

**TOWN OF DILLON  
TOWN COUNCIL  
REGULAR MEETING**

Tuesday, April 19, 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, April 19, 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, Kyle Hendricks, Mark Nickel, and Carolyn Skowyra. Council Member Westerberg was absent (excused). Staff members present were: Tom Breslin, Town Manager; Dan Burroughs, Town Engineer; Carri McDonnell, Finance Director; Mark Heminghaus, 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 Bailey moved to approve the following consent agenda:

- a. Minutes of Regular Meeting of April 5, 2016
- b. Approval of Bill List dated April 15, 2016 in the amount of \$218,544.74 and Payroll Ledger dated April 15, 2016 in the amount of \$57,540.43.
- c. Excused Absence for Council Member Raitano for April 5, 2016 Town Council Meeting
- d. Resolution No. 21-16, Series of 2016  
Appointing Teresa England to the Dillon Planning and Zoning Commission
- e. Resolution No. 22-16, Series of 2016  
Appointing Mellanee Montgomery to the Dillon Cemetery Advisory Committee (DCAC)
- f. Resolution No. 23-16, Series of 2016  
A RESOLUTION AUTHORIZING THE TOWN OF DILLON, COLORADO, TO ENTER INTO A CONTRACT WITH BETONE, LLC FOR THE 2016 TOWN HALL PARKING EXPANSION PROJECT; AUTHORIZING AND DIRECTING THE APPROPRIATE TOWN OFFICERS TO SIGN THE NECESSARY DOCUMENTS; AND, SETTING FORTH DETAILS IN RELATION THERETO.
- g. Resolution No. 24-16, Series of 2016  
A RESOLUTION AUTHORIZING THE TOWN OF DILLON, COLORADO, TO ENTER INTO A CONTRACT WITH A-PEAK, INC. FOR THE 2016 ASPHALT OVERLAY PROJECT; AUTHORIZING AND DIRECTING THE APPROPRIATE TOWN OFFICERS TO SIGN THE NECESSARY DOCUMENTS; AND, SETTING FORTH DETAILS IN RELATION THERETO.

- h. Resolution No. 25-16, Series of 2016  
A RESOLUTION AUTHORIZING THE TOWN OF DILLON, COLORADO, TO ENTER INTO A CONTRACT WITH A-PEAK, INC. FOR THE 2016 REC PATH OVERLAY PROJECT; AUTHORIZING AND DIRECTING THE APPROPRIATE TOWN OFFICERS TO SIGN THE NECESSARY DOCUMENTS; AND, SETTING FORTH DETAILS IN RELATION THERETO.
- i. Resolution No. 26-16, Series of 2016  
A RESOLUTION AUTHORIZING THE TOWN OF DILLON, COLORADO, TO ENTER INTO A SMALL MULTI-JURISDICTIONAL ENTERPRISE LICENSE AGREEMENT WITH ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC.

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

### **CITIZEN COMMENTS**

There were no citizen comments.

### **CONSIDERATION OF ORDINANCE 05-16. SERIES OF 2016**

Second Reading and Public Hearing

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.

Town Clerk Jo-Anne Tyson reported that the purpose of this Ordinance is to incorporate updated definitions, smoking regulations, offenses, and nuisances to Chapters 7 and 10 of the Dillon Municipal Code. These proposed changes intend to bring balance between the health concerns of nonconsumers of tobacco and marijuana products and the need to minimize unwarranted governmental intrusion into the use or nonuse of tobacco and marijuana products in certain designated public areas and in private places. 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.
- 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.

Ms. Tyson stated that Council heard and unanimously approved the First Reading of this Ordinance at the April 5, 2016 Town Council meeting and no public comments have been received for or against the proposed changes. 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 7:08 p.m. There being no public comment, Mayor Burns closed the public hearing at 7:09 p.m.

Council Member Bailey moved to approve Ordinance No. 05-16, Series of 2016. Council Member Barchers seconded the motion which passed unanimously upon roll call vote.

### **CONSIDERATION OF ORDINANCE NO. 06-16, SERIES OF 2016**

First Reading

AN ORDINANCE OF THE TOWN OF DILLON, COLORADO, AUTHORIZING THE TOWN TO ENTER INTO AN OPTION TO PURCHASE AGREEMENT WITH DILLON GATEWAY DIAMOND IN THE RUFF, LLC GRANTING DILLON GATEWAY DIAMOND IN THE RUFF, LLC THE OPTION TO PURCHASE CERTAIN TOWN REAL PROPERTY; AUTHORIZING AND DIRECTING THE APPROPRIATE TOWN OFFICERS TO SIGN SAID OPTION; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Town Engineer Dan Burroughs stated that the Town wishes to enter into an Option to Purchase Agreement with Dillon Gateway Diamond in the Ruff, LLC (“DGDR”) wherein the Town grants to DGDR an option to purchase certain real property owned by the Town described as Lots 1 and 1B, Block B, New Town of Dillon Subdivision, Town of Dillon, County of Summit, State of Colorado for the amount of \$549,000.00, granting the option to purchase the Property for a period of one (1) year for a consideration of \$500.00. He further stated that the purpose of this option agreement is to bundle the Town owned property with two privately held parcels to encourage a large development project at the Southwest Corner of Lake Dillon Drive and US Highway 6, which is the main entrance to Town.

Council Member Bailey moved to approve Ordinance No. 06-16, Series of 2016. Council Member Barchers seconded the motion which passed unanimously upon roll call vote.

### **CONSIDERATION OF RESOLUTION NO. 27-16, SERIES OF 2016**

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF DILLON, COLORADO, ADOPTING THE REVISED TOWN OF DILLON CEMETERY RULES AND REGULATIONS DATED APRIL, 2016; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Public Works Director and Cemetery Superintendent Scott O’Brien reported that the Dillon Cemetery Advisory Committee and staff have been working on several “housekeeping” items within the Dillon Cemetery’s Rules and Regulations. These items include:

- more specific definitions related to burial plots and residents

- further clarification regarding burial specifications; changing the allowance from four (4) to two (2) cremated remains in a single burial plot, effective January 1, 2016
- monument allowance per lot and placement of markers

Council Member Barchers moved to approve Resolution No. 27-16, Series of 2016. Council Member Bailey seconded the motion which passed unanimously upon roll call vote.

**TOWN MANAGER REPORT:**

Town Manager Tom Breslin reviewed several items with Council including:

- Lake Dillon Theatre has almost completely vacated the Old Town Hall building.
- Staff has met with an audio visual technician and architect regarding the Council Chambers remodel and construction is expected to begin in late summer.
- Discussions surrounding stairs accessing the Dillon Marina have progressed and will include ramps and connections to current paths making it easier for customers to haul equipment and supplies to the docks.
- Staff continues to work on solidifying the Triathlon event.
- Colorado Mountain College had an architect working on site renderings for available parcels in Town.
- Staff met with Flo Raitano regarding the opportunity of the Town obtaining a Creative Arts District designation.
- An Open House is scheduled on Wednesday, May 18, 2016, 5:30 – 7:00 p.m. to present the 10 Year Capital Plan.

**MAYOR'S REPORT:**

Mayor Burns did not have a report for Council.

**ADJOURNMENT:**

There being no further business, Mayor Burns declared the meeting adjourned at 7:30 p.m.

Respectfully submitted by:

---

Jo-Anne Tyson, CMC/MMC, Town Clerk