



WINTER PARK TOWN COUNCIL MEETING

Winter Park Town Hall – 50 Vasquez Road

Tuesday, September 17, 2019 – 5:30 p.m.

Dinner will be provided.

AGENDA

1. Meeting Call To Order
 - a. Pledge of Allegiance
 - b. Roll Call of Council Members
2. Town Hall Meeting
 - a. Fraser Winter Park Police Department Sergeant Promotion Ceremony
3. Consent Agenda
 - a. Approval of September 3, 2019 Regular Meeting Minutes
4. Action Items
 - a. Ordinance 523, An Ordinance Approving the First Amendment to the Roam Final Development Plan, Second Reading and Public Hearing
5. Progress Reports
 - a. Community Partners
 - b. Staff Reports
6. Town Manager's Report
7. Mayor's Report
8. Town Council Items for Discussion
 - a. Overview of Financing for Public Works Facility

MINUTES

DATE: Tuesday, September 3, 2019

MEETING: Winter Park Town Council

PLACE: Town Hall Council Chambers

PRESENT: Mayor Pro Tem Nick Kutrumbos and Councilors, Art Ferrari, Chuck Banks, Chris Seemann, Mike Periolat, and Jim Myers, Town Manager Keith Riesberg, and Town Clerk Danielle Jardee

OTHERS

PRESENT: Planner Mara Owen, Finance Director Lizbeth Lemley, Community Development Director James Shockey, Transit Director Michael Koch, Public Works Director Gerry Vernon, and Chief of Police Glen Trainor

1. Meeting Call To Order

Mayor Pro Tem Nick Kutrumbos called the meeting to order at 5:30 p.m.

Mayor Pro Tem Nick Kutrumbos led those present in reciting the Pledge of Allegiance.

2. Town Hall Meeting

Nothing to Report.

3. Consent Agenda

3.a. Approval of August 20, 2019 Regular Meeting Minutes

Councilor Chris Seemann moved and Councilor Jim Myers seconded the motion approving the Consent Agenda. Motion Carried: 6-0.

4. Action Items

4.a. Public Hearing, Approval of Special Event Permit – Winter Park Resort Oktoberfest

Town Clerk Danielle Jardee stated Winter Park Resort will be holding an Oktoberfest event on Saturday, September 7th from 11 a.m. to 4 p.m. at the base of the Resort.

Councilor Chris Seemann moved and Councilor Art Ferrari seconded the motion approving Special Event Permit – Winter Park Resort Oktoberfest. Motion Carried: 6-0.

4.b. Public Hearing (Local Liquor Licensing Authority) – Issuance of Brew Pub liquor license to Big Trout Brewing, Inc. d/b/a Big Trout Brewing

Town Clerk Danielle Jardee stated Thomas and Emily Caldwell applied for a Brew Pub liquor license to be located at the new Transit Center on 50 Vasquez Rd. Ms. Jardee stated the application was in order, it was properly posted and noticed, and Staff recommends approval. Councilor Jim Myers asked the opening date. Mr. Caldwell stated hopefully it will open first week in December. Mayor Pro Tem Nick Kutrumbos opened the public hearing, hearing no comments. Mayor Pro Tem Nick Kutrumbos closed the public hearing.

Councilor Chris Seemann moved and Councilor Art Ferrari seconded the motion approving Issuance of a Brew Pub liquor license to Big Trout Brewing, Inc. d/b/a Big Trout Brewing. Motion Carried: 6-0.

4.c. Public Hearing (Local Liquor Licensing Authority) – Issuance of a Beer and Wine liquor license to Green Spaces Winter Park LLC d/b/a The Perk Coffee and Taproom

Town Clerk Danielle Jardee stated she received application for a beer and wine liquor license for The Perk Coffee and Taproom. Ms. Jardee stated the applicant, Jayson Harris, has been in business for a few years as a coffee shop, and now would like to offer a beer and wine option. Ms. Jardee stated the application was in order, and notices were properly posted, Staff recommends approval.

