

RECORD OF PROCEEDINGS

**TOWN OF DILLON
TOWN COUNCIL
REGULAR MEETING**
Tuesday, February 18, 2020
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, February 18, 2020, at Dillon Town Hall, 275 Lake Dillon Drive, Dillon, CO. Mayor Carolyn Skowyra called the meeting to order at 7:03 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; Mark Heminghous, Chief of Police; Dan Burroughs, Town Engineer; Kerstin Anderson, Marketing & Communications Director; Scott O'Brien, Public Works Director and Adrienne Stuckey, Town Clerk.

APPROVAL OF AGENDA

Agenda item #5 was amended to a First Reading to Set the Public Hearing because it was not published in accordance with public posting requirements as set forth by the Dillon Municipal Code.

APPROVAL OF CONSENT AGENDA

Council Member Kaminski moved to approve the following consent agenda:

- a. Minutes of Regular Meeting of February 4, 2020
- b. Approval of Bill List dated February 14, 2020 in the amount of \$439,552.68 and Payroll Ledger dated February 14, 2020 in the amount of \$81,018.28.
- c. Excused Absence for Council Member Bailey for the February 4, 2020 Town Council Regular Meeting.
- d. Consideration of Ordinance No. 05-20, Series of 2020
First Reading to Set the Public Hearing
**AN ORDINANCE AMENDING CHAPTER 19 OF THE DILLON MUNICIPAL CODE
TO ADD APPLICATION FEES FOR APPEALS OF ADMINISTRATIVE
INTERPRETATIONS AND ZONING DECISIONS.**

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

CITIZEN COMMENTS

Don Parsons, 140 LaBonte St, Dillon, stated he was in opposition to a marijuana consumption lounge in Dillon. He expressed his concerns that the lounge would expose employees and the police department to second-hand smoke and possibly contractors when they worked on the building. He doesn't believe there is a ventilation system that can adequately remove the second-hand smoke.

CONSIDERATION OF ORDINANCE NO. 03-20, SERIES OF 2020

First Reading to Set the Public Hearing

AN ORDINANCE AMENDING CHAPTER 11 OF THE DILLON MUNICIPAL CODE TO PERMIT CLASS 1 ELECTRICAL ASSISTED BICYCLES TO TRAVEL ON BIKE PATHS AND OTHER PATHWAYS IN TOWN. TO INCREASE THE COMPENSATION OF TOWN COUNCIL MEMBERS; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Scott O'Brien, Public Works Director, explained the Colorado General Assembly adopted, and the Governor signed into law House Bill 17- 1151, providing that, subject to local authority, certain types of electrical assisted bicycles may travel on bike or pedestrian paths where bicycles are authorized to travel. On April 23, 2019, the Board of County Commissions approved Resolution No. 2019-27 amending the regulations for Summit County Open Space and Trails to permit Class I electrical assisted bicycles to travel on the Summit County Recreational Pathway System. This ordinance would allow the use of Class I electrical assisted bicycles in the Town of Dillon.

Council Member Bailey moved to approve Ordinance No. 03-20, Series of 2020 adding the public hearing date to be held on March 3, 2020. Council Member Kaminski seconded the motion which passed 6-1 with Council Member Hendricks in opposition.

CONSIDERATION OF ORDINANCE NO. 04-20, SERIES OF 2020

Second Reading to Set the Public Hearing

AN ORDINANCE REPEALING AND RE-ENACTING WITH AMENDMENTS ARTICLES I AND II OF CHAPTER 16 OF THE DILLON MUNICIPAL CODE.

Mayor Skowrya opened the public hearing at 7:29 p.m.

Acting Town Manager Carri McDonnell explained this proposed amendment to Chapter 16 "Zoning" Articles I "General Provisions" & II "Zoning Application Review Process" addresses technical issues with the Code, organizes the process criteria for greater chronological flow, provides new and revised definitions, updates submittal requirements, provides additional application fee language, removes conflicts, and refines the public hearing and appeals process. Ms. McDonnell added this ordinance also compels an amendment to Chapter 19 Appendix 19-A "Schedule of Fees" relating to appeals associated with Development Permit application decisions.

