

*RECORD OF PROCEEDINGS*

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**TOWN OF DILLON  
TOWN COUNCIL  
REGULAR MEETING**

Tuesday, March 1, 2022  
7:00 p.m.

**CALL TO ORDER & ROLL CALL**

A regular meeting of the Town Council of the Town of Dillon, Colorado, was held on Tuesday, March 1, 2022, at Dillon Town Hall, 275 Lake Dillon Drive, Dillon, CO. Mayor Skowyra called the meeting to order at 7:02 p.m. and the following Council Members answered roll call: Mayor Pro Tem Bailey, Jen Barchers, Renee Imamura, Kyle Hendricks, Karen Kaminski and Steve Milroy. Staff members present were: Nathan Johnson, Town Manager; Carri McDonnell, Finance Director; Craig Simson, Marina Director; Cale Osborn, Police Chief; Scott O'Brien, Public Works Director; Matt Farley, Accountant, Jo-Anne Tyson, Human Resources Manager; and Adrienne Stuckey, Town Clerk.

**APPROVAL OF AGENDA**

Mayor Skowyra announced she will be adding an executive session to the regular meeting agenda, placing it after item #9 on the agenda.

**APPROVAL OF CONSENT AGENDA**

Council Member Imamura moved to approve the following consent agenda:

- a. Minutes of Regular Meeting of February 15, 2022
- b. Approval of Bill List dated February 24, 2022 in the amount of \$511,053.05 and Payroll Ledger in the amount of \$93,015.34 dated February 25, 2022
- c. Excused Absences for Mayor Pro Tem Brad Bailey and Council Members Karen Kaminski and Steve Milroy for the February 15, 2022 Regular Meeting

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

**CITIZEN COMMENTS**

- Dillon resident and property owner Eddie O'Brien asked Council to reconsider parking code changes as it is expensive. He suggested looking at other models as used in Basalt, Carbondale, Silverthorne and Frisco.
- Dillon resident and business owner Frank Keesling spoke in support of the Tiki Bar lease assignment.

The following wrote letters to Council and were read into the record:

Summit County residents Jack Carpenter, Chad Noble, Cameron Willett and Ryan Eberhart, wrote in support of Council approving the lease assignment of the Tiki Bar.

Silverthorne resident Chris Locke addressed council regarding the Tiki Bar lease assignment expressing he wants to work with council to reach their visions of the concessionaire opportunities.

Dillon resident Lu Cordova stated she is pro-Dillon and suggests opening the Tiki Bar concessions to others as competition is good. She encouraged Council to look at the contract & consider additional concessions at the Marina.

Sysco food supplier Caroline Bellace spoke in support of transferring the Tiki Bar lease assignment and suggested Council begin reviewing and compiling changes to incorporate into the lease when it expires.

Dillon resident and business owner Terry Novak spoke in support of transferring the Tiki Bar lease assignment.

### **CONSIDERATION OF ORDINANCE NO. 01-22, Series of 2022**

#### **AN ORDINANCE AMENDING PROVISIONS OF THE DILLON MUNICIPAL CODE CONCERNING THE LICENSING AND REGULATION OF SHORT-TERM RENTAL UNITS.**

This public hearing was published in accordance with public posting requirements as set forth by the Dillon Municipal Code. Mayor Skowrya opened the public hearing at 7:31 p.m.

Finance Director Carri McDonnell reported that this is the public hearing and second reading of the ordinance to amend the Dillon Municipal Code regarding short term rental units. Staff has made the changes as discussed at the February 1, 2022 work session and the major components of the amendments include:

- Section 6-11-20 Definitions – to improve clarity of the ordinance definitions been added.
- Section 6-11-40 Application
  - o Amended to include the application questions of number of bedrooms, partial unit rentals o Requires a parking plan to determine deficient parking to pay a short-term rental parking fee. Staff is recommending that STRs provide permitted and/or designated spots at a rate of 1 space per bedroom plus one additional space. If the owner cannot provide this parking requirement then they will pay a \$300 per space per year STR parking fee.
  - o Allows the finance director to reduce the rate of the parking fee requirement if the applicant agrees to reduce the occupancy. The reduction in occupancy must be two persons to reduce one required parking space.
- Section 6-11-50 Licensing and parking fees o Establishes the parking fee as outlined in Chapter 19 fees. Staff is recommending \$300 per space based on costs of maintenance, stripping, overlays, snow removal, administrative costs and enforcement.
  - o Establishes interest at a rate of 1% per day and penalties of \$20 for late payments on STR license with revocation of license after 30 days.
- Section 6-11-55 Special limitations, prohibitions and requirements
  - o Specifically states that accessory dwelling units cannot be used for short term rentals
  - o Only one license will be issued per property as assigned by the Summit County Assessor
  - o Maximum occupancy is 2 per bedroom plus 2 additional occupants.
  - o Allows for inspection by the Town when requested
- Section 6-11-60 Denial, suspension or revocation of license o Added clarification that a license can be denied not just suspended or revoked
  - o Established a clear appeal process which will include a hearing before the Planning and Zoning Commission
  - o Allows the Finance Director to assess a fine in lieu of suspension. The calculation for the fine

will be included in Chapter 19.

