

TOWN OF BRECKENRIDGE
TOWN COUNCIL REGULAR MEETING
Tuesday, August 14, 2012
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I CALL TO ORDER, ROLL CALL

Mayor Warner called the meeting of August 14, 2012 to order at ~~7:02~~ **7:32pm**. The following members answered roll call: Mr. Gallagher, Ms. Wolfe, Mr. Brewer, Mr. Dudick, Ms. McAtamney, and Mayor Warner. Mr. Burke was absent.

II APPROVAL OF MINUTES

With no changes or corrections to the meeting minutes of July 24, 2012, Mayor Warner declared they would stand as submitted.

III APPROVAL OF AGENDA

Mr. Rick Holman reported a change under new business; Ordinance 25 will be brought forth at the August 28th meeting for first reading due to a change needed in the current wording of the ordinance. Numbering of other ordinances will remain as stands.

IV COMMUNICATIONS TO COUNCIL

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

Mayor Warner opened citizen's comments.

Mr. Tim Casey thanked Council for its forward thinking and leadership on the Harris Street project and working with the county to use that building, thanked the council for their hard work and expressed that many others are appreciative of the council for working with the County on the project.

Mr. ~~Dan~~ **Ken** Bell, Community Member, stated that he sent a letter to Council regarding his position on the Library. Mr. Bell questioned the use of space and the amount of money dedicated to the project. Mr. Bell recommended postponing the expenditure or using a lesser dollar amount to build a new facility to house the library, instead of renovating the existing one. Mr. Bell noted that he is a Peak School supporter, but not related to the school.

Mr. Wayne Walton, Founder of Mountain Hours, presented a new currency concept for Summit County. Mr. Walton stated that 65 county businesses currently use it. He provided a flyer with an example of how the currency is being used in another community and referenced a video available online for more information.

Mr. Russell ~~Whit~~ **Whitt**, a parent of a child attending The Peak School, stated there is not a combative relationship between Council, Town or School District and The Peak School, as a recent Summit Daily News article indicated. Mayor Warner clarified the intent of the joint meeting with the School District was to discuss extracurricular options for alternatively schooled children.

Mr. Richard Himmelstein, parent of a The Peak School child, stated that school choice helped them pick Breckenridge as a place to live and that the economic value of Peak School is hard to quantify.

Mr. Jerry ~~Davesick~~ **Dziedzic**, community member, stated that he is in favor of the Library at the Harris Street location. Mr. ~~Davesick~~ **Dziedzic** commended Council for exploring other uses of the building and for keeping the main use open to the public, rather than a private entity.

Chris Renner, Founder of The Peak School, stated that he supports a new library. Mr. Renner stated that The Peak School has asked for time in front of Council, but believes he has not been granted that request. Mr. Renner stated that he desires a positive relationship and open dialog with the Town and he is concerned about the dollars allocated for the library.

With no further comments the citizen comments were closed.

B. BRECKENRIDGE RESORT CHAMBER UPDATE

John McMahan, Director of the Breckenridge Resort Chamber, stated July was stronger than last year with occupancy 12% up. The BRC is currently planning for the winter season with some added emphasis on international markets. Mr. McMahan also stated 9News is coming for a live remote at the Blue River Plaza on August 24th; Oktoberfest is extended to 3 days this year; and the next mixer is on August 19th at Grand Lodge. Mr. McMahan stated his concern about I-70 signage for long drive times that seems to be discouraging people from staying longer, and wants to encourage the I-70 Coalition to address this matter. Mr. McMahan stated the BRC Mission Statement has been revised and the relationship with BMAC is going well.

C. USA PRO CYCLING CHALLENGE UPDATE FROM LOCAL ORGANIZING COMMITTEE CO-CHAIRS

Mike Schilling stated this was the last update before race. Mr. Schilling noted the rider list was released and good placement has occurred in advertising for the event. Final meetings and an emergency management meeting will take place this week. Mayor Warner and council thanked Mr. Schilling and the USPCC committee for their hard work on the event.

V CONTINUED BUSINESS

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

1. Council Bill No. 19, Series 2012 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT

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WITH VAIL SUMMIT RESORTS, INC., A Colorado Corporation, AND PEAK 8 PROPERTIES, LLC (A Colorado Limited Liability Company)
Mayor Warner read the title into the minutes. Mr. Berry stated he will make the revisions discussed at the Work Session. Mr. Berry stated that one change was made from first reading in regards to a parking variance. Mayor Warner opened the public hearing. There were no comments and the public hearing was closed. Ms. McAtamney moved to approve Council Bill No. 19, Series 2012 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT WITH VAIL SUMMIT RESORTS, INC., A Colorado Corporation, AND PEAK 8 PROPERTIES, LLC (A Colorado Limited Liability Company) to include the change from the Work Session. Ms. Wolfe seconded the motion.
The motion passed 5-0. Mr. Dudick recused himself from the vote because of a conflict of interest.

