

D) CALL TO ORDER, ROLL CALL

Mayor Mamula called the meeting of November 26, 2019 to order at 7:00pm. The following members answered roll call: Mr. Bergeron, Ms. Gigliello, Ms. Owens, Mr. Gallagher, Mr. Carleton, Ms. Wolfe and Mayor Mamula.

II) APPROVAL OF MINUTES

A) TOWN COUNCIL MINUTES – November 12, 2019

With no changes or corrections to the meeting minutes of November 12, 2019 Mayor Mamula declared they would stand approved as presented.

III) APPROVAL OF AGENDA

Mr. Holman stated there was one change to the agenda, which was to add COUNCIL BILL NO. 39, SERIES 2019 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT WITH VAIL SUMMIT RESORTS, INC., A COLORADO CORPORATION (South Gondola Lot). Mayor Mamula declared the agenda approved as amended.

IV) COMMUNICATIONS TO COUNCIL

A) CITIZEN'S COMMENT (NON-AGENDA ITEMS ONLY; 3-MINUTE TIME LIMIT PLEASE)

Mayor Mamula opened Citizen's Comment.

Ms. Krista Rider, representing Paragon Lodging, asked the Council to reconsider the occupancy ordinance for short-term rentals. She stated she would like Council to consider allowing for 200 square feet per person to match the County in its calculations. She also stated that approximately 36% of her homes are impacted by the new occupancy limits, which could mean as much as a \$400,000 decrease in revenue for her business. She also stated homeowners are concerned about the changes.

Mr. Donald Jones, who owns a unit above a commercial space in Breckenridge, stated he has rented his unit in accordance with the deed restriction, and he has been told that when he converted the space to residential the Town waived the parking requirement. He also stated he understands the current lack of parking for his tenants to be a temporary solution and would like Council to consider a parking change to that unit to allow them to park closer than the Ice Rink or Satellite lots. Council clarified that they allowed the conversion to residential for that unit only under the condition that there wouldn't be parking available for the tenants.

Mr. Jason Busta stated he has a large short-term rental home and he supports Ms. Rider's points. He also stated he is building closets to make bedrooms safe and legal under code.

Mr. Busta also stated that on February 16, 2020, Kerry's Law goes into effect, regarding physical locations for properties with landline phones. He asked Council to consider how to apply this to short-term rentals. He further stated that if there is a landline phone in the unit, you can dial it and the operator would have instant access to the address of that unit.

Mr. Mark Waldman, owner of Summit Mountain Rentals, stated he supports Ms. Rider in her comments regarding occupancy limits, and stated he believes there is a disparity in the intent of the law and the business side. He further stated some of the larger sized homes are the problem. Mr. Waldman stated that if we continue with these limits the Town would lose tax revenue on the sale of these properties and the guests who would normally rent them. Council asked how many cars are at these homes? Mr. Waldman stated 3-5 cars for an 18-person home, but parking isn't usually an issue due to large driveways. He also stated they use 4 people per bathroom as a standard metric.

Mayor Mamula thanked Mr. Waldman and the others for their comments and stated staff will look into the occupancy issue further.

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

V) CONTINUED BUSINESS

A) SECOND READING OF COUNCIL BILLS, SERIES 2019 - PUBLIC HEARINGS

1) COUNCIL BILL NO. 31, SERIES 2019 - AN ORDINANCE SETTING THE MILL LEVY WITHIN THE TOWN OF BRECKENRIDGE FOR 2020

Mayor Mamula read the title into the minutes. Mr. Berry stated there were no changes to this ordinance from first reading.

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

Mr. Bergeron moved to approve COUNCIL BILL NO. 31, SERIES 2019 - AN ORDINANCE SETTING THE MILL LEVY WITHIN THE TOWN OF BRECKENRIDGE FOR 2020. Ms. Gigliello seconded the motion.

The motion passed 7-0.

2) COUNCIL BILL NO. 32, SERIES 2019 - AN ORDINANCE DESIGNATING CERTAIN REAL PROPERTY AS A LANDMARK UNDER CHAPTER 11 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE (King Residence, 300 North French Street, Lots 10, 11, and 12, Block 1, Abbett Addition)

Mayor Mamula read the title into the minutes. Mr. Berry stated there was one change to this ordinance from first reading as a clarification, and that change is noted in the memo included in the packet.

