

**TOWN OF DILLON  
TOWN COUNCIL  
REGULAR MEETING**  
Tuesday, October 16, 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, October 16, 2018, at Dillon Town Hall, 275 Lake Dillon Drive, Dillon, CO. Mayor Skowyra called the meeting to order at 7:02 p.m. and the following Council Members answered roll call: Brad Bailey, Jen Barchers, Kyle Hendricks, Karen Kaminski, Renee Imamura, and Mark Nickel. Staff members present were: Tom Acre, Town Manager; Kerstin Anderson, Marketing and Communications Director; Dan Burroughs, Town Engineer; Carri McDonnell, Finance Director; Scott O'Brien, Public Works Director; Ned West, Town Planner; 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:

- a. Minutes of Regular Meeting of October 2, 2018
- b. Approval of Bill List dated October 12, 2018 in the amount of \$314,784.74 and Payroll Ledger dated October 12, 2018 in the amount of \$83,390.81.

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

**CITIZEN COMMENTS**

Emily Mulica and several Dillon Valley residents requested that Council consider an improvement to the Evergreen Road and Highway 6 intersection. Their "Walkable Dillon Valley" group promotes the safety of citizens and pedestrians and solicited over 100 signatures in support of this improvement.

**SWEARING IN OF POLICE SERGEANTS ADAM NANCE AND CALE OSBORN**

Police Chief Mark Heminghous introduced Sergeants Nance and Osborn to Council. Chief Heminghous read the Dillon Police Department Oath and Town Clerk Jo-Anne Tyson administered the oath of office to Sergeant Nance and Sergeant Osborn.

**PRESENTATION BY LAKE DILLON FIRE ON BALLOT ISSUE 6A**

Lake Dillon Fire Chief Jeff Berino stated that Lake Dillon Fire District has placed a ballot issue on the November 6, 2018 ballot asking voter authorization to stabilize property tax revenue. Chief Berino gave an explanation on this issue with relation to the Gallagher Amendment and how it would affect the Fire District.

**PRESENTATION ON BALLOT QUESTION 1A – SUMMIT COUNTY REFERRED MEASURE**

Town Manager Tom Acre reported that Summit County Government has placed a ballot issue on the November 6, 2018 ballot asking voters to approve a temporary 4.7 mill property tax for ten (10) years beginning on January 1, 2019. The levy is expected to generate up to \$8.8 million annually and will fund wildfire preparedness, mental health and suicide prevention, recycling and waste diversion, affordable early childhood care and learning, and improvements to public buildings such as the senior center and libraries. Representatives from each area of interest presented facts in support of their issue.

**CONSIDERATION OF RESOLUTION NO. 54-18, SERIES OF 2018**

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF DILLON, COLORADO, APPROVING A LEVEL IV DEVELOPMENT APPLICATION FOR A CLASS S-2 SUBDIVISION OF LOT 17R, PTARMIGAN TRAIL ESTATES, UNIT 1, DILLON, COLORADO; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Mayor Skowyra opened the public hearing at 7:44 p.m. Town Planner Ned West stated that the Town received a Level IV Development application for the Class S-2 subdivision which divides the existing lot (Lot 17R) into two lots to be named Lot 17R-1 (Alpine Bank) and Lot 17 R-2 (commercial/residential mixed use building) of the Ptarmigan Trail Estates Subdivision Unit 1, Dillon, Colorado. The new lot line was chosen to meet many of the basic code sections for a new lot which include: lot area, lot coverage area, yard setbacks, and providing the required number of parking spaces. This public hearing was published in accordance with public posting requirements as set forth by the Dillon Municipal Code. There being no comment from the public, Mayor Skowyra closed the public hearing at 7:52 p.m.

Council Member Bailey moved to approve Resolution No. 54-18, Series of 2018. Council Member Kaminski seconded the motion which passed unanimously upon roll call vote.

