

**RECORD OF PROCEEDINGS  
MINUTES OF THE REGULAR MEETING  
OF THE TOWN COUNCIL OF THE TOWN OF FRISCO  
JULY 13, 2021**

Council member Fallon called the meeting to order at 4:00 p.m. Town Clerk Deborah Wohlmuth called the roll.

**Present:** Andrew Aerenson  
Dan Fallon  
Andy Held  
Melissa Sherburne

**Absent:** Jessica Burley  
Rick Ihnken  
Hunter Mortensen

**Mayor and Council Comments:**

Council member Fallon indicated that the CDPHE Vaccination Bus will be in Frisco at the South West corner of Fourth Avenue and Main Street, Friday and Saturday 11am-6pm.

**Public Comments:**

Nine Marina slip holders presented concerns regarding dock island, customer service, porta-potties, fines, shuttle service, price increases, parking, morale, management, and responsiveness to Town Council.

**Consent Agenda:**

June 22, 2021 Minutes

**MOTION: COUNCIL MEMBER SHERBURNE MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED. SECOND, COUNCIL MEMBER AERENSON.**

<b>AERENSON</b>	<b>YEA</b>	<b>FALLON</b>	<b>YEA</b>
<b>BURLEY</b>	<b>ABSENT</b>	<b>SHERBURNE</b>	<b>YEA</b>
<b>HELD</b>	<b>YEA</b>	<b>MORTENSEN</b>	<b>ABSENT</b>
<b>IHNKEN</b>	<b>ABSENT</b>	<b>MOTION CARRIED</b>	

**New Business:**

Agenda Item #1: Consideration and Possible Approval of the Town Manager Employment Agreement

Town Attorney Thad Renaud stated that in May 2021, Frisco Town Council appointed Jeff Durbin as the interim Town Manager; that Diane McBride, Assistant Town Manager and Recreation & Culture Director, will serve as the acting Town Manager through August 1st; and that Council had instructed negotiators to draft a contract with Mr. Tony O'Rourke as Town Manager beginning August 1st. Town Council thanked Mr. Durbin for his service and commitment to Frisco during this period of transition. Council member Fallon opened public comment at 7:46 p.m. There being no public comment, Council member Fallon closed public comment at 7:47 p.m.

**MOTION: COUNCIL MEMBER AERENSON MOVED TO APPROVE THE TOWN MANAGER EMPLOYMENT AGREEMENT WITH TONY O'ROURKE. SECOND, COUNCIL MEMBER HELD.**

<b>AERENSON</b>	<b>YEA</b>	<b>FALLON</b>	<b>YEA</b>
<b>BURLEY</b>	<b>ABSENT</b>	<b>SHERBURNE</b>	<b>YEA</b>
<b>HELD</b>	<b>YEA</b>	<b>MORTENSEN</b>	<b>ABSENT</b>
<b>IHNKEN</b>	<b>ABSENT</b>	<b>MOTION CARRIED</b>	

**Old Business:**

Agenda Item #2: Ordinance 21-07, an Ordinance Amending Chapter 65 of the Code of Ordinances of the Town of Frisco, 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, 2020 Edition, and to Provide Penalties for the Violation Thereof

Building Official Rick Weinman stated that Summary this is the second reading of Ordinance 21-07. The purpose of this ordinance is to update the Town's construction codes to the latest published edition of NFPA 70 National Electric Code. There are no amendments proposed to this code, and first reading was approved on June 8, 2021. The NFPA updates the National Electric Code every three years, which is then adopted by the Colorado State Electrical Board. Colorado Revised Statutes requires all jurisdictions with their own enforcement departments to enforce the latest edition of the State Electrical Code, as adopted by the State Electrical Board. Adoption of Ordinance 21-07 enables the Town to remain in compliance with CRS. Council member Fallon opened public comment at 7:50 p.m. There being no public comment, Council member Fallon closed public comment at 7:51 p.m.

**MOTION: COUNCIL MEMBER SHERBURNE MOVED TO APPROVE ON SECOND READING ORDINANCE 21-07, AN ORDINANCE AMENDING CHAPTER 65 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, 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, 2020 EDITION, AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF. SECOND, COUNCIL MEMBER HELD.**

<b>AERENSON</b>	<b>YEA</b>	<b>FALLON</b>	<b>YEA</b>
<b>BURLEY</b>	<b>ABSENT</b>	<b>SHERBURNE</b>	<b>YEA</b>
<b>HELD</b>	<b>YEA</b>	<b>MORTENSEN</b>	<b>ABSENT</b>
<b>IHNKEN</b>	<b>ABSENT</b>	<b>MOTION CARRIED</b>	

Agenda Item #3: Ordinance 21-08, an Ordinance Amending Chapter 142 of the Code of Ordinances of the Town of Frisco, Concerning the Vacation of Public Property, by Amending Sections 142-6, Concerning the Valuation of Vacated Property; and 142-13, Concerning the Vesting of Title Upon Vacation

Community Development Director Don Reimer stated that this is the second reading of Ordinance 21-08, an ordinance amending Chapter 142, Vacation of Property. This chapter of the Town of Frisco Code of Ordinances establishes policies, procedures, and standards for the vacation or

divestment of the Town's right, title, or interest in or to any land, including street right-of-ways and easements. Staff recommended the following amendments to this chapter: Amend Section 142-6 to cause appraisals to be made earlier in the review process; and Amend Section 142-13 to clarify to whom vacated property is vested. Council member Fallon opened public comment at 7:53 p.m. There being no public comment, Council member Fallon closed public comment at 7:54 p.m.

