



Town Council
Regular Meeting Minutes
Tuesday, January 03, 2023
4:00 PM
130 Kearns Road
Town Council Chambers
Snowmass Village, CO 81615

Mayor Madsen called to order the Regular Meeting of the Snowmass Village Town Council on Tuesday January 3, 2023, at 4:19 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 anytime.

1. CALL TO ORDER

4:19pm

2. ROLL CALL

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

Council Members Absent: none

Staff Present: Clint Kinney, Town Manager; Lawson Wills, Municipal Judge; Greg LeBlanc, Assistant Town Manager; Dave Shinneman, Community Development Director; Brian McNellis, Planner; Jim Wahlstrom, Senior Planner; Doug Goldfluss, IT Manager; and Megan Boucher, Town Clerk.

Public Present: Jay Shumaker, John Howard, and Danielle Coulter.

3. PROCLAMATIONS AND PRESENTATIONS

4. PUBLIC COMMENT

- This section is set aside for the Town Council to LISTEN to comments by the public regarding items that do not otherwise appear on this agenda. Generally, the Town Council will not discuss the issue and will not take an official action under this section of the agenda. (Five Minute Time Limit)

Danielle Coulter used her computer to address the Council. Coulter asked the Council to bring kid's entertainment back to Snowmass Village events. Councilmember Shenk asked Town Manager Clint Kinney a few details of past kid's entertainment and plans to incorporate that back into the Thursday Concert series and Friday's on the Mall events in the upcoming seasons. Kinney will follow up with Coulter for additional details.

Jay Shumaker commented on difficulties he had at a past Planning Commission meeting with his public comment and IT assistance he needed to present materials at the meeting. He acknowledged that IT helped him for over an hour before the meeting but was not available during the meeting. Permit Technician Sara Nester helped Shumaker with his slides during the meeting. He further commented that he could not find the 15 plus Transit Center essays on the TOSV website. Kinney, Council and Shumaker discussed the different methods for Council and the Planning Commission to receive and review public opinion and when it is published in packets as opposed to when it is forwarded to them for review.

5. CONSENT AGENDA

- These are items where all conditions or requirements have been agreed to or met prior to the time they come before the Council for final action. A Single Public Hearing will be opened for all items on the Consent Agenda. These items will be approved by a single motion of the Council. The Mayor will ask if there is anyone present who has objection to such procedure as to certain items. Members of the Council may also ask that an item be removed from the consent section and fully discussed. All items not removed from the consent section will then be approved. A member of the Council may vote no on specific items without asking that they be removed from the consent section for full discussion. Any item that is removed from the consent agenda will be placed on the regular agenda.

Council briefly discussed the Consent Agenda. Shenk pointed out a small typographical error in Resolution No. 02, Series 2023. Town Clerk Boucher will correct. Fridstein expressed concern regarding the Deerbrook extension. Judge Lawson Wills briefly addressed the Council and thanked them for the opportunity to continue to serve as the Town's Municipal Judge.

Councilmember Fridstein motioned to approve the Consent Agenda. Councilmember Shenk seconded the motion. All in favor

5.A. 2023 Town Council Agenda Overview
[Pages 4-7](#) [2023 Agenda Overview](#)

5.B. Minutes for approval

Pages 8-13 12-19-22 TC Minutes - DRAFT

5.C. Resolution establishing public posting locations

Pages 14-15 Agenda Summary PN Boards & Reso 1

Pages 16-17 Reso 1, Series 2023 Public Notice Board - DRAFT

5.D. Resolution appointing Lawson Wills as Muni Judge

Pages 18 Agenda Summary Reso 2 Judge appointment

Pages 19 Reso 2, Series 2023 Apt Lawson Wills Muni Judge - DRAFT

Pages 20 Letter from L. Wills Req for reappointment

5.E. Resolution regarding Deerbrook extension

Pages 21-22 Agenda Summary Deerbrook TH's Ext Req

Pages 23-25 Reso 3, Series 2023 - Deerbrook TH's Ext Req - Draft

Pages 26-56 Deerbrook PP Deadline Ext Req for 6 mos, 12-7-22

82
83 **6. PUBLIC HEARINGS - QUASI-JUDICIAL HEARINGS**

84 - Public Hearings are the formal opportunity for the Town Council to LISTEN to the
85 public regarding the issue at hand. For land use hearings the Council is required to act
86 in a quasi-judicial capacity. When acting as a quasi-judicial body, the Council is acting in
87 much the same capacity as a judge would act in a court of law. Under these
88 circumstances, the judicial or quasi-judicial must limit its consideration to matters which
89 are placed into evidence and are part of the public record. The Council must base their
90 decision on the law and the evidence presented at the hearing.
91

