

I) CALL TO ORDER, ROLL CALL

Mayor Pro Tem Owens called the meeting of January 9, 2024, to order at 7:00pm. The following members answered roll call: Todd Rankin, Carol Saade, Jeffrey Bergeron, Dick Carleton, Jay Beckerman, Mayor Pro Tem Kelly Owens. Mayor Eric Mamula was absent (see resignation letter as part of Resolution No. 2, Series 2024).

II) APPROVAL OF MINUTES

A) TOWN COUNCIL MINUTES – December 12, 2023

With no changes or corrections to the meeting minutes of December 12, 2023, Mayor Pro Tem Owens declared they would stand approved as presented.

III) APPROVAL OF AGENDA

Town Manager Shannon Haynes stated there were no changes to the agenda. Mayor Pro Tem Owens declared the agenda approved as presented.

IV) COMMUNICATIONS TO COUNCIL

A) PUBLIC COMMENT (NON-AGENDA ITEMS ONLY; 3-MINUTE TIME LIMIT PLEASE)

Mayor Pro Tem Owens opened Public Comment.

Abbey Browne, representing Wood Winds Property Management, stated she is here to address Bill C at the State. She stated Summit County makes up almost half the vacation rentals in the entire state and Bill C is proposing to raise property taxes for short term rentals, and this would be catastrophic for our community. She stated this bill would result in a winter-only business model for the community, with many people choosing to rent within the 90-day limit to avoid the tax.

David Wilcox, representing Summit Mountain Rentals, stated the Lodging Property Tax Treatment Bill at the State (Bill C) proposes a 27.9% property tax. He further stated this is a scary idea for resort communities and the majority of property owners said they would rent below 90 days to avoid paying additional taxes. Wilcox asked what would happen to our year-round economy? He also stated Summit County is home to half of all STRs in the state and this bill does not help our local economy and could be devastating for our economy overall. He asked Council to help fight this bill at the state level.

Patricia Zanca, a local resident, stated she is here to complain about canceling the Silver Sneakers Program. She stated the purpose is to encourage activity for seniors and many other recreation centers honor this program. She asked Council not to charge seniors for passes and stated she has not participated in other Town programs because they don't apply to her, but this one does. She stated she and her husband are long-time locals in Breckenridge, and they have funded our amenities.

Steven Frumess, General Manager of Alpine Edge, stated he is here to represent property managers in Summit County who are against the commercial tax rate and Bill C at the State. He further stated short term properties are critical for this community, including all of the services associated with these properties and this bill as proposed would cause current properties to stop renting.

Pete Zanca, a longtime local, asked Council to take care of seniors in this community. He stated people need a space to go with their friends, and as an older person the yearly rate is a lot of cost and difficult for some people afford. He asked Council to please reconsider Silver Sneakers.

Scott Smith, HOA president of Warriors Mark, stated seniors can't always afford the extra cost for a Recreation Center membership. He also stated, regarding short term rentals, he has never had a problem in his condo area with crime in short term rental units, so he doesn't see that to be an issue.

Amy Oliveira, Executive Director of Treetop Child Advocacy Center, stated she is here to bring community awareness to the non-profit organization, which provides services to local law enforcement agencies and allows children to speak about abuse and receive follow-up with referral to other agencies as needed.

Tamara Park, Director of Breck Create, stated the year-end video is posted, and she reviewed the year-end statistics for Breck Create. She further stated 2024 will feature programs and activities, exhibitions for DEI initiatives and theme months.

With no additional public comment Mayor Pro Tem Owens closed public comment.

V) CONTINUED BUSINESS

A) SECOND READING OF COUNCIL BILLS, SERIES 2023 - PUBLIC HEARINGS

1) COUNCIL BILL NO. 42, SERIES 2023 - AN ORDINANCE OF THE TOWN OF BRECKENRIDGE SETTING FORTH THE ANNUAL SUPPLEMENTAL APPROPRIATION FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2023, AND ENDING DECEMBER 31, 2023

Mayor Pro Tem Owens read the title into the minutes. Tracey Lambert, Senior Accountant, stated this ordinance would appropriate additional funds for the 2023 budget year. She stated there were no changes to this ordinance from first reading.

