

*RECORD OF PROCEEDINGS*

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**TOWN OF DILLON  
TOWN COUNCIL  
REGULAR MEETING**

Tuesday, August 16, 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, August 16, 2022, at Dillon Town Hall, 275 Lake Dillon Drive, Dillon, CO. Mayor Skowyra called the meeting to order at 7:00 p.m. and the following Council Members answered roll call: Brad Bailey, Dana Christiansen, Kyle Hendricks, Renee Imamura and Tony Scalise. Staff members present were: Nathan Johnson, Town Manager; Cale Osborn, Police Chief; Craig Simson, Marina Director; Carri McDonnell, Finance Director; Matt Farley, Accountant; Ned West, Sr. Town Planner; and Jo-Anne Tyson, Deputy Town Clerk.

**APPROVAL OF AGENDA**

There were no changes to the agenda.

**APPROVAL OF CONSENT AGENDA**

Council Member Imamura moved to approve the following consent agenda:

- a. Minutes of Regular Meeting of August 2, 2022
- b. Approval of Bill List dated August 12, 2022 and Payroll Ledger dated August 12, 2022
- c. Excused Absence for Mayor Skowyra for the August 2, 2022 Regular Council meeting
- d. Consideration of Approval to Use Town Owned Property – Dillon Yacht Club to use the Dillon Marina
- e. Consideration of Resolution No. 43-22, Series of 2022

**A RESOLUTION MAKING AN APPOINTMENT TO THE PLANNING AND ZONING COMMISSION.**

Council Member Bailey seconded the motion which passed unanimously.

**CITIZEN COMMENTS**

- Part-time Dillon resident Dr. David Gilbert requested that Council relook at the STR regulations and parking fees.
- Dillon resident Kevin Stout complimented town staff on the Tenderfoot Street project. He stated the work was impactful, but communication from staff was excellent and they were very accommodating to residents.

**CONSIDERATION OF RESOLUTION NO. 44-22, Series of 2022**

**A RESOLUTION OF THE TOWN OF DILLON, COLORADO, AUTHORIZING A SPECIAL ELECTION ON NOVEMBER 8, 2022, FIXING BALLOT TITLES AND QUESTIONS, AND SETTING FORTH OTHER DETAILS RELATING THERETO.**

Town Manager Nathan Johnson and Finance Director Carri McDonnell reported that this resolution sets the ballot language for all three questions Council has proposed for the November 8, 2022 election. The first question on lodging tax will increase the existing lodging tax from 2% to 6% and will be assessed to all lodging revenues including hotels and motels. The second question is adding an excise tax on short term rentals in the amount of 5% on all lodging revenues except hotels and motels. The third question will ask the voters for approval to issue \$20 million in bonds over time for the construction of work force housing. The questions will read as follows:

**EXCISE TAX ON LODGING**

SHALL THE TOWN OF DILLON EXCISE TAXES ON LODGING BE INCREASED BY NOT MORE THAN \$3 MILLION BEGINNING JANUARY 1, 2023, AND BY SUCH OTHER AMOUNTS RAISED ANNUALLY THEREAFTER BY THE IMPOSITION OF AN EXCISE TAX ON LODGING IN THE AMOUNT OF SIX PERCENT (6%) (WHICH AUTHORIZATION REPRESENTS AN INCREASE OF 4% ABOVE THE 2% APPROVED BY THE TOWN VOTERS IN 1994) WITH THE REVENUES OF SUCH LODGING TAX TO BE UTILIZED FOR COMMUNITY PROJECTS AND SERVICES ADDRESSING VISITOR IMPACTS IN THE AREAS OF RECREATION, PUBLIC SAFETY, STREET IMPROVEMENTS, PARKING IMPROVEMENTS, TOWN CENTER REDEVELOPMENT, AND ANY OTHER GOVERNMENTAL PURPOSES OF THE TOWN, AND SHALL ALL REVENUES FROM SUCH TAXES AND ANY EARNINGS THEREON BE COLLECTED, RETAINED, AND SPENT AS A VOTER-APPROVED REVENUE CHANGE WITHOUT LIMITATION OR CONDITION, AND NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

**EXCISE TAX ON SHORT TERM RENTALS**

SHALL THE TOWN OF DILLON EXCISE TAXES ON SHORT TERM RENTALS BE INCREASED NOT MORE THAN \$1.5 MILLION COMMENCING JULY 1, 2023, AND BY WHATEVER AMOUNTS AS ARE GENERATED ANNUALLY THEREAFTER BY IMPOSITION OF A TOWN SHORT TERM RENTAL TAX OF 5%, ON THE TOTAL AMOUNT OF RENT OR COMPENSATION PAID BY PERSONS RENTING ROOMS OR ACCOMMODATIONS FOR A PERIOD OF THIRTY (30) DAYS OR LESS, BUT NOT INCLUDING HOTELS/MOTELS, HOTEL/MOTEL-SUITE, BED AND BREAKFAST, DORMITORY, GROUP HOME OR TIME-SHARED INTERVAL UNIT, AND SHALL SUCH TAX REVENUES RECEIVED ANNUALLY BE USED FOR COMMUNITY PROJECTS AND SERVICES ADDRESSING VISITOR IMPACTS IN THE AREAS OF RECREATION, PUBLIC SAFETY, STREET IMPROVEMENTS, PARKING IMPROVEMENTS, TOWN CENTER REDEVELOPMENT, AND ANY OTHER GOVERNMENTAL PURPOSES, AS HEREAFTER DETERMINED BY THE TOWN COUNCIL;

