

**TOWN OF DILLON
TOWN COUNCIL
REGULAR MEETING**

Tuesday, February 21, 2023
7:00 p.m.

CALL TO ORDER & ROLL CALL

A regular meeting of the Town Council of the Town of Dillon, Colorado, was held on Tuesday, February 21, 2023, at Dillon Town Hall, 275 Lake Dillon Drive, Dillon, CO. Mayor Carolyn Skowyra called the meeting to order at 7:00 p.m. and the following Council Members answered roll call: Brad Bailey, Dana Christiansen, Renee Imamura, Tony Scalise and John Woods. Council Member Kyle Hendricks was absent (excused). Nathan Johnson, Town Manager; Carri McDonnell, Finance Director; Cale Osborn, Police Chief; Jessie Klehfoth, Events and Recreation Director; Scott O'Brien, Public Works Director; Dan Burroughs, Town Engineer; Craig Simson, Marina Director; Matt Farley, Finance Manager; and Adrienne Stuckey, Town Clerk.

APPROVAL OF AGENDA

There were no changes to the Regular Council Meeting agenda.

APPROVAL OF CONSENT AGENDA

Mayor Pro Tem Bailey moved to approve the following consent agenda:

- i. Minutes of Regular Meeting of February 7, 2023
- ii. Approval of Bill List dated February 17, 2023, in the amount of \$ 635,696.26 and Payroll Ledger dated February 10, 2023 in the amount of \$ 109,455.89.
- iii. Excused Absence for Mayor Pro Tem Bailey for the February 7, 2023 Regular Council Meeting

Council Member Scalise seconded the motion which passed unanimously.

CITIZEN COMMENTS

There were no Citizen Comments.

CONSIDERATION OF ORDINANCE NO. 01-23, SERIES OF 2023

Second Reading and Public Hearing

AN ORDINANCE AMENDING CHAPTER 4 OF THE DILLON MUNICIPAL CODE TO ADD A NEW ARTICLE X REGARDING THE TOWN OF DILLON SHORT TERM RENTAL TAX

This public hearing was published in accordance with public posting requirements as set forth by the Dillon Municipal Code. Mayor Skowyra opened the public hearing at 7:02 p.m.

Matt Farley, Finance Manager, explained this ordinance amends Chapter 4 of the Dillon Municipal Code to add a 5% excise tax on short term rentals only and does not include hotels, motels, bed and breakfasts, dormitories, group homes or time-shared interval units.

There were no public comments.

Council did not have any comments.

Mayor Skowrya closed the public hearing at 7:03 p.m.

Council Member Woods made a motion to approve Ordinance No. 01-23, Series of 2023. Council Member Imamura seconded the motion, which passed unanimously.

Council Member Hendricks entered the Regular Council Meeting.

CONSIDERATION OF ORDINANCE NO. 02-23, SERIES OF 2023

Second Reading and Public Hearing

AN ORDINANCE AMENDING PROVISIONS OF THE DILLON MUNICIPAL CODE CONCERNING THE LICENSING AND REGULATION OF SHORT-TERM RENTAL UNITS

This public hearing was published in accordance with public posting requirements as set forth by the Dillon Municipal Code. Mayor Skowrya opened the public hearing at 7:04 p.m.

Mr. Farley explained this ordinance increases the short-term rental license fee from \$250.00 to \$700.00 to offset related short-term rental costs and removes the parking requirement and associated parking fee.

There were no public comments.

Council did not have any comments.

Mayor Skowrya closed the public hearing at 7:05 p.m.

Council Member Imamura made a motion to approve Ordinance No. 02-23, Series of 2023. Council Member Scalise seconded the motion, which passed unanimously.

CONSIDERATION OF RESOLUTION NO. 09-23, SERIES OF 2023

A RESOLUTION APPROVING A FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT FOR THE JOINT SEWER AUTHORITY

Scott O'Brien, Public Works Director, stated this is a first amendment to the Joint Sewer Authority (JSA) Intergovernmental Agreement (IGA) revised January 1, 2010. This First Amendment reduces the EQR definition (wastewater volume/residential unit/day) from 350 gallons to 315 gallons (a 10% reduction).

Approval of the First Amendment increases Dillon total capacity of 2403 EQR's at the Joint Sewer Authority to 2656 EQR's.

Council Member Scalise made a motion to approve Resolution No. 09-23, Series of 2023. Council Member Imamura seconded the motion, which passed unanimously.

CONSOLIDATED SERVICE PLAN FOR TRIVENI SQUARE METROPOLITAN DISTRICT NOS. 1—4 TOWN OF DILLON

Public Hearing

This public hearing was published in accordance with public posting requirements as set forth by the Dillon Municipal Code. Mayor Skowrya reopened the public hearing at 7:12 p.m.

Nick Cotton-Baez, Town Attorney, defined the purpose and intent of "Districts". He explained

Districts are independent units of local government, separate and distinct from the Town, and, except as may otherwise be provided for by State or local law or this Service Plan, their activities are subject to review by the Town only insofar as they may deviate in a material matter from the requirements of the Service Plan. It is intended that the Districts will provide a part or all of the Public Improvements for the use and benefit of all anticipated inhabitants and taxpayers of the Districts. The primary purposes of the District will be to finance the construction of the Public Improvements and provide ongoing operation and maintenance services as more specifically set forth in this Service Plan.