Mayor Pro Tem Owens opened the public hearing.
There were no public comments, and the hearing was closed.

Council Member Bergeron moved to approve COUNCIL BILL NO. 42, SERIES 2023 - AN ORDINANCE OF THE TOWN OF BRECKENRIDGE SETTING FORTH THE ANNUAL SUPPLEMENTAL APPROPRIATION FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2023, AND ENDING DECEMBER 31, 2023. Council Member Beckerman seconded the motion.

The motion passed 6-0.

2) COUNCIL BILL NO. 43, SERIES 2023 - AN ORDINANCE CONCERNING THE LEASING OF THE BRECKENRIDGE PROFESSIONAL BUILDING

Mayor Pro Tem Owens read the title into the minutes. Deputy Town Manager Scott Reid stated this ordinance would approve a lease in the Professional Building for US Bank. He further stated there were no changes to this ordinance from first reading.

Mayor Pro Tem Owens opened the public hearing.
There were no public comments, and the hearing was closed.

Council Member Bergeron moved to approve COUNCIL BILL NO. 43, SERIES 2023 - AN ORDINANCE CONCERNING THE LEASING OF THE BRECKENRIDGE PROFESSIONAL BUILDING. Council Member Saade seconded the motion.

The motion passed 6-0.

3) COUNCIL BILL NO. 44, SERIES 2023 - FOR AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE TOWN OF BRECKENRIDGE AT A REGULAR MUNICIPAL ELECTION TO BE HELD ON APRIL 2, 2024, A PROPOSED AMENDMENT TO THE CHARTER OF THE TOWN OF BRECKENRIDGE TO LENGTHEN THE TERM OF ELECTION COMMISSIONERS FROM TWO YEARS TO FOUR YEARS

Mayor Pro Tem Owens read the title into the minutes. Town Attorney Kirsten Crawford stated this ordinance would set the ballot title of a proposed Charter Amendment that would lengthen the terms of the Election Commissioners from two years to four years. She further stated there were no changes to the ordinance from first reading.

Mayor Pro Tem Owens opened the public hearing.
There were no public comments, and the hearing was closed.

Council Member Bergeron moved to approve COUNCIL BILL NO. 44, SERIES 2023 - FOR AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE TOWN OF BRECKENRIDGE AT A REGULAR MUNICIPAL ELECTION TO BE HELD ON APRIL 2, 2024, A PROPOSED AMENDMENT TO THE CHARTER OF THE TOWN OF BRECKENRIDGE TO LENGTHEN THE TERM OF ELECTION COMMISSIONERS FROM TWO YEARS TO FOUR YEARS. Council Member Carleton seconded the motion.

The motion passed 6-0.

- 4) COUNCIL BILL NO. 45, SERIES 2023 - FOR AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE TOWN OF BRECKENRIDGE AT A REGULAR MUNICIPAL ELECTION TO BE HELD ON APRIL 2, 2024, A PROPOSED AMENDMENT TO THE CHARTER OF THE TOWN OF BRECKENRIDGE TO REMOVE THE RESIDENCY AND ELECTOR REQUIREMENT FOR MEMBERSHIP ON PERMANENT BOARDS AND COMMISSIONS

Mayor Pro Tem Owens read the title into the minutes. Town Attorney Kirsten Crawford stated this ordinance would set the ballot title of a proposed Charter Amendment concerning removing the residency requirement for certain boards and commissions. She further stated there were no changes to this ordinance from first reading.

Mayor Pro Tem Owens opened the public hearing.
There were no public comments, and the hearing was closed.

