

RECORD OF PROCEEDINGS

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**TOWN OF DILLON  
TOWN COUNCIL  
REGULAR MEETING**  
Tuesday, December 17, 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, December 17, 2019, at Dillon Town Hall, 275 Lake Dillon Drive, Dillon, CO. Mayor Carolyn Skowrya called the meeting to order at 7:01 p.m. and the following Council Members answered roll call: Brad Bailey, Jennifer Barchers, Kyle Hendricks, Renee Imamura, Karen Kaminski and Mark Nickel. Staff members present were: Carri McDonnell, Acting Town Manager; Scott O'Brien, Public Works Director; Ned West, Town Planner; Craig Simson, Marina Director; JoAnne Tyson, Human Resources Manager; Mark Hemingous, Chief of Police and Adrienne Stuckey, Town Clerk.

**APPROVAL OF AGENDA**

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

**APPROVAL OF CONSENT AGENDA**

Council Member Imamura moved to approve the following consent agenda.

- a. Minutes of Regular Meeting of December 3, 2019.
- b. Approval of Bill List dated December 13, 2019 in the amount of \$306,179.15 and Payroll Ledger dated December 6, 2019 in the amount of \$80,505.62.
- c. Excused Absence for Council Member Barchers for the December 3, 2019 Town Council Meeting.
- d. Notification of the Planning & Zoning Commission Level III Decision at the December 4, 2019 Regular Meeting and Any Motions by Council to Call Up a Level III Application:
  - i. Resolution PZ 24-19, Series of 2019
- e. Consideration of Ordinance No. 17-19, Series of 2019  
First Reading to Set the Public Hearing  
**AN ORDINANCE AMENDING CHAPTER 19 OF THE DILLON MUNICIPAL CODE  
TO ADD APPLICATION FEES FOR TOWN REVIEW OF PLANNED UNIT  
DEVELOPMENT SIGN AND LANDSCAPE PLANS.**

Council Member Kaminski seconded the motion which passed 6-1 with Council Member Hendricks in opposition.

**CITIZEN COMMENTS**

Rabbi Joel Schwartzman, 220 E. LaBonte St, Dillon, commended Dillon for improving the recycling center. He added he would like a sign posted that states to park in designated parking spaces. Also, the signs posted regarding what can be recycled are contradictory and he encourages people to download the recycling guide link.

Rabbi Schwartzman also commented that there was not a walking path on Buffalo Street and LaBonte Street and it forces people to walk on the street. He would like the Town to put up a cone system/barrier pathway for people to walk through.

**CONSIDERATION OF ORDINANCE NO. 16-19, SERIES OF 2019**

Second Reading and Public Hearing

**AN ORDINANCE AMENDING CHAPTER 2 OF THE DILLON MUNICIPAL CODE REGARDING PERSONNEL RULES.**

Nick Cotton-Baez, Town Attorney, explained this repeals Section 2-3-140 of the Dillon Municipal Code so that future personnel rules may be established by the Town Manager and approved by Town Council by motion or resolution.

This public hearing was published in accordance with public posting requirements as set forth by the Dillon Municipal Code. Mayor Skowrya opened the public hearing at 7:08 p.m. There being no comments from the public, Mayor Skowrya closed the public hearing at 7:09 p.m.

Council Member Imamura moved to approve Ordinance No. 16-19, Series of 2019. Council Member Bailey seconded the motion which passed unanimously upon roll call vote.

**CONSIDERATION OF RESOLUTION NO. 58-19, SERIES OF 2019**

**A RESOLUTION APPROVING AN UPDATED PERSONNEL POLICY FOR TOWN OF DILLON OFFICERS AND EMPLOYEES.**

Human Resources Manager JoAnne Tyson explained Staff reviews the handbook every two years and is proposing the following items to include in the 2019 update:

- **DEFINITIONS:** Add a definition for “Domestic Partnership” and redefine “Immediate Family Member”. The Handbook does not currently have a definition for Domestic Partnership and as today’s society is more accepting of non-traditional relationships, and our insurance policies allow for domestic partnerships, it is prudent to include a definition. The current definition for Immediate Family Member is wordy and unnecessary. This updated definition includes all family members currently in our definition but in a more concise manner
- **BACKGROUND AND MOTOR VEHICLE CHECK:** Add background and motor vehicle checks for all full-time, part-time and seasonal employees. The Town currently only conducts background checks on police department candidates and Public Works employees holding a CDL license. This proposed change will allow Human Resources to conduct a background check and motor vehicle check on all full-time, part-time and seasonal employees as a condition of employment, provided a satisfactory result is obtained.
- **ETHICS:** Add an ethics provision.
- **CONFIDENTIALITY:** Add a confidentiality provision
- **PERSONNEL RECORD:** Expand and clarify the existing personnel record provision. This section strengthens language related to the release of personnel records and explains the employee’s right to review their personnel file.
- **EMPLOYMENT OF RELATIVES:** Modify employment of relative’s section.
- **DOMESTIC PARTNERSHIP:** Add a definition of domestic partnership and outline the parameters to determine this relationship.

