

**I) CALL TO ORDER, ROLL CALL**

Mayor Mamula called the meeting of January 14, 2020 to order at 7:00pm. The following members answered roll call: Mr. Bergeron, Ms. Gigliello, Ms. Owens, Mr. Gallagher, Mr. Carleton, Ms. Wolfe and Mayor Mamula.

**II) APPROVAL OF MINUTES**

**A) TOWN COUNCIL MINUTES - DECEMBER 10, 2019**

With no changes or corrections to the meeting minutes of December 10, 2019, Mayor Mamula declared they would stand approved as presented.

**III) APPROVAL OF AGENDA**

Mr. Holman stated there were no changes to the agenda. Mayor Mamula declared the agenda approved as submitted. Mr. Holman also noted that an amended version of Council Bill No. 3, Series 2020 was handed out prior to the start of the evening meeting.

**IV) COMMUNICATIONS TO COUNCIL**

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

Mayor Mamula opened Citizen's Comment.

Ms. Carol Rockne, a Breckenridge resident, stated she is stressed about water, and while this year the flow in the river has been better, it is still low. She further stated that she believes the ski area takes all the water upstream for snowmaking. Ms. Rockne questioned why the Town is in long-term water leases why are we not asking the ski resort to build their own reservoir now.

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

**B) BRECKENRIDGE TOURISM OFFICE UPDATE**

Ms. Lucy Kay, COO of the Breckenridge Tourism Office, stated the holiday period was up 7% in room nights over last year, with 6 days in the 90-percent range during that time. She further stated the net promoter score was at 84%, and they had 30% new visitors during that window. She also stated VRBO bookings were 48% of the bookings during the holiday period. Ms. Kay stated the Snow Sculpture blocks are being finished now, and they will have extra security on the sculptures this year and may install cameras as well. She also noted that the first all-women team will compete. Ms. Kay stated people are getting confused about next year, and they will address that. She stated that overall winter occupancy is down 4%, which is consistent with the industry. Ms. Kay also stated the Board retreat is coming up shortly.

**V) CONTINUED BUSINESS**

**A) SECOND READING OF COUNCIL BILLS, SERIES 2020 - PUBLIC HEARINGS**

**1) COUNCIL BILL NO. 39, SERIES 2019 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT WITH VAIL SUMMIT RESORTS, INC., A COLORADO CORPORATION (South Gondola Lot)**

Mayor Mamula read the title into the minutes. Mr. Berry stated this ordinance would approve a development agreement that would allow Vail Resorts to transfer density off the South Gondola Lot to their other properties. He further stated the applicant would still need a development agreement for construction in the locations where that density might go.

Mayor Mamula opened the public hearing.

Ms. Rockne asked about moving density, and Mr. Berry reiterated that a development agreement would still be required to build in these locations.

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

Mr. Bergeron moved to approve COUNCIL BILL NO. 39, SERIES 2019 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT WITH VAIL SUMMIT RESORTS, INC., A COLORADO CORPORATION (South Gondola Lot). Mr. Gallagher seconded the motion.

The motion passed 7-0.

**VI) NEW BUSINESS**

**A) FIRST READING OF COUNCIL BILLS, SERIES 2020**

**1) COUNCIL BILL NO. 1, SERIES 2020 - AN ORDINANCE MAKING MISCELLANEOUS AMENDMENTS TO 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 would generally amend the Town's subdivision ordinance as described in 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 COUNCIL BILL NO. 1, SERIES 2020 - AN ORDINANCE MAKING MISCELLANEOUS AMENDMENTS TO CHAPTER 2 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE KNOWN AS THE "BRECKENRIDGE SUBDIVISION STANDARDS". Ms. Gigliello seconded the motion.

The motion passed 7-0.

**2) COUNCIL BILL NO. 2, SERIES 2020 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT WITH SAINT JOHN THE BAPTIST EPISCOPAL CHURCH OF BRECKENRIDGE, A COLORADO NONPROFIT CORPORATION (100 South French Street)**

Mayor Mamula read the title into the minutes. Mr. Berry stated this ordinance would approve a development agreement for the church, and there are minor changes to it from the work session discussion held in 2019. He further stated that the reference to construction staging will be removed for second reading and handled at the staff level instead.

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

Mr. Bergeron moved to approve COUNCIL BILL NO. 2, SERIES 2020 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT WITH SAINT JOHN THE BAPTIST EPISCOPAL CHURCH OF BRECKENRIDGE, A COLORADO NONPROFIT CORPORATION (100 South French Street). Mr. Carleton seconded the motion.

The motion passed 7-0.

