



RECORD OF PROCEEDINGS – MINUTES

WORK SESSION MEETING OF THE TOWN COUNCIL OF THE TOWN OF FRISCO FRISCO TOWN HALL, 1 MAIN STREET, FRISCO, COLORADO 80443 JULY 25, 2023 AT 4:00PM

Call to Order

Meeting called to order at 4:00PM by Mayor Hunter Mortensen

Roll Call:

Hunter Mortensen – PRESENT (IN-PERSON) - Mayor
Andrew Aerenson – PRESENT (IN-PERSON)
Jessica Burley – PRESENT (IN-PERSON)
Andy Held – PRESENT (IN-PERSON)
Rick Ihnken – PRESENT (IN-PERSON) – Mayor Pro Tem
Lisa Holenko – PRESENT (IN-PERSON)
Elizabeth Skrzypczak-Adrian – PRESENT (IN-PERSON)

- Frisco Historic Park & Museum Exhibit Tour: “Thank You for Voting: Women Seize Frisco’s Government” (note: the location of this portion of Work Session will take place at the Frisco Historic Park & Museum located at 120 Main Street)
- Strategic Plan Update Review and Discussion
- High Country Conservation Annual Update

REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF FRISCO FRISCO TOWN HALL, 1 MAIN STREET, FRISCO, COLORADO 80443 JULY 25, 2023, AT 7:00 PM

Call to Order:

Meeting called to order at 7:00PM by Mayor Hunter Mortensen

Roll Call:

Roll called by Town Clerk Stacey Nell at 7:00PM.
Hunter Mortensen – PRESENT (IN-PERSON) - Mayor
Andrew Aerenson – PRESENT (IN-PERSON)
Jessica Burley – PRESENT (IN-PERSON)
Andy Held – PRESENT (IN-PERSON)
Rick Ihnken – PRESENT (IN-PERSON) – Mayor Pro Tem
Lisa Holenko – PRESENT (IN-PERSON)
Elizabeth Skrzypczak-Adrian – PRESENT (IN-PERSON)

Public Comment:

Public Comment opened by Mayor Mortensen at 7:01PM.

Citizens making comments during Public Comments or Public Hearings should state their names and addresses for the record, be topic-specific, and limit comments to no longer than three minutes. No Council action is taken on Public Comments, Council will take all public comments under advisement, and if a Council response is deemed necessary or appropriate, the individual making the comment will receive a formal response from the Town at a later date.

Public Comment closed by Mayor Mortensen 7:01PM, seeing none online or in person in Chambers, Mayor closed Public Comment at 7:02PM.

Mayor and Council Comments:

Mayor and Council Comments opened by Mayor Mortensen at 7:02PM.

Mayor Pro Tem Ihnken discussed the recent trip taken by Frisco and Summit County local elected officials and other leadership staff to see and learn about the High Valley Microtransit System in the Park City, Utah area.

Mayor Pro Tem Ihnken also discussed 2 new mountain bike trails recently opened on the Peninsula.

Mayor Mortensen requested Town Manager Tom Fisher speak on the topic, he mentioned the advantage of the High Valley Microtransit System beginning with new funding sources and new governance, and praised the collaborative participation of the tour.

Mayor Mortensen requested former Town Councilmember and Summit County Transit Board Member Kent Willis to mention a few highlights of the trip, touching on the technology and data-driven nature of the High Valley Microtransit System.

Councilmember Aerenson congratulated the Town on another successful Fourth of July day of events.

Mayor Mortensen thanked the Frisco Historic Park & Museum Staff for their guided tour of the new Exhibit and encouraged the community to explore and attend.

Mayor Mortensen mentioned the forthcoming adoption of the new Strategic Plan, acknowledging its inspirational and representative nature for Town Council's vision.

Mayor and Council Comments closed by Mayor Mortensen at 7:10PM, moved into Staff Updates.

Staff Updates:

Town Manager Tom Fisher introduced Town Engineer Chris McGinnis to Town Council, welcoming him as the newest staff member.

Staff Updates closed by Mayor Mortensen at 7:11PM.

