

If members of the public wish to attend the meeting digitally the link is below in yellow. The meeting will go on in person regardless of technical difficulties with Zoom.

WINTER PARK TOWN COUNCIL MEETING

Winter Park Town Hall – 50 Vasquez Road

Tuesday, January 4, 2022 – 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 (*Public Comment*)

Public Comment is restricted to three minutes per person, and you must state your name and physical address for the record. Please be mindful of not reiterating other people's comments.

3. Consent Agenda
 - a. Approval of December 21, 2021, Regular Meeting Minutes

4. Action Items
 - a. Resolution 1942, A Resolution Approving Town Council Regular Meeting and Town Council Workshop Times for 2022
 - b. Resolution 1943, A Resolution Establishing a Public Place for the Posting of Meeting Notices as Required by the Colorado Open Meetings Law
 - c. Ordinance 571, An Ordinance Amending Section 3-2-13 of the Winter Park Town Code to Impose Fees Related to Sales Tax Returns, Second Reading and Public Hearing

5. Town Manager's Report
6. Mayor's Report
7. Town Council Items for Discussion

You are invited to a Zoom webinar.

When: January 4, 2022 05:30 PM Mountain Time (US and Canada)

Topic: Town of Winter Park Meeting

Register in advance for this webinar:

https://us02web.zoom.us/webinar/register/WN_DWzbonYxRzOczSD94EVv3w

MINUTES

DATE: Tuesday, December 21, 2021

MEETING: Winter Park Town Council

PLACE: Town Hall Council Chambers and Zoom Meeting Call

PRESENT: Mayor Nick Kutrumbos, Mayor Pro Tem Michael Periolat, Councilors, Jeremy Henn, Mike Davlin, Rebecca Kaufman, Jennifer Hughes, and Town Manager Keith Riesberg and Town Clerk Dani Jardee

OTHERS
PRESENT: Finance Director Lizbeth Lemley, Chief of Police Glen Trainor, Public Works Director Gerry Vernon via Zoom, and Community Development Director James Shockey

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

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

2. Town Hall Meeting

No comments were received.

3. Consent Agenda

3.a. Approval of December 1, 2021, Special Meeting Minutes

3.b. Approval of December 7, 2021, Regular Meeting Minutes

3.c. Resolution 1938, A Resolution Approving a Development Improvements Agreement with Reunion DP1, LLC

Councilor Mike Davlin moved and Councilor Jeremy Henn seconded the motion approving the Consent Agenda. Motion carried: 6-0.

4. Action Items

4.a. Ordinance 570, An Ordinance Appropriating Additional Sums of Money to Defray Expenses in Excess of Amounts Budgeted and Appropriated for the Fiscal Year 2021 for the Town of Winter Park, Colorado, Second Reading and Public Hearing

Finance Director Lizbeth Lemley stated this is the second reading of ordinance 570, all funds were discussed at the last meeting. Ms. Lemley stated the appropriations of funding are for the Short-Term Fix program, and the distributions that needed to be made from the building services fund. Mayor Kutrumbos opened the public hearing, hearing no comments. Mayor Kutrumbos closed the public hearing.

Councilor Rebecca Kaufman moved and Councilor Jeremy Henn seconded the motion approving Ordinance 570, An Ordinance Appropriating Additional Sums of Money to Defray Expenses in

Excess of Amounts Budgeted and Appropriated for the Fiscal Year 2021 for the Town of Winter Park, Colorado, Second Reading and Public Hearing. Motion carried by following roll call vote:

Rebecca Kaufman	“Aye”	Jennifer Hughes	“Aye”
Michael Periolat	“Aye”	Mike Davlin	“Aye”
Jeremy Henn	“Aye”	Nick Kutrumbos	“Aye”

4.b. Resolution 1939, A Resolution Approving the Third Amendment to the Employment Agreement with the Town Manager

Finance Director Lizbeth Lemley stated to adjust the salary of the Town Manager it has to be done by resolution unlike the rest of Staff. Ms. Lemley stated Council directed her at the last meeting to adjust Mr. Riesberg’s salary so that he is earning the mid-point of his salary range, the resolution presented tonight accomplishes that.

