

CALL TO ORDER, ROLL CALL

Mayor Warner called the meeting of November 25, 2014 to order at 7:31 pm. The following members answered roll call: Mr. Gallagher, Mr. Brewer, Ms. Lawrence, Mr. Burke, Ms. Wolfe, Ms. Gigliello and Mayor Warner.

APPROVAL OF MINUTES - NOVEMBER 11, 2014

With no changes or corrections to the meeting minutes of November 11, 2014, Mayor Warner declared they would stand approved as submitted.

APPROVAL OF AGENDA

Mr. Gagen stated there were no changes to the agenda.

COMMUNICATIONS TO COUNCIL

A. Citizen's Comment - (Non-Agenda Items ONLY: 3-minute limit please)

Mayor Warner opened Citizen's Comment. There were no comments and Citizen's Comment was closed.

B. Breckenridge Ski Resort Update

Ms. Pat Campbell, COO of Breckenridge Ski Resort, stated the ski area is open and the holiday will be busy with the snow. She further stated additional terrain will open in time for the weekend, and the new Colorado Chair provides additional capacity of 30%. Ms. Campbell stated uphill access is now restricted to Peak 8, the Overlook Restaurant is opening, and the Dew Tour will take place December 11-14. Ms. Campbell added that Epic Promise continues with a successful food drive, and volunteers for community dinners. Also, Monday is the Summit County Community Grants reception at the DoubleTree Hotel and she thanked Council for its participation in Wake Up Breck. Ms. Campbell noted a series of leadership changes, including Blaise Carrig retiring August 1, Ms. Campbell moving into his role at that time, and John Buhler returning as the COO of Breckenridge, with Mike Gore as the new COO of Keystone.

Mayor Warner thanked the Breckenridge Ski Resort team for their hard work to get the ski area ready for the holiday.

CONTINUED BUSINESS

A. Second Reading of Council Bills, Series 2014 - Public Hearings

1. COUNCIL BILL NO. 36, SERIES 2014 - AN ORDINANCE PROVIDING FOR AN INCREASE IN MUNICIPAL WATER USER FEES EFFECTIVE JANUARY 1, 2015

Mayor Warner read the title into the minutes. Mr. Gagen stated there were no changes to this ordinance from the first reading. Mayor Warner opened the public hearing. There were no comments and the public hearing was closed.

Ms. Wolfe stated she will be voting no based on her concerns stated in the work session. Ms. Gigliello stated she agrees with Ms. Wolfe. Ms. Lawrence also stated she agrees with Ms. Wolfe and doesn't want Breckenridge to look anti-business with high fees. Mayor Warner stated he was committed to investigating unintended consequences to this ordinance in the future. Mr. Burke stated it's an annual vote so Council can reassess after one year. Mr. Gallagher stated that by voting yes, it creates an urgency to address the other consequences. Mr. Brewer stated he'll be voting yes, as he is "haunted" by the graph that shows Breckenridge will run out of water by 2022 if we don't do anything to fund a new water plant.

Mr. Gallagher moved to approve COUNCIL BILL NO. 36, SERIES 2014 - AN ORDINANCE PROVIDING FOR AN INCREASE IN MUNICIPAL WATER USER FEES EFFECTIVE JANUARY 1, 2015. Mr. Burke seconded the motion.

The motion passed 4 - 3.

2. COUNCIL BILL NO. 37, SERIES 2014 - AN ORDINANCE SETTING THE MILL LEVY WITHIN THE TOWN OF BRECKENRIDGE FOR 2015

Mayor Warner read the title into the minutes. Mr. Gagen stated by law the Town needs to establish its mill levy by early December to file with Summit County, and there are no changes to this ordinance since the first reading. Mayor Warner opened the public hearing. There were no comments and the public hearing was closed.

Ms. Gigliello moved to approve COUNCIL BILL NO. 37, SERIES 2014 - AN ORDINANCE SETTING THE MILL LEVY WITHIN THE TOWN OF BRECKENRIDGE FOR 2015. Ms. Lawrence seconded the motion.

The motion passed 7 - 0.

