

**TOWN OF DILLON
TOWN COUNCIL
REGULAR MEETING**
Tuesday, June 5, 2018
7:00 p.m.
Dillon Town Hall

CALL TO ORDER & ROLL CALL

A regular meeting of the Town Council of the Town of Dillon, Colorado, was held on Tuesday, June 5, 2018, at Dillon Town Hall, 275 Lake Dillon Drive, Dillon, CO. Mayor Skowyra called the meeting to order at 7:00 p.m. and the following Council Members answered roll call: Brad Bailey, Jen Barchers, Kyle Hendricks, Renee Imamura, Karen Kaminski, and Mark Nickel. Staff members present were: Tom Acre, Town Manager; Kerstin Anderson, Marketing and Communications Director; Dan Burroughs, Town Engineer; Phil Hofer, Marina Director; Carri McDonnell, Finance Director; Scott O'Brien, Public Works Director; and Jo-Anne Tyson, Town Clerk.

APPROVAL OF AGENDA

There being no changes to the agenda, it will stand as approved.

APPROVAL OF CONSENT AGENDA

Council Member Bailey moved to approve the following consent agenda as amended:

- a. Minutes of Regular Meeting of May 15, 2018
- b. Approval of Bill List dated June 1, 2018 in the amount of \$228,016.26 and Payroll Ledger dated May 25, 2018 in the amount of \$90,478.38

Council Member Barchers seconded the motion which passed unanimously upon roll call vote.

CITIZEN COMMENTS

Comments were made by the following citizens:

- Mike Smith, 321 W. Buffalo Street – Mr. Smith congratulated Council and staff on the Dillon Amphitheater improvements. He commented that the stop sign at Buffalo and LaBonte Streets is presenting a safety hazard and suggested a flashing stop sign to draw attention to the public. Lastly, Mr. Smith requested the trash ordinance be enforced in town.
- Tim Westerberg, 225 Tenderfoot Street - Mr. Westerberg also encouraged the Town to enforce the trash ordinance. He asked Council to consider a ban on plastic bag usage in the Town.

MUNICIPAL JUDGE APPOINTMENT

Manager Acre stated that the town contracts municipal court services to the Town of Silverthorne through and Intergovernmental Agreement (IGA) and must appoint a municipal judge every two (2) years. The Town of Silverthorne re-appointed Judge Ron Carlson at their May 23, 2018 meeting. At an earlier work session, Mr. Carlson suggested appointing his associate, Courtney Edwards as his back-up in the event of his absence.

Council Member Nickel moved to appoint Ron Carlson as the Town of Dillon's Municipal Judge, Courtney Edwards as back-up. Council Member Kaminski seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF ORDINANCE NO. 03-18, SERIES OF 2018

Second Reading and Public Hearing

AN ORDINANCE ADOPTING AND APPROVING A PUD DEVELOPMENT PLAN FOR DILLON HOMEWOOD SUITES

Mayor Skowrya opened the public hearing at 7:15 p.m. Town Engineer Dan Burroughs reported that a request for approval of a PUD development plan titled “Dillon Homewood Suites,” a Level IV development as defined in Dillon Municipal Code (“DMC”) Section 16-1-50; has been submitted to town staff. All materials related to this PUD development plan have been reviewed by Town staff and found with conditions, to be in compliance with Town of Dillon zoning ordinances and related Town ordinances, regulations, and policies; and pursuant to DMC §§ 16-2-110 and 16-5-130(d). The Dillon Planning and Zoning Commission held a properly noticed public hearing on the application, at which the Commission recommended approval of the application with conditions. Applicant Danny Eilts and Architect Ken O’Bryan gave an overview of the project.

Public comment was made by the following individuals:

- Susan Fairweather, Breckenridge: Ms. Fairweather feels this is a great project for Dillon and fully supports it.
- Tim Westerberg, Dillon: Mr. Westerberg is in favor of the project but is disappointed that the restaurant portion of the project is not being proposed.
- Chris Richard, Dillon: Mr. Richard feels the project is too big for its parcel and is requesting too many variances and therefore does not support the project.
- Steve Smith, Silverthorne: Mr. Smith supports the project and sees it as a revenue generating opportunity for surrounding businesses and communities.
- Barb Richard, Dillon: Mrs. Richard does not support the project; is concerned that public land is being sold and the town is not getting what they want out of the project. She stated the project does not contain any employee housing, is requesting too many variances related to signage, does not indicate “night sky” lighting, and is concerned with neighborhood impacts.
- Kevin Stout, Dillon: Mr. Stout is in favor of the project but expressed concern about compact car parking, signage, and lighting.
- Eddie O’Brien, Silverthorne: Mr. O’Brien expressed his support of the project.

This public hearing was published in accordance with public posting requirements as set forth by the Dillon Municipal Code. There being no further comments from the public, Mayor Skowrya closed the public hearing at 9:21 p.m.

Council Member Bailey moved to approve Ordinance No. 03-18, Series of 2018 adding a condition that all signage first get approved through Dillon Planning and Zoning then Town Council. Council Member Imamura seconded the motion which passed with Council Members Hendricks and Barchers voting in opposition.

