

**RECORD OF PROCEEDINGS
MINUTES OF THE REGULAR MEETING
OF THE TOWN COUNCIL OF THE TOWN OF FRISCO
MAY 10, 2022**

Mayor Mortensen called the meeting to order at 7:00 p.m. Deputy Clerk Calie Cuculis called the roll.

Present:

Hunter Mortensen
Andrew Aerenson
Jessica Burley
Andy Held
Lisa Holenko
Rick Ihnken
Elizabeth Skrzypczak-Adrian

Absent:

Public Comments:

Frisco resident Jay Peterson spoke in opposition to tobacco taxes and bag fees.

Marina users Lynnette Hamilton, Liz Ritchie, Tom Wheeler, Ken Hicks, Gary Sonnett, Linsey Akins, Cary Brown, William Jenkins, Earl Dylan, and Deanna Watkins spoke regarding Marina parking.

Mayor and Council Comments:

Council member Burley acknowledged the Governor's Downtown Streets Award for the Frisco Promenade.

Council member Held thanked the audience for their public comments at today's meeting.

Staff Updates:

Interim Town Manager Diane McBride provided an update regarding grants recently awarded to the Town of Frisco.

Proclamation:

The Town Council proclaimed May "Mental Health Awareness Month" in Frisco. The proclamation acknowledged that mental health illnesses and struggles although extremely common, have historically been stigmatized, thereby discouraging and limiting access to care for nearly two-thirds of all people with a diagnosable mental illness due to lack of support, misinformation, shame, and fear. Residents of Summit County and Colorado face a higher incidence of substance abuse and mental health distress, as well as suicide rates as compared to the national average. Summit County has tragically lost beloved community members every year to death by suicide.

The Frisco Town Council supports the services provided by Building Hope Summit County in connecting residents with resources and wants residents to know that they are supported and encouraged to reach for help.

Consent Agenda:

April 26, 2022 Minutes

Resolution 22-19, Concerning the Purchase of One Tymco 600 Street Sweeper
First Amendment to Concessionaire Agreement with Adventure Paddle Tours
Enforcement on Main Street with Interstate Parking Company

MOTION: COUNCIL MEMBER AERENSON MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED. SECOND, COUNCIL MEMBER IHNKEN.

AERENSON	YEA	HOLENKO	ABSENT
BURLEY	YEA	SKRZYPCZAK-ADRIAN	YEA
HELD	YEA	MORTENSEN	YEA
IHNKEN	YEA	MOTION CARRIED	

New Business:

Agenda Item #1: *Estimated Start Time 7:30 p.m.* Gap Project Median & Roundabout Final Design Presentation. 1) MAYOR OPENS PUBLIC HEARING 2) STAFF REPORT 3) PUBLIC COMMENTS 4) MAYOR CLOSES PUBLIC HEARING 5) COUNCIL DISCUSSION 6) MOTION MADE 7) MOTION SECONDED 8) DISCUSSION ON MOTION 9) QUESTION CALLED

Public Works Director Jeff Goble stated that Town Council directed staff and Norris Designs to complete bid-ready construction drawings and documents for the Highway 9 median and roundabout beautification project after a review of the presented designs. Council supported a mountain themed design, which will include elements of concrete work, xeriscaping, and solar lighting fixtures that complement the lighting on Main Street. During the October 12, 2021 Council meeting, Council directed staff to pursue a sole-source proposal for the design and construction documents for the beautification of the medians and roundabouts. Norris Designs had already completed a significant portion of this project with the completion of the 2019 design concepts, which were presented at that meeting. After receiving feedback from the Planning Commission, staff will issue a request for proposals (RFP) for the construction of both the roundabout and median improvements. The proposed phasing plan was to improve the two new roundabouts in the early fall of 2022 and then work on the medians in the spring of 2023. Per Council's direction, staff will now seek bids for completing the project in both in one phase in fall 2022 and two in fall 2022 and 2023. Mayor Mortensen opened public comment at 7:50 p.m. There being no public comment, the Mayor closed public comment at 7:51 p.m.

Agenda Item #2: *Estimated Start Time 7:45 p.m.* Resolution 22-13, 619 Granite Street Construction and Operating Agreement with CDOT, Resolution 22-18, Owners Rep Services Contract 619 Granite, and Resolution 22-20, Granite Street Construction Reimbursement Resolution. 1) MAYOR OPENS PUBLIC HEARING 2) STAFF REPORT 3) PUBLIC COMMENTS 4) MAYOR CLOSES PUBLIC HEARING 5) COUNCIL DISCUSSION 6) MOTION MADE 7) MOTION SECONDED 8) DISCUSSION ON MOTION 9) QUESTION CALLED

