

TOWN OF LYONS BOARD OF TRUSTEES MEETING  
HYBRID MEETING  
LYONS TOWN HALL, 432 5<sup>TH</sup> AVENUE, LYONS, COLORADO

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DRAFT AGENDA

**MONDAY, MAY 16, 2022**

5:30 PM BOARD OF TRUSTEES REGULAR MEETING

- I. Roll Call and Pledge of Allegiance –  
Note: The regular meeting will start immediately after the executive session  
**Present:** Mayor Rogin, MPT Farrell, Trustee Delman, Trustee Daty, Trustee Oetting, Trustee Elson **Absent:** Trustee Williams
- II. Land Acknowledgement
- III. Approve Agenda **Motion:** approve agenda Moved **by:** Trustee Daty **Seconded by:** Trustee Oetting **Motion passes unanimously**
- IV. Executive Session – pursuant to C.R.S. Sections 24-6-402(4)(e) and 24-6-402(4)(b) for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators, and for legal advice from attorneys representing the Town regarding the Town’s legal dispute with Honeywell International, Inc. over Honeywell’s breach of contract of the Energy Cost-Savings Contract and design and construction defects in the Lyon’s wastewater treatment plant. **Motion:** enter into executive session **Moved by:** Trustee Elson **Seconded by:** Trustee Oetting **Motion passes unanimously Entered into executive session 5:38pm Trustee Williams joined the meeting at 6:50 pm Regular meeting back in session at 7:02 pm**
- V. A Reflective Moment of Silence – In memory of Mrs. Lavern Johnson, such a loss to the community. A monument of service.
- VI. Audience Business - none
- VII. Mayoral Proclamation – LGBTQ+Pride Month
- VIII. Boulder County Sheriff’s Office Report – Sgt. Crist reported working with new code enforcement officer; meeting with Judge Brown and Administrator Simonsen on duties/goals. Working with Fire on building issues on Main Street; No graffiti over the last month or so, but a vehicle theft and vehicle trespass. Crime of opportunity. Flock cameras still on hold due to CDOT; tired of waiting we are looking for a local pole; another tool to help with crime. Working on new program to better track crime here in Lyons. Generally done in annual report, hoping to break it down by quarter, Superior is using, had demo today and hopeful to get it in place. Trustee Oetting asked about vandalism at Summit. Sgt Crist, equipment parked in secluded area, we did lift some

DNA, it is treated like all other crimes. Trustee Dady asked how to proceed when a resident contacts us about a crime. Sgt Crist if emergency call 911, if not call non-emergency at 303-441-4444. If you see something, say something, don't post it on Facebook.

IX. Ordinances and Public Hearings

X. Consent Agenda

1. Resolution 2022-51 – A Resolution of the Town of Lyons, Colorado Approving a Construction Contract with The Jump Doctors for Bohn Dirt Bike Jump Park Improvements
2. Resolution 2022-52 – a Resolution of the Town of Lyons, Colorado Ratifying a Decision made by the Board of Trustees to Extend the Deadline for Spirit Hounds to Dedicate Lake McIntosh Shares to July 18, 2022
3. Resolution 2022-53 – a Resolution of the Town of Lyons, Colorado Approving a Professional Services Agreement with A & R Fencing for Installation of Fencing at the Recycling Center
4. Resolution 2022-54- A Resolution of the Town of Lyons, Colorado Ratifying the Professional Services Agreement with FoCo Tube & SUP, LLC
5. Resolution 2022-55 A Resolution of the Town of Lyons, Colorado Extending the COVID 19 Pandemic Emergency
6. Resolution 2022-56, A Resolution of the Town of Lyons, Colorado Establishing a Remote Meeting Policy
7. Resolution 2022-57, A Resolution of the Town of Lyons, Colorado Amending Remote Meetings Rules of Decorum and Etiquette
8. May Accounts Payable
9. May 2, 2022, BOT Meeting Minutes

**Motion:** move to approve **Moved by:** Trustee Dady **Seconded by:** Trustee Elson  
**Motion passes unanimously.**

XI. Items Removed from Consent Agenda

XII. Boards & Commissions

1. Mayoral Appointments – David Hamrick to Historic Preservation Commission and Claudia Paterno to Lyons Arts & Humanities Commission
2. LAHC Update – Lauren Click presented. Trustee Dady pleased to hear LAHC gets 10% and how many more utility boxes will be painted? Lauren, not sure, maybe 1 a year. Director Caplan – there will be more boxes as we continue to underground the electric.