Consent Agenda:

Agenda Item #1: Minutes from June 27 Meeting

Agenda Item #2: Warrant List

Agenda Item #3: Purchasing Cards

Agenda Item #4: Resolution 23-23: A RESOLUTION ADOPTING THE TOWN OF FRISCO 2023-

Agenda Item #5: 2026 STRATEGIC PLAN

Agenda Item #6: Approval of Fuel Sales Agreement Template

Agenda Item #7: Resolution 23-27: A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT CONCERNING THE SUMMIT COUNTY 911 COMMUNICATIONS CENTER

Agenda Item #8: Resolution 23-28: A RESOLUTION SUPPORTING THE APPLICATION BY THE TOWN OF FRISCO TO THE STATE OF COLORADO DEPARTMENT OF LOCAL AFFAIRS FOR THE ENERGY IMPACT ASSISTANCE FUND: CLIMATE RESILIENCE CHALLENGE GRANT

Agenda Item #9: Resolution 23-29: A RESOLUTION SUPPORTING THE APPLICATION BY THE TOWN OF FRISCO TO THE STATE OF COLORADO DEPARTMENT OF LOCAL AFFAIRS FOR THE ENERGY/MINERAL IMPACT ASSISTANCE FUND GRANT

MOTION: MAYOR PRO TEM IHNKEN MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED. SECONDED, COUNCILMEMBER BURLEY.

VOTE:

HOLENKO: YEA

IHNKEN: YEA

MORTENSEN: YEA

SKRZYPCZAK-ADRIAN: yea

AERENSON: YEA

BURLEY: YEA

HELD: YEA

NAY: NONE

MOTION: PASSED AT 7:14PM

New Business:

Agenda Item #10: First Reading Ordinance 23-19: AN ORDINANCE AMENDING CHAPTER 124 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING PUBLIC HEALTH AND SAFETY, BY AMENDING ARTICLE II THEREOF, CONCERNING A DISPOSABLE BAG FEE, TO AMEND THE DEFINITIONS OF "DISPOSABLE BAG" AND "PAPER BAG", AND TO AMEND PROVISIONS CONCERNING FEES FOR THE USE OF PERMITTED DISPOSABLE BAGS

Item introduced and public hearing opened by Mayor Mortensen at 7:15PM.

Environmental Programs Manager Hilary Sueoka presented the item before Council. She stated this Ordinance serves mainly as an update of Ordinance 21-01, based on direction received from Council at a previous Work Session, to conform with a newly codified State Statute.

Mayor Mortensen opened Public Comment, seeing none online or in person in Chambers, closed at 7:19PM.

MOTION: COUNCILMEMBER BURLEY MOVED TO APPROVE THE ITEM AS PRESENTED. SECONDED, COUNCILMEMBER SKRZYPCZAK-ADRIAN.

VOTE:

HELD: YEA

HOLENKO: YEA

IHNKEN: YEA

MORTENSEN: YEA

SKRZYPCZAK-ADRIAN: YEA

AERENSON: YEA

BURLEY: YEA

NAY: NONE

MOTION: PASSED AT 7:20PM

Agenda Item #11: First Reading Ordinance 23-18 AN ORDINANCE AMENDING CHAPTER 124 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING PUBLIC HEALTH AND SAFETY, BY ADDING A NEW ARTICLE IV THERETO, CONCERNING A PROHIBITION ON THE SALE OR DISTRIBUTION OF SINGLE USE PLASTICS

Item introduced and public hearing opened by Mayor Mortensen at 7:21PM.

Environmental Programs Manager Hilary Sueoka presented the background behind the item before Council this evening. She stated the known problems with the creation, distribution, and recyclability of plastics. This resulting Ordinance is based on a previous Work Session discussion, per Council's direction, to focus on a ban of the sale of single-use plastic water bottles under 1 gallon in size. This Ordinance also focuses on requiring the provision of single-use condiments, utensils, and napkins, only upon specific request or a self-serve station. Ms. Sueoka also mentioned that the Island Grill lease would need to be amended to enforce the same requirements at that establishment located at the Frisco Bay Marina, operated by an independent business. There is also a ban on polystyrene (commonly known as styrofoam) products of any kind to be sold or distributed within the Town limits of Frisco. Ms. Sueoka continued to mention a Grant Program available to support businesses when they are interested in trying more sustainable/reusable products.

Council discussion opened by Mayor Mortensen at 7:27PM.

Councilmember Skrzypczak-Adrian asked if small businesses are exempt from these requirements. Ms. Sueoka responded stating that the State Act's language surrounding single use bag fees does mention a small business exemption.

Councilmember Aerenson asked about "Skip the Stuff", clarifying that the restaurants can ask if customers need utensils upon taking an order. Ms. Sueoka responded that yes, they can. He also asked if it is acceptable for businesses to use single use, but non-plastic items. Ms. Sueoka stated yes, with reusable being the best option, but yes, they can use and provide recyclable items.

Councilmember Skrzypczak-Adrian asked if there is an implementation plan to educate businesses, in place. Ms. Sueoka stated that there will be, but the Ordinance needs to pass first before rolling out a plan. Councilmember Burley stated that the Ordinance needs to pass before staff time and effort is spent on formulating a rollout.

