

**TOWN OF BRECKENRIDGE
TOWN COUNCIL REGULAR MEETING
TUESDAY, AUGUST 9, 2011
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CALL TO ORDER and ROLL CALL

Mayor Pro Tem Jeffrey Bergeron called the August 9, 2011 Town Council Meeting to order at 7:45 p.m. The following members answered roll call: Mr. Dudick, Ms. McAtamney, Mr. Mamula, Mr. Joyce, Mr. Burke, and Mayor Pro Tem Bergeron.

APPROVAL OF MINUTES – July 26, 2011 Regular Meeting

There were no corrections to the minutes from July 26, 2011. However, Mr. Dudick requested that the Reports of the Mayor and Council Members (Committee Reports) be included in the minutes when these reports are given during the afternoon work session. Town Manager Tim Gagen agreed that this could be done.

APPROVAL OF AGENDA

There were no changes to the agenda.

COMMUNICATIONS TO COUNCIL

A. Citizen's Comments - (Non-Agenda Items ONLY; 3 minute limit please)

There were no comments to council.

B. BRC Director Report – John McMahon wasn't available at this time during the meeting. See details after the legislative items below.

C. Ski Area Update (Pat Campbell)

Pat Campbell reported that the summer season is winding down. Ms. Campbell reported that there was fairly significant flooding on Peak 9 with the extra rain this summer. They are starting to hire employees for the winter season and snowmaking efforts will begin nine weeks from now. The fun park on Peak 8 is operating full-time through the Labor Day weekend.

D. USA PCC Update

Lucy Kay presented her report the Pro Cycling Challenge. Ms. Kay mentioned that the Denver Post recently had an article about the bike race. Seventeen teams have been announced with an overall statewide economic impact of anywhere from \$80 to \$100 million for the state of Colorado and up to one million spectators. Breckenridge is getting a lot of press and there are nearly 400 volunteers who have signed up; however, only 270 volunteers are needed. They are comfortable with the budget so far and have been focusing on media and communication outreach for business and tourists, using social media and post office stuffers. Two public informational meetings will take place on Thursday, August 11. The first meeting starts at 8:30am and the second begins at 5:00pm which will have detailed information about road closures and a list of frequently asked questions. Breckenridge will use a two variable message boards which will display important information for drivers. The Town of Breckenridge Public Works Department is making signs for all neighborhoods that will be affected by the race. There will be a meeting on August 18 to discuss the contingency plan if it rains during the race. Mayor Pro Tem Bergeron was concerned with the barriers on Main Street and if people would be able to pass through them when needed. Ms. Kay clarified that there will be multiple places where people can walk across the street up until the time when the race comes down Main Street.

CONTINUED BUSINESS

A. **SECOND READING OF COUNCIL BILL, SERIES 2011 – PUBLIC HEARING**

1. None.

NEW BUSINESS

A. **FIRST READING OF COUNCIL BILL, SERIES 2011**

1. **Council Bill No. 32, Series 2011 - AN ORDINANCE ANNEXING A PORTION OF SUMMIT COUNTY ROAD 3 TO THE TOWN OF BRECKENRIDGE (0.901 acres, more or less)**

Town Attorney Tim Berry explained that this ordinance would annex a small portion of Summit County Road 3 into the Town of Breckenridge. This parcel is now eligible for annexation into the town.

Mr. Dudick moved to approve Council Bill No. 32, Series 2011. Mr. Mamula seconded the motion. The motion passed 6-0.

2. **Council Bill No. 33, Series 2011 - AN ORDINANCE PLACING RECENTLY ANNEXED PROPERTY IN LAND USE DISTRICT 39 (Part of Summit County Road 3 – 0.901 acres, more or less)**

Mr. Berry explained that this ordinance would place the annexed property of Summit County Road 3 into Land Use District 39 of the town.

Mr. Dudick moved to approve Council Bill No. 33, Series 2011. Mr. Mamula seconded the motion. The motion passed 6-0.

3. **Council Bill No. 34, Series 2011 – AN ORDINANCE REPEALING AND READOPTING WITH CHANGES CHAPTER 14 OF TITLE 4 OF THE Breckenridge Town Code CONCERNING THE LICENSING AND REGULATION OF MEDICAL MARIJUANA FACILITIES**

Mr. Berry explained that this ordinance would replace the town's original Medical Marijuana Dispensary Ordinance which was adopted in September 2009. The ordinance would allow for a multi-level for medical marijuana facilities as follows: (1) medical marijuana center license (retail store), (2) optional premises cultivation license, (3) and a medical marijuana-infused product manufacturing license (food products). The new code would allow the Town Manager to reject a license if he feels there are too many facilities in the town. Mr. Berry's recommendation was to approve the ordinance on first reading, and that council should make any changes during the second reading.

Ms. McAtamney moved to approve Council Bill No. 34, Series 2011. Mr. Burke seconded the motion. The motion passed 6-0.

B. **RESOLUTIONS, SERIES 2011**

1. None.

C. **OTHER**

1. None.

John McMahon, Director of the Breckenridge Resort Chamber entered the meeting and gave his report before council. The BRC will be adding bull riding into the Oktoberfest event in mid-September. The month of August looked good as far as visitors into the town; however, they are still cautious. The Pro Cycling Challenge tour will help the town tremendously. All of the roadway closures are very significant so they are working on educating the public about the details.