**CONSIDERATION OF RESOLUTION NO. 55-18, SERIES OF 2018**

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF DILLON, COLORADO, APPROVING A LEVEL IV DEVELOPMENT APPLICATION FOR A CLASS S-3 SUBDIVISION OF LOT 17R-2, PTARMIGAN TRAIL ESTATES, UNIT 1, DILLON, COLORADO ADOPTING A CONDOMINIUM MAP; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Mayor Skowyra opened the public hearing at 7:55 p.m. Mr. West reported that the Town received a Level IV Development application for the Class S-3 subdivision which creates residential and commercial condominiums in the mixed-use building on Lot 17 R-2 of the Ptarmigan Trail Estates Subdivision Unit 1, Dillon, Colorado. This public hearing was published in accordance with public posting requirements as set forth by the Dillon Municipal Code. There being no comment from the public, Mayor Skowyra closed the public hearing at 7:59 p.m.

Council Member Barchers moved to approve Resolution No. 55-18, Series of 2018. Council Member Kaminski seconded the motion which passed unanimously upon roll call vote.

**CONSIDERATION OF RESOLUTION NO. 56-18, SERIES OF 2018**

A RESOLUTION AUTHORIZING THE TOWN OF DILLON, COLORADO, TO ENTER INTO A LICENSE TO USE AGREEMENT WITH ICE CASTLE, LLC; AUTHORIZING AND DIRECTING THE APPROPRIATE TOWN OFFICERS TO SIGN THE NECESSARY DOCUMENTS; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Ice Castles, LLC partnered with the Town of Dillon in 2017 to create, maintain and operate castle-like structures made of water and ice with walking paths, lights, slides, music and entertainment. The goal was to provide consistent animation and drive increased sales tax for Dillon Businesses. Marketing and Communications Director Kerstin Anderson stated that this resolution proposes a license to use agreement with Ice Castle, LLC for the 2018 – 2019 winter season. Through Council discussion, several items are being proposed to strengthen the agreement language. These items include:

- Water will not run if temperatures are over 30 degrees
- Removed 30K revenues and added fee to User of \$3 per thousand gallons used up to one million gallons and \$6 per one thousand gallons used after one million per month
- Water conservation techniques will be tested
- Specific boundaries, design/ foot-print and maintenance expectations will be established
- Added language about Buffalo Street and ice removal at User expense
- Closing/clean-up the dates are shortened by a month
- Added reimbursement language should User default on responsibilities
- Added 5% share to Owner for any concessions
- Increased damage deposit to \$10K

Council Member Bailey moved to approve Resolution No. 56-18, Series of 2018. Motion died for lack of second.

Council Member Kaminski moved to approve Resolution No. 56-18 adding language that Dillon businesses have the first right for concessionaire operations and correcting the amount under “Compensation” from \$3.00 per million gallons of water used to \$3.00 per thousand gallons of water used. Council Member Hendricks seconded the motion which passed unanimously upon roll call vote.

### **TOWN MANAGER’S UPDATE**

Town Manager Tom Acre reported on the following items:

- Mayors and Managers meeting: a Fire Ban Committee is being formed to provide consistent fire ban regulations in Summit County, an Eisenhower/Johnson Tunnel transportation bill update was reported, and Town and County updates were provided by respective agencies.
- I-70 Coalition: a Proposition 110 campaign update and four I-70 community updates were provided.
- Forest Service: Bill Jackson and Mr. Acre will be meeting to discuss the forest service property prior to October 31, 2018.
- Vail Health: this group is close to submitting an application.

### **MAYOR’S UPDATE**

Mayor Skowyra stated that she will be attending the upcoming CAST meeting with Manager Acre in Winter Park.

### **COUNCIL MEMBER COMMENTS**

- Council Member Imamura stated the Historical Society meeting will be held on Wednesday, October 17, 2018, 4:00 – 5:30 p.m. at the School House Museum in Dillon.
- Council Member Hendricks inquired if Council would like to publicly support any upcoming ballot issues. Council declined this proposition.

### **EXECUTIVE SESSION**

Mayor Skowyra moved to go into executive session at 7:59 p.m. for the purpose of discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f), and not involving: any specific employees who have requested discussion of the matter in open session; any member of the Town Council, the

appointment of any person to fill a vacancy on the Town Council; or personnel policies that do not require the discussion of matters personal to particular employees; specifically, to discuss the town manager's evaluation. No action was taken during the executive session. At 9:37 p.m. Council concluded the executive session.

**ADJOURNMENT**

There being no further business, Mayor Skowyra declared the meeting adjourned at 9:38 p.m.

Respectfully submitted by:

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Jo-Anne Tyson, MMC, Town Clerk