



## 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 SEPTEMBER 26, 2023 AT 4:00PM

#### **Call to Order**

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

#### **Roll Call:**

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

- **Agenda Item #1:** 2024 Proposed Legislative Policy Statement
  - Staff: Leslie Edwards, Finance Director, Stacey Nell, Town Clerk/Executive Assistant to the Town Manager
- **Agenda Item #2:** Non-Profit Community Impact & Common Application Grant Award Subcommittee Recommendations
  - Staff: Diane McBride, Assistant Town Manager, Stacey Nell, Town Clerk/Executive Assistant to the Town Manager
- **Agenda Item #3:** Second Amendment to Intergovernmental Agreement for Water Services (County Commons)
  - Staff: Jeff Goble, Public Works Director
- **Agenda Item #4:** Winter Recreation Path Management Plan
  - Staff: Linsey Joyce, Recreation Director, Addison Canino, Capital Projects Senior Manager, Pete Swenson, Frisco Nordic Center and Trails Manager

### REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF FRISCO FRISCO TOWN HALL, 1 MAIN STREET, FRISCO, COLORADO 80443 SEPTEMBER 26, 2023, AT 7:00 PM

#### **Call to Order:**

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

#### **Roll Call:**

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

Lisa Holenko – PRESENT (IN PERSON)  
Elizabeth Skrzypczak-Adrian – ABSENT

**Public Comment:**

*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 opened by Mayor Mortensen 7:01PM.

Public Comment occurred in the following order, with topics of concern stated below the grid:

PERSON MAKING COMMENT	RESIDENTIAL ADDRESS	START TIME
TAYLOR EDMONDS	300 GRANITE UNIT #1	7:02PM
JAMES FANNING	300 GRANITE UNIT #6	7:05PM
JEFFREY CONNOLLY	300 GRANITE UNIT #8	7:08PM
JULIE SHAPIRO	545 MCKEES WAY	7:13PM
JASON BERMAN	671 GOLD DUST DRIVE	7:16PM
PAUL DELGREGO	1101 9000 DIVIDE RD UNIT #302	7:21PM
DAVID ROLLING	123 ROSECROWN CIRCLE	7:25PM

Mr. Edmonds, Dr. Fanning, and Mr. Connolly all commented regarding the Granite Street 30% Complete Streets Design Plan and how it affects their parking situation.

Ms. Shapiro commented that she is running for School Board on the November 7, 2023 Coordinated Election ballot.

Mr. Berman commented suggesting that Frisco needs a dog park.

Mr. Delgrego commented that he is against the plowing of the Recreational Pathways in the upcoming Winter.

Mr. Rolling commented that is supports the plowing of the Recreational Pathway in the Reserve Neighborhood in the upcoming Winter.

Mayor Mortensen thanked the commenters for showing up to the meeting to provide Public Comment, and closed Public Comment at 7:28PM.

**Mayor and Council Comments:**

Mayor and Council Comments opened by Mayor Mortensen at 7:28PM.

Mayor Mortensen stated that he hiked Quandary Peak with Senator Michael Bennett and his staff, along with Mayor Eric Mamula, to look at the Camp Hale designated National Monument site. The Mayor also reflected on his recent presentations to the First, Second, and Third grades at Frisco Elementary School as students learn about local government.

Mayor Pro Tem Ihnken praised the efforts of the Recreation Department in opening the Aftermath trail at the Peninsula Recreation Area.

Mayor Mortensen moved into Staff Updates.

**Staff Updates:**

Town Manager Tom Fisher mentioned the upcoming Summit County Resources Allocation Park (SCRAP) Tour, encouraging Councilmembers to attend if they are available.

**Consent Agenda:**

Minutes from the September 12, 2023 Meeting

Warrant List

Purchasing Cards

Resolution 23-31: A RESOLUTION APPROVING AN AGREEMENT WITH SNO-ENGINEERING, INC., (DBA "SE GROUP") FOR PLANNING SERVICES FOR THE USFS PROPOSAL FOR RESOURCE MANAGEMENT AND NEPA REVIEW IN FRISCO'S BACKYARD WITHOUT A COMPETITIVE BIDDING PROCESS

**MOTION:** COUNCILMEMBER BURLEY TO APPROVE THE CONSENT AGENDA AS PRESENTED. SECONDED, COUNCILMEMBER HELD.

**VOTE:**

IHNKEN: YEA

MORTENSEN: YEA

SKRZYPCZAK-ADRIAN: ABSENT

AERENSON: YEA

BURLEY: YEA

HELD: YEA

HOLENKO: YEA

NAY: NONE

**MOTION: PASSED AT 7:29PM**

**New Business:**

**Agenda Item #1:** Discussion of Potential Action Concerning Future Adoption of Proposed 1041 Regulations

Item introduced and Public Hearing opened by Mayor Mortensen at 7:29PM.

