

**TOWN OF BRECKERIDGE  
TOWN COUNCIL REGULAR MEETING  
TUESDAY, JANUARY 27, 2009  
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***CALL TO ORDER and ROLL CALL***

Mayor Warner called the January 27, 2009 Town Council Meeting to order at 7:31 p.m. The following members answered roll call: Mr. Joyce, Ms. McAtamney, Mr. Millisor, Mr. Bergeron, Mr. Rossi and Mayor Warner. Mr. Mamula arrived at 7:34 p.m.

***APPROVAL OF MINUTES – January 13, 2009 Regular Meeting***

The Mayor and Council members noted some minor changes. With those changes, Mayor Warner declared the minutes were approved.

***APPROVAL OF AGENDA***

Mayor Warner requested that Council Bill No. 4 under New Business be removed from the agenda. Town Manager Tim Gagen requested the addition of an Executive Session under Other Matters related to property acquisition.

***COMMUNICATIONS TO COUNCIL***

- A. Citizen's Comment - (Non-Agenda Items ONLY; 3 minute limit please) – None

***CONTINUED BUSINESS***

***A. SECOND READING OF COUNCIL BILL, SERIES 2009 - PUBLIC HEARINGS\*\****

**1. Council Bill No. 1, Series 2009- AN ORDINANCE AMENDING CHAPTER 2 OF TITLE 2 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE POSITION OF ALTERNATE TOWN COUNCIL LIAISON TO THE PLANNING COMMISSION**

Town Attorney Tim Berry stated this ordinance if adopted authorizes the mayor to appoint a member of the Town Council to serve as a temporary liaison to the Planning Commission when the regular member cannot attend. There were no changes from first reading.

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

Mr. Bergeron moved to approve Council Bill No. 1, Series 2009 on second reading. Ms. McAtamney made the second. The motion passed 7-0.

**2. Council Bill No. 2, Series 2009- AN ORDINANCE REPEALING AND READOPTING WITH CHANGES SECTION 6-3F-10 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE DUTY OF A LIQUOR LICENSEE TO REPORT CRIMES**

Mr. Berry explained that this ordinance repeals and rewrites the Duty to Report ordinance to require a liquor licensee, manager, agent or employee to report to the police if they know an illegal act may happen or has happened. There were no changes from first reading.

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

Mr. Bergeron moved to approve Council Bill No. 2, Series 2009 on second reading. Mr. Rossi made the second. The motion passed 7-0.

**3. Council Bill No. 3, Series 2009- AN ORDINANCE CONCERNING RESTRICTIONS ON CAMPING ON PUBLIC OR PRIVATE PROPERTY**

Mr. Berry explained the current ordinance is proposed to be amended by inclusion of a new definition of camping and authorizes the Town Manager to adopt regulations to allow camping for a special event. There were no changes from first reading.

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

Mr. Rossi moved to approve Council Bill No. 3, Series 2009 on second reading. Mr. Mamula made the second. The motion passed 7-0.

***NEW BUSINESS***

**A. FIRST READING OF COUNCIL BILL, SERIES 2009**

**1. Council Bill No. 5, Series 2009- AN ORDINANCE AMENDING THE TOWN OF BRECKENRIDGE LAND USE GUIDELINES CONCERNING ACCEPTABLE LAND USE TYPES AND INTENSITIES IN LAND USE DISTRICT 31**

Mr. Berry explained the Town's land use code divides the Town into land use districts. This ordinance would amend the regulations for Land Use District 31, the Breckenridge Airport Subdivision, to specifically authorize parking and public facilities such as open space, schools, and childcare.

Mr. Millisor moved to approve Council Bill No. 5, Series 2009. Mr. Mamula seconded the motion. Because of special notice requirements for changes to land use districts, Mr. Berry requested that the motion set the second reading of the ordinance at the February 24 meeting. Mr. Millisor amended his motion and Mr. Mamula amended his second. The motion passed 7-0.

**RESOLUTIONS, SERIES 2009**

**1. A RESOLUTION CONCERNING THE "BRECKENRIDGE ECONOMIC DEVELOPMENT ADVISORY COMMISSION"**

Mr. Gagen explained that the Council recently evaluated the function and structure of the current Commission and has decided to move towards a task force model. Therefore the Commission is no longer needed in its current form. The proposed resolution will dissolve the Breckenridge Economic Development Advisory Commission.

Mr. Bergeron moved to approve A Resolution Concerning the Breckenridge Economic Development Advisory Commission. Mr. Mamula seconded the motion. The motion passed 7-0.

**2. A RESOLUTION CONCERNING MEMBERSHIP IN "ICLEI—LOCAL GOVERNMENTS FOR SUSTAINABILITY"**

Mr. Berry explained that this resolution authorizes the Town to become a member of ICLEI and would allow the Town to access technical assistance and analytical tools for the Town's upcoming carbon footprint analysis.

