

*RECORD OF PROCEEDINGS*

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**TOWN OF DILLON  
TOWN COUNCIL  
REGULAR MEETING**  
Tuesday, November 19, 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, November 19, 2019, at Dillon Town Hall, 275 Lake Dillon Drive, Dillon, CO. Mayor Carolyn Skowrya called the meeting to order at 7:05 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; Kerstin Anderson, Marketing & Communications Director; Dan Burroughs, Town Engineer; Ned West, Town Planner; Craig Simson, Marina Director; Mark Heminghaus, 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 Kaminski moved to approve the following consent agenda.

- a. Minutes of Regular Meeting of November 5, 2019.
- b. Approval of Bill List dated November 15, 2019 in the amount of \$170,659.78 and Payroll Ledger dated November 8, 2019 in the amount of \$76,550.65.
- c. Consideration of Ordinance No. 15-19, Series of 2019  
First Reading to Set the Public Hearing  
**AN ORDINANCE AMENDING THE DILLON MUNICIPAL CODE CONCERNING  
THE DISPOSITION OF UNCLAIMED PROPERTY.**

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

**CITIZEN COMMENTS**

There were no citizen comments.

**CONSIDERATION OF ORDINANCE 13-19, SERIES OF 2019**

Second Reading and Public Hearing

**AN ORDINANCE AMENDING CHAPTER 6 OF THE DILLON MUNICIPAL CODE  
CONCERNING THE SALE OF DOGS AND CATS BORN OR RAISED IN INHUMANE  
COMMERCIAL BREEDING FACILITIES.**

Mayor Skowrya opened the public hearing at 7:08 p.m.

Acting Town Manager Carri McDonnell explained this ordinance prohibits pet stores in Dillon from selling dogs or cats effective immediately. There were exceptions amended to the ordinance so that

hobby breeders, animal care facilities and animal rescue organizations and animal shelters are not included in the prohibition.

A public comment was made by Joyce Cohen, 604 CR 672, Breckenridge, and she stated that 99% of pets sold in pet stores come from puppy mills. Hobby Breeders do not sell to pet stores. Banning the sale of dogs and cats in pet stores essentially bans puppy mill sales.

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

There being no further comments from the public, Mayor Skowrya closed the public hearing at 7:13 p.m.

Council Member Bailey moved to approve Ordinance No. 13-19, Series of 2019. Council Member Kaminski seconded the motion which passed six to one with Council Member Nickel in opposition.

**CONSIDERATION OF ORDINANCE NO. 14-19, SERIES OF 2019**

Second Reading and Public Hearing

**AN ORDINANCE APPROVING A LEVEL IV DEVELOPMENT APPLICATION FOR A PUD SIGN PLAN FOR THE DILLON FIRE STATION.**

Mayor Skowrya opened the public hearing at 7:15 p.m.

Paul Clukies, House of Signs at 221 Main St Frisco, explained The Fire Authority, Summit Fire & EMS have become one entity and are branding as the organizations have become one and involves new signage for the individual fire stations, one of which is the Dillon Fire Station. House of Signs designed a sign and went through the permit process and the sign permit was denied because of the sign's size was too big. To date, they have gone through the steps of Planned Unit Development Sign Plan review and approval process

Ned West, Town Planner, explained the existing sign is 44' and was approved in 1998 by the Town Manager. The current sign is about to fail and if the Town goes by the current Sign Plan, the new sign will not be to scale with the building's size. The new sign, approximately 31' in length and 115.9 square feet including the letters and logos. An additional sign is proposed as the Address Identification Plaque at an additional 8.2 square feet. The applicant believes the new proposed sign will provide high recognition and community consistency for emergency services building identification and the benefits of this, offset the proposed exceptions to the underlying zoning district and the subdivision regulations.

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

There being no further comments from the public, Mayor Skowrya closed the public hearing at 7:24 p.m.

Council Member Imamura moved to approve Ordinance No. 14-19, Series of 2019. Council Member Barchers abstained from the vote as she is a Summit Fire & EMS board member. Council Member Bailey seconded the motion which passed unanimously upon roll call vote.

**CONSIDERATION OF RESOLUTION NO. 55-19, SERIES OF 2019**  
**A RESOLUTION APPROVING A RESTRICTIVE HOUSING COVENANT AND AGREEMENT FOR THE UPTOWN 240 DEVELOPMENT.**

Acting Town Manager McDonnell explained a condition of approval of the Uptown 240 PUD development plan was for the Developer to enter a restrictive housing covenant with the Town of Dillon to restrict nine (9) of the eighty (80) condominium units as workforce housing (11.25%). The applicant proposed smaller workforce housing units to be sold at market rate instead of requiring them to be sold at a reduced price or to be sold with an AMI price restriction. The restrictive covenant would simply require that qualified occupants be full-time residents and work within Summit County for a minimum of 30 hours per week.

Acting Town Manager McDonnell added the only change since Council saw the covenant and agreement in March was to add language in Section 8.7 Rentals, allowing the workforce housing units to be rented until they are sold. This would only be allowed prior to the initial sale and the renter works 30+ hours per week in Summit County. Rentals are allowed as long as the owner occupies the unit

Council Member Imamura moved to approve Resolution No. 55-19, Series of 2019. Council Member Kaminski seconded the motion which passed unanimously upon roll call vote.

**CONSIDERATION OF RESOLUTION NO. 56-19, SERIES OF 2019**  
**A RESOLUTION OF THE TOWN OF DILLON APPROVING THE TOWN OF DILLON 2020 SALARY SCALES.**

Acting Town Manager McDonnell explained the town code requires that Council review the salary scales periodically. Staff did a salary survey and compared the salary scales from the Towns of Breckenridge, Frisco and Silverthorne and Summit County Government for determining the average minimum pay amounts. Staff suggested using the minimum for comparisons and then apply the 40% range for all positions. Staff also suggested reviewing the salaries annually.

