

RECORD OF PROCEEDINGS

**TOWN OF DILLON
TOWN COUNCIL
REGULAR MEETING**

Tuesday, July 19, 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, July 19, 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, Kyle Hendricks, Mark Nickel, and Carolyn Skowyra. Council Member Tim Westerberg was absent (excused). Staff members present were: Tom Breslin, Town Manager; Kerstin Anderson, Marketing & Communications Director; Mark Heminghaus, Police Chief; Carri McDonnell, Finance Director; Scott O'Brien, Public Works Director; Ned West, Town Planner; 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 Bailey moved to approve the following consent agenda:

- a. Minutes of Regular Meeting of July 5, 2016
- b. Approval of Bill List dated July 15, 2016 in the amount of \$258,100.42 and Payroll Ledger dated July 8, 2016 in the amount of \$83,972.32.
- c. Approval of Special Events Liquor Permit – Adaptive Action Sports at the Dillon Amphitheatre.

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

CITIZEN COMMENTS

Lori Miller, Summit County resident and Pickle Ball Club Member, complimented Council and staff on their continued support of the Pickle Ball Clubs in the County. She stated their club membership continues to grow and encourages the Town to consider striping additional courts with different colors indicating boundary lines for the various sports played on the same courts.

CONSIDERATION OF ORDINANCE NO. 08-16. SERIES OF 2016

AN ORDINANCE OF THE TOWN OF DILLON, COLORADO, AMENDING CHAPTER 16, "ZONING," ARTICLE XI, "SIGN REGULATIONS," SECTION 16-11-20 "DEFINITIONS," AND SECTION 16-11-50 "EXEMPTIONS," OF THE DILLON MUNICIPAL CODE OF THE TOWN OF DILLON, COLORADO, FOR THE PURPOSES OF ADDING PROVISIONS FOR DONATION AND SPONSORSHIP SIGNAGE; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Town Planner Ned West reported that this Ordinance adds three definitions and two exemptions to Chapter 16 "Zoning", Article XI "Sign Regulations" which will allow signage as part of a Town of Dillon donation or sponsorship program. The Town of Dillon recognizes the need to promote community involvement and active participation in quality of life components throughout the community, this Ordinance aims to provide a mechanism through donation and sponsorship programs for contributor recognition otherwise unavailable as the Code currently reads. Definitions for "Donation Program", "Donation Program Signage", and "Sponsorship Signage" were added to Section 16-11-20 of the Dillon Municipal Code and exemptions for "Donation Program Signage" and "Sponsorship Signage" were included in section 16-11-50 of the Code.

Council Member Barchers moved to approve Ordinance No. 08-16, Series of 2016. Council Member Hendricks seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. 34-16, SERIES OF 2016

A RESOLUTION AUTHORIZING THE TOWN OF DILLON, COLORADO, TO ENTER INTO A CONTRACT WITH COLUMBINE HILLS CONCRETE, INC. FOR THE 2016 FALL AMPHITHEATRE IMPROVEMENTS PROJECT; AUTHORIZING AND DIRECTING THE APPROPRIATE TOWN OFFICERS TO SIGN THE NECESSARY DOCUMENTS; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Mr. West stated that this Resolution recommends awarding a contract to Columbine Hills Concrete, Inc. in the amount of \$1,005,932.82 to complete the construction of a majority of the earthwork, utility infrastructure, and asphalt components for the proposed amphitheater project this Fall.

Council Member Bailey moved to approve Resolution No. 34-16, Series of 2016. Council Member Skowrya seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. 35-16, SERIES OF 2016

A RESOLUTION OF THE TOWN OF DILLON AUTHORIZING A TABOR ELECTION ON NOVEMBER 8, 2016, FIXING THE BALLOT TITLE AND QUESTION, AND SETTING FORTH OTHER DETAILS RELATING THERETO.

Town Manager Tom Breslin reported that this resolution approves the language for the November 8, 2016 coordinated election ballot question for the Town of Dillon. The question includes allowing the revenues from the .5% sales tax to be spent on both road maintenance and road construction and removes the expiration date of the .5% sales tax. The .5% sales tax is currently set to sunset on December 31, 2033. Earlier in Council Work Session, Mr. Breslin stated that the Town has the financial ability to issue more bonds if the period of repayment remains at 20 years. With the removal of the sunset, the Town will be able to issue additional bonds to finish the streets that have not been reconstructed which include Lodgepole Street, upper Tenderfoot Street, Little Beaver Trail, Cemetery Road and the intersection of County Road 51 and Deerpath Street.

