

**CALL TO ORDER AND ROLL CALL**

Mayor Blake called the January 8, 2008 Town Council Meeting to order at 7:30 p.m. The following members answered roll call: Mr. Bergeron, Mr. Mamula, Ms. McAtamney, Mr. Rossi, Mr. Millisor, Dr. Warner and Mayor Blake.

**APPROVAL OF MINUTES** – December 11, 2007 Regular Meeting

There was one change to the minutes. Council Bill 38 the second motion needs to be changed to read that Ms. McAtamney made the second, not Jeffrey. With that change the minutes were approved

**APPROVAL OF AGENDA**

Town Manager, Tim Gagen, had no changes.

**COMMUNICATIONS TO COUNCIL**

A. Citizens Comment - (Non-Agenda Items ONLY; 3 minute limit please)

B. BRC Director's Report – Corry Mihm, Executive Director, went through the schedule of activities for Ullr Week. NBS comes next week and there are about 1500 coming so far. Corry gave figures for the month of December. Extreme Makeover Home Edition will be on this Sunday. NYT article will run on January 30<sup>th</sup>. Welcome Center Numbers are up 29%. There were 308 nominations for the Friends Welcome Award last month. Webcam has frequent images of the Riverwalk construction. Next Mixer is January 23 at Blue Sky. They will be celebrating the BRC reaching 500 members at that Mixer.

**CONTINUED BUSINESS**

**A. SECOND READING OF COUNCIL BILLS, SERIES 2007 – PUBLIC HEARINGS\*\***

**1. Council Bill No.40, Series 2007- AN ORDINANCE AMENDING ARTICLE H OF CHAPTER 3 OF TITLE 6 OF THE BRECKENRIDGE TOWN CODE BY ADOPTING PROVISIONS CONCERNING THE MUNICIPAL OFFENSES OF "FRAUD IN THE PROCUREMENT OF TOWN ASSISTANCE" AND "FRAUD IN CONNECTION WITH TOWN HOUSING PROGRAM"**

Tim Berry commented that the Ordinance would make fraud in the procurement of Town assistance and fraud in connection with the Town's Housing Program municipal offenses. There were no changes from first reading.

Mayor Blake asked for public comment. There was no comment. He closed the public hearing.

Mr. Bergeron moved to approve Council Bill No 40, Series 2007 on second reading. Mr. Mamula made the second. The motion passed 7-0.

**2. Council Bill No.41, Series 2007- AN ORDINANCE ANNEXING TO THE TOWN OF BRECKENRIDGE A PARCEL OF LAND LOCATED IN THE B & L NO. 1 PLACER, MS 114044, THE ACCOMMODATION PLACER, MS 19361, AND THE BRADDOCK PLACER, M.S. 13465, COUNTY OF SUMMIT, AND STATE OF COLORADO (Miller — 40.41 acres, more or less)**

Tim Berry commented that on December 11<sup>th</sup> the Council approved the first reading of the annexation ordinance. Based on input from that meeting staff began drafting the annexation agreement to reflect the plan that has been discussed. While the fundamental elements of the plan have not changed, staff wanted to review a few details that have not been specifically discussed previously. Staff requested that the Council continue the second reading until January 22<sup>nd</sup>, at which time they also expect to present the annexation agreement.

Mayor Blake asked for public comment. There was no comment. He closed the public hearing.

Mr. Millisor moved to continue Council Bill No 41, Series 2007 to the January 22, 2008 meeting. Dr. Warner made the second. The motion passed 7-0.

**3. Council Bill No.42, Series 2007- AN ORDINANCE PLACING RECENTLY ANNEXED PROPERTY IN LAND USE DISTRICTS 1 AND 33 (Miller — 40.41 acres, more or less)**

Tim Berry commented that on December 11<sup>th</sup> the Council approved the first reading of the ordinance that would place this property in LUD 1 & 33. Staff requested that the Council continue the second reading until January 22<sup>nd</sup>.

Mayor Blake asked for public comment. There was no comment. He closed the public hearing.

Mr. Bergeron moved to continue Council Bill No 42, Series 2007 to the January 22, 2008 meeting. Mr. Mamula made the second. The motion passed 7-0.

**4. Council Bill No.43, Series 2007- AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2008 AND REPEALING ORDINANCE NO. 24, SERIES 2005.**

Tim Gagen commented that the Ordinance would authorize the refunding of the Town of Breckenridge 1998 & 1999 GO Bonds. As part of the work on setting up the COP for the Childcare Facility we asked our Bond Advisor to recheck the possibility of this refunding. The analysis shows that the short-term bond market is favorable to refunding and that the interest savings after all cost is \$114,702.27. The Town is trying to lock this savings for the next 45+ days, which gives us time to adopt

a Refunding Ordinance on 1<sup>st</sup> and 2<sup>nd</sup> reading with our current meeting schedule of 12/11 and 1/8. Given the remaining of the term of the existing bonds at 2013 and low short-term interest rates this is likely the last opportunity to refinance the bonds.

Mayor Blake asked for public comment. There was no comment. He closed the public hearing.

Ms. McAtmaney moved to approve Council Bill No 43, Series 2007 on second reading in the form that was handed out. Mr. Rossi made the second. The motion passed 7-0.

#### **NEW BUSINESS**

##### **A. FIRST READING OF COUNCIL BILLS, SERIES 2008**

##### **1. Council Bill No. 1, Series 2008- AN ORDINANCE AMENDING CHAPTER 5 OF TITLE 2 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE MEMBERSHIP OF THE TOWN OF BRECKENRIDGE LIQUOR LICENSING AUTHORITY**

Tim Berry commented that the Town Council recently voted to eliminate Council representation on the Liquor Licensing Authority. The Town Code states that "one member of the Authority shall be a member of the Town Council" therefore this ordinance would repeal this section and allow a new member to be appointed. All terms will now be 4-year terms to be staggered with 2 regular appointments every 2 years. The person appointed to fill the vacancy on the Liquor Licensing Authority caused by the ending of the term of office of Jeffrey Bergeron shall serve only until September, 2009, at which time a person shall be appointed for a term of four years.

