

**RECORD OF PROCEEDINGS  
MINUTES OF THE REGULAR MEETING  
OF THE TOWN COUNCIL OF THE TOWN OF FRISCO  
APRIL 14, 2020**

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

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

**Absent:** Deborah Shaner

**Public Comments:** Frisco citizen and business owner Craig Peterson commented on the current Federal unemployment program.

**Mayor and Council Comments:**

Mayor Pro-Tem Mortensen indicated that he has participated in the current Federal unemployment program. He also acknowledged Summit County trailhead usage.

Council member Fallon indicated that he has participated in the current Federal unemployment program. He also thanked Council member Shaner for her service as a Council member.

Mayor Wilkinson congratulated the newly elected Council and thanked Frisco citizens for their participation in this year's election.

**Consent Agenda:**

- Girl Scout Week Proclamation
- Earth Hour 2020 Proclamation
- March 16, 2020 Minutes
- March 20, 2020 Minutes
- March 24, 2020 Minutes
- March 31, 2020 Minutes
- April 7, 2020 Minutes
- Warrant List
- Purchasing Cards
- Resolution 20-13, a Resolution for the Purchase of one (1) Caterpillar 938M Loader from Wagner Equipment Company, for Use in Streets, Parks, and General Town Maintenance Operations
- Frisco Marina Concessionaire Agreement and License for Water Taxi Service Summit Shuttle

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

<b>BURLEY</b>	<b>YEA</b>	<b>SHANER</b>	<b>YEA</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>YEA</b>	<b>MOTION CARRIED.</b>	

**New Business:**

Agenda Item #1: Discussion of Budget Impacts Resulting From COVID-19 Crisis STAFF: NANCY KERRY 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 Manager Nancy Kerry stated that the purpose of this discussion is to provide a summary of the impact to the Town of Frisco's budget as a result of the 2019 Coronavirus ("COVID-19") global pandemic and its economic repercussions. This memo addressed projected revenue losses, offer recommendations to address the expected shortfalls, and seek direction from the Town Council to resolve the current forecasted losses. Ms. Kerry stated that in order to forecast revenues in this unprecedented time, the projections in this report are based on major reductions in retail activity at local businesses beginning mid-March continuing through June, and gradually improving by the end of 2020. Using that analysis, revenue losses for the Town's major funds are shown on Table 1 and estimated currently at approximately \$3M for the General Fund, \$1M for the Capital Improvement Fund, and \$1.4M between the Water Fund, Housing Fund and Lodging Tax Fund, for a total of \$5.4M or 24% of the Town's annual revenues. Council provided direction for further reports to include information regarding contracts in place, go/no go dates, highlight essential projections, and include funding sources.

Agenda Item #2: Emergency Ordinance 20-12, an Emergency Ordinance of the Town of Frisco, Colorado, Providing for the Waiver of Penalties and Interest on Unremitted Sales Taxes Collected by Retailers and Owed to the Town, Declaring an Emergency; and Providing for the Immediate Effective Date of this Ordinance STAFF: NANCY KERRY 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 Manager Nancy Keryy stated that during the Town Council's special meeting of March 31, 2020, the Council considered the adoption of an emergency ordinance deferring the remittance of sales taxes. Following that discussion, the Council directed staff to bring back an amended ordinance deferring only penalties and interest should a business not remit the sales taxes they collected on behalf of the Town. Mayor Wilkinson opened the public hearing at 4:51 p.m. There being no public comment, Mayor Wilkinson closed the public hearing at 4:53 p.m.

**MOTION: COUNCIL MEMBER SHERBURNE MOVED TO APPROVE EMERGENCY ORDINANCE 20-12, AN EMERGENCY ORDINANCE OF THE TOWN OF FRISCO, COLORADO, PROVIDING FOR THE WAIVER OF PENALTIES AND INTEREST ON UNREMITTED SALES TAXES COLLECTED BY RETAILERS AND OWED TO THE TOWN, DECLARING AN EMERGENCY; AND PROVIDING FOR THE IMMEDIATE EFFECTIVE DATE OF THIS ORDINANCE. SECOND, COUNCIL MEMBER IHNKEN. VOTE:**

<b>BURLEY</b>	<b>YEA</b>	<b>SHANER</b>	<b>ABSENT</b>
<b>FALLON</b>	<b>NO</b>	<b>SHERBURNE</b>	<b>YEA</b>
<b>IHNKEN</b>	<b>YEA</b>	<b>WILKINSON</b>	<b>YEA</b>
<b>MORTENSEN</b>	<b>YEA</b>	<b>MOTION CARRIED.</b>	

Agenda Item #3: Workforce Housing Planning Agreement Between Colorado Department of Transportation (CDOT) and the Town of Frisco MOU 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 stated that the Town of Frisco has discussed the opportunity to enter into a partnership with CDOT to develop a workforce housing project on the lot owned by CDOT located at 619 Granite Street, Lots 18-24, Block 12 in the Town of Frisco. Town staff along with CDOT staff has pursued a formal agreement. The Town Attorney engaged in the preparation of the agreement, including discussions with the state Attorney General regarding their requirements for the agreement along with staff from CDOT. The agreement directs CDOT and the Town to jointly undertake all necessary actions to design and develop a workforce housing project. It requires CDOT and the Town to share all costs (excluding each agency's staffing and personnel costs) to develop 80% construction drawings and final construction cost estimates for the designed project. The agreement sets forth the parameters allowing the Town to lead in the selection and possible engagement of professional consultants and contractors, subject to the approval and participation of CDOT. It does not bind CDOT or the Town to the final construction of a project. Both parties have no obligation to construct the project, which is important given the design and potential construction costs are not yet known. Mayor Wilkinson opened the public hearing at 5:21 p.m. There being no public comment, Mayor Wilkinson closed the public hearing at 5:22 p.m.