Ms. McAtamney moved to approve A Resolution Concerning Membership in "ICLEI-Local Governments for Sustainability." Mr. Bergeron seconded the motion. The motion passed 7-0.

**3. A RESOLUTION DETERMINING THAT THE TOWN OF BRECKENRIDGE WILL NOT ACT AS A REVIEWING ENTITY FOR THE STATE INCOME TAX CREDIT PROGRAM FOR QUALIFYING HISTORIC REHABILITATION PROJECTS FOR FISCAL YEAR 2009**

Mr. Berry explained that each year the Town is required to pass a resolution that it will or will not be the agency to review historic preservation projects for tax credits. Due to the expertise and staff time required, it is appropriate that the State remain the reviewing agency.

Mr. Bergeron moved to approve A Resolution Determining that the Town of Breckenridge will not act as a Reviewing Entity for the State Income Tax Credit Program for Qualifying Historic Rehabilitation Projects for Fiscal Year 2009. Ms. McAtamney seconded the motion. The motion passed 7-0.

**OTHER**

None

**PLANNING MATTERS**

**A. Planning Commission Decisions of January 20, 2009**

With no requests for call up, Mayor Warner stated the Planning Commission decisions of the January 20, 2009 meeting would stand as presented.

**B. Report of Planning Commission Liaison**

Mr. Mamula had no report.

***REPORT OF TOWN MANAGER AND STAFF***

Mr. Gagen had no additional information from what was presented in the work session.

***REPORT OF MAYOR AND COUNCILMEMBERS***

A. **CAST/MMC (Mayor Warner)** – Mayor Warner met with the new county commissioner at lunch. Discussion included TDRs, backcountry zoning, Joint Upper Blue Master Plan, and loss of valley floor and open space for employee housing in Silverthorne. The single-use bag challenge is to start on March 1 and twelve communities have signed up.

B. **Breckenridge Open Space Advisory Commission** (Mr. Rossi) – No meeting

C. **BRC** (Mr. Bergeron) – Meeting tomorrow.

D. **Summit Combined Housing Authority** (Ms. McAtamney) – Meeting tomorrow

E. **Breckenridge Heritage Alliance** (Mr. Joyce) – Mr. Joyce updated on good public relations for Breck 150 with the first event, a retro-history of skiing event, taking place on April 4. Museum visitation numbers are comparable to last year; Carter Museum is nearing completion; and progress is being made on Engine No. 9.

F. **Peak 6 Task Force** (Mr. Rossi) – Mr. Rossi reported on the past two meetings. The group is working through issues they believe can be addressed in a Memorandum of Understanding between the Town, County and Ski Area, where applicable. Items being discussed include parking, employee housing, mitigating congestion, transit options and employee numbers. There is some difficulty obtaining important data on terrain and carrying capacity. A public forum is coming up soon. Mr. Rossi felt the process is worthwhile, but is sometimes frustrating.

***OTHER MATTERS***

Ms. McAtamney noted an increase in road rage.

Mr. Millisor asked about the anti-skid material in roundabout and when it will be replaced.

Mr. Mamula would like to see the Town address the tourism budget, perhaps send a letter. He also noted that the stoplight timing at Ski Hill/Lincoln and Main is still bad. Mr. Mamula expressed concern with the Town purchasing a Point of Sale system for the Golf Course Restaurant.

Mr. Rossi would like to see the Rec Center explore providing Deep Rock Water and cups as an alternative to single water bottles or tap water. It was also noted that rental house occupants use lots of water bottles, cans, etc. and there is no incentive to recycle. Convenience stores are also an issue.

Mayor Warner noted a factual and fun article about Breckenridge in the February issue of ski magazine. He also had the opportunity to escort the Lieutenant Governor at the snow sculpture event.

***EXECUTIVE SESSION***

At 8: 18 p.m. Mr. Rossi moved to convene in Executive Session pursuant to Paragraph 4(a) of Section 24-6-402, C.R.S., relating to the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest; Paragraph 4(b) of Section 24-6-402, C.R.S., relating to conferences with the Town Attorney for the purposes of receiving legal advice on specific legal questions; and Paragraph 4(e) of Section 24-6-402, C.R.S., relating to determining positions relative to matters that may be subject to negotiations, developing strategies for negotiations; and instructing negotiators. Mr. Mamula seconded the motion.

The Mayor then restated the motion and a roll call vote was taken. The motion passed 7-0.

Mr. Mamula moved to adjourn the Executive Session at 8:55 p.m. Mr. Rossi made the second. All were in favor of the motion.

***ADJOURNMENT***

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With no further business to discuss, the meeting adjourned at 8:55 p.m.

ATTEST:

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Mary Jean Loufek, CMC, Town Clerk

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John Warner, Mayor