Mr. Bergeron moved to approve Council Bill No 1, Series 2008 on first reading. Dr. Warner made the second. The motion passed 7-0.

##### **B. RESOLUTIONS, SERIES 2008**

NONE

##### **C. OTHER**

##### **1. ISSC Fire Special Permit Request**

In conjunction with the 2008 International Snow Sculpture Championships, there is a request to have open fire(s) in a 55 gallon drum and/or in a "kiva" stove on Thursday, January 24, 2008 from 7pm-11:30pm and Friday, January 25, 2008 from 7pm to 1am on Saturday, January 26, 2008. Red, White and Blue would approve use of both a 55 gallon drum or a "kiva" stove. The proposed fires would be set up in the event site for International Snow Sculpture Championships which is located in the Tiger Dredge Lot in front of the Riverwalk Center at 150 West Adams.

Dr. Warner moved to approve a special permit to allow open fires during the International Snow Sculpture Championships, on Thursday, January 24, 2008 from 7pm-11:30pm and on Friday, January 25, 2008 from 7pm to 1am on Saturday, January 26, 2008. All burning shall comply with the "Open Burning" requirements of Section 307 of the International Fire Code, 2003 Edition. In addition, the applicant shall obtain a bonfire or open burning permit from the Red, White & Blue Fire Department. Mr. Mamula made the second. The motion passed 7-0.

#### **PLANNING MATTERS**

##### **• Planning Commission Decisions of January 3, 2008.**

Mr. Mamula commented that he didn't think the Ridgeline finding on the Greenberg Residence was a big enough issue to call it up but wanted to make a statement for the record. Felt the planning commission should have added a finding that does not ignore the ridgeline that states that they understand that is a ridgeline in town and that the applicant met or mitigated the effect on the ridgeline. For future projects he stated that this is a prominent ridgeline in town.

With no requests for call up, Mayor Blake stated the Planning Commission decisions of the January 3, 2008 meeting will stand as presented.

##### **• Town Council Representative Report.**

Dr. Warner had nothing to add.

#### **REPORT OF TOWN MANAGER AND STAFF**

Tim Gagen, Town Manager, had nothing to report.

#### **REPORT OF MAYOR AND COUNCILMEMBERS**

##### **A. Report of Mayor (CAST/I-70 Coalition)**

Mayor Blake had nothing to report. Mr. Gagen commented on when the next meetings were.

##### **B. Northwest Colorado Council of Governments/QQ (Ms. McAtamney)**

Ms. McAtamney had nothing to report

##### **C. Colorado Municipal League (Mr. Rossi)**

Mr. Rossi had nothing to report

- D. Breckenridge Open Space Advisory Commission (Mr. Bergeron)**  
Mr. Bergeron commented that they are going to work more on the Cucumber Gulch issues and signage. The Council agreed that a consultant did not need to be hired to create a new looking sign.
- E. Summit Transit Board /Transit Advisory Committee (Mr. Mamula)**  
Mr. Mamula had nothing to report.
- F. Police Department Advisory Committee (Mr. Millisor)**  
Mr. Millisor had nothing to report.
- G. Arts Committee (Ms. McAtamney)**  
Ms. McAtamney had nothing to report.
- H. Liquor Licensing Authority (Mr. Bergeron)**  
Mr. Bergeron commented that they are very much looking at the late night issues they are having around town. There has been a letter drafted asking bars to consider hiring an off-duty police officer to be present at the door.
- I. BRC (Mr. Rossi)**  
Mr. Rossi had nothing to report.
- J. Wildfire Council (Mr. Rossi)**  
Mr. Rossi had nothing to report.
- K. Breckenridge Economic Development Advisory Committee (Mr. Mamula)**  
Mr. Mamula had nothing to report.
- L. Multi-Jurisdictional Housing Authority (Mr. Millisor)**  
Mr. Millisor had nothing to report.
- M. Breckenridge Heritage Alliance (Ms. McAtamney)**  
Ms. McAtamney had nothing to report.

#### ***OTHER MATTERS***

Ms. McAtamney commented that the stoplight at Lincoln and Ski Hill only allows one car through. There is a ludicrous amount of snowmobiles going up Reiling Rd. Mr. Rossi commented that they were going through at 2am. Also many people are bringing up the live/work issue with the daycare scholarship program.

Mr. Millisor commented that the school has to replace the fields and can put up ¼ million and they are hoping to raise ¼ million and go to the Towns for the rest. Mr. Mamula commented that he was in for it as long as all the Towns are in for their shares. They all agreed. Tim Gagen clarified that everyone would be willing to have Tim talk to the other Towns about matching their contribution.

Mr. Mamula commented because of some things that happened this summer particularly in the Weisshorn that he thought it was important to possibly push aside some other planning things to take a look at the redevelopment parts of the code. He is afraid that all the houses will just be torn down and rebuilt and we will lose the character. It defeats the cohesiveness of the communities. He would like the planning commission to start looking at this and would like to see a redevelopment part of the code that refers to the scrape off houses.

Dr. Warner commented that he will be running for Mayor of Breckenridge.

#### ***SCHEDULED MEETINGS***

#### ***ADJOURNMENT***

With no further business to discuss the regular meeting was adjourned at 8:16 pm.

Submitted by Alison Kellermann, Administrative Services Coordinator

**ATTEST:**

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Mary Jean Loufek, CMC, Town Clerk

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Ernie Blake, Mayor