Councilor Mike Davlin moved and Councilor Jennifer Hughes seconded the motion approving Resolution 1939, A Resolution Approving the Third Amendment to the Employment Agreement with the Town Manager. Motion carried: 6-0.

4.c. Ordinance 571, An Ordinance Amending Section 3-2-13 of the Winter Park Town Code to Impose Fees Related to Sales Tax Returns, First Reading

Finance Director Lizbeth Lemley stated if the ordinance presented tonight is approved it will go into effect January 2022. Ms. Lemley stated the Town’s MUNIREvs software allows people to remit sales tax online, and Staff have been pushing people to pay online. Ms. Lemley stated paper remittance requires more processing and more time, other communities charge a fee for paper processing. Ms. Lemley stated an example of what the Finance Department sees from customers, nine hundred plus people remit sales tax online and about one hundred remit using paper, and only fifteen of those one hundred paper remitters are local businesses. Ms. Lemley stated also through MUNIREvs the Town allows sales taxes to be remitted using a credit card, which the Town absorbs those processing fees, instead of putting the cost to process on the filers themselves. Ms. Lemley stated the credit card processing fees will cost the Town over \$40,000 dollars in 2021. Ms. Lemley recommended that Council should also consider charging a credit card convenience fee, which would take effect in February of 2022. Council discussed their options and what fees would look like. The second reading and public hearing will be held January 4, 2021, at the regular Council meeting.

Councilor Mike Davlin moved and Mayor Pro Tem Michael Periolat seconded the motion approving Ordinance 571, An Ordinance Amending Section 3-2-13 of the Winter Park Town Code to Impose Fees Related to Sales Tax Returns, First Reading. Motion carried by following roll call vote:

Rebecca Kaufman	“Aye”	Jennifer Hughes	“Aye”
Michael Periolat	“Aye”	Mike Davlin	“Aye”
Jeremy Henn	“Aye”	Nick Kutrumbos	“Aye”

4.d. Resolution 1940, A Resolution Approving a General Services Contract with Slate Communications for 2022

Town Clerk Danielle Jardee stated the Town’s communication team, Slate Communications, presented their scope of work proposal for 2022 at Council’s last regular meeting. Ms. Jardee stated Slate will be continuing with their communication efforts on the Town’s behalf, and have a couple of new items, such as digital publications, and a “State of the Town” address scheduled for 2022. Ms. Jardee stated the resolution presented tonight approves the contract to continue working with Slate Communications, and Staff recommends approval.

Councilor Jeremy Henn moved and Councilor Jennifer Hughes seconded the motion approving Resolution 1940, A Resolution Approving a General Services Contract with Slate Communications for 2022. Motion carried: 6-0.

4.e. Resolution 1941, A Resolution Approving a Contract with the Winter Park and Fraser Chamber of Commerce

Town Manager Keith Riesberg stated with the adoption of the 2022 budget, Council has appropriated funds for the Chamber of Commerce. Mr. Riesberg stated there was a slight increase in funding to help develop a sustainable tourism plan. Councilor Mike Davlin stated the Chamber has done a good job this year. Mr. Riesberg stated he appreciates that the Town can use the Chamber as a direct avenue to communicate with the local businesses.

Councilor Mike Davlin moved and Mayor Pro Tem Michael Periolat seconded the motion approving Resolution 1941, A Resolution Approving a Contract with the Winter Park and Fraser Chamber of Commerce. Motion carried: 6-0.

5. Town Manager's Report

Town Manager Keith Riesberg stated it is a busy holiday season, and all routes for the Lift transit service have been reestablished, and now First Transit Staff are working on the frequency of those routes. Mr. Riesberg stated a reminder that is federal law to wear a mask on public transit. Mr. Riesberg stated Beth Williams from the Town of Fraser will be filling Finance Director Lizbeth Lemley's position. Mr. Riesberg stated the second edition of the Home Scoop e-newsletter went out this week highlighting the Town's efforts on housing. Mr. Riesberg recognized Town Clerk Danielle Jardee for receiving her CMC (Certified Municipal Clerk) designation this week.