Acting Town Manager McDonnell stated there are three new positions included:

Plant Operator CD – this position is a lower level to our current Plant Operator position. We have changed the current position to Plant Operator AB and now we have an entry level position for those with minimal certifications upon hire. •

Mechanic – this is the new mechanic position at the marina that staff discussed with Council during the marina budget presentation.

Assistant Public Works Director – this position was also discussed during the budget discussions. This will be an assistant to the Public Work Director and replaces a maintenance worker position that is currently vacant.

Staff is recommending payroll adjustments if the employee is not on the scale or is significantly lower on the scale then where they should be based on their tenure with the Town. The payroll adjustments are \$28,000 in 2020.

Council Member Bailey moved to approve Resolution No. 56-19, Series of 2019. Council Member Kaminski seconded the motion which passed unanimously upon roll call vote.

**CONSIDERATION OF RESOLUTION NO. 57-19, SERIES OF 2019**  
**A RESOLUTION APPROVING A VOLUNTARY COLLECTION AGREEMENT FOR TOWN OF DILLON LODGING TAX.**

This agreement will allow AIRBNB to collect lodging taxes for properties in Dillon. Currently, AIRBNB has an agreement with the state to collect sales tax for the Town but are not collecting lodging tax and must be remitted by the property owner. The agreement does not allow the Town to know who AIRBNB is collecting for, but Dillon has properties licensed under the new short-term license regulations and will be able to track who is using AIRBNB. By entering into this agreement, there will be less confusion for the property owner because all their sales and lodging taxes will be paid by AIRBNB and the enforcement will be less for town staff.

Council Member Kaminski moved to approve Resolution No. 57-19, Series of 2019. Council Member Bailey 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:

- She and Council Member Barchers attended the Minimum Wage Workgroup meeting. Council Member Barchers said the workgroup presented the results of the survey which included approximately 900 participants. However, it was not a large sample of Summit County's population.

Acting Town Manager then asked Council if they were willing to do a small-scale increase in minimum wage to hold Dillon's place in line with the State to be able to adjust the local minimum wage in future. She added that the other local towns didn't feel that holding their place in line was necessary because only Denver and Summit County have shown interest. The towns did not want to make a decision because they needed more information, did not want to rush this process and wanted to wait until the workforce group made recommendations.

Acting Town Manager McDonnell asked Council what their thoughts were on increasing the minimum wage.

Council agreed with the other towns and wanted more information before they made a decision to raise minimum wage.

- At the Mayors', Managers' and Commissioners' Meeting, they discussed hiring a lobbying group, \$8000-\$10,000/month and Dillon's portion would be \$1600-\$2000/month. They would concentrate on transportation, specifically Exit 203 and Exit 205 capacity increases, auxiliary lanes between Frisco and Silverthorne, state funding for Housing Helps programs, electric charging stations, electric buses, transit connections and funding for transit centers.

Acting Town Manager asked if Council was interested in moving forward in sharing costs with the other towns.

Council was interested but wanted more information and asked that the lobbying group present at the December 3, 2019 Work Session.

- Denver Water is not ready to present Dillon with a long-term lease because they have concerns about the Town's hazardous materials near Lake Dillon. They did offer a one-year extension but as soon as the new lease is completed, Acting Town Manager McDonnell said the Town would move forward with that lease.

**MAYOR'S UPDATE:**

- Mayor Skowyra attended the Lookout Ridge Homeowners Association meeting along with Scott O'Brien, Public Works Director and Acting Town Manager McDonnell.
- Mayor Skowyra met with Congressman Joe Neguse. Congressman Neguse invited mayors and asked that they bring issues specific to each town. Mayor Skowyra brought up the traffic issue

on Highway 6. He had heard about the CR 51 project and was excited about it and offered his office's assistance to help Dillon look for grants once the project was moving forward.

- Mayor Skowyra attended the Exit205 business breakfast meeting. All the Dillon and Silverthorne business owners were invited. The state demographer was present and said that Summit County's largest population are in their twenties. She said they watched the Exit205 video and asked if they could watch the video at the next Council meeting.

#### **COUNCIL MEMBER COMMENTS:**

- Council Member Barchers attended the Zero Waste Task Force meeting. Some of the items discussed at the meeting were:
  - Thirty percent of Summit County's recycled materials are contaminated. The committee's goal is to reduce that number to twenty percent.
  - A majority of Summit County's population does not believe that the items are getting recycled. Some citizens have seen local trash companies combining the trash and recycling.
  - Half of our waste is food, particularly because Summit County has so many restaurants. However, the composting program is going well.
  - Re-education and trust are key issues within the community to address the recycling issues.

#### **EXECUTIVE SESSION**

- *An Executive Session* pursuant to Section 3-4(a)(1) of the Town of Dillon Home Rule Charter, and C.R.S. Section 24-6-402(4)(e), for the purposes of determining positions, developing strategy and instructing negotiators relative to matters that may be subject to negotiation, specifically pertaining to an economic incentive agreement for Elevation Bowl. No action was taken during the executive session. At 8:26 p.m. Council concluded the executive session.
- *An Executive Session pursuant to Section 3-4(a)(1) of the Town of Dillon Home Rule Charter*, for the purpose of a 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 this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees; specifically, to discuss town manager applications. No action was taken during the executive session. At 9:22 p.m. Council concluded the executive session.

#### **ADJOURNMENT:**

There being no further business, Mayor Skowyra declared the meeting adjourned at 9:23 p.m.

Respectfully submitted by:

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Adrienne Stuckey, Town Clerk