Council Member Bergeron moved to approve COUNCIL BILL NO. 45, SERIES 2023 - FOR AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE TOWN OF BRECKENRIDGE AT A REGULAR MUNICIPAL ELECTION TO BE HELD ON APRIL 2, 2024, A PROPOSED AMENDMENT TO THE CHARTER OF THE TOWN OF BRECKENRIDGE TO REMOVE THE RESIDENCY AND ELECTOR REQUIREMENT FOR MEMBERSHIP ON PERMANENT BOARDS AND COMMISSIONS. Council Member Rankin seconded the motion.

The motion passed 6-0.

VI) NEW BUSINESS

- A) FIRST READING OF COUNCIL BILLS, SERIES 2023
- B) RESOLUTIONS, SERIES 2023
- 1) RESOLUTION NO. 1, SERIES 2024 - A RESOLUTION DETERMINING THAT THE APRIL 2, 2024 REGULAR TOWN ELECTION SHALL BE A MAIL BALLOT ELECTION

Mayor Pro Tem Owens read the title into the minutes. Helen Cospolich, Town Clerk, stated this resolution would set the 2024 election as a mail ballot election.

Council Member Bergeron moved to approve RESOLUTION NO. 1, SERIES 2024 - A RESOLUTION DETERMINING THAT THE APRIL 2, 2024 REGULAR TOWN ELECTION SHALL BE A MAIL BALLOT ELECTION. Council Member Saade seconded the motion.

The motion passed 6-0.

- 2) RESOLUTION NO. 2, SERIES 2024 - A RESOLUTION OF TOWN COUNCIL ACCEPTING THE RESIGNATION OF MAYOR ERIC MAMULA
- Mayor Pro Tem Owens read the title into the minutes. Town Attorney Kirsten Crawford stated this resolution would formally accept Mayor Mamula's resignation.

Council Member Bergeron moved to approve RESOLUTION NO. 2, SERIES 2024 - A RESOLUTION OF TOWN COUNCIL ACCEPTING THE RESIGNATION OF MAYOR ERIC MAMULA. Council Member Beckerman seconded the motion.

The motion passed 6-0.

- 3) RESOLUTION NO. 3, SERIES 2024 - A RESOLUTION OF TOWN COUNCIL CALLING A SPECIAL MUNICIPAL ELECTION TO FILL A VACANCY IN THE OFFICE OF MAYOR TO BE HELD ON APRIL 2, 2024, AT THE SAME TIME AND IN THE SAME MANNER AS THE REGULAR MUNICIPAL ELECTION
- Mayor Pro Tem Owens read the title into the minutes. Kirsten Crawford stated this resolution would set the special election for Mayor as part of the regular municipal election scheduled for April 2, 2024.

Council Member Bergeron moved to approve RESOLUTION NO. 3, SERIES 2024 - A RESOLUTION OF TOWN COUNCIL CALLING A SPECIAL MUNICIPAL ELECTION TO FILL A VACANCY IN THE OFFICE OF MAYOR TO BE HELD ON APRIL 2, 2024, AT THE SAME TIME AND IN THE SAME MANNER AS THE REGULAR MUNICIPAL ELECTION. Council Member Beckerman seconded the motion.

The motion passed 6-0.

- 4) RESOLUTION NO. 4, SERIES 2024 - A RESOLUTION APPROVING A SETTLEMENT AGREEMENT MADE AMONG THE CITY OF COLORADO SPRINGS ACTING THROUGH ITS UTILITIES ENTERPRISE (“CSU”), THE COLORADO RIVER WATER CONSERVATION DISTRICT, THE COUNTY OF SUMMIT, THE TOWN OF BRECKENRIDGE, THE GRAND VALLEY WATER USERS ASSOCIATION, THE ORCHARD MESA IRRIGATION DISTRICT, AND THE UTE WATER CONSERVANCY DISTRICT, ACTING BY AND THROUGH THE UTE WATER ACTIVITY ENTERPRISE
- Mayor Pro Tem Owens read the title into the minutes. Kirsten Crawford stated this resolution would accept a settlement agreement and approve an MOU for the Lower Blue River Reservoir. She further stated each entity needs to approve this agreement.

