

**TOWN OF DILLON
TOWN COUNCIL**

REGULAR MEETING

**Town Hall Council Chambers
7:00 p.m.
Tuesday, April 5, 2016**



AGENDA

1. Call to Order and Roll Call
2. Approval of Agenda
3. Approval of Consent Agenda
 - a. Minutes of Regular Meeting of March 15, 2016
 - b. Approval of Bill List and Payroll Ledger
 - c. Resolution No. 20-16, Dillon Cemetery Advisory Committee (DCAC) Appointments
4. Citizen Comments
5. Consideration of No. Ordinance 05-16, Series of 2016
First Reading

AN ORDINANCE OF THE TOWN OF DILLON, COLORADO AMENDING CHAPTER 7, "HEALTH, SANITATION, AND ANIMALS," ARTICLE VII, "INDOOR AIR QUALITY AND SMOKING REGULATIONS," AND AMENDING CHAPTER 10, "GENERAL OFFENSES", ARTICLE I, "GENERAL PROVISIONS"; OF THE DILLON MUNICIPAL CODE AND, SETTING FORTH DETAILS IN RELATION THERETO.
6. Mayoral Proclamations
 - a) Mayoral Proclamation No. 01-16, Series of 2016
 - b) Mayoral Proclamation No. 02-16, Series of 2016
7. Town Manager's Update
8. Mayor's Update
9. Council Appointments/Swearing in of New Council Members
 - Mayor Pro-Tem
10. Adjournment

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**TOWN OF DILLON
TOWN COUNCIL
REGULAR MEETING**
Tuesday, March 15, 2016
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, March 15, 2016, at the Dillon Town Hall. Mayor Burns called the meeting to order at 7:00 p.m. and the following Council Members answered roll call: Brad Bailey, Jen Barchers, Mark Nickel, Ben Raitano, Louis Skowyra, and Tim Westerberg. Staff members present were: Tom Breslin, Town Manager; Carri McDonnell, Finance Director; Kerstin Anderson, Marketing and Communications Director; Mark Heminghous, Police Chief; Scott O'Brien, Public Works Director; and Jo-Anne Tyson, Town Clerk.

APPROVAL OF AGENDA

There being no changes to the agenda, it will stand approved as presented.

APPROVAL OF CONSENT AGENDA

Council Member Raitano moved to approve the following consent agenda:

- a. Minutes of the Regular Meeting held March 1, 2016
- b. Approval of Bill List dated March 11, 2016 in the amount of \$83650.50; and Payroll Ledger dated March 11, 2016 in the amount of \$62,452.72.
- c. Resolution No. 17-16, Series of 2016

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 CAMEEZ FROZEN
YOGURT AND COFFEE, INC.; AUTHORIZING AND DIRECTING THE
APPROPRIATE TOWN OFFICERS TO SIGN THE NECESSARY AGREEMENT.

- d. Excused Absences for Mayor Burns and Council Member Barchers for the March 1, 2016 Town Council Meeting.

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

CITIZEN COMMENTS

There were no citizen comments.

EDAC UPDATE

Christine Berwyn, EDAC Chairperson, stated that the EDAC group would like to update Council on several items they have been working on including summer animation, architectural guidelines, and landscape standards. Committee Member Nathan Nosari reported that the group is interested in using \$15,000 of grant money to develop architectural guidelines for the town. A sub-

committee comprised of Amy Gaddis (Planning & Zoning), Elena Scott, Christine Berwyn, and Kerstin Anderson will create a RFP to solicit interested parties, interview firms from this group, and present a deliverable document to Council in June, 2016. The goal of this sub-committee is to develop architectural standards to complement the brand standards developed by the Town's Marketing Department which will later move toward an incentive program for the Town.

Committee Member Brad Bailey stated that the group is focusing on developing a set of landscape standards for the Town's downtown core area. They propose a RFP process to evaluate the overall health of current vegetation and offer suggestions for improvement while being mindful of pedestrian walk-ability and view corridors. Questions from Council included whether the architectural and landscape components may be combined, if the programs will dovetail each other, scope of work, and timelines.

Committee Member Christine Berwyn updated Council on summer animation. She stated that the group is interested in conducting an experiment with food trucks/food vendors at Marina Park, east of the concession area. Their goal is to keep visitors in the core area and capitalizing on the natural traffic generated by the Marina and Amphitheatre. Traffic patterns, rest rooms, and trash impacts will be evaluated throughout the summer.

PRAC UPDATE

Dillon Parks and Recreation Advisory Committee Member Barb Richards reported that the group is brainstorming "FAC" (Family Activity Club) for the upcoming summer. The Committee has been talking with Town businesses and is finding that the businesses see a positive impact from the Farmer's Market creating pedestrian traffic into their businesses. Ms. Richards stated that the meeting on January 19, discussing the Town Park Phase I design was well attended and generally, attendees asked if all three (3) phases could be completed sooner than planned via volunteers with construction, sponsorship or in-kind funding. The Town Park Phase I design is nearly complete and includes a climbing wall, natural play area, and separate facilities for tennis and pickle ball. Once construction documents are complete, the committee will have a better idea on how to utilize volunteers or funding sources. The 2016 Workplan includes signage design work, landscaping, paver program, and the promotion of Town parks. Ms. Richards discussed programming in the parks which include the Human Movement events and how to obtain three (3) additional events with this organization. She commented that the Nature Preserve will benefit from an upcoming Eagle Scout project. Additional projects at the Nature Preserve include signage, a new trail, and shade picnic tables.

CEMETERY COMMITTEE UPDATE

Council Member Brad Bailey reported that the Dillon Cemetery Advisory Committee is awaiting a proposal on the new Cemetery Road construction project. The committee also discussed installing a "Coming Soon" sign on Cemetery Road to draw attention to upcoming projects at the Cemetery. Mr. Bailey stated there are 31 remaining unmarked graves at the Cemetery and the Committee is considering a number of fundraising opportunities to complete this project.

CONSIDERATION OF ORDINANCE 04-16, SERIES OF 2016

Public Hearing and Second Reading

AN ORDINANCE OF THE TOWN OF DILLON, COLORADO AMENDING CHAPTER 19, "FEES," OF THE DILLON MUNICIPAL CODE OF THE TOWN OF DILLON, COLORADO TO INCREASE THE COMPENSATION OF TOWN COUNCIL MEMBERS; 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 8:12 p.m. There being no comments from the public, Mayor Burns closed the public hearing at 8:13 p.m.

Town Manager Tom Breslin reported that staff proposes a \$100.00 increase to newly elected or appointed Council Member's compensation beginning in May 2016, moving them from \$300.00 to \$400.00 per month.

Council Member Raitano moved to approve Ordinance No. 04-16, Series of 2016. Council Member Nickel seconded the motion which passed upon roll call vote with Council Members Bailey and Barchers abstaining from the vote.

CONSIDERATION OF RESOLUTION NO. 18-16, SERIES OF 2016

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF DILLON, COLORADO, TO ADOPT THE AMENDED AND RESTATED ICMA RETIREMENT CORPORATION GOVERNMENTAL MONEY PURCHASE PLAN & TRUST AND ADOPTION AGREEMENT; AND, TO AUTHORIZE AND DIRECT THE APPROPRIATE TOWN OFFICERS TO SIGN SAID PLAN DOCUMENTS.

