

CALL TO ORDER, ROLL CALL

Mayor Warner called the meeting of March 10, 2015 to order at 7:33 pm. The following members answered roll call: Mr. Gallagher, Mr. Brewer, Ms. Lawrence, Ms. Wolfe, Ms. Gigliello and Mayor Warner. Mr. Burke was absent.

APPROVAL OF MINUTES - APRIL 14, 2015

With no changes or corrections to the meeting minutes of April 14, 2015, Mayor Warner declared they would stand approved as submitted.

APPROVAL OF AGENDA

Mr. Gagen stated there was one change to the agenda, which is to move the Motion to Cancel the May 12, 2015 Regular Meeting to end of meeting under Other Matters.

COMMUNICATIONS TO COUNCIL

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

Mayor Warner opened Citizen's Comment.

Ms. Marty Ferris, a member of the Recreation Advisory Committee, stated that while she understands there's a lot coming up for capital improvements, the Recreation Center needs more office space, a new elevator, a children's space, larger studio space, a bigger spin room and more stretching area. She further stated the physical therapy office is small with little privacy. Ms. Ferris suggested covering the outdoor tennis courts and repurposing the indoor courts with two floors.

Ms. Amy Perchick, a member of the Recreation Advisory Committee, stated the Recreation Center doesn't have enough floor to space, and wheelchairs and people on crutches have a hard time moving around in the Center. She further stated the kids programs share space with the public in the multi-purpose room, and there is not a safe area for pickup and drop-off of children. She stated there were about 900 responses to the expansion/improvement survey, and she would like Council to take the time to review those.

Ms. Kim Eytel, of Avalanche Physical Therapy, stated she would like the Council to consider expansion of the Recreation Center for Avalanche Physical Therapy as well, since the service they provide benefits from the location and creates a symbiotic relationship where patients are encouraged to purchase passes to use the facility for their rehabilitation. She further stated Avalanche Physical Therapy provides free injury screens and free injury prevention lectures for the community and for Town staff, and the business has seen significant growth over the last three years.

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

B. Breckenridge Ski Resort Update

Ms. Pat Campbell, COO of Breckenridge Ski Resort, stated the ski season is over and summer starts June 12, and ends one weekend after Labor Day. She further stated the Summer EIS proposal is pending with the Forest Service, and new activities will be added at the base of Peak 8 this year for small children, including a kids' zipline, kids challenge course, and a summer snowtubing activity. Also, chairlift rides will be offered on Peak 8 on the Colorado Chair this summer, with upgraded bike carriers. Ms. Campbell also stated the mountain clean-up will take place on June 11, and the Spartan Race is scheduled for June 13 on Peak 9. Also, Epic Promise gave two awards to Vail Resorts Employees who served the community and improved the resorts. Ms. Campbell stated the "No Mobile" initiative to reduce snowmobile use on mountain during operating hours was a success with a 42% reduction in mileage of snowmobiles. Also, this is her last time speaking in front of the Council, as John Buehler, the new COO of Breckenridge Ski Resort, will give the next update. Council thanked her for work and wished her well in her new position with Vail Resorts.

C. Gary Roberts Service Recognition

Mayor Warner recognized Gary Roberts for his longtime service to the Town and presented him with an Ullr Helmet. Mr. Roberts will retire next week.

CONTINUED BUSINESS

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

1. COUNCIL BILL NO. 10, SERIES 2015 - AN ORDINANCE AMENDING CHAPTER 3 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE CONCERNING OFF STREET PARKING

Mayor Warner read the title into the minutes. Mr. Tim 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. Gallagher moved to approve COUNCIL BILL NO. 10, SERIES 2015 - AN ORDINANCE AMENDING CHAPTER 3 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE CONCERNING OFF STREET PARKING. Ms. Wolfe seconded the motion.
The motion passed 6 - 0. Mr. Burke was absent.

