

*RECORD OF PROCEEDINGS*

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**TOWN OF DILLON  
TOWN COUNCIL  
REGULAR MEETING**

Tuesday, February 20, 2024  
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 20, 2024 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, Kyle Hendricks, Renee Imamura, Tony Scalise and John Woods. Nathan Johnson, Town Manager; Mary Kay Perrotti, Finance Director; Police Chief, Cale Osborn; Scott O'Brien, Public Works Director; Ned West, Sr. Town Planner; Jonathan Blank, Planner; Dan Burroughs, Town Engineer; Jessie Klehfoth, Recreation & Events Director; Craig Simson, Marina Director; and Adrienne Stuckey, Town Clerk were in attendance.

**APPROVAL OF AGENDA**

There were no changes to the agenda.

**APPROVAL OF CONSENT AGENDA**

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

- i. Minutes of Regular Meeting of February 6, 2024
- ii. Approval of Bill List dated February 15, 2024 in the amount of \$865,439.38 and Payroll Ledger February 9, 2024 in the amount of \$129,400.03
- iii. Excused Absences for Mayor Pro Tem Brad Bailey for the February 6, 2024 Regular Council Meeting
- iv. Consideration of Ordinance No. 01-24, Series of 2024  
First Reading to Set the Public Hearing  
**AN ORDINANCE AMENDING CHAPTER 16 OF THE DILLON MUNICIPAL CODE  
REGARDING WASTE AND RECYCLING ENCLOSURES**
- v. Consideration of Resolution No. 10-24  
**A RESOLUTION ADOPTING POLICIES REGARDING REMOTE ATTENDANCE AND  
HOSTING OPTIONS FOR PUBLIC MEETINGS AND QUASI-JUDICIAL HEARINGS.**

Council Member Imamura seconded the motion which passed unanimously.

**CITIZEN COMMENTS**

- Janine Livingston, part-time Dillon resident and on Board of Directors for Corinthian Hills, supports the roundabout and crosswalk near Corinthian Hills and is not happy that it may take 10-20 years to complete the five proposed roundabouts.

**CONSIDERATION OF ORDINANCE NO. 11-23, SERIES OF 2023**

Second Reading and Public Hearing

**AN ORDINANCE AMENDING DIVISION 2, ARTICLE III, CHAPTER 16 OF THE DILLON MUNICIPAL CODE REGARDING A NEW MARINA OVERLAY ZONE DISTRICT.**

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 7:07 p.m.

Ned West, Sr. Town Planner, explained the Dillon Marina is currently located in two (2) zone districts: Parks & Open Space (POS) and Urban Reserve (UR). Only in the POS zone district is a marina use identified as a permitted use. By its name, the UR district consists of undefined, “reserve” areas of the Town. The UR zone district was originally intended to provide a zoning district for properties annexed by the Town that would not be developed for some time, and it was presumed properties within the UR district would be rezoned prior to their development. Thus, essentially no permitted uses are identified in the UR zone district, and conditional uses are limited to existing uses and their potential expansion in accordance with conditional use criteria. In fact, the majority of the UR Town Council February 20, 2024 – Regular Meeting To: Mayor & Town Council From: Ned West, AICP, Sr. Town Planner Subject: Marina Overlay District Agenda Item: 5 zoned areas are owned by Denver Water, who currently have no interest in any sort of development. They also are not presently interested in seeking a rezoning of their properties. Due to the complexities arising from its inclusion in two (2) zoning districts, and the fact that a portion of the Marina is located on property leased from Denver Water, Town staff has determined the most appropriate course of action is to better define the activities associated with the Marina by the creation of an overlay district. The “Marina Overlay Zone district (MOZ)” would function similarly to a Planned Unit Development (PUD) overlay district, 1 but with defined permitted uses.

Chapter 16, Article III of the Dillon Municipal Code is amended by the addition of Section 16-3-210.

