

The regular meeting of the Vail Town Council was called to order at approximately 6:00 P.M. by Mayor Chapin.

Members present:	Dave Chapin, Mayor Jenn Bruno, Mayor Pro Tem Dick Cleveland Kevin Foley Kim Langmaid Jen Mason Greg Moffet
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Staff members present:	Stan Zemler, Town Manager Matt Mire, Town Attorney Patty McKenny, Town Clerk
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1. Citizen Participation

Michael Cacioppo, candidate for State House of Representatives District 26, expressed support for affordable housing discussions with regional stakeholders, including USFS, to build housing for resort employees.

Emily Tamborino, VVMC, communications manager, supported partnership with Starting Hearts in their effort to purchase and place defibrillators around Vail and the region.

Alan Himelfarb, Starting Hearts, thanked Town of Vail for their support and spoke about the launch of their partnership with Eagle County School District related to training programs they will implement together.

Rick Arnold, Holy Cross Energy, presented their disbursement check (\$193K) for the funding of community enhancement projects implemented in local communities. He spoke briefly about the outcomes of this program.

2. Appointments for Boards and Commissions

2.1. Vail Local Licensing Authority Board Appointments

Presenter(s): Dave Chapin, Mayor

Action Requested of Council: Appoint members to Vail Local (Liquor) Housing Authority or conduct final interview on June 7 and then make appointments.

The appointments were rescheduled to June 7 so that two candidates could be interviewed.

3. Consent Agenda

3.1. Resolution No. 17, Series of 2016, A Resolution Approving an Intergovernmental Agreement between the Eagle County Housing and Development Authority and the Town of Vail for Certain Housing Administrative Services, and Setting Forth Details in Regard Thereto.

Background: The Town of Vail is in need of certain housing administrative services. The Eagle County Housing and Development Authority is willing and capable of providing housing administrative services to the Town of Vail. An intergovernmental agreement is needed to properly contract for the services to be completed. The proposed agreement outlines the terms under which the work is to be completed. The agreement expires on its terms on December 31, 2016. The two parties may choose to enter into a new agreement in 2017 if determined to be mutually beneficial.

3.2. Resolution No. 18, Series of 2016, A Resolution Approving an Intergovernmental Agreement Between the Town of Vail and USDA, Forest Service White River National Forest's Eagle/Holy Cross Ranger District Regarding the Control and Eradication of Noxious Weed and Invasive Plant Species; and Setting Forth Details in Regard Thereto

Background: In the March 2016 Supplemental Budget Request, the Town Council approved \$15,000 to partner with the U.S. Forest Service (USFS) to control the spread of noxious weeds.

3.3. Resolution No. 19, Series of 2016, A Resolution Approving an Intergovernmental Agreement Between the Town of Vail, Colorado and the Colorado Department of Transportation Regarding Sediment Control Disposal Area on the North Side of Interstate 70 at Approximately M.P. 178- 179; and Setting Forth Details in Regard Thereto Background: The Intergovernmental Agreement defines roles and responsibilities for the Town and Colorado Department of Transportation for the sand storage berm in East Vail.

3.4. Resolution No. 20, Series of 2016, A Resolution Approving an Intergovernmental Agreement Between the Town of Vail, USDA, Forest Service Eagle/Holy Cross Ranger District Regarding the Town of Vail Hazardous Fuels Reduction Project; and Setting Forth Details in Regard Thereto

Background: During the first budget supplemental of 2016 Council approved funding of phase one of the Intermountain Fuels Reduction Project (also referred to as Town of Vail Hazardous Fuels Reduction Project) in the amount of \$63,700. This Intergovernmental Agreement sets forth the conditions for the transfer of funds to the U.S. Forest Service to initiate this project.

3.5. Resolution No. 21, Series of 2016, A Resolution Approving any Intergovernmental Agreement Between the Town of Vail and Other Colorado Governmental Agencies Regarding Mutual Fire Aid; and Setting Forth Details in Regard Thereoto

3.6. Request to Award Construction Contract for Booth Creek Park Redevelopment and Golden Peak Sport Courts Background: The purpose of this item is to request the Town Council direct the Town Manager to enter into a construction contract with RA Nelson, LLC. in an amount not to exceed \$1,971,054.27 for the construction of improvements to Booth Creek Park and the Golden Peak Sports Courts (Pickleball Courts).