Councilor Chris Seemann moved and Councilor Jim Myers seconded the motion approving Issuance of a Beer and Wine liquor license to Green Spaces Winter Park LLC d/b/a The Perk Coffee and Taproom. Motion Carried: 6-0.

4.d. Resolution 1719, Approval of Bid Award for Plowing Services for Hideaway Place

Public Works Director Gerry Vernon stated Staff recommended the bid award for snow and ice removal be awarded to Golden Eagle Services. Mr. Vernon stated the bid was open for the required amount of days, August 1 through August 19 and they only received the one bid. Mr. Vernon stated the owner of Golden Eagle Services, Jimmy Lahrman, issued a statement stating there is a conflict of interest. Mr. Vernon stated because of circumstances Staff would like to move forward with this bid award. Mr. Vernon stated the following reasons why; the bid was competitively put out for 18 days, Staff reached out to other contractors, and our current operations are not set up to do the extra plow work. Mr. Vernon stated the estimated amount for plow services for the winter season are \$34,000 dollars.

Councilor Art Ferrari moved and Councilor Chris Seemann seconded the motion approving Resolution 1719, Approval of Bid Award for Plowing Services for Hideaway Place. Motion Carried: 6-0.

4.e. Resolution 1720, Approval of Transit Winter Service Plans for the 2019/2020 Season

Transit Director Michael Koch stated there are a few changes in transit services for the upcoming 2019/2020 winter season. Mr. Koch stated the black line will be staying on US Hwy 40 going up Meadowridge hill and servicing the stops along Wapiti Drive. Mr. Koch stated the purple line will be an express line going straight to and from Winter Park Resort only servicing the Meadowridge area. Mr. Koch stated there is a new proposed emerald line that would service Grand Park to Old Town Fraser, with Town of Fraser picking up 98 percent of the cost. Mr. Koch stated there will be an additional vehicle added for night service. Mr. Koch stated a new website will be launching mid-October to make information easier for residents and guests. Mr. Koch stated surveillance cameras are being added to the busses as well. Town Manager Keith Riesberg stated all recommendations were already approved by TAC (Transit Advisory Committee). Mr. Koch stated he is also working on a travel training program to teach businesses, etc. how to use the transit system. Councilor Chuck Banks commended Mr. Koch on his hard work.

Councilor Chris Seemann moved and Councilor Jim Myers seconded the motion approving Resolution 1720, Approval of Transit Winter Service Plans for the 2019/2020 Season. Motion Carried: 6-0.

4.f. Ordinance 523, An Ordinance Approving the First Amendment to the Roam Final Development Plan, First Reading

Community Development Director James Shockey stated Roam's developer wants to amend one portion of the development plan. Mr. Shockey explained in the final development plan, no final

plat can be approved unless it's within Grand County Water and Sanitation district boundaries. Mr. Shockey stated an Eastern piece of the property is not in those boundaries, that piece is currently going through the process of inclusion and is supposed to be approved by September 18. Mr. Shockey stated Planning Commission did approve this amendment at last week's meeting.

Councilor Chris Seemann moved and Councilor Jim Myers seconded the motion approving Ordinance 523, An Ordinance Approving the First Amendment to the Roam Final Development Plan, First Reading. Motion Carried by the following roll call vote:

Nick Kutumbos	"Aye"	Art Ferrari	"Aye"
Jim Myers	"Aye"	Mike Periolat	"Aye"
Chuck Banks	"Aye"	Chris Seemann	"Aye"

Mayor Pro Tem Nick Kutumbos stated the second reading and public hearing will take place on Tuesday, September 17.

5. Town Manager's Report

Town Manager Keith Riesberg stated bears are becoming a problem in the area, and Town will be enforcing bear regulations on trash in accordance with Town Code. Mr. Riesberg stated he wanted to publicly announce that so people can start following the regulations. Mr. Riesberg stated he met with the contractors working on the new Transit Center, to discuss when it will be finished. Mr. Riesberg stated they hope to be finished by December. Mr. Riesberg stated Town's sales tax revenues are up 25 percent, sales tax continues to trend upward. Mr. Riesberg stated Planner Mara Owen is leaving the Town and stated Thank you on behalf of Staff and Council.

