

**TOWN OF DILLON
TOWN COUNCIL
REGULAR MEETING**
Tuesday, January 15, 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, January 15, 2019, at Dillon Town Hall, 275 Lake Dillon Drive, Dillon, CO. Mayor Pro Tem Mark Nickel called the meeting to order at 7:05 p.m. and the following Council Members answered roll call: Brad Bailey, Jen Barchers, Kyle Hendricks, Renee Imamura and Karen Kaminski. Mayor Carolyn Skowyra was absent (excused). Staff members present were: Kerstin Anderson, Marketing and Communications Director; Dan Burroughs, Town Engineer; Ned West, Town Planner; Scott O'Brien, Public Works Director; Mark Heminghous, 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 Barchers moved to approve the following consent agenda:

- a. Minutes of Regular Meeting of December 18, 2018
- b. Approval of Bill List dated January 11, 2019 in the amount of \$454,916.93 and Payroll Ledger dated January 4, 2019 in the amount of \$ 81,430.94.
- c. Excused Absence for Council Members Barchers and Imamura for the December 18, 2018 Town Council Meeting.

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

CITIZEN COMMENTS

There were no citizen comments.

Citizen Carla Johnson played a video "The Cycle Effect in 2018" for Council and those present. The Cycle Effect's mission is to empower young women through mountain biking to create brighter futures and build stronger communities. The video showed how The Cycle Effect has made a difference in these young women's lives.

SWEARING IN OF OFFICER KARA HALL

Police Chief Mark Heminghous introduced Officer Hall to Council. Chief Heminghous read the Dillon Police Department Oath and then administered the oath of office to Officer Hall.

CONSIDERATION OF RESOLUTION NO. 01-19, SERIES OF 2019

A RESOLUTION APPROVING A LEVEL IV DEVELOPMENT APPLICATION FOR A CLASS S-2 SUBDIVISION TO BE KNOWN AS THE DILLON RIDGE MARKETPLACE REPLAT E.

Town Planner Ned West explained this Class S-2 Subdivision application consists of approving the “Dillon Ridge Marketplace Replat E” plat which creates one new lot called BLOCK 12R, vacates the existing interior lot lines between the four lots and related utility easements and combines four existing lots into this new single lot to support the development of a medical center. Mr. West described the existing Lots as follows:

- **Block 14**, Dillon Ridge Marketplace Replat D according to the plat recorded on March 24, 2004 as Reception No. 750675, County of Summit, State of Colorado (Owned by Dillon Ridge Marketplace III)
- **Blocks 12 and 13**, Dillon Ridge Marketplace Replat D according to the plat recorded on March 24, 2004 as Reception No. 750675, County of Summit, State of Colorado (Owned by Dillon Ridge Investments, LLC)
- **Future Phase Tract B**, according to the plat titled “Lookout Ridge Townhomes Phase I,” recorded on June 27, 2001 as Reception No. 655933, County of Summit, State of Colorado (Owned by Dillon Ridge Investments, LLC)

Replat E will also dedicate new easements for the purposes of public utilities, Town of Dillon water infrastructure, Town of Dillon sanitary sewer infrastructure, Town of Dillon Right of Way, public sidewalks and public access, Town of Dillon snow storage, business area directory signage, and drainage and detention.

Council Member Bailey moved to approve Resolution No. 01-19, Series of 2019. Council Member Imamura seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF ORDINANCE NO. 01-19, SERIES OF 2019

Second Reading and Public Hearing

AN ORDINANCE APPROVING A VARIANCE AND ADOPTING AND APPROVING A PUD DEVELOPMENT PLAN FOR THE DILLON MEDICAL BUILDING.

Mr. West stated the Town has received a Level IV Development Application for the Dillon Medical Building PUD Development Plan (the “Application”) to be located on Blocks 12, 13, & 14 of the Dillon Ridge Marketplace Subdivision and Tract B of the Lookout Ridge Townhomes Phase I Subdivision. Per Dillon Municipal Code, § 16-5-130(e)(2), PUD Development Plans are approved by ordinance. The project will include site grading and utility infrastructure installations, detention pond reconfiguration, the construction of an approximately 100,000 square foot medical office and clinic building in two phases, and the construction of a parking structure for approximately 293 parking spaces on three levels.

Mayor Pro Tem Nickel opened the public hearing at 7:23 p.m.