Town Attorney Thad Renaud provided statutory and historical context to Council's discussion of adopting 1041 Regulations in Frisco. Mr. Renaud provided explanation on various applications of 1041 Regulations, and specific sections of the statute for Council's understanding. Furthermore, Mr. Renaud explained the specific legal noticing requirements for publishing the Town Council's intention to adopt 1041 Regulations, through the office of the Town Clerk.

Councilmember Burley asked Mr. Renaud about new developments and water demand. Mr. Renaud responded that 1041 Regulations would not apply in this situation or to preempt control by the State. He stated the Extra-Territorial Water Request process would apply for any developments outside of Frisco Town limits requesting water supply service from the Town. For new developments within the Town of Frisco, local regulations are applied.

Mayor Mortensen opened Public Comment at 7:41PM, seeing none, closed Public Comment and moved into Council discussion.

Council discussed ensued on the topics of State and Federal applications including: Interstate 70, National Monuments, and utility projects.

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

**VOTE:**

HOLENKO: YEA  
IHNNEN: ABSENT  
MORTENSEN: YEA  
SKRZYPCZAK-ADRIAN: ABSENT  
AERENSON: YEA  
BURLEY: YEA  
HELD: YEA

NAY: NONE

**MOTION: PASSED AT 7:46PM**

**Agenda Item #2:** Building Inspection Board of Appeals Reappointments

Item introduced and Public Hearing opened by Mayor Mortensen at 7:47PM.

Building Official Rick Weinman explained that Town Code and International Building Code requires the establishment of a Board of Appeals. Previous three-year appointments have expired, and all three members of the board have volunteered for reappointment.

Mayor Mortensen thanked the board volunteers for their involvement and opened the floor for Public Comment, seeing none, closed Public Comment.

**MOTION:** COUNCILMEMBER HOLENKO MOVED TO APPROVE THE ITEM AS PRESENTED. SECONDED, COUNCILMEMBER HELED.

**VOTE:**

HELD: YEA  
HOLENKO: YEA  
IHNNEN: YEA  
MORTENSEN: YEA  
SKRZYPCZAK-ADRIAN: ABSENT  
AERENSON: YEA  
BURLEY: YEA

NAY: NONE

**MOTION: PASSED AT 7:52PM**

**Old Business:**

**Agenda Item #3:** Second Reading Ordinance 23-24: AN ORDINANCE AMENDING CHAPTER 180 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING THE UNIFIED DEVELOPMENT CODE, BY AMENDING SECTION 180-2.4.2, CONCERNING REZONING TO A PLANNED UNIT DEVELOPMENT; AND SECTION 180-4.3, CONCERNING PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT, TO PROVIDE FOR REZONING TO THE OVERLAY DISTRICT BASED UPON THE CONSTRUCTION OF WORKFORCE HOUSING

Item introduced and Public Hearing opened by Mayor Mortensen at 7:53PM.

Community Development Director Katie Kent was present and offered to answer any questions Councilmembers. She stated nothing has changed in the document from the First Reading.

Mayor Mortensen opened Public Comment at 7:53PM, seeing none, closed Public Comment and moved to Council discussion.

**MOTION:** COUNCILMEMBER HELED MOVED TO APPROVE THE ITEM AS PRESENTED. SECONDED, COUNCILMEMBER HOLENKO.

**VOTE:**

BURLEY: YEA  
HELD: YEA  
HOLENKO: YEA  
IHNNEN: YEA  
MORTENSEN: YEA  
SKRZYPCZAK-ADRIAN: ABSENT  
AERENSON: YEA

NAY: NONE

**MOTION: PASSED AT 7:55PM**

**Agenda Item #4:** Second Reading Ordinance 23-23: AN ORDINANCE APPROVING AN AGREEMENT WITH PUBLIC SERVICE COMPANY OF COLORADO (XCEL), AND A GRANT OF EASEMENT TO XCEL, FOR THE PROVISION OF INFRASTRUCTURE FOR AN ELECTRIC VEHICLE CHARGING STATION AT THE TOWN'S PUBLIC WORKS FACILITY LOCATED AT 102 SCHOOL ROAD

Item introduced and Public Hearing opened by Mayor Mortensen at 7:56PM.

