

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:	Greg Clifton, Town Manager Matt Mire, Town Attorney Patty McKenny, Town Clerk
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## **1. Citizen Participation**

Randy Guerriero, resident, inquired about the status of the Marriott project and comments on several related items, 1) don't allow too many dogs, 2) opposed heated walkways, 3) supported left hand turn lanes. He asked the town to consider buying the property for a recreation facility.

Jen Mason thanked the Vail community for supporting the recent fundraiser for the Woods family.

Kevin Foley noted a council candidates meet & greet would be held at the Ale House for the public.

There was a moment of silence in memory of Dr. Tom Steinberg, a pioneer of Vail and elected official serving 19 years.

## **2. Proclamations**

### **2.1. Proclamation Friends of Libraries Week**

Presenter(s): Lori Barnes, Library Director

The proclamation was read by the town council members.

## **3. Consent Agenda**

3.1. Resolution No. 31 Series of 2017, Resolution approving an intergovernmental Agreement between the Town of Vail and Eagle County regarding the Town of Vail recycle drop-off site; and setting forth details in regard thereto

Background: This agreement allows for the Town of Vail to be reimbursed by Eagle County for hauling costs incurred at the community recycling site. The initial IGA was formalized in November of 2010 and has since been extended annually.

Bruno moved to approve the IGA; Foley seconded the motion and it passed (7-0).

- 3.2. Minutes from August 1, 2017 meeting
- 3.3. Minutes from August 15, 2017 meeting

Moffet moved to approve the both sets of minutes; Foley seconded the motion and it passed (7-0).

- 3.4. Appointment of Regular Municipal Election Judges Memorandum – registered electors of Colorado

Moffet moved to appoint the judges for the November 7 Regular Municipal Election; Bruno seconded the motion and it passed (7-0).

- 3.5. East Lionshead Circle Sidewalk Contract Award

Moffet moved to authorize the Town Manager to enter into an agreement, in a form approved by the Town Attorney, with Icon, Inc. to complete the E Lionshead Circle Sidewalk project in the amount not to exceed \$155,000.00; Bruno seconded the motion and it passed (7-0).

#### **4. Town Manager Report**

Clifton noted a sample report that he would be producing for the town council in the near future; the report would include such updates on admin matters, projects, staffing, etc. Fire Chief Novak presented an update on the Intermountain logging operations.

#### **5. Public Hearings**

##### **5.1. Ordinance No. 13, Series of 2017, Second Reading, An Ordinance Approving the Rezoning of Lot 1, East Vail Workforce Housing Subdivision, from Two-Family Residential (R) District to Housing (H) District, and the Rezoning of Tract A, East Vail Workforce Housing Subdivision, from Two-Family Residential to Natural Area Preservation (NAP) District. (PEC17-0039)**

Presenter(s): Chris Neubecker, Planning Manager

Action Requested of Council: The Vail Town Council shall approve, approve with modifications, or deny Ordinance No. 13, Series of 2017, upon second reading.

Background: The applicant, The Vail Corporation (aka Vail Resorts), is requesting a zone district boundary amendment, pursuant to Section 12-3- 7, Amendment, Vail Town Code, to allow for a rezoning of an unplatted parcel of land from Two-Family Residential (R) District to the Housing (H) District on the western portion of the site, and Natural Area Preservation (NAP) District on the eastern portion of the site. On September 11, 2017 the Planning and Environmental Commission held a public hearing on this application, and voted 6-0 to recommend approval to the Vail Town Council for this zone district boundary amendment.

Staff Recommendation: The Community Development Department recommends that the Town Council hold a public hearing on this item to take testimony, and then vote on the second reading of this ordinance for a zone district boundary amendment.

