

**RECORD OF PROCEEDINGS  
MINUTES OF THE REGULAR MEETING  
OF THE TOWN COUNCIL OF THE TOWN OF FRISCO  
MAY 14, 2019**

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

**Present:** Jessica Burley  
Dan Fallon  
Rick Ihnken  
Melissa Sherburne  
Gary Wilkinson

**Absent:** Hunter Mortensen  
Deborah Shaner

**Public Comment:**

Frisco resident and Planning Commissioner Andy Held spoke in opposition to CDOT Highway 9 Plan and requested that Council host a joint work session with the Planning Commission to discuss design opportunities on Highway 9.

**Council Comment:**

Mayor Wilkinson reminded the audience that Town Clean Up is Saturday May 18.

Council member Burley encouraged the audience to attend the CC4CA policy advocacy training workshop, May 23, 9 am-noon at the Summit County Commons.

**Consent Agenda:**

- Minutes April 923, 2019 Meeting
- Home Rule Charter Review – Chapter 153, Snowmobiles
- Resolution 19-19, a Resolution Setting a Goal to Reach 100 Percent Renewable Energy Sources Community-Wide by 2035
- Minor Amendments to the Island Grill Concessionaire Contract and Lease Agreement for Food and Beverage Services at the Frisco Bay Marina

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

<b>BURLEY</b>	<b>YEA</b>	<b>SHANER</b>	<b>ABSENT</b>
<b>FALLON</b>	<b>YEA</b>	<b>SHERBURNE</b>	<b>YEA</b>
<b>IHNKEN</b>	<b>YEA</b>	<b>WILKINSON</b>	<b>YEA</b>
<b>MORTENSEN</b>	<b>ABSENT</b>	<b>MOTION CARRIED.</b>	

**New Business:**

Agenda Item #1: First Reading Ordinance 19-05, an Ordinance Amending Chapter 130 of the Code of Ordinances of the Town of Frisco, Concerning Parks, by Amending Section 130-12, Concerning the Use of Motorized Vehicles in Town Parks, Open Space, Recreation Areas, and Pathways STAFF: THAD RENAUD 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 stated that this ordinance amends Chapter 130 specifically regulating e-bikes to class one (pedal assist only with governor not to exceed 20mph), matching Summit County's regulations. 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 FALLON MOVED TO APPROVE ON FIRST READING ORDINANCE 19-05, AN ORDINANCE AMENDING CHAPTER 130 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING PARKS, BY AMENDING SECTION 130-12, CONCERNING THE USE OF MOTORIZED VEHICLES IN TOWN PARKS, OPEN SPACE, RECREATION AREAS, AND PATHWAYS. SECOND, COUNCIL MEMBER SHERBURNE. VOTE:**

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

Agenda Item #2: First Reading Ordinance 19-06, an Ordinance Amending Chapter 13 of the Code of Ordinances of the Town of Frisco, Colorado, Concerning the Management of the Town Cemetery, by Repealing Section 13-21, Concerning the Rates and Charges for Lots and Burials; and by Renumbering Existing Section 13-22 Concerning Winter Burials STAFF: DEBORAH WOHLMUTH 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 Clerk Deborah Wohlmuth stated that this ordinance moves rates and charges from the Cemetery code to the cemetery rules and regulations, allowing Council to pass future rates via resolution requiring one meeting as opposed to ordinance requiring two readings. Additionally, this ordinance renumbers the chapter to reflect the change. Ms. Wohlmuth indicated that the Council will see an additional resolution concerning the cemetery rules and regulations at the next meeting. Mayor Wilkinson opened the public hearing at 7:12 p.m. There being no public comment, Mayor Wilkinson closed the public hearing at 7:13 p.m.

**MOTION: COUNCIL MEMBER BURLEY MOVED TO APPROVE ON FIRST READING ORDINANCE 19-06, AN ORDINANCE AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, COLORADO, CONCERNING THE MANAGEMENT OF THE TOWN CEMETERY, BY REPEALING SECTION 13-21, CONCERNING THE RATES AND CHARGES FOR LOTS AND BURIALS; AND BY**

**RENUMBERING EXISTING SECTION 13-22 CONCERNING WINTER BURIALS. SECOND, COUNCIL MEMBER IHNKEN. VOTE:**

<b>BURLEY</b>	<b>YEA</b>	<b>SHANER</b>	<b>ABSENT</b>
<b>FALLON</b>	<b>YEA</b>	<b>SHERBURNE</b>	<b>YEA</b>
<b>IHNKEN</b>	<b>YEA</b>	<b>WILKINSON</b>	<b>YEA</b>
<b>MORTENSEN</b>	<b>ABSENT</b>	<b>MOTION CARRIED.</b>	

Agenda Item #3: Peninsula Recreation Area Operations Building Discussion STAFF: DIANE MCBRIDE 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

