

**TOWN OF DILLON
TOWN COUNCIL
REGULAR MEETING**
Tuesday, December 4, 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, December 4, 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: Jen Barchers, Kyle Hendricks, Karen Kaminski, Renee Imamura and Mark Nickel. Council Member Brad Bailey was 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; Mark Heminghous, Chief of Police; Suzanne Phillipson, Administrative Assistant 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 November 20, 2018
- b. Approval of Bill List dated November 30, 2018 in the amount of \$108,316.44 and Payroll Ledger dated November 23, 2018 in the amount of \$80,368.51.
- c. Excused Absences for Council Members Hendricks, Kaminski and Imamura for the November 20, 2018 Town Council Meeting.

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

CITIZEN COMMENTS

Citizen Rick Bell spoke of concerns he had regarding the Sail Loft construction debris, including nails and dust, reversing construction vehicles, their omission of a signaler, and the lack of access to sidewalks. He voiced his concern for the residents who no longer have a bus shelter while waiting for public transportation and expressed his dismay over the potential for having more paid concerts at the amphitheater. He finished with thanking Town Council for listening to his concerns.

CITIZENS RECOGNITION:

Mayor Skowyra recognized Dillon residents Franke and Maya Fiedler, for taking life saving measures for Ryan Jenson. Maya initially heard Mr. Jenson choking while walking nearby the Best Western Hotel. The ladies quickly located Mr. Jenson on the second-floor lobby and Franke performed abdominal thrusts on him which partially cleared his obstruction, allowing Mr. Jenson to breathe. They were both presented the Life Saving Award by Mayor Skowyra.

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

Second Reading and Public Hearing

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.

Mayor Skowyra opened the public hearing at 7:10p.m.

This public hearing was published in accordance with public posting requirements as set forth by the Dillon Municipal Code. There being no comments from the public, Mayor Skowyra closed the public hearing at 7:12 p.m.

Council Member Barchers moved to approve Ordinance No. 12-18, Series of 2018. Council Member Imamura seconded the motion which passed unanimously upon roll call vote.

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

Second Reading and Public Hearing

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.

Mayor Skowyra opened the public hearing at 7:13 p.m.

This public hearing was published in accordance with public posting requirements as set forth by the Dillon Municipal Code. There being no comments from the public, Mayor Skowyra closed the public hearing at 7:14 p.m.

Council Member Imamura moved to approve Ordinance No. 13-18, Series of 2018. Council Member Hendricks seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF ORDINANCE NO. 14-18, SERIES OF 2018

First Reading to Set the Public Hearing Date

AN ORDINANCE EXTENDING THE TEMPORARY MORATORIUM ON THE SUBMISSION,

ACCEPTANCE, PROCESSING, OR APPROVAL OF ANY REQUEST FOR PAYMENT OF LIEU OF DEFICIENT PARKING SPACES TO ALLOW ADDITIONAL TIME FOR PARKING STUDY.

Manager Acre reported that Council and staff discussed a change in the way an application of the Parking Fee in Lieu is handled 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. Staff has proposed a new fee structure. Before the fee cost is finalized, Council and staff believe the completion of a parking study is needed to evaluate the fee cost, the cost to provide a central parking area and the number of parking spaces available for development.

Council Member Nickel moved to approve Ordinance No. 14-18, Series of 2018 and set the Public Hearing Date to December 18, 2018. Council Member Kaminski seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. 59-18, SERIES OF 2018

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 2018 BUDGET YEAR.

Manager Acre explained this resolution allows the Town to amend the 2018 budget for the following:

General Fund

- *Town Concerts, to be paid from revenues from concerts* \$52,000
For additional costs associated with increased crowds such as security, concession products
- *Winter Events to be paid from revenues from Ice Castles* \$22,000
The original budget did not include enough revenues or expenditures for the Ice Castles event as we were unsure of its actual impact when the budget was presented.
- *Local Improvement Incentives to be paid from sales tax* \$100,000
This is the increase in the amount of sales tax rebates for existing and new agreements due to increased sales tax
- *Training for police officers to be paid from POST grant* \$23,000
This is training for police officers that is being covered by a grant

Water Operating Fund

- *Treatment Costs to be paid from unappropriated fund balance* \$21,000
Comes from increases in chemical costs and maintenance
- *Legal to be paid from unappropriated fund balance* \$37,000
Legal costs are difficult to predict each year and vary by year.
Increases come from due diligence on water rights and negotiations for the interconnect with Silverthorne and Dillon Valley

Marina Fund

- *Costs associated with increases in revenues* \$187,000
All of these expenses have increased as a result of our increases in revenues. Revenues are anticipated to be up 12% or \$203k over budget.
- *Dock Improvements to be paid from fund balance* \$ 127,000

The A dock cost increased as discussed with Council at the February 6 meeting.

Housing 5A Fund

- *Administrative Fee to be paid from sales tax* \$3,000
The original budget projection was lower than anticipated when the budget was adopted in December and there were additional costs for assistance from the housing authority for our workforce housing projects.
- *Fiber Optic relocation to be paid from sales tax* \$13,000
This is the additional costs associated with the Sail Lofts development agreement. The project includes 12 workforce housing units so housing 5A funds can be used for this development requirement. Sales tax collections from 5A collections have increased to cover these costs.

