

**TOWN OF BRECKENRIDGE
TOWN COUNCIL REGULAR MEETING
Tuesday, December 12, 2017**

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CALL TO ORDER, ROLL CALL

Mayor Mamula called the meeting of December 12, 2017 to order at 7:00 pm. The following members answered roll call: Mr. Bergeron, Ms. Lawrence, Mr. Burke, Mr. Dudick, Ms. Wolfe, Ms. Gigliello and Mayor Mamula.

APPROVAL OF MINUTES – NOVEMBER 28, 2017

With no changes or corrections to the meeting minutes of November 28, 2017, Mayor Mamula declared they would stand approved as submitted.

APPROVAL OF AGENDA

Mr. Holman stated there were two changes to the agenda, including under New Business, to pull item number 1, the Development Agreement from the agenda, and to add an Executive Session. Mayor Mamula declared the agenda approved with the changes presented.

COMMUNICATIONS TO COUNCIL

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

Mayor Mamula opened Citizen's Comment.

Carol Rockne, of 547 Broken Lance Drive, stated she believes the snowmaking water delivery system is wasting water due to how the ski area is using it. She further stated the Dredge boat restaurant goes up and down based on the water levels. Ms. Rockne recommended a water line be installed directly into the Tarn for snowmaking to avoid water waste, which she believes would be a win-win for everyone.

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 brand book has been distributed to Council so they understand the tone of the Town's brand. She further stated that regarding the recent expectations survey, the 2nd taskforce meeting took place and the next one will be about the local experience. She stated more than 700 people participated in the Race of the Santas, and at least 42 room nights were booked at the Doubletree for the dog parade, which she believes should be more of an iconic event in the future because it's reaching critical mass. Looking forward, the Dew Tour will take place this week, with streetstyle on Friday, and Saturday is the concert at the Riverwalk. She also stated Christmas occupancy is in the low 90-percent range, and the entire winter is looking ahead of last year. Also, the BTO has been reminding people about the shorter timeframe for the Snow Sculpture Championships, and Breck Pride is looking good with an LOC planning that event.

CONTINUED BUSINESS

A. Second Reading of Council Bills, Series 2017 - Public Hearings

1. COUNCIL BILL NO. 33, SERIES 2017 - AN ORDINANCE AMENDING CHAPTER 1 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "BRECKENRIDGE DEVELOPMENT CODE," CONCERNING MURALS WITHIN THE CONSERVATION DISTRICT

Mayor Mamula read the title into the minutes. Mr. Mark Truckey stated there was a change to this ordinance from first reading, which was to add an allowance for murals for special events, and the amended version of the ordinance is in the packet.

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

Mr. Bergeron moved to approve COUNCIL BILL NO. 33, SERIES 2017 - AN ORDINANCE AMENDING CHAPTER 1 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "BRECKENRIDGE DEVELOPMENT CODE," CONCERNING MURALS WITHIN THE CONSERVATION DISTRICT. Mr. Dudick seconded the motion.

The motion passed 7-0.

2. COUNCIL BILL NO. 34, SERIES 2017 - AN ORDINANCE AMENDING TITLE 12 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE TOWN'S MUNICIPAL WATER SYSTEM

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 public hearing was closed.

Mr. Bergeron moved to approve COUNCIL BILL NO. 34, SERIES 2017 - AN ORDINANCE AMENDING TITLE 12 OF THE BRECKENRIDGE TOWN CODE

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CONCERNING THE TOWN'S MUNICIPAL WATER SYSTEM. Ms. Gigliello seconded the motion.

The motion passed 7-0.

NEW BUSINESS

A. First Reading of Council Bills, Series 2017 - Public Hearings

1. COUNCIL BILL NO. 35, SERIES 2017 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT WITH LIONHEART BGV VENTURES, LLC, A COLORADO LIMITED LIABILITY COMPANY

This item was pulled from the agenda.

B. Resolutions, Series 2017

1. RESOLUTION NO. 33, SERIES 2017 - A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR ATTORNEY SERVICES WITH TIMOTHY H. BERRY, P.C. FOR 2018

Mayor Mamula read the title into the minutes. Mr. Holman stated the Charter requires the Council to appoint the Town Attorney, and we do this on an annual basis. There are no changes to the contract from last year.