The table titled “Zoning Districts Use Schedule Recap” at the end of Article III of Chapter 16, is amended by the addition of a new entry at the far right of the table, and two additional footnotes, to read as follows:

Uses	POS	UR	'NEW'
			MOZ
Accessory Uses	A	C	A
Auto Services	X	X	X
Child Care	C <sup>2</sup>	X	C <sup>2</sup>
Cemeteries	C	C	X
Churches	X	X	X
Clinics	X	X	X
Dwelling, Single-Family	X	C <sup>4</sup>	X
Dwelling, Two-Family	C <sup>3</sup>	X	C <sup>3</sup>
Dwelling, Multi-Family	X	X	X
Drive-in Facilities	X	X	X
Entertainment	C <sup>2</sup>	X	A <sup>7</sup>
Group Homes	X	X	X
Hotel, Motel	C <sup>2</sup>	X	C <sup>2</sup>
Marina	A	X	A <sup>8</sup>
Medical Marijuana Centers	X	X	X
Offices	X	X	A
Pawnshop	X	X	X
Personal Services	X	X	X
Public Use	C	C	A
Restaurants	C <sup>2</sup>	X	A
Retail Marijuana Stores	X	X	X
Retail Stores	C <sup>2</sup>	X	A
Wholesale Trade Class 1	X	X	X
Wholesale Trade Class 2	X	X	X
A Is use allowed after appropriate review.			
C Is use which may be allowed as a conditional use.			
X Is not allowed in district.			
<sup>1</sup> Must be located above the ground floor.			
<sup>2</sup> Must be part of site-planned marina development.			
<sup>3</sup> For employees of marina only.			
<sup>4</sup> On lots five (5) acres or larger in size.			
<sup>5</sup> Shall conform to the regulations set forth in Chapter 6 of the Dillon Municipal Code.			
<sup>6</sup> Shall conform to the regulations set forth in Chapter 6 of the Dillon Municipal Code.			
<sup>7</sup> Entertainment uses limited to those types of uses permitted by Section 16-3-210.			
<sup>8</sup> See list of uses associated with Marina in Section 16-3-210.			

Council asked if the new Marina Overlay District would allow a floating restaurant. Mr. West replied that every approval must first go through Denver Water.

The following citizens made comments during the Public Hearing:

- i. John Charbonneau, Dillon resident, asked Council if there was a plan for parking garage in the future near the Marina. Mayor Skowryra replied no. He then asked Council if there was a future plan for a hotel near the marina. Mayor Skowryra replied no.

- ii. Eric Kaler, Dillon resident, stated the parking lot was rezoned for development and should remain a parking area.  
Nick Cotton-Baez, Town Attorney, stated zoning provisions do not impact privilege agreements nor can they nullify an agreement. It doesn't abrogate a private agreement. Lake Cliff Condos Homeowners Association would have to agree to rezone the parking lot for development. The Town cannot violate the agreement nor do they have current intentions to do so.  
Mr. Kaler asked why was the parking lot rezoning included?  
Mr. West replied the Dillon Marina currently uses it as an overflow parking lot. It is currently zoned as Park and Open Space. The Town isn't proposing development. The Town identified this area because they needed to rezone it to make it legitimate. We can pull it out of the map.
- iii. Philip Burrigh, Dillon resident, would like the Marina Overlay District border to be changed to exclude the Lake Cliff parking lot.
- iv. Udo Lange, Dillon resident, stated the Marina Overlay District is too broad right now and exceeds the intended use.
- v. Adrienne Stuckey, Town Clerk, read letters into the record by the following citizens:
  - a. Susan Harrington, Dillon resident, stated her biggest concerns regarding the Marina Overlay Zone District are traffic flow, parking and walkability.
  - b. Ruth and Jim Sherry, Dillon residents, were against the Marina Overlay District and did not see the purpose of changing the zoning of the current Parks and Open Space (POS).
  - c. Jeff O'Neil, Dillon resident, on behalf of the Anchorage on the Lake Condominium Association, requested the zoning change be tabled until proper notice is given, required findings are made and Council considers the ramifications of what is being proposed.
  - d. Linda Oliver, Dillon resident, asked Council to deny the ordinance to create the new Marina Overlay District.
  - e. Joshua and Natalie Mayer, Dillon residents, were against the Marina Overlay District and asked that it be withdrawn and re-drafted. It is an expansive rezoning, far more extensive than necessary to address Marina issues, the proposed zoning change is unjustified and the public notices were misleading.
  - f. Mark Levorsen, Dillon resident, was against the Marina Overlay District and was a broad and sweeping zoning change.
  - g. Eman Sadi and Sean Ugrin, Dillon residents, did not support the proposed Marina Overlay Zone. It is over-reaching.

