



Town Council
Town Council Meeting Minutes
Monday, November 6, 2023
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 Tuesday November 6, 2023, 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 anytime.

1) CALL TO ORDER

4:03pm

2) ROLL CALL

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

Council Members Absent: none

Staff Present: Clint Kinney, Town Manager; Jeff Conklin, Town Attorney; Greg LeBlanc, Assistant Town Manager; David Shinneman, Community Development Director; Jim Wahlstrom, Senior Planner; Brian McNellis, Senior Planner; Anne Martens, Public Works Director; Mike Horvath, Town Engineer; Marianne Rakowski, Finance Director; Sam Guarino, Transportation Director; Doug Goldfluss, IT Manager; and Megan Harris Boucher, Town Clerk.

Public Present: Mak Keeling, Gray Warr, Barclay Miller, Chad Kumbier, Colby Christoff, Jay Warren, Kristin & Chuck Lohmiller, Leslie Desmond, Tim Malloy, John Howard, Selma Khan, Stan Stokes, Chris Kiley and others interested in tonight's agenda.

3) PROCLAMATIONS AND PRESENTATIONS

4) PUBLIC COMMENT

Gray Warr – From Harvest For Hunger spoke about their Food Rescue program. Warr thanked Council for ongoing support and asked Council to support the "Snowmass Food Pantry" and help find a SMV location.

5) CONSENT AGENDA

5.A) 2023 Draft Agendas

[Pages 4-5 2023 2023 Agenda Overview](#) 

Councilmember Fridstein asked for a discussion on E-Bikes to be added to an upcoming meeting. Council also requested the 2024 Agenda Overview to be included in future packets.

5.B) Minutes for Approval

[Pages 6-11 10-16-23 TC Minutes - Draft](#) 

Councilmember Shenk had a small correction which she sent to Boucher.

5.C) Resolution approving Village Shuttle Drug & Alcohol Policy

[Pages 12-13 Agenda Summary Village Shuttle Drug and Alcohol Policy.pdf](#) 
[Pages 14-15 Reso 27 of 2023 Village Shuttle Drug and Alcohol Policy.pdf](#) 
[Pages 16-43 2023 Drug & Alcohol Policy.pdf](#) 

Transportation Director Sam Guarino clarified that while we have had a policy in the past, the policy outlined in Resolution 27 is a completely new policy which incorporates state recommendations as well.

5.D) POST Ordinance - SECOND READING

[Pages 44-45 Agenda Summary - Ordinance No. 12 of 2023-2nd Reading-POST, Tourism & CIP FUND.pdf](#) 
[Pages 46-47 Ordinance 12 of 2023---2nd reading-POST Grant, Marketing and CIP.pdf](#) 

Councilmember Shenk motioned to approve the consent agenda with both Resolution 27, Series of 2023 and second reading of Ordinance 12, Series 2023. Councilmember Marolt seconded. Roll Call Vote: Councilmember Shenk, Yes. Councilmember Marolt, Yes. Councilmember Fridstein, Yes. Councilmember Gustafson, Yes. Mayor Madsen, Yes.

5 in Favor 0 Against. Motion Passed.

6) POLICY/LEGISLATIVE PUBLIC HEARINGS

6.A) Road Fund Mill Levy Public Hearing

[Pages 48-49 Agenda Item Summary - Road Fund Mill Levy -Public Hearing 11-6-23.pdf](#) 

Public Hearing opened regarding the Road Fund Mill Levy. Public Works Director Anne Martens summarized the Agenda Item, describing the road projects they plan to do this year with the Mill Levy. Council asked for some clarifications on both the Highline Road project and its fund sources for the multiple components of the project and the Faraway Road project and how it incorporates Snowmass Water & Sanitation on parts of the project. Kinney clarified that the Public Hearing is required as part of the Road Mill Levy and the information is incorporated into the budget which will be next on the agenda. Public was invited for comment. None.