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

Mr. Bergeron moved to approve A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR ATTORNEY SERVICES WITH TIMOTHY H. BERRY, P.C. FOR 2018. Ms. Lawrence seconded the motion.

The motion passed 7-0.

2. RESOLUTION NO. 34, SERIES 2017 - A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR ATTORNEY SERVICES WITH ROBERT GREGORY OF WEST BROWN HUNTLEY PC FOR 2018

Mayor Mamula read the title into the minutes. Mr. Holman stated the Prosecuting Attorney must be appointed by the Council on an annual basis. He further stated Mr. Gregory is asking for an increase in compensation this year.

Mayor Mamula opened the public hearing. There were no comments and the public hearing was closed. Council agreed to the pay increase for Mr. Gregory.

Mr. Bergeron moved to approve RESOLUTION NO. 34, SERIES 2017 - A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR ATTORNEY SERVICES WITH ROBERT GREGORY OF WEST BROWN HUNTLEY PC FOR 2018. Ms. Gigliello seconded the motion.

The motion passed 7-0.

3. RESOLUTION NO. 35, SERIES 2017 - A RESOLUTION APPROVING THE "TOWN OF BRECKENRIDGE HOUSING GUIDELINES (DECEMBER 12, 2017)"

Mayor Mamula read the title into the minutes. Ms. Laurie Best stated this resolution would approve the Breckenridge Housing Authority guidelines as presented in the packet.

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

Mr. Bergeron moved to approve RESOLUTION NO. 35, SERIES 2017 - A RESOLUTION APPROVING THE "TOWN OF BRECKENRIDGE HOUSING GUIDELINES (DECEMBER 12, 2017)"

Ms. Wolfe seconded the motion.

The motion passed 7-0.

4. RESOLUTION NO. 36, SERIES 2017 - A RESOLUTION APPROVING AN AMENDMENT TO EMPLOYMENT AGREEMENT WITH RICK G. HOLMAN
Mayor Mamula read the title into the minutes. Mr. Berry stated the Charter requires a contract with the Town Manager and this would amend the term, benefits, compensation, and other minor things in the contract as detailed by the memo in the packet.

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

Mr. Bergeron moved to approve RESOLUTION NO. 36, SERIES 2017 - A RESOLUTION APPROVING AN AMENDMENT TO EMPLOYMENT AGREEMENT WITH RICK G. HOLMAN. Ms. Wolfe seconded the motion.

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The motion passed 7-0.

OTHER

1. **Liquor and Marijuana Licensing Authority Interviews**

Mayor Mamula introduced the 4 candidates for 3 seats on the LMLA, JB Katz, Timothy Faust, Hal Vatcher and Jack Wilkinson.

The Council then conducted a vote and Mr. Holman announced the results, the majority of which were for Ms. Katz, Mr. Faust and Mr. Vatcher. By voice vote, council agreed to appoint the three candidates with the majority of votes as listed above for the three seats on the LMLA.

Council then discussed interviews being conducted in a different format in the future, with feedback from staff. Mayor Mamula stated he would like candidates to be vetted by a council member and staff, and Ms. Gigliello stated she likes meeting the candidate in person first. Mr. Dudick stated his is in favor of staff making a recommendation. Ms. Wolfe stated she did the BOSAC interviews and she was concerned Council felt left out because they weren't part of the process. Ms. Lawrence stated she didn't like the idea of only staff making a recommendation, and could support a hybrid model, even though it was awkward after the BOSAC decision. Mr. Burke stated he would like to hear staff's input on these decisions, but he would like to vote on someone he has met.

Regarding the appointment of a Liquor and Marijuana Authority Alternate, as a previous ordinance allowed, Mr. Bergeron stated he's comfortable appointing someone who knows the Authority. Council agree to appoint Mr. Turk Montepare for this position.

PLANNING MATTERS

A. **Planning Commission Decisions**

Mayor Mamula declared the Planning Commission Decisions would stand approved as presented. Mr. Dudick stated for the record he recused himself from the conversations about the Development Agreement and related items.

REPORT OF TOWN MANAGER AND STAFF

Mr. Holman stated there has been a new recommendation for a Citizen's Leadership Award recipient, and we will revisit it in the first quarter or when appropriate.

