

MINUTES

DATE: Tuesday, November 5, 2019

MEETING: Winter Park Town Council

PLACE: Town Hall Council Chambers

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

OTHERS

PRESENT: Finance Director Lizbeth Lemley

1. **Meeting Call To Order**

Mayor Jimmy Lahrman called the meeting to order at 5:30 p.m.

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

2. **Town Hall Meeting**

Winter Park Business Owner Andras Horanyi asked Council if grants are still given to owners of accessory dwelling units for long term housing. Town Manager Keith Riesberg asked Mr. Horanyi to forward him the application he submitted last year and they can set up a meeting to discuss it.

3. **Consent Agenda**

3.a. **Approval of October 15, 2019 Regular Meeting Minutes**

Councilor Chris Seemann moved and Councilor Art Ferrari seconded the motion approving the Consent Agenda. Councilor Chuck Banks abstained. Motion Carried: 6-0.

4. **Action Items**

4.a. **2020 Budget Presentation, Public Hearing**

Town Manager Keith Riesberg stated the presentation given tonight has no substantive changes from our previous workshop discussion. Mr. Riesberg stated thanks and appreciation to Finance Director Lizbeth Lemley for putting the presentation and budget together. Mr. Riesberg stated the 2020 budget is being formally submitted to Council tonight and a public hearing will be conducted. Mr. Riesberg presented the 2020 budget slideshow. Mr. Riesberg stated the town wide summary anticipates the Town will have \$21.7 million dollars in revenues, \$34.6 million dollars in expenditures, and \$16.2 million dollars in capital expenditures, the largest part of that capital expenditure being \$10.3 million dollars for the new public works facility. Mr. Riesberg stated sales tax revenues are up approximately nine percent this year, and Town anticipates another four percent increase next year. Mr. Riesberg stated Town is being conservative on revenue assumptions. Mayor Lahrman asked Council if they had any questions for Mr. Riesberg, no questions were asked. Mayor Lahrman read the following statement before the public hearing was opened: On September 13, 2019 Town received a written request from Clark Lipscomb on behalf of Cornerstone Winter Park Holdings, LLC for a budget appropriation in the amount of \$1.75 million dollars for the crossing's hard construction costs, and \$19,345.33 dollars for the road extension soft costs for a

combined total of \$1,769,345.33 dollars plus accrued interest cost of \$650,237.08 dollars. Mayor Lahrman stated those costs would partially fund the cost of the Leland Creek underpass located in Fraser, Colorado. Mayor Lahrman stated Town Council considered this request at the budget workshop and will consider the request again at this public hearing. Mayor Lahrman stated if any member of public would like to speak about this request please do so in the public comment portion. Mayor Lahrman stated before I open the public hearing would Mr. Riesberg like to speak about this liability. Mr. Riesberg stated Staff and Council did talk about this request when reviewing and discussing the capital improvements plan. Mr. Riesberg stated these funds are not anticipated or included in the capital improvements plan being presented for Council's consideration. Mr. Riesberg stated there are some concerns about when, and at what point should Town fund this liability. Mr. Riesberg stated at this time it is not fully determined what Town's obligations and liability are under the agreements. Mr. Riesberg stated if and when that is determined the Town would incorporate those obligations into our financial plans and address it when required to do so. Mayor Lahrman opened the public hearing, hearing no comments. Mayor Lahrman closed the public hearing. Mayor Lahrman stated the 2020 budget as considered by Council does not include the \$2,419,582 million dollars requested appropriation for the Leland Creek underpass project in Fraser, Colorado. Mayor Lahrman stated Council dually considered the request but presently finds the appropriation will not serve the health, safety or welfare of the Town of Winter Park and its residents. Mayor Lahrman stated the adoption of the fiscal year 2020 budget is anticipated to occur by resolution at the regular council meeting on November 19, 2019 at 5:30 p.m.

4.b. TABLED Resolution 1722, Awarding Commercial Enhancement Grant to Arrow at Winter Park, Inc.

Town Manager Keith Riesberg stated the request from Arrow at Winter Park, Inc. for a commercial enhancement grant has been tabled at the past two meetings. Mr. Riesberg stated the recommendation from the Planning Commission was to approve this grant with conditions. Mr. Riesberg stated as noted during the budget presentation the funds are anticipated for this grant if Council should decide to grant it. Mr. Riesberg stated during the earlier workshop discussion pros and cons were presented or if Council feels it is more appropriate to consider this through an ESTIP agreement. Mr. Riesberg stated if Council wishes to do an ESTIP agreement then Staff recommendation is to not approve the grant application and direct Staff to start dialogue with the developer.