Chapin introduced the East Vail rezoning Ordinance No. 13 and opened the public hearing. Staff made a brief presentation per the packet memo. Chis Jarnot, VRI, thanked the town staff, PEC, Town Council for their time spent with the application. Jarnot noted the development of the 5.4 acre portion of the site can co-exist w/bighorn sheep just like Booth Falls neighborhood and town shops. He requested Council to vote on application tonight, not table, noting the company isn't interested in discussing a land swap. He presented some history about the company's land ownership and confirmed their intent to construct employee deed restricted housing on the site. Dominic Mauriello, Mauriello Planning Group representing VRI, noted they have nothing further to present but available to answer any questions. The hearing was opened to public comments:

Rol Hamelin, East Vail resident, encouraged them to consider quality of life first with this application.

Michael Hazard urged council to move forward with this responsible development which will create a more sustainable community.

Bill Heicker, Eagle retired district wildlife manager, expressed concern that not enough information has been given and reviewed appropriately. He expressed concern with the current response from Colorado Parks & Wildlife

Charlene Canada, resident, expressed concerns about transportation impacts.

Terry Meyers, representing Rocky Mountain Bighorn Sheep Society, expressed concerns about the ability to protect the herds and requested the town make this a priority.

Chris Romer, VVP, expressed the partnership's support of the development proposal noting that it is a down-zoning which is "right" for the community.

Merv Lapin, resident, shared his perspective on the history of employee housing, requesting the council table the matter to allow for more review and a chance to find another location for this development. His concern was that larger development projects did not produce the appropriate housing in the past, thus the problems.

Andy Daly, resident and former elected official as well as employee of Vail Resorts, expressed support for the rezoning and the proposal with a request to make a decision now.

Alan Braunholtz expressed support for the rezoning and housing project and hopes someday it might produce some kids to play in the park w/ his kids.

Jack Stephen, resident and supporter of booth creek cares, expressed a tabling of the item and requested more time is needed to negotiate the details of the project before rezoning the land.

Pati Marsh, resident, expressed concern the application has been fast-tracked with a request the council table the application.

Patti Langmaid, resident, expressed concern there has not been enough time to review the application and the topic at large. She expressed concerns about the impacts the project will have on the bighorn sheep

Rick Smith, VVMC, expressed support for the rezoning and housing project since there is an enormous demand for housing. The hospital has great difficulty finding housing for employees which makes recruiting very difficult.

John Welaj, resident, expressed support and the need for workforce housing as critical to the area. He encouraged council to make a decision tonight. .

Roger Cardoza, resident, expressed support for the rezoning application and the project in light of the critical need for employee housing.

Bill Eggers, resident, thanked council for their efforts and expressed frustration that there is no development plan to review. He noted there should more time to review the impacts on wildlife in the area.

Pam Stenmark, resident, preferred to see the decision delayed and requested the town review other options and location.

Mark Zachary, Rocky Mountain Bighorn Society, expressed opposition because of the impacts on the sheep as this project will destroy their habitat.

Bill Hanlon, resident, noted the critical topics as parking and housing and encouraged the town to be critical in its review of the project.

Michael Cacioppo expressed concern for the wildlife yet supports the ski company housing its employees; this is the wrong location.

Public input was closed at this time and there were no closing comments from the applicants. Council provided their input at this time. Langmaid was not supportive of the rezoning and preferred the project be constructed at another location. Moffet noted a land trade would not work since the land considered is zoned natural area preservation district; he does not want to up-zone. Mason was concerned that historically the land was considered open space yet now development is slated for the property. Bruno supported the rezoning as rights of the private property owner. Cleveland noted the application as a rezoning only and there would be further review of the development application. Foley supported the property owner taking the opportunities they are allowed for under the code. Chapin noted this as a difficult and challenging topic not only for the community but for the property owners as well.

