

**TOWN OF BRECKENRIDGE  
TOWN COUNCIL REGULAR MEETING  
TUESDAY, MARCH 9, 2010  
PAGE 1**

**CALL TO ORDER and ROLL CALL**

Mayor Warner called the March 9, 2010 Town Council Meeting to order at 7:30 p.m. The following members answered roll call: Mr. Joyce, Ms. McAtamney, Mr. Mamula, Mr. Millisor, Mr. Rossi, and Mayor Warner. ~~Mr. Bergeron was absent.~~

**APPROVAL OF MINUTES – February 23, 2010 Regular Meeting**

Mayor Warner asked that the record reflect that Mr. Bergeron was not absent. He was asked by the Mayor to not attend the meeting due to personal matters. With no further changes or corrections to the meeting minutes of February 23, Mayor Warner declared they would stand approved.

**APPROVAL OF AGENDA**

Town Manager, Tim Gagen added an item under new business: First Reading of Council Bill, Series 2010, Number 2 - Council Bill No. 7, Series 2010.

**COMMUNICATIONS TO COUNCIL**

**A. Proclamation – March 7- 13, 2010 Girl Scout Week**

Mayor Warner discussed the different levels of girl scouts. Troop 659 was present. This year marks the 98<sup>th</sup> anniversary of Girl Scouts USA. The Mayor read the proclamation designating March 7 – 13, 2010 Girl Scout week for the Town of Breckenridge.

**B. Proclamation – Earth Hour - March 27, 2010; 8:30 – 9:30 p.m.**

Patrick Paden, a junior at Summit High School presented the proclamation for Earth Hour. He spoke about turning off lights, and being cognizant of energy usage. A similar proclamation was signed by Silverthorne last year. Mr. Paden stated his focus is to educate people, and asked the citizens of Breckenridge to flick a light switch. Frisco is also signing the proclamation tonight, and Summit County signed earlier today.

The Mayor thanked Mr. Paden for coming. The mayor said he was happy to sign the proclamation and turned it to council comments.

The Mayor read the proclamation designating March 27, 2010 from 8:30 – 9:30 Earth Hour for the Town of Breckenridge.

**C. Citizen's Comment - (Non-Agenda Items ONLY; 3 minute limit please)**

Gary Probst thanked Breckenridge for a great Recreation Center. Mr. Probst noted that Breckenridge has many nice amenities. Mr. Probst spoke on the importance of hiring locals for Town projects. Triangle Electric is his business. Mr. Probst shops and eats in Breckenridge. He noted that it makes a difference of 15% on a job when locals are hired because the tax money comes back to the Town when locals shop locally. When someone from Denver is hired, the money is spent in Denver and the tax money does not come back. He suggested that when the town is bidding out projects, they should look locally for contractors and ask contractors what defines them as a local. His own staff mostly lives and shops in Breck. He stated that hiring locally for projects such as Valley Brook would make a difference.

Jake Heeter with Colorado Mountain Club and Hidden Gems Wilderness Campaign spoke. They are continuing to work on a citizen's campaign to introduce legislation to congress to add on to existing, and add new, protected areas. Mr. Heeter spoke on the overall campaign and how it is now supported by 48 endorsing agencies, including outfitter groups, conservationist, and hunting and fishing groups. He addressed the council's letter to the Hidden Gems campaign to look into questions regarding fire council issues, beetle kill and watershed concerns regarding companion designations so to protect the land from oil and gas vehicles, mining and road building while leaving it open to activities such as mountain biking. The campaign is still working on a compromise, and is collaborating to adjust boundaries. The campaign has been out in the community talking about the project. The campaign is at a critical point in Breckenridge, where they have 244 names supporting Hidden Gems (10% of the town). He will continue to work on the detailed questions brought to them by town council.

Mr. Rossi had a question regarding the split in submission regarding different counties involved. Mr. Heeter responded that it is a political proposal, and they want to be able to protect the land, and are looking at ways to do that in the different counties. The four counties in the proposal are Eagle, Summit, Pitkin, and Gunnison, and two congressional districts.

Mayor said he appreciated the work, and the collaboration with the fire council.

Mike McCormack Summit Fat Tire Society spoke; working with Hidden Gems; feels that it is moving forward with companion designations; lands need to be protected; so does connectivity and community. The campaign is looking at ways to take the proposal and all the problems and issues, and to wrap them back into the companion designation, including watershed protection; wildfire prevention; etc. The campaign is taking a multi-faceted approach, and spoke about how the model works in Summit County because they are all talking about working to the same goal. Mr. McCormack gave credit to the different entities for taking time to talk it over.

**D. Breckenridge Resort Chamber**

John McMahon gave a recap of the 4<sup>th</sup> quarter results from the stimulus. Occupancy has been brought back up, and there is a good market share growth. Mr. McMahon spoke about growth in February and March, and that April looks good as well. The BRC is looking at long term marketing for the rest of the year. He also spoke about Easter, April 24<sup>th</sup> next year. Indicators show that Central Reservations is above what has been budgeted; events attendance as reported is also above the budgeted numbers. The BRC is looking into sustainable funding, and are standing by for information from the Town so they can work on a communication strategy.