Councilor Art Ferrari moved and Councilor Chris Seemann seconded the motion to deny Resolution 1722, Awarding Commercial Enhancement Grant to Arrow at Winter Park, Inc. and to direct Staff to pursue negotiation for an ESTIP Agreement with Arrow at Winter Park, Inc. Motion Carried: 7-0.

4.c. Resolution 1726, A Resolution Approving an Agreement with Linda Wenzek-Barth for Snow Storage Purposes on the Brookside Property

Town Manager Keith Riesberg stated this is an annual agreement the Town has with a private property owner off US Highway 40 for snow storage.

Councilor Chris Seemann moved and Mayor Pro Tem Nick Kutrumbos seconded the motion approving Resolution 1726, A Resolution Approving an Agreement with Linda Wenzek-Barth for Snow Storage Purposes on the Brookside Property. Motion Carried: 7-0.

4.d. Ordinance 524, An Ordinance Amending Chapter 3 of Title 4 of the Winter Park Town Code, Regarding Electric Scooters, TABLED First Reading

Town Manager Keith Riesberg stated Ordinance 524 was tabled at the October 15 Council Meeting because Council would like to broaden this ordinance to address other means of transportation as

well. Mr. Riesberg stated due to the snow season this ordinance is not a priority, Staff recommends withdrawing this ordinance to be discussed later at a workshop.

Councilor Art Ferrari moved and Councilor Chris Seemann seconded the motion withdrawing Ordinance 524, An Ordinance Amending Chapter 3 of Title 4 of the Winter Park Town Code, Regarding Electric Scooters to be brought back later as a workshop discussion item. Motion Carried by following roll call vote:

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

4.e. Ordinance 525, An Ordinance Amending Section 1-4-1(c) of the Winter Park Town Code, Regarding the Maximum Sentence for Imprisonment for Violations of the Municipal Code, Second Reading and Public Hearing

Town Manager Keith Riesberg stated Ordinance 525 amends a section of the Town Code that addresses the maximum sentence for municipal code violations, going from 365 days to 364 days. Mr. Riesberg stated we are a combined court with the Town of Fraser; therefore, our ordinance should match theirs. Mayor Lahrman opened the public hearing, hearing no comments. Mayor Lahrman closed the public hearing.

Councilor Chris Seemann moved and Mayor Pro Tem Nick Kutrumbos seconded the motion approving Ordinance 525, An Ordinance Amending Section 1-4-1(c) of the Winter Park Town Code, Regarding the Maximum Sentence for Imprisonment for Violations of the Municipal Code, Second Reading and Public Hearing. Motion Carried by following Roll Call Vote:

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

5. Town Manager’s Report

Town Manager Keith Riesberg stated he had three items he wanted to mention, the first item Town Clerk Dani Jardee will present. Town Clerk Dani Jardee stated Staff and Slate Communications are moving forward with citizen outreach. Ms. Jardee stated Slate will be sending out a mailer soon that gives details on how to take the citizen survey, as well as information about Winter Park 101. Ms. Jardee stated Winter Park 101 will be a two-part event to get people involved with learning more about what Council and Town Staff do, as well as how to run for Council. Mr. Riesberg stated Staff are moving forward with the Fireside Creek Development agreement. Mr. Riesberg stated Public Works facility financing is moving forward, and other documents related to the Public Works facility will come before Council at the November and December meetings.

6. Mayor’s Report

Mayor Lahrman stated two residents have asked if the Town of Winter Park would be interested in creating a sister community in Nepal. Mayor Lahrman stated the residents are asking for a

proclamation, and asked Council if they would mind pursuing this opportunity. Council stated they did not mind.

7. Town Council Items for Discussion

Councilor Mike Periolat asked for a construction schedule update for the new public works facility. Town Manager Keith Riesberg stated the demolition has been completed, and now they are doing prep work on the site. Mr. Riesberg stated the early snow has altered their schedule a bit, but they plan to keep on working.

8. Executive Session

8.a. Executive Session to consider personnel matters, pursuant to C.R.S. 24-6-402(4)(f) regarding the Town Manager's evaluation.

Councilor Art Ferrari moved and Councilor Chris Seemann seconded the motion to go into Executive Session in accordance with C.R.S. Title 24, Section 6, Subsection 402(4)(f). Motion Carried: 7-0.

Upon conclusion of the discussion, the motion was made by Councilor Jim Myers and seconded by Councilor Chris Seemann 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, Chuck Banks, Art Ferrari, Mike Periolat, and Chris Seemann, Town Manager Keith Riesberg, and Town Clerk Danielle Jardee.

There being no further business to discuss, upon a motion regularly adopted, the meeting was adjourned at 6:45 p.m.

The next scheduled meeting of the Town Council will be Tuesday, November 19, 2019 at 5:30 p.m.

Danielle Jardee, Town Clerk