Total \$16,000

Council Member Kaminski moved to approve Resolution No. 59-18, Series of 2018. Council Member Hendricks seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. 60-18, SERIES OF 2018

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF DILLON, COLORADO, ADOPTING THE BUDGET FOR THE TOWN OF DILLON, COLORADO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2019 AND SUMMARIZING THE REVENUES AND EXPENDITURES FOR EACH FUND.

Manager Acre explained this resolution approves the adoption of the 2019 budget. The 2019 total revenues are \$13,375,595 with a beginning fund balance of \$8,621,547. 2019 total expenditures are \$13,936,493. Total reserves for all funds are \$6,173,473 leaving a fund balance of \$1,887,176 at 12/31/19. This adoption includes the Summit County Telecommunications Consortium (SCTC) with revenues of \$185,449 and expenditures of \$211,187.

Council Member Barchers moved to approve Resolution No. 60-18, Series of 2018. Council Member Imamura seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. 61-18, SERIES OF 2018

A RESOLUTION LEVYING GENERAL PROPERTY TAXES FOR THE TAXABLE YEAR 2018 TO HELP DEFRAY THE COSTS OF MUNICIPAL GOVERNMENT FOR THE TOWN OF DILLON, COLORADO FOR THE 2019 BUDGET YEAR.

Manager Acre explained the mill levy must be certified to the Summit County BOCC prior to December 15, 2018 and therefore must be approved at this Council meeting. This resolution approves the property tax mill levy for the 2019 budget year. The assessed valuation for the town decreased by .59% or \$401,540. The general operating mill levy will be 3.351, which is split between the General Fund (2.873) and Capital Improvement Fund (.476).

Council Member Hendricks moved to approve Resolution No. 61-18, Series of 2018. Council Member Kaminski seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. 62-18, SERIES OF 2018

A RESOLUTION APPROPRIATING SUMS OF MONEY TO DEFRAY EXPENSES AND

LIABILITIES OF THE TOWN OF DILLON, COLORADO FOR THE 2019 BUDGET YEAR.

Manager Acre explained this resolution appropriates the money for the 2019 expenditures by fund based on the 2019 budget. The total expenditures of \$14,258,493 will be paid from the total estimated fund balance at 12/31/18 of \$8,621,547 and 2019 revenues of \$13,697,595.

Council Member Imamura moved to approve Resolution No. 62-18, Series of 2018. Council Member Barchers seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. 63-18, SERIES OF 2018

A RESOLUTION AUTHORIZING THE TOWN OF DILLON, COLORADO, TO ENTER INTO AN ADOPTION AGREEMENT FOR THE FPPA MULTI-EMPLOYER DEFERRED COMPENSATION PLAN AND TRUST AGREEMENT FOR ITS ELIGIBLE EMPLOYEES; AUTHORIZING AND DIRECTING THE APPROPRIATE TOWN OFFICERS TO SIGN THE NECESSARY DOCUMENTS; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Manager Acre explained the Town currently provides 10% to the FPPA program. Current Police Department staff has inquired about additional retirement opportunities through FPPA. The FPPA Multi-Employer Deferred Compensation Plan and Trust Agreement allows eligible employees to enhance their retirement security by deferring compensation and receiving benefits at retirement, death, separation from service, or for financial hardships due to unforeseeable emergencies. This Plan is voluntary and available to any eligible employee.

Council Member Imamura moved to approve Resolution No. 63-18, 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:

- He attended the Manager's Meeting at the Summit County Chambers and they discussed a Faith Based Health Care where a group of people come together to share health care costs and is eligible for part-time employees. The County Manager stated with the passing of 1A the County is focused on choosing projects and setting their budgets.
- He stated that the F.C.C. is proposing to give cable companies relief from paying fees to community channels. Ryan Hyland and Ken Feldman are watching this closely.
- At the I-70 Coalition meeting, they discussed the future of autonomous shuttle vehicles and testing them in select areas for data compilation.

Town Manager Tom Acre reminded everyone to R.S.V.P. to the Holiday Party being held at the Red Mountain Grill, December 13, 2018, 5:30 – 8:30 p.m.

MAYOR'S UPDATE

Mayor Skowyra agreed with Rick Bell's concerns regarding the needs for a signaler and/or flagger for backing construction vehicles and visibly marked safe sidewalk routes. For future construction projects, a safe clearly-marked sidewalk route should be the Town's priority.

COUNCIL MEMBER COMMENTS

- Council Member Kaminski inquired about the plowed paths near Lake Cliff Condos. Public Works Director Scott O'Brien replied that the Town is plowing the Ptarmigan side.
- Council Member Barchers asked to get updates from Mr. Burroughs regarding the CMC and Sail Lofts discussion.

ADJOURNMENT

There being no further business, Mayor Skowyra declared the meeting adjourned at 7:41 p.m.

Respectfully submitted by:

Adrienne Stuckey, Town Clerk