Moffet moved to approve the consent agenda outlined above; Foley seconded the motion and it passed (7-0).

4. Town Manager Report

There were no items reported on at this time.

5. Presentations / Discussion

5.1. Vail Youth Recognition Award

Presenter(s): Scott O'Connell, Vail Valley Exchange

Action Requested of Council: Present local students with Vail Youth Recognition Award.

Background: The purpose of the award is to recognize and reinforce outstanding achievement by youth of the Upper Eagle Valley, both for their individual achievements and as role models for their peers. The Vail Town Council created this award to acknowledge and reward students from our community schools.

O'Connell presented the awards on behalf of the Vail Valley Exchange and Town of Vail to students Lydia Routolo who attends Battle Mountain High School and Lyle Shipp who attends Vail Mountain School.

5.2. Update on KAABOO-Vail Music Experience August 18-20, 2017

Presenter(s): Mike Imhoff, Vail Valley Foundation, Bryan Gordon, KAABOO

Action Requested of Council: Feedback and input requested but no formal action requested at this time. Will request formal approval by Council to proceed with this project at first meeting in June 2016.

Background: VVF and our partner KAABOO have had a myriad of meetings since the last council update (April 5) with all primary Vail community interested parties and groups that may be impacted by our KAABOO-Vail project. As part of the materials, VVF has drafted a detailed vision and plan with a 90 day action steps for council review. KAABOO Music Experience is not a music festival, but an experience catering to a specific audience and consumer over a three day weekend in Vail. The event offers fine dining, comedy, premium spirits, craft breweries, VIP experiences, and live music.

Mason recused herself from the discussion of this item due to conflict of interest. Mike Imhof, VVF, presented an overview of the music experience proposal and noted their interest in hearing from the community. He noted their schedule to present to Vail Recreation District, Betty Ford Alpine Garden and the Nature Center in the near future. Joe Stiles, KAABOO, project manager & environmental designer, presented details about the event, including a review of the site plans and design of the event. Chapin invited public input at this time.

Bob Armour, expressed concern about impacts due to number of attendees, length of festival, the impacts on the fields, and concern about multi year commitment to such an event. Too big for Vail!

Margaret Rogers, resident, expressed several concerns about the event related to displaced park users, the park should not be limited to just one event per the parks master plan, too little time to review the proposal, and concern about multi year commitment. She expressed that she loved the idea, but the Ford Park location is of great concern.

Chris Romer, Vail Valley Partnership, expressed support of the event which is aligned with the mission of the Commission on Special Events and brand of Town of Vail, the target

market, the drive for destination visitors, time of year. He also noted and understands the concerns being expressed about impact on fields and Vail in general.

Rayla Kundolf, business owner and resident, expressed support for the event, thinks it is the right target market, encouraged businesses get involved in the event, meets Vail's brand, need the iconic event, Vail has always worked through the challenges large events bring.

Michael Staughton, Vail Business owner and Chamber member, expressed concern about the timing for the decision is too short, concerned about displaced users, must take care of Vail first.

Michael Cacioppo, expressed that he has not reached a final opinion until more public input is received although is concerned that guidelines are not being followed.

Johannes Faessler, Sonnenalp Hotel, expressed support of the event from a business perspective, likes the multi year commitment and potential that would bring to attract new guests, encouraged the VVF to work with the town to host such an event.

Skip Thurnauer, VLMDAC member, and as a resident supports the event, the timing, the market and it would be excellent to have this event to help with summer business.

Ross Cohen, resident and business owner, supports the event which would attract next generation and would serve as an epic event but would want to ensure the event promoters work with the local business owners to include them in the event.

Gwen Scapula, resident, concerned about Ford Park impacts with length of the event, the displaced users, impacts on transportation, roads, parking, area resident, and the timing placed on the decision.

Nicola Ripley, BFAG, requested adequate time to review the proposal, but sees many challenges with the proposal.

Heidi Biele, resident, expressed support of the event which would create a great venue for Vail in offering a music experience.

Doe Browning, resident and trustee of BFAG, expressed concerns about the music festival and market that is attracted, would like to request support from the event producers to help them offset the impacts to BFAG and its users.

