

RECORD OF PROCEEDINGS

**TOWN OF DILLON
TOWN COUNCIL
REGULAR MEETING**

Tuesday, February 2, 2021

7:00 p.m.

Virtual Meeting Via Microsoft Teams

CALL TO ORDER & ROLL CALL

A regular meeting of the Town Council of the Town of Dillon, Colorado, was held on Tuesday, February 2, 2021, via teleconferencing. Mayor Carolyn Skowyra called the meeting to order at 7:03 p.m. and the following Council Members answered roll call: Jennifer Barchers, Kyle Hendricks, Renee Imamura, Karen Kaminski and Steve Milroy. Mayor Pro Tem Brad Bailey was absent (excused). Staff members present via teleconferencing were: Nathan Johnson, Town Manager; Carri McDonnell, Finance Director; Cale Osborn, Chief of Police; Kerstin Anderson, Marketing & Communications Director; Scott O'Brien, Public Works Director; Craig Simson, Marina Director; Dan Burroughs, Town Engineer; Ned West, Town Planner; JoAnne Tyson, Human Resources Manager; and Adrienne Stuckey, Town Clerk.

APPROVAL OF AGENDA

Work Session Agenda Item #9, Council Member Comments and Committee Reports, was moved to Regular Meeting Agenda Item #10, Council Member Comments. Regular Meeting Agenda Item #11, Executive Session, was removed from the Regular Meeting.

APPROVAL OF CONSENT AGENDA

Council Member Barchers moved to approve the following consent agenda:

- a. Minutes of Regular Meeting of January 19, 2021

- b. Approval of Bill List dated January 29, 2021 in the amount of \$376,667.87 and Payroll Ledger dated January 29, 2021 in the amount of \$84,244.17

- c. Consideration of Ordinance No. 01-21, Series of 2021
First Reading to Set the Public Hearing
AN ORDINANCE AMENDING CHAPTER 16 OF THE DILLON MUNICIPAL CODE TO PERMIT MARIJUANA HOSPITALITY AND SALES ESTABLISHMENTS WITHIN THE COMMERCIAL AND MIXED USE ZONE DISTRICTS AND TO ESTABLISH PARKING SPACE REQUIREMENTS THEREFOR

- d. Consideration of Ordinance No. 02-21, Series of 2021
First Reading to Set the Public Hearing
AN ORDINANCE AMENDING TABLES 13.2 AND 13.3 IN ARTICLES II AND III OF CHAPTER 13 OF THE DILLON MUNICIPAL CODE REGARDING MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT WATER AND SEWER USAGE

- e. Consideration of Ordinance No. 03-21, Series of 2021
First Reading to Set the Public Hearing
AN ORDINANCE AMENDING CHAPTERS 7 AND 10 OF THE DILLON MUNICIPAL CODE TO REGARDING MARIJUANA HOSPITALITY AND SALES ESTABLISHMENTS

f. Consideration of Ordinance No. 04-21, Series of 2021

First Reading to Set the Public Hearing

AN ORDINANCE AMENDING ARTICLES VII AND VIII OF CHAPTER 6 OF THE DILLON MUNICIPAL CODE TO PERMIT MARIJUANA SALES WINDOWS IN CONNECTION WITH LICENSED MARIJUANA STORES, AND TO CORRECT REFERENCES TO STATE LAW APPLICABLE TO MEDICAL AND RETAIL MARIJUANA

Council Member Kaminski seconded the motion which passed four to two with Council Members Barchers, Kaminski and Hendricks and Mayor Skowrya in favor and Council Members Milroy and Imamura in opposition.

CITIZEN COMMENTS

Kevin Stout, 102 Gold Run Circle, Dillon, would like more open communication between Council and its residents and gave examples on how to improve communication.

Mandi Kennedy, 414 Bridge Street, Breckenridge, on behalf of herself and Summit County Communities that Care (CTC), spoke against allowing Marijuana Sales Windows at licensed marijuana stores in Dillon.

Barb Richard, 152 Tenderfoot Street, Dillon thanked the Town for creating the snow berm and addressed issues with the Ice Castles: traffic on Tenderfoot Street, trash and the need for more trash cans. She also said she spoke with Midway Utah's City Planner regarding their Ice Castles and its current location.