Finance Director Carri McDonnell reported that this resolution approves the ICMA Retirement Corporation Governmental Money Purchase Plan and Trust which is the retirement company for the Town's sworn police officers and the Finance Director. She stated that the Town also participates in the CCOERA retirement program which is where all other employees retirement funds are held. The ICMA plan has been amended and the IRS has approved this version which now requires approval of the Town Council for the Town employees to continue to participate in the program. The changes incorporate amendments for legislative and regulatory changes enacted since the prior restatement in 2006. Ms. McDonnell provided a copy of the ICMA Adoption Agreement for Council review which outlines the Town's retirement plan. She stated that there are no major changes to the Adoption Agreement.

Council Member Bailey moved to approve Resolution No. 18-16, Series of 2016. Council Member Skowrya seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. 19-16, SERIES OF 2016

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF DILLON APPROVING THE CORE AREA VISION STATEMENT GOALS AND DENSITY THRESHOLDS.

Marketing & Communications Director Kerstin Anderson reported that this resolution approves the Dillon Town Core Area Revitalization Vision Statement and Goals. Over the course of several work sessions, Town Council, Economic Development committee members and staff reviewed Dillon's Guiding Documents in order to create a Core Area Vision, goals, set density thresholds and confirm incentive policies as related to the revitalization of Dillon Core Area. The intent is to utilize these items along with our guiding documents as communication materials related to Core Area development.

Council Member Raitano moved to approve Resolution No. 19-16, Series of 2016. Council Member Skowrya seconded the motion which passed unanimously upon roll call vote.

TOWN MANAGER REPORT:

Town Manager Tom Breslin reviewed several items including:

- The Mayor's, Manager's and Commissioner's meeting discussed:
 - work force housing ballot issue
 - VRBO best practices
 - an update to the housing study
 - Dan Gibbs and the Summit County Commissioners are working on health care costs at the legislative level
- He spoke with Javier of Stand Up Paddleboard Colorado about his proposed improvements at the Marina and this summer's construction schedule.

MAYOR'S REPORT:

- Mayor Burns stated that while he didn't have any major items to discuss, he was pleased to learn at a recent meeting, that the Town of Silverton looks to Dillon on how to model a town.

EXECUTIVE SESSION:

Mayor Burns moved to go into Executive Session 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 exercise of the Tiki Bar lease option. Council Member Westerberg seconded the motion which passed unanimously. No action was taken during the executive session. At 9:23 p.m. Council concluded the executive session.

ADJOURNMENT:

There being no further business, Mayor Burns declared the meeting adjourned at 9:24 p.m.

Respectfully submitted by:



Jo-Anne Tyson, CMC/MMC, Town Clerk

Report Criteria:

Detail report.

Invoice detail records above \$ included.

Paid and unpaid invoices included.