**3) COUNCIL BILL NO. 3, SERIES 2020 - AN ORDINANCE CONCERNING THE LEASING OF THE BRECKENRIDGE PROFESSIONAL BUILDING**

Mayor Mamula read the title into the minutes. Mr. Holman stated that in 2019 the Town purchased the Breckenridge Professional Building and Town Code requires leases longer than one year be approved by ordinance. He further stated that we are currently leasing those spaces and this ordinance proposes that the Town Manager be given the authority to enter into leases without the approval of Council. Mr. Berry stated that at the work session Council discussed allowing the Town Manager to sign leases in duration of up to 3 years and referred to the version of the ordinance that was handed out prior to the meeting.

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

Mr. Bergeron moved to approve COUNCIL BILL NO. 3, SERIES 2020 - AN ORDINANCE CONCERNING THE LEASING OF THE BRECKENRIDGE PROFESSIONAL BUILDING. Mr. Gallagher seconded the motion.

The motion passed 7-0.

- 4) COUNCIL BILL NO. 4, SERIES 2020 - AN ORDINANCE AMENDING SECTION 6-3-5 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE DEFINITION OF "LEWD AND INDECENT DISPLAYS"

Mayor Mamula read the title into the minutes. Mr. Berry stated this ordinance would amend Town Code to reflect a recent court decision to make it equitable for men and women to go topless in public spaces.

Mayor Mamula opened the public hearing.

There were no comments and the public hearing was closed.

Mr. Bergeron moved to approve COUNCIL BILL NO. 4, SERIES 2020 - AN ORDINANCE AMENDING SECTION 6-3-5 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE DEFINITION OF "LEWD AND INDECENT DISPLAYS". Ms. Gigliello seconded the motion.

The motion passed 7-0.

- B) RESOLUTIONS, SERIES 2020

- 1) RESOLUTION NO. 1, SERIES 2020 - A RESOLUTION DETERMINING THAT THE APRIL 7, 2020 REGULAR TOWN ELECTION SHALL BE A MAIL BALLOT ELECTION

Mayor Mamula read the title into the minutes. Ms. Cospolich stated this resolution would make the April 7, 2020 Municipal Election a mail ballot election as necessary through resolution by Town Code.

Mayor Mamula opened the public hearing.

There were no comments and the public hearing was closed.

Mr. Bergeron moved to approve RESOLUTION NO. 1, SERIES 2020 - A RESOLUTION DETERMINING THAT THE APRIL 7, 2020 REGULAR TOWN ELECTION SHALL BE A MAIL BALLOT ELECTION. Ms. Gigliello seconded the motion.

The motion passed 7-0.

- C) OTHER

**VII) PLANNING MATTERS**

- A) PLANNING COMMISSION DECISIONS

Ms. Wolfe moved to call up the EAST PEAK 8 HOTEL AND CUCUMBER GULCH PRESERVE PREVENTATIVE MAINTENANCE AREA (PMA) VARIANCE, setting a date of January 28th as the call-up hearing date.

Mr. Carleton seconded the motion. A roll call vote was taken and the motion passed 7-0.

Mr. Berry reminded Council that no ex-parte communications are allowed during this time. He also noted that all communications sent to the Town during this time will be shared with the applicant and made part of public record.

- B) SOUTH GONDOLA LOT PARKING STRUCTURE TOWN PROJECT

Mayor Mamula announced the town project for the South Gondola Lot Parking Structure.

Mr. Kulick, Town Planner, stated this project will construct a parking structure adjacent to Town Hall in the South Gondola Lot. He further stated the applicant is the Town of Breckenridge and the owner of the property is Vail Resorts, and the Town holds a 50-year lease with 2 optional 10-year terms for the purpose of the construction of this garage. Mr. Kulick reviewed the density and mass proposed for the project, as well as the details of the project. Mr. Kulick further stated Planning Commission recommends approval, with a net +5 points. Mr. Bergeron asked about the bistro lighting design, and Mr. Kulick stated it will be down casting, and shielded. Ms. Wolfe stated that despite comments about dark skies, we do still need to light

certain areas and she thinks this kind of downcast lighting will help light certain areas so supports it. Mr. Gallagher stated he likes the look of the bistro lights. All other Council members agreed that they supported the bistro lighting as proposed in the project.

Mayor Mamula opened the public hearing.

Ms. Carol Rockne, a Breckenridge resident, stated she would like to see moving walkways in this project, and Mayor Mamula stated it's not a long distance for people to walk. She also asked about diagonal vs. straight parking, and if the "ski back" would still be accessible. Staff stated yes it would be in the same place. Ms. Rockne asked when CDOT will approve the roundabout and the double lane to Airport Road. Mayor Mamula stated there are no plans for a double lane at this time, but the roundabout will be constructed the year after completion of the structure.

