

CALL TO ORDER, ROLL CALL

Mayor Warner called the meeting of February 10, 2015 to order at 7:30 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 - JANUARY 27, 2015

With no changes or corrections to the meeting minutes of January 27, 2015, 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.

Mr. Matthew Stais, a Town of Breckenridge resident, thanked Council for the parking/transit update in the afternoon work session and further stated he wants to see the parking availability for Breckenridge Elementary School retained if possible. He also stated he is concerned about using more of the Ice Arena parking area in the future because it's already pretty full. Mr. Stais asked about the timeframe for implementing the changes, and Mayor Warner explained it will be a phased approach, with Council trying to reach a solution by the May retreat. Mayor Warner also stated Council needs to finish research about employee parking during this busy time. Mr. Stais also stated he gets parking permits for his employees, who use their cars to get to job sites.

There were no additional comments and Citizen's Comment was closed.

B. GoBreck Update

Ms. Lucy Kay, Director of GoBreck, stated Jesse Unruh and Rachel Zerowin (also of GoBreck) were present to explain recent media successes. Ms. Zerowin stated the Weather Summit was a big success for live shots around the country. Ms. Unruh stated Snow Sculpture was successful for visual content, including an increase in engagement, social media, b-roll for national outlets, and videos that have gotten more shares than ever before.

Ms. Kay stated they are trying to think about marketing emphasis as opposed to marketing dollars. Ms. Kay spoke at length about the impacts of Colorado Tourism dollars on both the state-wide and local economies. She also explained that the Governor will be asking for more marketing specific funding in the future hopefully to generate \$1.2 billion dollars in incremental spending. She also explained that Colorado is the 5th most aspired to destination, yet only 9% actually come. Ms. Kay stated lodging is pacing ahead 4% for the winter.

Ms. Lawrence asked about the ROI for the marketing spend, and Ms. Kay explained that it's better than average for Breckenridge. Ms. Lawrence thanked GoBreck for helping to produce the booklet for the Snow Sculpture Championships.

C. Breckenridge Ski Resort Update

Ms. Pat Campbell, COO of Breckenridge Ski Resort, stated updates include that the new Colorado Chair is doing well, and Breckenridge is the snowiest resort in Colorado, and #5 in North America. She also stated the Spring Fever bands are lined up, including bluegrass and country, for March 21- April 19, and Epic Promise donated \$36K to Summit County Search and Rescue. Ms. Campbell stated the draft EIS has been released, and the comment period ends March 2. She also stated the Forest Service will be hosting an open house on Feb. 24, 5-7pm at Mountain Thunder Lodge for the EIS, and the ski resort is gearing up for a very busy weekend.

Mr. Gagen asked why they don't allow uphill skinning at the Canyons, and Ms. Campbell explained it's a safety issue with avalanche control. Also, Park City is working on a policy.

CONTINUED BUSINESS

A. Second Reading of Council Bills, Series 2015 - Public Hearings

1. COUNCIL BILL NO. 3, SERIES 2015 - AN ORDINANCE AMENDING CHAPTER 9 OF TITLE 5 OF THE BRECKENRIDGE TOWN CODE; MAKING ELECTRONIC SMOKING DEVICES SUBJECT TO THE TOWN'S "SMOKING ORDINANCE"; AND AMENDING THE LIST OF INDOOR AND OUTDOOR AREAS OF THE TOWN WHERE SMOKING IS PROHIBITED

Mayor Warner read the title into the minutes. Mr. Tim Berry stated he handed out the revised ordinance with changes as reflected from the afternoon work session. Mayor Warner stated it looked correct. Mr. Berry further stated that Council has proposed a change to the ordinance to allow a window for smoking in outdoor areas between 10pm and close of the business.

Mayor Warner opened the public hearing.

Mr. Jeff Cox, owner of Cecilia's Bar, asked Council to consider allowing daytime smoking for his cigar bar. He further stated he is doing about \$35K per year of cigar sales, and this ordinance would mean he can't operate his business the way he operates now. Mayor Warner thanked him for bringing his perspective to Council. Ms. Wolfe asked him to clarify what his business does 2-10pm. Mr. Cox asked if smoking of cigars could be overlooked by law enforcement, and Mayor Warner stated he understood the request and Council will discuss.

There were no additional comments and the public hearing was closed.

Mr. Brewer moved to approve COUNCIL BILL NO. 3, SERIES 2015 - AN ORDINANCE AMENDING CHAPTER 9 OF TITLE 5 OF THE BRECKENRIDGE TOWN CODE; MAKING ELECTRONIC SMOKING DEVICES SUBJECT TO THE TOWN'S "SMOKING ORDINANCE"; AND AMENDING THE LIST OF INDOOR AND OUTDOOR AREAS OF THE TOWN WHERE SMOKING IS PROHIBITED. No one seconded the motion.

The motion failed due to lack of a second motion.

Ms. Gigliello stated she would move to adopt the version of the ordinance from the agenda packet but deleting section B. 2), regarding outdoor spaces.

Mr. Gallagher stated we are going backward, and he is not going to vote for it in that form. Mr. Burke stated it was all or nothing for him, and he doesn't know how the enforcement of the other proposed ordinance allowing evening smoking will work. He further stated he will support it in this form. Mr. Brewer asked if this amendment was better than nothing. Ms. Lawrence stated she is torn because she sees both sides of this ordinance, and some patios are bar patios, while some are restaurant patios. Ms. Gigliello stated there is no rush on this ordinance and she would like to revisit the issue in the future. Ms. Wolfe stated she would agree with Ms. Gigliello, and we aren't accomplishing a total ban on smoking with this ordinance so it's a matter of where it is allowed. She also stated there still will be cigarette smoke in the air.