PLANNING MATTERS

A. **Planning Commission Decisions of August 2, 2011**

There were no requests for call up. Mayor Pro Tem Bergeron declared the Planning Commission Decisions were approved as presented. Mr. Berry explained some details regarding the Sutter Exterior Remodel. He mentioned to council that staff and Agent Marc Hogan have an understanding that condition number 11 (requiring one contractor and one building permit, if fiber cement siding was to be used) will be deleted from their application. Chris Neubecker of the Community

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Development Department stated that they have not yet received the Class D permit application to make this change. Mr. Neubecker had spoken with Mr. Hogan about this change, and Mr. Hogan will get in touch with Mr. Sutter. Mr. Hogan mentioned that he would contact Mr. Neubecker, but he hadn't heard anything from Mr. Sutter as of 7:30pm this evening. Mr. Neubecker believed that it was in the interest of the applicant that condition 11 be deleted.

B. Town Council Representative Report (Mr. Burke)

No report.

REPORT OF TOWN MANAGER AND STAFF

Mr. Gagen received a request from the Speakeasy Movie Theater, which is a for-profit business and renting a space in the old Colorado Mountain College building. The building is currently owned by the Town and the Speakeasy has requested a lower rent amount. Mr. Gagen mentioned that they pay the Town \$16,000 per year for utility costs (only when they are operating) and that the Town subsidizes them now with approximately \$10,000 dollars. Mr. Gagen encouraged the council to think about the fact that they are a for-profit business utilizing a public facility. The council will discuss this item at a later council meeting.

REPORT OF MAYOR AND COUNCILMEMBERS

A. **CAST/MMC** (Mayor Warner) – Mr. Warner – Mr. Warner was absent; however, he did send out a memo from the MMC to council.

B. **Breckenridge Open Space Advisory Commission** (Mr. Dudick) – Mr. Dudick reported that their next meeting is on Monday, August 15.

C. **Breckenridge Resort Chamber** (Mr. Burke) - No meeting.

D. **Marketing Committee** (Mr. Dudick) – Mr. Dudick reported that room reservations are above 8% for the year; \$6.1 million in Breckenridge lodging which is split 90% out-of-state and 10% in-state visitors; 72% of the rentals are from reservations in the County ~~non-Vail Resorts~~; the ski resort has signed a contract with the Dew Tour through 2015; as of yesterday, August 8, the ski area surpassed 2010 numbers for the fun park; during a discussion about the F-Lot hotel, two people thought that the hotel should be a 3-star vs. 4-star hotel and four people thought the hotel should be a 4 to 5-star hotel. Those individuals who voted for a 3-star hotel were concerned that a 5-star hotel wouldn't match the character and lifestyle of Breckenridge; all three of the local lodging members were opposed to the F-Lot idea because they felt it would impact their business but didn't mention the positive tourism impacts; three members felt that it would be extremely positive for the town.

E. **Summit Combined Housing Authority** (Mr. Joyce) – Mr. Joyce reported that **Summit County SCHA** is trying to work on a buy-down strategy and that there really isn't anything to analyze at the moment until they figure out what the economy will do in the future; defaulted loans are currently at \$62,000 because they originally didn't have good procedures set up and ~~SCHA County~~ will probably sell these ~~loans properties~~ at fifty cents on the dollar; there are a couple of private investors who are confident they can collect from people who owe money; the SCHA has written better procedures for loan approvals; The Town of Silverthorne is trying to figure out what to do with the Smith Ranch. They have asked the Town of Breckenridge to contribute some funds to the project, combined with a grant for a portion of the project; title companies are reporting a price of \$330 per square foot; 49 foreclosures were reported in the county during the month of June, which doesn't include timeshares; the Valley Brook subdivision will be included in the Parade of Homes; approximately 121 seniors are in need of affordable income housing.

F. **Breckenridge Heritage Alliance** (Mr. Burke) – Mr. Burke reported that locomotive no. 9 arrived on July 29; BHA met with the Historical Society on Monday and they are working within their budget; the French Gulch signs are complete and look great; there will be special board meeting on Thursday, August 11 about the fees for the Barney Ford Museum.

G. **Water Task Force** (Mr. Mamula) - No meeting.

OTHER MATTERS

Ms. McAtamney asked if there was any information about the recent power outages. Mr. Gagen mentioned that if the power outage is a serious problem, that the Town is usually notified and that we haven't received any type of notification.

Mr. Burke asked if the Town had an approximate date when the trails would be fixed from the recent flooding. Ms. McAtamney said that the town is working on them on a priority basis.

SCHEDULED MEETINGS

A special meeting was added which will take place on Monday, August 15, 2011 at 5:00pm.

ADJOURNMENT

With no further business to discuss, the meeting adjourned at 8:50 p.m.

Submitted by Jena Taylor, Administrative Specialist.

ATTEST:

Mary Jean Loufek, CMC, Town Clerk

John Warner, Mayor