

**TOWN OF DILLON
TOWN COUNCIL
REGULAR MEETING**
Tuesday, November 20, 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, November 20, 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, and Mark Nickel . Council Members Kyle Hendricks, Karen Kaminski and Renee Imamura were absent (excused). Staff members present were: Tom Acre, Town Manager; Kerstin Anderson, Marketing and Communications Director; Dan Burroughs, Town Engineer; Scott O'Brien; Public Works Director; Jo-Anne Tyson, Human Resources Manager; Ned West; Town Planner; Chief of Police Mark Heminghaus; Adrienne Stuckey, Town Clerk and Administrative Assistant Kelly Stevens.

APPROVAL OF AGENDA

Council removed Agenda Item No. 7, Consideration of Emergency Ordinance No. 11-18, Series of 2018 because Emergency Ordinances require a minimum of five affirmative votes and only four Council Members were present. Council then determined to place this item on the December 4, 2018 Regular Meeting Agenda.

APPROVAL OF CONSENT AGENDA

Council Member Bailey moved to approve the following consent agenda:

- a. Minutes of Regular Meeting of November 6, 2018
- b. Approval of Bill List dated November 16, 2018 in the amount of \$123,773.19 and Payroll Ledger dated November 9, 2018 in the amount of \$80,682.04.

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

CITIZEN COMMENTS

There were no citizen comments.

CONSIDERATION OF ORDINANCE NO. 09-18, SERIES OF 2018

AN ORDINANCE AMENDING CHAPTER 6 OF THE DILLON MUNICIPAL CODE BY ADDING ARTICLE XI REGARDING THE LICENSING OF SHORT-TERM RENTAL UNITS

Town Manager Tom Acre explained proposed short-term rental regulations and concepts to Council. He recapped comments from the October 4, 2018 public input meeting. Concept boards were presented in preparation of this meeting and an additional regulation concept board was created, regarding a grace period for individuals to come into compliance before any enforcement would be implemented. Staff recommends that the ordinance be effective January 1, 2019 with the grace period ending on April 1st of each year.

Primary and Secondary goals are as follows:

Primary Goals:

- Ensure that all properties that are renting short-term are registered with the Town and are paying the applicable sales and lodging taxes.
- Provide Short-Term Rentals with information on Town ordinances for noise, trash/recycling and parking.

Secondary Goals:

- Ensure that Short-Term Rentals meet basic life safety standards.
- Participate in countywide call center for the community to share impacts from Short-Term Rentals and other concerns.

Staff is recommending amending Chapter 6 of the Dillon Municipal Code by adding Article XI regarding the Licensing of Short-Term Rental Units as attached to meet the above goals.

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 7:01 p.m. There being no comments from the public, Mayor Skowrya closed the public hearing at 7:04 p.m.

Council Member Bailey moved to approve Ordinance No. 09-18, Series of 2018. Council Member Barchers seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF ORDINANCE NO. 10-18, SERIES OF 2018

AN ORDINANCE BY THE TOWN COUNCIL OF THE TOWN OF DILLON, COLORADO, REPEALING AND REPLACING IN ITS ENTIRETY CHAPTER 19, "FEES," OF THE DILLON MUNICIPAL CODE FOR THE PURPOSES OF UPDATING FEES ASSOCIATED WITH THE REQUIREMENTS OF THE DILLON MUNICIPAL CODE; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Manager Acre reported that this ordinance amends Chapter 19 of the Dillon Municipal Code with the following changes for 2019:

- Chapter 6 – Sidewalk banner or awning permit eliminated as it is already discussed in Chapter 16.
- Chapter 13, Water Fees, water usage rates increased by 2% as recommended in the 2014 water rate study and to balance the 2019 budget.
- Chapter 13, Water Fees – eliminated the different categories of water usage fees (single family, multi-family and nonresidential) as all fees are the same regardless of customer type.
- Chapter 16, Level IV Development Application Fees for Major PUD Amendment, Class S-1 Subdivisions and Class S-2 Subdivisions increased to more accurately reflect costs associated with review and approval of these applications.
- Chapter 16, Level IV Development Application Fees for Class S-3 Duplexes as there was no category for this type of application.

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 7:11 p.m.

Council Member Nickel moved to approve Ordinance No. 10-18, Series of 2018. Council Member Bailey seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF ORDINANCE NO. 12-18, SERIES OF 2018

First Reading to Set the Public Hearing Date

AN ORDINANCE AMENDING CHAPTERS 6, 7, AND 10 OF THE DILLON MUNICIPAL CODE TO UPDATE STATUTORY REFERENCES TO THE COLORADO REVISED STATUTES PERTAINING TO LIQUOR, BEER, AND SPECIAL EVENT LIQUOR PERMITS.

