

TOWN OF BRECKENRIDGE
TOWN COUNCIL REGULAR MEETING
Tuesday, November 13, 2012
PAGE 1

I CALL TO ORDER, ROLL CALL

Mayor Warner called the meeting of November 13, 2012 to order at 7:39pm. 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 - OCTOBER 23, 2012

No changes were made to the October 23, 2012 minutes. Mayor Warner declared the meeting minutes of October 23, 2012, would stand as approved.

III APPROVAL OF AGENDA

Mr. Gagen reported there are two changes to the agenda: adding an executive session at the end of the meeting; and the development agreement ordinance from the work session under first readings.

IV COMMUNICATIONS TO COUNCIL

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

Seeing no public comments, Mayor Warner closed the public comment session.

B. BRECKENRIDGE RESORT CHAMBER UPDATE

Rescheduled for meeting on November 27.

C. RWB FD UPDATE

Jay Nelson, RWB Deputy Fire Chief, stated they are still addressing wildfire mitigation efforts. No additional updates since rain and cooler temps have come to the area. RWB is preparing for next year, including increased outreach and community education.

Mr. Jim Keating, RWB Fire Chief, stated they are working on the reorganization of the department, including consolidation and significant changes. The final report should be available at the end of January. If they find a reason to proceed with consolidation with Lake Dillon Fire District, public discussion would ensue in March or April. Consolidation would operate like a fire authority with independent boards. Also, if they decide to pursue consolidation, it would go to a vote of the people.

V CONTINUED BUSINESS

A. SECOND READING OF COUNCILS BILLS, SERIES 2012 - PUBLIC HEARINGS-NONE

VI NEW BUSINESS

A. FIRST READING OF COUNCIL BILLS, SERIES 2012

1. COUNCIL BILL NO. 31, SERIES 2012-AN ORDINANCE SETTING THE MILL LEVY WITHIN THE TOWN OF BRECKENRIDGE FOR 2013

Mayor Warner read the title into the minutes.

Mr. Gagen stated that the Mill Levy must be approved prior to the first week of December. This ordinance proposes an identical Mill Levy Rate as 2012.

Mr. Dudick moved to approve Council Bill No. 31, Series 2012 - AN ORDINANCE SETTING THE MILL LEVY WITHIN THE TOWN OF BRECKENRIDGE FOR 2013.

Ms. McAtamney seconded the motion.
The motion passed 7-0.

2. COUNCIL BILL NO. 32, SERIES 2012-AN ORDINANCE PROVIDING FOR AN INCREASE IN MUNICIPAL WATER USER FEES EFFECTIVE JANUARY 1, 2013; AND MAKING MISCELLANEOUS AMENDMENTS TO TITLE 12 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "TOWN OF BRECKENRIDGE WATER ORDINANCE"

Mayor Warner read the title into the minutes.

Mr. Berry stated it amends the Town's water ordinance is part of the Town's Budget process and addresses recommendations made by CIRSA.

Mr. Gallagher moved to approve Council Bill No. 32, Series 2012 - AN ORDINANCE PROVIDING FOR AN INCREASE IN MUNICIPAL WATER USER FEES EFFECTIVE JANUARY 1, 2013; AND MAKING MISCELLANEOUS AMENDMENTS TO TITLE 12 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "TOWN OF BRECKENRIDGE WATER ORDINANCE".

Ms. Wolfe seconded the motion.

The motion passed 7-0.

3. COUNCIL BILL NO. 33, SERIES 2012 - AN ORDINANCE APPROVING A DEVELOPMENT

TOWN OF BRECKENRIDGE
TOWN COUNCIL REGULAR MEETING
Tuesday, November 13, 2012
PAGE 2

AGREEMENT WITH WELK RESORT GROUP, INC., A CALIFORNIA CORPORATION
Mayor Warner read the title into the minutes.

Mr. Berry stated the town's process requires review of the development agreement at a worksession before being brought to the first reading. There is one change reflected in the document handed out at the meeting, which is a change of payment schedule based on project completion.

Ms. McAtamney moved to approve Council Bill No. 33, Series 2012 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT WITH WELK RESORT GROUP, INC., A CALIFORNIA CORPORATION

Mr. Burke seconded the motion.

The motion passed 6-1, **with Ben Brewer dissenting.**

B. RESOLUTIONS, SERIES 2012

1. RESOLUTION NO. 25, SERIES 2012-A RESOLUTION AUTHORIZING THE SUBMISSION OF AN ENERGY AND MINERAL IMPACT ASSISTANCE PROGRAM GRANT APPLICATION TO THE COLORADO DEPARTMENT OF LOCAL AFFAIRS (103 South Harris Street Building)

Mayor Warner read the title into the minutes.

Mr. Gagen stated that the requirement of the grant is that the governing body approve this resolution authorizing the submission of it.

Mr. Brewer moved to approve Resolution No. 25 - A RESOLUTION AUTHORIZING THE SUBMISSION OF AN ENERGY AND MINERAL IMPACT ASSISTANCE PROGRAM GRANT APPLICATION TO THE COLORADO DEPARTMENT OF LOCAL AFFAIRS

Ms. McAtamney seconded the motion.

The motion passed 7-0.

