

**RECORD OF PROCEEDINGS
MINUTES OF THE REGULAR MEETING
OF THE TOWN COUNCIL OF THE TOWN OF FRISCO
OCTOBER 11, 2016**

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

Present: Jessica Burley
Kim Cancelosi
Rick Ihnken
Dan Kibbie
Hunter Mortensen
Deborah Shaner
Gary Wilkinson

Absent:

Public Comment:

Frisco resident and business owner Dan Fallon complimented the newspaper article regarding the Lake Hill project. He asked Council to identify their position on affordable housing in general.

Frisco resident Christine Hoppe spoke in support of Amendment 69 on the November ballot.

Council Comment:

Council member Burley let the audience know that there will be a composting drop off for pumpkins.

Council member Mortensen thanked staff for holiday decorations.

Mayor Wilkinson reminded everybody to vote.

Presentation:

Council recognized Public Works Director Rick Higgins for thirty-four years of service at his retirement.

Proclamation:

Mayor Wilkinson proclaimed October 2016 to be recognized as National Community Planning Month.

Consent Agenda:

Minutes October 11, 2016 Meeting
Home Rule Charter Review 53, Alcoholic Beverages
Warrant List
Purchasing Cards

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

BURLEY	YEA	IHNKEN	YEA
CANCELOSI	YEA	KIBBIE	YEA
MORTENSEN	YEA	SHANER	YEA
WILKINSON	YEA	MOTION CARRIED.	

New Business:

Agenda Item #1: First Reading, Ordinance 16-05, an Ordinance Authorizing the Sale of Certain Real Property Owned by the Town and Legally Described as Lots 3 and 4, Block 11, Frisco Townsite, also known as 518 Main Street and as the "Staley House" Property STAFF: BILL EFTING 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

Town Attorney Thad Renaud indicated that he did not provide an ordinance or agreement to the Town Clerk, and therefor requested that Council table the item to the following meeting.

MOTION: COUNCIL MEMBER KIBBIE MOVED TO TABLE THE FIRST READING OF ORDINANCE 16-05, AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY OWNED BY THE TOWN AND LEGALLY DESCRIBED AS LOTS 3 AND 4, BLOCK 11, FRISCO TOWNSITE, ALSO KNOWN AS 518 MAIN STREET AND AS THE "STALEY HOUSE" PROPERTY TO THE NOVEMBER 8, 2016 TOWN COUNCIL MEETING. SECOND, COUNCIL MEMBER IHNKEN. VOTE:

BURLEY	YEA	IHNKEN	YEA
CANCELOSI	YEA	KIBBIE	YEA
MORTENSEN	YEA	SHANER	YEA
WILKINSON	YEA	MOTION CARRIED.	

Agenda Item # 2: Planning File No. 211-16-CU: A Conditional Use request to convert existing commercial condominium Unit M into a residential use which would result in commercial uses within the lot being less than twenty (20) percent of the total floor area. Unit M, 101 Forest Drive / Unit M, Streamside Condominiums. Applicant: Matthew Wade STAFF: KATIE KENT 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

Community Development Director Joyce Allgaier indicated that this is a conditional use request to convert an existing commercial condominium, Unit M Streamside Condominiums, into a residential use which would result in commercial uses within the lot being less than twenty (20) percent of the total floor area. The proposal is to convert the existing Ten Mile Creek Kayak Shop into a 920 square foot two-bedroom residential unit. Mayor Wilkinson opened the public hearing at 7:23 p.m. Applicant Mathew Wade thanked Council for consideration of the project. There being no further public comment, Mayor Wilkinson closed the public hearing at 7:24 p.m.

MOTION: COUNCIL MEMBER SHANER MOVED TO APPROVE PLANNING FILE NO. 211-16-CU: A CONDITIONAL USE REQUEST TO CONVERT COMMERCIAL UNIT M TO A RESIDENTIAL USE RESULTING IN COMMERCIAL USES WITHIN THE LOT BEING LESS THAN TWENTY (20) PERCENT OF THE TOTAL FLOOR AREA IN THE MIXED USE ZONE DISTRICT AT 101 FOREST DRIVE, UNIT M / UNIT M, STREAMSIDE CONDOMINIUMS SUBJECT TO THE THREE SPECIAL

CONDITIONS AND FIVE STANDARD CONDITIONS IDENTIFIED IN THE STAFF MEMO. SECOND, COUNCIL MEMBER MORTENSEN. VOTE:

BURLEY	YEA	IHNKEN	YEA
CANCELOSI	YEA	KIBBIE	YEA
MORTENSEN	YEA	SHANER	YEA
WILKINSON	YEA	MOTION CARRIED.	

