

**TOWN OF DILLON
TOWN COUNCIL
REGULAR MEETING**
Tuesday, November 21, 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, November 21, 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, Kyle Hendricks, Mark Nickel, Carolyn Skowyra, and Tim Westerberg. Council Member Barchers was absent (excused). Staff members present were: Kerstin Anderson, Marketing and Communications Director; Dan Burroughs, Town Engineer; Mark Heminghaus, 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 Bailey moved to approve the following consent agenda:

- a. Minutes from November 7, 2017 Regular Meeting
- b. Approval of Bill List dated November 17, 2017 in the amount of \$43,173.79 and Payroll Ledger from November 10, 2017 in the amount of \$74,209.78.
- c. Excused Absence for Council Member Barchers for the November 21, 2017 Town Council Meeting.

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

CITIZEN COMMENTS

There were no citizen comments.

CONSIDERATION OF ORDINANCE NO. 09-17, SERIES OF 2017

AN ORDINANCE BY THE TOWN COUNCIL OF THE TOWN OF DILLON, COLORADO, REPEALING AND REPLACING IN ITS ENTIRETY CHAPTER 19, "FEES," OF THE DILLON MUNICIPAL CODE FOR THE PURPOSES OF UPDATING FEES ASSOCIATED WITH THE REQUIREMENTS OF THE DILLON MUNICIPAL CODE; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Acting Town Manager Carri McDonnell reported that this ordinance amends Chapter 19, Fees, of the Dillon Municipal Code removing those fees which are not directly referenced in the Code. The following changes are proposed:

- Chapter 1, Municipal Code Book charges are eliminated as the code is available online for no charge.
- Chapter 6 to be included in Resolution to be presented to Council on December 5.
- Chapter 11, Cemetery Fees, deposit for grave marker increased from \$350 to \$500 to more accurately reflect the cost to construct and install a grave marker in the event the purchaser of the

lot does not provide one within one year of interment.

- Chapter 13, Water Fees, water usage rates increased by 2% as recommended in the 2014 water rate study and to balance the 2018 budget.
- Chapter 13, Sewers & Sewage Disposal, Rates and charges; schedule increased by 2% as recommended in the 2014 sewer rate study and to balance the 2018 budget. The sewer rate has not been increased in three years.
- Chapter 16, Level IV Development Application Fees for PUD increased from \$3,200 to \$4,800 to more accurately reflect cost of staff time to prepare and review Planned Unit Development agreements.
- Miscellaneous Fees to be included in Resolution to be presented to Council on December 5.

Council Member Westerberg moved to approve Ordinance No. 09-17, Series of 2017. Council Member Nickel seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF ORDINANCE NO. 10-17, SERIES OF 2017

AN ORDINANCE AMENDING THE DILLON MUNICIPAL CODE TO ADOPT AN UPDATED PERSONNEL HANDBOOK.

Ms. McDonnell reported that this ordinance allows the Town to amend the Town's Personnel Handbook to clarify benefits allowed during a leave of absence. The current handbook allows for continuing benefits including health insurance, vacation and sick leave for thirty (30) days for leave without pay, ninety (90) days for workers compensation leave but does not address for paid leave. Staff recommends consistency in providing benefits during a leave regardless of whether the leave was paid or unpaid.

Council Member Westerberg moved to approve Ordinance No. 10-17, Series of 2017. Council Member Bailey seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. 61-17, SERIES OF 2017

A RESOLUTION APPROVING A SECOND AMENDMENT TO EMPLOYMENT AGREEMENT.

Ms. McDonnell reported that this resolution allows the Town to amend the employment agreement with Town Manager Tom Acre for the period beginning November 6, 2017 to January 11, 2018. During this time, Mr. Acre will be paid sixty percent (60%) of his established annual salary.

Council Member Bailey moved to approve Resolution No. 61-17, Series of 2017. Council Member Hendricks seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. 62-17, SERIES OF 2017

A RESOLUTION AUTHORIZING THE TOWN OF DILLON, COLORADO, TO ENTER INTO AN EMPLOYMENT AGREEMENT FOR ACTING TOWN MANAGER; AUTHORIZING AND DIRECTING THE APPROPRIATE TOWN OFFICERS TO SIGN SAID AGREEMENT; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Ms. McDonnell reported that Town Manager Tom Acre took medical leave as of October 13, 2017 and was appointed as Acting Town Manager by Mayor Burns on October 27, 2017. Ms. McDonnell stated that this resolution approves an employment agreement for her to serve as acting town manager until further notice. By charter, the Mayor is required to appoint the acting Town Manager, however, the employment agreement and pay considerations must be approved by the Town Council.