6. Mayor's Report

Mayor Nick Kutrumbos recognized Chief of Police Glen Trainor with a standing ovation for securing a \$47,000 dollar grant for the Fraser Winter Park Police Department. Mayor Kutrumbos stated Grand Places 2050 is headed in the right direction and the Town of Winter Park is key in making sure the coalition moves forward. Mayor Kutrumbos stated there is a new facilitator to Grand Places 2050, the new facilitator is Emily Olsen with the National Forest Foundation.

7. Town Council Items for Discussion

Nothing to Report.

There being no further business to discuss, upon a motion regularly adopted, the meeting was adjourned at 6:08 p.m.

The next scheduled meeting of the Town Council will be Tuesday, January 4, 2021, at 5:30 p.m.

Danielle Jardee, Town Clerk



MEMO

TO Town Council
FROM Dani Jardee, Town Clerk
CC
DATE January 4, 2022
RE Resolutions 1942 & 1943

Resolutions 1942 and 1943 are basic housekeeping items that must be done at the first meeting of the new year. Resolution 1942 sets the Council meeting dates and times for the year 2022, and Resolution 1943 designates the bulletin board and our website wpgov.com as our official posting place for agendas, etc.

TOWN OF WINTER PARK

RESOLUTION NO. 1942
SERIES OF 2022

A RESOLUTION APPROVING TOWN COUNCIL REGULAR MEETING AND TOWN COUNCIL
WORKSHOP TIMES FOR 2022

WHEREAS, Town Council wishes to set the time of Town Council Regular Meetings and Workshops for the upcoming 2022 calendar year; and

WHEREAS, the Town Council Regular Meeting and Workshop dates will not change. Regular meetings and workshops will be held on the first and third Tuesday of the month; and

WHEREAS, the times of the Regular Meetings will be held at 5:30 p.m. on the first and third Tuesdays of the month, and Workshops will be held at 3:00 p.m. on the first and third Tuesdays of the month.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WINTER PARK, COLORADO, hereby approves the Town Council Regular Meeting and Town Council Workshop Times for 2022. Town Council Regular Meetings will be held at 5:30 p.m. on the first and third Tuesday of the month, and Town Council Workshops will be held at 3:00 p.m. on the first and third Tuesdays of the month.

PASSED, ADOPTED AND APPROVED this ___ day of _____, 2022, by a vote of ___ to ___.

TOWN OF WINTER PARK

Nick Kutrumbos, Mayor

ATTEST:

Danielle Jardee, Town Clerk

TOWN OF WINTER PARK
RESOLUTION NO. 1943
SERIES OF 2022

A RESOLUTION ESTABLISHING PUBLIC PLACES FOR THE POSTING OF
MEETING NOTICES AS REQUIRED BY THE COLORADO OPEN
MEETINGS LAW

WHEREAS, pursuant to the Colorado Open Meetings Law, C.R.S. § 24-6-401, *et seq.*, and specifically C.R.S. § 24-6-402(2)(c), the Town Council must, at its first regular meeting of each year, designate a public place in the Town where meeting notices will be posted.

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Winter Park, Colorado as follows:

Section 1. The designated public places for the posting of meeting notices of the Town Council, Planning Commission, Board of Adjustment, Local Liquor Licensing Authority and Board of Appeals, as required by the Colorado Open Meetings Law, C.R.S. § 24-6-402(2)(c), shall be as follows:

- A. The glass display case near the front door of the Town Hall, located at 50 Vasquez Road, Winter Park, Colorado; and
- B. Town of Winter Park official website at www.wpgov.com.

Section 2. The Town Clerk shall be responsible for posting the required notices no later than 24 hours prior to each meeting, and all meeting notices shall include specific agenda information, where possible.

