

**TOWN OF BRECKENRIDGE
TOWN COUNCIL REGULAR MEETING
TUESDAY, JANUARY 24, 2011
PAGE 1**

CALL TO ORDER, ROLL CALL

Mayor Warner called the January 24, 2011 Town Council Meeting to order at 7:34 p.m. The following members answered roll call: Mr. Joyce, Ms. McAtamney, Mr. Bergeron, Mr. Mamula, Mr. Dudick, Mr. Burke, and Mayor Warner.

APPROVAL OF MINUTES - JANUARY 10, 2012

With no corrections to the meeting, Mayor Warner declared the minutes approved as submitted.

APPROVAL OF AGENDA

Mr. Gagen added an Executive Session under Other Matters for open space acquisition.

COMMUNICATIONS TO COUNCIL

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

Mayor Warner opened the citizen's comments. There were no comments and the comments were closed.

CONTINUED BUSINESS

A. SECOND READING OF COUNCILS BILLS, SERIES 2012 - PUBLIC HEARINGS

1. Council Bill No. 1, Series 2012 - An Ordinance Amending Chapter 12 Of Title 1 Of The Breckenridge Town Code Concerning Municipal Elections

Mayor Warner read the title into the record. Town Attorney, Tim Berry stated if adopted this would make several changes regarding elections. He handed out a revised version, which deleted section 2 of the ordinance, where write-ins were required to declare themselves, and renumbered the other sections. Mr. Berry stated the council members needed to refer to the new version when making a motion.

Mayor Warner opened the public hearing. There were no comments and the public hearing was closed. Mayor Warner called for a motion.

Mr. Bergeron moved to approve Council Bill No. 25, Series 2011. Mr. Burke seconded the motion. The motion passed 7-0.

2. Council Bill No. 5, Series 2012 - An Ordinance Providing For An Increase In Municipal Water User Fees Effective January 1, 2012; And Increasing The Fee For Mailing Paper Billing Statements

Mayor Warner read the title into the record. Town Manager, Tim Gagen stated the statement fee has changed to \$10.00, and the purpose is to save paper and have users enroll in online billing. Mayor Warner opened the public hearing. There were no comments and the public hearing was closed.

Mr. Mamula moved to approve Council Bill No. 25, Series 2011. Mr. Bergeron seconded the motion. The motion passed 7-0.

NEW BUSINESS

A. FIRST READING OF COUNCIL BILLS, SERIES 2012

1. Council Bill No. 6, Series 2012 - An Ordinance Amending Section 6-3F-16 Of The Breckenridge Town Code Concerning The Municipal Offense Of "Open Containers Prohibited"

Mayor Warner read the title into the record. Chief Rick Holman stated the amendment would add an exception to permitted special events without an associated liquor license which will be subject to approval by the Town Manager, and would allow people to lawfully possess an open container in the event area. He stated that if passed on first reading, he would work with Mr. Berry to include the language for "Town of Breckenridge Resort Chamber (BRC) sponsored events, if there is not an associated liquor license." Mr. Dudick requested the language be changed to a destination marketing organization.

Mr. Dudick moved to approve Council Bill No. 25, Series 2011. Mr. Joyce seconded the motion. The motion passed 7-0.

B. RESOLUTIONS, SERIES 2012

1. A Resolution Making A Supplemental Appropriation To The 2011 Town Budget

Mayor Warner read the title into the record. Mr. Gagen stated this is a standard Resolution at the end of the formal fiscal year to recognize changes for revenues and expenses that were not originally appropriated as part of the 2011 budget including grants, emergency projects and capital improvements to recognize prior to the audit. Mayor Warner opened the public hearing. There were no comments and the public hearing was closed.

Mr. Bergeron moved to approve Council Bill No. 25, Series 2011. Ms. McAtamney seconded the motion. The motion passed 7-0.

2. A Resolution Making A Supplemental Appropriation To The 2012 Town Budget For Projects Not Completed In Budget Year 2011

Mayor Warner read the title into the record. Mr. Gagen stated these are rollovers from the 2011 to 2012 budget for funds appropriated and not spent, including grant money from the Police Department, Transit for their collection system, and Community Development for the sustainability program. Mayor Warner opened the public hearing. There were no comments and the public hearing was closed.

Mr. Bergeron moved to approve Council Bill No. 25, Series 2011. Mr. Burke seconded the motion. The motion passed 7-0.

3. A Resolution Declaring It To Be The Policy Of The Town Council On Certain Financial Matters

Mayor Warner read the title into the record. Mr. Gagen stated the council has discussed incorporating three policy areas into a Resolution which earmarks financial matters, including ensuring childcare funding into 2014, the golf fund, and utility fund which both generate their revenue from user fees, to ensure monies are in the balance to be used for the purpose of which they were collected. The Council discussed earmarking specific amounts, the changing needs of the individual funds, and whether or not a future Town Council would continue with the spirit of the Resolution and the intended funds with the current language of the Resolution.

Ms. McAtamney moved to continue A Resolution Declaring It To Be The Policy Of The Town Council On Certain Financial Matters to February 14, 2012. Mr. Mamula seconded the motion. The motion passed 7-0.

