

**RECORD OF PROCEEDINGS  
MINUTES OF THE REGULAR MEETING  
OF THE TOWN COUNCIL OF THE TOWN OF FRISCO  
APRIL 28, 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  
Deborah Shaner  
Melissa Sherburne  
Gary Wilkinson

**Absent:**

**Public Comments:**

There was no public comment.

**Mayor and Council Comments:**

Council members Burley and Mortensen expressed support for renewing participation in the Mountain Pac.

**Consent Agenda:**

Minutes April 14, 2020 Meeting  
Warrant List  
Purchasing Cards  
Home Rule Charter Review – Chapter 65, Building Construction  
Revocable License 311 Frisco Street

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

**Recognition:**

Council recognized outgoing Council Member Shaner for her dedication to the citizens of Frisco. Council recognized outgoing Mayor Wilkinson for his dedication to the citizens of Frisco.

**Swearing In:**

Town Clerk Deborah Wohlmuth administered the oath of office to Mayor Mortensen and Council Members Aerenson, Burley, Held and Ihnken.

**Adjourn:**

**Call to Order:**

Hunter Mortensen, Mayor

**Roll Call:**

Hunter Mortensen, Andrew Aerenson, Jessica Burley, Daniel Fallon, Andy Held, Rick Ihnken, and Melissa Sherburne

**Appointment:**

Mayor Pro-Tem

**MOTION: COUNCIL MEMBER IHNKEN MOVED TO NOMINATE COUNCIL MEMBER BURLEY AS MAYOR PRO-TEM. SECOND, COUNCIL MEMBER SHERBURNE. MOTION CARRIED UNANIMOUSLY.**

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

**New Business:**

Agenda Item #1: New Beer and Wine Liquor License – Snowy Summit LLC dba Colisco Wearables 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 as prescribed in State Statute, all new liquor license applications must be first submitted to the local licensing authority for approval. Supporting documentation as outlined on State form DR 8404 must accompany the application to begin the hearing process requirements. The preliminary findings have been included in this report to support proof of a completed application. This application is for a new beer and wine liquor license Snowy Summit LLC dba Colisco Wearables located at 416 Main Street Units 1,2,3,6,7,8. Applicant Lua C. Ton has filed the necessary paperwork and posted the premise in accordance with the Colorado Liquor Code. Further, notice of this application was published in a newspaper of general circulation pursuant to statutory requirements. Identogo and the Frisco Police Department have performed the necessary fingerprinting and background checks for the applicants and have found them to be satisfactory. Mayor Mortensen opened the public hearing at 5:02 p.m. There being no public comment, Mayor Mortensen closed the public hearing at 5:05 p.m.

**MOTION: COUNCIL MEMBER SHERBURNE MOVED TO APPROVE THE ISSUANCE OF A BEER AND WINE LIQUOR LICENSE FOR SNOWY SUMMIT LLC DBA COLISCO WEARABLES. LOCATED AT 416 MAIN STREET UNITS 1,2,3,6,7,8, ON THE BASIS OF THE FOLLOWING FINDINGS: THAT THE AUTHORITY (1) HAS REVIEWED THE NEIGHBORHOOD UNDER CONSIDERATION AND FINDS IT TO BE THE TOWN OF FRISCO AS A WHOLE; (2) HAS CONSIDERED THE DESIRES OF THE INHABITANTS OF THE NEIGHBORHOOD AND FINDS THAT THE INHABITANTS DESIRE AN ADDITIONAL ESTABLISHMENT THAT SERVES LIQUOR; (3) HAS REVIEWED THE NEEDS OF THE NEIGHBORHOOD FOR THE OUTLET AND FINDS THAT THE NEEDS OF THE NEIGHBORHOOD ARE NOT MET BY THE EXISTING OUTLETS; (4) HAS REVIEWED THE LOCATION OF THE PROPOSED ESTABLISHMENT AND FINDS THAT IT IS NOT LOCATED WITHIN 250 FEET OF ANY SCHOOL OR COLLEGE CAMPUS; (5) HAS REVIEWED THE QUALIFICATIONS OF THE APPLICANT AND, PURSUANT TO THE REQUIREMENTS OF THE FRISCO CODE AND COLORADO STATUTES, FIND THE APPLICANT TO BE QUALIFIED TO OBTAIN A BEER AND WINE LIQUOR LICENSE FOR SNOWY SUMMIT LLC DBA COLISCO WEARABLES SUBJECT TO THE STAFF REOPENING THE MEETING AT 7PM. SECOND, COUNCIL MEMBER AERENSON VOTE:**

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

Agenda Item #2: Resolution 20-14, a Resolution for the Award of Contract for the Construction of Phase Three of the Alley Paving Project to Columbine Hills Concrete, Inc. of Silverthorne, Colorado STAFF: JEFF GOBLE 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

Public Works Director Jeff Goble stated that this resolution requests authorization to award a construction contract to Columbine Hills Concrete, Inc. for the construction of Phase Three of the Alley Paving Project. This contract is to continue and complete the Alley Paving Project as outlined in the five-year Capital Improvements Plan adopted by Town Council in 2017. Mayor Mortensen opened the public hearing at 5:31 p.m. There being no public comment, Mayor Mortensen closed the public hearing at 5:32 p.m.

