

MINUTES

DATE: Tuesday, August 21, 2018

MEETING: Winter Park Town Council

PLACE: Town Hall Council Chambers

PRESENT: Mayor Jimmy Lahrman, Mayor Pro Tem Nick Kutrumbos, Councilors, Jim Myers, Mike Periolat, Art Ferrari, Chuck Banks, and Chris Seemann via telephone, Interim Town Manager Stan Zemler and Town Clerk Danielle Jardee

OTHERS

PRESENT: Housing Manager John Crone, Capital Projects and Parks Director Gerry Vernon, Community Development Director James Shockey, Chief of Police Glen Trainor, Finance Director Bill Wengert

1. **Meeting Call To Order**

Mayor Jimmy Lahrman called the meeting to order at 8:00 a.m.

Mayor Lahrman led those present in reciting the Pledge of Allegiance.

2. **Town Hall Meeting** *Nothing to Report.*

3. **Consent Agenda**

3.a. **Approval of August 7, 2018 Regular Meeting Minutes**

Mayor Pro Tem Nick Kutrumbos moved and Councilor Chuck Banks seconded the motion approving the Consent Agenda. Motion Carried: 7-0.

4. **Action Items**

4.a. **Special Event Permit – Summit Assault, Public Hearing**

Town Clerk Danielle Jardee stated Winter Park and Fraser Chamber submitted a special events application for Summit Assault, an adventure race happening on the Mary Jane side of Winter Park Resort on September 8. Mayor Lahrman opened the public hearing, hearing no comments. Mayor Lahrman closed the public hearing.

Councilor Art Ferrari moved and Mayor Pro Tem Nick Kutrumbos seconded the motion approving Special Event Permit – Summit Assault. Motion Carried: 7-0.

4.b. **Special Event Permit – Whiskey and Wings, Public Hearing**

Town Clerk Danielle Jardee stated Winter Park Resort applied for a special event permit for Whiskey & Wings happening on August 25 from 12 p.m. to 4 p.m. at Winter Park Resort. Ms. Jardee stated the event will vendors with whiskey tastings and wings throughout the Village. Mayor Lahrman opened the public hearing, hearing no comments. Mayor Lahrman closed the public hearing.

Councilor Chuck Banks moved and Mayor Pro Tem Nick Kutrumbos seconded the motion approving Special Event Permit – Whiskey and Wings. Motion Carried: 7-0.

4.c. Ordinance 513, An Ordinance Amending Various Sections of the Winter Park Town Code Relating to Alcohol and Marijuana, Based on Changes to State Law, Second Reading and Public Hearing

Town Clerk Danielle Jardee stated Ordinance 513 allows the Town Code to reflect the changes made to State Law regarding Alcohol and Marijuana. Ms. Jardee stated liquor and marijuana laws will no longer be under Title 12 in the Colorado Revised State Statutes, they will now be under Title 44. Mayor Lahrman opened the public hearing, hearing no comments. Mayor Lahrman closed the public hearing.

Mayor Pro Tem Nick Kutrumbos moved and Councilor Art Ferrari seconded the motion approving Ordinance 513, An Ordinance Amending Various Sections of the Winter Park Town Code Relating to Alcohol and Marijuana, Based on Changes to State Law, Second Reading and Public Hearing. Motion Carried by the following roll call vote:

Jimmy Lahrman	“Aye”	Chuck Banks	“Aye”
Art Ferrari	“Aye”	Mike Periolat	“Aye”
Jim Myers	“Aye”	Chris Seemann	“Aye”
Nick Kutrumbos	“Aye”		

4.d. Ordinance 514, An Emergency Ordinance Authorizing the Purchase of the Real Property Described as Lot 6, Hideaway Junction Subdivision from the Winter Park Affordable Housing Corporation

Housing Manager John Crone stated this Ordinance approves expenditure from the Housing Corporation for the purchase of Lot 6 on Trestle Drive. Mr. Crone stated this had to be an emergency ordinance due to the timing of the closing. Mr. Crone stated new manager Keith Reisburg and his family will be renting the house. Mayor Lahrman opened the public hearing, hearing no comments. Mayor Lahrman closed the public hearing.

