

**RECORD OF PROCEEDINGS
MINUTES OF THE REGULAR MEETING
OF THE TOWN COUNCIL OF THE TOWN OF FRISCO
FEBRUARY 9, 2021**

Mayor Mortensen called the meeting to order at 4:00 p.m. Town Clerk Deborah Wohlmuth called the roll.

Present: Andrew Aerenson
Jessica Burley
Dan Fallon
Andy Held
Rick Ihnken
Hunter Mortensen
Melissa Sherburne

Absent:

Public Comments:

Bill's Ranch resident, Craig Mansfield spoke in support of his request to access Town water lines on Goldfinch Lane.

Frisco resident Mark Duarmie spoke regarding bedroom definitions in the Unified Development Code.

Mayor and Council Comments:

Frisco Town Council paid homage to the three Eagle County residents who lost their lives in an avalanche last week. Andy Jessen and Adam Palmer, who were both Eagle Town Councilmembers, and Eagle County employee, Jeff Bossung, were integral to the Eagle community. Council discussed providing a donation to the families of the deceased and/or possibly a non-profit(s).

Mayor Mortensen stated that the work session regarding social equity will be postponed to a future date.

NEW BUSINESS:

Agenda Item #1: New Distillery Pub Liquor License – Prost LLC dba Pullman Distillery. STAFF: DEBORAH WOHLMUTH 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 Clerk Deborah Wohlmuth stated that as prescribed in State Statute, all new liquor license applications must be first submitted to the local licensing authority for approval. Supporting documentation as outlined on State form DR 8404 must accompany the application to begin the hearing process requirements. The preliminary findings have been included in this report to support proof of a completed application. This application is for a new Distillery Pub liquor license for Prost LLC dba Pullman Distillery located at 313 Main Street. Applicants Scott and David Pohlman have filed the necessary paperwork and in accordance with the Colorado Liquor Code. Further, notice of this application was published in a newspaper of general circulation on pursuant to statutory requirements. Identogo and the Frisco Police Department have performed the necessary fingerprinting and background checks for the applicants and have found them to be

satisfactory. This liquor license replaces and expands the existing hotel and restaurant liquor license issued to Prost. Mayor Mortensen opened public comment at 4:21p.m. Applicant Scott Pohlman spoke in support of the application. There being no further public comment, the Mayor closed public comment at 4:40 p.m.

MOTION: COUNCIL MEMBER BURLEY MOVED TO APPROVE THE ISSUANCE OF A DISTILLERY PUB LIQUOR LICENSE FOR PROST LLC DBA PULLMAN DISTILLERY, LOCATED AT 313 MAIN STREET, ON THE BASIS OF THE FOLLOWING FINDINGS: THAT THE AUTHORITY (1) HAS REVIEWED THE NEIGHBORHOOD UNDER CONSIDERATION AND FINDS IT TO BE THE TOWN OF FRISCO AS A WHOLE; (2) HAS CONSIDERED THE DESIRES OF THE INHABITANTS OF THE NEIGHBORHOOD AND FINDS THAT THE INHABITANTS DESIRE AN ADDITIONAL ESTABLISHMENT THAT SERVES LIQUOR; (3) HAS REVIEWED THE NEEDS OF THE NEIGHBORHOOD FOR THE OUTLET AND FINDS THAT THE NEEDS OF THE NEIGHBORHOOD ARE NOT MET BY THE EXISTING OUTLETS; (4) HAS REVIEWED THE LOCATION OF THE PROPOSED ESTABLISHMENT AND FINDS THAT IT IS NOT LOCATED WITHIN 250 FEET OF ANY SCHOOL OR COLLEGE CAMPUS; (5) HAS REVIEWED THE QUALIFICATIONS OF THE APPLICANT AND, PURSUANT TO THE REQUIREMENTS OF THE FRISCO CODE AND COLORADO STATUTES, FIND THE APPLICANT TO BE QUALIFIED TO OBTAIN A DISTILLERY PUB LIQUOR LICENSE FOR PROST LLC DBA PULLMAN DISTILLERY WITH A CONDITION OF APPROVAL THAT THE SOUTHERN MOST BOUNDARY OF THE LICENSED AREA IS TO BE MOVED NORTH SO THAT IT IS IN LINE WITH THE EXISTING RAILING OF THE BEER GARDEN. SECOND, COUNCIL MEMBER SHERBURNE.

AERENSON	YEA	FALLON	YEA
BURLEY	YEA	SHERBURNE	YEA
HELD	YEA	MORTENSEN	YEA
IHNKEN	YEA	MOTION CARRIED	

Agenda Item #2: First Reading Ordinance 21-03, an Ordinance Rezoning from the Light Industrial (LI) Zoning District to the Mixed-Use (MU) Zoning District, Certain Real Property Located at 18 and 68 School Road / Lot 1, Saint Anthony Summit Medical Campus. STAFF: DON REIMER 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

Assistant Community Development Director Bill Gibson stated that Traditional Neighborhood Developers, LLC, representing Centura Health, is proposing to change the zoning classification of the property located at 18 & 68 School Road from Light Industrial (LI) District to Mixed-Use (MU) District. The subject property is owned by Centura Health and is the site of the Summit Vista Professional Building new Frisco Medical Office Building. Centura desires to demolish the now closed Summit Vista Professional Building and construct a future residential development on that portion of the site. The Applicant has stated that this future residential development will include workforce housing. However, the subject property is currently zoned Light Industrial (LI) District which does not allow for such residential development. The Applicant is therefore proposing to rezone this property to the Mixed-Use (MU) District which would allow for future residential development on a portion of this site. Pursuant to Section 180-2.3.4.F., Simultaneous Processing of Development Applications, of the Frisco Unified Development Code (UDC), a Major Site Plan Application may not be accepted or processed while a rezoning application is pending for the same property. The Applicant's future residential project cannot be reviewed by the Planning

Commission until rezoning has occurred. Mayor Mortensen opened public comment at 4:46 p.m. St. Anthony's Human Resource Director, Cindy Farnsworth spoke in support of the request. There being no further public comment, the Mayor closed public comment at 5:04 p.m.