C. OTHER

1. PUBLIC HEARING - 2013 BUDGET

Mr. Gagen stated this is the first of two public hearings. He received one public comment from Carol Rockne who wanted to make sure we aren't raising property taxes. Budget is flat to prior year. No proposed increases in revenue streams. Significant change in Special Projects Fund due to acceleration of some projects, including the Riverwalk. All other funds are projected flat. Projecting a 1% increase in water rates. Paying off debt, reduction in Mill Levy in subsequent year. Money for future improvements at the Golf Course.

Mr. Dudick asked about Blue River reclamation project, which hasn't been vetted with this Council. Net of \$5 Mil. Would like to better understand the issue if deciding to spend the money. Mr Gagen stated grant is possible for a net of \$1 Mil. Mayor Warner agreed that this project needs to be vetted with current council. Discussion ensued regarding how the figure is viewed as part of the budget.

Seeing no public comment, Mayor Warner closed the public hearing.

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.

B. PLANNING COMMISSION REPORT (MR.GALLAGHER)

Mr. Gallagher stated there is no report.

VIII REPORT OF TOWN MANAGER AND STAFF

Mr. Gagen stated new minutes process is starting and you'll see old version and new version for approval at next meeting. Grants committee has awarded Grants for 2013. Questions about Youth Corps and FDRD grant requests. Second question about request from Flight for Life a capitol request rather than grant ask. Mr. Gallagher stated he wishes other communities will be more in line with Breckenridge. Ms. Wolfe stated she agrees it should be a capitol request. Mr. Dudick said he's not comfortable comparing asks from the different communities. Mr. Gagen will proceed with Grant Awards as recommended by committee.

IX REPORT OF MAYOR AND COUNCILMEMBERS

A. CAST/MMC (MAYOR WARNER)

TOWN OF BRECKENRIDGE
TOWN COUNCIL REGULAR MEETING
Tuesday, November 13, 2012
PAGE 3

Sent CAST and MMC reports via email to Council for review.

- B. BRECKENRIDGE OPEN SPACE ADVISORY COMMITTEE (MR. BREWER)
No report.
- C. BRC (MR. BURKE)
~~No report.~~ **Mr. Burke provided his update to the other Council members via email.**
- D. MARKETING COMMITTEE (MR. DUDICK)
No report.
- E. SUMMIT COMBINED HOUSING AUTHORITY (MS. WOLFE)
No report.
- F. BRECKENRIDGE HERITAGE ALLIANCE (MR. BREWER)
Mr. Brewer stated the BHA is submitting a proposal for an Archive Room in Harris Building. Mostly locals, 500 people, took place in the Mine Madhouse on Halloween. Donations up in October.
- G. WATER TASK FORCE (MR. GALLAGHER)
No report.
- H. LANDFILL TASK FORCE (MS. WOLFE)
Ms Wolfe stated they are working on a ballot measure for Nov. 2013. Working to reduce the cost per household. Discussion about single stream recycling and container size.
- I. PUBLIC ART COMMISSION (MR. GALLAGHER)
Mr. Gallagher sent an email with minutes from Public Art Commission meeting. Only thing to add is a staff letter to Frankie Hood recommending a meeting with Chris Willard, Frankie Hood and TOB staff.

X OTHER MATTERS

Mr. Dudick asked about tunnel closures in March. How can we ask for an extension on time? Mr. Gagen stated VR is arranging meeting with CDOT. Other communities are trying to address it as well. We need to start communicating with guests now.

Ms. McAtamney stated we used to plow the bike path from Justice Center to Valley Brook. Mr. Gagen stated it was cut due to underuse.

Mayor Warner stated Shock Hill sidewalks were not part of development agreement, but done as part of planning. Engage Breckenridge discussions about McCain property purchase and High Country Furniture. Interest has been shown, council has not made any decisions at this point. Discussion regarding when to open up acquisitions from Executive Session to the public, how to educate the public on the process and decisions. Mr. Gagen offered next steps for public process on service/commercial.

Mayor Warner asked Mr. Berry about the Passage of Amendment 64. Mr. Berry stated we are waiting to hear what is the federal position is going to be. Need to understand federal position. State is beginning process of how to legislate and determine administrative rules. State is going to begin figuring out licensing process. Amendment allows each town to regulate with its own ordinances, number and location of businesses. State agency is understaffed. Mr. Gagen stated there are 2 parts to discussion: 1) limited plant growing, 2) purchasing. Discussion regarding grow enforcement and how to move forward as a Town.

Mr. Gallagher stated he believes it's the right time to go out with an RFP for the F Lot as part of the Riverwalk process. Discussion around the need to define the RFP process, specific needs/parameters, costs. Mr. Gagen recommended working with a TOB owner's representative to determine feasibility of the RFP.

Mr. Brewer wanted to revisit the Wellington Neighborhood bus service. Mr. Gagen stated they talked to David O'Neil and have not heard anything.

Discussion regarding vesting/multipliers for development agreements.

XI SCHEDULED MEETINGS

XII MEMO ONLY ITEMS [MISC. DOCS/NON-DISCUSSION ITEMS]

- A. FOLLOW UP REPORT TO BUDGET RETREAT

XII EXECUTIVE SESSION

XIV ADJOURNMENT

With no further business to discuss, the meeting adjourned at 10:30pm.
Submitted by Helen Cospolich, Administrative Services

ATTEST:

Helen Cospolich, Deputy Town Clerk

John G. Warner, Mayor