Catherine Smith, Silverthorne, submitted a letter that was read by Mayor Skowrya, and asked Council to not allow Marijuana Sales Windows in Dillon.

CONSIDERATION OF RESOLUTION NO. 07-21, SERIES of 2021

A RESOLUTION APPROVING A THIRD AMENDMENT TO RESTRICTIVE HOUSING COVENANT AND AGREEMENT FOR THE SAIL LOFTS AT LAKE DILLON CONDOMINIUMS.

Nick Cotton-Baez, Town Attorney, explained Staff is proposing a revised Third Amendment to the Restrictive Covenants for the Sail Lofts to address comments from the Summit County Combined Housing Authority (SCHA) to clarify the purchase and sales process of Restricted Units, locally-based mortgage lenders to permit conventional lending (FNMA, FHLMC, USDA) in connection with Restricted Units and Restricted Unit Owners to allow a spouse, partner or other person not paying rent to Owner, to occupy a Restricted Unit even if such person does not meet the definition of Qualified Occupant.

Council Member Barchers moved to approve Resolution No. 07-21, Series of 2021. Council Member Milroy seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. 08-21, SERIES of 2021

A RESOLUTION ESTABLISHING AND FUNDING A COMMUNITY STIMULUS PROGRAM AND APPROVING A COMMUNITY CARD CUSTOMER AGREEMENT.

Nathan Johnson, Town Manager, explained this resolution establishes and funds a community stimulus program and approves a community card agreement with Yiftee, Inc and appropriate \$66,000.00 from the General Fund for the purchase of prepaid cards to be provided to Town of Dillon residents, business owners and employees.

Council Member Milroy moved to approve Resolution No. 08-21, Series of 2021 with the resolution amended to read the maximum amount to be appropriated is \$66,000. Council Member Imamura seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. 09-21, SERIES of 2021

A RESOLUTION APPROVING A LETTER OF INTENT TO AUTHORIZE KUBAT EQUIPMENT TO COMMENCE MATERIALS PROCUREMENT IN CONNECTION WITH THE DILLON MARINA FUEL TANK RELOCATION PROJECT.

Craig Simson, Marina Director, explained this resolution approves signing a Letter of Intent with Kubat Equipment, who will be designing and installing the Dillon Marina fuel storage and delivery system, so that Kubat Equipment can proceed with ordering the necessary equipment and schedule Dillon Marina in the Spring of 2021.

Council Member Imamura moved to approve Resolution No. 09-21, Series of 2021. Council Member Kaminski seconded the motion which passed unanimously upon roll call vote.

TOWN MANAGER'S UPDATE

Manager Johnson included a written report and added the following:

- There are 2,675 confirmed or probable cases of COVID-19. The state will be releasing an updated dial.
- They are watching the Federal level for another stimulus relief bill package which would go to the state and local governments. Squire Patton Boggs is keeping them up to date on this package.
- There was not a significant response for the most recently approved grant. The deadline for applying is February 7, 2021 at 5 p.m.
- The Lake Loops on Lake Dillon are open for multi-use groomed trail use.
- Town Hall capacity is currently at 25%.
- Upcoming discussions will include Marina Capital Projects, Parking, Ice Skating Rink, Nicotine Tax Funding, 3-Mile Plan Annexation and Split-Unit Multi-Family.
- Tomorrow, February 3, 2021, he will be meeting with the Summit Association of Realtors and the I-70 Coalition.
- The Mayors, Managers & Commissioners meeting in February was canceled due to the EJMT Hazmat Stakeholder meeting was scheduled during the same time.

MAYOR'S UPDATE:

Mayor Skowyra reported on the following:

- Manager Johnson will be at the Town of Dillon one year on March 9, 2021.
- In conjunction with Plan on a Poster and more communication with residents, the first community listening session will be discussing Gold Run Parking.
- The community listening sessions will be 30-60 minutes with an agenda as more of a guideline. It will be a brainstorming session, a good opportunity to gather community feedback and residents can call in on one specific item.

Council asked if it is a community / Council discussion? During the Work Session? With open dialogue?

Mayor Skowyra replied yes, it was more of a discussion session on one topic during the Work Session with a designated time and open dialogue. If Council had any comments/ideas/questions, to please contact the Mayor via an e-mail or text. It will be publicized to the whole community.