Invoice Detail.GL Account = 10100100-91990000

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
3859	CTSI	43488	04/01/16-04/30/16	03/17/2016	28,750.63	28,750.63	03/25/2016
3128	Ceres Plus LLC	1300	customer # 4487 invoice 1300	03/09/2016	21,561.12	21,561.12	03/25/2016
3546	CW Regional Mental Health Inc	101416	summit detox support	03/08/2016	15,000.00	15,000.00	03/25/2016
3816	Falcon Environmental Corporation	5776	pumping equipment	03/03/2016	7,129.00	7,129.00	03/25/2016
3286	PINNACOL ASSURANCE	17994137	4152497 policy	03/16/2016	7,042.00	7,042.00	03/25/2016
1250	SUMMIT NET TREKKER	AAAQ2681	Network management	02/01/2016	5,592.50	5,592.50	04/01/2016
2776	Vision Technology Solutions LLC	32203	Project payment 2of 4	03/10/2016	4,689.00	4,689.00	03/16/2016
237	TOWN OF SILVERTHORNE	345	Dillon monthly rate, per ticket	03/01/2016	4,603.85	.00	
3886	MUNICODE	268067	supplement pages, updating elect	03/21/2016	3,137.42	.00	
2791	XCEL ENERGY 1140601	610996953-30	300030506	03/03/2016	2,800.30	2,800.30	03/18/2016
1250	SUMMIT NET TREKKER	3695	Nework management	04/01/2016	2,077.21	.00	
1609	Family & Intercultural Resouce	2066	2016 grant	03/16/2016	2,000.00	2,000.00	03/25/2016
3704	The Lincoln National Life Insuranc	1540989 04011	acct 1540989	03/25/2016	1,803.36	1,803.36	03/25/2016
3887	Central Motive Power Inc	032916	generator repair	03/29/2016	1,714.65	1,714.65	03/30/2016
1250	SUMMIT NET TREKKER	3695	Nework management	04/01/2016	1,597.86	.00	
168	EVERIST MATERIALS LLC	231446	ice slicer / sand	03/21/2016	1,322.25	.00	
2791	XCEL ENERGY 1140601	610996896-30	300069706	03/03/2016	1,114.92	1,114.92	03/18/2016
1157	MOUNTAIN STATES EMPLOYE	56767	REFERENCE # 1002262949 mE	03/20/2016	1,023.15	.00	
2791	XCEL ENERGY 1140601	610996508-30	300073131	03/03/2016	995.99	995.99	03/18/2016
716	COLORADO MOUNTAIN NEWS	100308802291	election cancellation/vacancy	02/29/2016	988.13	988.13	03/18/2016
2800	ACORN PETROLEUM INC	762650	fuel	03/07/2016	978.30	978.30	03/25/2016
444	Century Link	970468047108	970 468 0471 088	03/01/2016	900.27	900.27	03/25/2016
3885	Robert W Hansen	257	entertainment farmers market 8 d	03/17/2016	900.00	900.00	03/25/2016
601	ESRI	931111117	Scott O'Brien Led Training	03/22/2016	802.50	.00	
601	ESRI	931111117	Scott O'Brien Led Training	03/22/2016	802.50	.00	
601	ESRI	931111116	Robert Buras LED Training	03/22/2016	802.50	.00	
601	ESRI	931111116	Robert Buras LED Training	03/22/2016	802.50	.00	
2800	ACORN PETROLEUM INC	763595	fuel	03/14/2016	784.34	784.34	03/25/2016
2970	Adamson Police Products	206682	64 gr bonded, 124 gr fmj	03/15/2016	726.50	.00	
266	USA BLUE BOOK	900307	grease control bacteria,premium	03/16/2016	708.73	.00	
168	EVERIST MATERIALS LLC	231377	ice slicer/sand	03/16/2016	646.29	646.29	03/25/2016
1250	SUMMIT NET TREKKER	3695	NewTWOR MANAGMENT	04/01/2016	639.14	.00	
2791	XCEL ENERGY 1140601	610996752	304127097	03/03/2016	614.79	614.79	03/18/2016
2800	ACORN PETROLEUM INC	761019	fuel	02/29/2016	613.61	613.61	03/25/2016
2654	Cummins Rocky Mountain LLC	001-37831	Preventative maintenance	03/01/2016	611.00	611.00	03/25/2016
3571	Jacobson Hat Co. Inc	26972	hats, sweatband	03/03/2016	606.09	606.09	03/25/2016
3780	Infinity Certified Welding & Fabric	829	flat bar angle, stainless steel angl	03/14/2016	565.40	565.40	03/25/2016
2800	ACORN PETROLEUM INC	764916	fuel	03/18/2016	525.92	.00	
3559	Colorado Fourteeners Initiative	2016	2016 grant	03/14/2016	500.00	500.00	03/25/2016
3128	Ceres Plus LLC	22188	tree removal	10/13/2015	475.00	475.00	03/25/2016
266	USA BLUE BOOK	889820	hach calver powder pillows, edta c	03/04/2016	454.01	454.01	03/25/2016
1473	UNITED STATES TREASURY	CP161	Employer ID 84-0526980 tax perio	03/09/2013	450.48	450.48	03/25/2016
2639	Holiday Inn	033116	Hotel 5 nights FTO training Nell N	03/31/2016	445.00	445.00	04/01/2016
3884	Ski Country Shell and Towing	25814	winchout cat front end loader	03/17/2016	432.00	432.00	03/25/2016
266	USA BLUE BOOK	889820	hach calver powder pillows, edta c	03/04/2016	411.44	411.44	03/25/2016
276	WEAR PARTS & EQUIPMENT C	65236	cast curb runner	03/09/2016	390.88	390.88	03/25/2016
444	Century Link	970468510099	970 468 5100 991	02/28/2016	386.66	386.66	03/25/2016
3884	Ski Country Shell and Towing	25984	heavy tow services	03/25/2016	378.00	.00	
3032	Fastenal	25602	misc supplies	03/07/2016	376.54	376.54	03/25/2016
2659	Best Western	031416	Paul Lohrenz conf# 3755490	03/14/2016	376.00	376.00	03/16/2016
472	COUNTY SHERIFF'S OF COLOR	033116	FTO training Nell Nauroth	03/31/2016	375.00	375.00	04/01/2016
3196	Association of Marina Industries	16-17-0222	LEVEL 2 MEMBERSHIP 4/1/16-3/	04/01/2016	350.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
1250	SUMMIT NET TREKKER	3695	Nework management	04/01/2016	319.57	.00	
1250	SUMMIT NET TREKKER	3695	Nework management	04/01/2016	319.57	.00	
1250	SUMMIT NET TREKKER	3695	NewTWOR MANAGMENT	04/01/2016	319.57	.00	
2692	Gilsbar Inc	031716	g2575	03/17/2016	300.00	300.00	03/25/2016
77	CROFT FORMS AND PRINTING	16845	warning notice	03/14/2016	299.11	299.11	03/25/2016
741	DAN BURROUGHS	032416	trvel expenses	03/24/2016	292.68	292.68	03/25/2016
3888	Nell Nauroth	033116	PerDiem 5 days 1 day of travel	03/31/2016	283.25	283.25	04/01/2016
2800	ACORN PETROLEUM INC	765122	fuel	03/21/2016	272.89	.00	
171	PAUL LOHRENZ	030816	per diem 2016 water school	03/08/2016	270.00	270.00	03/16/2016
1205	Comcast - 34744	031516	8497 50 570 0330401	03/15/2016	254.85	254.85	03/25/2016
3712	Hoffmann, Parker, Wilson & Carb	022916	hearing officer	02/29/2016	253.50	253.50	03/25/2016
185	MUNICIPAL TREATMENT EQUIP	161250	clean rebuild & test Vac Reg,PM	03/15/2016	232.55	232.55	03/25/2016
2791	XCEL ENERGY 1140601	610995561	300126490	03/03/2016	226.98	226.98	03/18/2016
3672	Whitehall's Alpine BG	2001389	supercharge LL diesel injection ki	03/21/2016	221.25	.00	
3541	LegalShield	031516	group 0142906	03/15/2016	211.30	211.30	03/25/2016
716	COLORADO MOUNTAIN NEWS	100308802291	election cancellation/vacancy	02/29/2016	211.28	211.28	03/18/2016
101	ROBERT EVANS	032216	Travel to bombardier training, offic	03/22/2016	206.20	206.20	03/25/2016
266	USA BLUE BOOK	900307	grease control bacteria,premium	03/16/2016	204.60	.00	
1250	SUMMIT NET TREKKER	3695	Nework management	04/01/2016	159.79	.00	
1250	SUMMIT NET TREKKER	3695	NewTWOR MANAGMENT	04/01/2016	159.79	.00	
123	GRAINGER INC	9024281397	WORK SECTION # svw1ba1	02/11/2016	150.75	.00	
2791	XCEL ENERGY 1140601	610997575	300188926	03/03/2016	135.81	135.81	03/18/2016
225	Rocky Mnt Cabana Specialist	105542	site 12624	02/08/2016	133.00	133.00	03/25/2016
2791	XCEL ENERGY 1140601	610996410-30	300029692	03/03/2016	118.62	118.62	03/18/2016
1250	SUMMIT NET TREKKER	3688	service & support	03/09/2016	111.37	111.37	03/25/2016
3409	Texas Child Support SDU	031516	00105116162005 ag 5778	03/15/2016	110.77	110.77	03/18/2016
3409	Texas Child Support SDU	040116	00105116162005 ag 5778	04/01/2016	110.77	110.77	04/01/2016
2791	XCEL ENERGY 1140601	610997453	302111909	03/03/2016	109.75	109.75	03/18/2016
930	United Reprographic Supply Inc	78568	contract & overage	02/19/2016	109.57	109.57	03/25/2016
1205	Comcast - 34744	031116	8497 50 570 0333553	03/11/2016	101.08	101.08	03/25/2016
3386	ICSC	1632124	memb 1632124 Company 15213	03/18/2016	100.00	100.00	03/25/2016
930	United Reprographic Supply Inc	81137	contract & overage	03/17/2016	97.86	97.86	03/25/2016
2791	XCEL ENERGY 1140601	610996107	300044142	03/03/2016	92.80	92.80	03/18/2016
2791	XCEL ENERGY 1140601	610996316	300140026	03/03/2016	90.57	90.57	03/18/2016
1250	SUMMIT NET TREKKER	3688	service & support	03/09/2016	85.68	85.68	03/25/2016
3357	Lowes	907320	water plant supplies	02/16/2016	82.15	82.15	03/25/2016
2791	XCEL ENERGY 1140601	610997747	300060414	03/03/2016	80.66	80.66	03/18/2016
2791	XCEL ENERGY 1140601	610997141	300044141	03/03/2016	80.40	80.40	03/18/2016
3357	Lowes	901228	50lb permnt asphalt	02/20/2016	79.68	79.68	03/25/2016
3357	Lowes	902842	qpr 50 lb mermnt asphalt	02/18/2016	79.68	79.68	03/25/2016
3357	Lowes	902896	50 lb permnt asphalt	02/18/2016	79.68	79.68	03/25/2016
3830	Kerstin Anderson	033016	EDAC work session	03/30/2016	78.77	78.77	03/30/2016
3712	Hoffmann, Parker, Wilson & Carb	022916	hearing officer	02/29/2016	78.00	78.00	03/25/2016
2791	XCEL ENERGY 1140601	610996475	304047878	03/03/2016	77.91	77.91	03/18/2016
3357	Lowes	902101	50 lb mermnt asphalt	02/20/2016	76.85	76.85	03/25/2016
51	COLORADO ASSOC OF SKI TO	839	March 10,2016 dinner	03/21/2016	75.00	75.00	03/25/2016
3357	Lowes	901768	permnt asphalt	02/11/2016	73.05	73.05	03/25/2016
3357	Lowes	902222	permnt asphalt	02/13/2016	73.05	73.05	03/25/2016
3883	Buckeye Welding Supply CO.	031416	welding supplies	03/14/2016	72.44	72.44	03/16/2016
3357	Lowes	910947	30 gallon tote	02/22/2016	71.10	71.10	03/25/2016
227	SANDERS TRUE VALUE	173025	safety glasses, glove nut bolts	03/09/2016	70.56	.00	
444	Century Link	970513653471	970 513 6534 719	03/07/2016	69.66	69.66	03/25/2016
2791	XCEL ENERGY 1140601	610996380	300188661	03/03/2016	68.22	68.22	03/18/2016
3357	Lowes	901571	2/0 zinc pass link ch	02/25/2016	67.96	67.96	03/25/2016
444	Century Link	1368345942	acct 79537073	02/29/2016	67.23	67.23	03/25/2016
3357	Lowes	902243	permnt asphalt	02/13/2016	66.40	66.40	03/25/2016
2791	XCEL ENERGY 1140601	610996004	300060483	03/03/2016	62.38	62.38	03/18/2016
3032	Fastenal	25653	1x1 m42 cutter	03/09/2016	61.42	61.42	03/25/2016