6.B) Public Hearing RE 2024 TOSV Budget & Resolution adopting 2024 TOSV Budget

[Pages 50-51 Agenda Summary-2024 Budget Resolution No. 25, 2023 -11-06-23.pdf](#) 

[Pages 52-64 Resolution No. 25 Series of 2023 -\(adopt-appropriate 2024 budget\)--11-06-23.pdf](#) 

[Pages 65-196 2024 Budget Back --FINAL 11-6-23.pdf](#) 

Finance Director Marianne Rakowski summarized the agenda item, gave a brief background and highlighted some specific updates to the budget that Council had directed staff in past budget discussions in the previous three meetings. Mayor asked for clarification on the Lower Carriage Way Snowmelt Vault. Martens clarified that this section is different than other sections with 11 separate vaults and would need to be upgraded and brought up to compliance. Kinney clarified that the Town is using Town Tax/General Fund dollars for this GID expense due to low revenue in the GID. Town has the money and the GID does not. Kinney further clarified that it is consistent with our splits.

Discussion continued with clarifications on RFTA & EOTC contributions to the Road Project for improvements to a section of Brush Creek known as Donny White Curve. Councilmember Shenk noted that line 16 had a semicolon missing.

Councilmember Shenk motion to approve. Councilmember Marolt seconded. All in favor.

7) PUBLIC HEARINGS - QUASI-JUDICIAL HEARINGS

7.A) SkiCo Cell Tower Update & Resolution 22, Series of 2023

[Pages 197-199 Agenda Item Summary SkiCo Cell Towers 2023.pdf](#) 

[Pages 200-2003 Attachment A - Reso No. 22 of 2023 Cell Towers Special Review draft.pdf](#) 

[Pages 204-255 Attachment B - SkiCo Special Review Application.pdf](#) 

[Pages 256 Attachment C - TOSV Cell Tower Coverage Map.pdf](#) 

[Pages 257-260 Attachment D - Approved PC Resolution No. 4 of 2023.pdf](#) 

[Pages 261-288 Attachment E - 2021 TOSV Broadband Vision Report.pdf](#) 

[Pages 289-297 Attachment F - Public Comment.pdf](#) 

[Pages 298-304 Attachment G - Vegetational Screening Graphic addendum.pdf](#) 

Senior Planner Brian McNellis summarized and highlighted some changes and updates to the application. Mayor welcomed Mak Keeling, Chris Kiley & Chad Kumbier from Aspen SkiCo. Keeling presented materials from the packet and highlighted some specific improvements which included a better location and lowering of the two (2) Two Creeks towers; better location for the Elks Camp towers further back into the trees and lowered the height of those towers; and changes to Sam's Knob plan from one side of the building to the other to make it less visible. Keeling went into further detail with materials from the packet. Opened it up for Discussion.

Discussions included coverage, tower locations, lower heights, and screening via vegetation and location. Keeling confirmed that if any of these towers can be shorter, they will continue to analyze and react. Intent is to improve the communication on the mountain and in the village to provide for better emergency services.

Public Comment:

Jay Warren asked to present some information which he had sent to Council but had updated a few slides.

Council called for a short break to connect Mr. Warren to the room to present.

Warren spoke on behalf of some of his Townhomes at Owl Creek neighbors. Two Creeks location is a problem in his and many of his neighbor's opinion. He suggested other locations.

Council would like SkiCo to explore other options at Two Creeks. Nature should be the dominant feature on any horizon, not cell towers. Council asked how much the coverage map would change by removing the Two Creeks towers or if they were moved.

Council suggested a proposed vote on the application with the removal of the Two Creeks towers in the plan. In other words, approve the application and all locations with the exception of Two Creeks location.

Public Comment - Chuck Lohmiller, SMV resident, does not like the Two Creeks site and feels that communication with community on public hearings like this needs to be improved.

The applicant met briefly in private and then asked for Council to consider moving forward with a vote on the application with the removal of the Two Creeks site. The applicant will come back with a new application which addresses the Two Creeks site.

Councilmember Fridstein motioned to adopt Resolution No. 22, series 2023. Town Attorney Jeff Conklin clarified the motion by restating the motion to approve Resolution 22 with the exception of the Two Creeks location and also with amendments related to exploring lowering tower heights and that the towers would not exceed heights set forth in the table from the application. Councilmember Marolt seconded. All in favor.

