

RECORD OF PROCEEDINGS

**TOWN OF DILLON
TOWN COUNCIL
REGULAR MEETING**

Tuesday, October 6, 2020
7:00 p.m.

Virtual Meeting Via Microsoft
Teams

CALL TO ORDER & ROLL CALL

A regular meeting of the Town Council of the Town of Dillon, Colorado, was held on Tuesday, October 6, 2020, via teleconferencing. Mayor Carolyn Skowyra called the meeting to order at 7:07 p.m. and the following Council Members answered roll call: Jennifer Barchers, Karen Kaminski, Renee Imamura and Steve Milroy. Council Member Brad Bailey (excused) and Council Member Kyle Hendricks were absent. Staff members present via teleconferencing were: Nathan Johnson, Town Manager; Carri McDonnell, Finance Director; Cale Osborn, Chief of Police; Kerstin Anderson, Marketing & Communications Director; Scott O'Brien, Public Works Director; Craig Simson, Marina Director; Dan Burroughs, Town Engineer; Ned West, Town Planner; Michelle Haynes, Administrative Assistant; and Adrienne Stuckey, Town Clerk.

APPROVAL OF AGENDA

The Mayor's Update, Item #12, will be moved to follow Citizen Comments, Item #4.

APPROVAL OF CONSENT AGENDA

Council Member Imamura moved to approve the following consent agenda:

- a. Minutes of Regular Meeting of September 15, 2020
- b. Approval of Bill List dated October 2, 2020 in the amount of \$360,964.56 and Payroll Ledger dated September 25, 2020 in the amount of \$93,649.34
- c. Consideration of Ordinance No. 18-20, Series of 2020
First Reading to Set the Public Hearing
AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE TOWN OF DILLON, COLORADO, EXCISE TAX REVENUE REFUNDING AND IMPROVEMENT BONDS, SERIES 2020; AND PLEDGING THE SALES TAX REVENUES, COUNTY SALES TAX REVENUES, AND LODGING TAX REVENUES OF THE TOWN FOR THE PAYMENT OF THE BONDS.
- d. Consideration of Resolution No. 43-20, Series of 2020
A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF DILLON, COLORADO, MAKING AN APPOINTMENT TO THE PLANNING AND ZONING COMMISSION.

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

CITIZEN COMMENTS

Dave Grant, 114 Gold Run Rd, Dillon, is part of the Dillon Neighborhood Coalition. He thanked Council and staff for the interaction and conversation over the past couple of weeks. He listened to the

prior Work Session and felt that communication between the residents, Council and Town management could improve its communication and would like more information on where things are in the process and the timeline for the project. It's exciting to see the progress in the Town Core, Marina & Amphitheater but sometimes positive impacts for businesses can create unintended, negative consequences for the residents. They ask for continued engagement or ways to elevate the awareness the projects can have on the neighborhoods.

Barb Richard, 152 Tenderfoot St, Dillon, spoke on behalf of the Dillon Neighborhood Coalition. She highlighted two resident needs. One need was for residents to be involved in the solutions to the Gold Run, Tenderfoot, LaBonte, West Buffalo and Three Rivers traffic and parking problems. The other need was for residents to participate in decisions for winter use of Dillon Town Park. She also stated they did not want the Ice Castles moved to the North side of Town Park once the multi-use field is completed.

MAYOR'S UPDATE:

Mayor Skowrya stated she has had various conversations with the Dillon Neighborhood Coalition members over the past few weeks. Some of the highlights from the discussions include:

- There are many different priorities within the group. Council encourages your involvement. The group would probably be heard more strongly if the feedback came back per topic.
- Because progress is going to be made with this group, we have an opportunity for citizen involvement for our Planning & Zoning Commission which has been lacking in membership. One of the proposals the Neighborhood Commission has come up with is a "neighborhood vision" and this is something that may be appropriate for the P&Z Commission to take on, create a proposal for Council and advise Council in an official role. We encourage any and all members of the Neighborhood Coalition to join the Planning & Zoning Commission.
- We are working toward solutions that will work for the group.
- There was a Mayors, Managers & Commissioners Meeting and Summit County canceled Halloween activities.

Council Member Hendricks joined the Regular Meeting at 7:26 p.m.

CONSIDERING OF RELEASING WORK SESSION NOTES

Town Manager Johnson explained the Town has received a CORA Request for "All Working Session Notes for 2020" from an individual. Staff needs clarity on a few items. From a Town standpoint, Work Session notes are viewed as a working document, paraphrased and are not approved by Council. Elected officials are not required to allow public inspection of work product in response to a CORA request. However, elected officials may allow public inspection of all or any part of work product prepared for them. Staff felt it would be appropriated to bring this forward to Council even though the individual rescinded the request.

Nick Cotton-Baez, Town Attorney, explained the reason Town doesn't normally record work sessions or take minutes because informal discussions are encouraged and no formal decisions are made. This is why CORA allows that work product from being exposed to the public. The notes are paraphrased and may not lead to any formal decision. When it comes to informal work product and work session notes, it makes sense to look at them at a case by case basis.

