

TOWN OF BRECKENRIDGE
TOWN COUNCIL REGULAR MEETING
Tuesday, May 14, 2013
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CALL TO ORDER, ROLL CALL

Mayor Warner called the meeting of May 14, 2013 to order at 7:30pm. The following members answered roll call: Mr. Brewer, Mr. Dudick, Ms. McAtamney, Mayor Warner, Ms. Wolfe and Mr. Gallagher. Mr. Burke was absent.

APPROVAL OF MINUTES - APRIL 23, 2013

With no changes or corrections to the meeting minutes of April 23, 2013, Mayor Warner declared they would stand approved as submitted.

APPROVAL OF AGENDA

Mr. Gagen stated the only change to the agenda is the addition of a motion to ratify the acting Mayor Pro Tem.

COMMUNICATIONS TO COUNCIL

- A. Citizen's Comment - (Non-Agenda Items ONLY: 3-minute limit please)
Mayor Warner opened Citizen's Comments. The Peak School students and staff presented the Council with pictures of the Harris Street building and a thank you for the time they spent in the building. With no further comments, Citizen's Comment was closed.
- B. Red, White and Blue Fire District Update
Mr. Jay Nelson, Deputy Fire Chief for Red, White and Blue Fire District, presented Council with handouts related to the wildfire season. He spoke about the upcoming fire season. Mr. Nelson stated June 1st is the Ready Set Go event.

Mr. Jim Keating, Red, White and Blue Fire Chief, spoke about equipment improvements for the wildfire season. He then spoke about the EMS Study draft report.

CONTINUED BUSINESS

- A. Second Reading of Council Bills, Series 2013 - Public Hearings
1. COUNCIL BILL NO. 11, SERIES 2013 - AN ORDINANCE ANNEXING TO THE TOWN OF BRECKENRIDGE CERTAIN REAL PROPERTY OWNED BY THE TOWN OF BRECKENRIDGE (Wakefield Property, Phase 1 - 5.179 acres)
Mayor Warner read the title into the minutes. Mr. Berry stated he handed out a revised version of the ordinance after the work session. This ordinance refers to the "Wakefield Sawmill" property. Mr. Berry stated there are no other changes from the first reading. Mayor Warner opened the public hearing. There were no comments and the public hearing was closed.

Mr. Dudick moved to approve COUNCIL BILL NO. 11, SERIES 2013 - AN ORDINANCE ANNEXING TO THE TOWN OF BRECKENRIDGE CERTAIN REAL PROPERTY OWNED BY THE TOWN OF BRECKENRIDGE (Wakefield Property, Phase 1 - 5.179 acres). Ms. McAtamney seconded the motion. The motion passed 6 – 0. Mr. Burke was absent.
 2. COUNCIL BILL NO. 12, SERIES 2013 - AN ORDINANCE ANNEXING TO THE TOWN OF BRECKENRIDGE CERTAIN REAL PROPERTY OWNED BY THE TOWN OF BRECKENRIDGE (Wakefield Property, Phase II - 12.307 acres)
Mayor Warner read the title into the minutes. Mr. Berry stated there are no changes to this ordinance from the first reading with the exception of the name change to "Wakefield Sawmill". Mayor Warner opened the public hearing. There were no comments and the

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public hearing was closed.

Mr. Dudick moved to approve COUNCIL BILL NO. 12, SERIES 2013 - AN ORDINANCE ANNEXING TO THE TOWN OF BRECKENRIDGE CERTAIN REAL PROPERTY OWNED BY THE TOWN OF BRECKENRIDGE (Wakefield Property, Phase II - 12.307 acres). Ms. McAtamney seconded the motion. The motion passed 6 – 0. Mr. Burke was absent.

3. COUNCIL BILL NO. 13, SERIES 2013 - AN ORDINANCE APPROVING A LEASE WITH OPTION TO PURCHASE WITH THE BRECKENRIDGE OUTDOOR EDUCATION CENTER, A COLORADO NON-PROFIT CORPORATION (524 Wellington Road)

Mayor Warner read the title into the minutes. Mr. Gagen stated this ordinance would renew a long term lease with the BOEC, and incorporates an option to purchase the property in the future. The corrections from the first reading clarify what is included in the property, and the option for the Town to subdivide the property at a future date. Mayor Warner opened the public hearing. There were no comments and the public hearing was closed.

Ms. McAtamney moved to approve COUNCIL BILL NO. 13, SERIES 2013 - AN ORDINANCE APPROVING A LEASE WITH OPTION TO PURCHASE WITH THE BRECKENRIDGE OUTDOOR EDUCATION CENTER, A COLORADO NON-PROFIT CORPORATION (524 Wellington Road). Mr. Dudick seconded the motion. The motion passed 6 – 0. Mr. Burke was absent.