3. COUNCIL BILL NO. 38, SERIES 2014 - AN ORDINANCE APPROVING A LEASE

WITH COLORADO RSA NO. 3 LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS (Kingdom Park Ball Field; 857 Airport Road)

Mayor Warner read the title into the minutes. Mr. Daugherty stated the only change to the ordinance is in the title (referencing the correct address), and Council should refer to the version in the packet. Mayor Warner opened the public hearing. There were no comments and the public hearing was closed.

Mr. Brewer moved to approve COUNCIL BILL NO. 38, SERIES 2014 - AN ORDINANCE APPROVING A LEASE WITH COLORADO RSA NO. 3 LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS (Kingdom Park Ball Field; 857 Airport Road). Mr. Gallagher seconded the motion.
The motion passed 7 - 0.

4. COUNCIL BILL NO. 39, SERIES 2014- AN ORDINANCE DESIGNATING CERTAIN REAL PROPERTY AS A LANDMARK UNDER CHAPTER 11 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE (Milne/McNamara House and Eberlein House; Lots 3 and 4, Block 8, Yingling & Mickles Addition)
Mayor Warner read the title into the minutes. Mr. Berry stated there were no changes to this ordinance from the first reading. Mayor Warner opened the public hearing. There were no comments and the public hearing was closed.

Ms. Lawrence moved to approve COUNCIL BILL NO. 39, SERIES 2014- AN ORDINANCE DESIGNATING CERTAIN REAL PROPERTY AS A LANDMARK UNDER CHAPTER 11 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE (Milne/McNamara House and Eberlein House; Lots 3 and 4, Block 8, Yingling & Mickles Addition). Ms. Wolfe seconded the motion.
The motion passed 7 - 0.

5. COUNCIL BILL NO. 40, SERIES 2014-AN ORDINANCE DESIGNATING CERTAIN REAL PROPERTY AS A LANDMARK UNDER CHAPTER 11 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE (Breckenridge Grand Vacations Community Center; Lots 1 – 9, Block 2, Yingling & Mickles Addition, and Part of Klack Placer)
Mayor Warner read the title into the minutes. Mr. Berry stated there were no changes to this ordinance from the first reading. Mayor Warner opened the public hearing. There were no comments and the public hearing was closed.

Mr. Brewer moved to approve COUNCIL BILL NO. 40, SERIES 2014-AN ORDINANCE DESIGNATING CERTAIN REAL PROPERTY AS A LANDMARK UNDER CHAPTER 11 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE (Breckenridge Grand Vacations Community Center; Lots 1 – 9, Block 2, Yingling & Mickles Addition, and Part of Klack Placer). Mr. Gallagher seconded the motion.
The motion passed 7 - 0.

6. COUNCIL BILL NO. 41, SERIES 2014 - AN ORDINANCE AMENDING CHAPTER 14 OF TITLE 4 OF THE BRECKENRIDGE TOWN CODE , KNOWN AS THE "TOWN OF BRECKENRIDGE 2013 MARIJUANA LICENSING ORDINANCE," BY EXTENDING THE LIMITATION ON THE SUBMISSION OF NEW LICENSE APPLICATIONS UNTIL JULY 1, 2015
Mayor Warner read the title into the minutes. Mr. Berry stated there were no changes to this ordinance from the first reading. Mayor Warner opened the public hearing. There were no comments and the public hearing was closed.

Mr. Burke stated he is going to vote for this ordinance but his intention is to not allow new licenses in Breckenridge for at least one year. Mayor Warner stated Council will need to revisit this ordinance this spring or sooner.

Ms. Wolfe moved to approve COUNCIL BILL NO. 41, SERIES 2014 - AN ORDINANCE AMENDING CHAPTER 14 OF TITLE 4 OF THE BRECKENRIDGE TOWN CODE , KNOWN AS THE "TOWN OF BRECKENRIDGE 2013 MARIJUANA LICENSING ORDINANCE," BY EXTENDING THE LIMITATION ON THE SUBMISSION OF NEW LICENSE APPLICATIONS UNTIL JULY 1, 2015. Mr. Brewer seconded the motion.
The motion passed 7 - 0.