4. A Resolution Determining That The April 3, 2012 Regular Town Election Shall Be A Mail Ballot Election

Mayor Warner read the title into the record. Mr. Berry stated that this Resolution would declare the April 3, 2012 election as a mail-in only ballot. Mr. Berry stated there are three choices 1) mail a ballot to all voters, 2) mail a ballot to active and inactive voters which could potentially be challenged, or 3) a traditional polling place and mail-in ballots to the permanent mail-in voter list. The Council discussed the three options, the increased participation in voting when it is a mail in ballot, and if Town should wait until the

**TOWN OF BRECKENRIDGE
TOWN COUNCIL REGULAR MEETING
TUESDAY, JANUARY 24, 2011
PAGE 2**

County has their process in place so there is more clarity. Mr. Berry stated if the resolution fails there would be no change in the current voting procedure.

Mr. Dudick moved to approve A Resolution Determining That The April 3, 2012 Regular Town Election Shall Be A Mail Ballot Election. Mr. Joyce seconded the motion. The motion failed ~~6-1~~ **2-5 with Mr. Dudick and Mayor Warner voting in favor.**

C. OTHER - none

PLANNING MATTERS

A. PLANNING COMMISSION DECISIONS - JANUARY 17, 2012

There were no decisions.

REPORT OF TOWN MANAGER AND STAFF*

REPORT OF MAYOR AND COUNCILMEMBERS*

- A. CAST/MMC (MAYOR WARNER) – No report.
- B. BRECKENRIDGE OPEN SPACE ADVISORY COMMITTEE (MR. DUDICK) – Open Space Planner III, Scott Reid stated he would have the Cucumber Gulch information to them soon.
- C. BRC (MR. BURKE) – No report.
- D. MARKETING COMMITTEE (MR. DUDICK) – Mr. Dudick gave the details of a survey on lodging conducted by the Breckenridge Resort Chamber, and indicated that the survey showed a general interest in higher level accommodations.
- E. SUMMIT COMBINED HOUSING AUTHORITY (MR. JOYCE) – Mr. Joyce mentioned the housing authority would like to conduct a rental survey. He stated the cost would be split between the Towns and the County, and fees from entities that would pay for the findings would offset the costs. He mentioned the Town of Breckenridge has already paid into the fund that would finance the survey, so there is no additional cost to the Town.
- F. BRECKENRIDGE HERITAGE ALLIANCE (MR. BURKE) – Mr. Burke mentioned a presentation to the library board for archival space for the historical society; the alliance brought in 61% more revenue compared to 2010 numbers; and, they hired a new operations manager, Cindy Hintgen.
- G. WATER TASK FORCE (MR. MAMULA) – No report.

OTHER MATTERS

Mr. Bergeron commented on the potential purchase of Pinewood. The Council discussed the financing of Pinewood, and whether in the future the Town would hire a management company, or give the property to the Summit Housing authority to oversee.

Ms. McAtamney mentioned the light heading west on Ski Hill road at Park Avenue is not changing properly.

Mr. Dudick mentioned Holly ~~Raab~~ **Robb** requested the Town donate the use of Carter Park for Summit High School alumni reunions. The Council discussed the costs of renting Carter Park; that the Town funds the annual Town party already as a reunion; and, that the Town party is intended for Breckenridge residents, and not all Summit High graduates are from Breckenridge. Kim Dykstra offered to talk to Ms. Raab with Mike Barney regarding potential use of Breckenridge facilities for the annual Summit High School reunion.

Mr. Mamula mentioned the passing of Marty Lessow, and asked how the Town may properly memorialize individuals that made a governmental impact on the town. **Mr. Mamula suggested that each of the council members contribute money towards expenses associated with Mr. Lessow's passing. The members contributed funds, and both Tony Harris and Rick Asher were very appreciative of the contributions.**

Mr. Mamula asked about the permitting process for event sponsors with regards to the presence of 5 Hour Energy on the plaza. Kim Dykstra stated she would look into their permit, and explained the permitting process runs through the Riverwalk office, where they keep a calendar of sponsors for events.

Mr. Joyce moved that the Town Council go into Executive Session pursuant to Paragraph 4(a) of Section 24-6-402, C.R.S., relating to the purchase, acquisition, lease, transfer, or sale of an real, personal, or other property interest; and Paragraph 4(3) of Section 24-6-402, C.R.S., relating to determining positions relative to matters that may be subject to negotiations, develop strategies for negotiations; and instructing negotiators.

Mr. Mamula seconded the motion.

Mayor Warner stated a motion has been made for the Town Council to go into an Executive Session pursuant to Paragraph 4(a) of Section 24-6-402, C.R.S., relating to the purchase, acquisition, lease, transfer, or sale of an real, personal, or other property interest; and Paragraph 4(3) of Section 24-6-402, C.R.S., relating to determining positions relative to matters that may be subject to negotiations, develop strategies for negotiations; and instructing negotiators. The Executive Session will be a discussion of open space parcels the Town Council may have an interest in purchasing. The Executive Session may also include a discussion related to other matters that are or may be the subject of negotiations.

A roll call was taken. The motion passed 6-1, with Mr. Burke voting against.

Ms. McAtamney made a motion to come out of the Executive Session. Mr. Joyce seconded the motion. A roll call was taken. All members of the council were in favor of the motion.

SCHEDULED MEETINGS

ADJOURNMENT

With no further business to discuss, the meeting adjourned at 9:10 p.m.

Submitted by Cathy Boland, Municipal Court Clerk.

ATTEST:

Mary Jean Loufek, CMC, Town Clerk

John Warner, Mayor