

D) CALL TO ORDER, ROLL CALL

Mayor Pro Tem Gigliello called the meeting of February 26, 2019 to order at 7:00 pm. The following members answered roll call: Mr. Bergeron, Ms. Wolfe, Mr. Carleton, Mr. Gallagher and Mayor Pro Tem Gigliello. Mayor Mamula was absent.

II) APPROVAL OF MINUTES

A) TOWN COUNCIL MINUTES - FEBRUARY 12, 2019

With no changes or corrections to the meeting minutes of February 12, 2019, Mayor Pro Tem Gigliello declared they would stand approved as submitted.

III) APPROVAL OF AGENDA

Mr. Holman stated there were no changes to the agenda. Mayor Pro Tem Gigliello declared the agenda approved as presented.

IV) COMMUNICATIONS TO COUNCIL

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

Mayor Pro Tem Gigliello opened Citizen's Comment. With no comments, Citizen's Comment was closed.

V) CONTINUED BUSINESS

A) SECOND READING OF COUNCIL BILLS, SERIES 2019 - PUBLIC HEARINGS

1) COUNCIL BILL NO. 1, SERIES 2019 - AN ORDINANCE ADOPTING CHAPTER 15 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE CONCERNING SIGNS ON PRIVATE PROPERTY; AND MAKING CONFORMING AMENDMENTS TO THE BRECKENRIDGE TOWN CODE

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

Mayor Pro Tem Gigliello opened the public hearing. There were no comments and the public hearing was closed.

Mr. Bergeron moved to approve COUNCIL BILL NO. 1, SERIES 2019 - AN ORDINANCE ADOPTING CHAPTER 15 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE CONCERNING SIGNS ON PRIVATE PROPERTY; AND MAKING CONFORMING AMENDMENTS TO THE BRECKENRIDGE TOWN CODE. Mr. Gallagher seconded the motion.

The motion passed 5-0. Mayor Mamula was absent.

2) COUNCIL BILL NO. 2, SERIES 2019 - AN ORDINANCE AMENDING TITLE 4 OF THE BRECKENRIDGE TOWN CODE BY ADDING A NEW CHAPTER 17 ENTITLED "DOCKLESS BICYCLE SHARE LICENSING"

Mayor Pro Tem Gigliello read the title into the minutes. Ms. Shannon Haynes stated there were 5 changes to this ordinance from first reading, including the addition of a season, restricting the license to the Town of Breckenridge, changing the number of bikes per licensee, a provision for Class 1 e-bikes, and language to limit displays attached to the bike as signage.

Ms. Wolfe asked about the season of operation for the bikes, and if winter bikes would be included in this ordinance. Ms. Haynes stated that would require an amendment to the ordinance specific to winter operation.

Mayor Pro Tem Gigliello opened the public hearing. Mr. Barry Slights, representing Alpine Sports, stated he was wondering about the total number of bikes allowed by this ordinance, and if the applicants would be limited? He further stated that with 25 bikes per applicant, that might not be a good business model because it's a big initial investment.

Mayor Pro Tem Gigliello stated we are not limiting the number of licenses we issue, but we do want local companies to do this because they need to be able to respond quickly to bikes being left in bad places.

Mr. Bergeron stated the intent of this ordinance would be to allow anyone who is interested in a license to apply for one. Mr. Carleton stated this ordinance was intended for local businesses who can manage the requirements of the license.

Ms. Wolfe stated she thinks we should give priority to the local bike shops. Ms. Haynes stated she believes the ordinance is written with that in mind and Council has the ability to expand the number of bikes allowed if desired.

There were no additional comments and the public hearing was closed.

Mr. Bergeron stated Council is going to see how this works and may want to limit the total number of licenses in the future. Mayor Pro Tem Gigliello asked if we could limit the licenses to people who hold local businesses licenses. Mr. Holman stated if they are not already here, they won't be able to handle the restrictions on the license. He further stated Council can always amend it if needed. Mr. Gallagher stated he agreed with Ms. Wolfe and Mr. Carleton. Ms. Wolfe encouraged the shops to give feedback.

