

TOWN OF LYONS BOARD OF TRUSTEES MEETING
HYBRID MEETING
LYONS TOWN HALL, 432 5TH AVENUE, LYONS, COLORADO

ZOOM LINK:

<https://us02web.zoom.us/j/82691925663?pwd=Rlh6OHllMG5mVGdLZURGOFUzSmhIZz09>

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DRAFT AGENDA

MONDAY, SEPTEMBER 19, 2022

WORKSHOP:

5:30 PM – 6:00 PM

BOCO Emergency Services Ballot Measure for 2022 Election

6:00 pm – 6:30 pm

BUDGET PRIORITIES

6:30 BOARD OF TRUSTEES REGULAR MEETING

- I. Roll Call and Pledge of Allegiance – Present: Mayor Rogin, MPT Farrell, Trustee Delman, Trustee Daty, Trustee Oetting, Trustee Elson, Trustee Williams **Motion:** move to enter into executive session **Moved by:** MPT Farrell **Seconded by:** Trustee Oetting **entered into executive session at 6:36pm.**
- II. Executive Session - being conducted 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 receiving legal advice from attorneys representing the Town on specific legal questions, and specifically, determining negotiating positions and strategies regarding the Town's Energy Cost-Savings Contract with Honeywell International, Inc. for the new wastewater treatment plant, and obtaining advice as needed from legal counsel on related legal issues. **Motion:** move to end executive session and enter back into regular meeting **Moved by:** Trustee Oetting **Seconded by:** Trustee Williams **Entered into regular meeting at 7:09pm**
- III. Land Acknowledgement
- IV. Approve Agenda – **Motion**-move to approve **Moved by:** Trustee Daty **Seconded by:** Trustee Oetting **Motion passes unanimously**
- V. A Reflective Moment of Silence -
- VI. Audience Business – Dennis Pappas, City of Longmont, Next Light, what is Lyons planning for fiber network? Applying for a middle mile grant to push for Lyons, Hygiene, anything north of 36. Looking for somebody to work with in the town, any interest in building this way. Not looking to take over the market, we offer things that small towns can't invest in, we can offset costs for the town.

VII. Boulder County Sheriff's Office Report – Sgt. Crist reported; introduced Sgt. Cody Sears, not a formal introduction but he'd like to be here to get a feel for the town. Busy weekend with track and festivals; everything went well. Deputy Mitch Rosebrough was granted a core SRO position and will remain that way until he wants something different. Bears in LMJ, mama and cubs. Bear aware letter going out soon. Flock cameras up, being trained up. Signage for new substation, doesn't need to be attached to building, can be wood, stone, metal as a sign.

VIII. Ordinances and Public Hearings

1. 2nd Reading – Public Hearing - Ordinance 1130 - an Ordinance Of The Town Of Lyons, Colorado, Amending Section 16-3-260 Of The Lyons Municipal Code To List Arts And Cultural Facilities And Services And Nonprofit Organization Facilities And Services As Conditional Uses Within The Municipal Facilities And Services Zoning District (M) – Trustee Dady recused herself. Left the meeting at 7:22 pm. Attorney Dittman provided background. Public Hearing opened at 7:23 pm. No speakers Closed at 7:23 pm **Motion:** move to approve **Moved by:** Trustee Oetting **Seconded by:** Trustee Williams **Motion passed unanimously**
2. 1st Reading – Ordinance 1131 – An Ordinance Of The Town Of Lyons, Colorado, Amending Section 4-1-30 Of The Lyons Municipal Code To Establish The Mill Levy By Resolution Director Eyestone presented; this alleviates time constraints by updating the LMC. Discussion on how other municipalities handle, majority use resolution. Mayor would like to ensure that mill levy resolutions require a public hearing. **Motion:** move to approve **Moved by:** Trustee Oetting **Seconded by:** Trustee Elson **Motion:** amendment to add that a public hearing be required section 4-1-30 **Moved by:** Mayor Rogin **Seconded by:** Trustee Oetting **motion passes unanimously motion on ordinance as amended passes unanimously**
3. 1st Reading – Ordinance 1132 – An Ordinance Of The Town Of Lyons, Colorado, Amending Chapter 8 Article 3 Of The Lyons Municipal Code Concerning Golf Cars And Low-Speed Electric Vehicles Director Caplan presented. Discussion on emblems required, slow moving cars involved, fines, enforcement **Motion:** move to approve **Moved by:** Trustee Williams **Seconded by:** Trustee Dady **Motion passes unanimously**
4. Public Hearing - Resolution 2022-88 – A Resolution of the Town of Lyons, Colorado Opting Out of the FAML I Program – Administrator Simonsen presented; Prop 118 established FAML I to ensure all Colorado workers had paid family leave; the town already provides better benefits, and we are choosing to opt out of the program. **Public hearing opened at 7:57 pm.** No speakers **Public Hearing closed at 7:58 pm** **Motion:** move to approve **Moved by:** Trustee Williams **Seconded by:** Trustee Oetting **Motion passes unanimously.**