Councilor Jim Myers moved and Councilor Mike Periolat seconded the motion approving Ordinance 514, An Emergency Ordinance Authorizing the Purchase of the Real Property Described as Lot 6, Hideaway Junction Subdivision from the Winter Park Affordable Housing Corporation. Motion Carried by the following roll call vote:

Jimmy Lahrman	“Aye”	Chuck Banks	“Aye”
Art Ferrari	“Aye”	Mike Periolat	“Aye”
Jim Myers	“Aye”	Chris Seemann	“Aye”
Nick Kutrumbos	“Aye”		

4.e. Resolution 1630, Approval of Vasquez Creek Townhomes Minor Subdivision, Public Hearing

Community Development Director James Shockey stated Vasquez Creek Townhomes are located just past the train tracks on Vasquez and have sat vacant due to foundation and sewer issues. Mr. Shockey stated the owners want to fix and expand the homes, which requires some additional land. Mr. Shockey stated the HOA is granting the owners the additional land. Mr. Shockey stated upgrades to the exterior of the homes will be done as well. Mr. Shockey stated there are no set back or variance issues. Mayor Lahrman opened the public hearing, hearing no comments. Mayor Lahrman closed the public hearing.

Councilor Chuck Banks moved and Councilor Mike Periolat seconded the motion approving Resolution 1630, Approval of Vasquez Creek Townhomes Minor Subdivision, Public Hearing. Motion Carried: 7-0.

5. Progress Reports

5.a. Community Partners

Fraser Valley Recreation – Scott Ledin

Scott Ledin stated he will be meeting later today with the County Commissioners to discuss the headwaters trails, the history of the trails, and finding a dedicated funding source for the trails. Mr. Ledin stated parks and recreation for the summer is dying down a bit. Mr. Ledin stated Staff is interviewing for a full-time aquatics director for the recreation center. Mr. Ledin stated the recreation center will close the week of September 16 – 21 for cleaning and maintenance. Mr. Ledin stated they have engaged an architectural firm to look at the feasibility of expanding the recreation center. Mr. Ledin stated the IceBox refrigeration project is coming along with the help of community members. Mr. Ledin stated the softball tournament is this coming weekend, and a doubles volleyball tournament the following weekend. Mr. Ledin stated the kicking it to cancer kickball tournament will be Labor Day weekend. Mayor Pro Tem Nick Kutrumbos stated he would like Mr. Ledin to stay informed with discussions regarding a high-altitude training center.

Chamber of Commerce – Catherine Ross

Catherine Ross stated Summit Assault Adventure Race participants start at the base of the resort and run up to Eagle Wind. Mrs. Ross stated there will be an Oktoberfest event after. Mrs. Ross stated an update on Fall Fest Events, Grand Kids will have their event at the Rendezvous Event Center, and Headwaters Center will be hosting a dinosaur dig and wagon rides. Mrs. Ross stated Solshine did ok, Uncorked Wine Festival sold out, and Country at the Park ticket sales are good. Mrs. Ross stated Chamber signed a two-year lease on their temporary relocation space, and as of October 1st Staff will be out of current space. Mrs. Ross stated they are working out storage details for the move. Mrs. Ross stated Chamber will be going to Retreat next month. Council stated an upcoming workshop topic will be an event debrief. Mrs. Ross asked Council for direction on what they would like presented at that workshop. Mayor Lahrman stated a little bit more than the usual season update since events were approached differently this season.

5.b. Staff Reports

Transit Director Michael Koch stated he has not heard anymore about moving a bus stop closer to the Recreation Center. Mayor Lahrman asked if Mr. Koch had renegotiated the late bus contract that picks up students at the Recreation Center. Mr. Koch stated he had not heard anything about that. Mr. Lahrman stated a phone call to the District may be required. Councilor Chuck Banks stated the Transit Advisory Committee did approve the winter service plan. Mr. Koch stated the two new busses should be delivered around the first of the year.

6. Town Manager’s Report

6.a. Chairlift Beautification Program

Interim Town Manager Stan Zemler stated Winter Park is working with Fraser on the Chairlift Beautification program. Winter Park has a total of 17 chairlift chairs from the Zephyr lift. Mr. Zemler stated a call to artists has been sent out to paint the chairs. Mr. Zemler stated details are being worked out on where the chairs will be placed, and for how long.

6.b. Spring Retreat Follow-Up

Interim Town Manager Stan Zemler stated Finance Director Bill Wengert and himself worked on tying all the notes from Council's Spring Retreat together. Mr. Zemler stated Council came up with five topics to move forward with, partnerships and collaboration, growth and development, complete on-going projects, balanced community, and economic vitality. Mr. Zemler stated notes from each topic and came up with a tentative workshop schedule for Council to follow. Mayor Lahrman stated having a timeline will be a big help to Council and the new Manager.