Mr. Bergeron moved to approve COUNCIL BILL NO. 2, SERIES 2019 - AN ORDINANCE AMENDING TITLE 4 OF THE BRECKENRIDGE TOWN CODE BY ADDING A NEW CHAPTER 17 ENTITLED "DOCKLESS BICYCLE SHARE LICENSING". Mr. Carleton seconded the motion.

The motion passed 5-0. Mayor Mamula was absent.

- 3) COUNCIL BILL NO. 3, SERIES 2019 - AN ORDINANCE AMENDING THE MODEL TRAFFIC CODE FOR COLORADO, 2010 EDITION, CONCERNING THE OPERATION OF BICYCLES AND ELECTRICAL ASSISTED BICYCLES WITHIN THE TOWN OF BRECKENRIDGE

Mayor Pro Tem Gigliello read the title into the minutes. Ms. Haynes stated there were no changes to this ordinance from first reading.

Mr. Bergeron asked for some clarification on the amended rules.

Mayor Pro Tem Gigliello opened the public hearing. There were no comments and the public hearing was closed.

Mr. Bergeron moved to approve COUNCIL BILL NO. 3, SERIES 2019 - AN ORDINANCE AMENDING THE MODEL TRAFFIC CODE FOR COLORADO, 2010 EDITION, CONCERNING THE OPERATION OF BICYCLES AND ELECTRICAL ASSISTED BICYCLES WITHIN THE TOWN OF BRECKENRIDGE. Ms. Wolfe seconded the motion.

The motion passed 5-0. Mayor Mamula was absent.

- 4) COUNCIL BILL NO. 4, SERIES 2019 - AN ORDINANCE AMENDING THE MODEL TRAFFIC CODE FOR COLORADO, 2010 EDITION, CONCERNING THE REGULATION OF BICYCLES AND OTHER HUMAN-POWERED VEHICLES

Mayor Pro Tem Gigliello read the title into the minutes. Ms. Haynes stated there were no changes to this ordinance from first reading.

Mayor Pro Tem Gigliello opened the public hearing. There were no comments and the public hearing was closed.

Mr. Bergeron moved to approve COUNCIL BILL NO. 4, SERIES 2019 - AN ORDINANCE AMENDING THE MODEL TRAFFIC CODE FOR COLORADO, 2010 EDITION, CONCERNING THE REGULATION OF BICYCLES AND OTHER HUMAN-POWERED VEHICLES. Mr. Carleton seconded the motion.

The motion passed 5-0.

VI) NEW BUSINESS

A) FIRST READING OF COUNCIL BILLS, SERIES 2019

1) COUNCIL BILL NO. 5, SERIES 2019 - AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY (Sawmill Station Square Commercial Building No. 1 Condominium)

Mayor Pro Tem Gigliello read the title into the minutes. Ms. Wolfe was recused due to a conflict of interest. Mr. Tim Berry stated the Town has been negotiations to purchase the building and the land for this property. He stated the town is adopting this ordinance in case we cannot come to an agreement on a deal, and staff will continue to negotiate with the building owner.

Mayor Pro Tem Gigliello opened the public hearing. There were no comments and the public hearing was closed.

Mayor Pro Tem Gigliello explained this is a friendly condemnation and a fair negotiation for both parties.

Mr. Bergeron moved to approve COUNCIL BILL NO. 5, SERIES 2019 -?AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY?(Sawmill Station Square Commercial Building No. 1 Condominium). Mr. Gallagher seconded the motion.

The motion passed 4-0. Ms. Wolfe was recused. Mayor Mamula was absent.

B) RESOLUTIONS, SERIES 2019

1) RESOLUTION NO. 4, SERIES 2019 - A RESOLUTION MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2018 TOWN BUDGET

Mayor Pro Tem Gigliello read the title into the minutes. Mr. Berry stated this resolution would make supplemental appropriations to the 2018 Town budget.

Mayor Pro Tem Gigliello opened the public hearing. There were no comments and the public hearing was closed.