- Michael Kirker, from Senator Bennett's office, called the Mayor today, February 2, 2021. He is reaching out to different communities that have expressed their concern of the underperformance of their post office in their community. He is asking communities to write letters, outlining our

concerns, to Senator Bennett. This is on our list for Squire Patton Boggs to work on. The Mayor asked if Council was on board with writing a letter to Senator Bennett's office. Council stated the post office staff is overwhelmed. Mayor Skowrya asked Council if they had any ideas that were pertinent to include in the letter, please send them her way.

Council Member Barchers left the meeting at 7:38 p.m.

COUNCIL MEMBER COMMITTEE REPORTS AND COMMENTS:

COUNCIL MEMBER COMMITTEE REPORTS:

- Council Member Kaminski attended the **Parks, Recreation, Arts & Cemetery (PRAC)** meeting on February 1, 2021. They went over the Cemetery Plan and SCoMBA (Summit County Mountain Bikers Association) gave a presentation to PRAC on the Tenderfoot Ride Center. The committee was overall enthusiastic about the bike park and supported it. PRAC will be drafting a letter of support at its March meeting.

COUNCIL MEMBER COMMENTS:

- Council Member Kaminski asked what happened to the Starbucks in Dillon? Manager Johnson replied Starbucks made a business decision to close the location based on COVID-19 impacted limited capacity of only 2-4 tables open. They couldn't compete with the Silverthorne location that has a drive-thru window.
- Council Member Kaminski asked if there is any follow through on the letter they received from Cameez saying they wanted to be the Town's coffee shop? Manager Johnson replied the Town is working with Cameez. Other businesses want to be the Town of Dillon's coffee shop as well.

Council Member Kaminski made a motion to reconsider the approval of the Consent Agenda. Council Member Imamura seconded the motion which passed three to two with Council Members Kaminski, Imamura and Milroy in favor and Council Member Hendricks and Mayor Skowrya in opposition.

Council reconsidered the Consent Agenda.

Council Member Kaminski made a motion to remove Item #3f, Consideration of Ordinance No. 04-21, Series of 2021, from the Consent Agenda and put it on Item #11 on the Regular Meeting. Council Member Imamura seconded the motion which passed three to two with Council Members Kaminski, Imamura and Milroy in favor and Council Member Hendricks and Mayor Skowrya in opposition.

Council Member Milroy made a motion to approve the Consent Agenda, excluding Item #3f, Consideration of Ordinance No. 04-21, Series of 2021. Council Member Kaminski seconded the motion which passed four to one with Council Members Kaminski, Imamura and Milroy and Madame Skowrya in favor and Council Member Hendricks in opposition.

COUNCIL MEMBER COMMENTS/COMMITTEE REPORTS:

- Council Member Kaminski commented that she appreciated Homewood Suites and their progress and what they are doing there.
- Council Member Imamura agreed with Council Member Kaminski and really liked the views it has.
- Mayor Skowrya attended, virtually, the **Northwest Colorado Council of Governments, (NWCogg)** meeting on Thursday, January 28, 2021. There is going to be a new childcare availability study coming out. It's still in its early stages but should contain some great information.

CONSIDERATION OF ORDINANCE NO. 04-21, SERIES OF 2021

First Reading to Set the Public Hearing

AN ORDINANCE AMENDING ARTICLES VII AND VIII OF CHAPTER 6 OF THE DILLON MUNICIPAL CODE TO PERMIT MARIJUANA SALES WINDOWS IN CONNECTION WITH LICENSED MARIJUANA STORES, AND TO CORRECT REFERENCES TO STATE LAW APPLICABLE TO MEDICAL AND RETAIL MARIJUANA

Town Attorney Cotton-Baez stated this is the first reading of this ordinance and we have discussed this ordinance at length. This is to set the public hearing. It pertains to marijuana sales windows that have been approved by the State of Colorado.

Council Member Imamura made a motion to not approve Ordinance No. 04-21, Series of 2021. Council Member Kaminski seconded the motion which passed three to two, with Council Members Imamura, Kaminski and Milroy in favor and Council Members Hendricks and Madam Skowyra in opposition.

ADJOURNMENT:

There being no further business, Mayor Skowyra declared the meeting adjourned at 8:19 p.m.

Respectfully submitted by:

Adrienne Stuckey, Town Clerk