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

Mr. Bergeron moved to approve COUNCIL BILL NO. 32, SERIES 2019 - AN ORDINANCE DESIGNATING CERTAIN REAL PROPERTY AS A LANDMARK UNDER CHAPTER 11 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE (King Residence, 300 North French Street, Lots 10, 11, and 12, Block 1, Abbett Addition). Ms. Gigliello seconded the motion.

The motion passed 7-0.

VI) NEW BUSINESS

A) FIRST READING OF COUNCIL BILLS, SERIES 2019

1) COUNCIL BILL NO. 35, SERIES 2019 - AN ORDINANCE REPEALING AND READOPTING WITH CHANGES CHAPTER 1 OF TITLE 8 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE BUILDING CODES OF THE TOWN OF BRECKENRIDGE; ADOPTING BY REFERENCE AND AMENDING: THE INTERNATIONAL BUILDING CODE, 2018 EDITION; THE INTERNATIONAL RESIDENTIAL CODE, 2018 EDITION, INCLUDING APPENDIX F AND K; THE INTERNATIONAL PLUMBING CODE, 2018 EDITION INCLUDING APPENDIX; THE INTERNATIONAL MECHANICAL CODE, 2018 EDITION, INCLUDING APPENDIX A; THE INTERNATIONAL FUEL GAS CODE, 2018 EDITION, INCLUDING APPENDIX A AND B; THE INTERNATIONAL ENERGY CONSERVATION CODE, 2018 EDITION; THE INTERNATIONAL EXISTING BUILDING CODE, 2018 EDITION; THE INTERNATIONAL POOL AND SPA CODE, 2018 EDITION; THE NATIONAL ELECTRICAL CODE, 2017 EDITION; THE ICC ELECTRICAL CODE – ADMINISTRATIVE PROVISIONS, 2006 EDITION; AND THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1997 EDITION

Mayor Mamula read the title into the minutes. Mr. Berry stated this ordinance adopts all of the codes referenced in the title, and then makes local amendments. He further stated staff recommends adoption of this ordinance.

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

Mr. Bergeron moved to approve COUNCIL BILL NO. 35, SERIES 2019 - AN ORDINANCE REPEALING AND READOPTING WITH CHANGES CHAPTER 1 OF TITLE 8 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE BUILDING

CODES OF THE TOWN OF BRECKENRIDGE; ADOPTING BY REFERENCE AND AMENDING: THE INTERNATIONAL BUILDING CODE, 2018 EDITION; THE INTERNATIONAL RESIDENTIAL CODE, 2018 EDITION, INCLUDING APPENDIX F AND K; THE INTERNATIONAL PLUMBING CODE, 2018 EDITION INCLUDING APPENDIX; THE INTERNATIONAL MECHANICAL CODE, 2018 EDITION, INCLUDING APPENDIX A; THE INTERNATIONAL FUEL GAS CODE, 2018 EDITION, INCLUDING APPENDIX A AND B; THE INTERNATIONAL ENERGY CONSERVATION CODE, 2018 EDITION; THE INTERNATIONAL EXISTING BUILDING CODE, 2018 EDITION; THE INTERNATIONAL POOL AND SPA CODE, 2018 EDITION; THE NATIONAL ELECTRICAL CODE, 2017 EDITION; THE ICC ELECTRICAL CODE – ADMINISTRATIVE PROVISIONS, 2006 EDITION; AND THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1997 EDITION. Mr. Gallagher seconded the motion.

The motion passed 7-0.

- 2) COUNCIL BILL NO. 36, SERIES 2019 - AN ORDINANCE APPROVING A LEASE WITH TREETOP CHILD ADVOCACY CENTER, A COLORADO NONPROFIT CORPORATION (Rooms 001 and 001 A-B in the “Breckenridge Grand Vacations Community Center; 103 South Harris Street)
Mayor Mamula read the title into the minutes. Mr. Holman stated this lease needs to be renewed annually, and it is consistent with the leases of the other building tenants.

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

Mr. Bergeron moved to approve COUNCIL BILL NO. 36, SERIES 2019 - AN ORDINANCE APPROVING A LEASE WITH TREETOP CHILD ADVOCACY CENTER, A COLORADO NONPROFIT CORPORATION (Rooms 001 and 001 A-B in the “Breckenridge Grand Vacations Community Center; 103 South Harris Street). Ms. Wolfe seconded the motion.

The motion passed 7-0.