Mr. Bergeron moved to approve RESOLUTION NO. 4, SERIES 2019 - A RESOLUTION MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2018 TOWN BUDGET. Mr. Gallagher seconded the motion.

The motion passed 5-0. Mayor Mamula was absent.

2) RESOLUTION NO. 5, SERIES 2019 - A RESOLUTION MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2019 TOWN BUDGET

Mayor Pro Tem Gigliello read the title into the minutes. Mr. Tim Berry stated this resolution would make supplemental appropriations to the 2019 Town budget.

Mayor Pro Tem Gigliello opened the public hearing. There were no comments and the public hearing was closed.

Mr. Bergeron moved to approve RESOLUTION NO. 5, SERIES 2019 - A RESOLUTION MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2019 TOWN BUDGET. Mr. Gallagher seconded the motion.

The motion passed 5-0. Mayor Mamula was absent.

3) RESOLUTION NO. 6, SERIES 2019 - A RESOLUTION FINDING A PETITION FOR ANNEXATION OF A PARCEL OF LAND TO BE IN SUBSTANTIAL COMPLIANCE WITH SECTION 31-12-107(1), C.R.S (Kenington Townhomes – 2.80 acres, more or less)

Mayor Pro Tem Gigliello read the title into the minutes. Mr. Tim Berry stated the town has received an annexation petition from more than 50% of the owners of Kenington Townhomes. He further stated this resolution sets a public hearing for April 26, and this is the first of several steps that need to be taken in the annexation process.

Ms. Wolfe asked about the responsibility of the road adjacent to the property, and Mr. Holman stated we only own one side of the road in that location so we will not look to improve it until much later, if at all.

Mayor Pro Tem Gigliello opened the public hearing. There were no comments and the public hearing was closed.

Mr. Bergeron moved to approve RESOLUTION NO. 6, SERIES 2019 - A RESOLUTION FINDING A PETITION FOR ANNEXATION OF A PARCEL OF LAND TO BE IN SUBSTANTIAL COMPLIANCE WITH SECTION 31-12-107(1), C.R.S (Kenington Townhomes – 2.80 acres, more or less). Mr. Carleton seconded the motion.

The motion passed 5-0. Mayor Mamula was absent.

4) **RESOLUTION NO. 7, SERIES 2019 - A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ESTABLISH ADMINISTRATIVE POLICIES CONCERNING THE PUBLIC USE OF TOWN FACILITIES**

Mayor Pro Tem Gigliello read the title into the minutes. Mr. Tim Berry stated this resolution would give the Town Manager the ability to promulgate rules governing the use of town facilities by the general public. He further stated staff thinks these rules are needed for all Town properties and can be used by Town staff.

Mayor Pro Tem Gigliello opened the public hearing. There were no comments and the public hearing was closed.

Mr. Gallagher moved to approve RESOLUTION NO. 7, SERIES 2019 - A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ESTABLISH ADMINISTRATIVE POLICIES CONCERNING THE PUBLIC USE OF TOWN FACILITIES. Ms. Wolfe seconded the motion.

The motion passed 5-0.

C) **OTHER**

VII) PLANNING MATTERS

A) **PLANNING COMMISSION DECISIONS**

Mayor Pro Tem Gigliello declared the Planning Commission Decisions would stand approved as presented.

VIII) REPORT OF TOWN MANAGER AND STAFF

The reports of Town Manager and Staff were covered as part of the afternoon work session.

IX) REPORT OF MAYOR AND COUNCIL MEMBERS

The reports of Mayor and Council Members were covered as part of the afternoon work session.

X) OTHER MATTERS

All Other Matters were covered as part of the afternoon work session.

XI) SCHEDULED MEETINGS

A) **SCHEDULED MEETINGS FOR FEBRUARY, MARCH AND APRIL**

XII) ADJOURNMENT

With no further business to discuss, the meeting adjourned at 7:40pm. Submitted by Helen Cospolich, CMC, Town Clerk.

ATTEST:

Helen Cospolich, CMC, Town Clerk

Erin Gigliello, Mayor Pro Tem