Council Member Bergeron moved to approve RESOLUTION NO. 4, SERIES 2024 - A RESOLUTION APPROVING A SETTLEMENT AGREEMENT MADE AMONG THE CITY OF COLORADO SPRINGS ACTING THROUGH ITS UTILITIES ENTERPRISE (“CSU”), THE COLORADO RIVER WATER CONSERVATION DISTRICT, THE COUNTY OF SUMMIT, THE TOWN OF BRECKENRIDGE, THE GRAND VALLEY WATER USERS ASSOCIATION, THE ORCHARD MESA IRRIGATION DISTRICT, AND THE UTE WATER CONSERVANCY DISTRICT, ACTING BY AND THROUGH THE UTE WATER ACTIVITY ENTERPRISE. Council Member Rankin seconded the motion.

The motion passed 6-0.

- C) OTHER

VII) PLANNING MATTERS

- A) PLANNING COMMISSION DECISIONS

Mayor Pro Tem Owens declared the Planning Commission Decisions would stand approved as presented.

IX) REPORT OF TOWN MANAGER AND STAFF

Town Manager Shannon Haynes stated it’s time to choose representatives for NWCOG, and Mayor Pro Tem Owens agreed to be an alternate for Kristin Brownson, Public Works Assistant Director, on this committee.

X) REPORT OF MAYOR AND COUNCIL MEMBERS

- A. CAST/MMC

No update.

- B. BRECKENRIDGE OPEN SPACE ADVISORY COMMITTEE

No update.

- C. BRECKENRIDGE TOURISM OFFICE

No update.

- D. BRECKENRIDGE HISTORY

No update.

- E. BRECKENRIDGE CREATIVE ARTS

No update.

- F. CML ADVISORY BOARD UPDATE

No update.

G. CHILD CARE ADVISORY COMMITTEE

No update.

H. SOCIAL EQUITY ADVISORY COMMISSION

Mayor Pro Tem Owens stated she was happy to be able to recognize the committee for their work. Other Council Members echoed that sentiment.

XI) OTHER MATTERS

Council Member Bergeron asked about the senior rate for the Recreation Center and Deputy Town Manager Scott Reid stated it's \$240 for the year for seniors over 60 and for under 18. He further stated the decision to not have Silver Sneakers was made at budget time last year, and they decided to instead charge the lowest rate to this group, which is \$20 per month, and offer scholarships as needed. He also stated there are many programs out there similar to Silver Sneakers and they have had requests from other program participants as well. Reid clarified that it's not a money-making program and we offer financial assistance to anyone who needs it, including Social Security beneficiaries. Reid stated the financial assistance is not need-based and it's not a difficult process to apply. He also stated additional insurance coverage above Medicare provides Silver Sneakers, and it's an administrative challenge to keep up with all of the programs similar to Silver Sneakers.

Council Member Carleton spoke regarding a letter about fireworks on New Year's Eve, and stated it's not that different from the avalanche bombing, and he would like the Town to reconsider this in the future. Mayor Pro Tem Owens stated she would be willing to reconsider winter fireworks. Council Member Bergeron stated he is not in favor of fireworks. Council suggested staff speak with the BTO and fire district to discuss the possibility for next year.

Council Member Beckerman stated he wanted to publicly recognize Rick Holman for his service to the Town and stated he will be missed. Council agreed with this point.

XII) SCHEDULED MEETINGS

A) SCHEDULED MEETINGS FOR JANUARY AND FEBRUARY

XIII) ADJOURNMENT

With no further business to discuss, the meeting adjourned at 7:51pm. Submitted by Helen Cospolich, CMC, Town Clerk.

ATTEST:

Helen Cospolich, CMC, Town Clerk

Kelly Owens, Mayor Pro Tem