

TOWN OF BRECKENRIDGE
TOWN COUNCIL REGULAR MEETING
Tuesday, April 09, 2013
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CALL TO ORDER, ROLL CALL

Mayor Pro Tem McAtamney called the meeting of April 9, 2013 to order at 7:34pm. The following members answered roll call: Mr. Gallagher, Ms. Wolfe, Mr. Brewer, Mr. Dudick, Mr. Burke and Mayor Pro Tem McAtamney. Mayor Warner was absent.

APPROVAL OF MINUTES - MARCH 26, 2013

With no changes or corrections to the meeting minutes of March 26, 2013, Mayor Pro Tem McAtamney delared they would stand as submitted.

APPROVAL OF AGENDA

Mr. Rick Holman, Assistant Town Manager, reported there were no changes to the agenda.

COMMUNICATIONS TO COUNCIL

- A. Citizen's Comment - (Non-Agenda Items ONLY: 3-minute limit please)
Ms. McAtamney, Mayor Pro Tem, opened Citizen's Comment. Mr. Lee Edwards spoke about the Backstage Theater, the Arts District, and the McCain Property. With no further comments, Citizen's Comment was closed.
- B. Flight for Life presentation
Ms. Deb Edwards, President and Chief Development Officer of Summit Medical Center Health Foundation, spoke about the Flight for Life program and the Flight for Life grant request to the Town of Breckenridge. Mr. Paul Chodkowski, CEO of St. Anthony Summit Medical Center, gave a presentation about the history of the Center and the Flight for Life program.
- C. Wounded Warriors
Mr. John Ebright spoke about the Wounded Warriors program that recently came to Breckenridge for Wounded Warriors Family Ski Week and thanked the Town of Breckenridge.

CONTINUED BUSINESS

- A. Second Reading of Council Bills, Series 2013 - Public Hearings
1. COUNCIL BILL NO. 4, SERIES 2013 - AN ORDINANCE AUTHORIZING THE SALE OF TOWN-OWNED REAL PROPERTY (308 North French Street – Humphrey)
Mayor Pro Tem McAtamney read the title into the minutes. Mr. Berry stated there are no changes to the ordinance from the first reading.
Mayor Pro Tem McAtamney opened the public hearing. There were no comments and the public hearing was closed.
Mr. Gallagher moved to approve COUNCIL BILL NO. 4, SERIES 2013 - AN ORDINANCE AUTHORIZING THE SALE OF TOWN-OWNED REAL PROPERTY (308 North French Street – Humphrey). Mr. Burke seconded the motion.
The motion passed 6 – 0.
 2. COUNCIL BILL NO. 5, SERIES 2013 - AN ORDINANCE ADOPTING CHAPTER 12 OF TITLE 5 OF THE BRECKENRIDGE TOWN CODE; ESTABLISHING A “DISPOSABLE BAG FEE”; PROVIDING FOR THE PAYMENT AND COLLECTION OF SUCH FEE; AND PROVIDING OTHER DETAILS RELATED TO THE DISPOSABLE BAG FEE
Mayor Pro Tem McAtamney read the title into the minutes. Mr. Truckey, Community Development Manager, stated the ordinance will go into effect October 1, 2013. Mr. Berry

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stated staff generally followed the procedures outlined in the Nexus Study by the City of Boulder. There were no changes to the ordinance from the first reading.

Mayor Pro Tem McAtamney opened the public hearing. Ms. McAtamney thanked a group of local children for coming to Council to raise this issue. Ms. Wolfe thanked members of the business community for their work on the Task Force. There were no comments and the public hearing was closed.

Mr. Brewer moved to approve COUNCIL BILL NO. 5, SERIES 2013 - AN ORDINANCE ADOPTING CHAPTER 12 OF TITLE 5 OF THE BRECKENRIDGE TOWN CODE; ESTABLISHING A "DISPOSABLE BAG FEE"; PROVIDING FOR THE PAYMENT AND COLLECTION OF SUCH FEE; AND PROVIDING OTHER DETAILS RELATED TO THE DISPOSABLE BAG FEE. Mr. Gallagher seconded the motion.

The motion passed 6 – 0.

3. COUNCIL BILL NO. 6, SERIES 2013 - AN ORDINANCE AMENDING SECTION 9-1-18-5 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE TOWN OF BRECKENRIDGE "DEVELOPMENT CODE", CONCERNING CALL UP HEARINGS HELD BY THE TOWN COUNCIL

Mayor Pro Tem McAtamney read the title into the minutes. Mr. Berry stated the purpose of the ordinance is to clarify the call-up hearing procedures for council members. There were no changes to the ordinance from the first reading.