Council agreed work sessions are for informal discussions and thoughts and the Regular Meetings are recorded and have written minutes. Council agreed to abide by its current rules of not releasing work session notes.

PRESENTATION OF 2021 PROPOSED BUDGET

Due to time constraints during the Work Session, Carri McDonnell, Finance Director, discussed Special Revenues that were listed as Work Session Item #8. There are four Special Revenue funds:

- 1) Parking Escrow Fund
 - a. We don't typically use it but could in the future with the possibility of permitting and looking at our overnight parking situation.
- 2) Conservation Trust Fund
 - a. We receive lottery proceeds from Great Outdoors Colorado.
 - b. We receive approximately \$9,500 a year.
 - c. We do not have any expenditures planned for this fund.
 - d. There is approximately \$26,000 in the fund.
- 3) Housing Initiative 5A Fund
 - a. The 12/31/21 ending cash balance is projected to be \$4,017,629 which is reserved for future development of workforce housing. We estimate sales tax of \$678,486 and interest of \$7,500.
 - b. The 2021 expenditures include the following:
 - i. Administrative fee for the Summit Housing Authority in the amount of \$46,961, which is an increase from 2020 of 5% or \$2,236.
 - ii. The SCHA Services fee is \$1,000 and represents our costs associated with deed monitoring in our town.
 - iii. The Housing Project CR51 is money available for our share of the costs of the traffic study and environmental impact study for the CR51 forest service compound.
 - iv. The down payment loan program includes \$25,000 in 2020 and 2021 as discussed at the September 15 meeting. The repayment of these loans will also be budgeted in this fund.
- 4) Cemetery Perpetual Care Fund
 - a. 2021 budgeted revenues include the sale of lots (\$1,500), capital fee (\$4,000) and interest (\$1,300).
 - b. All expenditures must benefit the cemetery. There are no expenditures planned for the cemetery. With the combination of the Parks and Rec Committee with the Cemetery Committee, we will look for their recommendations moving forward.
 - c. 12/31/21 ending cash balance is anticipated at \$133,282 of which \$6,630 will be available to spend. The capital project reserve is \$24,000 and must be spent on capital projects for the Dillon Cemetery. Revenue from the sale of lots (\$95,302) cannot be spent. Those monies are held in reserve to earn interest in order to maintain the cemetery. The gravesite markers (\$7,350) is a deposit collected at the time of interment in the event and is returned to the family once a gravesite marker is placed.

Ms. McDonnell then discussed the proposed 2021 budget and the changes that were made to the budget since the last presentation.

Revenues

- 2020 estimated revenues for sales, lodging and excise tax collections have been updated for the July collections. This increase impacted the General, Capital and Street Funds.

- Business licenses, park fees and nicotine tax revenues have been increased based on collections for June and July.

Expenditures

- The 2021 salary projections have been increased by 2.4% for January 1 payroll raises as directed by Council.
- The nicotine project funding has also increased to reflect the new number of revenue collections.
- Added Highway 6 sidewalks in the amount of \$400k. Moved the street overlays of \$400k to the Streets Fund.

Highlights

- The General Fund is balanced with revenues covering expenditures by just \$1,367. Revenues are anticipated to be down almost 12% while expenditures are projected to be down 8%. The fund has the required three months of reserves in the amount of \$1,468,886 plus the health insurance reserve of \$170k leaving an ending cash balance of \$387,397.
- The major capital projects for 2021 include the Town Park improvements (\$1.65 million), resurfacing of several town streets (\$1,050,000), sidewalks on Highway 6 (\$400k).
- Staff anticipates issuing \$3 million in sales tax bonds in 2020 to take advantage of favorable interest rates. The money will be used to reconstruct upper Tenderfoot Street in 2021 and Lodgepole Street in 2022.
- The water and sewer funds are balanced with no increases in water or sewer fees in 2021.
- Major water and sewer capital projects include the removal of the storage tank, modification of the chemical storage building, continued work on corrosion control, equipment replacements and sewer service work in the Town Park.
- The marina fund is balanced with revenues of \$1,625,040 and expenditures of \$2,950,148. The expenditures include capital projects of \$1,471,000 including \$1.3 million for master plan improvements. Council will be working to determine priorities for the master plan improvements. There are three months of reserves in the amount of \$323,347 leaving a cash balance of \$233,229.

Ms. McDonnell stated this is the presentation on the budget and on November 3, 2020 will be the Public Hearing on the budget and December 1, 2020 will be Council's last consideration to approve the budget.

Council did not have any questions or concerns with the 2021 budget as proposed.

CONSIDERATION OF EMERGENCY ORDINANCE NO. 19-20, SERIES OF 2020
AN EMERGENCY ORDINANCE AMENDING ARTICLE VI OF CHAPTER 2 OF THE
MUNICIPAL CODE REGARDING PLANNING AND ZONING COMMISSION
MEMBERSHIP.