XIII. General Business

1. Presentation by Boulder County Regarding Transportation Tax – Kathleen Bracke, with BOCO, Stacy Proctor and Tim Swope presented a video and options/choices on transportation tax that will be sunseting. Presented on process/timelines looking for feedback to share with commissioners and potentially be on November ballot. Tax sunsets on 6/30/24, renewal needed prior to 2023 for current projects to continue. Funding needed to continue BOCO's 2020 Transportation Master Plan. There is a lot of State/Federal money out there, but we need the local match. If not approved would pare back all transit services and no longer fund current transit services. Trustee Dady asked if ballot proposed the high bookend would that cover all the projects? Kathleen, it would be a portion, we would still seek grant dollars/state funding. Tim Swope, reinforce idea, tax going on for 20 years to work with project partners. Always looking for additional funding. Trustee Dady, to clarify process, you will be making a recommendation to the county commissioners and then their decision what goes on ballot. They will determine level and then on Nov 22 election. Trustee Oetting how do you go about thinking about future technologies that will change our transportation? Kathleen, one of the exciting/challenging parts how do we anticipate the needs of the future? How do we prepare to be adaptable and incorporate electric vehicles? Stacy spoke to Hwy 119

project, 9 miles anticipated for e-bike usage on median. Administrator Simonsen, to clarify, you're presenting to different communities and then you will make a recommendation. Kathleen, yes, we are still out gathering feedback to draft recommendations. Not seeking a formal endorsement now, could come in the future. MPT Farrell, a plug for anything that could connect Lyons to Longmont/Boulder. Often concerned about the safety of the bicyclists that come into our community. Mayor Rogin thanked them, reiterated it's a matter of equity as well as safety. In Lyons we lack many basic services (doctor/pharmacy/laundry) safety is our first concern. Totally support any projects that would enhance safety.

2. Discussion - LEAF Request Regarding Use of Municipal Property – Lory Barton presented on LEAF potentially using the brown building next to town hall (where public works/sheriff's office is located). Trustee Oetting, would we enter into a lease? Attorney Dittman, we generally don't do long term leases. 5-10 years max. can't bind future boards, need to consider risks and benefits. Trustee Elson, great idea but to do that we would have to move the sheriff's station and our equipment. Administrator Simonsen, correct, sheriff's office is two very small offices, we store our records there and 2/3's of the building store public works equipment (small mowers, golf carts and basic hand tools) there was a phase 3 of Bohn Park that consisted of a new storage building. We do not have that in our budget, looking at funding options. Lory, if all the pieces fell together, we could be there in a year. Administrator Simonsen, that would give us time to budget and plan. Also, a small piece of land behind the recycle center we could potentially use. If the board is interested in this, we will start work on this. Sheriff's agreement states we will provide office space. Sgt. Crist, we have the easy part in all of this, just have to move our stuff. Some pros for the move, we have co-responders to respond in Lyons now, they are embedded with the sheriff's office, space is an issue, currently we have the smallest workspace in that building. This would be a win/win for everyone. Radio reception is difficult in the metal building; last week radio techs did a site inspection, knowing it is a historic building, and they stated minimal to no problems to get the building wired, would not change any historic pieces. Definitely feasible for us to be there, great location. Seems more readily accessible for residents/visitors. Also, would serve as a critical incident location. It is a perfect fit for the sheriff's office. MPT Farrell, timeline seems difficult for us. Lory - we could get it done in a year, but 18 months would be ideal. MPT Farrell asked Director Cosgrove what would timeline look like to get a building up? Director Cosgrove, it all depends on funding, if Bohn is selected, that would be cost saving for the Town. Construction costs vs. Financing. MPT Farrell asked Administrator Simonsen on estimation on finding funding. Administrator Simonsen stated we haven't spent a lot of time on this; we wanted to hear from the Board if this was something you wanted to pursue. We don't think GOCO is a good option for this project, we just haven't gotten that far. MPT Farrell asked if the sheriff's department needed the whole space of the depot? Sgt Crist, we would use the whole space, legal ramifications, hard to subdivide. Only certain people can come and go; building laid out for offices, work area for deputies and would negate anything if we tried to subdivide. Would provide an area for people in crisis. Trustee Williams definitely seems a wise thing for the town to look at; pretty ideal for LEAF/Sheriff and Town. Trustee Elson, great idea, I want to see more. What future uses can this building provide? Trustee Oetting, very strong support for the sheriff and good with LEAF using the building Trustee Dady I love these win/win situations, looking at additional parking/temporary option? Administrator Simonsen stated Lyons Creates wants to still be involved. In discussions we have the visitors center which is not being used. Trustee Delman sounds like a great idea; building with bathrooms by soccer field, can we expand that building? Director Cosgrove, most likely not enough space if we stick with phase 3 flood recovery plans. MPT Farrell, all in favor, lets explore this more. Mayor Rogin agrees, board consensus is to move forward.
3. Discussion/Direction to Staff on Pavement Improvements – Director Caplan presented; Chris Jain – larger CIP that need to be done; and maintenance/preservation. Previous boards have been putting some money away for this; we could go for a bond to get larger projects done. We have some roads that need to be completely rebuilt. Staff recommends try to use some of the money to get a few projects done (milling/overlay of