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

VP Real Estate Development at Vail Health, Craig Cohn, spoke on behalf of Vail Health, Vail Summit Orthopaedics, The Steadman Clinic and Howard Head Sports Medicine. He stated back in August, they heard the following concerns and questions from citizens:

- Would the project design have Dillon’s Mountain Lake Style aesthetics?
- Integration with the project site was important as well as being sensitive to adjacent residential neighborhoods
- There is need for a pedestrian easement to provide access to future trail connections along Hwy 9 to Lake Dillon Drive
- Addressing improvements to transportation and housing needs was important.

Mr. Cohn stated these concerns have been addressed and are included in the Dillon Medical Building PUD Development Plan.

Doris Kirchner, current CEO of Vail Health and moving to a planning position, spoke of looking forward to having a long-term real relationship with the Town of Dillon.

Dr. Nathan Cafferky, specializing in Orthopaedics at Vail Health, spoke of his excitement to be involved in this project.

Tom Braun, of Braun Associates, Inc. Land Planning and Community Development, explained the planning approach to this project is an integration with the existing terrain and building mass. The proposed solution to this site condition is to bench the building into the hillside and step the building mass from north to south. The result is a building that is viewed as one level along its frontage with Dillon Ridge Road with 700’ of frontage and three levels from Highway 6. He also said the Dillon Medical Building will be developed into two phases. Phase I will be approximately 75,000 square feet and 293 parking spaces and will include an Urgent Care, Surgery Center, 72-hour recovery rooms, Ortho Clinics, Howard Head PT, Imaging, Sterile Processing, Retail Pharmacy and Support Space. Dillon will be a destination for the patients and offer new services and alleviate the leakage of patients who now travel to Eagle and Denver for care.

Then, Cassie Slade, from Fox Tuttle Hernandez Transportation Group, LLC, explained that her company prepared a traffic impact study for the development of the Dillon Medical Building in Dillon. The purpose was to identify potential traffic impacts within the study area as a result of this project. The study addressed existing short-term (year 2022) and long-term (year 2038) peak hour intersection conditions in the study area with and without the projected generated traffic. Town staff provided historic count data for N. Dillon Dam Road to determine the most appropriate time periods to gather data. The Town also requested additional count data to be collected over Labor Day Weekend during the Saturday afternoon to capture holiday traffic.

Ms. Slade explained the proposed Dillon Medical Building will create new trips, also known as “primary trips”, specifically to visit the medical center. These trips would not have been made if the proposed project did not exist. A trip generation estimate was performed for both Phases and the trips are summarized below:

Period	Phase 1	Phase 2	Total (Full Build-out)
Weekday Daily	1,565	653	2,218
Weekday Midday	126	52	178
Weekday PM	147	64	211
Saturday Daily	647	206	853
Saturday PM	78	25	103

She then explained that the data showed that the study intersections will not be significantly impacted for the short-term (Phase 1) scenario nor the long-term (Phase 2) build-out scenario. It was also determined that the existing roadway and intersection network can serve the site added traffic volumes in the short-term and long-term scenarios and that there was not a need for any road modifications.

Town Planner West informed Council that the Army Corps of Engineers determined that Lot 14 of this parcel was not categorized as wetlands. In this case, the stormwater detention facility was constructed in what is now a non-jurisdictional location and the only flows into the detention facility are supplied by stormwater runoff from the adjacent areas.

Public comment was made by the following individual:

- Scott Downen, Frisco: Mr. Downen feels this is a wonderful project with a great team but is concerned about the locations of the dumpster and service bay which is across from Dillon Ridge Apartments. He was curious as to where entrance to the service bay would be located and location of the dumpster enclosures. He also requested that the proposed project lower the 37' upper level screening.

There being no further comments from the public, Mayor Pro Tem Nickel closed the public hearing at 8:44 p.m.

Council Member Imamura moved to approve Ordinance No. 01-19, Series of 2019. Council Member Bailey seconded the motion which passed unanimously upon roll call vote.

Mayor Pro Tem Nickel stated, Ordinance No. 01-19 is properly before the Council. He asked if there was a motion to amend the Ordinance, by making changes to Exhibit B of the PUD Development Plan?

