

**TOWN OF BRECKENRIDGE
TOWN COUNCIL REGULAR MEETING
TUESDAY, NOVEMBER 22, 2011
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CALL TO ORDER and ROLL CALL

Mayor Warner called the November 22, 2011 Town Council Meeting to order at 7:32 p.m. The following members answered roll call: Mr. Dudick, Ms. McAtamney, Mr. Bergeron, Mr. Joyce, Mr. Mamula, Mr. Burke and Mayor Warner.

APPROVAL OF MINUTES – November 8, 2011 Regular Meeting

Mayor Warner had one change to the minutes on page 30, second to last paragraph, change the word “purposed” to “proposed”. After that one correction, the minutes were approved as presented.

APPROVAL OF AGENDA

Assistant Town Manager Kate Boniface pointed out that there would be an amended version of the mill levy ordinance for council to consider under Continued Business. There were no other changes to the agenda.

COMMUNICATIONS TO COUNCIL

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

CJ Mueller came to express the importance of the 50th anniversary of the Breckenridge ski area. Mr. Mueller has been talking with Larissa O’Neil at the Breckenridge Heritage Alliance (BHA) about the events associated with the anniversary. He felt that the Pro Cycling Challenge bike race was a fantastic event and hopes he can persuade the council to support this event with the ski area. He also felt that it is important to support and recognize the people who were instrumental in the starting the ski area, such as Sigurd & Trygve. He also suggested that some kind of gift be given out in recognition. Mr. Burke suggested the possibility of recording the event on video. Mayor Warner recognized this tremendous achievement for the ski area.

CONTINUED BUSINESS

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

1. **Council Bill No. 39, Series 2011 – An Ordinance Setting The Mill Levy Within The Town Of Breckenridge For 2012**

Finance Director Brian Waldes explained that the mill levy amount was amended after the work session. The council received updated copies of the ordinance. Mayor Warner explained that an increase in the proposed mill levy rate would have increased property tax revenue; however, now the town will still see a \$660,000 shortfall. Property tax revenues will show \$172,000 less relative to if we would have increased it. The town plans to backfill childcare costs with the excise fund. There will be no change to the mill levy rate.

Mayor Warner opened the public hearing.

Cara Camping thanked council for not increasing the mill levy rate. She wanted to voice her opinion on the amount of money being appropriated toward childcare. She felt that there was a lot of money being favored towards childcare and believes it is discriminatory and that the funds could be put towards other areas such as clearing snow and ice from places around Breckenridge. Mayor Warner explained the town’s commitment to childcare and that the town values our workforce and provides them with this support system. Ms. McAtamney gave a brief explanation as to the recent history of childcare in Breckenridge. Mr. Burke felt that there were two separate issues – the mill levy and childcare. Mayor Warner thanked Ms. Camping for her comments.

Dave Nelson thanked council for not increasing the mill levy rate. He mentioned that our foreclosure rate is currently very high and is spreading to the deed restricted units within Summit County. Property tax remains a burden to owning and operating a house. Mr. Nelson agreed with the previous speaker, Ms. Camping. He restated that good quality childcare is important but feels it should be the responsibility of the parent. Mr. Nelson encouraged council to take a look at the affordable housing issue, stating that we have a 2007 solution, but it doesn’t translate into a solution for 2011. Mr. Nelson felt concern for people who have purchased any type of affordable housing because their values are presently declining. Mr. Nelson thanked the council and felt that they made the correct decision regarding the mill levy.

With no further comments, Mayor Warner closed the public hearing and invited comments from council. Mr. Bergeron felt that childcare and affordable housing keeps the town from being a typical resort community. Mayor Warner agreed with Mr. Bergeron’s comment. Currently, Breckenridge has 47% of the workforce who live in this end of the county; Aspen is at 17%; Vail is 22%; Telluride is 23%; Park City is 25%. Mayor Warner recognizes that there is a standard of service that we need to apply.

Mr. Dudick moved to approve Council Bill No. 39, Series 2011 in the amended form handed out after the work session. Mr. Bergeron seconded the motion. The motion passed 6-1 with Mr. Joyce voting in opposition.

NEW BUSINESS

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

1. **Council Bill No. 40, Series 2011 – An Ordinance Concerning Cooking Grease, Trash Dumpsters, and Trash Compactors**

Assistant Public Works Director James Phelps explained that this ordinance is a housekeeping measure to clean up some of the language regarding the use of town property and dumpster enclosures for grease storage. The ordinance states that restaurants are now responsible for their own grease. This will allow the town to pursue their own options for storing, composting, or recycling. Mr. Burke stated that he doesn’t support the ordinance because he’s not sure who will enforce it through the local restaurants. Mr. Mamula stated that he will vote for it, but will be thinking about other aspects of it, adding that he lets the town use part of his property for the storage of grease. Several council members complimented Dara Lor of Summit Greasecycling on the excellent job that he does at removing the grease.