- **OTHER PERSONAL RELATIONSHIPS:** Add this section to allow the Town to review situations where two employees; one being a supervisor, work together and the Town can determine if the relationship may cause a negative impact on the work environment.
- **EDUCATION REIMBURSEMENT:** Add a statement to this section indicating an employee may be subject to signing an Education Reimbursement Agreement. This Agreement will require the employee to reimburse the Town if he/she ends employment with the Town within a designated amount of time upon completing educational courses paid for by the Town.
- **VACATION LEAVE:** Add a provision to allow vacation time pay out. Employees can currently accumulate a maximum number of vacation hours annually. In extreme circumstances an employee may not be able to use vacation time prior to their expiration on December 31. This provision allows the Town Manager to approve vacation time pay out in extreme cases.
- **PAY CHECKS:** Add a provision explaining when paychecks will be issued for completed work hours
- **BREAKS:** Add a breaks provision. This provision states that employees are entitled to two (2) ten-minute rest breaks during each four-hour work period as mandated by FLSA and a thirty (30) minute unpaid lunch break after working five (5) hours.
- **EXEMPT EMPLOYEES:** Further explain how compensatory time may be accrued or redeemed by exempt employees.
- **ON CALL AND COMPENSATION:** Eliminate “Premium Pay” since it no longer applies to the Public Works Department.
- **EMPLOYEE GROWTH AND DEVELOPMENT:** Update this section to accurately reflect the name of the “review” document and removed the statement indicating eligibility of a pay increase.
- **ALCOHOL AND DRUGS:**
  - o Employee policy: Add the prohibition of recreational or medical marijuana use while working.
  - o Post accident testing: Add mandatory drug and alcohol testing when an employee is involved in a reportable motor vehicle accident and for pre-employment, reasonable suspicion, random (for CDL licensed and safety sensitive employees) and return to duty/follow up testing.
- **WORK ENVIRONMENT:**
  - o Appearance, Attire, and Hygiene: Add this provision to explain the town’s expectations of a professional appearance and explains the consequences if the employee does not conform to the expectation.
  - o Conflict of Interest: Add a provision explaining the town’s expectations of an employee’s professional relationship when serving on a Council appointed committee.
- **USE OF TOWN VEHICLES:** Expand the safety provision of driving town vehicles to include the safe use of cell phones and prohibiting texting while driving.

Council Member Imamura moved to approve Resolution No. 58-19, Series of 2019. Council Member Barchers seconded the motion which passed unanimously upon roll call vote.

### **ACTING TOWN MANAGER’S UPDATE**

Acting Town Manager McDonnell provided a written report and added the following on the Minimum Wage Group:

- They are not meeting anymore.
- The group consensus was that the minimum wage should reside with local control.
- The biggest obstacle is tipped employees.
- Livability in Summit County – minimum wage is only one component. Insurance, housing needs and child care are other components that need to be addressed.
- Three percent of Summit County’s population is making minimum wage.

- On January 7, 2020 at 9:00 a.m. at the BOCC Work Session, the County Commissioners are meeting and will discuss minimum wage and will vote on it at the January 14, 2020 Regular Meeting.

**MAYOR'S UPDATE:**

- Mayor Skowrya attended the Mayors, Managers & Commissioners meeting.
- She encourages Council to read the book, "Drawdown".

**COUNCIL MEMBER COMMENTS:**

There were no Council Member comments.

**EXECUTIVE SESSION:**

- Mayor Skowrya moved to go into Executive Session at 7:27 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. Section 24-6-402(4)(e), specifically to discuss negotiations regarding the Town Manager position. Council Member Kaminski seconded the motion which passed unanimously. No action was taken during the executive session. At 9:27 p.m. Mayor Skowrya concluded the executive session.

**ADJOURNMENT:**

There being no further business, Mayor Skowrya declared the meeting adjourned at 9:27 p.m.

Respectfully submitted by:

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Adrienne Stuckey, Town Clerk