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
2791	XCEL ENERGY 1140601	610998432	300145637	03/03/2016	59.31	59.31	03/18/2016
266	USA BLUE BOOK	889820	hach calver powder pillows, edta c	03/04/2016	58.83	58.83	03/25/2016
227	SANDERS TRUE VALUE	173278	glove	03/22/2016	53.90	.00	
227	SANDERS TRUE VALUE	173286	glove	03/22/2016	53.90	.00	
3357	Lowes	902861	permnt asphalt	02/10/2016	53.12	53.12	03/25/2016
444	Century Link	970468771008	970 468 7710 089	02/28/2016	53.08	53.08	03/25/2016
227	SANDERS TRUE VALUE	172900	insul wire cable tacker	03/03/2016	52.99	.00	
3357	Lowes	923361	ge 32wt8 4100k	02/17/2016	52.23	52.23	03/25/2016
3357	Lowes	910654	120-02 sgn int, 12 in mag lvl pit	02/18/2016	52.21	52.21	03/25/2016
444	Century Link	970513079665	970 51 0796 656	03/07/2016	52.03	52.03	03/25/2016
2791	XCEL ENERGY 1140601	610995895-30	300124516	03/03/2016	51.00	51.00	03/18/2016
444	Century Link	970468111039	970 468 1110 394	02/28/2016	50.12	50.12	03/25/2016
1327	Bobcat of the Rockies	13093589	mirror head	03/10/2016	49.32	49.32	03/25/2016
3357	Lowes	901599	32w 48 t8 741 octron cvp	02/25/2016	48.41	48.41	03/25/2016
444	Century Link	970468681537	970 468 6815 372	02/28/2016	48.01	48.01	03/25/2016
59	COLONIAL LIFE & ACCIDENT	7450976-0401	E 7450976	03/21/2016	44.92	44.92	03/25/2016
1337	Rocky Mtn Business Engraving	60341	Namebadges	03/18/2016	38.20	38.20	03/25/2016
2791	XCEL ENERGY 1140601	610994761	300085865	03/03/2016	36.88	36.88	03/18/2016
3357	Lowes	82299 -82300	hex bolt, perm marker insert lock,	02/05/2016	34.91	34.91	03/25/2016
2871	Ned West	032416	Travel expenses 2/3-2216	03/24/2016	34.36	34.36	03/25/2016
1250	SUMMIT NET TREKKER	3688	service & support	03/09/2016	34.27	34.27	03/25/2016
104	FEDEX	154985999	shipping	03/24/2016	31.87	.00	
94	DPC INDUSTRIES INC	3000195-169	CHLORINE	02/29/2016	30.00	30.00	03/25/2016
1196	High Country Custom Impression	2818	name plate	03/24/2016	30.00	.00	
3357	Lowes	902043	4 Imp t8 elec blist	02/11/2016	28.48	28.48	03/25/2016
2791	XCEL ENERGY 1140601	610996417	300133857	03/03/2016	27.70	27.70	03/18/2016
227	SANDERS TRUE VALUE	173138	garage workshop kit, sgi hook	03/14/2016	27.47	.00	
104	FEDEX	154985999	shipping	03/24/2016	20.77	.00	
101	ROBERT EVANS	032216	Travel to bombardier training, offic	03/22/2016	19.29	19.29	03/25/2016
2791	XCEL ENERGY 1140601	610995655	300155553	03/03/2016	17.30	17.30	03/18/2016
1250	SUMMIT NET TREKKER	3688	service & support	03/09/2016	17.14	17.14	03/25/2016
1250	SUMMIT NET TREKKER	3688	service & support	03/09/2016	17.14	17.14	03/25/2016
1250	SUMMIT NET TREKKER	3688	service & support	03/09/2016	17.14	17.14	03/25/2016
227	SANDERS TRUE VALUE	172925	wht gls enamel, spar urethane	03/04/2016	16.98	.00	
3357	Lowes	905444	oatey 16 oz purple primer, cpvc c	02/26/2016	15.63	15.63	03/25/2016
755	SUMMIT COUNTY JOURNAL	11997196A	11997196A	03/25/2016	14.67	14.67	03/25/2016
2791	XCEL ENERGY 1140601	610996396	300062984	03/03/2016	11.99	11.99	03/18/2016
3511	Catamaran Insurance of Ohio Inc	032216	acct 257668	03/22/2016	10.00	.00	
227	SANDERS TRUE VALUE	172850	7patt mtl nozzle	03/01/2016	9.49	.00	
101	ROBERT EVANS	032216	Travel to bombardier training, offic	03/22/2016	8.60	8.60	03/25/2016
1250	SUMMIT NET TREKKER	3688	service & support	03/09/2016	8.57	8.57	03/25/2016
1250	SUMMIT NET TREKKER	3688	service & support	03/09/2016	8.57	8.57	03/25/2016
227	SANDERS TRUE VALUE	173054	60g alo paper, j-b kwickweld tube	03/10/2016	8.28	.00	
3357	Lowes	907987	10 fl oz all weather roof	03/01/2016	7.56	7.56	03/25/2016
2990	E-470 Public Highway Authority	2021169452	license plate# QTK825 CO	02/19/2016	1.50	.00	
123	GRAINGER INC	9047231981	CREDIT MEMO # 9047231981	03/08/2016	150.75-	.00	
Grand Totals:					143,411.50	120,746.73	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
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.....Approved _____ Dated ___/___/___

Report Criteria:
Detail report.
Invoice detail records above \$ included.
Paid and unpaid invoices included.
Invoice Detail.GL Account = 10100100-91990000

TOWN OF DILLON
PAYROLL LEDGER
4/1/2016

Payroll 3/18/16

Administration	\$	19,458.49
Council	\$	-
Planning/Engineering	\$	6,337.39
Police	\$	27,356.43
Public Works	\$	17,047.01
Buildings/Parks	\$	4,624.31
Street Improvement	\$	-
Water	\$	8,111.48
Sewer	\$	2,010.43
Marina	\$	8,135.44

Total Gross Payroll \$ 93,080.98

Less: Payroll Taxes \$ (18,132.03)

Less: Misc. Deductions \$ (15,742.69)

Net Payroll \$ 59,206.26

TOWN OF DILLON
PAYROLL LEDGER
4/1/2016

Payroll 4/1/16

Administration	\$	18,792.28
Council	\$	2,700.00
Planning/Engineering	\$	6,337.40
Police	\$	25,068.59
Public Works	\$	20,279.86
Buildings/Parks	\$	3,963.18
Street Improvement	\$	-
Water	\$	9,057.31
Sewer	\$	1,820.00
Marina	\$	<u>8,426.86</u>

Total Gross Payroll \$ 96,445.48

Less: Payroll Taxes \$ (18,872.77)

Less: Misc. Deductions \$ (15,654.42)

Net Payroll \$ 61,918.29

**TOWN COUNCIL ACTION ITEM
STAFF SUMMARY
APRIL 5, 2016 TOWN COUNCIL MEETING**

DATE: April 1, 2016

AGENDA ITEM NUMBER: 3C

ACTION TO BE CONSIDERED: Dillon Cemetery Advisory Committee Appointments

SUMMARY: There are two (2) two-year terms that expired on the Dillon Cemetery Advisory Committee in March. Linda Polhemus and Penington Wimbush, the current Committee Members with expired terms, have expressed interest in being reappointed. There is an additional vacancy for a two-year term which is being advertised as a result of Abbe Gold's resignation.