- 3) COUNCIL BILL NO. 37, SERIES 2019 - AN ORDINANCE AUTHORIZING THE TOWN MANAGER TO ACQUIRE AND RESELL REAL PROPERTY PURSUANT TO THE TOWN OF BRECKENRIDGE “BUY DOWN” HOUSING PROGRAM
Mayor Mamula read the title into the minutes. Mr. Berry stated this ordinance would allow the town to sell properties in the buy-down program without individual emergency ordinances. He further stated this ordinance establishes a program to do this and eliminates the need for emergency ordinances.

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

Mr. Bergeron moved to approve COUNCIL BILL NO. 37, SERIES 2019 - AN ORDINANCE AUTHORIZING THE TOWN MANAGER TO ACQUIRE AND RESELL REAL PROPERTY PURSUANT TO THE TOWN OF BRECKENRIDGE “BUY DOWN” HOUSING PROGRAM. Mr. Gallagher seconded the motion.

The motion passed 7-0.

- 4) COUNCIL BILL NO. 38, SERIES 2019 - AN EMERGENCY ORDINANCE AUTHORIZING THE SALE OF HIGHLANDS GREEN UNIT 117
Mayor Mamula read the title into the minutes. Mr. Berry stated this emergency ordinance is necessary to sell a property that is currently part of the Town’s buy-down program.

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

Mr. Bergeron moved to approve COUNCIL BILL NO. 38, SERIES 2019 - AN EMERGENCY ORDINANCE AUTHORIZING THE SALE OF HIGHLANDS GREEN UNIT 117 as an emergency ordinance. Ms. Wolfe seconded the motion.

The motion passed 7-0.

- 5) COUNCIL BILL NO. 39, SERIES 2019 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT WITH VAIL SUMMIT RESORTS, INC., A COLORADO CORPORATION (South Gondola Lot)

Mayor Mamula read the title into the minutes. Mr. Berry stated this ordinance would move density credits from the South Gondola Lot to build a parking garage in that area. He further stated that as part of the development agreement notices are required and we intend to move the second reading of this ordinance to the January 14, 2020, meeting to give us time to put out these notices.

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

Mr. Bergeron moved to approve COUNCIL BILL NO. 39, SERIES 2019 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT WITH VAIL SUMMIT RESORTS, INC., A COLORADO CORPORATION (South Gondola Lot). Ms. Gigliello seconded the motion.

The motion passed 7-0.

- B) RESOLUTIONS, SERIES 2019
1) RESOLUTION NO. 25, SERIES 2019 - A RESOLUTION ADOPTING THE 2020 BUDGET AND MAKING APPROPRIATIONS THEREFOR; AND APPROVING THE 2020-2024 CAPITAL IMPROVEMENT PLAN

Mayor Mamula read the title into the minutes. Mr. Waldes stated this resolution would approve the Budget and Capital Improvement Plan for 2020.

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

Mr. Bergeron moved to approve RESOLUTION NO. 25, SERIES 2019 - A RESOLUTION ADOPTING THE 2020 BUDGET AND MAKING APPROPRIATIONS THEREFOR; AND APPROVING THE 2020-2024 CAPITAL IMPROVEMENT PLAN. Ms. Owens seconded the motion.

The motion passed 7-0.

- C) OTHER

VII) PLANNING MATTERS

- A) PLANNING COMMISSION DECISIONS

Mayor Mamula declared the Planning Commission Decisions would stand approved as presented.

VIII) REPORT OF TOWN MANAGER AND STAFF

Mr. Holman stated he had no report.

IX) REPORT OF MAYOR AND COUNCIL MEMBERS

- A. Cast/MMC

Mayor Mamula stated there was no update.

- B. Breckenridge Open Space Advisory Committee

Mr. Bergeron stated there was no report.

- C. Breckenridge Tourism Office

Ms. Wolfe stated there was no report.

- D. Breckenridge Heritage Alliance

Ms. Owens stated there was no report, and noted that overall attendance numbers were up this year.

- E. Breckenridge Creative Arts

Mr. Gallagher stated there was no report.

- F. Breckenridge Events Committee

Ms. Gigliello stated there was no report.

- G. Water Task Force

Mr. Gallagher stated there was no report.

- H. MT 2030

Mr. Wolfe stated there was no report.

X) OTHER MATTERS

Other matters were covered during the afternoon Work Session.

XI) SCHEDULED MEETINGS

A) SCHEDULED MEETINGS FOR NOVEMBER, DECEMBER AND JANUARY

XII) ADJOURNMENT

With no further business to discuss, the meeting adjourned at 7:44pm. Submitted by Helen Cospolich, CMC, Town Clerk.

ATTEST:

Helen Cospolich, CMC, Town Clerk

Eric S. Mamula, Mayor