

D) CALL TO ORDER, ROLL CALL

Mayor Mamula called the meeting of August 24, 2021 to order at 7:00pm. The following members answered roll call: Ms. Saade, Ms. Gigliello, Mr. Carleton, Ms. Owens, Mr. Kuhn, Mr. Bergeron, Ms. Owens and Mayor Mamula.

II) APPROVAL OF MINUTES

A) TOWN COUNCIL MINUTES – AUGUST 10, 2021

Ms. Saade stated the reference to the Building Code in the discussion of the Planning Commission Decisions should be changed to Development Code. With no additional changes or corrections to the meeting minutes of August 10, 2021 Mayor Mamula declared they would stand approved as amended.

III) APPROVAL OF AGENDA

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

IV) COMMUNICATIONS TO COUNCIL

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

Mayor Mamula opened Citizen's Comment. Meeting attendees were encouraged to email their comments in advance of the meeting to the Mayor.

Mr. Josh Epperson, a local condo owner, stated he bought his property here for the community and he is concerned about high density housing in the Four O'Clock corridor that is not exempt, as they were built for the skiers and tourists. He further stated he lives right across from the Riverwalk Center and all of those units were built for rental purposes, and should an owner choose to sell, the property value goes down since the license won't be transferable. He stated hotels and timeshares will be exempt, thereby creating a monopoly. He asked Council to consider an exemption for the high density housing in his area.

Mr. Larry Crispell, a local resident, stated he would like to speak in favor of STR caps. He has a STR and uses a management company. He also stated the crux of the problem is that others can't claim connection to their STRs, and they aren't there to be accountable.

Dr. John Warner, a local resident, thanked the council for the work session conversations about STRs. He stated he is also here to thank Council for the generous donation to Building Hope in the name of Todd Perkins. He stated the donation was matched by other community members and the organization raised more than \$26,000 from that event.

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

B) BRECKENRIDGE CREATIVE ARTS UPDATE

Ms. Tamara Park, Director of the BCA, stated she accepted the permanent position as the Director of the BCA. She further stated the BCA board has endorsed a proof of vaccination program, and is working to find security for upcoming events with this policy in place. She also stated the BCA has received funding through PPP and Shuttered Venue Operating Funds, and they anticipate the return of approximately \$170,000 to the Town in the fourth quarter. Ms. Park stated the recommended budget for 2022 will be presented soon and it includes some new programming initiatives, including Precious Plastics, which would be rolled out in July of 2022 as a two-year project.

Ms. Saade stated the AirStage Block Party took place in her neighborhood and it seemed like a mini Town party and people enjoyed it.

V) CONTINUED BUSINESS

A) SECOND READING OF COUNCIL BILLS, SERIES 2021 - PUBLIC HEARINGS

1) COUNCIL BILL NO. 23, SERIES 2021 - AN ORDINANCE AMENDING SECTION 4-4-2 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE AUTHORITY OF

THE LIQUOR AND MARIJUANA LICENSING AUTHORITY TO ACCEPT A FINE-IN-LIEU OF SUSPENSION

Mayor Mamula read the title into the minutes. Mr. Tim 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. 23, SERIES 2021 - AN ORDINANCE AMENDING SECTION 4-4-2 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE AUTHORITY OF THE LIQUOR AND MARIJUANA LICENSING AUTHORITY TO ACCEPT A FINE-IN-LIEU OF SUSPENSION. Ms. Saade seconded the motion.

The motion passed 7-0.

VI) NEW BUSINESS

A) FIRST READING OF COUNCIL BILLS, SERIES 2021

1) COUNCIL BILL NO. 24, SERIES 2021 - AN ORDINANCE AMENDING SECTION 5-8-8 OF THE BRECKENRIDGE TOWN CODE CONCERNING NOISE IN PUBLIC SPACES

Mayor Mamula read the title into the minutes. Mr. Berry stated this ordinance would change the current ordinance to a 25-foot limit and add a definition of the term “plainly audible”, among other things as detailed in the memo.