He further stated Der Steiermark purchased 3 spaces in the 1970s in the F Lot, and we have always known this may be a challenge, and they have said they'd be willing to sell them back to us. He stated the cost to purchase them back would be about \$60,000 so we would have full control of that lot in the future. Der Steiermark paid \$18,000 for those spaces back then. Council agreed to move forward with the re-purchase of the spaces.

Mr. Holman stated the Recreation Department has been working on a restructure with current personnel, including creating an Assistant Recreation Director. Ms. Lawrence asked to be updated on that information when it's complete. Mr. Dudick asked about a direct-report threshold, and Mr. Holman stated we don't have that.

Mr. Holman stated regarding the pedestrian bridge in Wellington Neighborhood, the developer is looking to complete the bridges by the end of January, and the park will be finished around the same time.

Council made the motion to cancel the second meeting in December due to the holidays.

REPORT OF MAYOR AND COUNCILMEMBERS

Reports of Mayor and Council were covered as part of the afternoon Work Session.

- A. Cast/MMC
- B. Breckenridge Open Space Advisory Committee
- C. Breckenridge Tourism Office
- D. Breckenridge Heritage Alliance
- E. Water Task Force
- F. Breckenridge Creative Arts
- G. Breckenridge Events Committee

OTHER MATTERS

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Ms. Wolfe asked about glass containers in the recycling areas, and staff stated Timberline won't be recycling any glass from the enclosures.

Ms. Wolfe stated we have come to the point where something needs to be done about grocery stores in our community. She further stated she believes some members of Council feel the Town should consider building a complex off of Coyne Valley for a new grocery store and, at the highest level, this is a discussion to consider a new grocery store. Mayor Mamula stated this is too big of a topic to be discussed at this time, and we'd like to invite the current owner to the meeting where this will be formally discussed. Mr. Dudick stated on the McCain property we have about 15 acres that could be used for this purpose. Ms. Wolfe stated a grocery store is a "lost leader" with a low lease rate, and a complex would provide the return. Mr. Dudick stated he believes we could do a deal where we would land-lease to a developer and the complex would be a long-term revenue source for the Town. Mr. Burke asked if the intent was to talk to the current landlord to have two stores (for example, City Market)? Mayor Mamula stated we will schedule this for another meeting, and we should think about the things we don't want in that complex as well as what we do want. Ms. Wolfe stated we are at the point where we should engage the other grocery store owners because this is public land. Ms. Lawrence stated we need to do what's best for our growing community.

Ms. Wolfe then stated it's time to consider raising Council's and the Mayor's pay, given how much time Council spends at this job. She further stated that if Council agrees, this would take effect until the next Council session. Mr. Burke stated this should be done in public and before the election. He further stated Breckenridge is not a small town, and our tax revenue is greater than the other four municipalities in the County combined. Mr. Holman stated we could do this at the next meeting, and Mr. Burke, Mayor Mamula, Mr. Bergeron and Ms. Wolfe agreed to put this on the next Council agenda. Mr. Holman stated he will look at the amounts and make a recommendation on rate, and will also look at an API increase included in the ordinance.

Ms. Lawrence stated the online maps in Google Maps, for example, are incorrect and need to be fixed to show the new Iron Springs section of Highway 9 is open.

Ms. Lawrence stated the dog park is having problems with shuttles dropping people by the dog park next to the sledding hill and sledders walking through the park. Mr. Holman stated the police will work with public works and the shuttles to make sure they drop in the correct area.

Ms. Lawrence asked about Mr. Phelps' Assistant Public Works position, and Mr. Holman stated it's going slow, and recruitment will be open through mid-January.

Mr. Bergeron stated he'd like to see more signs about picking up after dogs on trails and in parks.

Mayor Mamula stated he would like to see if there's a way to let people know how dangerous it is living with fire here, and is there a way for Finance to send this with water billing or something similar in the spring? Mr. Dudick stated that every guest should get fire safety information when they check in. Mr. Holman stated we can work to push something out through social media during that time as well.

SCHEDULED MEETINGS

ADJOURNMENT

With no further business to discuss, the meeting adjourned at 8:15pm. Submitted by Helen Cospolich, CMC, Town Clerk.

ATTEST:

Helen Cospolich, CMC, Town Clerk

Eric S. Mamula, Mayor