There were no additional comments and the public hearing was closed. Mr. Gallagher moved to approve the SOUTH GONDOLA LOT PARKING STRUCTURE TOWN PROJECT. Ms. Owens seconded the motion. The motion passed 7-0.

**VIII) REPORT OF TOWN MANAGER AND STAFF**

Mr. Holman stated he would like to schedule a State of the Town, preferably on Thursday, February 13th. He also stated there will be no Spring Retreat this year, but we might use a work session to discuss housing issues. He also stated the Brown Hotel noise violations were dismissed because the trial was not held due to weather, and we are going to schedule a tour of the new water plant on January 28th at 2pm. Mr. Holman stated that, for the joint meeting with the BOCC, we are going to talk about childcare, housing helps, strong futures, and maybe more. He also stated part of the lower level of the Schoonover Building is vacant but we won't put anything in there at this time.

Mr. Holman stated that the Fiester Conservation Easement in Frisco was a topic at the MMC meeting he attended. Mr. Bergeron stated he is concerned because it would be obtained by eminent domain, and it would set a precedent from an open space perspective. Mr. Holman stated that if Council wishes, it can write a letter to the BOCC opposing the project. Ms. Wolfe stated she thinks we need to say something. Council agreed to write a letter on behalf of the Town of Breckenridge opposing the County using eminent domain to take this conservation easement for development.

Mr. Holman noted Coffee Talk is on Friday at Unravel Coffee.

**IX) REPORT OF MAYOR AND COUNCIL MEMBERS**

**A. Cast/MMC**

Mayor Mamula stated the MMC talked about the conservation easement in Frisco, and there was some tough feedback on minimum wage. Mr. Holman stated the Town's position is that we are not committing either way to the minimum wage discussion and we'll look at this issue again as it gets closer to implementation.

**B. Breckenridge Open Space Advisory Committee**

Mr. Bergeron stated there was no meeting.

**C. Breckenridge Tourism Office**

Ms. Wolfe stated there was no additional update from what Ms. Kay stated earlier.

**D. Breckenridge Heritage Alliance**

Ms. Owens stated 2021 will be the 60th year of Breckenridge Ski Resort operations, and the BHA and BTO will see what we want to do as a community to market it.

**E. Breckenridge Creative Arts**

Mr. Gallagher stated there is a new BCA board and director, and so far we are pleased with the overall representation from all organizations. He further stated the group is starting to set up meetings and committees that emphasize inclusion. He also stated the new director will bring information to Council in the future. Mr. Gallagher stated January 23rd is the kickoff of the Woven Spaces exhibit.

F. Breckenridge Events Committee

Ms. Gigliello stated the minutes were included in the packet. She further stated the committee is starting an events matrix, and the strippers won't be allowed back to the Ullr Fest parade.

G. MT 2030

Ms. Wolfe stated there will be a climate change presentation at CMC on January 23rd. She also stated Mayor Mamula and Commissioner Lawrence will be going to Denver on the 31st to participate on an outdoors panel to discuss MT 2030. She stated the programming committee has been active in identifying speakers and preparing an itinerary and will have something ready for Council to review in February.

**X) OTHER MATTERS**

Ms. Gigliello stated she thinks we could expand the reasons behind not doing fireworks to include more than just wildfire danger. Mr. Carleton stated he heard a lot about fireworks, and the points he heard were about taking away a family-friendly event. He further stated that maybe we could consider bringing them back for New Years Eve only. Mayor Mamula stated he doesn't think fireworks do anything for the community and the money can be spent better in other ways. Mr. Bergeron agreed with Mayor Mamula. Ms. Gigliello stated maybe we need another family-friendly event that could fill that void. Ms. Wolfe stated she thinks we can get beyond this for the sake of environment, traffic gridlock and wildlife. Mr. Gallagher stated that every year we don't do them we will hear less about it. Ms. Owens stated she heard more comments about fireworks than anything else since she's been on Council.

Ms. Gigliello stated she will share a video for an idea of a "library of things" that may be useful for workforce housing and temporary workers.

Mr. Gallagher stated the homeowners near the Fairy Forest do not want it back this year. Mayor Mamula stated it's on a trail easement and can't be there anyway, and we need to get ahead of this issue and perhaps the Troll committee can talk about it to find another location.

Mayor Mamula stated he would like each of the Council members to think about their goals for the year and bring them to the February meeting for consideration.

**XI) SCHEDULED MEETINGS**

A) SCHEDULED MEETINGS FOR JANUARY AND FEBRUARY

**XII) ADJOURNMENT**

With no further business to discuss, the meeting adjourned at 8:49pm. Submitted by Helen Cospolich, CMC, Town Clerk.

ATTEST:

---

Helen Cospolich, CMC, Town Clerk

---

Eric S. Mamula, Mayor