92
93 **7. POLICY/LEGISLATIVE PUBLIC HEARINGS**
94

7.A. Ordinance regarding zoning for numbered lots

Pages 57-58 Agenda Summary - Re-Zoning of Numbered Lots

Pages 59-63 Ord 1 2023 - Re-Zoning of Numbered Lots_draft

Pages 64-67 PC Reso 4 2022 - Re-Zoning of Numbered Lots_final - signed

95
96 Brian McNellis and Dave Shinneman presented materials from the packet, a summary
97 and background regarding zoning of the numbered lots and Ordinance No. 01, Series
98 2023 for 1st reading. Council asked a few questions regarding specifics on the parcel,
99 public area, and re-zoning request.

100
101 Councilmembers commented that this was a good next step to allow for future public use
102 and improvements of the area.
103

104 Councilmember motioned to adopt Ordinance No. 01, Series 2023 first reading.
105 Councilmember Shenk seconded. All in favor.

Second reading will be a public hearing at the January 17, 2023 Regular Town Council Meeting.

8. ADMINISTRATIVE REPORTS

8.A. Town Council Goal Setting process

[Pages 68-69](#) [Agenda Summary - Council Goal Setting Process](#)

[Pages 70-71](#) [2021 town council goal statement final](#)

Mayor Madsen opened the discussion and asked for comments and suggestions from the council members. Shenk would like a robust goal setting session. Staff recommended two sessions of approximately four hours each outside the regular meeting times. Council decided on Thursday January 19, 2023 9am to noon for their first goal setting meeting.

9. TOWN COUNCIL REPORTS AND ACTIONS

- Reports and Updates

Councilmember Shenk updated the Council on the Sister Cities visitors from Japan and them attending the January 9, 2023 Work Session.

Mayor Madsen commented that he had significant delays trying to turn from Owl Creek left onto Brush Creek. Additionally and concerning was that there was a Firetruck behind him with and trying to take a left turn and had difficulties navigating around cars and turning left up Brush Creek. Madsen noted this for future discussions on that project addressing that intersection.

Councilmember Fridstein reported that Fox Run homeowners had their annual meeting late week and they voted to limit their *long*-term rentals. Passed 21 to 2 to limit long-term rentals to 12 months out of every 60 months. Showing the homeowners wanting neighbors not investors.

Councilmember Gustafson has a Shimukappu exchange student staying with her family and is looking forward to Shimukappu presentation next week.

10. Executive Session

- Town Council will now meet in Executive Session pursuant to C.R.S. 24-6-402(4) and Snowmass Village Municipal Code Section 2-45(c), to specifically discuss one item:

- a) Personnel matters, except if the employee who is the subject of the session has requested an open meeting, or if the personnel matter involves more than one employee, all of the employees have requested an open meeting, pursuant to C.R.S. 24-6-402(4)(f)(I) and Snowmass Village Municipal Code Section 2-45(c)(6);

148 Provided, there is an affirmative vote of two-thirds of the quorum present at this meeting
149 to hold an Executive Session and for the sole purpose of considering items (a) above.
150 Provided further, that no adoption of any proposed policy, position, resolution, regulation,
151 or formal action shall occur at this Executive Session.
152
153

10.A. Executive session

Pages 72-73 Agenda Item Summary - Ex Session

154
155 Mayor Madsen read the Executive Session language asked for a motion to go into
156 Executive Session. Councilmember Fridstein motioned to go into Executive Session.
157 Councilmember Gustafson seconded. All in favor.
158

159 At 5:39pm, Councilmember Fridstein moved to adjourn the Executive Session and
160 reconvene the Regular Meeting, Mayor Madsen seconded. All in favor.
161

162 Immediately following, Councilmember Fridstein moved to adjourn the Regular Meeting,
163 Councilmember Marolt seconded. All in favor.
164

165 **11. ADJOURNMENT**
166

167 5:40pm
168
169

170 The Snowmass Village Town Council approved this set of meeting minutes at their
171 Regular Meeting on Monday, January 17, 2023.
172

173 Submitted By,



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175
176 _____
177 Megan Harris Boucher, Town Clerk