

CALL TO ORDER, ROLL CALL

Mayor Mamula called the meeting of August 9, 2016 to order at 7:00 pm. The following members answered roll call: Mr. Dudick, Mr. Bergeron, Ms. Lawrence, Mr. Burke, Ms. Wolfe, Ms. Gigliello and Mayor Mamula.

APPROVAL OF MINUTES - JULY 26, 2016

With no changes or corrections to the meeting minutes of July 26, 2016, Mayor Mamula declared they would stand approved as submitted.

APPROVAL OF AGENDA

Mr. Holman stated the only change to the agenda was to remove Council Bill No. 23, Series 2016, and to renumber the other Council Bills as a result of that change. Mayor Mamula declared the agenda approved as amended.

COMMUNICATIONS TO COUNCIL

A. Citizen's Comment - (Non-Agenda Items ONLY: 3-minute limit please)

Mayor Mamula opened Citizen's Comment.

Sheriff Jaime FitzSimons, Summit County Sheriff, stated he was present at the meeting to check in with the new Council and to introduce himself. He further stated he is looking forward to working closely with the Town in his position.

Mr. Ken Nelson, representing the Town Square Mall, stated there has been a significant impact on the Mall restrooms due to the new Prospector Park, and the association would like the Town to help to clean the bathrooms until the park bathrooms are built. He further stated the park is good, and the temporary restroom facilities help but most people avoid them. Mr. Nelson suggested daily "second cleans" may be needed in the Mall bathrooms. Mr. Burke asked about the use of the temporary restrooms at the park, and stated he is not wanting to set the precedence of the Town cleaning private restrooms. Mr. Nelson stated the Association asked him to come before Council to make them aware of the situation. Mayor Mamula stated staff will look into the issue and give Council feedback. Mr. Bergeron stated perhaps we created an "attractive nuisance" in that location, and other Council members expressed concern about the situation. Mr. Tom Daugherty, Public Works Director, stated the park isn't shoveled in the winter, and the design plans haven't been finalized to put out an RFP for the new bathrooms, so he anticipates they will be built next spring.

Mr. Derek Woodman, Summit County resident, stated he was present to introduce himself as a candidate for Summit County Sheriff in November, and was happy to meet the Council members.

There were no additional comments and Citizen's Comment was closed.

B. Breckenridge Tourism Office Update

Ms. Lucy Kay, Director of the BTO, stated the Spartan Race will take place August 27-28, and they are expecting 4400 people for Saturday, and 3200 people for Sunday. She stated the event organizers are working on a parking plan for cars, and possible television coverage of Spartan Games. She further stated lodging bookings for August are down compared to last year, and September 9-11 will be Oktoberfest. Also, Camp 9600 will feature a Virtual Reality Dome in Blue River Plaza in conjunction with Breckenridge Film Festival, and the Governor's Conference will take place in Breckenridge in September. Ms. Kay stated that as part of the Film, Food and Wine Weekend (Breckenridge Film Festival and Wine Classic), the Wine Classic will be partnering with restaurants. Ms. Kay stated that the summer international marketing strategy includes major placements in the London Daily Mail, and the Market Standard, and Ms. Leigh Girvin wrote a story about marijuana for the Breckenridge Tourism Office. She further stated changes at the BTO include a shift in business services and community affairs, and they will be hiring for that position.

C. Breckenridge Ski Resort Update

Mr. John Buhler, COO of Breckenridge Ski Resort, stated the Fun Park is open 9:30am-5:30pm through Labor Day, and will close on September 18. Mr. Buhler thanked Scott Reid and staff for work on Peaks Trail, and stated volunteers will be working on the trail for Epic Promise Day. He also stated that Vail Resorts has announced that they are working on purchasing Whistler, which will result in a significant international influence. Mr. Buhler stated the Epic Promise Foundation hosted a meeting with non-profits to find out what the bigger issues in the community are with kids. Mr. Burke asked if someone from the Community Care Clinic was there, and Mr. Buhler stated he didn't know. Mr. Buhler stated the copters are for the canopy tour construction, and they are also erecting a climbing wall, an overlook tower, and a zip line.

