



Town Council

MEETING MINUTES

Monday, December 05, 2022

4:15 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 Wednesday, December 5, 2022, at 4:09 pm directly after the GID Meeting.

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

4:09pm

2. ROLL CALL

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

Council Members Absent: none

Staff Present: Clint Kinney, Town Manager; John Dresser, Town Attorney; Greg LeBlanc, Assistant Town Manager; Marianne Rakowski, Finance Director; Dave Shinneman, Community Development Director; Brian McNellis, Planner; Sam Guarino, Transportation Director; Doug Goldfluss, IT Manager; and Megan Boucher, Town Clerk.

Public Present: No one signed in. Dresser Family, Markey and Jerry Butler and Jay Shumaker.

3. PROCLAMATIONS AND PRESENTATIONS

3.A. Proclamation in appreciation of John Dresser

Mayor Madsen read the proclamation in appreciation of Town Attorney John Dresser. Dresser made a few remarks of appreciation and thanked his family, the Council, staff and the public for all the years of working together in this community that he loves so much.

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)

None.

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.

5.A. 2022 Draft Agenda Overview

[Pages 4](#) [2022 Agenda Overview](#)

5.B. Resolution establishing Town Council dates for 2023

Marolt - virtual 1/3/23

Shenk 3/20 & 4/3

[Pages 5-6](#) [Agenda Summary 2023 mtg dates](#)

[Pages 7-8](#) [Resolution No. 28, 2023 Town Council Meeting Dates](#)

[Pages 9](#) [2023-calendar-with-holidays](#)

5.C. Resolution adopting the Town Mill Levy

[Pages 10-11](#) [Agenda Summary - Resolution No. 29, 2022-TOSV Mill Levy-2022](#)

[Pages 12-14](#) [Resolution No. 29, Series, of 2022, Adopting the Mill Levy](#)

Councilmember Shenk motioned to approve the Consent Agenda. Councilmember Fridstein seconded. Council briefly discussed the Council dates and if anyone anticipated missing any meetings. Shenk will be absent on March 20th and April 3rd. Marolt will be virtual January 3rd. Council also briefly discussed the Mill Levy and the breakdowns on the total assessed values on Town of Snowmass Village property. All in favor.

6. PUBLIC HEARINGS - QUASI-JUDICIAL HEARINGS

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

7. POLICY/LEGISLATIVE PUBLIC HEARINGS

7.A. Ordinance RE Marketplace Sales Tax collection change - First Reading

[Pages 15](#) [Agenda Item Summary - Ord 8 of 2022 -1st reading](#)

[Pages 16-17](#) [ORD 8 of 2022 - STR Sales Tax Code Amendments](#)

Marianne summarized the Ordinance for Council. Council asked for a few clarifications regarding language in the Ordinance. Kinney clarified that the language was vetted with Sales Tax and VRBO attorneys.

Councilmember Marolt asked about logistics and education efforts that the Town is communicating with property owners. Dresser and Kinney clarified that all current regulations state this change and that over the next several months the Town will get the word out and communicate with the community.

Councilmember Shenk motioned to approve on 1st reading. Councilmember Marolt seconded. All in favor.

Kinney clarified that this Ordinance will be back before Council in 2 weeks for the second reading and a roll call vote. Kinney asked if Council would agree to place it on the Consent Agenda on December 19th with a roll call vote. Council agreed.

8. ADMINISTRATIVE REPORTS

8.A. Town Council appointments to outside boards & for Mayor Pro Tem

[Pages 18-20](#) [Agenda Summary TC Outside Board Appointments](#)

[Pages 21](#) [2022-2024 outside board appointments](#)

Town Clerk Megan Boucher presented the Agenda Summary for Council to further discuss. Mayor Madsen nominated Councilmember Shenk for the position of Mayor Pro Tem. Councilmember Shenk accepted the nomination. No other nominations. All in favor.

Councilmember Shenk clarified that the NWCCOG meets not only on the dates mentioned in the Agenda Summary but also on two additional dates later on in the year which are the 1st Thursday of the month in July and December. Mayor Madsen clarified that the Nordic Council meets the third Wednesday of every month.

Councilmember Fridstein would like to rotate off NWCCOG and stay with RWAPA and get involved with CORE. Councilmember Shenk is happy stay on as an alternate on NWCCOG. Councilmember Gustafson would be happy to join NWCCOG. Shenk and Madsen will stay on with RFTA. Madsen would like to be involved with RWAPA and is happy to stay on the Nordic Council. Marolt will join the Nordic Council as the alternate. Madsen would like to rotate off the Board of Health. Marolt would like to join the Board of Health. Fridstein will stay on as an alternate on the Board of Health. Madsen will stay on as the alternate on RFTA. Madsen will join RWAPA as the voting member and have Fridstein stay as the alternate. Fridstein will be the main member on CORE and asked Gustafson to be the alternate. Council asked Town Manager Kinney to stay on CML. Shenk will stay on Sister Cities and Gustafson will join as the alternate. Council directed staff to draft a resolution with all appointments and the Mayor Pro Tem vote.