Moffet moved to approve on second reading, Ordinance No. 13, Series of 2017, an ordinance for a zone district boundary amendment for an unplatted parcel of land in the South ½, Southeast ¼, of Section 2, Township 5, Range 80 West 6th Principal Meridian from Two-Family Residential (R) District to the Housing (H) District on the western portion of the site, and Natural Area Preservation (NAP) District on the eastern portion of the site, and setting forth details in regard thereto." He further noted the approval of the Planning and Environmental Commission

recommended findings and that based upon the review of the criteria outlined in Sections VII of the Staff memorandum to the Planning and Environmental Commission dated September 11, 2017, and the evidence and testimony presented, the Vail Town Council finds:

1. That the amendments are consistent with the adopted goals, objectives and policies outlined in the Vail comprehensive plan and compatible with the development objectives of the town;
2. That the amendments are compatible with and suitable to adjacent uses and appropriate for the surrounding areas; and,
3. That the amendments promote the health, safety, morals, and general welfare of the town and promote the coordinated and harmonious development of the town in a manner that conserves and enhances its natural environment and its established character as a resort and residential community of the highest quality.”

Moffet also recognized the amended Ordinance No. 13 to include a section 7. Foley seconded the motion. Cleveland noted that the zoning does not take place until the final plat is recorded. Moffet amended the motion to accept the outside executed date of Dec 29, 2018; the amendment was seconded by Foley. The motion passed (5-2; Langmaid and Mason opposed). Langmaid opposed because the application didn't meet criteria no 1, 2, 5, and 8. Mason opposed because the application didn't meet criteria no. 2, 5, 7, and 8.

A short recess was taken at this time and the meeting reconvenes at 8:10 p.m.

**5.2. Ordinance No. 12, Series of 2017, Second Reading, an Ordinance Amending Section 12-23-2, Employee Generation and Mitigation Rates, Vail Town Code to Amend Table 23-1, Employee Generation Rates by Type of Construction Use, and to Amend the Definition of Nexus Study in Section 12-2-2, Definitions, Vail Town Code**

Presenter(s): Chris Neubecker, Planning Manager

Action Requested of Council: The Town Council shall approve, approve with modifications, or deny Ordinance No. 12, Series of 2017, upon second reading.

Background: The 2006 Vail Employer Survey Summary of Results (Nexus Study) must be updated regularly to remain effective and relevant to ensure an accurate reflection of the current and future employee housing needs resulting from new development and redevelopment in the town. The Nexus Study is used by the Town of Vail in administering commercial linkage requirements for development within the Town of Vail.

Staff Recommendation: The Community Development Department recommends that the Town Council open the public hearing and take testimony on the proposed ordinance.

Staff noted nothing changed from first reading of the ordinance. Moffet moved to approve Ordinance No. 12, Series of 2017, Second Reading, an Ordinance Amending Section 12-23-2, Employee Generation and Mitigation Rates, Vail Town Code to Amend Table 23-1, Employee Generation Rates by Type of Construction Use, and to Amend the Definition of Nexus Study in Section 12-2-2, Definitions, Vail Town Code, with the following findings:

That the amendment is consistent with the applicable elements of the adopted goals, objectives and policies outlined in the Vail Comprehensive Plan and compatible with the development objectives of the town; and

1. That the amendment furthers the general and specific purposes of the sign regulations; and

2. That the amendment promotes the health, safety, morals, and general welfare of the town and promotes the coordinated and harmonious development of the town in a manner that conserves and enhances its natural environment and its established character as a resort and residential community of the highest quality

Bruno seconded the motion. Public comment was invited and there were none. Foley questioned the number of employees required for the eating & drinking establishments; he suggested using Vail's local data. The motion was approved (5-2; Chapin and Foley opposed).

## **6. Action Items**

### **6.1. Parking and Transportation Task Force Recommended Winter 2017-2018 Parking Program**

Presenter(s): Greg Hall Director of Public Works and Transportation

Action Requested of Council: Approve or approve with modifications the Winter 2017-2018 Parking Program as recommended by the Parking and Transportation Task Force.

Background: The Parking & Transportation Task Force was formed in 1999 in an advisory capacity and has been enacted through the years at the direction of the Vail Town Council. In reinstating the Task Force, the role of the 12-member group is to provide advisory input and recommendations on parking, transit and traffic operations.

Staff Recommendation: Staff recommends the Town Council approve the Parking and Transportation Task Force recommendations for the Winter 2017-2018 Parking Program.