MOTION: COUNCIL MEMBER FALLON MOVED TO APPROVE ON FIRST READING ORDINANCE 21-03, AN ORDINANCE REZONING FROM THE LIGHT INDUSTRIAL (LI) ZONING DISTRICT TO THE MIXED-USE (MU) ZONING DISTRICT, CERTAIN REAL PROPERTY LOCATED AT 18 AND 68 SCHOOL ROAD / LOT 1, SAINT ANTHONY SUMMIT MEDICAL CAMPUS.. SECOND, COUNCIL MEMBER HELD.

AERENSON	YEA	FALLON	YEA
BURLEY	YEA	SHERBURNE	RECUSED
HELD	YEA	MORTENSEN	YEA
IHNKEN	YEA	MOTION CARRIED	

COUNCIL MEMBER SHERBURNE REJOINED THE MEETING AT THIS TIME.

CONSENT AGENDA:

Minutes January 26, 2021.

Warrant List.

Purchasing Cards.

Pivot Energy Updated Agreements.

MOTION: COUNCIL MEMBER BURLEY MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED, WITH DIRECTION TO REVISIT IT SERVICES NEXT YEAR. SECOND, COUNCIL MEMBER FALLON.

AERENSON	YEA	FALLON	YEA
BURLEY	YEA	SHERBURNE	YEA
HELD	YEA	MORTENSEN	YEA
IHNKEN	YEA	MOTION CARRIED	

OLD BUSINESS:

Agenda Item #4: Second Reading Ordinance 21-02, an Ordinance Amending Chapter 41 of the Code of Ordinances of the Town of Frisco, Concerning the Planning Commission, by Amending Section 41-1, Concerning Officers, Meetings, Rules and Records, to Clarify Provisions Concerning Terms for Officers and Scheduling of Meetings. Staff: DON REIMER 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 Ordinance 20-21, amends Section 41-1 of the Town Code to clarify certain provisions related to term of office for members and officers, and scheduling of meetings. As part of the Home Rule Charter Review, staff identified minor amendments which clarify these items, without causing any substantive changes to the Code, clarifying that officers (Chair and Vice-Chair) will be elected at the first meeting of the term, which typically will be the first meeting in May following a Council election; and that the length of office for the Chair and Vice-Chair will be for the entire two-year term. Mr. Reimer stated that the other change is related to scheduling meetings, clarifying that at least one meeting will be scheduled each month, but that meetings may be canceled if there are no items for consideration. This change is consistent with how the Planning

Commission has operated in recent years. Mayor Mortensen opened public comment at 6:55 p.m. There being no public comment, the Mayor closed public comment at 6:56 p.m.

MOTION: COUNCIL MEMBER FALLON MOVED TO APPROVE ON SECOND READING ORDINANCE 21-02, AN ORDINANCE AMENDING CHAPTER 41 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING THE PLANNING COMMISSION, BY AMENDING SECTION 41-1, CONCERNING OFFICERS, MEETINGS, RULES AND RECORDS, TO CLARIFY PROVISIONS CONCERNING TERMS FOR OFFICERS AND SCHEDULING OF MEETINGS. SECOND, COUNCIL MEMBER AERENSON.

AERENSON	YEA	FALLON	YEA
BURLEY	YEA	SHERBURNE	YEA
HELD	YEA	MORTENSEN	YEA
IHNKEN	YEA	MOTION CARRIED	

Agenda Item #6: General Discussion / Action on COVID-19 Response and Approval of Resolution 21-05, a Resolution of the Town of Frisco, Colorado, Extending an Economic Relief Program for Businesses, Directing the Immediate Implementation of the Program in Response to the COVID-19 Public Health Emergency, and Authorizing the Expenditure of Funds for the Program. Staff: Nancy Kerry 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 Manager Nancy Kerry provided a general update regarding COVID-19 response, and presented a resolution extending economic relief programs for Frisco businesses. Mayor Mortensen opened public comment at 7:00 p.m. There being no public comment, the Mayor closed public comment at 7:34 p.m.

MOTION: COUNCIL MEMBER BURLEY MOVED TO APPROVE RESOLUTION 21-05, A RESOLUTION OF THE TOWN OF FRISCO, COLORADO, EXTENDING AN ECONOMIC RELIEF PROGRAM FOR BUSINESSES, DIRECTING THE IMMEDIATE IMPLEMENTATION OF THE PROGRAM IN RESPONSE TO THE COVID-19 PUBLIC HEALTH EMERGENCY, AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PROGRAM WITH THE PROPOSED PROGRAM END DATE THAT IS IN THE RESOLUTION AND WITH THE NEW BUSINESS SECTION JANUARY 1, 2020 AND END DATE DECEMBER 31, 2020. SECOND, COUNCIL MEMBER HELD.

AERENSON	YEA	FALLON	NO
BURLEY	YEA	SHERBURNE	YEA
HELD	YEA	MORTENSEN	YEA
IHNKEN	YEA	MOTION CARRIED	

ADJOURN:

There being no further business, the meeting adjourned at 7:35 p.m.

Respectfully Submitted,

Deborah Wohlmuth, CMC
Town Clerk