only Option.

With the Local Preference Option, Council discussion included re-wording to the Aspen School District and not "High School in Pitkin County;" allowing for up to 8 years away for College and Grad School as long as they come back for summers and use SMV as

their residence; adding language to define more who qualifies, ex. Kids who grew up here, enrolled in school for 5 plus years AND graduate for Aspen High School; removing the parental work experience qualification; idea of a tiered system for increased chances into housing lottery based on 3 tiers which correlate to specific numbers of years lived in SMV vs one level of qualification at 8 years leading up to graduation from AHS which is equivalent to the workforce qualification of 3-7 years for the housing lottery; and the need for more community feedback on these ideas/options. Council agreed that the final option ultimately needs to be administratively workable and verifiable.

The most agreed upon ideas for the Local Preference Option to include that the child must have lived in SMV for 8 years or more and those years were leading up to graduating from AHS and that if they went away for post-high school education, that they kept SMV as their residence and returned for summers and breaks.

Council then discussed the Crossings-Only Option extensively and took some public comment from Dave Spence.

Discussion included the gifting language and intentions from the original agreement vs inheritance only language; allowing inheritance for only one time/generation; and definition of qualified applicant vs qualified SMV employee.

Council would like more community feedback.

Staff will draft and bring back for Council consideration and public feedback.

8.C) [Council as non-voting members of Town Boards & Commissions](#)
[Pages 118-120 Agenda Item Summary - Council Members on Town Boards.pdf](#) 

Town Clerk Megan Harris Boucher and Town Manager Kinney summarized the agenda item and feedback from Council to help staff draft an ordinance for Council to consider. Discussion included not having a Council member on Planning Commission; having the Ordinance specify for clarity what the intention/purpose of having Council representation on the Town boards; and clearly stating they are non-voting members.

Staff will draft the Ordinance and bring it to a future regular Town Council meeting.

9) [TOWN COUNCIL REPORTS AND ACTIONS](#)

Councilmember Fridstein attended the recent Board of Health meeting where they discussed the increase of respiratory illnesses since the holidays. Surprised that only 6.5% of Pitkin County is up to date on their COVID vaccinations.

Councilmember Shenk thanked all who contributed and participated in the Sister Cities program. It was a wonderful and busy week. Shenk attended the recent RFTA meeting where they did a 2023 year-in review. Highlights included the First/Last Mobility

Program; launch of the We-Cycle Program in Carbondale; an upgrade to their website; the very successful launch of mobile ticketing; 121 new hires; and that they launched their first housing study. RFTA plans for 2024 include finishing the 27th Steet underpass; repairs on the Rio-Grand Trail; expanding the bike share program; climate action initiatives; and adding a comprehensive housing policy. RFTA has chosen Kurt Ravenschlag as the finalist to succeed Dan Blankenship when he retires in September.

Shenk asked staff to look into a noise issue regarding dueling DJs between Venga Venga and the Viewline. Shenk pointed out that the bus stop between Incline Sport and Lot #7 is really icy and the road needs attention to be safer.

Councilmember Marolt and Mayor Madsen have Nordic Council coming up.

Councilmember Gustafson echoed Shenk's thank you to the community for contributing to make the Sister Cities program so successful.

Mayor Madsen will be attending the Colorado Association of Ski Towns (CAST) meeting in Crested Butte next week along with Kinney.

Kinney briefly discussed the EAB recommendation regarding combustible engines. Staff suggestion is to ask EAB to do some more research and have some additional data for Council to consider and then bring it to community for further discussion.

10) ADJOURNMENT

Councilmember Fridstein motioned to adjourn. Councilmember Marolt seconded. All in favor.

Adjourned at 6:54pm

The Snowmass Village Town Council approved this set of meeting minutes at their Regular Meeting on Monday, February 5, 2024.

Submitted By,

A handwritten signature in black ink, appearing to read "Megan Harris Boucher". The signature is fluid and cursive, with the first name "Megan" being the most prominent.

Megan Harris Boucher, Town Clerk