

RECORD OF PROCEEDINGS

**TOWN OF DILLON
TOWN COUNCIL
REGULAR MEETING**
Tuesday, August 6, 2019
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, August 6, 2019, at Dillon Town Hall, 275 Lake Dillon Drive, Dillon, CO. Mayor Carolyn Skowyra called the meeting to order at 7:06 p.m. and the following Council Members answered roll call: Brad Bailey, Kyle Hendricks, Renee Imamura, Karen Kaminski and Mark Nickel. Council Member Barchers was absent (excused). Staff members present were: Tom Acre, Town Manager; Carri McDonnell, Finance Director; Scott O'Brien, Public Works Director, Dan Burroughs, Town Engineer; and Jo-Anne Tyson, Human Resources Manager.

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.

- a. Minutes of Regular Meeting of July 16, 2019.
- b. Approval of Bill List dated August 2, 2019 in the amount of \$1,209,043.19 and Payroll Ledger dated July 19, 2019 in the amount of \$110,853.40 and Payroll Ledger dated August 2, 2019 in the amount of \$110,189.72.

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

CITIZEN COMMENTS

Nancy Howard, 355 E. LaBonte stated that Town Park is a park for citizens and should not be used as a money maker. She encouraged Council to consider her comment when negotiating the upcoming Ice Castles contract.

Cathy Hyde introduced an upcoming event; the Nonprofit Family Carnival and Fun Fair on Sunday, September 15, 2019, 2:00 – 6:00 p.m. at Marina Park. Ms. Hyde asked Council to consider waiving the special event liquor permit fee and park rental fee in lieu of sponsorship of the event. Currently, eight (8) non-profit organizations have committed to the fair (four (4) in Dillon) and they are expecting to have twenty (20) organizations hosting games and activities.

**CONSIDERATION OF EMERGENCY ORDINANCE NO. 06-19, SERIES OF 2019
AN EMERGENCY ORDINANCE AMENDING THE DILLON MUNICIPAL CODE
CONCERNING INCARCERATION OF MUNICIPAL OFFENDERS.**

Town Manager Tom Acre stated that during the 2019 legislative session, the Colorado General Assembly enacted House Bill 19-1148, which decreased the maximum period of incarceration a municipal court may impose for violations of municipal ordinances from twelve months to 364 days.

This bill took effect on August 2, 2019. While reviewing the Municipal Code it was also determined that our code had not been updated to reflect state statutes pursuant to House Bill 13-1060, which was effective April 18, 2013. The Town may now levy a fine of up to \$2,650, up from the current \$1,000. Mr. Acre stated that this ordinance amends several sections of Chapters 1, 8 and 13 of the Dillon Municipal Code to reflect the recodification of state statutes.

Council Member Hendricks moved to approve Emergency Ordinance No. 06-19, Series of 2019. Council Member Kaminski seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF ORDINANCE NO. 07-19, SERIES OF 2019

First Reading to Set the Public Hearing

AN ORDINANCE AMENDING CHAPTER 6 OF THE DILLON MUNICIPAL CODE BY ADDING ARTICLE XII REGARDING THE LICENSING OF TOBACCO PRODUCT RETAILERS

Finance Director Carri McDonnell reported that approval of this ordinance on first reading will set the second reading and public hearing for Tuesday, August 20, 2019. This ordinance establishes the license requirements and process for licensing Tobacco Product Retailers. The license will become effective November 1, 2019 which will give staff time to contact the retailers and provide necessary education and information. This ordinance also raises the minimum age to purchase to 21.

Council Member Imamura moved to approve Ordinance No. 07-19, Series of 2019 adding the public hearing date to August 20, 2019. Council Member Bailey seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. 35-19, SERIES OF 2019

A RESOLUTION APPROVING LEVEL IV DEVELOPMENT APPLICATION FOR A CLASS S-3 SUBDIVISION FOR THE DILLON PINES TOWNHOMES.

Mayor Skowrya opened the public hearing at 7:27 p.m.

This public hearing was published in accordance with public posting requirements as set forth by the Dillon Municipal Code.

Town Engineer Dan Burroughs reported the premise of this resolution is to combine two lots into one combined lot and dedicate twenty-two (22) individual units as townhomes instead of designating them as condominium units. Townhomes are different from condominiums, in that the Townhomes are individual multi-level residential units that share a wall between units and sit on a parcel of land specific to each townhome unit.

There being no comments from the public, Mayor Skowrya closed the public hearing at 7:32 p.m.

Council Member Bailey moved to approve Resolution No. 35-19, Series of 2019. Council Member Kaminski seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. 36-19, SERIES OF 2019

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF DILLON, COLORADO, MAKING SUPPLEMENTAL APPROPRIATIONS TO VARIOUS FUNDS FOR THE TOWN OF DILLON, COLORADO FOR THE 2019 BUDGET YEAR.

Mayor Skowrya opened the public hearing at 7:34 p.m.