Community Development Director Don Reimer stated that Resolution 22-13 approves an agreement with CDOT outlining the roles and responsibilities for construction and allocation of

costs, as well as future operation and ownership of the Granite Park (619 Granite Street) workforce housing project. CDOT will initially transfer ownership of the lot at 619 Granite Street to the Town as a portion of their contribution to the project. The Town will lead on contracting for the project and will execute a deed restriction for each unit, and in the final phase of the agreement, the Town will transfer ownership of half of the units to CDOT. All units will be subject to the deed restriction, ensuring that they remain affordable. Per the agreement, CDOT is responsible for 49.1% (\$4,604,732.53) of the construction expenses while the Town is responsible for the remaining 50.9% (\$4,773,541.47). The 2022 budget allocated funds in the amount of \$5 million for the 619 Granite Street project. Town staff will consider adding contingency funds to account for potentially increasing building costs. Additionally, the Town had been awarded \$1.5M in grant funding for this project by the Colorado Department of Local Affairs (DOLA) for the project. Resolution 22-18 approves a contract with Diversified Consulting Solutions to oversee management and coordination of Granite Park construction. While the Frisco Public Works staff usually oversee capital project management, this project is at a scale at which this management service, along with another layer of knowledge and advocacy will be beneficial to the Town. Resolution 22-20 is reimbursement resolution that will enable the Town to be reimbursed through the Certificates of Participation for capital expenses incurred in construction of the Granite Park project. This will allow the project to move forward while more refined construction cost estimates will be evaluated and a final decision on the project and funding mechanism will be discussed at a future Town Council meeting. Mayor Mortensen opened public comment at 8:09 p.m. There being no public comment, the Mayor closed public comment at 8:13 p.m.

MOTION: COUNCIL MEMBER IHNKEN MOVED TO APPROVE RESOLUTION 22-13, 619 GRANITE STREET CONSTRUCTION AND OPERATING AGREEMENT WITH CDOT, RESOLUTION 22-18, OWNERS REP SERVICES CONTRACT 619 GRANITE, AND RESOLUTION 22-20, GRANITE STREET CONSTRUCTION REIMBURSEMENT RESOLUTION. SECOND, COUNCIL MEMBER BURLEY.

AERENSON	YEA	HOLENKO	ABSENT
BURLEY	YEA	SKRZYPCZAK-ADRIAN	YEA
HELD	YEA	MORTENSEN	YEA
IHNKEN	YEA	MOTION CARRIED	

Agenda Item #3: *Estimated Start Time 9:00 p.m.* Resolution 22-21, Public Works Fuel System 1) MAYOR OPENS PUBLIC HEARING 2) STAFF REPORT 3) PUBLIC COMMENTS 4) MAYOR CLOSSES PUBLIC HEARING 5) COUNCIL DISCUSSION 6) MOTION MADE 7) MOTION SECONDED 8) DISCUSSION ON MOTION 9) QUESTION CALLED

Assistant Public Works Director Addison Canino stated this is a contract with Kubat Service and Equipment Company for installation of a new fuel system at the Town of Frisco's Public Works facility. The current fuel system in that location has been in constant operation for the past thirty years, and while the system has undergone several upgrades, the current system is nearing the end of its serviceable lifespan. Kubat Service and Equipment has recently also installed the fuel system at the Frisco Bay Marina. Mayor Mortensen opened public comment at 9:20 p.m. There being no public comment, the Mayor closed public comment at 9:21 p.m.

MOTION: COUNCIL MEMBER IHNKEN MOVED TO APPROVE RESOLUTION 22-21, PUBLIC WORKS FUEL SYSTEM. SECOND, COUNCIL MEMBER HELD.

AERENSON	YEA	HOLENKO	ABSENT
BURLEY	YEA	SKRZYPCZAK-ADRIAN	YEA

HELD	YEA	MORTENSEN	YEA
IHNKEN	YEA	MOTION CARRIED	

Agenda Item #4: *Estimated Start Time 9:15 p.m.* First Reading Ordinance 22-05, an Ordinance Amending Chapter 167 of the Code of Ordinances of the Town of Frisco, Colorado, Concerning Vehicles and Traffic, by Amending Section 167-11, Concerning Traffic Control Devices, and by Amending Various Other Provisions of the Adopted Model Traffic Code, All to Facilitate the Enforcement of Parking Regulations by a Contracted Parking Enforcement Operator 1)MAYOR OPENS PUBLIC HEARING 2) STAFF REPORT 3) PUBLIC COMMENTS 4) MAYOR CLOSES PUBLIC HEARING 5) COUNCIL DISCUSSION 6) MOTION MADE 7) MOTION SECONDED 8) DISCUSSION ON MOTION 9) QUESTION CALLED

Town Attorney Thad Renaud stated that these amendments to the Town Code will enable parking enforcement by a third party. The original code only allowed such enforcement by Town law enforcement. Mayor Mortensen opened public comment at 9:23 p.m. There being no public comment, the Mayor closed public comment at 9:24 p.m.