road) all of Eagle Canyon, Welch Ct and Welch Drive up to where they need to be. MPTFarrell, when I read this, I found this confusing, you're looking for an additional \$43K to be able to get these done? Administrator Simonsen, Eagle Canyon and Welch need \$240K and the \$85K for preservation. MPT Farrell, can we get some numbers on how much is needed to get all this done? I am in favor of this. Trustee Oetting this came before the last board, what were their thoughts? Director Caplan, this was one of the first projects that was not flood recovery. I don't know that they picked one, wanted to maintain the current level then wanted to build on that and started setting aside funds. Trustee Oetting, our PCI in 2020 was a certain percentage, do we assess that annually? Chris Jain, no, basically inherent deterioration for each street. If you're not maintaining/improving, it will continue to deteriorate. This is a composite score for the whole town; since then, the town has completed the 2020 projects, the Longs Peak project, but there are streets that continue to decline. Try to maintain the current PCI and do some crack sealing/patching. Trustee Delman, I would take staff's recommendation which is increase funding for maintenance. How long would mill/overlay last? Chris Jain - would bring it back to like new conditions. 2<sup>nd</sup>, 5<sup>th</sup>, and McConnell are too far gone and that would not be an option. Chip/Slurry option is a treatment to streets in better shape. Mill/overlay would hopefully restore 15-20 years if continued to be maintained. Trustee Dady likes the win/win, one of our priorities was streets, we need to invest, ok with staff recommendation. Trustee Oetting sounds like we're paying a little bit to buy a lot more time, I support staff recommendation. Trustee Elson, I think we should do both, it's a great idea to preserve what you have. Trustee Williams in favor as well. MPT Farrell, I feel like I'm not ready to commit to \$300K without understanding more on bonds. Mayor Rogin what is the urgency? Administrator Simonsen, we could always move forward with RFP, otherwise we end up to late in the season.

4. Discussion/Direction on Renaming the Lyons Bohn Dirt Bike Jump Park – Administrator Simonsen, this is to gauge interest in renaming; Director Cosgrove stated the name derived from the group that was grassroots effort behind it. Bike shops and parents, donated materials/labor went into building/design. Attorney Dittman, avid biker, two apps to find trails shows it as Lyons Bike Park. Not just a dirt jump park, has a pump track and skills course. Will have more amenities soon. Mayor Rogin proposes name to Lyons Bike Park.