NEW BUSINESS

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

1. COUNCIL BILL NO. 9, SERIES 2015 - AN ORDINANCE REPEALING AND READOPTING WITH CHANGES CHAPTER 13 OF TITLE 4 OF THE BRECKENRIDGE TOWN CODE CONCERNING SPECIAL EVENTS AND MAKING MISCELLANEOUS AMENDMENTS TO THE BRECKENRIDGE TOWN CODE RELATED THERETO

Mayor Warner read the title into the minutes. Ms. Kim Dykstra, Communications Manager, stated our events have grown and thrived and amendments to this ordinance are an effort to make it simpler and to add Administrative Regulations. She further stated it creates an Events Committee, and defines an event, including the length of an event. She further stated this ordinance adds photo and video shoots. Mayor Warner stated this was first reading of the ordinance, and clarified its purpose for the audience.

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

Mr. Brewer moved to approve COUNCIL BILL NO. 9, SERIES 2015 - AN ORDINANCE REPEALING AND READOPTING WITH CHANGES CHAPTER 13 OF TITLE 4 OF THE BRECKENRIDGE TOWN CODE CONCERNING SPECIAL EVENTS AND MAKING MISCELLANEOUS AMENDMENTS TO THE BRECKENRIDGE TOWN CODE RELATED THERETO. Ms. Lawrence seconded the motion.
The motion passed 6 - 0. Mr. Burke was absent.

2. COUNCIL BILL NO. 11, SERIES 2015 - 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, 2016

Mayor Warner read the title into the minutes. Chief Haynes stated this ordinance would extend the current moratorium on new marijuana licenses until July 1, 2016 and allow staff time to assess impacts of current locations on the infrastructure of the Airport Road area, among other things.

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

Ms. Gigliello moved to approve COUNCIL BILL NO. 11, SERIES 2015 - 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, 2016. Mr. Brewer seconded the motion.
The motion passed 6 - 0. Mr. Burke was absent.

3. COUNCIL BILL NO. 12, SERIES 2015 - AN ORDINANCE APPROVING A CABLE TELEVISION FRANCHISE AGREEMENT BETWEEN THE TOWN OF BRECKENRIDGE, COLORADO AND COMCAST OF COLORADO V, LLC

Mayor Warner read the title into the minutes. Mr. Tim Gagen stated the last Comcast Franchise Agreement expired in June of 2013, and this renewal will extend for another 10 years. He further stated that in essence this is a renewal of the same franchise as before, with a few minor exceptions as noted in the memo, and staff recommends approval.

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

Mr. Gallagher moved to approve COUNCIL BILL NO. 12, SERIES 2015 - AN ORDINANCE APPROVING A CABLE TELEVISION FRANCHISE AGREEMENT BETWEEN THE TOWN OF BRECKENRIDGE, COLORADO AND COMCAST OF

COLORADO V, LLC. Ms. Wolfe seconded the motion.
The motion passed 6 - 0. Mr. Burke was absent.

4. COUNCIL BILL NO. 13, SERIES 2015 - AN ORDINANCE AMENDING SECTION 4-8-1 OF THE BRECKENRIDGE TOWN CODE CONCERNING CABLE TELEVISION CUSTOMER SERVICE STANDARDS

Mayor Warner read the title into the minutes. Mr. Gagen stated the town must adopt these standards independent of the franchise, and staff recommends approval of this ordinance.

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

Ms. Lawrence moved to approve COUNCIL BILL NO. 13, SERIES 2015 - AN ORDINANCE AMENDING SECTION 4-8-1 OF THE BRECKENRIDGE TOWN CODE CONCERNING CABLE TELEVISION CUSTOMER SERVICE STANDARDS . Ms. Gigliello seconded the motion.
The motion passed 6 - 0. Mr. Burke was absent.

5. COUNCIL BILL NO. 14, SERIES 2015 - AN ORDINANCE APPROVING A LONG-TERM LEASE WITH COMCAST COMMUNICATIONS MANAGEMENT, LLC, A DELAWARE LIMITED LIABILITY COMPANY (Part of the Blue River Placer, M.S. 816 – Comcast Head End Facility)

Mayor Warner read the title into the minutes. Mr. Gagen stated this ordinance is a continuation of a lease of Town property on Wellington Road, with an increase in rent to \$2500 per month and a timeframe that matches up with the 10 year period of the franchise.