Consideration of Emergency Ordinance No. 04-18, Series of 2018

AN EMERGENCY ORDINANCE AMENDING CHAPTER 19 OF THE DILLON MUNICIPAL CODE TO INCREASE THE MAJOR PUD AMENDMENT FEE FOR THE TOWN OF DILLON

Town Engineer Dan Burroughs stated that the current fee for a new Planned Unit Development (PUD) is \$4,800 and for a major amendment to an existing PUD is \$1,600. Typically, the staff time required to process a PUD amendment is considerably less because it is a change to a proposed development plan that has recently been reviewed and approved by Town staff. In reviewing the potential planning work load for the rest of the year, it has come to staff’s attention that there may be one or two potential developments

of new buildings within an existing Planned Unit Development (PUD). Because one development includes a vacant lot within an existing PUD they would be eligible for the major PUD amendment fee. However, since these proposed new buildings will require the same effort as a new planned unit development, Town will require the entire \$4,800 fee to meet expenses.

Council Member Bailey moved to approve Emergency Ordinance No. 04-18, Series of 2018. Council Member Kaminski seconded the motion which passed unanimously upon roll call vote.

Consideration of Emergency Ordinance No. 05-18, Series of 2018

AN EMERGENCY ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON THE SUBMISSION, ACCEPTANCE, PROCESSING, OR APPROVAL OF ANY REQUEST FOR PAYMENT OF LIEU OF DEFICIENT PARKING SPACES.

Manager Acre stated that Council and staff discussed the use of “Parking Fee in Lieu” for commercial development within the Core Area (CA) zone district. Council and staff are concerned that the current fee in lieu of \$100 per parking space could deplete the available parking in the CA if used heavily by future development applications. Before the new fee is finalized, Council and staff believe the completion of a parking study is needed to evaluate the fee, the cost to provide a central parking area and to determine the number of parking spaces available for development. During this time, staff is proposing a moratorium on the use of parking fee in lieu be put in place.

Council Member Nickel moved to approve Emergency Ordinance No. 05-18, Series of 2018. Council Member Barchers seconded the motion which passed unanimously upon roll call vote.

Consideration of Resolution No. 36-18, Series of 2018

A RESOLUTION AUTHORIZING THE TOWN OF DILLON, COLORADO, TO ADOPT THE TOWN OF DILLON WATER EFFICIENCY PLAN; AUTHORIZING AND DIRECTING STAFF TO IMPLEMENT AND MONITOR THE GOALS OF THE EFFICIENCY PLAN BEGINNING IN 2018; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Public Works Director Scott O’Brien reported that in 2017 the Water Department began the process of developing a comprehensive water efficiency plan for the Town of Dillon. This planning process is at the request of the Governor and is intended to be the next step to the Colorado Water Plan. All local/municipal and special districts have been requested to develop conservation and efficiency plans designed to preserve the State’s water resources for future generations. Current resource analysis indicates that water shortages may occur in the future without proactive measures. The Town’s conservation plan includes activities focused on accurate metering and data collection, water loss management and control, efficiency oriented rates and tap fees, water conservation land use policies, water use regulations, and public outreach and education. While the Town’s risk for water shortages is low, conservation and efficiency efforts in Dillon will help to preserve water resources for downstream users along the Colorado River Basin.

Council Member Barchers moved to approve Resolution No. 36-18, Series of 2018. Council Member Nickel seconded the motion which passed unanimously upon roll call vote.

TOWN MANAGER’S UPDATE

Town Manager Tom Acre reported on the following items:

- Housing Authority Meeting next Monday, June 11, 1:00 p.m. – 4:00 p.m. at the Summit County Senior Center in Frisco.
- He continues to work with staff on projects.

MAYOR’S UPDATE

Mayor Skowrya reported on the following items:

- She would like to discuss the elimination of plastic bags usage in Dillon as presented by resident Tim Westerberg during citizen comments.
- She provided a brief recap on the Sustainovation event she attended.

COUNCIL MEMBER COMMENTS

- There were no Council Member comments

EXECUTIVE SESSION

Mayor Skowrya moved to go into executive session at 10:00 p.m. for the purpose of determining positions relative to matters that may be subject to contract negotiations, developing strategy for negotiations, and/or instructing negotiators under C.R.S. § 24-6-402(4)(e), specifically pertaining to the Dillon Homewood Suites. No action was taken during the executive session. At 10:37 p.m. Council concluded the executive session.

EXECUTIVE SESSION

Mayor Skowrya moved to go into executive session at 10:38 p.m. for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under C.R.S. § 24-6-402(4)(e), specifically pertaining to the Summit Historical Society. No action was taken during the executive session. At 10:52 p.m. Council concluded the executive session.

ADJOURNMENT

There being no further business, Mayor Skowrya declared the meeting adjourned at 10:54 p.m.

Respectfully submitted by:

Jo-Anne Tyson, CMC/MMC, Town Clerk