NEW BUSINESS

A. First Reading of Council Bills, Series 2014 - Public Hearings

1. COUNCIL BILL NO. 42, SERIES 2014 - AN ORDINANCE APPROVING THE FOURTH AMENDMENT TO THE TOWN'S CABLE TELEVISION FRANCHISE AGREEMENT WITH COMCAST OF CALIFORNIA/COLORADO/WASHINGTON, LP
Mayor Warner read the title into the minutes. Mr. Gagen stated this ordinance will be the

second extension to the current franchise agreement with Comcast, and our attorney has recommended we extend the franchise at this time to allow more time to negotiate a new agreement. He further clarified that the fourth amendment mentioned in the title of the ordinance includes agreements with prior owners.

Ms. Gigliello excused herself due to a conflict of interest.

Mayor Warner opened the public hearing for first reading. There were no comments and the public hearing was closed.

Mr. Gallagher moved to approve COUNCIL BILL NO. 42, SERIES 2014 - AN ORDINANCE APPROVING THE FOURTH AMENDMENT TO THE TOWN'S CABLE TELEVISION FRANCHISE AGREEMENT WITH COMCAST OF CALIFORNIA/COLORADO/WASHINGTON, LP. Ms. Wolfe seconded the motion. The motion passed 6 - 0. Ms. Gigliello abstained.

B. Resolutions, Series 2014

1. RESOLUTION NO. 22, SERIES 2014 - A RESOLUTION ADOPTING THE 2015 BUDGET AND MAKING APPROPRIATIONS THEREFOR (2nd Public Hearing)
Mayor Warner read the title into the minutes and noted this was the second public hearing for the 2015 budget. Mr. Gagen stated this resolution will approve the budget and there has been no public comment to date. Mayor Warner opened the public hearing. There were no comments and he closed the public comment.

Mr. Brewer asked Mr. Gagen to review the Capital Improvement Plan for 2015 for the benefit of the public. Mr. Burke stated he wanted to thank the staff for their hard work on the budget this year.

Mr. Gallagher moved to approve RESOLUTION NO. 22, SERIES 2014 - A RESOLUTION ADOPTING THE 2015 BUDGET AND MAKING APPROPRIATIONS THEREFOR (2nd Public Hearing). Ms. Wolfe seconded the motion. The motion passed 7 - 0.

2. RESOLUTION NO. 23, SERIES 2014 - A RESOLUTION NAMING CERTAIN PROPERTY LOCATED WITHIN THE TOWN'S DOWNTOWN DISTRICT
Mayor Warner read the title into the minutes. Mr. Berry stated Council reviewed the proposal to name the park at the Nov. 11 Work Session, and the recommendation is to name it Prospector Park. He further stated he requests one change in the title of the ordinance to read "Downtown Overlay District". Mayor Warner stated Ms. Gigliello thought of the name, and Council agreed it created a nice link to the mining history of the area.

Mr. Gallagher moved to approve RESOLUTION NO. 23, SERIES 2014 - A RESOLUTION NAMING CERTAIN PROPERTY LOCATED WITHIN THE TOWN'S DOWNTOWN DISTRICT. Ms. Gigliello seconded the motion. The motion passed 7 - 0.

3. RESOLUTION NO. 24, SERIES 2014 - A RESOLUTION APPROVING A CONTRACT FOR THE MAINTENANCE OF COLORADO HIGHWAY 9 WITH THE STATE OF COLORADO, DEPARTMENT OF TRANSPORTATION
Mayor Warner read the title into the minutes. Mr. Daugherty stated in the past the Town has held a contract with CDOT for maintenance of Highway 9, and the contract needs to be renewed for another 5 years.

Mr. Brewer moved to approve RESOLUTION NO. 24, SERIES 2014 - A RESOLUTION APPROVING A CONTRACT FOR THE MAINTENANCE OF COLORADO HIGHWAY 9 WITH THE STATE OF COLORADO, DEPARTMENT OF TRANSPORTATION. Mr. Burke seconded the motion. The motion passed 7 - 0.

C. Other

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. Brewer)

Mr. Brewer stated he reported to the Planning Commission and then left the meeting. Mr. Gallagher commended him for a thorough report to the Planning Commission, as read in

the meeting minutes.

REPORT OF TOWN MANAGER AND STAFF

Mr. Gagen stated he had no report.