**MOTION: COUNCIL MEMBER AERENSON MOVED TO CONTINUE RESOLUTION 20-14, A RESOLUTION FOR THE AWARD OF CONTRACT FOR THE CONSTRUCTION OF PHASE THREE OF THE ALLEY PAVING PROJECT TO COLUMBINE HILLS CONCRETE, INC. OF SILVERTHORNE, COLORADO TO THE MAY 26<sup>TH</sup> MEETING. SECOND, COUNCIL MEMBER HELD. VOTE:**

<b>AERENSON</b>	<b>YEA</b>	<b>FALLON</b>	<b>NO</b>
<b>BURLEY</b>	<b>NO</b>	<b>SHERBURNE</b>	<b>YEA</b>
<b>HELD</b>	<b>YEA</b>	<b>MORTENSEN</b>	<b>YEA</b>
<b>IHNKEN</b>	<b>YEA</b>	<b>MOTION CARRIED.</b>	

Agenda Item #3: Resolution 20-15, a Resolution for the Award of Contract for the Milling and Asphalt Overlay of Windflower Lane and Belford Street Project to Columbine Hills Concrete, Inc. of Silverthorne Colorado STAFF: JEFF GOBLE 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

Public Works Director Jeff Goble stated that this resolution requests authorization to award a construction contract to Columbine Hills Concrete, Inc. for the milling and asphalt overlay project on Windflower Lane and Belford Street. This contract is to mill the existing and deteriorating asphalt on both Windflower Lane and Belford Street to a depth of two inches, then overlay the surface with two inches of new asphalt. The last time either of these streets has seen any sort of resurfacing was in 2010 when a slurry coat was applied. These roadway sections have since deteriorated to the point that a mill and overlay process is the most efficient and cost-effective method to restore these streets to a like new condition. Staff estimates that this work will provide at least another 10 years of serviceability before another treatment will be required. Mayor Mortensen opened the public hearing at 5:44 p.m. There being no public comment, Mayor Mortensen closed the public hearing at 5:47 p.m.

**MOTION: COUNCIL MEMBER BURLEY MOVED TO APPROVE RESOLUTION 20-15, A RESOLUTION FOR THE AWARD OF CONTRACT FOR THE MILLING AND ASPHALT OVERLAY OF WINDFLOWER LANE AND BELFORD STREET PROJECT TO COLUMBINE HILLS CONCRETE, INC. OF SILVERTHORNE COLORADO. SECOND, COUNCIL MEMBER SHERBURNE. VOTE:**

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

Agenda Item #4: Discussion and Possible Amendment to Resolution 20-11 Establishing Economic Relief Programs 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 indicated that this is a discussion concerning possible amendments to the business assistance program. Council awarded \$500,000 on April 7 for local businesses. 107 applied and approved for \$385,000. 87% of the grants were evenly split between restaurants, retail, and health and beauty services. Staff requested clarification regarding Short Term Rental Management Companies, and whether Council wanted to employ targeted assistance to restaurants and retail stores that did not receive enough funds to cover rent for a month. Mayor Mortensen opened the public hearing at 6:08 p.m. Frisco resident and business owner Todd Altschuler encouraged Council to extend larger funds to business grant applicants. There being no further public comment, Mayor Mortensen closed the public hearing at 6:10p.m. Council directed staff to bring an additional resolution at the May 12<sup>th</sup> meeting.

**MOTION: COUNCIL MEMBER SHERBURNE MOVED TO APPROVE RESOLUTION 20-12 AMENDING RESOLUTION 20-11 IN RESPONSE TO COVID TO AMEND SECTION ONE CRITERIA ONE NO GRANT OR COMBINATION OF GRANTS SHALL EXCEED THAT BUSINESS'S MONTHLY RENT OR 10K WHICHEVER IS LESS; AND SECTION ONE**

**CRITERIA SIX CONCERNING PROHIBITION TO SHORT TERM RENTALS TO ADD THE WORDS “OR SHORT TERM RENTAL MANAGEMENT COMPANY”; AND TO DIRECT THE TOWN MANAGER TO FUND THE PROGRAM AS APPROPRIATE. SECOND, COUNCIL MEMBER BURLEY. VOTE:**

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

Mayor Mortensen reopened the liquor license hearing at 7:39 p.m. to verify if there were any additional public that wished to make comment on the application.

Agenda Item #5: 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. Mayor Mortensen suggested that Council might want to consider a special meeting to discuss the Town’s vision for a summer opening.

Agenda Item #6: Council Orientation 1: (A) Ethics in Government & (B) Quasi-Judicial Decision Making 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 gave a brief council orientation and answered questions regarding ethics in government and quasi-judicial decision making.

**Adjourn:**

There being no further business, the meeting adjourned at 8:45 p.m.

Respectfully Submitted,

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Deborah Wohlmuth, CMC  
Town Clerk