

RECORD OF PROCEEDINGS

**TOWN OF DILLON
TOWN COUNCIL
REGULAR
MEETING**

Tuesday, March 7, 2017

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 7, 2017, at Dillon Town Hall, 275 Lake Dillon Drive, Dillon, CO. Mayor Burns called the meeting to order at 7:00 p.m. and the following Council Members answered roll call: Jen Barchers, Kyle Hendricks, Mark Nickel, Carolyn Skowyra and Tim Westerberg. Council Member Brad Bailey was absent (excused). Staff members present were: Kerstin Anderson, Marketing and Communications Director; Tom Breslin, Town Manager; Dan Burroughs, Town Engineer; Mark Heminghaus, Police Chief; Carri McDonnell, Finance Director; and Jo-Anne Tyson, Town Clerk.

APPROVAL OF AGENDA

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

APPROVAL OF CONSENT AGENDA

Council Member Westerberg moved to approve the following consent agenda:

- a. Minutes of Regular Meeting of February 21, 2017.
- b. Approval of Bill List dated March 3, 2017 in the amount of \$28,697.96 and Payroll Ledger dated March 3, 2017 in the amount of \$72,714.78.
- c. Resolution 13-17, Series of 2017
A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF DILLON,
COLORADO, MAKING APPOINTMENTS TO THE CEMETERY
ADVISORY COMMITTEE.

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

CITIZEN COMMENTS

A Dillon resident spoke in opposition to the proposed Crossroads project at the corner of Lake Dillon Drive and Tenderfoot Street. This citizen addressed concerns with the lack of adequate parking, intersection traffic and congestion, as well as the height of the proposed project.

CONSIDERATION OF ORDINANCE NO. 04-17, SERIES OF 2017

AN ORDINANCE AMENDING CHAPTER 6 OF THE DILLON MUNICIPAL CODE BY REPEALING AND RE-ENACTING ARTICLE VII, TO ALLOW MEDICAL MARIJUANA CENTERS TO BE LICENSED UNDER CERTAIN CIRCUMSTANCES IN THE TOWN OF DILLON; AMENDING SECTIONS 1-4-40, 6-8-60 AND APPENDIX 19-A OF THE DILLON MUNICIPAL CODE TO BE CONSISTENT THEREWITH.

Town Clerk Jo-Anne Tyson stated that 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 7:10 p.m.

Ms. Tyson reported that Council heard the first reading of this ordinance at their February 21, 2017 Council meeting and no changes have been made since first reading. The ordinance proposes amendments to Chapter 6, Business Licenses and Regulations of the Dillon Municipal Code related to the addition of medical marijuana and dual marijuana business licenses in the Town of Dillon. These amendments implement code language allowing only three (3) medical marijuana centers in the Town of Dillon; establish procedures if a current license is revoked, not renewed or terminated; allow only those retail marijuana store license holders with valid and active retail marijuana licenses to obtain medical marijuana center licenses; not allowing patients under twenty-one (21) years of age on the premise; and medical marijuana centers must be located on the same premises as the retail marijuana store.

There being no comments from the public, Mayor Burns closed the public hearing at 7:14 p.m.

Council Member Skowrya moved to approve Ordinance No. 04-17, Series of 2017. Council Member Barchers seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. 14-17, SERIES OF 2017

A RESOLUTION AUTHORIZING THE TOWN OF DILLON, COLORADO, TO WAIVE THE WINTER CONSTRUCTION PROHIBITION AS SET FORTH IN SECTION 18-1-50 OF THE DILLON MUNICIPAL CODE FOR EXCAVATION AND GRADING CONSTRUCTION FOR COLUMBINE HILLS CONCRETE, INC. RELATED TO BLOCKS 12 AND 13, DILLON RIDGE MARKETPLACE PUD; IMPOSING CONDITIONS FOR SAID WAIVER; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Town Engineer Dan Burroughs reported that this resolution is a request for a Winter Excavation Waiver to allow Columbine Hills Concrete, Inc. to start removing excess fill materials from Blocks 12 and 13 at Dillon Ridge Marketplace. Per Town Code, Town staff is not allowed to issue Grading and Excavation Permits between November 1st and March 31st, unless the Town Council grants a waiver as defined in Section 18-1-50 of the Town Code. The proposed work will include silt fences, vehicle tracking pad, and the distribution of mulch over the site to meet erosion control Best Management Practices requirements. The contractor would like to remove the material in order to facilitate future development of these lots and cut the lots back down to the street level, making them more suitable for future development.