Capital Projects and Parks Director Gerry Vernon stated an update on Ski Idlewild Road. Mr. Vernon stated construction staff is trying to eliminate the ditch on the east side to add a parking lane and curb and gutter. Mr. Vernon stated the project assumed there was a two percent grade on each side of the road. Instead there is a one percent grade on one side and a four percent on the other side. Mr. Vernon stated another assumption was that the road had five inches of asphalt, but it only has two to three inches, which is too thin to do the planned mill and overlay. Mr. Vernon stated the estimated cost for a proper fix will cost an additional \$200,000 - \$250,000 dollars. Mr. Vernon stated another option is to do a temporary fix, and then fix it properly in the future. Mr. Vernon stated Council can't decide today because he does not have the exact numbers, he just wanted Council informed. Mayor Lahrman asked Mr. Vernon to gather more information that would be helpful, Council doesn't want to delay this project. Councilor Chris Seemann asked if Mr. Vernon had thought about the vendor area on Ski Idlewild Rd. Mr. Vernon stated he had planned to push the vendor set up 10 feet into the park, mark the area and see how the patron space would be affected.

7. Mayor's Report

Mayor Lahrman stated he met with Winter Park Resort's Sky Foulkes last week and discussed our marketing group plan. Mr. Lahrman stated Mr. Foulkes pushed the Town's agreements with Denver City Council forward. Mr. Lahrman stated he met with Senator Gardener's Regional Director about Corona Pass. Mr. Lahrman stated the Regional Director seems to be an advocate for Town and is pushing Corona Pass forward. Mr. Lahrman stated he spoke with two Fraser Board Trustees about the plastic bag ban at Safeway and discussed doing this on a regional level. Mr. Lahrman stated he discussed the possibility of Winter Park and Granby doing a similar agreement with their grocery stores. Mr. Lahrman stated he would like Staff to stay in contact with Fraser about this topic.

8. Town Council Items for Discussion

Councilor Art Ferrari stated on behalf of some homeowners that he would like consideration of placing a three-way stop at the top of Vasquez Road. Police Chief Glen Trainor stated a three-way stop at that location would not comply with the standards manual on uniform traffic control devices and would not be feasible in the winter due to the uphill nature of the road. Mr. Trainor stated his suggestion would be a vertical displacement on Vasquez to slow traffic. Mayor Lahrman stated it is an issue worth looking into.

8.a. ESTIP

Winter Park Development Company's Chip Besse presented an ESTIP proposal at a previous meeting and is looking for direction from Council. Mayor Lahrman stated Mr. Besse proposed