8.B. TOSV Boards & Commissions - Discussion on process & review of documents

[Pages 22-24 Agenda Summary Board & Commissions Appointments](#)
[Pages 25 B & C Applications 2023 spreadsheet](#)
[Pages 26-29 CGRB Applications 2023_Redacted](#)
[Pages 30-31 CRGB Municipal Code - highlighted](#)
[Pages 32-35 EAB Applications 2023_Redacted](#)
[Pages 36-37 EAB Municipal Code - highlighted](#)
[Pages 38-47 FAB Applications 2023_Redacted](#)
[Pages 48 FAB Municipal Code - highlighted](#)
[Pages 49-58 Planning Commission Applications 2023_Redacted](#)
[Pages 59-66 Planning Commission Code & By Laws - highlighted](#)
[Pages 67-74 POSTR Applications 2023_Redacted](#)
[Pages 75-76 POSTR Municipal Code - highlighted](#)
[Pages 77-80 PTRAB Applications 2023_Redacted](#)
[Pages 81-82 PTRAB Municipal Code - highlighted](#)
[Pages 83-100 SAAB Applications 2023_Redacted](#)
[Pages 101-105 SAAB Municipal Code & By Laws - highlighted sections](#)

Town Clerk Megan Boucher presented the Agenda Summary regarding Boards & Commission applications and appointments. Council asked for some clarifications and pointed out some missing applications. Boucher will clean that up and make sure Council has all applications for consideration.

Councilmember Shenk would like attendance records on Boards and Commissions to aid in the decision-making process. It was discovered that an application for Krabloonik's Best Practices Review Committee was included by mistake. Boucher will clean up the SAAB applications and verify.

Council discussed interviewing applicants and process to bring them in for a future Council meeting for a short interview. Council directed staff to draft a resolution to appoint CGRB and PTRAB, an Ordinance eliminating the Board of Appeals, and then communicate with other Boards and Commissions applicants regarding interviews from 3-4pm at a future Town Council Meeting or two. Council suggested bringing in all FAB applicants, POSTR new applicant, all Planning Commission applicants (including Morgan Fixel), verify available seats on SAAB and start scheduling interviews. Council suggested January 9th Work Session for interviews.

- 8.C. Town Attorney search - qualifications, process & set interview dates
Clint summarized the item. Council discussed process.

Discussion will continue discussion in Exec Session.

[Pages 106-107](#) [Agenda Summary Town Attorney Hiring Process](#)
[Pages 108-110](#) [Town Attorney Position Description](#)
[Pages 111-127](#) [Recruiting Guide](#)

Town Manager Kinney presented points for Council to discuss regarding the Town Attorney hiring process. Council asked about the job description provided in the packet and the panel model for interviews. Council agreed with the panel model and suggested options for logistics regarding the panels and interview process. Kinney pointed out that the process is open for discussion and suggested even adding a casual setting interview after the initial panel interviews to obtain additional information to assist with their decision. Council discussed individual vs firm model.

Council will talk in Executive Session about specific questions as well as opinions on applicants. Council will plan interviews for December 12th and will not be public. Once Council makes a decision on the hire, the appointment will be in a public meeting.

8.D. Owners Update on Mall Transit Station

[Pages 128-130](#) [Agenda Summary Owner's Review Mall Transit Station](#)
[Pages 131-164](#) [TOSV Snowmass Mall Transit Center Presentation 120522](#)

Transportation Director Sam Guarino summarized the Agenda item for Council giving history and background in addition to general current update on the project. Guarino introduced Alex Jauch, Associate with Architect firm SEH.

Alex Jauch took the Council through the details of the project as presented in the materials in the packet.

Council asked some questions and expressed concerns regarding safety of pedestrians on the platform, screening designed, the design and appearance of the garage structure, retailing wall size and design, and paver options and screening in warmer colors and natural mediums. Council also expressed concern about the impact to community during construction.

Jauch verified that electric snowmelt would not be viable due to Holy Cross limitations and thus the boilers would be originally fitted as gas boilers for gas powered snowmelt.

Council asked for examples of similar central platform designs with the safety measure at work. Council would also like additional options for the screen design and size in an effort to be more in line with SMV design aspects. Council prefers natural design and effects rather than cool colors and institutional feeling design.

Council revisited the timing discussion and the inconvenience to the community. Discussions also included the limited parking in SMV and the continued need to encourage public transport.

Guarino & Kinney mentioned that SEH and RA Nelson will come back in two weeks for another Owner Review with further details, options for Council to consider, phasing and community impacts during construction.

Public Comment -

Jay Shumacker, homeowner and retired architect - presented several slides and info for Council to consider.

Council thanked Mr. Shumaker for his presentation.

9. TOWN COUNCIL REPORTS AND ACTIONS

- Reports and Updates

Councilmember Shenk had some updates on NWCCOG and an upcoming NWCCOG retreat but she is still waiting on information before she briefs the Council.

No other updates.

10. EXECUTIVE SESSION

10.A. Executive Session

[Pages 164-165 Agenda Item Summary - Ex Session](#)

Mayor read the Executive Session language and asked for a motion to go into Executive Session. Councilmember Fridstein moved to go into Executive Session. Shenk seconded. All in favor.

At 8:07pm, Councilmember Shenk moved to adjourn the Executive Session and reconvene the Regular Meeting, Councilmember Marolt seconded. All in favor. Councilmember Marolt had left the Executive Session.

Immediately following, Mayor Madsen moved to adjourn the Regular Meeting, Councilmember Fridstein seconded. All in favor.

11. ADJOURNMENT

8:08pm

The Snowmass Village Town Council approved this set of meeting minutes at their Regular Meeting on Monday, December 19, 2022.

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