Council Member Westerberg moved to approve Resolution No. 62-17, Series of 2017. Council Member Skowyra seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. 63-17, SERIES OF 2017

A RESOLUTION AUTHORIZING THE TOWN OF DILLON, COLORADO, TO ENTER INTO AN AGREEMENT WITH SILVER FLASK FISHING ENDING ON DECEMBER 31, 2017; AUTHORIZING AND DIRECTING THE APPROPRIATE TOWN OFFICERS TO SIGN THE NECESSARY DOCUMENTS; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Ms. McDonnell reported that this resolution represents the first lease agreement between the Town of Dillon and “Silver Flask Fishing,” a concessionaire at the Dillon Marina. This lease requires remittance of one percent (1%) of monthly gross revenues during the term of the lease including ice fishing from the Town of Dillon and Dillon Marina property. This lease expires on December 31, 2017.

Council Member Bailey moved to approve Resolution No. 63-17, Series of 2017. Council Member Hendricks seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. 64-17, SERIES OF 2017

A RESOLUTION AUTHORIZING THE TOWN OF DILLON, COLORADO, TO ENTER INTO AN AGREEMENT WITH SILVER FLASK FISHING COMMENCING ON JANUARY 1, 2018 AND ENDING ON APRIL 30, 2018; AUTHORIZING AND DIRECTING THE APPROPRIATE TOWN OFFICERS TO SIGN THE NECESSARY DOCUMENTS; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Ms. McDonnell explained that this resolution represents a concessionaire agreement between the Town of Dillon and “Silver Flask Fishing”, (Concessionaire), term beginning on January 1, 2018 and ending on April 30, 2018. This lease requires remittance of one percent (1%) of monthly gross revenues during the term of the lease including ice fishing from the Town of Dillon and Dillon Marina property.

Council Member Bailey moved to approve Resolution No. 64-17, Series of 2017. Council Member Hendricks seconded the motion which passed unanimously upon roll call vote.

EXECUTIVE SESSION

Mayor Burns moved to go into Executive Session at 7:22 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. § 24-6-402(4)(e), specifically pertaining to contract negotiations regarding a potential sale of land. No action was taken during the executive session. At 7:37 p.m. Council concluded the executive session.

CONSIDERATION OF ORDINANCE NO. 11-17, SERIES OF 2017

AN ORDINANCE APPROVING AN OPTION TO PURCHASE AGREEMENT WITH DILLON GATEWAY DEVELOPMENT, LLC.

Town Engineer Dan Burroughs reported that this ordinance allows the Town to enter into an option to purchase agreement with Dillon Gateway Development for lots 1A and 1C, Block B, known as the Old Town Hall lot on Lake Dillon Drive and the triangle lot located behind the Lake Dillon Conoco. This is the third option to purchase agreement for this property with terms as follows:

- The agreement requires the developer to reconvey a portion of the property associated with the required hammerhead back to the Town for public access in perpetuity.
- The option period will run for one year beginning on December 6, 2017.
- The purchase price for both parcels is \$549,000.

Council Member Westerberg moved to approve Ordinance No. 11-17, Series of 2017. Council Member

Bailey seconded the motion which passed unanimously upon roll call vote.

ACTING TOWN MANAGER'S UPDATE

Acting Town Manager Carri McDonnell reported on the following items:

- Overflow/run off issue resulting from the Ice Castles construction. Preventative measures have been put in place. Ms. McDonnell will follow up with La Riva to ensure no damage or concerns need to be addressed.
- Lighting of Dillon will be Thursday, December 7, 2017 at the Dillon Community Church.
- Town holiday party will be held on Friday, December 8, 2017, Red Mountain Grill. A flyer containing details will be emailed soon.
- January 2, 2018 Town Council meeting has been cancelled.

MAYOR'S UPDATE

Mayor Burns reported on the following items:

- High Country Conservation Center held a Zero Waste Forum last Friday. They are pushing for a tax question next year. Discussions surrounded the challenges of recycling in Summit County, educating the public and visitors on recycling, and how to support recycling programs.
- Council directed staff to schedule Work Session time to discuss alternate locations for High Country Conservation Center.

COUNCIL MEMBER COMMENTS

- Council Member Nickel asked to have the recreation path between Gold Run Circle to the eagle statue plowed more frequently.
- Discussion regarding a possible concessionaire opportunity took place. It was suggested to pack the snow on the recreation path along the lake and loop across the lake to the eagle statue. Staff stated this concept will be presented on an upcoming community survey.

COUNCIL MEMBER COMMITTEE REPORTS

- a. Economic Development Advisory Committee: Council Member Bailey stated there was not a meeting this month. Work continues on the Capstone project and tree thinning.
- b. Snake River Regional Planning Commission: Council Member Bailey reported this group will be meeting in December.
- c. Parks & Recreation Advisory Committee (PRAC): Council Member Nickel stated that the Community Garden concept was discussed at the last meeting. The committee will meet again in January 2018.
- d. NWCCOG Executive Committee, Council Meeting, Quality/Quantity: Council Member Skowrya stated that they will be meeting on December 7, 2017.
- e. Summit County Housing Authority: Mayor Burns reported they will be meeting tomorrow, November 22, 2017.

ADJOURNMENT:

There being no further business, Mayor Burns declared the meeting adjourned at 8:05 p.m.

Respectfully submitted by:

Jo-Anne Tyson, CMC/MMC, Town Clerk