Council Member Westerberg moved to approve Resolution No. 14-17, Series of 2017. Council Member Barchers seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. 15-17, SERIES OF 2017

A RESOLUTION AUTHORIZING THE TOWN OF DILLON, COLORADO, TO WAIVE THE WINTER CONSTRUCTION PROHIBITION AS SET FORTH IN SECTION 18-1-50 OF THE DILLON MUNICIPAL CODE FOR EXCAVATION, GRADING AND UTILITY CONSTRUCTION FOR THE TOWN OF DILLON, COLUMBINE HILLS CONCERTE, INC., STAN MILLER, INC., AND XCEL ENERGY, INC. RELATED TO THE 2017 LODGEPOLE IMPROVEMENTS PROJECTS; IMPOSING CONDITIONS FOR SAID WAIVER; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Mr. Burroughs stated that as he explained with the previous agenda item, this resolution is a request for a Winter Excavation Waiver. Per Town Code, Town staff is not allowed to issue Grading and Excavation Permits between November 1st and March 31st, unless the Town Council grants a waiver as defined in Section 18-1-50 of the Town Code. This Waiver is requesting permission to allow the Town of Dillon, Columbine Hills Concrete, Inc., Stan Miller, Inc. and Xcel Energy, Inc. to start removals, utility potholing and other construction tasks related to the 2017 Lodgepole Improvements projects prior to April 1, 2017.

Council Member Westerberg moved to approve Resolution No. 15-17, Series of 2017. Council Member Barchers seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. 16-17, SERIES OF 2017

A RESOLUTION AUTHORIZING THE TOWN OF DILLON, COLORADO, TO ENTER INTO A CONTRACT WITH STAN MILLER, INC. FOR THE 2017 LODGEPOLE DEEP UTILITY PROJECT; AUTHORIZING AND DIRECTING THE APPROPRIATE TOWN OFFICERS TO SIGN THE NECESSARY DOCUMENTS; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Mr. Burroughs reported that town staff divided the 2017 Lodgepole Street work between two contractors, Columbine Hills Concrete and Stan Miller, Inc. due to the scope of the project and short construction season in Summit County. Town Council authorized a contract with Columbine Hills Concrete, Inc. at their February 21, 2017 Council meeting to complete the surface concrete and asphalt, storm sewer and the water line work west of Lake Dillon Drive. This resolution approves a contract with Stan Miller, Inc. for the installation of a new deep sanitary sewer main through the Marina Park parking lot. Their work will also include replacing a 6” water main with a new 12” water main in two areas by the Marina. Mr. Burroughs stated that the project will be funded out of the Capital and Water and Sewer Plant Investment Funds. In conjunction with the Columbine Hills Concrete contract, the project will be under budget in the Sewer fund and \$55,000 over in the water fund. The additional \$55,000 from the water fund will come from the cash balance to fund this additional work which includes a new fire hydrant lateral in the parking lot for the amphitheater and additional service connections along Lodgepole Street which weren’t contemplated when the original budget was prepared. The total cost of this project is \$236,943.29.

Council Member Westerberg moved to approve Resolution No. 16-17, Series of 2017. Council Member Barchers seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. 17-17, SERIES OF 2017

A RESOLUTION AUTHORIZING THE TOWN OF DILLON, COLORADO, TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE SUMMIT COUNTY SHERIFF’S OFFICE FOR THE PROVISION OF LAW ENFORCEMENT SERVICES.

Police Chief Mark Heminghous stated that historically, municipal officers were individually commissioned by the Summit County Sheriff to act on behalf of a Sheriff’s Deputy in unincorporated Summit County. This resolution outlines the desire of the Dillon Police Department and the Summit County Sherriff’s Department to enter into an Intergovernmental Agreement (IGA) in order for the Dillon Police Department to assist the Sherriff’s Department with services in unincorporated Summit County when a Deputy is unavailable or needs assistance. Chief Heminghous reported that this IGA formalizes, and is consistent with, current practices among other law enforcement agencies throughout Colorado. Furthermore, under the previous practice of

commissioning officers, liability was assumed by the Sherriff's office. This IGA establishes the liability for the actions of Dillon police officers under the Town of Dillon's coverage. This IGA is an annual agreement which automatically renews from year to year until such time as a new Sheriff is elected.

Council Member Barchers moved to approve Resolution No. 17-17, Series of 2017. Council Member Hendricks seconded the motion which passed unanimously upon roll call vote.

TOWN MANAGER'S UPDATE

Town Manager Tom Breslin reported on the following items:

- Triathlon details are still being worked out for the 2017 event. It will however, be a slightly shorter race with considerations to traffic flow.
- Mr. Breslin and Mr. Burroughs interviewed two contractors for the Amphitheatre project and determined to award the contract to JHL Construction. Work will begin on July 10, 2017 and conclude mid May, 2018.

MAYOR'S REPORT

Mayor Burns did not provide a report.

EXECUTIVE SESSION

Mayor Kevin Burns moved to go into Executive Session at 7:35 p.m. 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 potential development within the Town. No action was taken during the executive session. At 8:28 p.m. Council concluded the executive session.

ADJOURNMENT

There being no further business, Mayor Burns declared the meeting adjourned at 8:29 p.m.

Respectfully submitted by:

Jo-Anne Tyson, Town Clerk