

**RECORD OF PROCEEDINGS
MINUTES OF THE REGULAR MEETING
OF THE TOWN COUNCIL OF THE TOWN OF FRISCO
JANUARY 10, 2023**

Mayor Mortensen called the meeting to order at 7:21 p.m. Town Clerk Stacey Nell called the roll.

Present:

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

Absent:

Public Comments:

Mayor Mortensen opened public comment at 7:23 p.m.

- Barbara and George Delgrego, 1101 9000 Divide Drive - commented in opposition to the plowing pilot program that effects the recreational pathway by their residence. They expressed safety concerns and access issue with snowbanks blocking the path to the recreational pathway.
- Brent Larson, 738 Lagoon Drive - commented that further action needs to be taken in regards to short-term rentals due to the disruptive nature of their occupants. Larson also expressed his interest in being more involved with local government.

Mayor Mortensen closed public comment at 7:33 p.m.

Mayor and Council Comments:

- Mayor Mortensen welcomed the new Town Clerk, Stacey Nell to the Town of Frisco.
- Mortensen forwarded the positive feedback he has received regarding the Frisco Nordic Center
- Mayor Mortensen stated that there may be state legislation coming that may negatively impact the Town of Frisco, and the importance of maintaining good working relationships with the Town's state representatives.
- Mayor Mortensen also talked about ongoing discussions with Summit County regarding waste and waste diversion in anticipation of Summit County's landfill reaching capacity.
- Councilmember Burly commented on the positive feedback received regarding the newly included plowed paths.
- Councilmember Aeronson stated praised Town staff for helping alleviate hiring challenges in the previous year.
- Councilmember Ihnken praised Team Summit Nordic Ski club athletes on winning the state Nordic skiing championship last year and informed that the Frisco Nordic Center will be hosting the Nordic State Finals February 23-24.

Staff Updates:

Finance Department Report

Recreation & Culture Department Staff Report – November 2022

Consent Agenda:

December 13, 2022 Minutes

Warrant List

Purchasing Cards

Resolution 23-01 Public Notice Posting Locations

Resolution 23-02 Clerk Designation of Official Publications

Resolution 23-03 and Resolution 23-04 for No Pet and Street Closures for 2023 Events

Resolution 23-05 Five-Year Arts and Culture Strategic Plan

Opioid Settlement Intergovernmental Agreement

7:40 p.m. MOTION: COUNCIL MEMBER IHNKEN MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED. SECOND, COUNCIL MEMBER BURLEY

AERENSON YEA

BURLEY YEA

HELD YEA

IHNKEN YEA

HOLENKO

SKRZYPCZAK-ADRIAN

MORTENSEN

YEA

YEA

YEA

MOTION CARRIED: YEA

New Business:

Agenda Item #1: *Start Time: 7:41PM* First Reading Ordinance 23-01 Establishing the Frisco Arts and Culture Council 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

The establishment of the Frisco Arts and Culture Council (FACC) was passed on the first reading of Ordinance 23-01. The FACC will be tasked with making recommendations about arts and culture programming, testing the feasibility of arts and culture programs in the plan, and implementing those plan programs when determined to be in alignment with the Town's goals and budgetary considerations. For the second reading (vote) of the ordinance on January 24, staff was asked to return with some change to the language of the ordinance to include removal of language around sustainability and quality of life in chapter 43-1. Also, Town Council liked the idea of providing an opportunity to have a Town Council member on the Arts and Culture Council and wanted to make this Town Council member appointment optional rather than required. Therefore, language will be adjusted to suggest that a Town Council member be appointed, rather than requiring it.

Mayor Mortensen opened public comment at 7:47 p.m. David Rolling commented.
Mayor Mortensen closed public comment at 7:47 p.m.

MOTION: COUNCIL MEMBER BURLEY MOVED TO APPROVE ON FIRST READING ORDINANCE 23-01 ESTABLISHING THE FRISCO ARTS AND CULTURE COUNCIL. SECOND, COUNCIL MEMBER SKRZYPCZAK-ADRIAN.

AERENSON	YEA	HOLENKO	YEA
BURLEY	YEA	SKRZYPCZAK-ADRIAN	YEA
HELD	YEA	MORTENSEN	YEA
IHNKEN	YEA		

MOTION CARRIED: YEA

Agenda Item #2: *Estimated Start Time 7:54pm* First Reading 23-02, An Ordinance Amending Chapter 160 Of The Code Of Ordinances Of The Town Of Frisco, Colorado, Concerning Taxation, By Amending Sections 160-1.1 Concerning Definitions Related To The Town's Sales Tax; 160-2.1, Concerning Collection And Payment Of Sales Tax; 160-2.4, Concerning Reporting Periods For The Payment Of Sales Taxes; 160-3.1, Concerning Marijuana And Tobacco Licenses; 160-3.3, Concerning Confidentiality Of Tax Information; 160-5.6, Concerning Notice Of Assessment; 160-7.1, 160-7.2, And 160-7.3 Concerning Liens Related To The Town's Sales Tax; 160-7.4 And 160-7.6, Concerning The Recovery Of Tax Due; 160-8.9, Concerning Transactions And Items Subject To Tax; 160-8.10, Concerning Exemptions From Sales Tax; 160-27, Concerning The Legislative Intent Related To The Town's Lodging Tax; 160-28, Concerning Definitions Related To The Town's Lodging Tax; 160-35, Concerning The Payment Of Lodging Tax; 160-36, Concerning Excess Tax Related To The Town's Lodging Tax; 160-42, Concerning Confidentiality Of Tax Information; 160-45, Concerning Recovery Of Taxes, Penalty, And Interest; 160-46, Concerning Liens Relates To The Town's Lodging Tax; 160-62 Concerning Definitions Related To The Town's Short-Term Rental Property Excise Tax; And 160-63 Concerning Imposition Of The Town's Short-Term Rental Property Excise Tax; All In Order To Simplify, Standardize, And Make More Efficient The Reporting And Payment Of Sales, Lodging, And Short- Term Rental Taxes Collected By Persons And Entities Defined Herein As Marketplace Facilitators, Among Others.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

Council approved on first reading of an ordinance to update the sales tax code to allow the Town to remain consistent with ongoing changes in legislation and new technology found in Colorado State statutes. These revisions to the code, which include new and updated definitions, aim to provide clarification on current policy and add practical exemptions to the code. Some items of note, which have been proposed for sales tax exemption at the State level, are diapers, feminine hygiene products, retail delivery fees, and disposable bag fees. These State of Colorado tax exemptions will commence January 1, 2023. For clarity, the Town of Frisco does not currently charge sales tax on the \$.25 bag fee, although it is currently not clearly exempted in the Town's code.

Mayor Mortensen opened public comment at 7:59 p.m.
Mayor Mortensen closed public comment at 7:59 p.m.

MOTION: COUNCIL MEMBER BURLEY MOVED TO APPROVE ON FIRST READING ORDINANCE FIRST READING 23-02, AN ORDINANCE AMENDING CHAPTER 160 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, COLORADO, AS STATED ABOVE. SECOND, COUNCIL MEMBER HOLENKO.

AERENSON	YEA	HOLENKO	YEA
BURLEY	YEA	SKRZYPCZAK-ADRIAN	YEA
HELD	YEA	MORTENSEN	YEA
IHNKEN	YEA		

MOTION CARRIED: YEA

Adjourn:

There being no further business, the meeting adjourned at 8:02 p.m.

Respectfully Submitted,

Stacey Nell
Town Clerk