

RECORD OF PROCEEDINGS

**TOWN OF DILLON
TOWN COUNCIL
REGULAR MEETING**

Tuesday, July 18, 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, July 18, 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, Jennifer Barchers, Kyle Hendricks, Mark Nickel, Carolyn Skowyra and Tim Westerberg. Staff members present were: Kerstin Anderson, Marketing and Communications Director; Tom Breslin, Town Manager; Mark Heminghous, Police Chief; Scott O'Brien, Public Works Director; Carri McDonnell, Finance 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 from Special Meeting June 16, 2017
- b. Minutes from June 20, 2017
- c. Minutes from Special Meeting June 27, 2017
- d. Approval of Bill List and Payroll Ledgers from June 23, 2017 and July 7, 2017
- e. Consideration of Approval to Use Town Owned Property – Dillon Marina
- f. Consideration of Approval to Use Town Owned Property – Town Park
- g. Excused Absence for Mayor Burns for the June 20, 2017 Town Council Meeting

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

CITIZEN COMMENTS

There were no citizen comments.

MAYORAL PROCLAMATIONS

Appreciation of service to Planning and Zoning Commissioner Nathan Nosari

Mayor Burns read Proclamation 05-17, Series of 2017 acknowledging the Town's appreciation to outgoing Planning and Zoning Commissioner Nathan Nosari.

SWEARING IN OF NEW POLICE OFFICER, ZACHARY SLUTZKY

Police Chief Mark Heminghous introduced a new part time member of the Dillon Police Department, Zachary Slutzky to Council. Chief Heminghous read the Dillon Police Department Oath and Town Clerk Jo-Anne Tyson administered the oath of office to Mr. Slutzky.

CONSIDERATION OF RESOLUTION 35-17, SERIES OF 2017

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF DILLON, COLORADO, APPROVING A LEVEL IV DEVELOPMENT APPLICATION FOR THE BLOCK 6 AMENDMENT TO THE DILLON RIDGE MARKETPLACE PLANNED UNIT DEVELOPMENT, CONSISTING OF 3 APARTMENT BUILDINGS WITH A TOTAL OF 36 APARTMENT UNITS LOCATED, ON BLOCK 6 OF THE DILLON RIDGE MARKETPLACE PLANNED UNIT DEVELOPMENT, DILLON, COLORADO; AND, SETTING FORTH DETAILS IN RELATION THERETO.

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 7:10 p.m.

Town Engineer Dan Burroughs, reported that the Town of Dillon received a Level IV Development Application for an amendment to Block 6 of the existing Dillon Ridge Marketplace Planned Unit Development (PUD). This PUD, named Dillon Vistas Apartment Complex consists of three (3) buildings with twelve (12) two (2) bedroom units each for a total of thirty six (36) units. Eighteen (18) of the units will be designated for workforce housing. Mr. Burroughs further stated that Block 6 was created with the approval of the Original Dillon Ridge Marketplace Planned Unit Development (PUD).

Three (3) Lookout Ridge homeowners and one (1) Dillon resident spoke in opposition of this project addressing concerns that it is too large for the parcel, trash removal is inadequate for the number of units proposed, there is insufficient overflow parking from neighboring businesses during busy times/high season, inadequate snow storage, landscaping, obstruction of views, and affordability of the units.

There being no further comments, Mayor Burns closed the public hearing at 8:14 p.m.

Council Member Bailey moved to approve Resolution 35-17, Series of 2017. Council Member Westerberg seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION 32-17, SERIES OF 2017

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF DILLON, COLORADO, AUTHORIZING THE TOWN OF DILLON TO ENTER INTO AN ECONOMIC DEVELOPMENT AGREEMENT WITH CHRISTY SPORTS LLC, A COLORADO LIMITED LIABILITY COMPANY; AUTHORIZING AND DIRECTING THE APPROPRIATE TOWN OFFICERS TO SIGN THE NECESSARY AGREEMENT.

Finance Director Carri McDonnell stated that this resolution allows the Town to enter into an Economic Development Agreement with Christy Sports for the redevelopment of their building located at 817 US 6. The Agreement states that the project must be completed and the new building opened no later than January 1, 2021. The maximum reimbursement amount is \$600,000.00, which will be paid to Christy Sports at a rate of 25% per year over the course of ten (10) years or until they reach \$600,000.00 in reimbursements. If Christy Sports chooses to close their business within the first two years after the opening of their new building, all sales tax reimbursement shall be paid back to the Town.

Council Member Skowyra moved to approve Resolution No. 32-17, Series of 2017. Council Member Westerberg seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION 33-17, SERIES OF 2017

A RESOLUTION REQUESTING COVERAGE UNDER THE FPPA DEFINED BENEFIT SYSTEM ADMINISTERED BY THE FIRE AND POLICE PENSION ASSOCIATION FOR NEW POLICE OFFICERS FOR THE TOWN OF DILLON, COLORADO.