PROVIDED THAT THE COUNCIL SHALL ADOPT AN ORDINANCE TO IMPLEMENT THE TAX INCREASE AS PROVIDED IN THIS QUESTION (INCLUDING PROVISIONS FOR THE METHOD OF COLLECTION AND ENFORCEMENT, ANY EXEMPTIONS FROM THE TAX, AND OTHER DETAILS) AND MAY ADJUST THE RATE OF THE SHORT TERM RENTAL TAX FROM TIME TO TIME SO LONG AS IT DOES NOT EXCEED 5.0%;

AND SHALL THE TOWN BE AUTHORIZED TO COLLECT, RETAIN AND SPEND SUCH EXCISE TAX REVENUES, INCLUDING ANY INVESTMENT EARNINGS AND INTEREST ON SUCH

REVENUES, AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

WORKFORCE HOUSING DEBT QUESTION

WITHOUT INCREASING ANY EXISTING TAXES, SHALL TOWN OF DILLON DEBT BE INCREASED UP TO \$20 MILLION, WITH A MAXIMUM REPAYMENT COST OF \$35 MILLION, FOR THE PURPOSE OF FINANCING ALL OR ANY PART OF THE COSTS OF CONSTRUCTION, ACQUISITION, AND IMPROVEMENT OF WORKFORCE HOUSING PROJECTS ON THE TOWN'S BEHALF AND/OR IN PARTNERSHIP WITH OTHER ENTITIES APPROVED BY THE TOWN COUNCIL, INCLUDING:

- PLANNING, FINANCING, ACQUIRING, CONSTRUCTING, RECONSTRUCTING OR REPAIRING WORKFORCE HOUSING PROJECTS;

SUCH DEBT TO BE PAYABLE FROM THE VOTER APPROVED 0.125% SALES AND USE TAX AND THE 0.6% SALES TAX REVENUE RECEIVED BY THE TOWN FROM THE HOUSING AUTHORITY AND ANY OTHER AVAILABLE REVENUE OF THE TOWN AS MAY HEREAFTER BE DESIGNATED BY THE TOWN COUNCIL; SUCH DEBT TO BE SOLD IN ONE SERIES OR MORE AT A PRICE ABOVE, BELOW OR EQUAL TO THE PRINCIPAL AMOUNT OF SUCH DEBT AND ON SUCH TERMS AND CONDITIONS AS THE TOWN MAY DETERMINE, INCLUDING PROVISIONS FOR REDEMPTION OF THE DEBT PRIOR TO MATURITY WITH OR WITHOUT PAYMENT OF PREMIUM OF NOT TO EXCEED 3.0%; AND SHALL THE PROCEEDS OF SUCH DEBT, ANY OTHER REVENUE USED TO PAY SUCH DEBT, AND INVESTMENT INCOME THEREON, BE COLLECTED AND SPENT BY THE TOWN AS A VOTER-APPROVED REVENUE CHANGE PURSUANT TO ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?

Council Member Imamura moved to approve Resolution No. 44-22, Series of 2022. Council Member Scalise seconded the motion which passed unanimously.

**CONSIDERATION OF RESOLUTION NO. 45-22, Series of 2022**

**A RESOLUTION APPROVING A QUOTE FROM MOTOROLA SOLUTIONS, AND AN EXPENDITURE PURSUANT THERETO, FOR THE TOWN'S ACQUISITION OF POLICE EQUIPMENT AND SOFTWARE**

Police Chief Cale Osborn reported that the current police department equipment and supporting software is becoming obsolete and therefore inefficient and a danger for the officers. After research and consideration of updated equipment, staff is recommending to enter into a purchasing agreement with Motorola Solutions for equipment and services. System equipment includes, but is not limited to: BWC, in-car audio video systems, compatible digital evidence systems, management software, digital storage, and docking/charging platforms. Motorola is a proven industry leader in quality communications equipment and system implementation in law enforcement. The system will meet the current needs of the organization, ensure compliance with current state law, and is compatible with current systems and best practices. The total package price is \$139,428.00. The upfront costs for hardware, accessories, and implantation for budget year 2023 is \$56,436.00. The remainder of the total cost is broken down by years 2-5 at \$20,748.00 per year, which has been budgeted. The project length is longer than previous generations, which were budgeted in a three-year cycle as opposed to this five-year project. Updates and support are inclusive with the annual cost.

Council Member Bailey moved to approve Resolution No. 45-22, Series of 2022. Council Member Christiansen seconded the motion which passed five to one with Council Member Hendricks in opposition.

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

Manager Nathan Johnson provided a written report and added the following:

- Sales tax revenues are up 15% year to date.
- An asphalt overlay will be laid on Little Dam and Anenome.
- The Marina will go offline for rentals on September 11 and will only be accommodating walk-up customers.
- Special Election Candidate Forum will be hosted August 24, 2022, Council Chambers, 5:30 – 6:30 p.m.

### **MAYOR'S UPDATE**

Mayor Skowrya reported on the following:

- She thanked Mayor Pro-Tem Bailey for presiding over the last Council meeting when she was sick.
- She and Manager Johnson will be attending the upcoming CAST meeting.

### **COUNCIL MEMBER COMMENTS**

- Council Member Imamura suggested that Council rediscuss STR regulations.

### **EXECUTIVE SESSION**

Mayor Carolyn Skowrya moved to go into Executive Session at 7:28 p.m., pursuant to Town of Dillon Home Rule Charter Section 3-4(a)(6) and C.R.S. Section 24-6-402(4)(f), for the purpose of discussion of a personnel matter not involving any specific employees who have requested discussion of the matter in open session; specifically, to discuss the town manager's evaluation. At 7:29 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 7:57 p.m. Council concluded the Executive Session

### **ADJOURNMENT:**

There being no further business, Mayor Skowrya declared the meeting adjourned at 7:59 p.m.

Respectfully submitted by:

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Jo-Anne Tyson, Deputy Town Clerk