

I) CALL TO ORDER, ROLL CALL

Mayor Mamula called the meeting of July 24, 2018 to order at 7:00 pm. The following members answered roll call: Ms. Lawrence, Mr. Bergeron, Ms. Gigliello, Ms. Wolfe, Mr. Gallagher and Mayor Mamula. Mr. Carleton was absent.

II) APPROVAL OF MINUTES

A) TOWN COUNCIL MINUTES - JULY 10, 2018

With no changes or corrections to the meeting minutes of July 10, 2018, Mayor Mamula declared they would stand approved as submitted.

III) APPROVAL OF AGENDA

Mr. Holman stated there were no changes to the agenda. Mayor Mamula declared the agenda approved.

IV) COMMUNICATIONS TO COUNCIL

A) CITIZEN'S COMMENT (NON-AGENDA ITEMS ONLY; 3-MINUTE TIME LIMIT PLEASE)

Mayor Mamula opened Citizen's Comment.

Mr. Donald Craig, of 110 North French Street, stated he recently sent a letter to Council regarding selling a home in Breckenridge, in which he asked to have the deed restriction on his property removed. He further stated this house has been a home for 40 years, and has housed local residents during that time. Mr. Craig stated that he plans to sell the home shortly and the deed restriction was established to allow for an addition. He stated he would like Council to consider removing the deed restriction on this property for the purpose of reselling it. Mayor Mamula stated we are going to refer this issue to staff, and then Council will have an opportunity to discuss this and will get back to you.

Ms. Abby Epperson, a Breckenridge resident, asked for a change to the proposed Short Term Rental Ordinance to increase the one-hour window for response time to two hours. She stated she believes a two-hour window is more reasonable, especially for private property owners, especially since it takes two hours to get here from Denver, and if the owner is working, they may need a shift covered to respond in an hour, especially during a busy time of year. She further stated this restriction would create a monopoly for short-term rental companies who can respond within a shorter time. Ms. Epperson stated that if the Town restricts or caps the number of the rental properties, that would create a monopoly.

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

V) CONTINUED BUSINESS

A) SECOND READING OF COUNCIL BILLS, SERIES 2018 - PUBLIC HEARINGS

1) COUNCIL BILL NO.18, SERIES 2018 - AN ORDINANCE AMENDING CHAPTER 1 OF TITLE 8 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE BUILDING CODES OF THE TOWN OF BRECKENRIDGE BY ADOPTING BY REFERENCE THE NATIONAL ELECTRICAL CODE, 2017 EDITION

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.18, SERIES 2018 - AN ORDINANCE AMENDING CHAPTER 1 OF TITLE 8 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE BUILDING CODES OF THE TOWN OF BRECKENRIDGE BY ADOPTING BY REFERENCE THE NATIONAL ELECTRICAL CODE, 2017 EDITION. Mr. Gallagher seconded the motion.

The motion passed 6-0. Mr. Carleton was absent.

VI) NEW BUSINESS

A) FIRST READING OF COUNCIL BILLS, SERIES 2018

1) COUNCIL BILL NO. 19, SERIES 2018 - AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY TO B & D LIMITED PARTNERSHIP (Tract D, Stan Miller Subdivision)

Mayor Mamula read the title into the minutes. Mr. Berry stated the Town acquired a small parcel of land and we are contractually required to convey it to the B&D Limited Partnership. He further stated this ordinance is required for the conveyance of that property.

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

Mr. Bergeron moved to approve COUNCIL BILL NO. 19, SERIES 2018 - AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY TO B & D LIMITED PARTNERSHIP (Tract D, Stan Miller Subdivision). Ms. Wolfe seconded the motion.

The motion passed 6-0. Mr. Carleton was absent.

B) RESOLUTIONS, SERIES 2018

1) RESOLUTION NO. 13, SERIES 2018 - A RESOLUTION APPROVING A SIXTH AMENDMENT TO ANNEXATION AGREEMENT WITH UNION MILL, INC. (The Wellington Neighborhood/Lincoln Park)

Mayor Mamula read the title into the minutes. Mr. Berry stated this amendment to the annexation agreement is necessary due to pricing being tied to the AMI, which is not a reliable measure of the economic conditions in the Town. This resolution sets the prices for 2018.

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

Mr. Bergeron moved to approve RESOLUTION NO. 13, SERIES 2018 - A RESOLUTION APPROVING A SIXTH AMENDMENT TO ANNEXATION AGREEMENT WITH UNION MILL, INC. (The Wellington Neighborhood/Lincoln Park). Ms. Lawrence seconded the motion.

The motion passed 6-0. Mr. Carleton was absent.

C) OTHER

VII) PLANNING MATTERS

A) PLANNING COMMISSION DECISIONS

Mayor Mamula declared the Planning Commission Decisions would stand approved as presented.

