

**RECORD OF PROCEEDINGS
MINUTES OF THE REGULAR MEETING
OF THE TOWN COUNCIL OF THE TOWN OF FRISCO
OCTOBER 9, 2018**

Mayor Wilkinson called the meeting to order at 7:00 p.m. Town Clerk Deborah Wohlmuth called the roll.

Present:

Dan Fallon
Rick Ihnken
Deborah Shaner
Gary Wilkinson

Absent:

Jessica Burley
Hunter Mortensen
Melissa Sherburne

Public Comment:

John Forrest, Big Horn Rentals, spoke in support of small steps in short term rental regulation.

Council Comment:

Mayor Wilkinson thanked Revenue Specialist Chad Most for his efforts on short term rental regulation.

Proclamation:

Mayor Wilkinson proclaimed October 10, 2018 be recognized as "Imagine a Day Without Water" in the Town of Frisco.

Consent Agenda:

Minutes September 25, 2018 Meeting
Town Lease Agreement of Lot B-2 from Frisco Sanitation District
Resolution 18-17, Establishment of Frisco Historic Park and Museum Preservation Fund
Resolution 18-18, Adoption of Frisco Historic Park and Museum Strategic Plan

MOTION: COUNCIL MEMBER SHANER MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED. SECOND, COUNCIL MEMBER FALLON. VOTE:

BURLEY	ABSENT	SHANER	YEA
FALLON	YEA	SHERBURNE	ABSENT
IHNKEN	YEA	WILKINSON	YEA
MORTENSEN	ABSENT	MOTION CARRIED.	

New Business:

Agenda Item #1: First Reading, Ordinance 18-11, an Ordinance Levying General Property Taxes for the Year 2018 to Help Defray the Cost of Government for the Town of Frisco, Colorado for the 2019 Budget Year STAFF: BONNIE MOINET 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

Finance Director Bonnie Moinet indicated that this ordinance allows the Town to levy general property taxes for the year 2018 to help defray the cost of government for the Town of Frisco for the 2019 budget year. Pursuant to Section 39-1-111.5, C.R.S., if a local government needs property tax to balance its proposed budget, the Town Council, through an official action, must set and certify a mill levy by ordinance or resolution. It must then certify the mill levy to the Board of County Commissioners. The mill levy has to be certified to the BOCC by December 15. Mayor Wilkinson opened the public hearing at 7:09 p.m. There being no public comment, Mayor Wilkinson closed the public hearing at 7:10 p.m.

MOTION: COUNCIL MEMBER FALLON MOVED TO APPROVE THE FIRST READING OF ORDINANCE 18-11, AN ORDINANCE LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2018 TO HELP DEFRAY THE COST OF GOVERNMENT FOR THE TOWN OF FRISCO, COLORADO FOR THE 2018 BUDGET YEAR. SECOND, COUNCIL MEMBER SHANER. VOTE:

BURLEY	ABSENT	SHANER	YEA
FALLON	YEA	SHERBURNE	ABSENT
IHNKEN	YEA	WILKINSON	YEA
MORTENSEN	ABSENT	MOTION CARRIED.	

Agenda Item #2: First Reading, Ordinance 18-12, Appropriating Sums of Money to the Various Funds and Spending Agencies, in the Amount and for the Purposes as Set Forth Below for the Town of Frisco, Colorado for the 2019 Budget Year STAFF: BONNIE MOINET 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

Finance Director Bonnie Moinet indicated that this ordinance appropriates sums of money to various funds and spending agencies. An appropriation is the legal spending limit authorizing the expenditures set forth in the budget by the governing board. The Town Council through an official action must enact the appropriation, by ordinance or resolution. The budget is merely a fiscal plan for the coming year, while the appropriation is the legal authority to spend the money. Mayor Wilkinson opened the public hearing at 7:11 p.m. There being no public comment, Mayor Wilkinson closed the public hearing at 7:12 p.m.

MOTION: COUNCIL MEMBER IHNKEN MOVED TO APPROVE THE FIRST READING OF ORDINANCE 18-12, APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES, IN THE AMOUNT AND FOR THE PURPOSES AS SET FORTH BELOW FOR THE TOWN OF FRISCO, COLORADO FOR THE 2019 BUDGET YEAR. SECOND, COUNCIL MEMBER FALLON. VOTE:

BURLEY	ABSENT	SHANER	YEA
FALLON	YEA	SHERBURNE	ABSENT
IHNKEN	YEA	WILKINSON	YEA
MORTENSEN	ABSENT	MOTION CARRIED.	