Chapin noted no decision was being made at this time; there were several comments made by Council as follows:

- ✓ There was support of the proposal but much work would need to be done to work through the impacts and challenges
- ✓ There would need to be participation and decisions made by VRD and BFAG and Nature Center before any final decision would be made
- ✓ This may serve as an iconic event for Vail
- ✓ Proposal deserves a thorough vetting identifying problems and potentials and most did not support the need for a decision by June 10, requested an eight week delay
- ✓ Some concern about a multi year contract and commitment

- ✓ The town should not take any financial risk with the event
- ✓ Must be attention paid to the environment and sustainability and a zero waste event
- ✓ Must be a thorough evaluation of the impacts on the turf
- ✓ What is VVF role in the implementation of the event
- ✓ Must understand the impacts on displaced users

Again, it was noted there would be more opportunities scheduled at public meetings for the public to comment on the event proposal. Jen Mason returned to the meeting at this time.

5.3. Slifer Square - Update

Presenter(s): Todd Oppenheimer, Capital Project Manager/Landscape Architect

Action Requested of Council: To provide feedback to in regards to Council's preferences for change to Slifer Square and direct to staff to begin the process for procurement of design services for the project.

Background: Staff will update the Town Council on the results from the public meeting held on March 29, 2016.

Todd Oppenheimer, Landscape Project Architect, reported on the public meeting held for the Slifer Square project. In summary, those attending asked that the natural character and flow of the area be maintained but any improvements in functionality and aesthetics would be welcomed. Council presented some feedback related to suggestions as follows:

- ✓ Bus stop area improvements both physically and operationally
- ✓ Water quality and infiltration improvements
- ✓ Maintain natural existing character of the area
- ✓ Maintain the ability to use the fountain area with improved areas for sitting around the fountain

Oppenheimer noted that a project scheduled would be drafted based on this input, the design work, and ability to begin construction either yet this year or next spring.

6. Action Items

6.1. Welcome Centers/Host Program Request for Proposal (RFP)

Presenter(s): Stan Zemler, Town Manager and Suzanne Silverthorn, Director of Communications

Action Requested of Council: Approve and/or modify a request for proposal (RFP) and selection process for management of Vail's Welcome Centers, the Volunteer Community Host Program and Guest Welcome Services beginning October 1, 2016.

Background: To prepare for future operation of the Welcome Centers and Community Host Program, the Town Council has directed staff to prepare a Request for Proposal in which respondents will describe how best to use the town's resources "to create a five-star customer experience."

Silverthorne reviewed the purpose of the discussion on the welcome centers/host programs and offered the following goals:

- 1) Ideas for expansion of services offered in the welcome centers
- 2) Increased utilization of the facilities
- 3) 10 goal areas were identified

- 4) It was requested to shorten the mission with a scaled back intent –
- 5) Issue the rfp but give the responder the opportunity to define the 5 star customer experience
- 6) Drafted an rfp is in the packet w/ a timetable

The amended RFP document was reviewed and the town council would still serve as the selection committee throughout the process. There were comments that the scope of the RFP should allow the vendor to explain “what they will be doing for the town” and not what the town wants the vendor to do. Moffet moved to approve the RFP amended document and evaluation process to include Town Council as the selection committee. Bruno seconded the motion and it passed (7-0).

6.2. Ordinance No. 10, Series of 2016, First Reading, An Ordinance Amending Chapter 7 of Title 5 of the Vail Town Code Concerning the Liability for Costs Associated with the Town's Provision of Fire Protection Services to Properties Located Outside Town Boundaries
Presenter(s): Mark Novak, Fire Chief

Action Requested of Council: Approve, amend or deny Ordinance No. 10, Series of 2016 on first reading.

Background: This ordinance will amend existing Town Code to clarify specific issues related to providing emergency services to parties outside the municipal limits of the Town of Vail.

Chief Novak noted the following changes to Chapter 7 of Title 5 of the Town of Vail Code proposed in Ordinance No. 10 are:

- 5-7-2 (A) Clarifies that requests for service in areas outside the municipal limits of the Town of Vail do not necessarily originate with the Eagle County Sheriff
- 5-7-2 (D) Clarifies billing procedures and liability for payment for response to properties outside the municipal limits of the Town of Vail.