BUDGET IMPACT: None.

STAFF RECOMMENDATION: Staff recommends approval of Resolution No. 20-16, Series of 2016, making appointments to the Dillon Cemetery Advisory Committee.

ACTION REQUESTED: MOTION, SECOND AND ROLL CALL VOTE FOR APPROVAL

"... move to approve Resolution No. 20-16, Series of 2016 making appointments to the Dillon Cemetery Advisory Committee."

Resolutions require the affirmative vote of a majority of the members present.

STAFF RESPONSIBLE: Jo-Anne Tyson, Town Clerk

RESOLUTION NO. 20-16
Series of 2016

**A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF DILLON,
COLORADO, MAKING APPOINTMENTS TO THE DILLON CEMETERY
ADVISORY COMMITTEE.**

WHEREAS, The Town of Dillon owns and operates a cemetery for the benefit of the public as provided for under Ordinance 1-90, Series of 1990 and Resolution 3-90, Series of 1990; and

WHEREAS, the Town Council has established a Dillon Cemetery Advisory Committee pursuant to Resolution 25-02, Series 2002; and

WHEREAS, the Town Council increased the number of members of the Dillon Cemetery Advisory Committee, pursuant to Resolution 04-03, Series of 2003; and

WHEREAS, the Town Council has provided for non-voting members on the Dillon Cemetery Advisory Committee pursuant to Resolution 02-05, Series of 2005; and

WHEREAS, the Town Council has established that the Town Council will appoint and allow participation of all non-voting members on the Dillon Cemetery Advisory Committee pursuant to Resolution No. 51-12, Series of 2012; and

WHEREAS, the Town of Dillon, Colorado wishes to re-appoint Linda Polhemus and Penington Wimbush; and

WHEREAS, the Town Council of the Town of Dillon believes it is in the best interest of the Town to appoint Linda Polhemus and Penington Wimbush as members of the Dillon Cemetery Advisory Committee for the Town of Dillon.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DILLON, COLORADO, AS FOLLOWS:

Section 1. The Town Council of the Town of Dillon hereby appoints Linda Polhemus and Penington Wimbush as members of the Dillon Cemetery Advisory Committee for two-year terms that will expire in March 2018.

ADOPTED AND APPROVED THIS 5TH DAY OF APRIL, 2016, BY THE TOWN COUNCIL OF THE TOWN OF DILLON, COLORADO.

TOWN OF DILLON,
a Colorado municipal corporation

By: _____
Kevin Burns, Mayor

ATTEST:

By: _____
Jo-Anne Tyson, CMC/MMC, Town Clerk

**TOWN COUNCIL ACTION ITEM
STAFF SUMMARY
April 5, 2016 COUNCIL MEETING**

DATE: **March 21, 2016**

AGENDA ITEM NUMBER: **5**

ACTION TO BE CONSIDERED: Consideration of Ordinance No. 05-16, Series of 2016
First Reading

SUMMARY: During Council’s January 19, 2016 Work Session, the Summit County Nurse presented the 2015 STEPP Community Policy Model Standards for Indoor Smoke Free Protections. She presented a comprehensive list of policy provisions for Council consideration. Staff has collaborated and reviewed other municipal codes in reference to smoking regulations, offenses, and nuisances. It is our goal to provide balance between the health concerns of nonconsumers of tobacco and marijuana products and the need to minimize unwarranted governmental intrusion into and regulation of the use or nonuse of tobacco and marijuana products in certain designated public areas and in private places.

Staff feels that the proposed local smoking regulations in these chapters are no less stringent than the provisions of article 14 of title 25, Colorado Revised Statutes, known as the "Colorado Clean Indoor Air Act". Within this Ordinance, staff is proposing:

- renaming the title of the Dillon Municipal Code, Chapter 7, Article VII, “Indoor Air Quality and Smoking Regulations” to “Air Quality and Smoking Regulations” to reflect the intent of the proposed ordinance which includes both indoor and outdoor air quality regulations.
- additional definitions to the Dillon Municipal Code, Chapter 7, Article VII, “Indoor Air Quality and Smoking Regulations” to further clarify terminology specific to smoking and vaping and their devices.
- changing the prohibition of smoking at entry to public places distance requirement from ten to fifteen feet. This distance requirement is more consistent with other Summit County municipalities however, slightly less than the recommended twenty-five feet as prescribed by the Summit County Nurse. Staff felt a twenty-five foot buffer was excessive and would also lend itself to an increase of trash accumulation outside of public places ie: cigarette butts stamped out in front of businesses rather than extinguished in receptacles placed at a twenty five foot distance.
- revised smoking signage regulations to include a “No Smoking” symbol clearly indicating the prohibition of cigarettes, marijuana and electronic delivery devices. These symbols shall include the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette), a marijuana leaf symbol (a pictorial of a single marijuana leaf), and a delivery device symbol (a

pictorial of a delivery device); all enclosed in circles with bars slashed across them. An example of such sign is provided:



BUDGET IMPACT: No impact to budget.

STAFF RECOMMENDATION: Staff recommends approval of Ordinance 05-16, Series of 2016.

ACTION REQUESTED: Motion, Second and Roll Call Vote For Approval

Recommended motion language: “.....move to approve Ordinance 05-16, Series of 2016, AN ORDINANCE OF THE TOWN OF DILLON, COLORADO AMENDING CHAPTER 7, “INDOOR AIR QUALITY AND SMOKING REGULATIONS,” ARTICLE VII, “HEALTH, SANITATION, AND ANIMALS,” AND AMENDING CHAPTER 10, “GENERAL OFFENSES”; AND, SETTING FORTH DETAILS IN RELATION THERETO.

At least five (5) affirmative votes will be required for the approval of this ordinance.

STAFF MEMBER RESPONSIBLE: Ned West, Town Planner & Jo-Anne Tyson, Town Clerk

ORDINANCE NO. 05-16
Series of 2016

AN ORDINANCE OF THE TOWN OF DILLON, COLORADO AMENDING CHAPTER 7, "HEALTH, SANITATION, AND ANIMALS," ARTICLE VII, "INDOOR AIR QUALITY AND SMOKING REGULATIONS;" AMENDING CHAPTER 10, "GENERAL OFFENSES," ARTICLE I, "GENERAL PROVISIONS," OF THE DILLON MUNICIPAL CODE; AND, SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, it is recognized by the Colorado Legislature, the scientific and medical community, the Surgeon General of the United States, and the public generally, that exposure to ambient smoke by smokers and nonsmokers constitutes not only an unpleasant irritant to nonsmokers, but a real and significant health risk to persons who choose not to smoke; and,

WHEREAS, the Town Council of the Town of Dillon, Colorado, wishes to amend Chapter 7, "Health, Sanitation, and Animals," Article VII, "Indoor Air Quality and Smoking Regulations," Section 7-7-10, "Definitions," Section 7-7-30, "Smoking prohibited in public places," Section 7-7-40, "Smoking prohibited at entry to public places," Section 7-7-50, "Posting of signs," and amend Chapter 10, "General Offenses," Article I, "General Provisions," of the Dillon Municipal Code; and,

WHEREAS, the Town Council of the Town of Dillon, Colorado determines and declares that it is in the best interest of the people of the Town to protect nonsmokers from involuntary exposure to environmental smoke in most enclosed areas open to the public and public places; and,

WHEREAS, the Town Council of the Town of Dillon, Colorado desires to provide nonsmoking members of the public with a reasonable opportunity to breathe smoke free air in public places in Dillon, Colorado; and,

WHEREAS, the Town Council has determined that it is in the best interest of the citizens of the Town to amend the Dillon Municipal Code as set forth herein below.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DILLON, COLORADO, AS FOLLOWS:

Section 1. That Chapter 7, "Health, Sanitation, and Animals," Article VII, "Indoor Air Quality and Smoking Regulations," of the Dillon Municipal Code of the Town of Dillon, Colorado shall be amended to change the title of Article VII to read as follows:

Article VII
Air Quality and Smoking Regulations

Section 2. That Chapter 7, "Health, Sanitation, and Animals," Article VII, "Air

Quality and Smoking Regulations,” Section 7-7-10, “Definitions,” of the Dillon Municipal Code of the Town of Dillon, Colorado shall be deleted in its entirety and replaced with a new Section 7-7-10 to read as follows:

Sec. 7-7-10. Definitions.