Mr. Bergeron moved to approve Council Bill No. 40, Series 2011. Ms. McAtamney seconded the motion. The motion passed ~~5-2~~ **6-1** with Mr. Burke and Ms. McAtamney voting in opposition.

B. **RESOLUTIONS, SERIES 2011**

1. **A Resolution Adopting the 2012 Budget – (PUBLIC HEARING)**

Ms. Boniface explained that staff begins the budget process in June of every year. Council and staff consider many things while preparing the budget, such as the goals of the council, Vision Plan, Sustainable Breckenridge, our current economic situation, and budget reset. The council has a lot of involvement during the retreat which includes taking public comments and continuing to be sensitive to the needs of the community. The spending level that the town is proposing will be the same as 2011. Levels for Sales and Accommodation tax will remain the same. The town always strives to deliver a high-quality experience to our guests. The town will continue with the permanent expense reductions of \$1.1 million that we started with in 2009 and another \$800,000 in temporary reductions. The fund balance is healthy and we are very happy about that situation. It is a bit of a luxury to have a good fund balance which enabled the town to host the Pro Cycling Challenge race as

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well as repair an unexpected bridge wash-out on Coyne Valley Road this past year. Additional capital improve projects are scheduled for 2012, such as resurfacing, concrete repair, continuation of the Main Street Improvement project, a use study of the Riverwalk Center, restoration of the Robert White House, and the town's water pump-back project. We continue to have expense reductions in our operating budget. The golf fund is down in revenues due to the weather during the summer. Most of our revenues are from sales tax rather than property tax. Staff changes and a reduction in hours of operation occurred at the Recreation Center during the last year. Savings through our various solar locations will continue through 2012. The town will be looking at restoring transit services earlier in month of November because of good management decisions and public need. Subsidies have gone down for the riverwalk center, recreation center, ice rink, and nordic center. Overall, it wasn't about reductions but about being more creative. Council has made some very difficult decisions over the past few years and the current council members have prepared well with very nice foresight.

Mayor Warner summarized the general ideas from the work session into one question - how does the council feel about the town's level of services? He restated the importance of not having any cuts in service in the commercial core of Breckenridge. However, the further away from the core, the area might not see the same level of winter services. Currently, there were five members who felt that the town should hold at no increase in services and expenses. Mr. Dudick and Mr. Burke disagreed. Mr. Dudick felt that the town has a high reserve of monies available to use, stating that the town has shied away from dipping into this general fund in the past few years and that the town continues to operate in the black. Mr. Burke felt the town should spread the money around in other ways. Mr. Mamula was glad that the town is doing well and likes where the Town of Breckenridge is at. Mr. Joyce shared similar views with Mr. Mamula and felt that some of the things the town is saving for have a great sense of purpose to them.

Mayor Warner opened the public hearing.

John Quigley, Shock Hill Accommodations thanked the Mayor for meeting with him earlier which caused him to go back and do some research on town services. Mr. Quigley felt that town should provide basic services to all area residences and felt that many sidewalks have been abandoned, including his property location in Shock Hill. He also stated that the council should enforce an ordinance "uniformly", rather than sporadically over certain areas of town and should operate based on its own priorities. Mr. Quigley also expressed his concern for the amount of money the town is transferring to childcare, feeling that 2/3 of the childcare users are not residents in this town and that it is fundamentally wrong. Mr. Quigley thanked council for their time stating that they just want some basic services like others are receiving.

Mayor Warner explained that he doesn't currently have an answer to the childcare spending issue. In the past, council has had some discussions regarding the people who work here but don't live here. Ms. McAtamney clarified that it started out as people who lived and worked here; however, it changes every year. Mr. Mamula gave an example of residents living in Blue River who take advantage of the community aspects here in Breckenridge due to the small size of Blue River. On the subject of sidewalk snow removal, Mr. Phelps explained that there are several areas in town that don't have snow removal service. Ms. Boniface explained that there are sidewalks in Breckenridge that have never been plowed by the Public Works Department, and at the time these developments were approved, it was an added cost. Mr. Burke supports the things we are currently doing, but understands that people have certain expectations. Mayor Warner would like to explore these items further but would like to take care of the responsibly of tonight's meeting. Mr. Joyce agreed and asked that Mr. Phelps research the agreement with Shock Hill. Mr. Joyce would like to have a better understanding of the areas that aren't receiving service. Mayor Warner mentioned that the council should come back to this issue.