CONTINUED BUSINESS

A. Second Reading of Council Bills, Series 2016 - Public Hearings

1. COUNCIL BILL NO. 19, SERIES 2016 - AN ORDINANCE AMENDING CHAPTER 1 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "BRECKENRIDGE DEVELOPMENT CODE", BY ADOPTING A NEW POLICY 50 (ABSOLUTE) ENTITLED "WIRELESS COMMUNICATIONS FACILITIES", AND MAKING MISCELLANEOUS CONFORMING AMENDMENTS TO THE BRECKENRIDGE TOWN CODE

Mayor Mamula read the title into the minutes. Mr. Tim Berry stated this ordinance deals with wireless communications, and changes to the ordinance include building height and a modification of permits to delete the requirement of addressing a gap in service, as well as the addition of a small cell service definition. Mr. Berry stated the changes were discussed during the afternoon work session.

Mayor Mamula opened the public hearing. Ms. Victoria Schinal, an attorney representing AT&T, thanked everyone for their efforts on this ordinance, and on behalf of AT&T and other wireless carriers. There were no additional comments and the hearing was closed.

Mr. Bergeron moved to approve COUNCIL BILL NO. 19, SERIES 2016 - AN ORDINANCE AMENDING CHAPTER 1 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "BRECKENRIDGE DEVELOPMENT CODE", BY ADOPTING A NEW POLICY 50 (ABSOLUTE) ENTITLED "WIRELESS COMMUNICATIONS FACILITIES", AND MAKING MISCELLANEOUS CONFORMING AMENDMENTS TO THE BRECKENRIDGE TOWN CODE. Ms. Gigliello seconded the motion.

The motion passed 7 - 0.

2. COUNCIL BILL NO. 20, SERIES 2016 - AN ORDINANCE DESIGNATING CERTAIN REAL PROPERTY AS A LANDMARK UNDER CHAPTER 11 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE (Klack Placer Cabin)

Mayor Mamula read the title into the minutes. Mr. Berry stated there were no changes to this ordinance from first reading.

Mayor Mamula opened the public hearing. There were no comments and the hearing was closed.

Mr. Bergeron moved to approve COUNCIL BILL NO. 20, SERIES 2016 - AN ORDINANCE DESIGNATING CERTAIN REAL PROPERTY AS A LANDMARK UNDER CHAPTER 11 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE (Klack Placer Cabin). Mr. Burke seconded the motion.

The motion passed 7 - 0.

3. COUNCIL BILL NO. 21, SERIES 2016 - AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY TO THE CLAIMJUMPER CONDOMINIUM ASSOCIATION, INC.

Mayor Mamula read the title into the minutes. Mr. Berry stated there were no changes to this ordinance from first reading.

Mayor Mamula opened the public hearing. There were no comments and the hearing was closed.

Ms. Lawrence moved to approve COUNCIL BILL NO. 21, SERIES 2016 - AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY TO THE CLAIMJUMPER CONDOMINIUM ASSOCIATION, INC. Mr. Dudick seconded the motion.

The motion passed 7 - 0.

4. COUNCIL BILL NO. 22, SERIES 2016 - AN ORDINANCE MAKING MISCELLANEOUS AMENDMENTS TO CHAPTER 14 OF TITLE 4 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "TOWN OF BRECKENRIDGE 2013 MARIJUANA LICENSING ORDINANCE"

Mayor Mamula read the title into the minutes. Mr. Berry stated there were one change from the first reading on line 36 substituting the word "any" for "an" in reference to the requirement for a conditional permit by the state.

Mayor Mamula opened the public hearing. There were no comments and the hearing was closed.

Mr. Bergeron moved to approve COUNCIL BILL NO. 22, SERIES 2016 - AN ORDINANCE MAKING MISCELLANEOUS AMENDMENTS TO CHAPTER 14 OF TITLE 4 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "TOWN OF BRECKENRIDGE 2013 MARIJUANA LICENSING ORDINANCE". Ms. Wolfe seconded the motion.

The motion passed 7 - 0.

