



**RECORD OF PROCEEDINGS
MINUTES OF THE REGULAR MEETING
OF THE TOWN COUNCIL OF THE TOWN OF FRISCO
JANUARY 24, 2023**

Mayor Mortensen called the meeting to order at 7:05pm. Town Clerk Stacey Nell called the roll.

Present:

Hunter Mortensen
Jessica Burley
Andy Held
Lisa Holenko

Absent:

Andrew Aerenson
Rick Ihnken
Elizabeth Skrzypczak-Adrian

Public Comments:

Mayor Mortensen opened public comment at 7:03pm. Hearing no public comment, Mayor Mortensen closed public comment at 7:03pm.

Mayor and Council Comments:

Councilmember Holenko expressed her support for the Summit School Board and educators following a school board meeting regarding changes to the curriculum and stated the importance of keeping dialogue civil and respectful.

Councilmember Burley informed the room that applications for childcare tuition assistance for Breckenridge and Summit County are open.

Staff Updates:

December 2022 Police and Court Activity
Finance Department Report
Recreation & Culture Department Monthly Report – December 2022
Communications, Marketing, and Events Department Report for January 24, 2023

Consent Agenda:

Meeting Minutes – January 10, 2023
Meeting Minutes – January 17, 2023

Warrant List

Purchasing Cards

Resolution 23-06: Contract award for 2023 Mill & Overlay project to Columbine Hills Construction

7:07pm. MOTION: COUNCIL MEMBER BURLEY MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED. SECOND, COUNCIL MEMBER HOLENKO.

**AERENSON ABSENT
BURLEY YEA
HELD YEA
IHNNEN ABSENT**

**HOLENKO YEA
SKRZYPCZAK-ADRIAN ABSENT
MORTENSEN YEA**

MOTION CARRIED: YEA

New Business:

Agenda Item #1: *Start Time: 7:10pm-* 2023 Nonprofit Grant Awards Presentation 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

Frisco Town Council honored local non-profit organizations with a video presentation acknowledging the award of a combined total of \$117,050 in cash grants and approximately \$30,000 in in-kind donations to the 2023 grant recipients. Every year the Town provides an opportunity for non-profits to apply through a countywide grant program. Council chooses to support many applicants, while considering several criteria such as benefit to Frisco and Summit County residents, past allocations, an organization's results from Frisco supported programs, and alignment with Town of Frisco strategic goals. Council reiterated their gratitude to all the local nonprofits that continue to serve the community, and the presentation was done by video to allow for greater attendance.

Mayor Mortensen opened public comment at 7:20pm.

Dawn Cook of Summit Habitat for Humanity thanked the Town Council for their support via the nonprofit grant program.

Carlos Lopez of Mountain Dreamers also thanked the Town Council for support of their organization.

Mayor Mortensen closed public comment at 7:22pm.

Agenda Item #2:

Start Time: 7:23pm – Resolution 23-07 - CMGC Contract Amendment For Granite Park Workforce Housing Project – Guaranteed Maximum Price 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

Mayor Mortensen opened public comment at 7:23pm. Hearing no public comment, Mayor Mortensen closed public comment at 7:23pm.

Town Council approved a contract amendment with MW Golden Constructors for Construction Manager/General Contractor (CM/GC) services for construction of the Granite Park housing project.

MOTION: COUNCIL MEMBER HELD MOVED TO APPROVE RESOLUTION 23-07 – CMGC CONTRACT AMENDMENT FOR GRANITE PARK WORKFORCE HOUSING PROJECT – GUARANTEED MAXIMUM PRICE. SECOND, COUNCIL MEMBER HOLENKO.

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

MOTION CARRIED: YEA

Agenda Item #3: *Start Time: 7:27pm* – Certificates of Participation Ordinance and Site Lease 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

Mayor Mortensen opened public comment at 7:34pm. Hearing no public comment, Mayor Mortensen closed public comment at 7:34pm.

Town Council approved Ordinance 23-03 on first reading that will allow Town Council to authorize the approval of the documents required to issue the 2023 Certificates of Participation (COPs), which in turn will finance the construction of Granite Park.

MOTION: COUNCIL MEMBER BURLEY MOVED TO APPROVE ON FIRST READING CERTIFICATES OF PARTICIPATION ORDINANCE AND SITE LEASE. SECOND, COUNCIL MEMBER HELD.

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

MOTION CARRIED: YEA

Agenda Item #4: *Start Time: 7:35pm* – Establishing the Frisco Arts and Culture Council Second Reading Ordinance 23-01 Staff Memo 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

Mayor Mortensen opened public comment at 7:37pm. Hearing no public comment, Mayor Mortensen closed public comment at 7:37pm.

Town Council passed on second reading an ordinance to establish a Frisco Arts and Culture Council (FACC). The formation of the FACC is a key element of Frisco's 5-Year Arts and Culture Strategic Plan adopted by resolution during the January 10, 2023 Council meeting. 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.

MOTION: COUNCIL MEMBER HELD MOVED TO APPROVE THE SECOND READING OF ORDINANCE 23-01 ESTABLISHING THE FRISCO ARTS AND CULTURE COUNCIL. SECOND, COUNCIL MEMBER HOLENKO.

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

MOTION CARRIED: YEA

Agenda Item #5: *Start Time 7:40pm* Second 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

Mayor Mortensen opened public comment at 7:41pm. Hearing no public comment, Mayor Mortensen closed public comment at 7:41pm.

Council approved the second 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.

MOTION: COUNCIL MEMBER BURLEY MOVED TO APPROVE ON SECOND 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 ABSENT
BURLEY YEA
HELD YEA
IHNKEN ABSENT

HOLENKO
SKRZYPCZAK-ADRIAN
MORTENSEN


YEA
ABSENT
YEA

MOTION CARRIED: YEA

Adjourn:

There being no further business, the meeting adjourned at 7:42pm.

Respectfully Submitted,



Stacey Nell
Town Clerk