utilizing ESTIP to attract new and different commercial tenants. Mr. Lahrman stated after August 7th's economic incentives workshop discussion, Council felt ESTIP is geared more towards individual businesses. Interim Town Manager Stan Zemler reminded Council that an individual business submits an ESTIP application to Council for approval. Mr. Zemler stated Mr. Besse's proposal is a little different than that. Council stated they did not feel utilizing Mr. Besse's proposed ESTIP at the Sitzmark property was appropriate. Council decided that individual businesses for that property could come to Town and ask for an ESTIP. Mr. Besse asked when Council made this decision. Mr. Lahrman stated it was discussed at the August 7 workshop. Mr. Zemler stated if Council wants to support a proposal like Mr. Besse's, then Staff needs to be directed to make a different policy/program, not ESTIP. Mayor Pro Tem Nick Kutrumbos stated that Council and Staff need to look at a program that aligns with what Mr. Besse is talking about, to incentivize the diversification of new businesses in town. Mr. Kutrumbos stated the conflict Council has, is that ESTIP is not the right program. Mr. Besse stated his confusion on Council's stance, he did not think Council had come to a decision at the last workshop. Mr. Besse stated the way he pitched the proposed program was a win-win, regardless of what it is called. Mr. Besse stated he was just trying to achieve the objectives, whereas the Town wasn't on the hook for money, put an incentive in place to find new business, and to increase the retail tax base. Mr. Besse stated he believes the benefits far out weigh the costs. Mr. Lahrman stated to Mr. Besse that Council doesn't see the proposed program as negative, but Council are struggling with making it work as an ESTIP. Mr. Lahrman stated Council identified that there is a benefit to this program, but the last thing Council wants to do is cannibalize people wanting to relocate, and then be left with vacancies around town. Mr. Besse stated his disagreement, he doesn't believe the current ESTIP plan works the way it is written for new businesses. Mr. Zemler stated to Mr. Besse the clear difference is you want the ESTIP directed to you as the developer, and you spread that out as you see fit. Mr. Zemler stated Council would prefer the ESTIP be directed at the individual business. Mr. Zemler asked Mr. Besse why you can't tell businesses that an ESTIP may be available to them when you are out recruiting new business. Mr. Zemler stated what needs to happen is for Council to direct Staff to come up with a program geared towards the developer to market certain spaces. Mr. Zemler stated that Staff could come up with a program concept within thirty days to present to Council. Mr. Zemler stated it should be a community concept because Mr. Besse will not be the only developer with an ask. Mr. Besse stated tenants want cheaper rent, he has walked through all scenarios, and believes his proposed plan works the best. Mr. Kutrumbos stated this discussion comes at a pivotal time, since there is about to be a lot of commercial space coming on-line at the same time. Mr. Kutrumbos stated he would like to see a program concept that is marketable to the developer to engage new tenants. Finance Director Bill Wengert stated to Council we did the economic workshop to inform you of the tools we currently have and to discuss future economic tools. Mr. Wengert stated it comes down to legality, our Town Attorney isn't going down the same path with this as Mr. Besse is. Mr. Wengert stated we must work through the policy/program, to make it work for this option. Mr. Lahrman stated we must get some type of program in place that supports new business attraction but doesn't abandon current businesses. Councilor Chris Seemann stated he does support Mr. Besse's proposal but wants Staff and Legal Counsel to work on it to make sure it fits the Town's needs. Mr. Zemler stated it's a broader concept, and he wants to make sure that Council and the Community understand that. Mr. Zemler asked if you want to implement a program that attracts new businesses, what are the financial implications of that. Mr. Zemler stated it could be five

years or ten years without a revenue stream to make a program like that work, so the pros and cons need to be weighed. Councilor Art Ferrari stated Council needs to be transparent when choosing new businesses, that is why he believes it's best to keep it one business at a time rather than going through the developer. Mr. Besse stated he doesn't really know what else to do, he has been working on this plan since 2017, and it hasn't gone anywhere in a year. Council stated direction to Staff to put together a plan in the next 30 days that fits some of Mr. Besse's parameters. Mr. Besse asked if he could present the slides he put together. Mr. Besse presented a slide with sales tax numbers, and in comparison, to other Resort Communities Winter Park is behind on retail sales per visitor. Council discussed the numbers on the slide. Mr. Lahrman stated to Mr. Besse to keep stirring the pot, the conversations that ensue are positive. Councilor Chuck Banks stated the direction we want to give Staff is to do an ESTIP program for new businesses and develop a program that is an economic driver to incentivize developers in the next 30 days. Mr. Banks asked Mr. Zemler if there are any other plans out there that can subsidize rents for new businesses. Mr. Zemler stated he doesn't know of any municipalities that are doing this. Mr. Zemler stated an over simplified explanation of this concept using tax increment financing projects as an example. Mr. Zemler stated Staff will get a concept for Council to review.

9. Executive Session

9.a. Executive Session to hold a conference with the Town Attorney to receive legal advice on specific legal questions pursuant to C.R.S. § 24-4-402(4)(b), for which a topic cannot be disclosed without compromising the purpose of the Executive Session.

Councilor Mike Periolat moved and Mayor Pro Tem Nick Kutrumbos seconded the motion to go into Executive Session in accordance with C.R.S. Title 24, Section 4, Subsection 402(4)(b).

Upon conclusion of the discussion, the motion was made by Councilor Art Ferrari and seconded by Councilor Mike Periolat and unanimously carried to return to Regular Session. Those in attendance at that time were: Mayor Jimmy Lahrman, Mayor Pro Tem Nick Kutrumbos, Councilors Jim Myers, Art Ferrari, Mike Periolat, and Chuck Banks, Interim Town Manager Stan Zemler, Town Clerk Danielle Jardee, Community Development Director James Shockey, and Finance Director Bill Wengert.

There being no further business to discuss, upon a motion regularly adopted, the meeting was adjourned at 11:00 a.m.

The next scheduled meeting of the Town Council will be Tuesday, September 4, 2018 at 5:30 p.m.

Danielle Jardee, Town Clerk