Ms. McDonnell then explained since Chapter 19 fee amendment is in effect at the same time as these Chapter 16 amendments, and given the timing of the public notices provided for the two amendments, staff suggests the public hearing for the Chapter 16 amendments be opened on February 18th, and then continued to March 3rd such that the Chapter 16 and Chapter 19 amendments might be approved on the same date.

There being no comments from the public, Mayor Skowrya suggested continuing the Public Hearing in order for Ordinance No. 04-20, Series of 2020 and Ordinance No. 05-20, Series of 2020, second reading and public hearing to be held on the same date. Council Member Kaminski moved to continue the Public Hearing of Ordinance 04-20, Series of 2020, to Tuesday, March 3, 2020 at 7:00 p.m. Council Member Imamura 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 Chief Heminghaus attended Unsheltered in the Summit meeting with the County, towns, ski areas, forest service, FIRC and the Interfaith Council to discuss the population that is living in their vehicles. The Interfaith Council established a program, Local Overnight Safe Parking (LOSP) that allows individuals to sleep in their vehicles from 7 p.m. to 8 a.m. They are looking for other locations in Summit County to increase the program availability to others. The space needs to be located on private property and needs to be inconspicuous.
Acting Town Manager McDonnell explained to staff currently the Town does not allow overnight camping in town. She then asked Council if they have an interest in this program.
Council replied that if a business comes forward, then they will visit the “no overnight camping in Town limits”.
- Acting Town Manager Ms. McDonnell informed Council, she reached out to Ken Fellman, an attorney with expertise in telecommunications legislation and small cell facilities. He wouldn't be able to review the Town's ordinance on small cell facilities until after March 3, 2020. Mr. Fellman suggestion was to extend the moratorium on the acceptance of applications and issuance of permits for the installation of wireless facilities in Town for another 4-6 weeks. Staff will present an emergency ordinance extending the moratorium at the next Town Council Regular meeting on March 3, 2020.
- Ms. McDonnell asked Council if they approved of the Mayor signing an amendment to the Sail Lofts Workforce Housing Covenant that addresses changing the unit numbering but does not change the intent of the covenant as approved by Council. Staff will be working on additional amendments that will be presented to Council at a future work session.
Council agreed to have the Mayor sign the amendment regarding changing the unit numbering.

MAYOR'S UPDATE:

- Mayor Skowyra reported on the following:
 - Mayors, Managers & Commissioners (MMC):**
 - Mayor Skowyra attended the MMC meeting on February 13, 2020. One issue they discussed was the stakeholder input session for the hazmat ongoing discussion to allow hazmat trucks through the tunnel. She asked Council if they would like to add “keeping hazmat out of the tunnel” as a priority issue that Squire Patton Boggs should address. Acting Town Manager McDonnell stated that Ryan Hyland is going to make sure that Squire Patton Boggs does not have a conflict of interest. Mr. O'Brien added that at the CDOT stakeholder meeting, the wishes they expressed at the Capital have been ignored. Council was in favor of their group considering “keeping hazmat out of the tunnel” as a high priority issue.
 - Coffee Talk:**
 - Mayor Skowyra would like to begin a monthly “Coffee Talk with the Mayor” at Arapahoe Café.

COUNCIL MEMBER COMMITTEE REPORTS AND COMMENTS:

- **Council Member Imamura reported on the following:**
 - There is a pole knocked over at the entrance to Corinthian Hills. Mr. O'Brien said that he would get the number from the pole and call it in.

ADJOURNMENT:

There being no further business, Mayor Skowrya declared the meeting adjourned at 8:02 p.m.

Respectfully submitted by:

Adrienne Stuckey, Town Clerk