6. Mayor's Report

Not Present, nothing to Report.

7. Town Council Items for Discussion

Mayor Pro Tem stated thanks to Town Staff for a great job during the busy holiday weekend.

8. Executive Session

8.a. Executive Session pursuant to C.R.S. 24-4-402(4)(e) to determine positions relative to matters that may be subject to negotiations; developing strategies for negotiations; and instructing negotiators, regarding development agreements for Fireside Creek and Lakota.

Councilor Chris Seemann moved and Councilor Mike Periolat seconded the motion to go into Executive Session in accordance with C.R.S. Title 24, Section 4, Subsection 402(4)(e). Motion Carried: 6-0.

Upon conclusion of the discussion, the motion was made by Councilor Chris Seemann and seconded by Councilor Mike Periolat and unanimously carried to return to Regular Session. Those in attendance at that time were: Mayor Pro Tem Nick Kutumbos, Councilors Jim Myers, Chuck Banks, Chris Seemann, Art Ferrari and Mike Periolat, and Town Manager Keith Riesberg, Town Clerk Danielle Jardee, and Community Development Director James Shockey.

There being no further business to discuss, upon a motion regularly adopted, the meeting was adjourned at 7:00 p.m.

The next scheduled meeting of the Town Council will be Tuesday, September 17, 2019 at 5:30 p.m.

Danielle Jardee, Town Clerk

MEMO

TO Town Council

FROM James Shockey, Community Development

THRU Director Keith Riesberg, Town Manager

DATE September 17, 2019

RE Roam – 1st Amendment to Final Development Plan

Project Overview:

Ordinance 509, Series 2017 approved a Final Development Plan (FDP) for Roam. The FDP was approved on March 6, 2018 and recorded with Grand County on June 14, 2018 at Reception No. 2018-004495.

The developer of Roam, Fraser River Development Company (FRDC), is requesting to amend Section 6.1 of the FDP to clarify when a final plat can be recorded for the property. Currently, a final plat cannot be recorded for any portion of the Roam property unless the entire property is within the district boundaries of the Grand County Water and Sanitation District (GCWSD). The property east of the Fraser River is not within the GCWSD boundaries. FRDC has submitted a request for inclusion into the District but that process is taking longer than anticipated so FRDC is requesting to amend the FDP to allow a final plat to be recorded prior to inclusion in the District.

Section 6.1 states –

6.1 District Inclusion. A portion of the Property, lying generally west of the Fraser River, is presently included in GCWSD. Prior to the Town's approval of any final plat for any portion(s) of the Property, FRDC shall take all necessary steps, at its sole cost and expense, to obtain a final order from the Grand County District Court including such portion(s) of the Property within GCWSD. Notwithstanding the foregoing, the Town may require FRDC to demonstrate the availability of an adequate water supply at earlier development application stages.

FRDC is requesting to amend Section 6.1 as follows –

6.1 District Inclusion. A portion of the Property, lying generally west of the Fraser River, is presently included in GCWSD. A portion of the Property, lying generally east of the Fraser River, has not yet been included within GCWSD. Approved subdivision plats may be recorded at any time, notwithstanding that a portion of the property subject to any such subdivision plat has not yet been included in GCWSD, so long as the portion of the property that has not yet been included within GCWSD includes only non-habitable facilities such as easements, trails, bridges, and overlooks. Prior to the Town's approval of any Development Improvements Agreement for any portion(s) of the Property not included in GCWSD, FRDC shall take all necessary steps, at its sole cost and expense, to obtain a final order from the Grand County District Court including such portion(s) of the Property within GCWSD. Notwithstanding the

foregoing, the Town may require FRDC to demonstrate the availability of an adequate water supply at earlier development application stages.

The proposed amendment would allow a final plat to be recorded for any portion of the property with one exception, portions of the property that have not yet been included within GCWSD boundaries can only be platted to include non-habitable facilities such as easements, trails, bridges, and overlooks. A final plat for residential lots cannot be recorded on property not within the GCWSD boundaries.

The inclusion into the District is expected to be finalized on September 18.

