

**TOWN OF DILLON  
TOWN COUNCIL  
REGULAR MEETING**

Tuesday, April 5, 2016

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, April 5, 2016, at the Dillon Town Hall. Mayor Burns called the meeting to order at 7:00 p.m. and the following Council Members answered roll call: Brad Bailey, Jen Barchers, Mark Nickel, Ben Raitano, Louis Skowyra, and Tim Westerberg. Council Member Raitano was absent (excused). Staff members present were: Tom Breslin, Town Manager; Carri McDonnell, Finance Director; Mark Heminghaus, Police Chief; Scott O'Brien, Public Works Director; and Jo-Anne Tyson, Town Clerk.

**APPROVAL OF AGENDA**

There being no changes to the agenda, it will stand approved as presented.

**APPROVAL OF CONSENT AGENDA**

Council Member Westerberg moved to approve the following consent agenda:

- a. Minutes of the Regular Meeting held March 15, 2016
- b. Approval of Bill List dated April 1, 2016 in the amount of \$120,746.73; and Payroll Ledgers dated March 18, 2016 in the amount of \$59,206.26 and dated April 1, 2016 in the amount of \$61,918.29.
- c. Resolution No. 20-16, Series of 2016

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF DILLON,  
COLORADO, MAKING APPOINTMENTS TO THE DILLON CEMETERY ADVISORY  
COMMITTEE.

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

**CITIZEN COMMENTS**

There were no citizen comments.

**CONSIDERATION OF ORDINANCE 05-16, SERIES OF 2016**

First Reading

AN ORDINANCE OF THE TOWN OF DILLON, COLORADO AMENDING CHAPTER 7, "HEALTH, SANITATION, AND ANIMALS," ARTICLE VII, "INDOOR AIR QUALITY AND SMOKING REGULATIONS;" AMENDING CHAPTER 10, "GENERAL OFFENSES," ARTICLE I, "GENERAL PROVISIONS," OF THE DILLON MUNICIPAL CODE; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Town Clerk Jo-Anne Tyson reported that during Council's January 19, 2016 Work Session, the Summit County Nurse presented the 2015 STEPP Community Policy Model Standards for Indoor Smoke Free Protections. She presented a comprehensive list of policy provisions for Council consideration. Town Planner Ned West and Ms. Tyson reviewed other municipality's codes in reference to smoking regulations, offenses, and nuisances to bring balance between the health concerns of nonconsumers of tobacco and marijuana products and the need to minimize unwarranted governmental intrusion into the use or nonuse of tobacco and marijuana products in certain designated public areas and in private places. Within this Ordinance, staff is proposing:

- renaming the title of the Dillon Municipal Code, Chapter 7, Article VII, "Indoor Air Quality and Smoking Regulations" to "Air Quality and Smoking Regulations" to reflect the intent of the proposed ordinance which includes both indoor and outdoor air quality regulations.
- additional definitions to the Dillon Municipal Code, Chapter 7, Article VII, "Indoor Air Quality and Smoking Regulations" to further clarify terminology specific to smoking and vaping and their devices.
- changing the prohibition of smoking at entry to public places distance requirement from ten to fifteen feet. This distance requirement is more consistent with other Summit County municipalities however, slightly less than the recommended twenty-five feet as prescribed by the Summit County Nurse. Staff felt a twenty-five foot buffer was excessive and would also lend itself to an increase of trash accumulation outside of public places ie: cigarette butts stamped out in front of businesses rather than extinguished in receptacles placed at a twenty five foot distance.
- revised smoking signage regulations to include a "No Smoking" symbol clearly indicating the prohibition of cigarettes, marijuana and electronic delivery devices. These symbols shall include the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette), a marijuana leaf symbol (a pictorial of a single marijuana leaf), and a delivery device symbol (a pictorial of a delivery device); all enclosed in circles with bars slashed across them.

Ms. Tyson stated that staff feels that the proposed local smoking regulations in these chapters are no less stringent than the provisions of article 14 of title 25, Colorado Revised Statutes, known as the "Colorado Clean Indoor Air Act."

Council Member Skowyra moved to approve Ordinance No. 05-16, Series of 2016. Council Member Barchers seconded the motion which passed unanimously upon roll call vote.

#### **TOWN MANAGER REPORT:**

Town Manager Tom Breslin reviewed several items including:

- At the recent Mayor's, Manager's, and Commissioner's meeting, discussion surrounded potential ballot questions with Summit County Government regarding workforce housing.
- High Country Conservation Center may use the old Lake Dillon Theatre building for their temporary site.
- Mr. Breslin recently visited the 5<sup>th</sup> grade class at Summit Cove Elementary and held a discussion on politics.

**MAYOR'S REPORT:**

Mayor Burns reported on several items including:

- The Summit County Housing Authority recently held a Board retreat regarding board structure and identification of goals.
  - The Authority asked for a letter of support to be submitted to the County for funding the Wintergreen Property in Keystone.

**COUNCIL MEMBER COMMENTS AND COMMITTEE REPORTS:**

Due to time constraints at the earlier Work Session, the following Committee Reports were presented:

- Dillon Business Association: Mr. Breslin stated that they are investigating the value of the walk-in cooler the DBA is selling.
- NWCCOG Executive Committee and Quality/Quantity: Council Member Raitano was absent and therefore no report was provided.
- Snake River Regional Planning Commission: Council Member Skowyra reported that the Commission discussed the Keystone PUD involving the Alders and Brown Cabin Plots. The Commission will be building thirty (30) work force housing townhome units at the site of the old Catholic Church in Dillon Valley instead of contributing money into the 5A fund.
- Summit County Transit Board: Council Member Nickel reported there are plans for a new transit center in Frisco which will include an indoor waiting room, rest rooms and a passage way through Frisco Station. The Swan Mountain Flyer may possibly expand to the Swan Meadow Village trailer park in Summit Cove. The Smartbus application is close to implementation.
- Summit County Wildfire Council: Council Member Skowyra stated there was no meeting this month.

**MAYORAL PROCLAMATIONS**

Mayor Burns read aloud Mayoral Proclamations recognizing Council Member Benedict Raitano and Council Member Skowyra for their service to the Town of Dillon.

**SWEARING IN OF NEW COUNCIL MEMBERS:**

Town Clerk Jo-Anne Tyson administered the Oath of Office to newly-appointed Council Members Jennifer Barchers, Kyle Hendricks, and Carolyn Skowyra. Each of their terms will run through April, 2018.

**ELECTION OF MAYOR PRO-TEM**

Council Member Westerberg moved to nominate Council Member Nickel as Mayor Pro-Tem. Council Member Bailey seconded the motion which passed unanimously upon roll call vote.

**ADJOURNMENT:**

There being no further business, Mayor Burns declared the meeting adjourned at 7:35 p.m.

Respectfully submitted by:

  
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 Jo-Anne Tyson, CMC/MMC, Town Clerk