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

Ms. Wolfe moved to approve COUNCIL BILL NO. 14, SERIES 2015 - AN ORDINANCE APPROVING A LONG-TERM LEASE WITH COMCAST COMMUNICATIONS MANAGEMENT, LLC, A DELAWARE LIMITED LIABILITY COMPANY (Part of the Blue River Placer, M.S. 816 – Comcast Head End Facility). Mr. Gallagher seconded the motion.
The motion passed 6 - 0. Mr. Burke was absent.

B. Resolutions, Series 2015

1. RESOLUTION NO. 9, SERIES 2015 - A RESOLUTION APPROVING AN “INSTITUTIONAL NETWORK (I-NET) AGREEMENT” WITH COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC AND SUMMIT COUNTY, COLORADO GOVERNMENT

Mayor Warner read the title into the minutes. Mr. Gagen stated this Resolution is a new document that pulls out of the old franchise some technical requirements. He further stated staff recommends approval of the Resolution.

Mr. Brewer moved to approve RESOLUTION NO. 9, SERIES 2015 - A RESOLUTION APPROVING AN “INSTITUTIONAL NETWORK (I-NET) AGREEMENT” WITH COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC AND SUMMIT COUNTY, COLORADO GOVERNMENT. Ms. Gigliello seconded the motion.
The motion passed 6 - 0. Mr. Burke was absent.

2. RESOLUTION NO. 10, SERIES 2015 - RESOLUTION AUTHORIZING EXECUTION OF DOCUMENTS BY TOWN OF BRECKENRIDGE FOR PINWOOD 2

Mayor Warner read the title into the minutes. Ms. Laurie Best, Planner for Community Development, stated this resolution authorizes the town to execute the documents related to the bonds and loans for the LITEC process of Pinewood II Housing Development. She further stated staff has reviewed these documents and recommends approval. Mayor Warner clarified the project for the audience.

Mr. Brewer moved to approve RESOLUTION NO. 10, SERIES 2015 - RESOLUTION AUTHORIZING EXECUTION OF DOCUMENTS BY TOWN OF BRECKENRIDGE FOR PINWOOD 2. Ms. Gigliello seconded the motion.
The motion passed 6 - 0. Mr. Burke was absent.

C. Other

PLANNING MATTERS

A. Call-Up Public Hearing: Lincoln Park Master Plan

Mayor Warner introduced the project that was the subject of the Call-Up Public Hearing, **THE LINCOLN PARK AT THE WELLINGTON NEIGHBORHOOD.**

The call up hearing on application number PC#2014038 was held in accordance with Section 9-1-18-5 of the Town's Development Code. A verbatim tape recording of the proceedings was made and will be maintained as required by law. No attempt is made in these minutes to set forth a verbatim record of the proceedings of this hearing.

Councilmember Ben Brewer was determined to have a disqualifying conflict of interest with respect to the application and the call up hearing. Mr. Brewer left the Council Chambers and did not participate in the hearing.

After the testimonial portion of the hearing was concluded, by motion duly adopted, the Town Council approved the Point Analysis for the project proposed by the staff as reflected in the staff report that was part of the record of the hearing. The Point Analysis reflects the project received a total score of +13 points on the relevant relative policies, and implements all relevant absolute policies of the Development Code.

At the conclusion of the call up hearing, Mr. Gallagher made the following motion:

"I move that the Town Council approve Application PC#2014038 concerning "Lincoln Park at the Wellington Neighborhood," with the following changes to the phasing of the project:

- Phase 1 – Rodeo Drive Pedestrian Bridge
- Phase 2 – Vern Johnson Memorial Park
- Phase 3 – Paving of Stables Rd. and alley connections/Midnight Sun Pedestrian Bridge
- Phase 4 – Bridge St. Bridge/Central Park Pedestrian Bridge/complete Bridge St.,

and I further move that the Town Attorney's written decision on the application presented to the Town Council tonight be adopted as the Town Council's final decision on the application."

Ms. Wolfe seconded the motion. A roll call vote was taken. All Council members voted in favor of the motion, with Councilmember Brewer abstaining and Mr. Burke absent. The motion was declared to have passed. The hearing was concluded at 11:00 P.M.