REPORT OF MAYOR AND COUNCILMEMBERS

A. Cast/MMC (Mayor Warner)

Mr. Warner stated the next meeting is next Thursday in Breckenridge. Mr. Gagen stated Dr. Heidi Pace, the School Superintendent, stated she is concerned about the appearance of vaporizers in the schools and it will be a topic at the next MMC meeting.

B. Breckenridge Open Space Advisory Committee (Ms. Lawrence)

Ms. Lawrence stated the committee recently discussed areas of forest health cleaning in the Golden Horseshoe and Iowa Hill, and they discussed the budget retreat and the budget surplus. Ms. Lawrence stated Council should consider a joint meeting with BOSAC or an update to the open space plan to better define goals. She further stated there was some disagreement in the committee about how the budget surplus could be spent, and interpretation of the open space plan in how it benefits community members and visitors. She stated the committee agreed to pay down the debt on the B&B property, and she will forward the meeting minutes to Council to review.

Ms. Wolfe stated she is concerned about philosophies about serving all needs in Open Space. Ms. Lawrence further stated this is a passionate group and there seems to be a difference between in-Town and out-of-Town open space areas. She also stated she supports "accessible open space." Mr. Brewer stated the committee tries to take advantage of opportunities when they arise, including open space purchases both in and out of town. He further stated other communities are jealous that we have the resources to purchase and maintain open spaces in this way to avoid sprawling density in the community.

Mr. Gallagher stated he is troubled by the idea that the Open Space Plan would be limited to community members over visitors, and open space should benefit both groups. Mr. Gagen stated on the subject of amending the Open Space Plan, it's approved by Town Council. Ms. Gigliello stated that since it is an advisory committee, we should set our expectations as the Council. Ms. Lawrence stated they will add a habitat restoration line in the pro forma. Mr. Brewer stated it's worth noting that the nature of the opportunities that arise is always changing and the program will continue to evolve as a result. Mayor Warner stated priorities evolve and our job is to react to opportunities, and he doesn't want mutually exclusive concepts. He further stated his vision includes a pathway by the east side of the river, and the 2007 revision to the Open Space Plan was helpful and may still be valid in its form. Mr. Burke stated the visitors become our locals.

C. GoBreck (Ms. Wolfe)

Ms. Wolfe stated there was a Board of Directors meeting and the 2015 budget will be presented to Council at the next meeting. She further stated the holiday lighting is in the works, and the Lighting of Breckenridge will be well done. Ms. Gigliello stated there will be a shop hop on Black Friday. Ms. Wolfe also stated there is good work being done in events to work collaboratively with all of the groups across town.

D. Breckenridge Heritage Alliance (Ms. Gigliello)

Ms. Gigliello stated there was no meeting.

E. Water Task Force (Mr. Gallagher)

Mr. Gallagher stated there was nothing new to report.

F. Cultural Arts Advisory Committee (Mr. Gallagher and Ms. Wolfe)

Mr. Gallagher stated there was a board meeting and the Town representatives have stepped back from the organization, and starting on January 1, 2015 there will be an independent board moving the organization forward. He further stated all of the housekeeping work is being done and they are now looking for additional board members.

OTHER MATTERS

Ms. Gigliello stated she has trouble seeing at night in the crosswalks on Park Avenue in front of the Village and would like to see if something can be done in that area. Mr. Holman stated they explored yellow traffic lights in the past and CDOT did not approve them. Mr. Tom Daugherty stated there are other types of lamps that could be used for the area, but they are not in the traditional Town style. Mr. Gagen stated they will ask CDOT about available funds to improve that area.

Ms. Lawrence stated she has thought about the color of the door at the Arts District, and she feels we are penalizing the Arts District by restricting the number of colors on the

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buildings by code. She asked if other homes are abiding by the same code and if there is a way to not penalize the Arts District for the color of the door. Mr. Grossheusch stated we have the authority to bend the rules on Town projects to allow additional colors and to amend the development permit administratively. Council members stated they generally agreed with the administrative change for the door color in the Arts District.

SCHEDULED MEETINGS

ADJOURNMENT

With no further business to discuss, the meeting adjourned at 9:08 pm. Submitted by Helen Cospolich, Municipal Services Manager.

ATTEST:

/s/

John Warner, Mayor