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

Mr. Bergeron moved to approve as an ordinance COUNCIL BILL NO. 24, SERIES 2021 - AN ORDINANCE AMENDING SECTION 5-8-8 OF THE BRECKENRIDGE TOWN CODE CONCERNING NOISE IN PUBLIC SPACES. Ms. Gigliello seconded the motion.

The motion passed 7-0.

2) COUNCIL BILL NO. 25, SERIES 2021 - AN ORDINANCE AMENDING CHAPTER 1 OF TITLE 8 OF THE BRECKENRIDGE TOWN CODE BY AMENDING THE INTERNATIONAL RESIDENTIAL CODE, 2018, AND THE INTERNATIONAL ENERGY CONSERVATION CODE, 2018; EXTENDING INDEFINITELY THE DEADLINE FOR FULL COMPLIANCE WITH THE TRAINING EXERCISE PROGRAM WITH RESPECT TO THE UNITED STATES DEPARTMENT OF ENERGY’S ZERO ENERGY READY HOME NATIONAL PROGRAM; DECLARING AN EMERGENCY; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE OF THIS ORDINANCE

Mayor Mamula read the title into the minutes. Mr. Mark Truckey stated this emergency ordinance would extend the training period for the Zero Energy Homes Program. He further stated this ordinance is necessary because we have run into some issues with contractors and we are trying to be sensitive to those issues and address them appropriately.

Mr. Bergeron asked if all parties were part of this ongoing discussion and Mr. Truckey stated yes.

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

Mr. Bergeron moved to approve COUNCIL BILL NO. 25, SERIES 2021 - AN ORDINANCE AMENDING CHAPTER 1 OF TITLE 8 OF THE BRECKENRIDGE TOWN CODE BY AMENDING THE INTERNATIONAL RESIDENTIAL CODE, 2018, AND THE INTERNATIONAL ENERGY CONSERVATION CODE, 2018; EXTENDING INDEFINITELY THE DEADLINE FOR FULL COMPLIANCE WITH THE TRAINING EXERCISE PROGRAM WITH RESPECT TO THE UNITED STATES DEPARTMENT OF ENERGY’S ZERO ENERGY READY HOME NATIONAL PROGRAM; DECLARING AN EMERGENCY; AND PROVIDING FOR

AN IMMEDIATE EFFECTIVE DATE OF THIS ORDINANCE. Mr. Carleton seconded the motion.

The motion passed 7-0.

- B) RESOLUTIONS, SERIES 2021
1) RESOLUTION NO. 19, SERIES 2021 - A RESOLUTION APPROVING A DEVELOPMENT MANAGEMENT AGREEMENT WITH GORMAN & COMPANY LLC, A WISCONSIN LIMITED LIABILITY COMPANY (MCCAIN WORKFORCE HOUSING)

Mayor Mamula read the title into the minutes. Ms. Laurie Best stated this resolution would allow the Town to sign a development management agreement with Gorman and Company for the purpose of managing the McCain Workforce Housing project. She further stated a change to the version in the packet includes changing the reference to 80% AMI to 120% AMI.

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

Mr. Bergeron moved to approve RESOLUTION NO. 19, SERIES 2021 - A RESOLUTION APPROVING A DEVELOPMENT MANAGEMENT AGREEMENT WITH GORMAN & COMPANY LLC, A WISCONSIN LIMITED LIABILITY COMPANY (MCCAIN WORKFORCE HOUSING). Ms. Gigliello seconded the motion.

The motion passed 7-0.

- 2) RESOLUTION NO. 20, SERIES 2021 - A RESOLUTION MAKING MISCELLANEOUS AMENDMENTS TO THE TOWN COUNCIL "PROCEDURES AND RULES OF ORDER" CONCERNING VIRTUAL MEETINGS OF THE COUNCIL

Mayor Mamula read the title into the minutes. Mr. Berry stated this resolution would amend the Council rules, and it is the same document that was handed out to Council two weeks ago for the purpose of allowing virtual meeting attendance.