Mayor Warner stated he would vote no on this ordinance because he doesn't think it is accomplishing the goal of clean air in our Town. He further stated he would consider compromising to allow a 9pm smoking time in the future.

Ms. Gigliello moved to approve the amended COUNCIL BILL NO. 3, SERIES 2015 - AN ORDINANCE AMENDING CHAPTER 9 OF TITLE 5 OF THE BRECKENRIDGE TOWN CODE; MAKING ELECTRONIC SMOKING DEVICES SUBJECT TO THE TOWN'S "SMOKING ORDINANCE"; AND AMENDING THE LIST OF INDOOR AND OUTDOOR AREAS OF THE TOWN WHERE SMOKING IS PROHIBITED. Mr. Burke seconded the motion.

The motion passed 5 - 2. Mayor Warner and Mr. Gallagher dissented.

NEW BUSINESS

A. First Reading of Council Bills, Series 2015 - Public Hearings

1. COUNCIL BILL NO. 5, SERIES 2015 - AN ORDINANCE AMENDING SECTION 8-2-16 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE ENFORCEMENT OF THE TOWN OF BRECKENRIDGE SIGN ORDINANCE

Mayor Warner read the title into the minutes. Mr. Berry stated this ordinance amends how the sign code ordinance can be enforced to allow for staff to issue penalty assessments and assist them in attempting to enforce the sign code. Mr. Burke stated he would like to see the fees assessed by the Judge when they are set.

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

Ms. Lawrence moved to approve COUNCIL BILL NO. 5, SERIES 2015 - AN ORDINANCE AMENDING SECTION 8-2-16 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE ENFORCEMENT OF THE TOWN OF BRECKENRIDGE SIGN ORDINANCE. Mr. Gallagher seconded the motion.

The motion passed 7 - 0.

B. Resolutions, Series 2015

- 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 had no update from his report emailed to Council.

REPORT OF TOWN MANAGER AND STAFF

Mr. Gagen stated the sign tour will take place on March 10th before the meeting. He also stated staff would like to do an education process before beginning enforcement of the ordinance.

REPORT OF MAYOR AND COUNCILMEMBERS

- A. Cast/MMC (Mayor Warner)
Mayor Warner stated he sent his update to Council. He also stated Issue 5A may be on the ballot for this November, including a modification of sales tax, and an expansion of the use of those funds.
- B. Breckenridge Open Space Advisory Committee (Ms. Lawrence)

Ms. Lawrence stated there was no meeting. She also asked about Flouride and Mayor Warner stated that issue will be discussed at the March 10 meeting. Mayor Warner also stated he has been doing research and it should be a good discussion at the meeting.
- C. GoBreck (Ms. Wolfe)
Ms. Wolfe stated Ms. Kay covered the update earlier.
- D. Breckenridge Heritage Alliance (Ms. Gigliello)
Ms. Gigliello stated she sent an update to Council.
- E. Water Task Force (Mr. Gallagher)
Mr. Gallagher stated he, Mr. Gagen and Mr. Gary Martinez from the County visited the Water Board in Denver and spoke with the director about what they are doing and why, and the benefits. The director indicated he would stay involved in the process. Mr. Gallagher further stated the Town would look at quantitative solutions of water flow levels and hopefully prepare a proposal to present to the Water Board.
- F. Breckenridge Creative Arts (Ms. Wolfe, Mr. Gallagher)
Mr. Gallagher stated he had no report.

OTHER MATTERS

Ms. Wolfe stated the hockey community wants to make sure Council considers a better roof on the outdoor rink to also allow for dry land training space, including additional showers for summer events. Mr. Gagen stated this conversation goes back many years and the previous Council told them to fundraise for those efforts, and all of this will come before Council in late March with the Recreation study.

Ms. Lawrence stated she would like to see Free Ride numbers to the Airport Road area. She also asked for a painted crosswalk in that area with signs. Mr. Gagen stated staff is looking into it.

Mr. Brewer stated there was a picture posted online of the driveway into City Market lacking a sidewalk. Mr. Gagen stated it is private property and the Town has spoken to the owner before and we can't do much about it.

Ms. Gigliello asked about the spring retreat, which is scheduled for May 12.

Mr. Burke moved to adjourn the Town Council Regular meeting at 8:56pm.

ORGANIZATIONAL MEETING FOR TOWN OF BRECKENRIDGE HOUSING AUTHORITY

Mayor Warner called the Organizational Meeting for Town of Breckenridge Housing Authority to order at 8:56pm. The following members answered roll call: Mr. Gallagher, Mr. Brewer, Ms. Lawrence, Mr. Burke, Ms. Wolfe, Ms. Gigliello and Mayor Warner.

Mr. Berry circulated a Waiver of Notice to be signed by the members of the meeting. He further stated DOLA formally certified the creation of the authority.

- A. Resolution to Adopt By-Laws
Mayor Warner read the title into the minutes. Mr. Berry stated this resolution is a standard step in forming this authority, and the authority is required to hold an annual meeting and

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conduct official actions in relation to the financing.
Mr. Burke moved to Approve Resolution to Adopt the Breckenridge Housing Authority
By-Laws. Ms. Gigliello seconded the motion.
The motion passed 7 - 0.

SCHEDULED MEETINGS

ADJOURNMENT

With no further business to discuss, the meeting adjourned at 9:01 pm. Submitted by Helen
Cospolich, Municipal Services Manager.

ATTEST:

John Warner, Mayor