**MOTION: COUNCIL MEMBER MORTENSEN MOVED TO APPROVE WORKFORCE HOUSING PLANNING AGREEMENT BETWEEN COLORADO DEPARTMENT OF TRANSPORTATION (CDOT) AND THE TOWN OF FRISCO. 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>YEA</b>	<b>MOTION CARRIED.</b>	

**Old Business:**

Agenda Item #4: Second Reading 20-04, an Ordinance Amending Chapters 65 of the Code of Ordinances of the Town of Frisco, Colorado Concerning Building Construction and Housing Standards by: (1) Repealing Subsections 65-1.M., Concerning the Adoption of Sustainable Building Code Standards, and 65-3(63) and (64), Concerning Radon Mitigation Systems; and (2) Amending Section 65-9, Concerning Amendments to the International Energy Conservation Code, for the Purpose of Enhancing Sustainability Standards for Residential and Commercial Structures STAFF: RICK WEINMAN 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

Building Official Rick Weinman stated that the towns and County have been working collaboratively to prepare for adoption and enforcement of an updated version of the Sustainable Summit Building Code (SSBC) to serve as a new above-building code standard, requiring increased energy savings in new construction that exceeds the 2018 IECC code requirements. High Country Conservation Center (HC3) has been facilitating a collaborative inter-jurisdictional SSBC committee, with representation from the county, towns and building community, to tackle this effort. Mr. Weinman explained that the intention of the sustainable code is to align with the climate action plan. Mayor Wilkinson opened the public hearing at 5:26 p.m. High Country Conservation Center Director Jen Shenk spoke in support of this ordinance. There being no further public comment, Mayor Wilkinson closed the public hearing at 5:28 p.m.

**MOTION: COUNCIL MEMBER BURLEY MOVED TO APPROVE ON SECOND READING 20-04, AN ORDINANCE AMENDING CHAPTERS 65 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, COLORADO CONCERNING BUILDING CONSTRUCTION AND HOUSING STANDARDS BY: (1) REPEALING SUBSECTIONS 65-1.M., CONCERNING THE ADOPTION OF SUSTAINABLE BUILDING CODE STANDARDS, AND 65-3(63) AND (64), CONCERNING RADON MITIGATION SYSTEMS; AND (2) AMENDING SECTION 65-9, CONCERNING AMENDMENTS TO THE INTERNATIONAL ENERGY CONSERVATION CODE, FOR THE PURPOSE OF ENHANCING SUSTAINABILITY STANDARDS FOR RESIDENTIAL AND COMMERCIAL STRUCTURES. SECOND, COUNCIL MEMBER SHERBURNE. 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>YEA</b>	<b>MOTION CARRIED.</b>	

Agenda Item #5: Second Reading Ordinance 20-06, an Ordinance Amending Chapter 87 of the Code Ordinances of the Town of Frisco, Concerning Excavation Permit Applications; 87-5, Concerning Fees and Bonds, 87-7, Concerning Performance Requirements; 87-10 Concerning Cuts and Backfill; and 87-14, Concerning the Duty to Inform the Public Works Director of Pipe Locations STAFF: ADDISON CANNINO 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 Public Works Director Addison Cannino stated that in early in 2019, Public Works staff analyzed Chapter 87, Excavations, of Town Code, and decided that it was necessary to change multiple sections of the code. These changes addressed fees and bonding, Town staff in charge of permits (or their designee), construction practices that fall in line with Street Design and Access Criteria, traffic control and other safety measures. Mayor Wilkinson opened the public hearing at 5:33 p.m. There being no public comment, Mayor Wilkinson closed the public hearing at 5:34 p.m.

**MOTION: COUNCIL MEMBER MORTENSEN MOVED TO APPROVE ON SECOND READING ORDINANCE 20-06, AN ORDINANCE AMENDING CHAPTER 87 OF THE CODE ORDINANCES OF THE TOWN OF FRISCO, CONCERNING EXCAVATION PERMIT APPLICATIONS; 87-5, CONCERNING FEES AND BONDS, 87-7, CONCERNING PERFORMANCE REQUIREMENTS; 87-10 CONCERNING CUTS AND BACKFILL; AND 87-14, CONCERNING THE DUTY TO INFORM THE PUBLIC WORKS DIRECTOR OF PIPE LOCATIONS. SECOND, COUNCIL MEMBER BURLEY. 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>YEA</b>	<b>MOTION CARRIED.</b>	

Agenda Item #6: General Discussion/Action on COVID -19 Response STAFF: NANCY KERRY  
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 Manager Nancy Kerry gave a brief overview and answered questions about the current COVID-19 situation including a business grant program update.

**Adjourn:**

There being no further business, the meeting adjourned at 5:53 p.m.

Respectfully Submitted,

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Deborah Wohlmut, CMC  
Town Clerk