Council Member Barchers moved to approve Resolution No. 35-16, Series of 2016. Council Member Bailey seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION 36-16, SERIES of 2016

A RESOLUTION AUTHORIZING THE TOWN OF DILLON, COLORADO, TO ENTER INTO AN ENCROACHMENT LICENSE AGREEMENT AUTHORIZING HOAGLAND REVOCABLE TRUST, THE OWNERS OF 317 TENDERFOOT STREET, MORE SPECIFICALLY KNOWN AS LOT 12, BLOCK K OF THE NEW TOWN OF DILLON SUBDIVISION, DILLON, COLORADO, TO BUILD A PORTION OF A TIMBER LANDSCAPING WALL ON THE TOWN'S UTILITY EASEMENT; AUTHORIZING AND DIRECTING THE APPROPRIATE TOWN OFFICERS TO SIGN SAID ENCROACHMENT LICENSE AGREEMENT; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Mr. West reported that staff has received a Grading and Excavation Permit Application for the construction of a timber landscape / retaining wall at 317 Tenderfoot Street (Lot 12, Block K, New Town of Dillon Subdivision; Residential Low (RL) zoning district). The wall is to be an extension of an existing wall. He stated that a Grading and Excavation Permit is required for the construction of any earth retaining wall in excess of twenty-four (24) inches in height (Sec. 11-3-60(f)). The proposed wall will have a maximum height of four (4) feet. While staff has determined that there are no current or proposed underground Town utilities in the designated area, as the project extends into the utility easement, an Encroachment License Agreement must be executed. This Agreement indicates the property owner assumes all risks associated with proposed improvements in the easement and expressly indicates the owner will receive no compensation if improvements require removal for easement work nor will they obtain any interest in land under this agreement.

Council Member Skowyra moved to approve Resolution No. 36-16, Series of 2016. Council Member Barchers seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION 37-16, SERIES of 2016

A RESOLUTION AUTHORIZING THE TOWN OF DILLON, COLORADO, TO ENTER INTO AN ENCROACHMENT LICENSE AGREEMENT AUTHORIZING LEONARD T. AND CHRSTINE I. SZMURLO, THE OWNERS OF 11 CORINTHIAN CIRCLE, MORE SPECIFICALLY KNOWN AS LOT 1A, BLOCK 1 OF THE CORINTHIAN HILL SUBDIVISION, DILLON, COLORADO, TO LOCATE A HOT TUB ON THE TOWN'S UTILITY EASEMENT; AUTHORIZING AND DIRECTING THE APPROPRIATE TOWN OFFICERS TO SIGN SAID ENCROACHMENT LICENSE AGREEMENT; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Mr. West reported that the Town has received a Development Permit Application for an addition at 11 Corinthian Circle (Lot 1A, Block 1, Corinthian Hill Subdivision; Residential Medium (RM) zoning district). During the plan review, it was determined that an existing hot tub is located in the utility easement. The applicant states that the hot tub was in the location when they purchased the property and it is their desire to keep the hot tub in the current location. Mr. West stated that the proposed Encroachment License Agreement details that if utility work is required in the easement, the property owner assumes all risks associated with the improvements in the easement, and would not be entitled to any compensation if the improvements require removal for work in the easement in the future. The property owner also obtains no interest in land under this agreement.

Council Member Hendricks moved to approve Resolution No. 37-16, Series of 2016. Council Member Bailey seconded the motion which passed unanimously upon roll call vote.

TOWN MANAGER'S UPDATE

Town Manager Tom Breslin reported on the following items:

- The Triathlon is in its final stages of planning.
- The Homeowner Association meetings are going well and Council Members and staff are being well received.
- The Community Chat was well attended and items discussed included illegal banners and signs, pickle ball, and churches in the core area.
- Sports Authority is closing on July 24, 2016.

MAYOR'S REPORT:

Mayor Burns did not have a report.

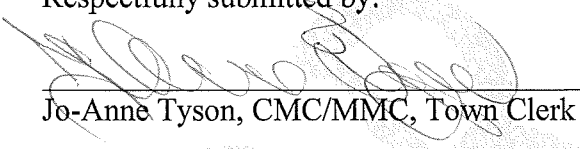
EXECUTIVE SESSION:

Mayor Burns moved to go into executive session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e), specifically to discuss negotiations regarding potential economic development within the Town. Council Member Barchers seconded the motion which passed unanimously. No action was taken during the executive session. At 7:46 p.m. Mayor Burns concluded the executive session.

ADJOURNMENT:

There being no further business, Mayor Burns declared the meeting adjourned at 7:48 p.m.

Respectfully submitted by:


Jo-Anne Tyson, CMC/MMC, Town Clerk