7.B) Deerbrook Application & Resolution 26, Series of 2023

[Pages 338-342 Agenda Item Summary - TC Mtg DTHs Prel Plan, Final.pdf](#)
[Pages 343-350 RESOLUTION 26, 2023 - RE Deerbrook Townhomes Prelim Plan.pdf](#)
[Pages 351 PH Publication Notice - TC Mtg 11-6-23.pdf](#)
[Pages 352-360 PC Reso 5 2023 Rec to TC on Deerbrook THs Prel Plan PC edits 9-6-23 FINAL - signed.pdf](#)
[Pages 361-362 Summary of Land Use & Development Parameters.pdf](#)
[Pages 363-392 COMPLIANCE RPT, Code's Rev Stnds, Deerbrook THs Prel Plan.pdf](#)
[Pages 393-424 REFERRAL AGENCY COMMENTS, COMBINED, updated 8-4-23.pdf](#)
[Pages 425-438 Deerbrook Response to 10.7 Comments Ltr, 7-25-23.pdf](#)
[Pages 439-440 CTL Thompson Ltr, Revised 8-2-23.pdf](#)
[Pages 441-460 PUBLIC COMMENTS.pdf](#)

Senior Planner Jim Wahlstrom summarized the agenda item, gave brief history on this applicant's project, the Deerbrook Preliminary Plan, and then presented some materials from the packet regarding the application process. Staff recommended approval of the application which reflects the Planning Commission's conditions. Wahlstrom introduced Deerbrook's Planning Consultant Tim Malloy and Architect Randy Henrie, joining virtually. Malloy and Henrie presented project goals, the proposed improvements, the overall site plan, the materials and color palette, the landscape plan, views from The Ridge and Timbers Club, and the Geology/Steep Slopes/Soil Stability studies. The applicant expressed support for the resolution as written other than a few typographical errors.

Council briefly discussed the snowmelt, signage, and the ski-back easements with The Ridge.

Public Comment:

Michael Delrahim from the Ridge. Concerned about development on a steep slope and the Town code which states development activities should be avoided when the slope exceeds a certain percentage. Ridge is concerned about slope stability. Delrahim further expressed that The Ridge is concerned about the ski back trail and the additional safety and maintenance of that area with the new development. Council and applicant discussed The Ridge's concerns and possible remedies. Town Attorney Conklin recommended that the two parties (Deerbrook & Ridge) find terms for the easement to address their concerns.

Councilmember Fridstein moved to approve Resolution 26, Series 2023 with the additional condition that prior to final approval that The Ridge & Deerbrook come to an agreement on the easement conditions. Councilmember Marolt seconded. All in favor

8) ADMINISTRATIVE REPORTS

8.A) WE-Cycle Expansion Update

[Pages 461-462 Agenda Summary WE-cycle expansion.pdf](#)
[Pages 463-476 Snowmass Bikeshare Expansion.pdf](#)
[Pages 477 2025 TOSV WE-cycle expansion support 11 23.pdf](#)

Transportation Director Sam Guarino summarized the agenda item and gave background and status of future expansion. Mirte Mallory with We-Cycle presented materials from the packet. Mallory highlighted the plans for the next few years with commitments from all stakeholders.

Staff asked Council to approve the letter of intent from the packet. The TOSV budget commitment would be 150K in 2025 plus the maintenance cost at 85K/year. Councilmember Fridstein motioned to approve. Councilmember Marolt seconded. All in favor.

8.B) Review of B & C Applications & Process Discussion

[Pages 478-481 Agenda Item Summary - Board Applications.pdf](#)

[Pages 482 2024 B & C Applicants.pdf](#)

[Pages 483-526 2024 Applications - Redacted.pdf](#)

[Pages 527-550 Municipal Codes for B & C.pdf](#)

Town Clerk Megan Harris Boucher summarized the agenda item and asked for direction on next steps. Council directed staff to schedule interviews with all new applicants as well as all applicants to the Financial Advisory Board before the next three Council meetings. Council would also like attendance records for all B & Cs to assist in the discussion. Council would like staff to make some additional efforts to advertise for available seats and ask applicants if they are interested in other boards.

9) TOWN COUNCIL REPORTS AND ACTIONS

Council decided to skip this section considering the late hour.

10) ADJOURNMENT

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

Adjourned at 8:12pm

The Snowmass Village Town Council approved this set of meeting minutes at their Regular Meeting on Monday, November 20, 2023.

Submitted By,



Megan Harris Boucher, Town Clerk