Council Member Imamura moved to approve Ordinance No. 01-19, Series of 2019 as amended. Council Member Kaminski seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF ORDINANCE NO. 02-19, SERIES OF 2019

First Reading to Set the Public Hearing Date

AN ORDINANCE APPROVING A LEVEL IV DEVELOPMENT APPLICATION FOR A MAJOR AMENDMENT TO THE DILLON HOMEWOOD SUITES PUD DEVELOPMENT PLAN.

Mr. West explained the Town has received a Level IV Development Application for a Major PUD Amendment to the Dillon Homewood Suites PUD Development Plan to be located at 122 Lake Dillon Drive. Per Dillon Municipal Code, § 16-5-130(e)(2), PUD Development Plans are approved by ordinance.

Council Member Bailey moved to approve Ordinance No. 02-19, Series of 2019 adding the public hearing date to be held on February 5, 2019. Council Member Imamura seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. 02-19, SERIES OF 2019

A RESOLUTION OF THE TOWN OF DILLON, COLORADO DESIGNATING THE PUBLIC PLACES FOR POSTING MEETING NOTICES; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Town Clerk Adrienne Stuckey reported that Colorado law requires that municipalities designate the public place(s) to post meeting notices at the first regular meeting of each calendar year. This resolution designates the Dillon Town Hall and Dillon Post Office as the places for posting meeting notices.

Council Member Kaminski moved to approve Resolution No. 02-19, Series of 2019. Council Member Barchers seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. 03-19, SERIES OF 2019

A RESOLUTION AUTHORIZING THE TOWN OF DILLON, COLORADO, TO ENTER INTO AN EMPLOYMENT AGREEMENT FOR ACTING TOWN MANAGER; AUTHORIZING AND DIRECTING THE APPROPRIATE TOWN OFFICERS TO SIGN SAID AGREEMENT; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Public Works Director Scott O'Brien stated this resolution approves an employment agreement with Finance Director Carri McDonnell to serve as acting town manager until further notice. By charter, the Mayor is required to appoint the acting Town Manager, however, the employment agreement and pay considerations must be approved by the Town Council. The pay amount has been negotiated at an additional \$3,000/month. He stated this is the same amount paid in 2017, 2014 and 2012.

Council Member Imamura moved to approve Resolution No. 03-19, Series of 2019. Council Member Bailey seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. 04-19, SERIES OF 2019

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF DILLON, COLORADO, ACTING IN ITS CAPACITY AS THE LOCAL LICENSING AUTHORITY, PURSUANT TO THE COLORADO BEER CODE, COLORADO LIQUOR CODE AND SPECIAL EVENT CODES, DELEGATING AUTHORITY TO EXAMINE AND APPROVE CERTAIN LICENSING PROCEDURES TO THE DILLON TOWN CLERK.

Ms. Stuckey explained that SB 16-197 and SB 18-243 allow for the transition of current 3.2% Beer Licenses to Fermented Malt Beverage licenses beginning January 1, 2019. This process requires the licensee to file a "Modification of Premise" application with the Town Clerk for dual licensing approval: local level and state level approval. In 2008, changes were made to the Colorado Beer Code and Colorado Liquor Code allowing the delegation of authority from the Local Licensing Authority to the Town Clerk to approve several administrative duties and minor changes to liquor licenses including: liquor license renewals, temporary permits, changes of corporate structure, changes of trade name or corporate name, and manager registration. Town Council approved Resolution No. 43-08, Series of 2008 authorizing this change. She stated with the passing of SB 16-197 and SB 18-243, staff is requesting the authority to also administratively approve liquor license modification of premise applications. Staff is also requesting administrative authority to authorize tasting permits in retail liquor stores.

Council Member Barchers moved to approve Resolution No. 04-19, Series of 2019. Council Member Kaminski seconded the motion which passed unanimously upon roll call vote.

ACTING TOWN MANAGER'S UPDATE

Acting Town Manager Carri McDonnell was not present. Staff requested that Council review the RG & Associates Development Regulations Assessment Report and if they had any questions, to please e-mail Town Manager Tom Acre or Acting Town Manager McDonnell.

MAYOR'S UPDATE

Mayor Pro Tem Nickel did not provide an update.

COUNCIL MEMBER COMMENTS

There were no comments from Council.

ADJOURNMENT

There being no further business, Mayor Pro Tem Nickel declared the meeting adjourned at 9:15 p.m.

Respectfully submitted by:

Adrienne Stuckey, Town Clerk