10-minute break at 9:10 pm Meeting resumed at 9:20 pm

#### XIV. Trustee Reports

1. Trustee Delman – PRC talked about trails to Hwy 66
2. Trustee Dady – EVC has not met; HHS met, discussed quality of Summit's work, hoping to hear more on application process.
3. Trustee Oetting – attended first UEB meeting, that group they are all engineers and get into the weeds. They are interested in water shares, if Spirithounds come forward and they can't get ahold of a share, we should get a recommendation from them. Met with Ms. Caplan on student advisory board, going to meet with Cemex on potential jobs. Jim Kerr going to NE for a MEAN meeting.
4. MPT Farrell – met with PCDC last Monday, interested in list of priorities, they will be putting one together as well. Updated on comp plan/wildfire mitigation. One on one with Clarion coming up.
5. Trustee Elson – Ecology board presents tomorrow at high school; SFC met last Thursday, discussed fossil fuels, green tour, potential new coordinator position. River clean up this weekend.
6. Trustee Williams – HPC met last Wednesday, walking tour, would like to see train depot and town hall go through designation. Create form for designation on website. Only 4 items required in code; will evaluate. Want to create a new tour event on darker side of town and work on recruitment.
7. Mayor Rogin – LAHC met; on Friday we hosted Lyons 3<sup>rd</sup> grade classes; Deputy Clerk Davis and Administrator Simonsen did a great job.

#### XV. Staff Reports

1. Utility Update – Director Caplan gave high level on different utilities and potential project.

2. Finance Update – Director Eyestone presented on sales tax, YTD up \$42K, in budget estimated up 5.5%. MPT Farrell recommended that sales tax chart should be advertised. It could give our community an idea of where we are. Discussion on parks tax; capital improvements funding; is it feasible to consider a percentage reduction to parks and put it towards CIP? Director Eyestone, it is in code that 1% be designated for parks. MPT Farrell asked if possible to reallocate. Trustee Oetting, how do you estimate sales tax? Director Eyestone, we utilized state projection numbers, during yearly budget we did a 5.5% increase, and then a 3-year average. Not a perfect science, big jump in summer months.
3. Administrator’s Report – CEMEX has applied to extend mining permit; Lyons is a referring agency. Next workshop will be to review referral packet. Visions of regional trails via Lyons/Longmont and a BOCO bike trail on east side of 36. Colorado Tourism ramping up will work with them to update way finding signs in town. Grant opportunity came up to provide residents with bear proof trash cans. If awarded will come up with program to distribute. Ambient string lighting grant awarded, working with contractors. Crown Castle moving forward with 5G cell project. Moving tower in front of CDOT parcel on 36. Bus route returning to Lyons, held a naming contest, will be called “Lyons Flyer” and will replace the Y route we had. Staff spending time on working on Ms. Lavern’s service. Trustee Dady – I don’t understand referral process; still serving on CEMEX subcommittee; looking for direction. Mayor Rogin, not appropriate for a trustee to be sitting on the committee when we will be making a decision of this magnitude. My inclination is to dissolve committee. Director Strom submitted his resignation, going to the private sector. Do have two other candidates; restructuring positions to split up workload.
4. Legal Update - none

XVI. Summary of Action Items

1. Move forward/work with LEAF on use of brown building
2. Bond workshop
3. Move forward with RFP for street paving
4. Resolution to rename dirt jump bike park to Lyons Bike Park.
5. Share sales tax chart with community/website?
6. Discuss reallocation of parks tax revenue to CIP.
7. Review minutes on formation of CEMEX committee
8. Summit housing application process
9. SFC coordinator
10. Local designation for historic buildings
11. Calendar invites for BOT meetings

- XVII. Adjournment – **Motion:** move to adjourn **Moved by:** Trustee Oetting **Seconded by:** Trustee Delman **Motion passes unanimously.** Meeting adjourned at 10:18 pm.

Respectfully Submitted by:

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Dolores M. Vasquez, CMC – Town Clerk

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Mayor Hollie Rogin

"The Town of Lyons will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. Persons needing accommodations or special assistance should contact the Town at [hr@townoflyons.com](mailto:hr@townoflyons.com) as soon as possible, but no later than 72 hours before the scheduled event."