NEW BUSINESS

- A. First Reading of Council Bills, Series 2016 - Public Hearings
1. COUNCIL BILL NO. 23, SERIES 2016 - AN ORDINANCE MAKING MISCELLANEOUS AMENDMENTS TO CHAPTER 1 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "BRECKENRIDGE DEVELOPMENT CODE", AND CHAPTER 2 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "BRECKENRIDGE SUBDIVISION STANDARDS"
Mayor Mamula read the title into the minutes. Mr. Berry stated this ordinance makes changes to the development code subdivision standards, including a modification of the permit approval process related to point analysis that would allow a project to be approved in one motion. In addition, he stated, this ordinance addresses miscellaneous concerns and staff recommends approval.
Ms. Gigliello moved to approve COUNCIL BILL NO. 24, SERIES 2016 - AN ORDINANCE MAKING MISCELLANEOUS AMENDMENTS TO CHAPTER 1 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "BRECKENRIDGE DEVELOPMENT CODE", AND CHAPTER 2 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "BRECKENRIDGE SUBDIVISION STANDARDS". Mr. Burke seconded the motion.
The motion passed 7 - 0.
 3. COUNCIL BILL NO. 24, SERIES 2016 - AN ORDINANCE AMENDING THE TOWN OF BRECKENRIDGE LAND USE GUIDELINES CONCERNING LAND USE DISTRICT 1
Mayor Mamula read the title into the minutes. Mr. Berry stated the Town Land Use Guidelines and the Development Code make up the Town's regulatory systems, and this ordinance would sync up the Land Use Guideline for Land Use District 1 with the Development Code to prevent the transfer of density.
Mr. Bergeron moved to approve COUNCIL BILL NO. 25, SERIES 2016 - AN ORDINANCE AMENDING THE TOWN OF BRECKENRIDGE LAND USE GUIDELINES CONCERNING LAND USE DISTRICT 1. Ms. Lawrence seconded the motion.
The motion passed 7 - 0.
- B. Resolutions, Series 2016
- C. Other

PLANNING MATTERS

- A. Planning Commission Decisions
With no request to call an item off the consent calendar, Mayor Mamula declared the Planning Commission Decisions would stand approved as presented.

Ms. Lawrence left the meeting at 8:00pm.
- B. Horse and Carriage Street Use Permit
Mayor Mamula introduced the Horse and Carriage Street Use Permit Hearing, and explained that a new applicant seeks a permit for this use. Mayor Mamula read the hearing process into record, and stated the applicant is represented by Mr. John Maxwell. Ms. Julia Puester stated the applicant has applied for a new street use permit to replace Mr. Brad Bays, who has held permits dating back to 1988, and who currently holds a valid permit until October, 2016. She further stated this application remains unchanged from the October 2015 application, and a route map is included in packet. Ms. Puester also stated the Police Department reported some complaints about traffic in the past, and 3 calls for service during the past year. Also, Public Works expressed concerns about the new trolley service using the same route. However, Ms. Puester stated staff recommends approval of the permit.

Ms. Wolfe and Mr. Burke asked about the impacts to transit. Mr. Tom Daugherty stated there may be a concern about tight space at the stops, but as long as the carriage is operated correctly, he has no other concerns. He added that only one bus would be at each stop at one time.

Mr. Maxwell, representing High Country Carriage LLC (the applicant) stated he hopes to continue carriage rides in the Town. He further stated he spoke with Mr. James Phelps about cooperation with transit buses, and understands he may need to do some maintenance of the stops. He stated he is the owner/operator with his wife and possibly one additional employee, he has general horse experience, and has lived in the community for awhile. He also stated he is aware of the rules to operate the carriage. Mayor Mamula asked about the travel on Wellington Road and how to deal with traffic. Mr. Bergeron asked about the

difficulty of driving the carriage. Mr. Brad Bays, of Breckenridge Stables, stated driving carriages is not too difficult as long as you have trained horses, and these horses are trained by voice command and with the lines. He also stated the new owner will own the horses. Mr. Bays stated that with the Wellington Road traffic, they do their best to pull off and let the cars pass, and he will show and explain to Mr. Maxwell about it. Ms. Gigliello asked about the current hours of operation by the Post Office. Mr. Bays explained they don't go by the Post Office. Mayor Mamula suggested adding a condition to not go in front of the Post Office.

Mayor Mamula closed the public hearing.

Mr. Bergeron stated this is a nice amenity for the town, but the downside is the backup of traffic. He stated he will vote to approve the application, but the operator must be aware of congestion.

Ms. Gigliello stated she struggles with this, considering our traffic flow concerns, but she also knows it's very popular, and maybe it will add pacing to the busy streets.