**MOTION: COUNCIL MEMBER HELD MOVED TO APPROVE ON SECOND READING ORDINANCE 21-08, AN ORDINANCE AMENDING CHAPTER 142 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING THE VACATION OF PUBLIC PROPERTY, BY AMENDING SECTIONS 142-6, CONCERNING THE VALUATION OF VACATED PROPERTY; AND 142-13, CONCERNING THE VESTING OF TITLE UPON VACATION. SECOND, COUNCIL MEMBER AERENSON.**

<b>AERENSON</b>	<b>YEA</b>	<b>FALLON</b>	<b>YEA</b>
<b>BURLEY</b>	<b>ABSENT</b>	<b>SHERBURNE</b>	<b>YEA</b>
<b>HELD</b>	<b>YEA</b>	<b>MORTENSEN</b>	<b>ABSENT</b>
<b>IHNKEN</b>	<b>ABSENT</b>	<b>MOTION CARRIED</b>	

#### Agenda Item #4: Workforce Housing Action Items Update

Community Development Director Don Reimer indicated that staff has continued to work to implement policies per Council direction including: Issuing a Request for Proposal (RFP) for a property management and maintenance company for Town-owned rental properties; Meeting with the Town's current STR management software company to resolve challenges and concerns with their software; Scheduling a joint meeting to discuss Lake Hill with the Summit County Board of County Commissioners (BOCC), as well as scheduling a Housing Summit in conjunction with Summit County and surrounding municipalities; Working to fill the new STR Specialist position. Council directed staff to amend the STR license fees as necessary to properly cover the administrative costs of the program. Staff have determined that \$250 per license will cover the costs to including the new STR Specialist position. This new fee will be effective August 1, 2021. Council discussed a moratorium on new STR licenses to allow staff to evaluate the Town Code and STR Regulations to address problems resulting from the current STR program. Council member Fallon opened public comment at 8:17 p.m. There being no public comment, Council member Fallon closed public comment at 8:18 p.m.

#### Executive Session:

Agenda Item #5: An Executive Session Pursuant to C.R.S. Section 24-6-402(4), (e) Determining Positions Relative to Matters That May Be Subject to Negotiations; Developing Strategy for Negotiations; and Instructing Negotiators Concerning the Development of Lake Hill

**MOTION: COUNCIL MEMBER AERENSON MOVED TO ENTER INTO AN EXECUTIVE SESSION PURSUANT TO C.R.S. SECTION 24-6-402(4), (E) DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS; DEVELOPING STRATEGY FOR NEGOTIATIONS; AND INSTRUCTING NEGOTIATORS CONCERNING THE DEVELOPMENT OF LAKE HILL. SECOND, COUNCIL MEMBER SHERBURNE.**

<b>AERENSON</b>	<b>YEA</b>	<b>FALLON</b>	<b>YEA</b>
<b>BURLEY</b>	<b>ABSENT</b>	<b>SHERBURNE</b>	<b>YEA</b>
<b>HELD</b>	<b>YEA</b>	<b>MORTENSEN</b>	<b>ABSENT</b>

**IHNKEN                      ABSENT              MOTION CARRIED**

**MOTION: COUNCIL MEMBER AERENSON MOVED TO EXIT AN EXECUTIVE SESSION PURSUANT TO C.R.S. SECTION 24-6-402(4), (E) DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS; DEVELOPING STRATEGY FOR NEGOTIATIONS; AND INSTRUCTING NEGOTIATORS CONCERNING THE DEVELOPMENT OF LAKE HILL. SECOND, COUNCIL MEMBER SHERBURNE.**

<b>AERENSON</b>	<b>YEA</b>	<b>FALLON</b>	<b>YEA</b>
<b>BURLEY</b>	<b>ABSENT</b>	<b>SHERBURNE</b>	<b>YEA</b>
<b>HELD</b>	<b>YEA</b>	<b>MORTENSEN</b>	<b>ABSENT</b>
<b>IHNKEN</b>	<b>ABSENT</b>	<b>MOTION CARRIED</b>	

**ADJOURN:**

There being no further business, the meeting adjourned at 9:19 p.m.

Respectfully Submitted,

---

Deborah Wohlmuth, CMC  
Town Clerk