Councilmember Holenko asked if Frisco's tap water is safe to drink. Ms. Sueoka responded yes. Councilmember Holenko asked if there are reusable water bottles available for sale within the Town of Frisco. Ms. Sueoka says that sounds like a reasonable assumption, but it is up to each business what they decide to sell. Ms. Sueoka stated that it's key for recyclable materials to end up in the correct place, in order to be recycled.

Councilmember Held asked about the Grant Program that will assist businesses, Ms. Sueoka responded that the Ordinance needs to pass before the Grant Program is finalized, but there is a framework in place.

Public comment opened by Mayor Mortensen at 7:40PM.

Public Comment #1: Ted Callen 93 Sunset Drive

Mr. Callen stated that he is a full-time resident of Frisco, and is shocked that people think it makes sense to bottle water in Maine and truck it to Colorado, just for a one-time consumption of water. He states that we have potable tap water in Frisco, and states that filling water from taps, even as a visitor, is reasonable in Frisco. He states for many reasons, he supports the plastic water bottle ban.

Public Comment #2: Dave Axelrod, Highside Brewing

Mr. Axelrod states that his beer is made from Frisco tap water and it is great. He stated that most bottled water is atrocious, and the tap water in Frisco is better. He also stated is people are against it, they need to come up with a better business plan to make money in other ways. He said we need to preserve our natural environment as it is why people visit here. He also states that seeing how many plastic water bottles were not recycled when he ran a Short-Term Rental property is awful, and reusable, washable water bottles are the best way to consume water. He states that he fully supports the ban against plastic water bottles and hopes Council does as well.

Public Comment #3: Virginia (Ginni) Bradley, 0757 Summit County Road 1040

Mrs. Bradley states that she is a 32-year resident of Frisco and supports the ban on plastic water bottles. She stated that there is a 4000% markup on water, and that it is a huge money-maker. Most bottled water is simply tap water from other areas, resold by large companies like Pepsi and Coke, similar to selling air. She also states we have good water, and large companies are bottling bad water and reselling it. Economically, who is getting rich off of bottled water, it's not us, and the consequence to the environment is huge, and she hopes Council passes this ban.

Public Comment #4: Ken, China Schezuan

Ken stated that as a Frisco business owner he sells bottled water, but mainly for children, and not at a high volume. He feels this ban will create more trash, because customers will ask for to-go lids and straws, and he continues to try to not utilize plastics on his own.

Public Comment #5: Jen Schenk, 792 Pitkin Street

A Frisco resident, Mrs. Schenk commented that this is a huge leadership opportunity, and how non-recyclable a single use plastic water bottle is. She believes that as a high-volume tourism destination, we can affect change outside of our town limits by educating visitors about single use plastic water bottles by enacting this ban.

Council Discussion:

Councilmember Held supports this ban, but doesn't know how reasonable it is to purchase and install a dishwasher for the Island Grill. He also stated that aluminum is more expensive and more difficult to obtain, and the Town should be aware of that. He feels that outdoor water filling stations will be crucial along with enacting the ban, to provide a convenient water source for visitors and residents. He was hopeful for a small business exemption and felt that was left out from previous conversations surrounding this Ordinance. He feels small businesses can be negatively impacted by regulation, compared to larger corporations (Safeway, Whole Foods, Walmart, and Vitamin Cottage), and that the forthcoming Grant Program will be helpful for this. He also addressed Councilmember Holenko and reaffirmed her previous point that Frisco's water is of the highest quality.

Councilmember Holenko stated that Frisco's water is great, and supports filling stations. She said she feels that people who purchase cases of water can still purchase in metal cans, and they are not asking people to not drink water, they're just asking them to change the way they consume water.

Councilmember Held acknowledged the letters from the public and stakeholders Council received regarding this matter.

Councilmember Skrzypczak-Adrian stated her concerns for small businesses, and that this is a cultural thing, stepping outside of our small town, and she supports the educational piece of enacting this ban.

Mayor Mortensen stated that outdoor water filling stations have been explored in the past, but that our climate was too cold to support them year-round. Mayor Mortensen would like staff to explore any new technologies or vendors again, to see if anything has changed. He feels this is a huge impact and benefit to the community, with an educational piece folded in. He said the Town Communications staff can be of great help here, and encourages staff after this ban is enacted, to walk the streets and talk to businesses, as we have before with program or Code changes. He also stated that water from Frisco's taps was snow 3 months ago, and not everyone can say that. He also stated that he feels they are not encumbering businesses, and they can change the way they sell water, and all Council is saying is to not package water in plastic, but they can package it in a more reusable or recyclable material. He has also stated that he has witnessed businesses fill water bottles for visitors who have accidentally run out of water, and the Visitor Information Center has a water filling station. He states that plastic water bottles have been a source of shared frustration for the Town, and encourages people to read beyond the headlines.