Ms. McDonnell reported that years ago, town staff opted out of social security. In 1979, the staff; excluding sworn police officers, decided to opt back into social security. At that time, the Town established a retirement program as a replacement for social security and required sworn police officers to invest five percent (5%) of their earnings while the Town matched their investment at a rate of five percent (5%). The Town also provided disability insurance through the Fire and Police Pension Association (FPPA) at a rate of two.four percent (2.4%). The Town has tried to enroll officers in either social security or the FPPA pension program several times since 1993 but neither entity would allow entry into their programs until now. Currently, the Town pays five percent (5%) for their retirement program and five percent (5%) for a social security replacement plan. Both plans will be eliminated with the switch to FPPA where the Town will provide ten percent (10%) to the FPPA program. Current officers may choose between four (4) offered plans: 1) Statewide defined benefit plan, which provides a higher percentage payout at retirement, but requires an eleven.five percent (11.5%) contribution from the employee in 2017 and progressively increases to fourteen percent (14%) by 2021, 2) Statewide hybrid plan, which provides a lower percentage payout at retirement, but the employee contribution rate stays at ten percent (10%), 3) Money purchase plan, which allows a ten percent (10%) employee contribution rate and is similar to a traditional 401 plan, or 4) Current officers may choose to stay in their current retirement plans. Officers hired after the effective date will be automatically enrolled in the statewide hybrid plan.

Council Member Westerberg moved to approve Resolution No. 33-17, Series of 2017. Council Member Barchers seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION 34-17, SERIES OF 2017

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF DILLON, COLORADO, SETTING FORTH THE TOWN’S COMMITMENT TO HEALTHY EATING AND LIFESTYLES (HEAL) FOR COMMUNITY MEMBERS AND EMPLOYEES AND, SETTING FORTH GUIDELINES IN RELATION THERETO.

Events Coordinator Matt Lope and Town Clerk Jo-Anne Tyson stated that they introduced the Healthy Eating and Active Lifestyle (HEAL) concept to Council at their June 20, 2017 Work Session. HEAL is a partnership between HEAL Colorado and the Colorado Municipal League (CML). Mr. Lope and Ms. Tyson reported that as a HEAL city, Dillon will set an example of healthy, vibrant living to citizens and employees. Dillon residents and town staff naturally fit into many of the criteria of the HEAL program as they take advantage of the numerous recreational opportunities Summit County provides. The HEAL program combines active living, healthy workplaces, healthy eating, and community safety resulting in an overall healthier community.

Council Member Skowyra moved to approve Resolution No. 34-17, Series of 2017. Council Member Bailey seconded the motion which passed unanimously upon roll call vote.

TOWN MANAGER’S UPDATE

Manager Breslin updated Council on the following items:

- He is receiving compliments from the Home Owner Association meetings. The representatives appreciate the Town’s transparency on the items being discussed.

- The Dillon Amphitheatre is being torn down on Thursday, July 20, 2017. The project is on schedule and on budget.

MAYOR'S UPDATE

Mayor Burns reported on the following items:

- He received a complimentary email directed at Scott O'Brien from the Pickle Ball players stating their appreciation of Scott's willingness to work with their group on securing court time.
- He appreciated Council's understanding of his vacation schedule.

COUNCIL MEMBER COMMENTS

There were no Council Member comments.

COUNCIL RETREAT FOLLOW-UP

- Mayor Burns suggested that Council discuss items they would like to address at the upcoming Council retreat.
 - Packet material has been helpful in making decisions.
 - Discuss working relationships ie: does Council want to encourage the public to address Council with questions or participate in dialogue during Work Session?
 - Discuss protocol on public comment period. Shall this be a strict five (5) minute limit or shall the time limit vary by meeting depending on the number of items on the agenda?

AMPHITHEATRE UPDATE

This item was addressed under the Town Manager's update.

EXECUTIVE SESSION

Mayor Burns moved to go into Executive Session at 8:35 p.m. 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. No action was taken during the executive session. At 9:40 p.m. Council concluded the executive session.

OTHER BUSINESS

Council Member Westerberg moved to deny the Buffalo Mountain Veterinary Clinic proposal. Council Member Bailey seconded the motion which passed on a vote of 5 – 2 with Mayor Burns and Council Member Skowrya in opposition.

ADJOURNMENT:

There being no further business, Mayor Burns declared the meeting adjourned at 9:43 p.m.

Respectfully submitted by:

Jo-Anne Tyson, Town Clerk, CMC/MMC