Mr. Cotton-Baez explained Council may approve the Service Plan, deny the application, or continue the Public Hearing.

Jake Porritt, of JGJP Dillon LLC, introduced himself and explained his company is working to meet deadlines to hold a May 2023 election.

Trish Harris, of White Bear Ankele Tanaka & Waldron, Attorneys at Law, presented the Consolidated Service Plan for Triveni Square Metropolitan District Nos. 1-4. The presentation included background information, proposed boundaries of the districts, key terms of the Service Plan and Financing Plan, proposed Town Council findings regarding the Service Plan and benefits of approving the Service Plan.

The public was then given the opportunity to speak on this matter.

Gary Koenig, owner of Affordable Music in Dillon, was against the Service Plan.

Bobby Craig, owner of Lot C1 Main Street, Dillon, had questions regarding the Service Plan and voiced his concerns.

Mark Richmond, co-owner of 103 Main Street, Dillon, was not necessarily opposed but had questions and wanted to have more information regarding the Service Plan.

Eddie O'Brien, owner of two properties located within the proposed Metro District, wasn't fully against the proposed Service Plan but had concerns regarding the project and wanted further discussion.

Barb Richards, Dillon resident, voiced her concerns and had many questions regarding the Service Plan.

A letter from Carlos Trujillo, Dillon business owner, was read by Adrienne Stuckey, Town Clerk. Mr. Trujillo had questions regarding the proposed Service Plan.

A letter from Mike Smith, Dillon business owner, was read by Adrienne Stuckey, Town Clerk. Mr. Smith was neither for nor against this project and had a question regarding the inclusion of the Town Hall's property, Parcel C.

There were no more comments from the public.

Mayor Skowrya closed the public comments at 8:12 p.m.

Mr. Porritt addressed the concerns and questions the citizens had. He stated it is standard practice those who qualified under the purchase and sales agreement to be an elector and member of the board.

Town Attorney, Nick Cotton-Baez, stated the Town hired Butler | Snow to review and revise, if necessary, the Service Plan. It has been tailored to the Town's needs.

Council had many questions for JPJG, LLC regarding parking, funding, the scale of the project, the

election date, the draft master plan, project timeline and needs of the community.

Kim Crawford, of Butler | Snow, explained JGJP, LLC will still need to provide the Town with their financial plan, market study and development project, which will need to be approved by the Town.

Mayor Skowyra closed the public hearing at 8:57 p.m.

Council further discussed the Service Plan.

Mayor Pro Tem Bailey stated JPJG LLC is a qualified candidate to bring forth a project.

Council Member Scalise commented it is the initial step of the project and without approval, the project cannot move forward.

Council Member Imamura stated it is the first step of the project. The next step includes the development plans being brought forward to Council. The Town is protected by the Service Plan.

Council Member Christiansen supported the Service Plan and commented if the project is bigger than they want, Council has the authority to approve or deny it.

Council Member Hendricks stated Council supports growth. The draft plan presented is ginormous and the main attraction is an indoor theater which will be on the site of flattened restaurants. What happens to businesses through this process?

Mayor Skowyra asked if there is no approval tonight and the project doesn't move forward, does the service plan dissolve?

Ms. Harris replied it can be dissolved administratively.

Ms. Crawford commented the Town can add an amendment to the Service Plan with this condition added.

Mayor Skowyra stated the Town's wants and needs aren't being met with this Service Plan. It doesn't address workforce housing or parking. The scale is too big. She had concerns the Walkability Study wasn't going to be addressed.

CONSIDERATION OF RESOLUTION NO. 10-23, SERIES OF 2023

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF DILLON, COLORADO APPROVING THE CONSOLIDATED SERVICE PLAN FOR TRIVENI SQUARE METROPOLITAN DISTRICT NOS. 1-4

Council Member Christiansen made a motion to approve Resolution No. 10-23, Series of 2023. Council Member Imamura seconded the motion, which passed five to two, with Mayor Skowyra and Council Member Hendricks in opposition.

TOWN MANAGER'S UPDATE

Nathan Johnson, Town Manager, provided a written report and added the following:

- The Dillon Post Office is now open 24 hours a day, 7 days a week. They are going to start an additional four people soon.
- Summit County, after reviewing Dillon's Letter of Intent regarding the CR51 project, would like a joint meeting with Dillon and Mead & Hunt. Servitas clearly stated that if they move forward with the next phase, Summit County will be invoiced \$7,000,000. The deadline for the next phase is March 15, 2023.

Town Attorney, Nick Cotton-Baez, added the Town was not part of the Servitas contract, only the intergovernmental agreement (IGA).

- The Summit Combined Housing Authority is hosting the Summit County Housing 101 community event on February 27, 2023 from 11:00 a.m. to 1:00 p.m. in the Senior Center in Frisco.

MAYOR'S UPDATE

Mayor Skowyra did not have an update.

COUNCIL MEMBER COMMENTS

Council Member Hendricks stated the Lord of the Mountains Church is having a meeting on March 2, 2023 discussing the roundabout.

Dan Burroughs, Town Engineer, replied there is a workshop on March 2, 2023 to discuss options for the roundabout and negotiations to acquire property.

ADJOURNMENT

There being no further business, Mayor Skowyra declared the meeting adjourned at 9:26 p.m.

Respectfully submitted by:

Adrienne Stuckey

Adrienne Stuckey, Town Clerk