2. Council Bill, No. 24, Series 2012 - AN ORDINANCE REPEALING AND READOPTING WITH CHANGES POLICY 33 (RELATIVE) OF SECTION 9-1-19 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "BRECKENRIDGE DEVELOPMENT CODE", CONCERNING ENERGY CONSERVATION
Mayor Warner read the title into the minutes. Mr. Berry stated the only change from the first reading was the enactment date on Page 26 of packet, changed to August 14.
Mayor Warner opened the public hearing. There were no comments and the public hearing was closed. Mr. Gallagher moved to approve Council Bill, No. 24, Series 2012 - AN ORDINANCE REPEALING AND READOPTING WITH CHANGES POLICY 33 (RELATIVE) OF SECTION 9-1-19 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "BRECKENRIDGE DEVELOPMENT CODE", CONCERNING ENERGY CONSERVATION. Ms. McAtamney seconded the motion.
The motion passed 6-0.

VI NEW BUSINESS

A. FIRST READING OF COUNCIL BILLS, SERIES 2012

1. Council Bill No. 25, Series 2012 - AN ORDINANCE ANNEXING TO THE TOWN OF BRECKENRIDGE CERTAIN REAL PROPERTY OWNED BY THE TOWN OF BRECKENRIDGE (CLAIMJUMPER PARCELS - 25.713 ACRES)

Council Bill No. 25, Series 2012 was not heard at this meeting. First reading was rescheduled to the August 28th meeting.

2. Council Bill No. 26, Series 2012 - AN ORDINANCE ANNEXING TO THE TOWN OF BRECKENRIDGE CERTAIN REAL PROPERTY OWNED BY THE TOWN OF BRECKENRIDGE (WEDGE & MBJ PARCELS - 34.026 ACRES)

Mayor Warner read the title into the minutes. Mr. Berry stated the Town owns the property and it is eligible for annexation. Discussion ensued regarding which Land Use District the parcel would be placed in if annexed; staff is researching which District is most appropriate based on Town and County zoning parameters.

Mr. Brewer moved to approve Council Bill No. 26, Series 2012 - AN ORDINANCE ANNEXING TO THE TOWN OF BRECKENRIDGE CERTAIN REAL PROPERTY OWNED BY THE TOWN OF BRECKENRIDGE (WEDGE & MBJ PARCELS - 34.026 ACRES). Mr. Dudick seconded the motion.
The motion passed 6-0.

3. Council Bill No. 27, Series 2012 - AN ORDINANCE AMENDING TITLE 4 OF THE BRECKENRIDGE TOWN CODE BY ADOPTING PROVISIONS REQUIRING THE ISSUANCE OF A SPECIAL PERMIT TO CONDUCT CERTAIN BUSINESS OPERATIONS ON TOWN STREETS

Mayor Warner read the title into the minutes. Mr. Berry stated the ordinance establishes a new ordinance for certain on-street businesses, and once Council issues initial permits for such businesses, staff can handle annual renewal if Council desires.

Ms. McAtamney moved to approve Council Bill No. 27, Series 2012 - AN ORDINANCE AMENDING TITLE 4 OF THE BRECKENRIDGE TOWN CODE BY ADOPTING PROVISIONS REQUIRING THE ISSUANCE OF A SPECIAL PERMIT TO CONDUCT CERTAIN BUSINESS OPERATIONS ON TOWN STREETS. Ms. Wolfe seconded the motion.
The motion passed 6-0.

B. RESOLUTIONS, SERIES 2012

1. GOCO Grant Resolution-A RESOLUTION SUPPORTING THE TOWN OF BRECKENRIDGE'S GRANT APPLICATION FOR A LOCAL PARKS AND OUTDOOR RECREATION GRANT FROM THE STATE BOARD OF THE GREAT OUTDOORS COLORADO TRUST FUND, AND THE COMPLETION OF KINGDOM PARK MULTI-PITCH RENOVATION

Mayor Warner read the title into the minutes. Mr. Berry, stated GOCO requires this resolution as part of the grant application process.