Section 3. The Town Clerk shall provide the official website address to the State Department of Local Affairs for inclusion in the Department's inventory.

PASSED, ADOPTED AND APPROVED this 4th day of January, 2022.

TOWN OF WINTER PARK

Nick Kutumbos, Mayor

ATTEST:

Danielle Jardee, Town Clerk



MEMO

TO Town Council
FROM Lizbeth Lemley, Finance & HR Director
CC Keith Riesberg, Town Manager
DATE December 17, 2021
RE Ordinance 571 – Sales Tax Related Fees

Attached for your review is an ordinance amending section 3-2-13 of the Winter Park Town Code to impose fees related to sales tax returns.

In 2018, Winter Park began transitioning sales tax filers to online sales tax reporting through the MUNIREvs system. Many filers have transitioned to online filing; however, the Town still receives a significant number of manual returns. Processing manual returns requires additional staff handling and processing time; and with the significant growth in the number of returns filed it is necessary to further encourage online filings to process returns with the current staff.

Through MUNIREvs, the Town allows sales taxes to be remitted by credit card. The Town has absorbed the processing fees and has not previously passed this cost on to filers. Credit card fees associated with processing these transactions will exceed \$40,000 in 2021.

To defray the cost of the additional handling and processing time required for paper filings and further encourage online filings, staff recommends imposing a paper filing fee. Staff also recommends implementing a credit card convenience fee in an amount not to exceed the actual cost incurred by the Town to process the transaction. These fees will be brought to Council by resolution if Ordinance 571 is approved.

Staff recommends Council approve Ordinance 571, An Ordinance Amending Section 3-2-13 of the Winter Park Town Code to Impose Fees Related to Sales Tax Returns.

**TOWN OF WINTER PARK
ORDINANCE NO. 571
SERIES OF 2021**

**AN ORDINANCE AMENDING SECTION 3-2-13 OF THE WINTER
PARK TOWN CODE TO IMPOSE FEES RELATED TO SALES TAX
RETURNS**

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

Section 1. Section 3-2-13, subsection (F), of the Winter Park Town Code is hereby amended to read as follows:

3-2-13: ADDITION TO TAX; PENALTIES AND INTEREST:

...

F. Filing Fees; Special Penalty; Returned Checks:

All returns required by this Code shall be submitted electronically over the internet or transmitted by such other similar electronic means as may be specified by the town manager. Any taxpayer electing to submit a return on paper shall be assessed an administrative fee in an amount to be set by resolution to defray the cost to the Town of the additional handling and processing time required for paper filings.

If a taxpayer pays for a tax imposed pursuant to this chapter by credit card, the Town may impose a convenience fee for the use of this alternative form of payment in an amount not to exceed the actual additional cost incurred by the Town to process the transaction. Any convenience fee on a transaction involving a credit card shall be imposed in accordance with the rules of the credit card provider.

If a taxpayer pays for any tax imposed pursuant to this chapter by check for which there are insufficient funds to cover such check, then the Town may assess a penalty against such taxpayer in an amount to be set by resolution. After a second payment by check for which there are insufficient funds, the town clerk may require such taxpayer to pay all tax payments, whether due or to be due in the future, by certified funds, cashier's check or cash. The penalties imposed by this subsection are in addition to all other fees and penalties imposed pursuant to this chapter.

INTRODUCED, APPROVED ON FIRST READING, AND ORDERED PUBLISHED IN SUMMARY this __ day of _____, 2021. A public hearing shall be held at the regular meeting of the Winter Park Council on the __ day of _____, 2021, or as soon thereafter as possible, at the Winter Park Town Hall.

TOWN OF WINTER PARK

Nick Kutrumbos, Mayor

ATTEST:

Danielle Jardee, Town Clerk

READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote of _____ to _____ on the __ day of _____, 2021.

TOWN OF WINTER PARK

Nick Kutrumbos, Mayor

ATTEST:

Danielle Jardee, Town Clerk