This public hearing was published in accordance with public posting requirements as set forth by the

Dillon Municipal Code.

Ms. McDonnell explained that this resolution allows the Town to amend the 2019 budget for the following:

General Fund

- CASA Sponsorship \$ 1,200 to be paid from unappropriated fund balance
- Parking Study \$20,000 to be paid from unappropriated fund balance
- Transfer Out \$110,000 to be paid from sound system lease
 - This was already budgeted in the General Fund but needs to be approved for a transfer instead of an expenditure.

Capital Fund

- Sound System – Amphitheater \$625,000 to be paid from unanticipated revenues
 - The total cost of the sounds system was \$625k with funding coming from the General Fund for \$110k and \$515k coming from a loan from the Water Fund. The loan will be paid back over five years at 2% interest from the proceeds from the concerts.

Water Fund

- Transfer Out for loan to General \$515,000 to be paid from unappropriated fund balance

There being no comments from the public, Mayor Skowryra closed the public hearing at 7:36 p.m.

Council Member Imamura moved to approve Resolution No. 36-19, Series of 2019. Council Member Hendricks seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. 37-19, SERIES OF 2019
A RESOLUTION AUTHORIZING THE TOWN OF DILLON, COLORADO, TO ENTER INTO A CONTRACT WITH OROZCO CONCRETE, INC. FOR THE 2019 AMPHITHEATER PLAZA PROJECT; AUTHORIZING AND DIRECTING THE APPROPRIATE TOWN OFFICERS TO SIGN THE NECESSARY DOCUMENTS; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Mr. Burroughs reported that this resolution authorizes the execution of a contract with Orozco Concrete, Inc. to create a permanent concrete plaza for concession booths at the Dillon Amphitheater south of the bathroom building adjacent to the upper plaza. Mr. Burroughs explained that Council directed staff to proceed with an RFP for this project in February 2019. The Town advertised the project two times, each with revised project completion dates which did not warrant responses. In May 2019, the project was put out to bid with a revised Fall 2019 construction window between September 9, 2019 and October 18, 2019 which received one bid from Orozco Concrete.

Council Member Kaminski moved to approve Resolution No. 37-19, Series of 2019. Council Member Imamura seconded the motion which passed unanimously upon roll call vote.

TOWN MANAGER'S UPDATE

Manager Acre reported on the following meetings:

- The Mayors', Managers' & Commissioners' discussed raising the minimum wage in Summit County. This is currently only a discussion item.
- New software considerations for short term rental licensing were discussed at the Summit Combined Housing Authority meeting. Breckenridge Housing Initiative is purchasing market rate properties and encouraging housing restrictions to retain work force housing and encouraging

investors. The group is looking to tighten controls when units are sold as they are getting missed when a realtor is not involved.

- Discussions at the Manager's meeting included nicotine tax, Public Health Alliance, municipal funding of FIRC staffing, cellular service, STR helper and call center, 4th of July recap, and recycling and trash services.
- MSA met with Dillon Marina staff and Town Center businesses. They will be hosting a discussion to introduce rough concepts with Council on August 27, 2019 and the public on August 28, 2019.
- Council will participate in an all-day Emergenetics program the end of October. The afternoon teamwork session will include Department Directors.

MAYOR'S UPDATE:

Mayor Skowrya expanded on the following:

- Mayors', Managers' & Commissioners':
 - Summit County is proposing \$4.00/pack or 40% tax on all nicotine products beginning with a 10% tax increasing to 80%.
 - 4th of July: Silverthorne, Breckenridge, and Summit County are in favor of not hosting fireworks in future years. This year's programming was well received but Council would like to see more events in Dillon.
 - Recycling: Denver Water has given approval for a facility by the Silverthorne ball fields. Summit County will manage the facility with 1A money.

COUNCIL MEMBER COMMENTS:

- Council Member Imamura requested work session time to discuss Sail Lofts work force housing. She is suggesting the units become available to investors with a reduced AMI and restrictions related to employment in Summit County.
- Council Member Kaminski asked if staff will contact the owners of the Ruby Tuesday building. She stated the lights are on and confusing the public.
- Council discussed the Nonprofit Family Carnival and Fun Fair. They determined to waive the special event liquor permit fee of \$100.00 and the Marina Pavilion Park rental fee of \$400.00 for this year's event in lieu of event sponsorship.

EXECUTIVE SESSION:

Mayor Skowrya moved to go into Executive Session at 8:19 pm for the purpose for discussion of a personnel matter under Section 3-4(a)(6) Town of Dillon Home Rule Charter and Section 24-6-402(4)(f) of the Colorado Revised Statutes and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to a particular employee; specifically, to discuss the town manager's review. No action was taken during the executive session. At 9:40 p.m. Council concluded the executive session.

ADJOURNMENT:

There being no further business, Mayor Skowrya declared the meeting adjourned at 9:42 p.m.

Respectfully submitted by:

Jo-Anne Tyson, Human Resources Manager