Planning Commission Recommendation:

The Planning Commission reviewed the 1st Amendment on August 27, 2019 and recommended approval through adoption of Planning Commission Resolution 3-2019.

Staff Recommendation:

Staff recommends the Town Council approve the 1st Amendment to the Roam Final Development Plan by approving Ordinance 523, Series 2019.

TOWN OF WINTER PARK
ORDINANCE NO. 523
SERIES OF 2019

AN ORDINANCE APPROVING THE FIRST AMENDMENT TO THE ROAM FINAL DEVELOPMENT PLAN.

WHEREAS, the Winter Park Town Council approved the Roam Final Development Plan pursuant to Ordinance No. 509, Series of 2017, recorded with Grand County at Reception No. 2018004495;

WHEREAS, on August 2, 2019, Fraser River Development, LLC ("Applicant") filed an application for approval of the First Amendment to Roam Final Development Plan (the "Application");

WHEREAS, at a properly-noticed public hearing on August 27, 2019 the Planning and Zoning Commission approved the First Amendment to the Roam Final Development Plan; and

WHEREAS, the Town staff has reviewed the First Amendment and recommends conditional approval to the Town Council;

WHEREAS, at a properly-noticed public hearing on September 3, 2019 and September 17, 2019, the Town Council considered the First Amendment; and

WHEREAS, after considering the recommendation from the Planning Commission and Town staff, and any public comment, the Town Council finds and determines as provided below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF WINTER PARK, COLORADO, THAT:

1. Section 1. Findings. The Town Council hereby finds and determines that the First Amendment to Roam Final Development Plan meets all of the applicable criteria set forth in Title 7 of the Winter Park Town Code.

Section 2. Decision. Based on the foregoing findings, the Town Council hereby approves the First Amendment to Roam Final Development Plan.

INTRODUCED, APPROVED ON FIRST READING, AND ORDERED PUBLISHED IN FULL this 3rd day of September, 2019. A public hearing shall be held at the regular meeting of the Winter Park Town Council on the ___ day of _____, 2019 at 5:30 p.m., or as soon thereafter as possible, at the Winter Park Town Hall.

TOWN OF WINTER PARK

Nick Kutrumbos, Mayor Pro Tem

ATTEST:

Danielle Jardee, Town Clerk

READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote of _____
to _____ on the ____ day of _____, 2019.

TOWN OF WINTER PARK

Jimmy Lahrman, Mayor

ATTEST:

Danielle Jardee, Town Clerk

**First Amendment to
Roam Final Development Plan
Town of Winter Park, Colorado**

FRASER RIVER DEVELOPMENT CO LLC, a Colorado limited liability company (“**FRDC**”), the sole owner of the property subject to the Roam Final Development Plan recorded on June 14, 2008, under Reception No. 2018004495 in the Grand County Clerk and Recorder Records (the “**Records**”), hereby requests the approval of the TOWN OF WINTER PARK, a Colorado home rule municipal corporation (the “**Town**”), of this First Amendment to Roam Final Development Plan (this “**First Amendment**”), which proposes the following amendments to the Roam Final Development Plan.

1. Roam Final Development Plan Narrative, Section 6.1 shall be deleted and replaced in its entirety with the following text:

“6.1 District Inclusion. A portion of the Property, lying generally west of the Fraser River, is presently included in GCWSD. A portion of the Property, lying generally east of the Fraser River, has not yet been included within GCWSD. Approved subdivision plats may be recorded at any time, notwithstanding that a portion of the property subject to any such subdivision plat has not yet been included in GCWSD, so long as the portion of the property that has not yet been included within GCWSD includes only non-habitable facilities such as easements, trails, bridges, and overlooks. Prior to the Town’s approval of any Development Improvements Agreement for any portion(s) of the Property not included in GCWSD, FRDC shall take all necessary steps, at its sole cost and expense, to obtain a final order from the Grand County District Court including such portion(s) of the Property within GCWSD. Notwithstanding the foregoing, the Town may require FRDC to demonstrate the availability of an adequate water supply at earlier development application stages.”

Following the Town’s approval of this First Amendment, the Town’s Ordinance approving the text of the same shall be recorded in the Records.