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this Section:

Cigar-tobacco bar means a bar that generates at least five percent (5%) of its total annual gross income or fifty thousand dollars (\$50,000) in annual sales from the on-site sale of tobacco products and the rental of on-site humidors. As defined in Section 25-14-203(4), Colorado Revised Statutes, Cigar-tobacco bars are exempted from the town's smoking prohibitions as contained in Section 7-7-30 provided they meet the gross income or annual sales requirements set forth herein.

Delivery Device (DD) means a device that when activated emits a vapor or aerosol that may be inhaled or absorbed by the user including but not limited to E-cigarettes, E-cigar, E-pipe, vape pen, and E-hookahs. Delivery Device also includes any component part or accessory of such device whether or not sold separately and includes any substance with or without nicotine intended to be aerosolized during the use of the device. The term “delivery device” does not include any device specifically approved by the United States Food and Drug Administration for use in reducing, treating or eliminating nicotine or tobacco dependence, or for any other medical purposes, when such a device is being marketed and sold solely for such approved purpose.

Enclosed area means all space between a floor and ceiling that is enclosed on all sides by solid walls or windows (exclusive of doorways or passageways) that extend from the floor to the ceiling, including all space therein screened by partitions which do not extend to the ceiling or are not solid, office landscaping or similar structures.

Environmental smoke or secondhand smoke means gases, particles and vapors released into the air as a result of the combustion, electrical ignition, vaporization, heating, or other ignition of any substance, including but not limited to tobacco, nicotine or a marijuana product, also known as “sidestream smoke,” and such gases, particles and vapors that are exhaled by the smoker.

Private club means any establishment without a liquor license that has a defined membership and restricts admission to members of the club and their guests, or any establishment that holds a "club" liquor license pursuant to Section 12-47-416, Colorado Revised Statutes. A *private club* is considered a *Public place* when functions are held at the club to which the public is invited or in which the public is permitted. *Private club* shall not include an establishment that is open to members of the general public upon payment of a nominal fee.

Public place means any place to which the general public has access and a right of resort for business, entertainment or other lawful purpose, but does not necessarily mean a place devoted solely to the uses of the public. It shall include enclosed areas to which the public is invited or in which the public is permitted; stores, shops, restaurants, bars, taverns and other place of business open to the public; the entire town Marina area; the entire town Amphitheatre area; all town parks and open space; public grounds, trails, walkways and public areas; and, the public entrances to places of business. It shall also include public transportation vehicles, Town vehicles and Town-owned facilities. *Public place* shall not include a private club, private residences or private vehicles except when any such home, residences, or vehicles are being used as a child care facility or child care center or if a private vehicle is being used for the public transportation of children or as part of health care or child care transportation.

Smoking means the burning, heating, electrical ignition, use of a delivery device, vaporization, aerosolization or carrying of a lighted or heated cigarette, cigar, pipe, or any other similar product, device, matter or substance that contains tobacco, nicotine, or marijuana, or any other substance or combination thereof, and the inhaling and exhaling of environmental smoke created thereby.

Section 3. That Chapter 7, “Health, Sanitation, and Animals,” Article VII, “Air Quality and Smoking Regulation,” Section 7-7-30, “Smoking prohibited in public places,” of the Dillon Municipal Code of the Town of Dillon, Colorado shall be repealed in its entirety and replaced to read as follows:

Sec. 7-7-30. Smoking prohibited in public places.

Smoking, environmental smoke, or secondhand smoke shall be prohibited in all public places.

Section 4. That Chapter 7, “Health, Sanitation, and Animals,” Article VII, “Air Quality and Smoking Regulations,” Section 7-7-40, “Smoking prohibited at entry to public places,” of the Dillon Municipal Code of the Town of Dillon, Colorado shall be repealed in its entirety and replaced to read as follows:

Sec. 7-7-40. Smoking prohibited at entry to public places.

(a) In order to prevent smoke, environmental smoke, or secondhand smoke from entering any area where smoking is prohibited, no person shall smoke within a distance of fifteen (15) feet from any public entrance or passageway of any public place or area where smoking is prohibited, unless such person is passing through the fifteen-foot area referred to herein to extinguish smoking materials in the process of entering through the entrance or passage way.

(b) The prohibition contained in Subsection (a) above shall not apply to a public place where smoking is prohibited if that public place has designated an outside

smoking patio or deck, and such designated patio or deck is immediately adjacent to its primary or main entrance or passageway.

Section 5. That Chapter 7, “Health, Sanitation, and Animals,” Article VII, “Air Quality and Smoking Regulations,” Section 7-7-50, “Posting of signs,” of the Dillon Municipal Code of the Town of Dillon, Colorado shall be repealed in its entirety and replaced to read as follows:

Sec. 7-7-50. Posting of signs.

The owner, operator, manager and other person in control of a public place shall be responsible for posting and maintaining "No Smoking" signs clearly indicating the prohibition of cigarettes, marijuana and delivery devices. These symbols shall include the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette), a marijuana leaf symbol (a pictorial of a single marijuana leaf), and a delivery device symbol (a pictorial of a delivery device); all enclosed in circles with a slash across them, clearly and conspicuously posted at every entrance of every public place required or declared to be smoke-free under this Article.

Section 6. That Chapter 10, “General Offenses,” Article I, “General Provisions,” Section 10-1-10, “General Definitions,” of the Dillon Municipal Code of the Town of Dillon, Colorado, specifically the definition for “Public Place,” shall be repealed and replaced with a new definition to read as follows:

Public place means any place to which the general public has access and a right of resort for business, entertainment or other lawful purpose, but does not necessarily mean a place devoted solely to the uses of the public. It shall include enclosed areas to which the public is invited or in which the public is permitted; stores, shops, restaurants, bars, taverns and other place of business open to the public; the entire town Marina area; the entire town Amphitheatre area; all town parks and open space; public grounds, trails, walkways and public areas; and, the public entrances to places of business. It shall also include public transportation vehicles, Town vehicles and Town-owned facilities. *Public place* shall not include a private club, private residences or private vehicles except when any such home, residences, or vehicles are being used as a child care facility or child care center or if a private vehicle is being used for the public transportation of children or as part of health care or child care transportation.

Section 7. Severance Clause. If an article, section, paragraph, sentence, clause or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts thereof, irrespective of the fact that any one part or parts may be declared invalid or unconstitutional.

Section 8. Repeal. All other ordinances, or parts of any ordinances or other Code provisions in conflict herewith are hereby repealed.

Section 9. Effective Date. This Ordinance shall take effect five days after publication following final passage.