Old Business:

Agenda Item #3: Second Reading Ordinance 18-09, An Ordinance Amending Chapters 127 and 180 of the Code of Ordinances of the Town of Frisco, Concerning General Offenses and the development of Land, Respectively, By Adding a New Section 127-53, Concerning Standards and Limitations on the Creation of Noise Within the Town, and By Deleting Section 180-6.20.3, Concerning Construction Noise STAFF: JOYCE ALLGAIER 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 Joyce Allgaier stated that this ordinance amends Chapters 127 and 180 of the Town Code, implementing a noise ordinance that sets specific decibel levels for certain times of day, contains residential and commercial noise zones, defines terms, and contains provisions for exceptions, among other provisions. Frisco has grown and changed in terms of the mix of uses, new uses, enhanced outdoor vitality, and overall intensification of activity in the community. This intensification is from both a mixture of residential and commercial development arrayed in dense settings and the infill of new developments. Additionally, several new developments have included al fresco dining areas, roof top decks, and music venues. This ordinance also clarifies construction noise provisions to include clarification of times when construction is allowed, and not placing specific limitations on holidays; clarifies hours when a reduced decibel level comes into effect in both the residential and commercial noise zones; clarifies exemption criteria and the requirement of an informational notice to owners in the vicinity before action is taken on an exemption request, and inclusion of snow removal and domestic power equipment noise provisions. Provisions regarding vehicular noise from engine braking devices (commonly referred to as a “Jake brake”) will be added to the town’s model traffic code provisions. Mayor Wilkinson opened public comment at 7:18 p.m. Frisco resident Phil Sanderman spoke in support of more stringent regulations. There being no further public comment, Mayor Wilkinson closed the public comment at 7:20 p.m.

MOTION: COUNCIL MEMBER SHANER MOVED TO APPROVE ON SECOND READING ORDINANCE 18-09, AN ORDINANCE AMENDING CHAPTERS 127 AND 180 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING GENERAL OFFENSES AND THE DEVELOPMENT OF LAND, RESPECTIVELY, BY ADDING A NEW SECTION 127-53, CONCERNING STANDARDS AND LIMITATIONS ON THE CREATION OF NOISE WITHIN THE TOWN, AND BY DELETING SECTION 180-6.20.3, CONCERNING CONSTRUCTION NOISE. SECOND, COUNCIL MEMBER FALLON. VOTE:

BURLEY	ABSENT	SHANER	YEA
FALLON	YEA	SHERBURNE	ABSENT
IHNKEN	YEA	WILKINSON	YEA
MORTENSEN	ABSENT	MOTION CARRIED.	

Executive Session:

Agenda Item #4: Executive Session Pursuant to C.R.S. 24-6-402(4)(f), Concerning Personnel Matters

MOTION: COUNCIL MEMBER SHANER MOVED TO ENTER AN EXECUTIVE SESSION PURSUANT TO C.R.S. 24-6-402(4)(F), PERSONNEL MATTERS. SECOND, COUNCIL MEMBER IHNKEN. VOTE:

BURLEY	ABSENT	SHANER	YEA
FALLON	YEA	SHERBURNE	ABSENT

IHNKEN	YEA	WILKINSON	YEA
MORTENSEN	ABSENT	MOTION CARRIED.	

MOTION: COUNCIL MEMBER SHANER MOVED TO EXIT AN EXECUTIVE SESSION PURSUANT TO C.R.S. 24-6-402(4)(F), PERSONNEL MATTERS. SECOND, COUNCIL MEMBER IHNKEN. VOTE:

BURLEY	ABSENT	SHANER	YEA
FALLON	YEA	SHERBURNE	ABSENT
IHNKEN	YEA	WILKINSON	YEA
MORTENSEN	ABSENT	MOTION CARRIED.	

There being no further business, the meeting adjourned at 8:30 p.m.

Respectfully Submitted,

Deborah Wohlmuth, CMC
Town Clerk