Mayor Pro Tem Bailey commented Mr. West made a valid presentation and the public made valid comments.

Mayor Skowrya closed the public hearing at 7:57 p.m.

Mayor Pro Tem Bailey stated the Marina Overlay Zone cleans up two conflicting districts and clarifies zoning provisions. The basic zoning didn't change. Any new development must go through the PUD process, Planning & Zoning Commission approval and Denver Water.

Council Member Christiansen asked Mr. West to clarify the intentions of the Marina Overlay District (MOD), including current Dillon Marina activities.

Mr. West explained the MOD is based on current usage.

Council Member Scalise said he could see the concern where it might scare the residents.

Mr. West said the MOD is aligning with its current usage. Currently there is a retail store at the Dillon Marina. The right of way is necessary to allow overflow parking. The Town can amend the map boundary.

Mayor Skowrya said it makes sense to include the parking lot in the Marina Overlay because the Dillon Marina uses the parking lot.

Council Member Imamura stated there is no intention of building in front of the marina. This MOD is just a clean-up.

Council Member Woods stated there is no secret agenda. This is to just clean up the zoning and allow the current uses.

Mayor Pro Tem Bailey made a motion to approve Ordinance No. 11-23, Series of 2023. Council Member Christiansen seconded the motion, which passed unanimously.

#### **CONSIDERATION OF RESOLUTION NO. 08-24, SERIES OF 2024**

Public Hearing

#### **A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF DILLON, COLORADO, MAKING SUPPLEMENTAL APPROPRIATIONS TO VARIOUS FUNDS FOR THE TOWN OF DILLON, COLORADO FOR THE 2023 BUDGET YEAR.**

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 8:10 p.m.

Mary Kay Perrotti, Finance Director, explained this resolution allows the Town to amend the 2023 budget for the following:

Marina Fund – these expenditures will come from unappropriated fund balance

- Salaries, \$138,000
- Fuel Costs, \$20,000

Housing 5A Fund – this expenditure will come from unappropriated fund balance

- Down Payment Assistance - \$150,000

There were no public comments.

Council did not have any questions nor comments.

Mayor Skowrya closed the public hearing at 8:11 p.m.

Council Member Imamura made a motion to approve Resolution No. 08-24, Series of 2024. Council Member Scalise seconded the motion, which passed unanimously.

**CONSIDERATION OF RESOLUTION NO. 09-24, SERIES OF 2024**

**A RESOLUTION ADOPTING A MASTERPLAN FOR HIGHWAY 6 ROUNDABOUTS.**

Dan Burroughs, Town Engineer, explained this resolution approves a roundabout master plan for US Highway 6 to improve pedestrian movements across the highway and improve left turning movements on and off the highway.

The five proposed roundabouts are:

1) **Roundabout #1:** A proposed roundabout at the intersection of U.S. 6 and Lake Dillon Drive on the south and Evergreen Road on the North. Lake Dillon Drive feeds the Dillon Town Center, Post Office, marina, developed park areas, and the Dillon Amphitheater. Evergreen Road feeds Dillon Valley.

2) **Roundabout #2:** Is a new intersection that removes Country Road 51 traffic from Roundabout #1 to the west. This roundabout serves the Tenderfoot Mountain trailhead and the other USFS properties and trailheads to the north along Straight Creek. This roundabout serves the Forest Canyon neighborhood and the Town of Dillon maintenance shops and water plant facilities.