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FRASER WINTER PARK POLICE DEPARTMENT



Memo

To: Winter Park Town Council
Fraser Board of Trustees

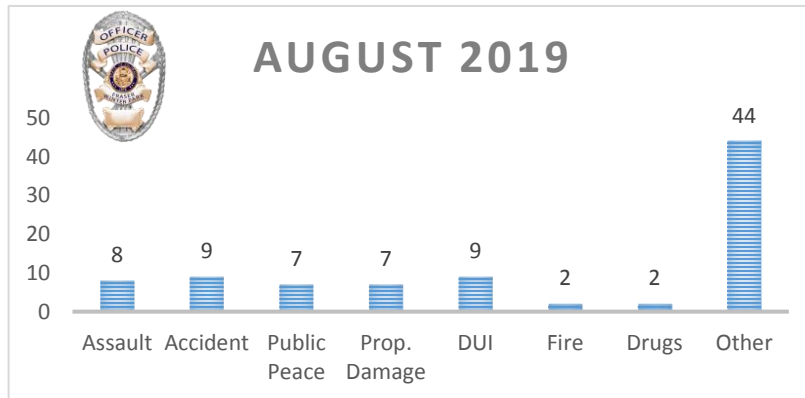
From: Glen Trainor, Chief of Police *Glen Trainor*

Date: September 9, 2019

Re: August Law Enforcement Activity Report

During the month of August, the Fraser Winter Park Police Department responded to a total of 404 calls for service of which 164 were in Fraser, and 229 in Winter Park. We also issued 17 citations in Fraser, and 31 in Winter Park.

We generated a total of 85 crime reports during the month and made a total of 50 arrests. This includes both custodial arrests and misdemeanor citations. Below is a breakdown of the major incidents we responded to:



The most serious incident in August was on the 31st, when two young Fraser residents elected to ride down and underwater aqueduct owned by the Denver Water Board. Both individuals are still hospitalized with serious injuries.

MEMO

TO: Town Council
FROM: Gerry Vernon
DATE: 09/17/2019
RE: Pickleball

BACKGROUND

A resident had previously contacted Public Works and he also spoke during the August 20th Council meeting concerning a group wanting to play Pickleball on the Wolf Park Tennis Courts. He specifically requested painting pickleball court lines on the tennis courts to allow for play there. He stated that while they have other indoor options at the recreation and school districts, they would like an outdoor option. He has access to used nets from Grand Lake. The Mayor requested that the item to be looked into with a report back to Council.

ANALYSIS

Pickleball is something of a mix between tennis, racquetball and ping pong. Players use special paddles and a whiffle ball, and games take place on courts with specific pickleball lines. Nets and court sizes are smaller than their tennis counterparts, and the most common game is doubles, although singles is also an option. The United States Pickleball Associate claims that the sport is experiencing exponential growth. They report a 650% increase in players over the last six years and state that "Pickleball is for everyone".

The following is a Pro's and Con's analysis of adding pickleball lines to the tennis court:

Pro's

- Dual and multipurpose use of the tennis court.
- Obvious health benefits associated with availability of another racket sport.
- Possibly increases use of other Wolf Park facilities.

Con's

- Competition with tennis players for available court time.
- Additional court lines make play difficult and confusing for both activities. The court will lose its USTA sanctioning if lines other than tennis are placed on the court.

Alternative Option

The existing Wolf Park basketball court gets little or no use during the summer season. The concrete court measures 36' wide and 50' long. A regulation pickleball court is 20' wide and 44' long and would fit perfectly on the basketball court. There would be little or no conflict with basketball and the pickleball lines could be placed next spring along with a refresh of the basketball court lines.

RECOMMENDATION

Staff recommends repurposing of the existing Wolf Park basketball court to allow for both pickleball and basketball. This court is set under trees and is protected from the wind. Staff would keep the pine needles blown off the court with very little maintenance costs. The only disadvantage is there will be no fence to keep the errant whiffle balls on the court but they should not travel far given their design.

If this alternative is an option preferred by the Council, it will be recommended to buy and use new nets for the court.