B) TOWN PROJECT - BRECKENRIDGE TRANSIT BUS STORAGE

Mayor Mamula introduced the Town Project: Breckenridge Transit Bus Storage. He further stated this project requires a public hearing, and he opened the public hearing. Ms. Julia Puester presented the plans for the project. Council agreed with the project as presented. There were no public comments and the hearing was closed.

Ms. Lawrence moved to approve Town Project: Breckenridge Transit Bus Storage.
Mr. Gallagher seconded the motion.
The motion passed 6-0. Mr. Carleton was absent.

VIII) REPORT OF TOWN MANAGER AND STAFF

Mr. Holman stated there was no report.

IX) REPORT OF MAYOR AND COUNCIL MEMBERS

CAST/MMC

Mayor Mamula stated Breckenridge hosted the most recent MMC meeting, where they talked about transportation, and the I-70 coalition representatives at the meeting

stated there will be a state transportation ballot question in the fall. Also there have conversations around creating a different Fourth of July model that doesn't include fireworks in the future. Council agreed they were interested in going to another model for those celebrations, including possibly a street party, a drone show or a laser light show. Mayor Mamula stated we may not need to spend money on other activation activities that day.

Mr. Holman stated we are trying to be consistent as communities for all levels of fire bans, including smoking restrictions.

Mr. Holman stated the slash destruction demand is up and the County is getting behind schedule in pick-ups. Ms. Wolfe stated slash piles are all over Town and on Boreas Pass, and they have not yet been picked up. Mr. Holman stated he will mention this issue to the County.

Breckenridge Open Space Advisory Committee

Mr. Bergeron stated there was a meeting last night, and they discussed the Sawmill Trail bridge replacement and the Side Door Trail. Also, the Friends of Breck Trails group will help construct the upper Nightmare trail section to the new cabin. Mr. Bergeron stated BOSAC is using photos of concessionaires who are using the trails for their businesses to identify them so the Town can better monitor them. Mr. Bergeron further stated a beaver was released in Cucumber Gulch, the committee will take a fieldtrip to Steamboat in September, and they are working on a pro-forma review. Mr. Bergeron stated BOSAC is determining how best to prioritize where to spend open space money based on trail use and wear.

Breckenridge Tourism Office

Ms. Wolfe stated there was no update.

Breckenridge Heritage Alliance

Ms. Gigliello stated there was no update.

Water Task Force

Mr. Gallagher stated there was no water update, but they had a conversation at the last meeting, and we may downgrade this update to a committee level due to the lack of regular updates.

Breckenridge Creative Arts

Ms. Lawrence stated there was a meeting last week, and Saam Golgoon is leaving the BCA. Mayor Mamula asked that BCA consider waiting to hire a replacement for that position until after the organizational RFP is complete. Mr. Holman explained the RFP is out now and closes August 6, and a representative from each member group will help review the proposals and make recommendations. Ms. Gigliello stated she wants to make sure the partner organizations have the resources to manage their facilities, and are reliant on this position. Mr. Gallagher stated the partner organizations are pleased they were invited to provide input on the RFP and they appreciate being part of it. Mr. Holman stated he hopes to have the study and recommendation done by the end of the year. He also stated he can't commit funds for 2019 that have not been approved by the Council.

Breckenridge Events Committee

Ms. Gigliello stated there was an update in the packet.

X) OTHER MATTERS

A) APPEAL HEARING FOR DENIAL OF PERMIT TO EXCEED NOISE LEVELS (Historic Brown Hotel)

In the absence of the presence of the applicant, Mr. Michael Cavanaugh, Mr. Holman stated that on July 3rd, a letter was received requesting a variance to the noise level for summer outdoor weekend concerts held at the Historic Brown Hotel. Mr. Holman then stated he asked the Police Department to try to contact people in that area about the request, and denied the request based on the negative responses received. He further stated the request was appealed by the applicant. Mr. Holman stated several letters in opposition were received for this request, however, no letters in support were received. Mr. Holman clarified this is a commercial zone, with a max of 70 db for noise volume. He also stated that the Town does have venues in this zone that have outdoor live music and the Town has not granted any noise level exemptions to those entities.

Mr. Holman stated Mr. Cavanaugh's submitted packet will be part of record, as well as the letters received in opposition.

Mr. Bergeron asked if an outdoor concert is allowed in that location, and Mr. Holman stated it is allowed as long as the noise level remains below 70 db until 10:59pm.

Noise maximums after that time are lower.

Mr. Gallagher moved to deny the appeal for the denial of a permit to exceed noise levels for the Historic Brown Hotel. Ms. Gigliello seconded the motion.

The motion passed 6-0. Mr. Carleton was absent.

XI) SCHEDULED MEETINGS

A) SCHEDULED MEETINGS FOR JULY AND AUGUST

XII) ADJOURNMENT

With no further business to discuss, the meeting adjourned at 7:32 pm. Submitted by Helen Cospolich, CMC, Town Clerk.

ATTEST:

Helen Cospolich, CMC, Town Clerk

Eric S. Mamula, Mayor