Erik Buck expressed his appreciation for council's respect for a balanced budget compared to other parts of the country. Mr. Buck recognizes that revenues in the town are down and is glad that the mill levy won't be increased. He wants to chastise the public and felt that more needed to be done to reach out to them with proper information.

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

Council had a brief discussion. Mr. Dudick felt frustrated by the debate about childcare stating that there are many benefits to this community such as the recreation center and ice rink, which some of our residents doesn't use. He also felt that council should have a discussion about all subsidies rather than discussing only childcare. Ms. McAtamney agreed with Mr. Dudick. Mr. Bergeron felt that our support for childcare shows our intention of making this community better. Mr. Burke felt that the town can increase services without moving into the general fund. Mr. Joyce felt that the town should stay the course and is proud of the last few years. He felt that the town is very fortunate to have a great staff and council and recognized that the town will never be able to support everyone's needs. Once revenues change, he would be happy to look at using the fund. Mr. Mamula doesn't want to increase services but is willing to listen to information regarding the sidewalk services in Shock Hill and agreed with Mr. Quigley's comments. He also stated that this town has made many opportunities for the people in this community and is proud that council did those things and rescued the community. The tourists are still the most important people in this town.

Mr. Burke moved to approve A Resolution Adopting the 2012 Budget. Mr. Mamula seconded the motion. The motion passed 7-0.

2. A Resolution Adopting the Comprehensive Plan as 3-Mile Plan

Mark Truckey of the Community Development Department stated that statute requires the Town of Breckenridge to adopt a comprehensive 3-mile plan on an annual basis. Mayor Warner asked if this plan would get bigger as the town grows. Mr. Truckey stated that it doesn't have to, but it does have the possibility of extending out as far as Farmer's Corner. Mayor Warner also asked if the plan approximates our water plan. Mr. Truckey clarified that most of it is covered.

Mr. Mamula moved to approve A Resolution Adopting the Comprehensive Plan as 3-Mile Plan. Mr. Bergeron seconded the motion. The motion passed 7-0.

3. A Resolution Approving an Intergovernmental Agreement (IGA) with Summit County

Mr. Phelps explained that this is a memorandum of understanding with Summit County for the relocation of the Summit County Recycling Center located on County Road 450 as well as the county operations to be relocated on Town of Breckenridge property. The intent is to outline the vacation of the property on CR 450 for future uses that may include attainable housing.

Mr. Bergeron moved to approve A Resolution Approving an Intergovernmental Agreement (IGA) with Summit County. Ms. McAtamney seconded the motion. The motion passed 7-0.

C. OTHER

1. None

PLANNING MATTERS

A. Planning Commission Decisions of November 15, 2011

There were no requests for call up. Mayor Warner declared the Planning Commission Decisions were approved as presented.

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Mayor Warner had a planning matter to bring up regarding an offer he made to the Planning Commission. He suggested that a representative from town council attend the Planning Commission meetings. This representative would report back to council once a month. Ms. McAtamney volunteered to be the council representative. Mayor Warner volunteered to attend the next Planning Commission meeting on December 6 in Ms. McAtamney's absence.

REPORT OF TOWN MANAGER AND STAFF

Ms. Boniface had nothing further to report.

REPORT OF MAYOR AND COUNCILMEMBERS (these reports occurred during the work session; see attached notes)

- A. **CAST/MMC** (Mayor Warner)
- B. **Breckenridge Open Space Advisory Commission** (Mr. Dudick)
- C. **Breckenridge Resort Chamber** (Mr. Burke)
- D. **Marketing Committee** (Mr. Dudick)
- E. **Summit Combined Housing Authority** (Mr. Joyce)
- F. **Breckenridge Heritage Alliance** (Mr. Burke)
- G. **Water Task Force** (Mr. Mamula)

OTHER MATTERS

Mr. Burke has had several people ask if the town can turn some of the lights back on along Wellington Road. Ms. Boniface clarified that staff had been directed to do this as a trial and determine how the process is working. Staff is working on it and they will be reevaluating it within the next six to nine months.

Mr. Mamula has talked with Mr. Mueller and suggested that some kind of gift be presented at the reception for the ski area. Mayor Warner was glad that BHA is a part of the process. Mr. Burke will follow up with Larissa.

SCHEDULED MEETINGS

There were none.

ADJOURNMENT

With no further business to discuss, the meeting adjourned at 9:45 p.m.
Submitted by Jena Taylor, Administrative Specialist.

ATTEST:

Mary Jean Loufek, CMC, Town Clerk

John Warner, Mayor