

RECORD OF PROCEEDINGS

**TOWN OF DILLON
TOWN COUNCIL
REGULAR MEETING**
Tuesday, January 3, 2017
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, January 3, 2017, at Dillon Town Hall, 275 Lake Dillon Drive, Dillon, CO. Mayor Burns called the meeting to order at 7:00 p.m. and the following Council Members answered roll call: Brad Bailey, Carolyn Skowyra and Tim Westerberg. Council Members Jen Barchers, Kyle Hendricks, and Mark Nickel were absent (excused). Staff members present were: Kerstin Anderson, Marketing and Communications Director; Tom Breslin, Town Manager; Dan Burroughs, Town Engineer; 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 as approved.

APPROVAL OF CONSENT AGENDA

Council Member Westerberg moved to approve the following consent agenda:

- a. Minutes of Regular Meeting of December 6, 2016
- b. Approval of Bill List dated December 30, 2016 in the amount of \$881,089.58 and Payroll Ledgers dated December 9, 2016 in the amount of \$63,729.16 and December 23, 2016 in the amount of \$62,513.38.
- c. Excused Absence for Council Members Bailey and Westerberg for the December 6, 2016 Town Council Meeting.

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

CITIZEN COMMENTS

No citizen comments were made.

CONSIDERATION OF ORDINANCE NO. 01-17, SERIES OF 2017

AN ORDINANCE OF THE TOWN OF DILLON, COLORADO AMENDING CHAPTER 10, "GENERAL OFFENSES," ARTICLE IV, "PUBLIC PEACE, ORDER AND DECENCY," SECTION 10-4-30, "LOITERING," OF THE DILLON MUNICIPAL CODE OF THE TOWN OF DILLON, COLORADO; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Town Manager Tom Breslin reported that the Town was alerted that a section of the Dillon Municipal Code had language that was too broad in relation to current jurisprudence under the First Amendment. After consulting with the Town Attorney, staff determined that Chapter 10, General Offenses, Article IV, "Public Peace, Order and Decency," Section 10-

4-30, "Loitering," needs to be amended and brought into compliance.

Council Member Westerberg moved to approve Ordinance No. 01-17, Series of 2017 with language reflecting the First Amendment, not the Fifth Amendment as represented in the ordinance. Council Member Bailey seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. 01-17, SERIES OF 2017

A RESOLUTION OF THE TOWN OF DILLON, COLORADO DESIGNATING THE PUBLIC PLACES FOR POSTING MEETING NOTICES; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Town Clerk Jo-Anne Tyson stated that Colorado law requires municipalities to designate the public place(s) for posting meeting notices at the first regular meeting of each calendar year. This resolution designates the Dillon Town Hall and Dillon Post Office for posting meeting notices.

Council Member Westerberg moved to approve Resolution No. 01-17, Series of 2017. Council Member Skowyra seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. 02-17, SERIES OF 2017

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF DILLON, COLORADO, APPROVING A CLASS S-1 RESUBDIVISION OF LOT C AND PORTIONS OF THE PUBLIC AREA, PARKING AREA AND OPEN AREA IN BLOCK A, NEW TOWN OF DILLON SUBDIVISION, FOR THE PURPOSE OF CREATING NEW PARCELS, TO BE CALLED LOTS SW-1, SW-2, SW-3, SE-1, SE-2, SE-3, SE-4, NE-1, NW-1, NW-2 AND NW-3, BLOCK A AND DEDICATING STREET RIGHT OF WAY AND PUBLIC AREAS ADJACENT TO THESE PARCELS IN DILLON, COLORADO.

Manager Breslin reported that Town Council directed staff to create development opportunities within the Town Center (Block A) in an effort to promote the revitalization of this portion of Town. Town Engineer, Dan Burroughs explained that while considering options for the Town Core, several parking considerations were addressed. As the Town owns most of the parking in the Town Center, the Town therefore provides the parking and accessible parking for most of the businesses in the Town Core. Mr. Burroughs further explained that the Town has received a Class S-1 application, of which the Town is the applicant, for the resubdivision of Lot C and portions of the Public Area, Parking Area and Open Area in Block A, New Town of Dillon subdivision, for the purpose of creating new parcels, to be called Lots SW-SWS-2, SW-3, SE-1, SE-2, SE-3, SE-4, NE-1, NW-1, NW-2 and NW-3, Block A and dedicating street Right of Way and public areas adjacent to these parcels. Once the lots are created, the Town intends to transfer the properties to the Dillon Urban Renewal Authority (DURA) as needed. DURA would then send out a request for proposal for each of the lots to inquire as to any interest from the development community.

This public hearing was published in accordance with public posting requirements as set forth by the Dillon Municipal Code. Mayor Burns opened the public hearing at 7:24 p.m.

Four Town of Dillon business owners and/or property owners spoke in opposition to this application in reference to accessible parking for existing buildings, trash removal, Fire

Department access, reduction in property boundaries, and code adherence. Town Clerk Jo-Anne Tyson read two submitted email comments stating opposition to this application related to the lack of accessibility to existing buildings and the reduction of parking spaces in Town.

There being no further comments from the public, Mayor Burns closed the public hearing at 7:49 p.m.

Council Member Westerberg moved to approve Resolution No. 02-17, Series of 2017. Council Member Bailey seconded the motion which passed unanimously upon roll call vote.

TOWN MANAGER'S UPDATE

Manager Breslin stated that he provided a report to Council at the earlier Work Session.

MAYOR'S REPORT:

Mayor Burns stated that he provided a report to Council at the earlier Work Session.

ADJOURNMENT:

There being no further business, Mayor Burns declared the meeting adjourned at 7:56 p.m.

Respectfully submitted by:



Jo-Anne Tyson, CMC/MMC, Town Clerk