Agenda Item #3: Resolution 16-11, Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget for the Town of Frisco, Colorado for the Calendar Year beginning January 1, 2017 and ending December 31, 2017 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 resolution summarizes expenditures and revenues for each fund and adopts the 2017 budget. Mayor Wilkinson opened the public hearing at 7:25 p.m. There being no public comment, Mayor Wilkinson closed the public hearing at 7:26 p.m.

MOTION: COUNCIL MEMBER MORTENSEN MOVED TO APPROVE RESOLUTION 16-11, SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET FOR THE TOWN OF FRISCO, COLORADO FOR THE CALENDAR YEAR BEGINNING JANUARY 1, 2017 AND ENDING DECEMBER 31, 2017. SECOND, COUNCIL MEMBER SHANER. VOTE:

BURLEY	YEA	IHNKEN	YEA
CANCELOSI	NO	KIBBIE	YEA
MORTENSEN	YEA	SHANER	YEA
WILKINSON	YEA	MOTION CARRIED.	

Old Business:

Agenda Item #4: Second Reading, Ordinance 16-06, an Ordinance Levying General Property Taxes for the Year 2016 to Help Defray the Cost of Government for the Town of Frisco, Colorado for the 2017 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 2016 to help defray the cost of government for the Town of Frisco for the 2017 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 7:27 p.m. There being no public comment, Mayor Wilkinson closed the public hearing at 7:28 p.m.

MOTION: COUNCIL MEMBER MORTENSEN MOVED TO APPROVE THE SECOND READING OF ORDINANCE 16-06, AN ORDINANCE LEVYING GENERAL PROPERTY TAXES FOR THE

YEAR 2016 TO HELP DEFRAY THE COST OF GOVERNMENT FOR THE TOWN OF FRISCO, COLORADO FOR THE 2017 BUDGET YEAR. SECOND, COUNCIL MEMBER SHANER. VOTE:

BURLEY	YEA	IHNKEN	YEA
CANCELOSI	YEA	KIBBIE	YEA
MORTENSEN	YEA	SHANER	YEA
WILKINSON	YEA	MOTION CARRIED.	

Agenda Item #5: Second Reading, Ordinance 16-07, 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 2017 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 7:28 p.m. There being no public comment, Mayor Wilkinson closed the public hearing at 7:29 p.m.

MOTION: COUNCIL MEMBER SHANER MOVED TO APPROVE THE SECOND READING OF ORDINANCE 16-07, 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 2017 BUDGET YEAR. SECOND, COUNCIL MEMBER MORTENSEN. VOTE:

BURLEY	YEA	IHNKEN	YEA
CANCELOSI	YEA	KIBBIE	YEA
MORTENSEN	YEA	SHANER	YEA
WILKINSON	YEA	MOTION CARRIED.	

Executive Session:

Agenda Item #6: An Executive Session Pursuant to Sections 24-6-402(4)(a), C.R.S., Concerning the Sale of Real Property Owned by the Town at 518 Main Street, and 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 Concerning the Sale of Such Property and Concerning the Provision of Town Water Outside of the Town

MOTION: COUNCIL MEMBER MORTENSEN MOVED TO ENTER INTO AN EXECUTIVE SESSION PURSUANT TO SECTIONS 24-6-402(4)(A), C.R.S., CONCERNING THE SALE OF REAL PROPERTY OWNED BY THE TOWN AT 518 MAIN STREET, AND 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 CONCERNING THE SALE OF SUCH PROPERTY. SECOND, COUNCIL MEMBER BURLEY. VOTE:

BURLEY	YEA	IHNKEN	YEA
CANCELOSI	YEA	KIBBIE	YEA
MORTENSEN	YEA	SHANER	YEA
WILKINSON	YEA	MOTION CARRIED.	

COUNCIL MEMBER BURLEY RECUSED HERSELF AT THIS TIME.

MOTION: COUNCIL MEMBER MORTENSEN MOVED TO EXIT AN EXECUTIVE SESSION PURSUANT TO SECTIONS 24-6-402(4)(A), C.R.S., CONCERNING THE SALE OF REAL PROPERTY OWNED BY THE TOWN AT 518 MAIN STREET, AND 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 CONCERNING THE SALE OF SUCH PROPERTY AND CONCERNING THE PROVISION OF TOWN WATER OUTSIDE OF THE TOWN. SECOND, COUNCIL MEMBER KIBBIE. VOTE:

BURLEY	RECUSED	IHNKEN	YEA
CANCELOSI	YEA	KIBBIE	YEA
MORTENSEN	YEA	SHANER	YEA
WILKINSON	YEA	MOTION CARRIED.	

Adjourn:

There being no further business, the meeting adjourned at 9:06 p.m.

Respectfully Submitted,

Deborah Wohlmuth, CMC
Town Clerk