Human Resources Manager Jo-Anne Tyson stated this ordinance amends Chapters 6, 7 and 10 of the Dillon Municipal Code with statutory references to the Colorado Revised Statutes pertaining to Liquor, Beer, and Special Event Liquor Permits.

House Bill 18-1025 was recently adopted which relocates laws related to the regulation of alcoholic beverages from Title 12 to Title 44 of the Colorado Revised Statutes. As the Dillon Municipal Code (Code) incorporates state statutory provisions relating to beer, liquor, and special event liquor permits by reference to Colorado Revised Statutes, it is necessary to incorporate conforming amendments to the Code.

Council Member Bailey moved to approve Ordinance No. 12-18, Series of 2018 adding the public hearing date to be held on December 4, 2018. Council Member Barchers seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF ORDINANCE NO. 13-18, SERIES OF 2018

First Reading to Set the Public Hearing Date

AN ORDINANCE AMENDING CHAPTER 6 OF THE DILLON MUNICIPAL CODE TO UPDATE STATUTORY REFERENCES TO THE COLORADO REVISED STATUTES PERTAINING TO THE REGULATION OF MARIJUANA

Ms. Tyson stated this ordinance amends Chapter 6 of the Dillon Municipal Code to reflect the recodification of state statutes by House Bill 18-1023, which took effect on October 1, 2018.

House Bill 18-1023 was recently adopted which relocates laws related to the regulation of marijuana from Title 12 to Title 44 of the Colorado Revised Statutes. As the Dillon Municipal Code (Code) incorporates state statutory provisions relating to retail and medical marijuana by reference to Colorado Revised Statutes, it is necessary to incorporate conforming amendments to the Code.

Council Member Barchers moved to approve Ordinance No. 13-18, Series of 2018 adding the public hearing date to be held on December 4, 2018. Council Member Nickel seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. 58-18, SERIES OF 2018

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF DILLON, COLORADO, APPROVING FEES ASSOCIATED WITH TOWN SERVICES; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Manager Acre explained this resolution approves the fees not associated with the municipal code for the 2019 fiscal year. The following changes are being recommended:

- Under miscellaneous fees – Snow storage increases by \$5 per load to cover costs associated with maintaining the snow storage area. Outside contractors use this area to haul snow to when the properties they are plowing do not have adequate snow storage.
- Under special events

- removing farmers market fees associated with LaRiva and Main Street now that the market is located on Lodgepole. When we move the market back to the new venue in 2020 we will review the fees accordingly.
- Removing the fees associated with amphitheater rental. Staff would recommend allowing use of the amphitheater under our special use permit where costs are determined based on need of services.
- Changed the definition for out of season for the park reservations to May 1 to the Thursday before Memorial Day and Tuesday after Labor Day to October 31. Prime season is still the Friday before Memorial Day to the Monday of Labor Day. So, there are no park reservations from November 1 to April 30 as there are no restroom facilities available.
- Under marina rentals – remove runabout rates as we are eliminating them from our fleet due to high maintenance costs.
- Under marina administrative – wait list fee, increasing rate but allowing for 100% refundability in second season.
- Under marina services – added services that we offer that need pricing based on covering staff costs.
- Under marina storage – added rack storage for boats that we currently don't have rates for as this industry is growing.

Under sailing lessons/special services – increased cost of historical tour to cover staff costs

Council Member Bailey moved to approve Resolution No. 58-18, Series of 2018. Council Member Nickel seconded the motion which passed unanimously upon roll call vote

TOWN MANAGER'S UPDATE

Town Manager Tom Acre thanked Town Council for their hard work at the retreat and appreciates Council's solid direction for the future of the town. Manager Acre also met with Bill Jackson and his staff and talked about the potential for workforce housing on the Forest Service's parcel of land on CR51. Moving forward will depend whether the Farm Bill 2018 passes.

MAYOR'S UPDATE

Mayor Skowyra thanked staff for their hard work preparing for the Council retreat. She expressed interest in Town Council writing a newsletter about the retreat. She thanked the Marketing staff for the winter concert.

Mayor Skowyra reminded Town Council about the upcoming events:

- Holiday Celebration with Hazel Miller on 12/5/18 from 5:30 p.m. to 8:30 p.m.
- Lighting of Dillon on 12/7/18 from 4:30 p.m. to 7:00 p.m.

COUNCIL MEMBER COMMENTS

- Council stated the County Workforce Housing project may be on hold.

ADJOURNMENT

There being no further business, Mayor Skowyra declared the meeting adjourned at 7:29 p.m.

Respectfully submitted by:

Adrienne Stuckey, Town Clerk