He also suggested staff would submit a separate resolution amending the current fee structure for response to properties out of the municipal boundaries of the Town of Vail at the June 7, 2016 Town Council meeting. There was some discussion about the need to codify this topic, the suggestion to change “shall to may” on the first page, 5-7-2 A, the liability section of the ordinance, and the possibility of seeking funding from USFS since these homes are outside of town boundaries.

Moffet moved to approve Ordinance No. 10, Series of 2016, First Reading, An Ordinance Amending Chapter 7 of Title 5 of the Vail Town Code Concerning the Liability for Costs Associated with the Town's Provision of Fire Protection Services to Properties Located Outside Town Boundaries, with a revision to include “may” instead of “shall” in Section 5-7-2 A. Bruno seconded the motion and it passed (7-0). There was no public input.

6.3. The owner of the multi-use Vista Bahn Building, located at 298 Hanson Ranch Road, requests permission to proceed through the Conditional Use Permit process for an outdoor patio on Town of Vail property in the Commercial Core I (CC1) Zone District. The Vail Town Code refers to outdoor dining/seating as "Outdoor Patio" in reference to permitted and conditional uses in the Commercial Core I (CC1) Zone District.

Presenter(s): Jonathan Spence, Planner

Action Requested of Council: The Community Development Department requests that the Town Council evaluate the proposal to utilize Town of Vail property for the purposes of an outdoor patio. This utilization of Town of Vail property would be subject to the terms of a revocable ROW permit and lease agreement and could be discontinued and removed if required to do so.

Background: The Vail Village Design Considerations recognize outdoor patios as a potential positive contributing factor in the creation of a strong streetscape framework.

Chris Neubecker, Planning Manager, presented the business request on behalf of the property owner. After some discussion about the process and likely outcome of a "lease agreement" with the property owner, it was determined there have been these kinds of requests in the past and there was support of the request. It was noted there would be ample room for emergency personnel and equipment to access this area if turned into an extended patio space.

Moffet moved to direct staff to sign the application to proceed through the Conditional Use Permit process for an outdoor patio on Town of Vail property in the Commercial Core I (CC1) Zone District. The Vail Town Code refers to outdoor dining/seating as "Outdoor Patio" in reference to permitted and conditional uses in the Commercial Core I (CC1) Zone District. Foley seconded the motion and it passed (7-0). There was no public input.

7. Public Hearings

7.1. The applicant Karja LLC, represented by Bill Nutkins, AIA, NDG Architects, Inc, requests an appeal of the final decision of the Town of Vail Planning and Environmental Commission denying a request for a variance to allow for the construction of a trash enclosure within the front setback for the property located at 265 Forest Road
Presenter(s): Matt Panfil, Planner

Action Requested of Council: Uphold, uphold with modifications, or overturn the Planning and Environmental Commission decision.

Background: Based on the existing topography of the site and the lack of a reasonable alternative location for a trash enclosure, the applicant requests an appeal of the Planning and Environment Commission decision.

The public hearing was opened by Chapin. Staff presented the application request for a trash enclosure within the front setback of the property located at 265 Forest Road which was denied by PEC. Rick Fields, landscape architect, and Bill Nutkins, architect, presented on behalf of the property owner. There was some discussion about the owners preference to place the trash cans in between the buttress areas of the wall and requested an appeal to the PEC decision. Public comments were invited at this time; there were no comments. The public hearing for public input was closed. There were no further comments from the representatives of the appellate. There was some discussion about whether the applicant met the criteria established when granting such a variance; there did not seem to be any hardship identified.

Moffet moved to uphold the decision of the Planning and Environmental Commission to deny the application for a variance request for the construction of a trash enclosure within the front setback located at 265 Forest Road / Lot 21, Block 7, Vail Village Filing 1", with the following findings: "The Vail Town Code was properly applied in regard to the Planning and

Environmental Commission denial of the requested variance associated with application PEC16-0012, and located at 265 Forest Road / Lot 21, Block 7, Vail Village Filing 1.” Cleveland seconded the motion and it passed (7-0).

There being no further business to come before the council, Moffet moved to adjourn the meeting and Foley seconded the motion which passed (7-0) and the meeting adjourned at 7:45 p.m.

Respectfully Submitted,

Attest:

Dave Chapin, Mayor

Patty McKenny, Town Clerk