Mayor Pro Tem McAtamney opened the public hearing. There were no comments and the public hearing was closed.

Ms. Wolfe moved to approve COUNCIL BILL NO. 6, SERIES 2013 - AN ORDINANCE AMENDING SECTION 9-1-18-5 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE TOWN OF BRECKENRIDGE "DEVELOPMENT CODE", CONCERNING CALL UP HEARINGS HELD BY THE TOWN COUNCIL. Mr. Burke seconded the motion.

The motion passed 6 – 0.

4. COUNCIL BILL NO. 7, SERIES 2013 - AN ORDINANCE MAKING MISCELLANEOUS AMENDMENTS TO CHAPTER 1 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "BRECKENRIDGE DEVELOPMENT CODE", CHAPTER 2 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "BRECKENRIDGE SUBDIVISION STANDARDS, AND CHAPTER 3 OF TITLE 9 " OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "TOWN OF BRECKENRIDGE OFF-STREET PARKING ORDINANCE"

Mayor Pro Tem McAtamney read the title into the minutes. Mr. Berry stated this ordinance makes miscellaneous amendments to the code. The proposed amendment on the 2nd reading includes a change in the current In Lieu Parking Fee from \$13,000 to \$19,236 and council will review this amount annually with a CPI adjustment. Mayor Pro Tem McAtamney opened the public hearing.

Mr. Lee Edwards spoke about a portion of Land Use District 18-2 that was not included in the parking district.

With no further comments the public hearing was closed.

Mr. Brewer moved to approve COUNCIL BILL NO. 7, SERIES 2013 - AN ORDINANCE MAKING MISCELLANEOUS AMENDMENTS TO CHAPTER 1 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "BRECKENRIDGE DEVELOPMENT CODE", CHAPTER 2 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "BRECKENRIDGE SUBDIVISION STANDARDS, AND CHAPTER 3 OF TITLE 9 " OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "TOWN OF BRECKENRIDGE OFF-STREET PARKING ORDINANCE". Ms. Wolfe seconded the motion.

The motion passed 6 – 0.

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5. COUNCIL BILL NO. 8, SERIES 2013 - AN ORDINANCE PROVIDING FOR THE VACATION OF A RIGHT OF WAY (Portion of Skiwatch Drive)

Mayor Pro Tem McAtamney read the title into the minutes. Mr. Berry stated this ordinance was requested in connection with a recently approved development. Notice was given to adjoining landowners and utility companies.

Mayor Pro Tem McAtamney opened the public hearing. There were no comments and the public hearing was closed.

Mr. Gallagher moved to approve COUNCIL BILL NO. 8, SERIES 2013 - AN ORDINANCE PROVIDING FOR THE VACATION OF A RIGHT OF WAY (Portion of Skiwatch Drive). Mr. Burke seconded the motion.

The motion passed 5-0. Mr. Dudick abstained.

6. COUNCIL BILL NO. 9, SERIES 2013 - AN ORDINANCE APPROVING A LEASE WITH ALPINE ROCK COMPANY, A COLORADO CORPORATION d/b/a APC CONCRETE

Mayor Pro Tem McAtamney read the title into the minutes. Mr. Daugherty stated the lease is a multi-year lease, which requires an ordinance. Mr. Berry stated that there is a minor amendment from the first reading, and the wording will indicate that this new lease will replace the old one.

Mayor Pro Tem McAtamney opened the public hearing. There were no comments and the public hearing was closed.

Ms. Wolfe moved to approve COUNCIL BILL NO. 9, SERIES 2013 - AN ORDINANCE APPROVING A LEASE WITH ALPINE ROCK COMPANY, A COLORADO CORPORATION d/b/a APC CONCRETE. Mr. Gallagher seconded the motion.

The motion passed 6-0.

7. COUNCIL BILL NO. 10, SERIES 2013 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT WITH MICHAEL R. CAVANAUGH (Brown Hotel - Lots 6 and 7, Abbett Addition)

Mayor Pro Tem McAtamney read the title into the minutes. Mr. Berry stated the request for the development agreement came from Mr. Cavanaugh. No changes to the ordinance from first reading, but one change in the development agreement from first reading related to the parking easement; changes are reflected in packet.

Mayor Pro Tem McAtamney opened the public hearing. There were no comments and the public hearing was closed.

Mr. Burke moved to approve COUNCIL BILL NO. 10, SERIES 2013 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT WITH MICHAEL R. CAVANAUGH (Brown Hotel - Lots 6 and 7, Abbett Addition). Mr. Dudick seconded the motion.

The motion passed 6-0.