Public Works Director Jeff Goble was present and offered to answer any questions Councilmembers. He stated nothing has changed in the document from the First Reading.

Mayor Mortensen opened Public Comment at 7:56PM, seeing none, closed Public Comment and moved to Council discussion.

**MOTION:** COUNCILMEMBER HELD MOVED TO APPROVE THE ITEM AS PRESENTED. SECONDED, COUNCILMEMBER BURLEY.

**VOTE:**

BURLEY: YEA  
HELD: YEA  
HOLENKO: YEA  
IHNNEN: YEA  
MORTENSEN: YEA  
SKRZYPCZAK-ADRIAN: ABSENT  
AERENSON: YEA

NAY: NONE

**MOTION: PASSED AT 7:57PM**

**Agenda Item #5:** Second Reading Ordinance 23-25: AN ORDINANCE APPROVING A SERVICE AGREEMENT WITH, AND GRANT OF EASEMENT TO, COMCAST CABLE COMMUNICATIONS MANAGEMENT LLC, EACH IN CONNECTION WITH THE PROVISION OF WIRING FOR CABLE TELEVISION AND INTERNET SERVICE AT THE GRANITE PARK HOUSING PROJECT

Item introduced and Public Hearing opened by Mayor Mortensen at 7:58PM.

Capital Projects Senior Manager Addison Canino was present and offered to answer any questions Councilmembers. He stated nothing has changed in the document from the First Reading.

Mayor Mortensen opened Public Comment at 7:58PM, seeing none, closed Public Comment and

moved to Council discussion.

**MOTION:** COUNCILMEMBER BURLEY MOVED TO APPROVE THE ITEM AS PRESENTED. SECONDED, COUNCILMEMBER HOLENKO.

**VOTE:**

BURLEY: YEA

HELD: YEA

HOLENKO: YEA

IHNKEN: YEA

MORTENSEN: YEA

SKRZYPCZAK-ADRIAN: ABSENT

AERENSON: YEA

NAY: NONE

**MOTION: PASSED AT 7:57PM**

**Agenda Item #6: EXECUTIVE SESSION**

**MOTION:** COUNCILMEMBER BURLEY MOVED TO ENTER AN EXECUTIVE SESSION PURSUANT TO COLORADO REVISED STATUTES (C.R.S.) SECTION 24-6-402(4)(A), CONCERNING THE POTENTIAL PURCHASE OF CERTAIN REAL PROPERTY BY THE TOWN, AND THE POTENTIAL SALE OF OTHER REAL PROPERTY OWNED BY THE TOWN; AND PURSUANT TO C.R.S. SECTION 24-6-402(4)(E), TO DETERMINE POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, TO DEVELOP STRATEGY FOR NEGOTIATIONS, AND TO INSTRUCT NEGOTIATORS, EACH IN CONNECTION WITH THE POTENTIAL CONSTRUCTION OF AFFORDABLE HOUSING PROJECTS ON THE REAL PROPERTY THAT MAY BE PURCHASED, AND THE REAL PROPERTY THAT MAY BE SOLD, SECONDED COUNCILMEMBER HOLENKO.

**VOTE:**

MORTENSEN: YEA

SKRZYPCZAK-ADRIAN: ABSENT

AERENSON: YEA

BURLEY: YEA

HELD: YEA

HOLENKO: YEA

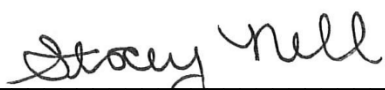
IHNKEN: YEA

NAY: NONE

**MOTION: PASSED AT 7:57PM**

COUNCILMEMBER BURLEY MOVED TO COME OUT OF EXECUTIVE SESSION AND ADJORN, SECONDED BY COUNCILMEMBER HELD. MAYOR MORTENSEN ADJORNED THE MEETING AT 8:21PM.

Respectfully Submitted,

  
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Stacey Nell, CFRA, Town Clerk



*Clerk's Note: Efforts by Kyle Ottinger, Deputy Town Clerk in the recording of these Minutes are appreciated.*