Councilmember Aerenson acknowledges that Mayor Mortensen started this conversation, and thanked him for doing so. He stated that there are alternatives available, and businesses can adjust. A filling station and tap feel the same to him, and every business already has one. In disaster area recovery situations, he has witnessed beer companies provide aluminum canned water, and that the supply chain already exists. He also stated that visitors can figure out how to change the way they consume water, and acknowledged Frisco is joining community neighbors and they are not the only town to consider this ban. He mentioned that this is part of what makes Frisco a visitor destination, and part of what makes this community better and desirable for tourists.

Councilmember Held challenged other towns and Counties to test for PFAS and understand how it works.

MOTION: COUNCILMEMBER AERENSON MOVED TO APPROVE THE FIRST READING OF THE ORDINANCE AS PRESENTED. SECONDED, COUNCILMEMBER HOLENKO.

VOTE:

BURLEY: YEA

HELD: YEA

HOLENKO: YEA

IHNKEN: YEA

MORTENSEN: YEA

SKRZYPCZAK-ADRIAN: YEA

AERENSON: YEA

NAY: NONE

MOTION: PASSED AT 8:21PM

Old Business:

Agenda Item #12: New Hotel & Restaurant Liquor License Application - Summit Thai LLC DBA Summit Thai

Item introduced and public hearing opened by Mayor Mortensen at 8:22PM.

Town Clerk Stacey Nell introduced the business' location, proposed license, and application status. Town Attorney Thad Renaud asked Lance Traylor, the applying entity's representative the required questions verifying the circulation of their petition to demonstrate needs and desires. Chief Wickman stated he has no concerns surrounding criminal history/moral character surrounding the applicants.

Mayor Mortensen opened the floor to Public Comment in support of, or against, the liquor license application. Seeing none, Mayor Mortensen closed the Public Hearing at 8:27PM.

MOTION: MAYOR PRO TEM IHNKEN MOVED TO APPROVE THE ORDINANCE ON SECOND READING AS PRESENTED. SECONDED, COUNCILMEMBER HELD.

VOTE:

AERENSON: YEA

BURLEY: YEA

HELD: YEA

HOLENKO: YEA

IHNKEN: YEA

MORTENSEN: YEA

SKRZYPCZAK-ADRIAN: YEA

NAY: NONE

MOTION: PASSED AT 8:29PM

Agenda Item #13: Second Reading Ordinance 23-13: AN ORDINANCE AMENDING CHAPTER 65 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, COLORADO, CONCERNING BUILDING CONSTRUCTION AND HOUSING STANDARDS, BY AMENDING SECTION 65-1, CONCERNING STANDARDS ADOPTED BY REFERENCE, TO ADOPT BY REFERENCE THE NFPA 70 NATIONAL ELECTRIC CODE, 2023 EDITION, AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF

Item introduced and public hearing opened by Mayor Mortensen at 8:30PM.

Rick Weinman, Building Official for the Town of Frisco reintroduced the item's background and recommended the Town adopt this Code by reference, and offered to answer any of Council's questions.

VOTE:

SKRZYPCZAK-ADRIAN: YEA

AERENSON: YEA

BURLEY: YEA

HELD: YEA

HOLENKO: YEA

IHNKEN: YEA

MORTENSEN: YEA

NAY: NONE

MOTION: PASSED AT 8:32PM

Executive Session:

MAYOR PRO TEM IHNKEN MOVED TO OPEN AN EXECUTIVE SESSION pursuant to Section 24-6-402(4)(a), C.R.S., concerning the potential purchase of certain real property, and the

potential sale of other real property, each for affordable housing purposes, and pursuant to Section 24-6-402(4)(e), C.R.S., to determine positions relative to matters subject to negotiation and to instruct negotiators concerning the potential purchase or sale of said properties.
SECONDED, COUNCILMEMBER HELD.

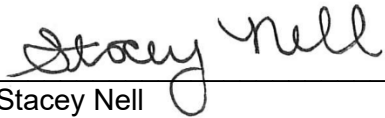
MORTENSEN: YEA
SKRZYPCZAK-ADRIAN: YEA
AERENSON: YEA
BURLEY: YEA
HELD: YEA
HOLENKO: YEA
IHNKEN: YEA

NAY: NONE

MOTION: PASSED AT 8:34PM

MAYOR MORTENSEN ADJORNED THE MEETING AT 9:26PM.

Respectfully Submitted,



Stacey Nell

Town Clerk