- Section 6-11-70 Posting requirements
  - o Added requirements for posting a floor plan detailing locations of safety devices
- Section 6-11-80 Advertising
  - o Added wording that occupancy and parking outlined in the ads must match the approved application.

There were no public comments.

There being no further comment, Mayor Skowyra closed the public hearing at 7:35 p.m

Mayor Skowyra commented that she was pleased that this process works for our community which included public input and staff recommendations. Council Member Bailey stated this is a good start and the process can always be revised if necessary. Council Member Barchers stated she appreciated the public sessions to discuss implementation of this program. Council Member Kaminski asked if prorated fees were offered and Ms. McDonnell stated that fees will be established on first and second reading of the Ordinance at a future meeting and proration can be considered.

Mayor Pro Tem Bailey moved to approve Ordinance No. 01-22, Series of 2022. Council Member Kaminski seconded the motion which passed unanimously upon roll call vote.

### **CONSIDERATION OF RESOLUTION NO. 13-22, Series of 2022**

#### **A RESOLUTION APPROVING AN AGREEMENT FOR THE ASSIGNMENT AND ASSUMPTION OF A LEASE AGREEMENT FOR FOOD AND BEVERAGE CONCESSIONS AT THE DILLON MARINA.**

Town Manager Nathan Johnson stated that the owners of Pug Ryan's Brewery have requested Council consideration of allowing the Tiki Bar Lease be assigned to a new owner of Pug Ryan's Brewery. This resolution is a continuance from Council's February 15, 2022 meeting where Town Council determined to discuss this matter when more Council members were present and staff had time to prepare a Request For Proposal (RFP) timeline. Council discussed the RFP process and opening the lease to other interested parties, a one-year lease to the new owner, and assigning the lease as it stands. Council also discussed taking time to create a vision for the Tiki Bar concessionaire in relation to the Marina Master Plan with considerations to current utilities and possible upgrades, feasibility or additional concessionaires, and compatibility with current infrastructure.

Council Member Kaminski moved to approve Resolution No. 13-22, Series of 2022. Council Member Barchers seconded the motion which passed on a roll call vote of 6-1 with Mayor Skowyra in opposition.

### **TOWN MANAGER'S UPDATE**

Manager Johnson included a written report in the council packet and added the following:

- The stair project needed at the Marina to access the new fuel dock is estimated at \$300,000.
- The undergrounding project with Xcel at Dam Road and LaBonte has come in with an estimated increase of 3 – 4 times the original bid. He will bring the project back for council discussion once the proposal letter arrives from Xcel.
- Colorado Pond Hockey event went well and the Events Department will be de-briefing this week.
- The Town has been asked to be a game sponsor for the baseball game in July and will be held in Dillon provided Town Park construction is completed.
- The Ottoborgo family has indicated movement on their closing process for Uptown 240.

### **MAYOR'S UPDATE**

- Mayor Skowyra stated the Mayors, Mangers & Commissions meeting was cancelled due to the CAST (Colorado Association of Ski Towns) meeting on the same day.

### **COUNCIL MEMBER COMMENTS & COMMITTEE REPORTS**

No Comments or Committee Reports.

### **EXECUTIVE SESSION**

Mayor Carolyn Skowyra moved to go into Executive Session at 8:23 p.m., pursuant to Sections 3-4(a)(1) and (a)(3) of the Town of Dillon Home Rule Charter, and C.R.S. Sections 24-6-402(4)(b) and (4)(e), for the purposes of conferencing with the Town Attorney to receive legal advice on specific legal questions, and for determining positions, developing strategy and instructing negotiators relative to matters that may be subject to negotiation, specifically pertaining to the voluntary resignation of the Director of Economic Development, Marketing & Communications. At 8:27 p.m., under the recommendation of the town attorney, Council directed staff to turn off the recording device as the discussions would be considered attorney-client privilege. No action was taken during the Executive Session. At 8:47 p.m. Council concluded the Executive Session.

### **ADJOURNMENT:**

There being no further business, Mayor Skowyra declared the meeting adjourned at 8:48 p.m.

Respectfully submitted by:

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Adrienne Stuckey, Town Clerk