Mr. Mamula commented on a local person talking about how the stimulus has helped his business.

Mayor Warner commented on the earlier public comment regarding building locally as a criteria for future projects. He spoke about positive developments coming the Town's and the community's way. He said there will be a press release regarding these projects and local projects.

**CONTINUED BUSINESS**

**A. SECOND READING OF COUNCIL BILL, SERIES 2010 - PUBLIC HEARINGS**

**1. Council Bill No. 5, Series 2010- AN ORDINANCE AMENDING ORDINANCE NO. 9, SERIES 2009, BY EXTENDING THE SUNSET DATE FOR THE "TOWN OF BRECKENRIDGE OPEN HOUSE SIGN ORDINANCE"**

Tim Gagen summarized this council bill extending the sunset date for the open house sign ordinance for one year.

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

Mr. Mamula moved to approve Council Bill No. 5, Series 2010. Mr. Rossi seconded the motion. The motion passed 6-0.

**NEW BUSINESS**

**A. FIRST READING OF COUNCIL BILL, SERIES 2010**

**1. Council Bill No. 6, Series 2010 - AN ORDINANCE AMENDING THE MODEL TRAFFIC CODE FOR COLORADO, 2003 EDITION, ADOPTED BY REFERENCE IN CHAPTER 1 OF TITLE 7 OF THE Breckenridge Town Code, BY ADOPTING PROVISIONS CONCERNING WIRELESS TELEPHONE PROHIBITIONS FOR DRIVERS**

Mr. Gagen stated in 2009, this was put in place by the Colorado Legislature, restricting the use of cell phones for texting, for those under the age of 18. This ordinance is being put into the Town Code allowing violations to be written into the Breckenridge Municipal Court for expedient enforcement.

Mr. Mamula moved to approve Council Bill No. 6, Series 2010. Ms. McAtamney seconded the motion. The motion passed 6-0.

**2. Council Bill No. 7, Series 2010 - AN ORDINANCE ADOPTING CHAPTER 21 OF TITLE 1 OF THE BRECKENRIDGE TOWN CODE CONCERNING PROCEDURES FOR THE EXERCISE OF THE RIGHTS OF INITIATIVE AND REFERENDUM BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,**

Tim Gagen summarized the ordinance which would allow the Town Council to adopt the state law that is in place. This state law established procedures relating to adopting initiatives and referendums locally. If the charter amendment passes, this ordinance would become the procedure the town would follow.

The Mayor asked the council if there were any comments. There were no comments from the council members.

Mr. Mamula moved to approve Council Bill No. 7, Series 2010. Ms. McAtamney seconded the motion. The motion passed 6-0.

**B. RESOLUTIONS, SERIES 2010**

3. A RESOLUTION APPROVING A PURCHASE AND SALE AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS OF SUMMIT COUNTY (Jumbo Mill Site and Scott and Jason Lodes)

Mr. Gagen said in late 2009 the Town agreed to jointly purchase these properties with the County. The County closed the purchase through the County process. This action will put in place the Town's interest in this agreement based on the payments made to the County.

Mr. Rossi moved to approve a Resolution Approving a Purchase and Sale Agreement. Mr. Millisor seconded the motion. The motion passed 6-0.

**C. OTHER**

There was no other new business to discuss.

**PLANNING MATTERS**

**A. Planning Commission Decisions of March 2, 2010**

The Mayor stated the Planning Commission decisions were approved as presented.

**B. Town Council Representative Report (Mr. Rossi)**

Mr. Rossi attended the planning meeting. He stated his notes are indicative of the discussion. He reported that Mr. Kulick spoke about the \$1,000,000 energy grant. The Planning Commission believes it is a great project and fully supports it.

**REPORT OF TOWN MANAGER AND STAFF**

Town Manager, Tim Gagen mentioned a letter thanking and supporting the tourism allotment from the State of Colorado, and the follow up for the bench by the Bunchman property for the Sons of Norway Pocket Park.

**REPORT OF MAYOR AND COUNCILMEMBERS**

The report of mayor and council members was covered during the work session.

**A. CAST/MMC (Mayor Warner)**

**B. Breckenridge Open Space Advisory Commission (Mr. Joyce)**

**C. BRC (Ms. McAtamney)**

**D. Summit Combined Housing Authority (Mr. Millisor)**

**E. Breckenridge Heritage Alliance (Mr. Bergeron)**

**F. Sustainability Committee (Mr. Millisor)**

**OTHER MATTERS**

Council discussed dropping the speed limit from 20 to 15 in the Wellington Neighborhood.

Ms. McAtamney thanked Public Works for the excellent street cleaning yesterday.

Mayor Warner mentioned that the speed limit issue needs to be brought up to the Police Department for a study before a change can be made.

**SCHEDULED MEETINGS**

**ADJOURNMENT**

With no further business to discuss the meeting was adjourned at 8:15 p.m.

Submitted by Cathy Boland, Court Clerk.

ATTEST:

---

Mary Jean Loufek, Town Clerk

---

John Warner, Mayor