

TOWN OF BRECKENRIDGE
TOWN COUNCIL REGULAR MEETING
Tuesday, October 9, 2012
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I CALL TO ORDER, ROLL CALL

Mayor Warner called the meeting of October 9, 2012 to order at 7:33pm. The following members answered roll call: Mr. Gallagher, Ms. Wolfe, Mr. Brewer, Mr. Dudick, Ms. McAtamney, Mr. Burke and Mayor Warner.

II APPROVAL OF MINUTES - SEPTEMBER 25, 2012

Ms. Wolfe requested a correction on page 4 for the spelling of Carol Rockne's name, and a correction on page 6 that she had also requested a hard copy of the budget book for the budget retreat. Mayor Warner then declared the meeting minutes of September 25, 2012, were approved with the inclusion of Ms. Wolfe's corrections.

III APPROVAL OF AGENDA

Mr. Holman reported there were no changes to the agenda.

IV COMMUNICATIONS TO COUNCIL

A. ACKNOWLEDGEMENT OF TRANSIT ADMINISTRATOR OF THE YEAR

Mayor Warner recognized Maribeth Lewis-Baker, Town of Breckenridge Transit Manager, for her award of Transit Administrator of the Year.

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

Mayor Warner opened citizen's comments.

Mr. Doug Adams, 250 Ski Hill Rd, Executive Director of the NRO thanked Council for its support of the NRO. Attendance was up this year, due in part to Council's grant for marketing efforts. Mr. Adams appreciates working with Town staff.

C. BRECKENRIDGE RESORT CHAMBER UPDATE

Donna Horii, Director of Sales for the Breckenridge Resort Chamber, gave an overview of her department, including how it generates group business. Ms. Horii also explained department structure and scope (out of state tourism, meeting planners, weddings/reunions); trade show participation; bridal shows; historical tourism; meeting planning industry). Ms. Horii spoke about the group welcome program and discussed with Council Members the shoulder season group business and draw to Breckenridge for the "experience".

D. Red White and Blue FD UPDATE

Jay Nelson, Deputy Chief of RWB FD, handed out information packets including the Open House on Wednesday, Oct. 10; reviewed updated numbers for fire mitigation inspection and education piece for homeowners associations/properties. Mr. Brewer asked how HOAs learn to work with RWB and Mr. Nelson stated they reach out to the FD. Mr. Nelson stated fire danger signs are updated to a fall status, low-moderate; Chief Miller retires Oct. 26 and Council is invited. Mr. Dudick asked that future FD packets come to council in time to be reviewed prior to the meeting.

V CONTINUED BUSINESS

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

1. Council Bill No. 28, Series 2012 - AN ORDINANCE AMENDING CHAPTER 3H OF TITLE 6 OF THE BRECKENRIDGE TOWN CODE BY ADOPTING PROVISIONS CONCERNING THE MUNICIPAL OFFENSE OF "UNLAWFUL ACTS ON NATIONAL FOREST SERVICE LAND"

Mayor Warner read the title into the minutes. Mr. Berry stated the ordinance was edited to clarify that it is specifically intended for ski violations.

Mayor Warner opened the public hearing.

Ms. Carol Rockne stated she is against this ordinance. Ms. Rockne stated it is a service to Vail Resorts, and not a safety issue, underground ski school has been going on for 60 years. Ms. Rockne was concerned about the Town setting precedence.

Mayor Warner clarified that ordinance was a staff initiative, and not Vail Resorts'.

Michael ~~Cavanaugh~~ **Cavanaugh**, independently certified ski instructor, stated he is against this ordinance. Mr. ~~Cavanaugh~~ **Cavanaugh** believes it's a problem of Breckenridge Ski Resort to monitor, not our police staff. Town doesn't need to be responsible.

Mayor Warner closed the public hearing.

Mr. Gallagher moved to approve Council Bill No. 28 Series 2012 - AN ORDINANCE AMENDING CHAPTER 3H OF TITLE 6 OF THE BRECKENRIDGE TOWN CODE BY ADOPTING PROVISIONS CONCERNING THE MUNICIPAL OFFENSE OF "UNLAWFUL ACTS ON NATIONAL FOREST SERVICE LAND" as presented with amended language in handout provided by Mr. Berry.

Mr. Dudick seconded the motion.

Mr. Dudick asked for clarification on the ordinance. Ms. Haynes spoke about sheriff's role versus Town's role

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on Forest Service land and county roads. ~~Mr. Burke voiced concerns about partnership with Vail Resorts.~~ Mr. Brewer asked if we should table ordinance until more research could be done. Mr. Gallagher stated he is against it as an overreaching of government. Ms. Wolfe stated she concurs with Mr. Gallagher, but wants our PD to have the tools to respond. Ms. McAtamney stated she is against the ordinance. Mayor Warner stated his dissatisfaction with Forest Service's lack of ability to enforce on their own land.
The motion failed 0-7.

2. Council Bill No. 29, Series 2012 - AN ORDINANCE DESIGNATING CERTAIN REAL PROPERTY AS A LANDMARK UNDER CHAPTER 11 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE (Lots 7 And 8, Block 5, Abbetts Addition)
Mayor Warner read the title into the minutes. Mr. Berry stated the property qualifies for historic designation.