Nathan Johnson, Town Manager, explained this ordinance would amend the code to allow for persons that own a residence in the Town of Dillon but it is not their primary residence to sit on the Planning and Zoning Commission. They must be able to attend meetings on a regular basis and show a strong interest in planning and development within the Town of Dillon. They would serve a three-year term as all resident and non-resident positions currently serve. If there were more than two unexcused absences they can be removed by the Council.

Council Member Barchers made a motion to approve Emergency Ordinance No. 19-20, Series of 2020 with an amendment adding an unexcused absence from more than two (2) consecutive meetings shall be evidence of inefficiency and neglect of duty. Council Member Imamura seconded the motion with the amendment which passed unanimously upon roll call.

CONSIDERATION OF EMERGENCY ORDINANCE NO. 20-20, SERIES OF 2020
AN EMERGENCY ORDINANCE AUTHORIZING THE TOWN COUNCIL TO SIT EX OFFICIO AS THE PLANNING AND ZONING COMMISSION, AND TEMPORARILY SUSPENDING PROVISIONS OF THE CODE IN CONFLICT THEREWITH.

Manager Johnson explained Planning and Zoning applications have to be reviewed within a certain time period. This ordinance would allow the Town Council to sit ex officio as the Planning and Zoning Commission (PNZ) until the PNZ achieves a quorum or November 30, 2020 whichever occurs first. The Council can extend the term by resolution if no quorum is reached. The Mayor is appointed as the chair and the PNZ meetings can be held on Tuesdays or another date Council determines as necessary.

Council Member Imamura made a motion to approve Emergency Ordinance No. 20-20, Series of 2020 Council Member Hendricks seconded the motion which passed unanimously upon roll call.

CONSIDERATION OF RESOLUTION NO. 44-20, SERIES OF 2020
A RESOLUTION COMBINING THE TOWN OF DILLON PARKS AND RECREATION COMMITTEE AND THE CEMETERY ADVISORY COMMITTEE, RENAMING THE COMBINED COMMITTEE, AND APPOINTING MEMBERS THERETO.

Ms. McDonnell stated this resolution approves combining the current Parks and Recreation Advisory Committee and the Cemetery Advisory Committee into one committee now known as the Parks, Recreation, Arts and Cemetery Committee (PRAC).

There will be five citizen advisory members appointed by Town Council. Council will try to fill from Dillon residents first and then can appoint up to two non-residents if residents are not available. The terms will be two years and the Town Council can appoint one member of the Council to serve as an ex officio member for one-year terms. All members of the current committees will be appointed to the new PRAC.

PRAC will continue to have at least one staff liaison depending on the topic of discussion. PRAC will meet the first Monday of each month at 5:30 pm for one hour.

Council Member Barchers made a motion to approve Resolution No. 44-20, Series of 2020. Council Member Hendricks seconded the motion which passed unanimously upon roll call.

CONSIDERATION OF RESOLUTION NO. 45-20, SERIES OF 2020
A RESOLUTION AUTHORIZING THE TOWN OF DILLON, COLORADO, TO ENTER INTO A LICENSE TO USE AGREEMENT WITH ICE CASTLE, LLC; AUTHORIZING AND DIRECTING THE APPROPRIATE TOWN OFFICERS TO SIGN THE NECESSARY DOCUMENTS; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Kerstin Anderson, Marketing and Communications Director, explained this resolution approves the Use License Agreement between Town of Dillon and Ice Castles, LLC to provide winter animation in Dillon Town Park for the 2020-2021 season. It includes an increase water rate to align with the existing water fee structure.

Council Member Barchers made a motion to approve Resolution No. 45-20, Series of 2020. Council Member Hendricks seconded the motion which passed unanimously upon roll call.

TOWN MANAGER’S UPDATE

Manager Johnson reported on the following:

- There is an increase in COVID-19 cases.
- Along with the County, we are now in a Stage 1 fire ban. We have had several red flag days.
- The last Farmers Market of the 2020 season will be on Friday, September 18, 2020.
- CDOT/Stantec is intent to complete the Eisenhower Johnson Memorial Tunnel Hazmat Study by December 1, 2020. Dillon would like to have a response prior to the December 1st date.
- Dillon has a 25-year lease with Denver Water.
- Upcoming meetings are the I-70 Coalition meeting and Summit Chamber Ski COO.

MAYOR’S UPDATE:

Item #11, Mayor’s Update, was moved to Item #5, following Citizen Comments.

COUNCIL MEMBER COMMITTEE REPORTS AND COMMENTS:

Council Members did not have any committee reports or comments.

EXECUTIVE SESSION

Mayor Skowrya moved to go into Executive Session at 8:28 p.m. for the purpose of discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f), and not involving: any specific employees who have requested discussion of the matter in open session; any member of the Town Council, the appointment of any person to fill a vacancy on the Town Council; or personnel policies that do not require the discussion of matters personal to particular employees; specifically, to discuss the town manager’s evaluation. No action was taken during the executive session. At 8:59 p.m. Council concluded the executive session.

ADJOURNMENT:

There being no further business, Mayor Skowrya declared the meeting adjourned at 9:00 p.m.

Respectfully submitted by:

Adrienne Stuckey, Town Clerk