MOTION: COUNCIL MEMBER IHNKEN MOVED TO APPROVE ON FIRST READING ORDINANCE 22-05, AN ORDINANCE AMENDING CHAPTER 167 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, COLORADO, CONCERNING VEHICLES AND TRAFFIC, BY AMENDING SECTION 167-11, CONCERNING TRAFFIC CONTROL DEVICES, AND BY AMENDING VARIOUS OTHER PROVISIONS OF THE ADOPTED MODEL TRAFFIC CODE, ALL TO FACILITATE THE ENFORCEMENT OF PARKING REGULATIONS BY A CONTRACTED PARKING ENFORCEMENT OPERATOR. SECOND, COUNCIL MEMBER AERENSON.

AERENSON	YEA	HOLENKO	ABSENT
BURLEY	YEA	SKRZYPCZAK-ADRIAN	YEA
HELD	YEA	MORTENSEN	YEA
IHNKEN	YEA	MOTION CARRIED	

Agenda Item #5: Planning Commission Roles and Responsibilities 1) MAYOR OPENS PUBLIC HEARING 2) STAFF REPORT 3) PUBLIC COMMENTS 4) MAYOR CLOSES PUBLIC HEARING 5) COUNCIL DISCUSSION 6) MOTION MADE 7) MOTION SECONDED 8) DISCUSSION ON MOTION 9) QUESTION CALLED

Community Development Director Don Reimer reviewed the roles and responsibilities of the Frisco Planning Commission with Town Council. In its role as a quasi-judicial body, the seven-member Planning Commission has full approval authority over major site plan reviews and major modifications to approved site plans, conditional uses, preliminary plats, and variances. The Planning Commission forwards recommended actions to the Town Council on code amendments, planned unit developments (PUD), rezoning, and annexation applications. The Planning Commission also serves as the appeal body for certain administrative approvals and decision by the Community Development Department or Town Manager. Council thanked Donna Skupien, who will not be returning, for her thirteen years of dedicated service to the Town on Planning Commission. Mayor Mortensen opened public comment at 9:35 p.m. There being no public comment, the Mayor closed public comment at 9:36 p.m.

MOTION: COUNCIL MEMBER IHNKEN MOVED TO APPOINT JESSICA POTTER TO THE PLANNING COMMISSION AS A NEW MEMBER, AND REAPPOINTED LINA LESMES,

PATRICK GLEASON, AND ANDY STABILE AS RETURNING MEMBERS. SECOND, COUNCIL MEMBER AERENSON

AERENSON	YEA	HOLENKO	ABSENT
BURLEY	YEA	SKRZYPCZAK-ADRIAN	YEA
HELD	YEA	MORTENSEN	YEA
IHNKEN	YEA	MOTION CARRIED	

Executive Session:

Agenda Item #6: *Estimated Start Time 10:00 p.m.* Executive Session Pursuant To C.R.S. 246402(4)(b), Conferences with an Attorney for the Town for the Purposes of Receiving Legal Advice on Specific Legal Questions; and (e), Determining Positions Relative to Matters that may be Subject to Negotiations; Developing Strategy for Negotiations; and Instructing Negotiators, Concerning Water Service for the Proposed Lake Hill Development

MOTION: COUNCIL MEMBER IHNKEN MOVED TO ENTER INTO EXECUTIVE SESSION PURSUANT TO C.R.S. 246402(4)(B), CONFERENCES WITH AN ATTORNEY FOR THE TOWN FOR THE PURPOSES OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS; AND (E), DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS; DEVELOPING STRATEGY FOR NEGOTIATIONS; AND INSTRUCTING NEGOTIATORS, CONCERNING WATER SERVICE FOR THE PROPOSED LAKE HILL DEVELOPMENT. SECOND, COUNCIL MEMBER BURLEY.

AERENSON	YEA	HOLENKO	ABSENT
BURLEY	YEA	SKRZYPCZAK-ADRIAN	YEA
HELD	YEA	MORTENSEN	YEA
IHNKEN	YEA	MOTION CARRIED	

MOTION: COUNCIL MEMBER BURLEY MOVED TO EXIT AN EXECUTIVE SESSION PURSUANT TO C.R.S. 246402(4)(B), CONFERENCES WITH AN ATTORNEY FOR THE TOWN FOR THE PURPOSES OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS; AND (E), DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS; DEVELOPING STRATEGY FOR NEGOTIATIONS; AND INSTRUCTING NEGOTIATORS, CONCERNING WATER SERVICE FOR THE PROPOSED LAKE HILL DEVELOPMENT. SECOND, COUNCIL MEMBER IHNKEN.

AERENSON	YEA	HOLENKO	ABSENT
BURLEY	YEA	SKRZYPCZAK-ADRIAN	YEA
HELD	YEA	MORTENSEN	YEA
IHNKEN	YEA	MOTION CARRIED	

Adjourn:

There being no further business, the meeting adjourned at 10:36 p.m.

Respectfully Submitted,

Deborah Wohlmuth, CMC
Town Clerk