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

Mr. Bergeron moved to approve RESOLUTION NO. 19, SERIES 2021 - A RESOLUTION MAKING MISCELLANEOUS AMENDMENTS TO THE TOWN COUNCIL "PROCEDURES AND RULES OF ORDER" CONCERNING VIRTUAL MEETINGS OF THE COUNCIL. Ms. Gigliello seconded the motion.

The motion passed 7-0.

- 3) RESOLUTION NO. 21, SERIES 2021 - A RESOLUTION APPROVING THE EMPLOYMENT OF PORZAK LAW, LLC AS SPECIAL COUNSEL

Mayor Mamula read the title into the minutes. Mr. Rick Holman stated this resolution would employ the Town's water attorney, Mr. Glen Porzak, and is necessary because his last firm was dissolved.

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

Mr. Bergeron moved to approve RESOLUTION NO. 21, SERIES 2021 - A RESOLUTION APPROVING THE EMPLOYMENT OF PORZAK LAW, LLC AS SPECIAL COUNSEL. Ms. Saade seconded the motion.

The motion passed 7-0.

- 4) OTHER

VII) PLANNING MATTERS

- A) PLANNING COMMISSION DECISIONS

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

VIII) REPORT OF TOWN MANAGER AND STAFF

Mr. Holman stated there was no report.

IX) REPORT OF MAYOR AND COUNCIL MEMBERS

A. CAST/MMC (MAYOR MAMULA)

Mayor Mamula stated there was no update.

B. BRECKENRIDGE OPEN SPACE ADVISORY COMMITTEE (MS. GIGLIELLO)

Ms. Gigliello stated there was a site visit and a meeting yesterday, forest health projects are taking place, the Swan River reconstruction will take place, and the Illinois Creek Trail is now closed due to land disputes and the Town doesn't have an easement to use that trail. She further stated there will be a new hiking-only trail by the Troll next summer and there are ongoing McCain Open Space negotiations.

C. BRECKENRIDGE TOURISM OFFICE (MR. KUHN)

Mr. Kuhn stated there was no report.

D. BRECKENRIDGE HERITAGE ALLIANCE (MR. KUHN)

Mr. Kuhn stated they are exploring funding opportunities for upcoming projects, such as the Milne capital project.

E. BRECKENRIDGE CREATIVE ARTS

Mr. Carleton stated the BCA requested funding in the 2022 Capital Fund for a new projector for the Riverwalk Center, but the money will be spent in 2021 due to a broken projector so Council agreed to do an appropriation for 2021. He also stated the My Colorado App is validated through the State and will be used for checking vaccine status.

F. BRECKENRIDGE EVENTS COMMITTEE (MS. SAADE)

Ms. Saade stated the Breck Film Fest is applying for sidewalk decals again this year, and Council voted to approve it this year, but not for future years.

G. CHILD CARE ADVISORY COMMITTEE (MS. OWENS)

Ms. Owens stated there was no additional update.

H. WORKFORCE HOUSING COMMITTEE (MR. CARLETON)

Mr. Carleton stated there was no additional update.

I. SOCIAL EQUITY ADVISORY COMMISSION

Ms. Gigliello stated there will be a Meet and Greet on September 8 at the Crown.

X) OTHER MATTERS

Mr. Bergeron stated the Quandary Peak shuttle parking is directing people to the wrong place on Airport Road.

Mr. Carleton stated local bike shops are renting the Type 2 e-bikes for use on the bike path, and those are not allowed on the bike path, so other bike shops are expressing some frustration.

Mr. Carleton stated the people crossing French Street to the Tonopah Lot is dangerous and he would like staff to look into solutions for that area.

XI) SCHEDULED MEETINGS

A) SCHEDULED MEETINGS FOR JULY, AUGUST AND SEPTEMBER

XII) ADJOURNMENT

With no further business to discuss, the meeting adjourned at 7:50pm. Submitted by Helen Cospolich, CMC, Town Clerk.

ATTEST:

Helen Cospolich, CMC, Town Clerk

Eric S. Mamula, Mayor