Hall reviewed the materials again and with a review of the memo – included in the packet. The recommendations of the Parking and Transportation Task Force for the Winter 2017-2018 Parking Program are targeted to:

- ✓ Increase the use of the current underutilized parking supply during peak periods.
- ✓ Decrease the demand for parking spaces during peak periods to free up spaces.
- ✓ Encourage the use of carpooling and transit.
- ✓ Discourage the use of rental cars.
- ✓ Encourage the use of short-term parking for business opportunities verses free extended parking (looping) and the free 2 hour local ski outing.
- ✓ Encourage the reduction in Vehicle Miles of Travel VMT as outlined in the Town's Environmental Strategic Plan as a 20% VMT reduction goal.
- ✓ Task Force also recommends rolling back free period from current 2 hours of free parking to 90 minutes of free parking.

It was noted that increases in winter parking rates are being recommended to address supply and demand strategies and a decrease from 2 hours to 90 minutes allotted for free parking, see recommended rate structure and parking pass prices below:

Recommended Rate Structure:

	<u>Existing</u>	<u>Proposed</u>
0 to 30	Free	Free
30 to 1	Free	Free
1 to 1.5	Free	Free
1.5 to 2	Free	\$5
2 to 3	\$15	\$10
3 to 4	\$20	\$20
4 to 15	\$25	\$30
15 to 24	\$25	\$40

Recommended Parking Pass Prices

	<u>Existing</u>	<u>Proposed</u>
Gold	\$3250	\$3250
Silver	\$1800	\$2000
Blue	\$1100	\$1500
Green	\$ 500	\$750
Pink	\$150	\$300

There was further dialogue about the “free parking”, a parking validation process, and overnight parking rate, county transit services. There was overall support for the recommendations with a few changes, i.e. pink pass priced at \$200; overnight parking at \$50 (see changes below).

**Recommended Parking Pass Prices**

	<b>Existing</b>	<b>Proposed</b>	<b>Revised</b>
Gold	\$3250	\$3250	\$3300
Silver	\$1800	\$2000	\$2000
Blue	\$1100	\$1500	\$1250
Green	\$500	\$750	\$625
Pink	\$150	\$300	\$150

**6.2. Ordinance No. 14, Series 2017, First Reading, an Ordinance adopting a budget and financial plan and making appropriations to pay the costs, expenses and liabilities of the Town of Vail, Colorado for its fiscal year January 1, 2018 through December 31, 2018**

Presenter(s): Kathleen Halloran, Finance Director

Action Requested of Council: Approve or approve with amendments Ordinance No. 14, Series 2017

Background: Please see attached memo

Staff Recommendation: Approve or approve with amendments Ordinance No. 14, Series 2017

Finance Director Kathleen Halloran presented highlights from the council packet memo as well as responses to the inquiries made during the Sept. 19 meeting. Consideration was given to the following items:

- Funding request for Seibert sculpture; there was a request for more information and not to include it in the 2018 budget at this time.
- Spring Back To Vail Funding which was reviewed and included in the 2018 budget

- Funding history for housing and community building as presented by a summary worksheet; there was further detail presented by the town manager about housing program staffing and strategic planning implementation.

Moffet moved to approve Ordinance No. 14, Series 2017, First Reading, an Ordinance adopting a budget and financial plan and making appropriations to pay the costs, expenses and liabilities of the Town of Vail, Colorado for its fiscal year January 1, 2018 through December 31, 2018. Bruno seconded the motion. Foley asked about the proposed 4% merit increase and requested a five year history summary for consideration at second reading. Public input was heard from Steve Lindstrom, VLHA, who expressed funding support for the housing initiatives. The motion passed (6-1; Foley opposed).

There being no further business to come before the council, Moffet moved to adjourn the meeting and Bruno seconded the motion which passed (7-0) and the meeting adjourned at 10:30 p.m.

Respectfully Submitted,

Attest:

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Dave Chapin, Mayor

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Patty McKenny, Town Clerk