3) **Roundabout #3:** Replaces the intersection of U.S. 6 with Elkhorn and Tenderfoot Streets. This roundabout greatly improves pedestrian crossings across the highway. These new crosswalks will connect to the existing Town recreation path along the north side of the lake.

4) **Roundabout #4:** Replaces the intersection of U.S. 6 with the eastern Corinthian Circle roadway segment. This roundabout greatly improves pedestrian crossings across the highway for the Corinthian Hill community. A new recreation path connection will be built from the roundabout to the south and connect to the existing recreation path along the south side of the highway.

5) **Roundabout #5:** This roundabout is a proposed roundabout at the intersection of U.S. 6 with the Cemetery Road and the access drive to the Dillon Nature Preserve parking area. A direct connection to the existing recreation path will also be constructed.

The preliminary cost for the roundabouts, recreation path segments and medians is approximately between \$50-70 million dollars.

Council Member Imamura commented this is a safety issue and a high priority and this resolution may help us with CDOT. The roundabouts will lower the speed of traffic.

Council Member Hendricks stated the only solution to get across Highway 6 is a pedestrian bridge. A roundabout is not needed at the Dillon Cemetery entrance.

Mayor Pro Tem Bailey made a motion to approve Resolution No. 09-24, Series of 2024. Council Member Woods seconded the motion, which passed six to one, with Council Member Hendricks in opposition.

## **CONSIDERATION OF RESOLUTION NO. 11-24, SERIES OF 2024**

### **A RESOLUTION ADOPTING REVISED EMPLOYEE HOUSING POLICIES AND LEASE AGREEMENTS CONCERNING THE TOWN-OWNED UNITS LOCATED AT 0558 COUNTY ROAD 51 AND 701 ANEMONE TRAIL.**

Nathan Johnson, Town Manager, explained this resolution modifies the current lease document and policy for the town-owned house located at CR 51 and creates a lease document and policy for the two newly purchased town-owned units, Unit 201A and Unit 201B, located at 701 Anemone Trail, Dillon.

Because Unit 201B is fully furnished, it has a \$500.00 security deposit and the lease needs to be amended to extend the \$500.00 to the furniture.

Council Member Scalise made a motion to amend Resolution No. 11-24, Series of 2024 to include the furniture in the Security Deposit for Unit 201-B. Mayor Pro Tem Bailey seconded the motion which passed unanimously.

Council Member Imamura made a motion to approve Resolution No. 11-24, Series of 2024. Mayor Pro Tem Bailey seconded the motion which passed unanimously.

## **REVIEW FUTURE COUNCIL AGENDAS**

The following were additions to the Future Council Agendas:

- i. Add a discussion regarding the five-year plan to the Council Retreat agenda.

## **TOWN MANAGER'S UPDATE**

Mr. Johnson included a written report and reported on the following items:

- December sales tax was down approximately \$58,563 or 5.89%. For budget year 2023, sales tax is down approximately \$189,059 or 1.88%.
- Staff published the Request for Proposal (RFP) for the lakeside restaurant on the Old Crow's Nest site. Over forty national companies have downloaded the documents.
- The Town closed on 293 Ensign Drive on Thursday, February 15, 2024. Prior to selling this property, they will replace the water line.
- There have been preliminary discussions with Keystone to provide law enforcement services within the Town of Keystone. Summit County gave Keystone a 90-day notice. They will cease offering law enforcement services on May 9, 2024.

Council Member Hendricks asked if we assisted Keystone with their law enforcement, how much would our police department staff need to increase?

Manager Johnson replied it depends on the call load and what services they would like provided.

They are currently looking at the data to see if it would be possible.

Chief Osborn added under Colorado Revised Statute, the Summit County Sheriff's Office will still have to provide law enforcement past the May 9, 2024 cease date.

## **MAYOR'S UPDATE**

Mayor Skowrya did not have an update.

## **COUNCIL MEMBER COMMENTS**

There were no Council Member comments.

**ADJOURNMENT**

There being no further business, Mayor Skowyra declared the meeting adjourned at 8:35 p.m.

Respectfully submitted by:

*Adrienne Stuckey*  
Adrienne Stuckey, Town Clerk