Mayor Warner opened the public hearing. There were no comments and the public hearing was closed. Mr. Gallagher moved to approve Council Bill No. 29 Series 2012 - AN ORDINANCE DESIGNATING CERTAIN REAL PROPERTY AS A LANDMARK UNDER CHAPTER 11 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE (Lots 7 And 8, Block 5, Abbetts Addition). Ms. McAtamney seconded the motion.
The motion passed 7-0.

3. Council Bill No. 30, Series 2012 - AN ORDINANCE AMENDING THE BRECKENRIDGE TOWN CODE CONCERNING RESTITUTION TO BE AWARDED TO VICTIMS OF CRIMES
Mayor Warner read the title into the minutes. Mr. Berry stated this ordinance would update the original restitution award language in Town Code and is based on Colorado Statutes. Mr. Berry stated there were no changes to the ordinance as written.

Mayor Warner opened the public hearing.
Mr. Cavanaugh stated he appreciates the Town's police force, and wanted clarity his desire to work within the system for receiving restitution. The public hearing was closed.
Mr. Brewer moved to approve Council Bill No. 30, Series 2012 - AN ORDINANCE AMENDING THE BRECKENRIDGE TOWN CODE CONCERNING RESTITUTION TO BE AWARDED TO VICTIMS OF CRIMES. Mr. Burke seconded the motion.
The motion passed 7-0.

VI NEW BUSINESS

- A. FIRST READING OF COUNCIL BILLS, SERIES 2012-NONE
- B. RESOLUTIONS, SERIES 2012-NONE
- C. OTHER-NONE

VII PLANNING MATTERS

- A. PLANNING COMMISSION DECISIONS
With no requests to call an item off the consent calendar, Mayor Warner declared the Planning Commission decisions would stand approved as presented.

VIII REPORT OF TOWN MANAGER AND STAFF

Mr. Holman stated the next council meeting will address uncommitted space at the Harris Street building. Staff is compiling a list of ideas for space use and not ruling out specific uses at this point. Council discussed the Speakeasy status and the idea of non-profits only in the rest of the space versus need. Mr. Holman stated Governor Hickenlooper will be in Breckenridge on October 10th. Mr. Peter Grosshuesch, Community Development Director, invited Council to the Planning Commission Retreat on Wednesday, October 17, in Steamboat.

IX REPORT OF MAYOR AND COUNCILMEMBERS

- A. CAST/MMC (MAYOR WARNER)
Mayor Warner referenced his memo from last meeting.
- B. BRECKENRIDGE OPEN SPACE ADVISORY COMMITTEE (MR. BREWER)
No report.
- C. BRC (MR. BURKE)
Mr. Burke stated there will be an overnight retreat in Vail.
- D. MARKETING COMMITTEE (MR. DUDICK)
No report.
- E. SUMMIT COMBINED HOUSING AUTHORITY (MS. WOLFE)
Ms. Wolfe stated there was a meeting the week of October 1st where the Authority discussed emergency loan funding for special assessments and the budget for 2013.
- F. BRECKENRIDGE HERITAGE ALLIANCE (MR. BREWER)
Mr. Brewer stated the visitor numbers and revenue were up; BHA partnered with Craft Spirits festival this year; Mille Hamner will be presenting a replica of stained glass window of Barney Ford; BOD meeting is Oct. 25; Old Breckenridge School House meeting is Oct. 24.
- G. WATER TASK FORCE (MR. GALLAGHER)
No report.
- H. LANDFILL TASK FORCE (MS. WOLFE)
No report.
- I. PUBLIC ART COMMISSION (MR. GALLAGHER)

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Mr. Gallagher stated that a recent meeting discussed the Arts District buildings for CMC use; budget for 2013 for ceramics studio and other needs; Ridge Street Arts Square may replace the parking lot on Ridge St.; asked staff for cost of phase 1 development of that space; possible dance studio space in Arts District; suggestions for Harris Street building use such as a rotating art gallery.

X OTHER MATTERS

Ms. McAtamney asked about the variable message sign and possibility to add a call to action. Mr. Holman stated it's a joint effort between Police Department and the Communications Department. Council members discussed color choices and timing of information.

Mr. Burke stated he would like more information regarding solar trash cans as requested in a past meeting. Mr. Burke also stated the Town should have a culture to recognize and reward performance in a monetary way. Mr. Holman stated Town of Breckenridge staff has an Everyday Leader Award program with recognition.

Mr. Dudick stated he got a high water bill this month due to being over allotted amount; Mr. Dudick suggested Town staff find ways to educate homeowners on the baseline number for their water bills and look to add a line on the autopay bill for baseline number and increase the PR effort around education. **Mr. Dudick supports an allocation of resources towards an improved effort to educate the public on their water billing.**

Mayor Warner stated coffee talk is Friday, October 12th. Mayor Warner also addressed concern about overcrowding/overuse at Carter Park.

XI SCHEDULED MEETINGS

XII ADJOURNMENT

With no further business to discuss, the meeting adjourned at 9:13pm.
Submitted by Helen Cospolich, Municipal Services

ATTEST:

Helen Cospolich, Town Clerk

John G. Warner, Mayor