NEW BUSINESS

- A. First Reading of Council Bills, Series 2013 - None
B. Resolutions, Series 2013

1. A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT REGARDING THE SUMMIT COUNTY WEED ADVISORY BOARD .

Mayor Pro Tem McAtamney read the title into the minutes. Mr. Berry stated this IGA confirms and ratifies the existence of the Noxious Weed Board.

Mr. Gallagher moved to approve A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT REGARDING THE SUMMIT COUNTY WEED ADVISORY BOARD. Mr. Burke seconded the motion.

The motion passed 6-0.

- C. Other
1. BOSAC Appointments
Mr. Holman reviewed the voting procedures. Council members discussed their views of the candidates. A show of hands indicated majority in favor of Craig Campbell, Jeff Carlson and Jeff Cospolich.
Mr. Dudick moved to approve the BOSAC Appointments: Mr. Campbell, Mr. Carlson, Mr. Cospolich. Mr. Brewer seconded the motion.
The motion passed 6 – 0.

PLANNING MATTERS

- A. Planning Commission Decisions
With no request to call an item off the consent calendar, Mayor Pro Tem McAtamney declared the Planning Commission Decisions would stand approved as presented.

Mr. Berry then introduced the following Town Project with revised findings and conditions for approval: Railroad Park Project. Mr. Neubecker stated the Town has been working with the Breckenridge Heritage Alliance to develop a playground space at the Rotary Snowplow Park. The Planning Commission has recommended approval, but the Engineering Department has since asked that the Town make minor modifications to the conditions of approval due to possible flood plain issues and wetlands in the area. The applicant has received the revised conditions of approval and has accepted them.

Mr. Dudick moved to approve the Railroad Park Project with the revised findings and conditions. Ms. Wolfe seconded the motion.
The motion passed 6 – 0.

- B. Planning Commission Report (Mr. Gallagher)
Mr. Gallagher stated there will be a joint meeting with the Planning Commission in June and requests that Council provide agenda topics for that meeting to Peter Grosshuesch, Community Development Director.

REPORT OF TOWN MANAGER AND STAFF

Mr. Holman stated the Pinewood II point analysis is included in the packet. He also sent an email regarding the Town's naming rights policy for the Harris Street building. As a reminder, the Speakeasy Goodbye Party will be on April 19th.

REPORT OF MAYOR AND COUNCILMEMBERS

- A. Cast/MMC (Mayor Warner)
Mr. Warner emailed his report to the Council members.
- B. Breckenridge Open Space Advisory Committee (Mr. Brewer)
Mr. Brewer stated BOSAC attended a site visit on Monday, April 8th.
- C. BRC (Mr. Burke)
Mr. Burke emailed his report to Council members.
- D. Marketing Committee (Ms. Wolfe)

Ms. Wolfe stated the Town (BRC) is funding Breck Bike Week. Additionally, the SMARI

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research will be funded by the BRC and BMAC. Mr. Dudick asked about the Central Reservations 2013 budgeted revenue from a BMAC presentation. Council members are looking for clarification on the number compared to 2012 actuals.

- E. Summit Combined Housing Authority (Mr. Dudick)
Mr. Dudick stated he attended the recent SCHA meeting and cited a discussion about a Frisco housing project's rising HOA dues and deed-restricted units.
- F. Breckenridge Heritage Alliance (Mr. Brewer)
Mr. Brewer stated the BHA meeting covered the Railroad Park, the Harris Street building and the Sawmill. Mr. Brewer further stated the BHA has been asked to contribute to the new ski resort summer initiative as an informational/consulting source.
- G. Water Task Force (Mr. Gallagher)
No report.
- H. Landfill Task Force (Ms. Wolfe)
No report.
- I. Public Art Commission (Mr. Gallagher)
Mr. Gallagher stated the minutes have been sent to Council members. Mr. Gallagher asked for feedback from Council members on Abbey Hall uses to be sent to Jenn Cram. Also, the Breckenridge Cultural Coalition met, and is currently trying to identify a mission statement, website needs and benchmarking for messaging. On the 25th of April, staff will meet with Riverwalk users to identify hardware needs for the Riverwalk Center.

OTHER MATTERS

Council members discussed the grant for Flight for Life. Consensus was to approve the grant for \$25,000. Mr. Burke stated he thinks the hospital is one of the greatest assets the Town has. Ms. McAtamney then made the Council committee appointments. Ms. McAtamney stated she wants to further discuss the berm improvements on Wellington, as well as landscaping for both solar gardens.

SCHEDULED MEETINGS

ADJOURNMENT

With no further business to discuss, the meeting adjourned at 9:19pm. Submitted by Helen Cospolich, Town Clerk, Municipal Services.

ATTEST:

John Warner, Mayor