B. Town Project - Public Hearing: Summit Recycling Center

Mayor Warner introduced the Town Project: Summit Recycling Center. He further stated this project requires a public hearing.

Ms. Julia Puester, planner for Community Development, stated this proposal is to construct a new facility to replace the existing recycling center on County Road 450. The new location is off of Coyne Valley Road on the McCain Property. She further stated the site is designed with a one-way drive, and the design concept is front of house and back of house, with a 30-inch drop for the recycling containers to make them accessible from the pedestrian level. Also, a gated and fenced back of house is proposed. Mr. Gallagher asked about irrigation, and Ms. Puester stated yes, the landscape would be irrigated. She further stated the Planning Commission recommends approval of this project, with Council to decide about the fence, lighting and staining. Ms. Puester stated she received one comment from the public in a letter concerning blowing trash. Ms. Wolfe asked about the view of the site from Highway 9, and Ms. Puester stated it was far from the highway and not very visible behind the existing plant materials.

Mr. Brewer stated he supports the fence on the south side, does not support staining, and thinks vehicle headlights are sufficient for lighting for now. Mayor Warner agreed with Mr. Brewer's comments. Ms. Gigliello, Mr. Gallagher, Ms. Wolfe and Ms. Lawrence supported Mr. Brewer's conclusion as well. Ms. Lawrence also stated she prefers the horizontal fencing.

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

Ms. Lawrence moved to approve Town Project: Summit Recycling Center with the addition of the fence in question. Mr. Brewer made the second.
The motion passed 6-0. Mr. Burke was absent.

C. 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. The Mayor also noted that while he received many letters about the Shock Hill Project, Council is moving forward with the Consent Calendar as decided by the Planning Commission.

- D. Planning Commission Report (Ms. Wolfe)
Ms. Wolfe stated she had no update from the minutes of the meeting.

REPORT OF TOWN MANAGER AND STAFF

Mr. Gagen stated there was no report.

REPORT OF MAYOR AND COUNCILMEMBERS

- A. Cast/MMC (Mayor Warner)
Mayor Warner stated he had no report.
- B. Breckenridge Open Space Advisory Committee (Ms. Gigliello)
Ms. Gigliello stated BOSAC spoke about meeting norms, election of officers, the Cucumber Gulch preserve, sediment removal, the bike park and pump track, and the Swan River restoration project. She also stated they discussed a possible Hoosier Pass Recreation Path.
- C. Breckenridge Tourism Office (Ms. Wolfe)
Ms. Wolfe stated BTO just had a board meeting and she sent minutes from the previous board meeting to Council.
- D. Breckenridge Heritage Alliance (Ms. Lawrence)
Ms. Lawrence stated there was no meeting.
- E. Water Task Force (Mr. Gallagher)
Mr. Gallagher stated many of the involved parties have been out of town recently, and Mr. Tom Daugherty had a good meeting with Denver Water about easements.
- F. Breckenridge Creative Arts (Mr. Burke)
Mr. Burke was not present for an update.

OTHER MATTERS

Ms. Gigliello stated the BTO Business Services Committee discussed moving the newspaper racks in front of the Welcome Center to make room for benches on Main Street. Mr. Gagen stated placement is a First Amendment issue and moving the boxes could be an issue so it would be best to ask the newspaper representatives to them to move them first.

Mr. Gallagher stated two national news networks reported flouride levels should be lowered to what our current standard is. Ms. Wolfe stated she would like to be reminded about the standards for all levels on a regular basis.

Ms. Lawrence asked about the Black Route of the Free Ride/Summit Stage and how long it would take to be to be reinstated. Mr. Daugherty stated possibly two weeks.

Mr. Gagen stated the Regular Meeting scheduled for May 12 will take place after the Special Meeting at the Breckenridge Grand Vacations Community Center to take care of legislative items.

SCHEDULED MEETINGS

ADJOURNMENT

With no further business to discuss, the meeting adjourned at 11:30 pm. Submitted by Helen Cospolich, Municipal Services Manager.

ATTEST:

/s/
John Warner, Mayor