Assistant Town Manager Diane McBride stated that the scope of this project is to provide all design and construction services, architectural design, civil, electrical, structural, mechanical engineering services and any specialty design consultants as required, as well as construction services including pricing and cost validation, scheduling, project administration and management. To reflect the actual office and storage needs, the original scope was a 4,000ft<sup>2</sup> prefabricated metal building to be built out with 1,500ft<sup>2</sup> interior office space and 2,500ft<sup>2</sup> of maintenance and storage space. These are the numbers that were used for the original budgeting purposes. Through the programming and needs review, an alternative was included and accepted as part of the original RFQP. This alternative called for a roughly 1,000ft<sup>2</sup> addition of community/flex space to the planned footprint that would have access to the building via an interior door as well as a separate exterior entrance. During the early site investigations utility locates were called and it was discovered that a snowmaking line and Xcel main service line bisect the originally proposed building on the site. These utility locates, community standards, and program needs have shaped the progress of the project up to this point and have culminated in updates that were presented for Council's review and consideration, including: building size and phasing, code requirements; site location(s) with utility constraints; and pricing impacts. Council options include: 1) Relocate the building in its entirety uphill to avoid all utilities. All programming and construction would be completed in one phase. Estimated construction costs will most likely exceed budget; 2) Build only the original base bid which included the offices and the storage areas; location would still move uphill to avoid all utilities. Break out the multi-purpose space to a future phase and/or location; 3) Combine offices and the multi-purpose space to achieve efficiencies thru common baths, kitchen & staffing; break out storage to separate location, possibly future phase; or 4) Delay the decision: Review the presented budget numbers and alternatives, potentially review other alternatives as appropriate, and return to Council at a future date for further discussion/decision. Council discussed the idea lifts for snow cat storage, questions about flex use and alternative locations for children's programming. Contractors indicated that anything connected to a multipurpose space must have fire sprinklers. Council discussed utility locates for future projects. Contractors suggested that they would be able to develop clearer budgets once they received direction regarding preferred alternatives. Staff indicated they would prioritize office space. Ms. McBride stated that the goal behind storage space was to clean up the site. The flex space was proposed to accommodate growth in youth programming. She suggested that flow and costs for expansion of the existing day lodge weren't the best use of dollars; and expansion of the Nordic Center did not make sense until field house studies and recreation building discussions occurred. Council generally expressed concern regarding the significant increase in costs, and suggested that additional assessment regarding direction needed to take place.

**Executive Session:**

Agenda Item #4: Executive Session Pursuant to C.R.S. 24-6-402(4) (a), Concerning the Sale of Certain Real Property; (b), Conferences with an Attorney for the Town for the Purposes of Receiving Legal Advice on Specific Legal Questions; and (e), to Determine Positions Relative to Matters That May be Subject to Negotiations, and to Instruct Negotiators Concerning the Sale of the Real Property

**MOTION: COUNCIL MEMBER BURLEY MOVED TO ENTER AN EXECUTIVE SESSION PURSUANT TO C.R.S. 24-6-402(4)( A), CONCERNING THE SALE OF CERTAIN REAL PROPERTY; (B), CONFERENCES WITH AN ATTORNEY FOR THE TOWN FOR THE PURPOSES OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS; AND (E), TO DETERMINE POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, AND TO INSTRUCT NEGOTIATORS CONCERNING THE SALE OF THE REAL PROPERTY. SECOND, COUNCIL MEMBER FALLON. VOTE:**

**COUNCIL MEMBER SHERBURNE RECUSED HERSELF FOR THE SECOND ITEM.**

<b>BURLEY</b>	<b>YEA</b>	<b>SHANER</b>	<b>ABSENT</b>
<b>FALLON</b>	<b>YEA</b>	<b>SHERBURNE</b>	<b>YEA</b>
<b>IHNKEN</b>	<b>YEA</b>	<b>WILKINSON</b>	<b>YEA</b>
<b>MORTENSEN</b>	<b>ABSENT</b>	<b>MOTION CARRIED.</b>	

**MOTION: COUNCIL MEMBER BURLEY MOVED TO EXIT AN EXECUTIVE SESSION PURSUANT TO C.R.S. 24-6-402(4(A), CONCERNING THE SALE OF CERTAIN REAL PROPERTY; (B), CONFERENCES WITH AN ATTORNEY FOR THE TOWN FOR THE PURPOSES OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS; AND (E), TO DETERMINE POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, AND TO INSTRUCT NEGOTIATORS CONCERNING THE SALE OF THE REAL PROPERTY. SECOND, COUNCIL MEMBER FALLON. VOTE:**

<b>BURLEY</b>	<b>YEA</b>	<b>SHANER</b>	<b>ABSENT</b>
<b>FALLON</b>	<b>YEA</b>	<b>SHERBURNE</b>	<b>YEA</b>
<b>IHNKEN</b>	<b>YEA</b>	<b>WILKINSON</b>	<b>YEA</b>
<b>MORTENSEN</b>	<b>ABSENT</b>	<b>MOTION CARRIED.</b>	

**Adjourn:**

There being no further business, the meeting adjourned at 9:24 p.m.

Respectfully Submitted,

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Deborah Wohlmuth, CMC  
Town Clerk