**INTRODUCED, READ AND ORDERED PUBLISHED BY TITLE ONLY
THIS 5TH DAY OF APRIL, 2016.**

**PASSED, ADOPTED AND APPROVED AND ORDERED PUBLISHED BY
TITLE ONLY THIS ___ DAY OF APRIL, 2016.**

TOWN OF DILLON,
a Colorado municipal corporation

By: _____
Kevin Burns, Mayor

ATTEST:

By: _____
Jo-Anne Tyson, CMC/MMC, Town Clerk

Sec. 7-7-10. Definitions.

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The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this Section:

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Cigar-tobacco bar means a bar that generates at least five percent (5%) of its total annual gross income or fifty thousand dollars (\$50,000) in annual sales from the on-site sale of tobacco products and the rental of on-site humidors. As defined in Section 25-14-203(4), Colorado Revised Statutes. Cigar-tobacco bars are exempted from the town's smoking prohibitions as contained in Section 7-7-30 provided they meet the gross income or annual sales requirements set forth herein.

Delivery Device (DD) means a device that when activated emits a vapor or aerosol that may be inhaled or absorbed by the user including but not limited to E-cigarettes, E-cigar, E-pipe, vape pen, and E-hookahs. Delivery Device also includes any component part or accessory of such device whether or not sold separately and includes any substance with or without nicotine intended to be aerosolized during the use of the device. The term "delivery device" does not include any device specifically approved by the United States Food and Drug Administration for use in reducing, treating or eliminating nicotine or tobacco dependence, or for any other medical purposes, when such a device is being marketed and sold solely for such approved purpose.

Enclosed area means all space between a floor and ceiling that is enclosed on all sides by solid walls or windows (exclusive of doorways or passageways) that extend from the floor to the ceiling, including all space therein screened by partitions which do not extend to the ceiling or are not solid, office landscaping or similar structures.

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Environmental smoke or secondhand smoke means gases, particles and vapors released into the air as a result of the combustion, electrical ignition, vaporization, heating, or other ignition of any substance, including but not limited to tobacco, nicotine or a marijuana product, also known as "sidestream smoke," and such gases, particles and vapors that are exhaled by the smoker.

Private club means any establishment without a liquor license that has a defined membership and restricts admission to members of the club and their guests, or any establishment that holds a "club" liquor license pursuant to Section 12-47-416, C.R.S. Colorado Revised Statutes. A private club is considered a ~~public~~Public place when functions are held at the club to which the public is invited or in which the public is permitted. Private club shall not include an establishment that is open to members of the general public upon payment of a nominal fee.

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Public place means any ~~enclosed area~~place to which the general public has access and a right of resort for business, entertainment or other lawful purpose, but does not necessarily mean a place devoted solely to the uses of the public. It shall include enclosed areas to which the public is invited or in which the public is

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~~permitted, including: stores, shops, restaurants, bars, taverns and other place of business open to the public; the entire town Marina area; the entire town Amphitheatre area; all town parks and open space; public grounds, trails, walkways and public areas; and, the public entrances to places of business. It shall also include public transportation vehicles, and including all Town vehicles and Town-enclosed-governmental-owned facilities. Public place shall not include a private club, private residences or private vehicles, except that when a private residence is any such home, residences, or vehicles are being used as a licensed child care facility, then smoking is prohibited during business hours in all areas of the private residence where child care is provided, or child care center or if a private vehicle is being used for the public transportation of children or as part of health care or child care transportation.~~

~~Smoke or smoking shall mean inhaling, exhaling, burning or carrying any lighted cigar, cigarette or pipe. (Ord. 02-04 §1)~~

Smoking means the burning, heating, electrical ignition, use of a delivery device, vaporization, aerosolization or carrying of a lighted or heated cigarette, cigar, pipe, or any other similar product, device, matter or substance that contains tobacco, nicotine, or marijuana, or any other substance or combination thereof, and the inhaling and exhaling of environmental smoke created thereby.

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Sec. 7-7-30. Smoking prohibited in public places.

Smoking environmental smoke or secondhand smoke shall be prohibited in all public places, ~~in all Town-owned and operated facilities, and on the amphitheatre premises during public use of the amphitheatre. (Ord. 02-04 §1).~~

Sec. 7-7-40. Smoking prohibited at entry to public places.

(a) — In order to prevent smoke, environmental smoke, or secondhand smoke from entering any area where smoking is prohibited, no person shall smoke within a distance of ~~ten (10)~~ fifteen (15) feet from ~~the primary or main~~ any public entrance or passageway of any public place or area where smoking is prohibited, unless such person is passing through the ~~ten~~ fifteen-foot area referred to herein to extinguish smoking materials in the process of entering through the entrance or passage way.

(b) — The prohibition contained in Subsection (a) above shall not apply to a public place where smoking is prohibited if that public place has designated an outside smoking patio or deck, and such designated patio or deck is immediately adjacent to its primary or main entrance or passageway. ~~(Ord. 02-04 §1; Ord. 07-04 §1)~~

Sec. 7-7-50. Posting of signs.

The owner, operator, manager and other person in control of a public place shall be responsible for posting and maintaining "No Smoking" signs or clearly indicating the prohibition of cigarettes, marijuana and delivery devices. These symbols shall include the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette), a marijuana leaf symbol (a pictorial of a single marijuana leaf), and a delivery device symbol (a pictorial of a delivery device); all enclosed in ~~a circle~~ circles with a ~~slash~~ berslash across ~~it~~ them, clearly and conspicuously posted at every entrance of every public place required or declared to be smoke-free under this Article. ~~(Ord. 02-04 §1)~~

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Sec. 10.1.10 General Definitions

Public place means any place to which the general public has access and a right of resort for business, entertainment or other lawful purpose, but does not necessarily mean a place devoted solely to the uses of the public. ~~It also includes the front or immediate area of any store, shop, restaurant, tavern or other place of business and also public grounds, areas or parks.~~ It shall include enclosed areas to which the public is invited or in which the public is permitted: stores, shops, restaurants, bars, taverns and other place of business open to the public; the entire town Marina area; the entire town Amphitheatre area; all town parks and open space; public grounds, trails, walkways and public areas; and, the public entrances to places of business. It shall also include public transportation vehicles, Town vehicles and Town-owned facilities. Public place shall not include a private club, private residences or private vehicles except when any such home, residences, or vehicles are being used as a child care facility or child care center or if a private vehicle is being used for the public transportation of children or as part of health care or child care transportation.

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As a review, the
following information
was presented at
Council Work Session
on July 7, 2014 by
Town Planner
Ned West.



Memorandum

DATE: July 1, 2014
TO: Mayor & Town Council
FROM: Ned West, Town Planner
SUBJECT: Electronic Smoking Devices - Town Council Work Session - July 7, 2015

Consideration of the Topic of Vaporizing and E-Cigarettes as it Relates to Smoking

What is the stance of our neighboring communities as it pertains to vaporizers?

Breckenridge: Adopted code language with Ordinance No. 4, Series of 2015 (March 2015) to include electric smoking devices. Their findings indicate a belief that electronic smoking devices may “increase the exposure of bystanders to potentially harmful exhaled aerosol toxicants...” and bolster that statement with the idea that using such devices in places where traditional tobacco smoking is not permitted may “frustrate the reasonable expectation of bystanders in such places that there will be no risk increase from any product in the air they breathe...”.

They added an “Electronic Smoking Device” definition, as well as an “Entryway” definition, and included additional language in the definition of “Tobacco” to include “any other plant matter or product that is packaged for smoking, and tobacco prepared, treated, or modified in such a manner that it may be ingested through the use of an electronic smoking device.” They also amended their definition of “Smoking” and “Environmental Tobacco and Marijuana Smoke” to include electronic smoking devices, as well as other definition amendments.

They provide general lists of 30 indoor locations and 6 public outdoor spaces where smoking shall not be permitted.