Ms. Wolfe stated it helps create the atmosphere in Breckenridge, and she would like to see it work. She added that it's a big responsibility to operate this business.

Mr. Burke stated one goal on Main Street has been to slow traffic, and the carriage has been here for 27 years. He added that he doesn't want to lose the character of Breckenridge by getting rid of it.

Mr. Dudick stated the carriage adds ambience, but also adds to congestion, and this attraction is intended for the community.

Mayor Mamula stated his concerns are on Wellington Road, and the operator must be aware of traffic concerns.

Mr. Bergeron moved to approve the Horse and Carriage Street Use Permit. Ms. Gigliello seconded the motion.

The motion passed 6-0. Ms. Lawrence was absent.

REPORT OF TOWN MANAGER AND STAFF

Mr. Holman stated CML is trying to identify people who will serve on Policy Committee for municipalities. He further stated that in the past Tim Gagen served on this committee, and Ms. Lawrence was an alternate. Council agreed to appoint Mr. Holman to this committee.

Mr. Holman stated David O'Neil would like to do a tour of the units at Lincoln Park before the next meeting. Mr. Holman also stated he is reluctant to help with the restroom problem in Town Square Mall.

REPORT OF MAYOR AND COUNCILMEMBERS

A. Cast/MMC (Mayor Mamula)

Mayor Mamula stated Ms. Wolfe attended on his behalf. Mr. Holman stated he challenged other communities for a donation to the Community Care Clinic, but has so far not received much response. Ms. Wolfe asked about the flow control problem at the landfill and how local trash haulers are bringing their trash out of county. She stated their revenue model is based on trash in the landfill, and they have had to adjust downward due to less trash. She further stated Timberline Disposal is bringing their trash to Silver Plume. Mr. Burke stated it was a major issue before the last ballot issue was passed, and the landfill needs to deal with this issue to address the "what-ifs" in the future. Ms. Wolfe stated if the County requires all trash to stay in Summit County, the haulers are going to oppose it. Mr. Burke stated again that he was a little frustrated that there hasn't been a creative solution. Mr. Holman stated he believes the County will ask the towns to support new legislation to require trash to stay in the County. Mr. Daugherty stated the tipping fees are higher in Summit County because of debt service for improvements to the landfill.

Mr. Dudick asked about the size of the word "Jerky" on the cart by Main Street. Staff will look into the size regulations.

Mr. Dudick left the meeting at 8:25pm.

B. Breckenridge Open Space Advisory Committee (Ms. Wolfe)

Ms. Wolfe stated there was no update.

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- C. Breckenridge Tourism Office (Ms. Gigliello)
Ms. Gigliello stated the new Business Services representative at the BTO will be a good conduit between Council and the associations.
- D. Breckenridge Heritage Alliance (Mr. Burke)
Mr. Burke stated there was no update.
- E. Water Task Force (Mr. Dudick)
Mr. Dudick was not present for an update.
- F. Breckenridge Creative Arts (Ms. Lawrence)
Ms. Lawrence was not present for an update.
- G. Breckenridge Events Committee (Mr. Bergeron)
Mr. Bergeron stated the Dew Tour may be broadcast on Universal Sports, and is asking for 600 room nights. He also stated there have been more special event liquor licenses to date than last year, and the committee is looking to be more selective with events on the Riverwalk Lawn and in Blue River Plaza. He further stated that the committee hasn't said no to Beer Fest, but has asked them to look to be on private property.

OTHER MATTERS

Mr. Bergeron stated the Town and County own the parking lot on Hoosier Pass, and the Town is looking to put a restroom up there. Mr. Scott Reid, Open Space Director, stated the County would not like to support it, and would like for us to partner with CDOT or USFS. Mr. Bergeron stated it's a well-used route and it's a real need in that location.

Mr. Holman asked about making a donation from the Town to a scholarship fund for Mr. Gary Martinez's grandson's passing. Council agreed to make the donation in the Town's name.

SCHEDULED MEETINGS

ADJOURNMENT

With no further business to discuss, the meeting adjourned at 8:34 pm. Submitted by Helen Cospolich, Municipal Services Manager.

ATTEST:

Helen Cospolich, Town Clerk

Eric S. Mamula, Mayor