4. COUNCIL BILL NO. 14 - AN ORDINANCE AMENDING CHAPTER 1 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE KNOWN AS THE "BRECKENRIDGE DEVELOPMENT CODE" CONCERNING MOVING HISTORIC STRUCTURES
- Mayor Warner read the title into the minutes. Mr. Berry stated that as a result of the earlier work session discussion, two minor changes were made from the first reading of this ordinance. Mayor Warner opened the public hearing. There were no comments and the public hearing was closed.

Ms. McAtamney moved to approve COUNCIL BILL NO. 14 - AN ORDINANCE AMENDING CHAPTER 1 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE KNOWN AS THE "BRECKENRIDGE DEVELOPMENT CODE" CONCERNING MOVING HISTORIC STRUCTURES. Mr. Dudick seconded the motion. The motion passed 6 – 0. Mr. Burke was absent.

NEW BUSINESS

A. First Reading of Council Bills, Series 2013

1. COUNCIL BILL NO. 15, SERIES 2013: AN ORDINANCE PLACING RECENTLY ANNEXED PROPERTY IN LAND USE DISTRICT 1, LAND USE DISTRICT 41, AND LAND USE DISTRICT 42 (Wakefield Property, Phase I- 5.179 acres)

Mayor Warner read the title into the minutes. Mr. Berry stated the municipal annexation laws require the newly annexed property be placed in the appropriate Land Use District within 90 days of annexation.

Mr. Brewer moved to approve COUNCIL BILL NO. 15, SERIES 2013: AN ORDINANCE PLACING RECENTLY ANNEXED PROPERTY IN LAND USE DISTRICT 1, LAND USE DISTRICT 41, AND LAND USE DISTRICT 42 (Wakefield Property, Phase I- 5.179 acres). Mr. Dudick seconded the motion. The motion passed 6 – 0. Mr. Burke was absent.

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2. COUNCIL BILL NO. 16, SERIES 2013: AN ORDINANCE PLACING RECENTLY ANNEXED PROPERTY IN LAND USE DISTRICT 1 AND LAND USE DISTRICT 41 (Wakefield Property, Phase II- 12.307 acres)

Mayor Warner read the title into the minutes. Mr. Berry stated this ordinance is part two of the Wakefield Sawmill annexed property, which would be placed in the appropriate Land Use District.

Mr. Gallagher moved to approve COUNCIL BILL NO. 16, SERIES 2013: AN ORDINANCE PLACING RECENTLY ANNEXED PROPERTY IN LAND USE DISTRICT 1 AND LAND USE DISTRICT 41 (Wakefield Property, Phase II- 12.307 acres). Ms. Wolfe seconded the motion.

The motion passed 6 – 0. Mr. Burke was absent.

3. COUNCIL BILL NO. 17, SERIES 2013 - AN ORDINANCE DESIGNATING CERTAIN REAL PROPERTY AS A LANDMARK UNDER CHAPTER 11 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE (Lots 25 and 26, Block 9, Abbetts Addition)

Mayor Warner read the title into the minutes. Mr. Berry stated the Council approved a development for this property last May and as part of that decision, there was a condition that the property be designated a landmark.

Mr. Dudick moved to approve COUNCIL BILL NO. 17, SERIES 2013 - AN ORDINANCE DESIGNATING CERTAIN REAL PROPERTY AS A LANDMARK UNDER CHAPTER 11 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE (Lots 25 and 26, Block 9, Abbetts Addition). Ms. McAtamney seconded the motion.

The motion passed 6 – 0. Mr. Burke was absent.

4. COUNCIL BILL NO. 18, SERIES 2013 - AN ORDINANCE AMENDING THE CABLE TELEVISION FRANCHISE AGREEMENT BETWEEN THE TOWN OF BRECKENRIDGE, COLORADO, AND COMCAST OF CALIFORNIA/COLORADO/WASHINGTON, LP, TO EXTEND THE TERM OF THE FRANCHISE

Mayor Warner read the title into the minutes. Mr. Gagen stated this ordinance would extend the current franchise agreement for one year.

Ms. McAtamney moved to approve COUNCIL BILL NO. 18, SERIES 2013 - AN ORDINANCE AMENDING THE CABLE TELEVISION FRANCHISE AGREEMENT BETWEEN THE TOWN OF BRECKENRIDGE, COLORADO, AND COMCAST OF CALIFORNIA/COLORADO/WASHINGTON, LP, TO EXTEND THE TERM OF THE FRANCHISE . Ms. Wolfe seconded the motion.