Frisco: Adopted code language with Ordinance 15-01 in January 2015 to prohibit “any smoking by way of the electrical ignition, vaporization, or heating of any substance, including but not limited to tobacco, nicotine, or a marijuana product.” They amended their definition of “Environmental smoke, or second hand smoke” to include “gases, particles and vapors” not only by combustion but also electrical ignition, heating and vaporization.

Silverthorne: Their smoking regulations in their municipal code do not reference electronic smoking devices, vaping, or the like.

What does the research say?

There remains very limited research on the topic of vaporization of nicotine, much less marijuana. The FDA has yet to make formal findings on the subject of nicotine vaporization, and as such, any such product remains unregulated. The FDA is in its final stages of information gathering on the subject of what they refer to as “electronic cigarettes” and the associated public health risks. They continue to state:

E-cigarettes have not been fully studied, so consumers currently don't know:

- the potential risks of e-cigarettes when used as intended,*
- how much nicotine or other potentially harmful chemicals are being inhaled during use, or*
- whether there are any benefits associated with using these products.*

Additionally, it is not known whether e-cigarettes may lead young people to try other tobacco products, including conventional cigarettes, which are known to cause disease and lead to premature death.

<http://www.fda.gov/NewsEvents/PublicHealthFocus/ucm172906.htm>

The short term and long term effects of the use of such products is simply not known. Some reports claim that the “vaporization” of nicotine is a misnomer, as the product is heated to a state of vaporization, but there remains an extensive amount of particulates in the product, thus making it an aerosol. Some of the particulates are identified to be known carcinogens. One report claims an increase in the release of formaldehyde, a known human carcinogen, with the use of nicotine “vaporizers”:

http://www.yorkdispatch.com/breaking/ci_27902921/research-vaping-starts-clear-smoke-possible-health-effects

Numerous articles discuss the potential hazards of the toxins in the aerosol released from electronic smoking devices. One article points to studies regarding other issues with the use of certain chemicals and flavorings associated with electronic smoking device products as being potential respiratory irritants both by main stream and second hand smoke exposure:

<http://www.independent.co.uk/life-style/health-and-families/health-news/vaping-health-risks-e-cigarettes-could-be-more-dangerous-than-we-think-scientists-warn-10180878.html>

The Americans for Nonsmokers’ Rights organization www.no-smoke.org, presents findings that there are at least ten (10) chemicals in mainstream smoke and secondary smoke from electronic smoking devices that are known carcinogens. They also present information regarding other issues with the use of certain chemicals and flavorings associated with electronic smoking device products. Although some of the additives and chemicals may be approved by the FDA for consumption in some products, they are

not approved as inhaled in electronic smoking devices. Their website has extensive information on the subject, including lists of states (18) and municipalities (274) regulating electronic smoking devices (as of January 2015).

Some support does exist for the electronic smoking device; however, credible research does seem to be lacking. Much of the favorable views of the products seem to be back funded by the ever expanding industry. Countless bloggers offer their opinion in support of vaping, claiming it to be a safer alternative to traditional tobacco smoking. There are claims that vaporizers only emit water vapor; that prohibiting their use infringes on options for those attempting to break the habit of tobacco smoking, and that such prohibition is merely another example of government over reach.

Those that believe the exposure to mainstream and second hand electronic smoking device aerosol to pose a potential health risk seem to greatly out weight those that believe it to be harmless. The belief that the aerosol that is released both by main stream and second hand exposure from electronic smoking devices contains toxins and carcinogens is gaining support, and many municipalities are directly associating typical tobacco smoking with the electronic smoking devices.

In the news, increasing incidents in poisoning due to exposure to the liquid used in electronic smoking devices has spurred information gathering by the FDA.

<http://www.reuters.com/article/2015/06/30/us-fda-ecigarettes-idUSKCN0PA2SD20150630>

The FDA has released an Advanced Notice of Proposed Rulemaking on the subject of the dangers of the exposure to the products

<http://www.fda.gov/downloads/TobaccoProducts/GuidanceComplianceRegulatoryInformation/UCM453226.pdf>

If the Town of Dillon chooses to move forward with regulating electronic smoking devices, what would need to be done?

Should the Town Council desire, they could direct staff to move forward with developing code language to regulate electronic smoking devices, as the Code currently regulates tobacco smoking. Staff would then prepare an Ordinance for the amendment of portions of Chapter 7 "Health, Sanitation and Animals", Section VII "Indoor Air Quality and Smoking Regulations". More specifically, Section 7-7-10 "Definitions", would need an amendment to the definition of "Smoking" and likely the addition of a definition for electronic smoking devices. In the smoking definition, the addition of references to electronic smoking devices would be made. References to marijuana smoke, either from the plant or products produced from the plant could be incorporated, as has been done in numerous Colorado municipalities.

Chapter 10 "General Offense" could also be amended to incorporate smoking language in sections pertaining to unlawful conduct on public property to provide for an enforcement mechanism. If new

regulations pertaining to electronic smoking devices are enacted, there will also be a requirement to update all posted signage to include electronic smoking devices, per Section 7-7-50 and Section 10-3-10 (b). Section 7-7-50 would also need to be amended to not only include the struck out burning cigarette symbol, but also a recognizable symbol for a prohibition on electronic smoking devices. There is a symbol that is now being widely used to represent the electronic smoking devices, not a far cry from a symbol resembling a burning battery.



Town of Dillon
Liquor Licenses Approved by Town Clerk
March 31, 2016

Liquor License Renewal Beer & Wine	Adriano's Bistro, LLC	03/22/16
Change of Manager	Ruby Tuesday	03/30/16



On behalf of the Board of Directors of
CASA of the Continental Divide,
"Thank You!" to the town of Dillon
for your recent grant. Your
fifteen years of support enables us
to advocate on behalf of the abused
and neglected children of our
community. Once again, a heartfelt
Thank You!

Deb Kelleher-Spencer
Board Chairperson



Colorado Fourteeners Initiative

A Partnership for Preservation

March 29, 2016

Carri McDonnell
Town of Dillon
PO Box 8
Dillon, CO 80435

Dear Carri,

Colorado Fourteeners Initiative's 2015 summer field season wrapped up in early October with the new Kilpacker Basin trail opened on El Diente Peak (CFI's 30th sustainable summit route!) and a new all-time record for stewardship volunteers engaged (1,550 days of service). Your recent grant of \$500 that was received on 3/28/2016 will help build toward the 2016 summer season by hiring, equipping and supporting our seasonal project leaders, as well as funding important Leave No Trace educational efforts to protect the natural integrity of the majestic 14ers. Hearty thanks for helping make this important alpine stewardship work possible!

There are many ways you can stay abreast of CFI's conservation efforts to see what your donation has made possible. Our 2015 annual report should be mailed by late June, with a short end-of-season report mailed out by next Thanksgiving. More timely updates can be found on CFI's Facebook page (www.facebook.com/Colorado-Fourteeners-Initiative/127711951957), website (www.14ers.org) and Instagram page (www.instagram.com/Colorado14ersInitiative).

Thanks again for helping CFI protect and preserve the 14ers for all to enjoy. None of our accomplishments would be possible without your support! Please do not hesitate to call or email me if you ever have any questions or concerns about the work CFI is doing.

Regards,

Jerry Mack

FOR LLOYD ATHEARN
Lloyd F. Athearn
Executive Director
lloyd@14ers.org

THANK YOU CARRI! LLOYD IS ON
VACATION RIGHT NOW. I'LL BE
SURE TO LET HIM KNOW WHEN
HE RETURNS.

JERRY MACK
CONTROLLER

P.S. The IRS wants us to let you know that no goods or services were provided in exchange for your contribution.