Ms. Wolfe moved to approve A RESOLUTION SUPPORTING THE TOWN OF BRECKENRIDGE'S GRANT APPLICATION FOR A LOCAL PARKS AND OUTDOOR RECREATION GRANT FROM THE STATE BOARD OF THE GREAT OUTDOORS COLORADO TRUST FUND, AND THE COMPLETION OF KINGDOM PARK MULTI-PITCH RENOVATION. Mr. Gallagher seconded the motion. The motion passed 6-0.

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C. OTHER

VII PLANNING MATTERS

A. PLANNING COMMISSION DECISIONS

With no request to call an item off the consent calendar, Mayor Warner declared the Planning Commission decisions would stand approved as presented.

Mr. Berry stated for the record that there was a Work Session discussion with Vail Resorts about the funding of a Cucumber Gulch restoration project. Mr. Berry stated all parties involved agreed on costs for their portions of the project. Mayor Warner thanked Vail Resorts for a positive and productive negotiation in this project.

B. DISMISSAL APPEAL HEARING

The appeal hearing concerning the removal of Michael Rath from the Planning Commission was held in accordance with Section 2-2-5 of the Town Code. A verbatim audio recording of the proceedings was made and will be maintained as required by law. No attempt is made in these minutes to set forth a verbatim record of the proceedings of the hearing.

At the conclusion of the hearing, Mr. Dudick moved that the Town Council affirm its August 1, 2012 decision to remove Michael Rath from the Town of Breckenridge Planning Commission. The motion was seconded by Mr. Gallagher. A roll call vote was held, and the motion passed 6-0.

The Mayor stated that motion having passed, it was ordered that Michael Rath's removal from the Town of Breckenridge Planning Commission on August 1, 2012 is affirmed, and the vacancy on the Planning Commission shall be filled as provided by law.

The Mayor declared that the appeal proceeding was concluded. (See attached exhibits)

VIII REPORT OF TOWN MANAGER AND STAFF

Mr. Holman stated the Fall Retreat will take place Oct. 30. He will be following up with more details.

IX REPORT OF MAYOR AND COUNCILMEMBERS

A. CAST/MMC (MAYOR WARNER)

Mayor Warner stated he attended a County Mayors and Council Members meeting. Discussed the Advanced Guideway System on I-70 and the location of stations within Summit County; Summit Ford request for ~~Silverthorne~~ **Summit County** use tax; Detox Center funding; new County bike rules. Mayor Warner attended the Sustainable Breck Biz meeting which had a good turnout.

B. BRECKENRIDGE OPEN SPACE ADVISORY COMMITTEE (MR. BREWER)

No report.

C. BRC (MR. BURKE)

No report.

D. MARKETING COMMITTEE (MR. DUDICK)

No report.

E. SUMMIT COMBINED HOUSING AUTHORITY (MS. WOLFE)

Ms. Wolfe stated the last meeting discussed HOA special assessments and the possibility of a new program to assist those in need of help to fund special assessments. Council Members suggested the Housing Authority work with HOAs to look at reserves and determine need. Discussed Eagle County continuing care complex to be built.

F. BRECKENRIDGE HERITAGE ALLIANCE (MR. BREWER)

Mr. Brewer stated he recently attended a Heritage Alliance retreat. Discussed the Inaugural Theobald awards; the Pro Cycling Challenge gathering on Barney Ford Lawn; Reiling Dredge; increased visitor numbers.

G. WATER TASK FORCE (MR. GALLAGHER)

No report.

H. LANDFILL TASK FORCE (MS. WOLFE)

No report.

X OTHER MATTERS

Mr. Gallagher asked when the posting for the vacant Planning Commissioner position will take place. Mr. Holman stated within 30 days. Mayor Warner asked if this position would fill the term. Ms. Dysktra stated yes, for the remainder of the term.

Council members discussed the 2013 Snowball event. General concern over timing of event, public safety, substance abuse and bands invited. Ms. Kim Dykstra passed out lodging community survey results.

Ms. McAtamney asked about the possibility to create an e-blast option for the RFP process. Ms. Dykstra said that is already an option.

Ms. Wolfe brought a reusable bag for display. Mayor Warner stated they need to listen to public feedback and make a decision.

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XI SCHEDULED MEETINGS

XII ADJOURNMENT

With no further business to discuss, the meeting adjourned at 10:02pm
Submitted by Helen Cospolich, Administrative Services

ATTEST:

Linda Coxen, Town Clerk

John G. Warner, Mayor