The motion passed 6 – 0. Mr. Burke was absent.

5. COUNCIL BILL NO. 19, SERIES 2013 - AN ORDINANCE RATIFYING MORNING STAR/ ROMANCE CLAIM PROPERTY DEDICATION

Mayor Warner read the title into the minutes. Mr. Berry stated the Town and the County recently completed an open space purchase that required the Town and the County to deed to a small portion of land to a private owner.

Mr. Gallagher moved to approve COUNCIL BILL NO. 19, SERIES 2013 - AN ORDINANCE RATIFYING MORNING STAR/ ROMANCE CLAIM PROPERTY DEDICATION. Ms. McAtamney seconded the motion.

The motion passed 6 – 0. Mr. Burke was absent.

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6. COUNCIL BILL NO. 20, SERIES 2013 - AN ORDINANCE AMENDING CHAPTER 1 OF TITLE 3 OF THE BRECKENRIDGE TOWN CODE, CONCERNING THE TOWN OF BRECKENRIDGE SALES TAX, BY AUTHORIZING THE TOWN MANAGER TO PROMULGATE ADMINISTRATIVE RULES AND REGULATIONS REQUIRED FOR THE PROPER ADMINISTRATION OF SUCH TAX

Mayor Warner read the title into the minutes. Mr. Berry stated the Town has an ordinance already in place that establishes procedures for how Town staff can issue administrative rules. This ordinance authorizes the Town Manager to issue administrative rules under the Sales Tax ordinance.

Ms. Wolfe moved to approve COUNCIL BILL NO. 20, SERIES 2013 - AN ORDINANCE AMENDING CHAPTER 1 OF TITLE 3 OF THE BRECKENRIDGE TOWN CODE, CONCERNING THE TOWN OF BRECKENRIDGE SALES TAX, BY AUTHORIZING THE TOWN MANAGER TO PROMULGATE ADMINISTRATIVE RULES AND REGULATIONS REQUIRED FOR THE PROPER ADMINISTRATION OF SUCH TAX.

Mr. Gallagher seconded the motion.

The motion passed 6 – 0. Mr. Burke was absent.

- B. Resolutions, Series 2013 - None
C. Public Works Week 2013 Proclamation

Mayor Warner read the Proclamation. Mayor Warner then stated Council had received many positive public comments about the department.

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 (Ms. McAtamney)

Ms. McAtamney stated there was no report.

- C. Town Project: McCain Master Plan

Mr. Gagen stated the McCain Master Plan project needs a roll call or voice vote to be approved. Ms. Julia Puester stated the McCain Master Plan was reviewed at the planning commission. Now it is before council for approval. Per discussion at the worksession, changes have been made to the Master Plan guidelines reflecting density changes and land uses.

Mr. Dudick moved to approve Town Project: McCain Master Plan. Ms. McAtamney seconded the motion.

The motion passed 6 – 0. Mr. Burke was absent.

REPORT OF TOWN MANAGER AND STAFF

This report was included as part of the afternoon Work Session.

REPORT OF MAYOR AND COUNCILMEMBERS

This complete report was included as part of the afternoon Work Session.

- A. Cast/MMC (Mayor Warner)
B. Breckenridge Open Space Advisory Committee (Mr. Brewer)
C. BRC (Mr. Burke)

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- D. Marketing Committee (Ms. Wolfe)
- E. Summit Combined Housing Authority (Mr. Dudick)
- F. Breckenridge Heritage Alliance (Mr. Dudick)
- G. Water Task Force (Mr. Gallagher)
- H. Landfill Task Force (Ms. Wolfe)
- I. Public Art Commission (Mr. Gallagher)

OTHER MATTERS

Mayor Warner stated a motion is needed to ratify the nomination of Mayor Pro Tem. A motion was made by Mr. Dudick, seconded by Ms. Wolfe, to ratify the nomination of Mayor Pro Tem Ms. McAtamney. All members voted in favor of the nomination by voice vote.

SCHEDULED MEETINGS

Mayor Warner stated he hopes members can attend the Arts District Groundbreaking (date TBD). Mr. Gagen stated the solar garden groundbreaking will take place before the next meeting at 1pm on May 28. Mayor Warner stated he and Ms. McAtamney will be meeting with Pat Campbell to discuss the results of the transit survey.

ADJOURNMENT

With no further business to discuss, the meeting adjourned at 8:30pm. Submitted by Helen Cospolich, Town Clerk, Municipal Services.

ATTEST:

John Warner, Mayor