IX. Consent Agenda

1. September Accounts Payable
2. September 6, 2022, BOT Meeting Minutes
Motion: move to approve **Moved by:** Trustee Dady **Seconded by:** Trustee Elson **Motion passes unanimously**

IV. Items Removed from Consent Agenda

V. Boards & Commissions

VI. General Business

1. Mud Hut Waiver Request – Wastewater Connection at 4033 Ute Highway – Planner Kimmett presented on waiver request; property has a septic and has been vacant since the flood Supply Ditch owns the land and is in support of the project. No public bathrooms; BOCO inspected septic; discussion on responsibility of septic maintenance; entrance/exit; walk up VS drive up. Phoenie Sparks, owner of Mud Hut presented, new venture, looking for support of variance.
2. BOT Priorities and Goals Update – Administrator Simonsen presented, discussion on prioritizing and delegating to various boards, utilizing grants and strategy to become fiscally independent, determining what goals have been met, measuring goals at end of term. Staff to develop spreadsheet for each goal to track progress. Discussion on goals that have been addressed in previous years and can be removed or modified, parking, wayfinding, enforcement and aligning goals with comprehensive plan. Making affordable housing a top goal.
3. Discussion/Direction on BoCo Emergency Services Ballot Measure – Board consensus is draft letter of support for measure if Lyons Fire supports.

VII. Trustee Reports

1. Trustee Delman – PRC discussed storage facility in Bohn, connector to Hall and postponing, kiosk on 2nd, dark skies. Prefer no golf cars on east side of Bohn other than handicap.
2. Trustee Dady – HHS discussed low interest loans to landlords to bring ADU's up to code with conditions; essential services, Summit housing waiting list for applicants pushed to early 2023. Town staff working on list.
3. Trustee Oetting – Will probably be hosting a football playoff game here.
4. MPT Farrell – All commissions feedback was due on Friday for the comp plan; fire mitigation – I am available to assist. Needs contact info for potential PCDC candidate.
5. Trustee Elson – Shout out to Trustee Delman who saw a need at the post office and took care of it; EAB meets tomorrow night; SFC discussed composting at post office; recycling center contamination, need code compliance officer there more often.
6. Trustee Williams – no quorum for HPC; would be nice if we had more capacity to influence Sheriff's office on the big decisions
7. Mayor Rogin – CEMEX hearing on the 14th; continued until 9/29 with no more public comment. Sent letter to Dale Case with BoCo that we want to renegotiate the IGA. BoCo Open Space spraying, sent letter, neighborhood meeting scheduled. No quorum for LAHC, continued to 9/22. DRCOG adopting EPA mitigation plan; signage on gun violence ordinances – would like to see plan.

VIII. Staff Reports

1. Administrator's Report – Administrator Simonsen reported going back to old format, all department heads will report to me, and I will submit as one report. Paving estimate came in at \$402K, only 1 bid. Will go out again for bids next year. 4th Ave Ped Bridge completion date of 10/4; Black Bear Hold sod looks good, has parking kiosk as well. County ready to step up and assist with fire mitigation. Finance – sales tax highest ever recorded and shift in local vs. non-local.
2. Legal Update – Attorney Dittman – working with the Sparks to obtain easement and Keith Bell property dedication issues. No update on Bonita Yoder

IX. Summary of Action Items:

1. Ord 1131 to 2nd reading
2. Ord 1132 to 2nd Reading

3. Resolution to ratify Mud Hut Waiver at next meeting
4. Get goals/priorities to chairs and develop spreadsheet to track progress
5. Review Low interest funds to provide for landlords to upgrade ADU.
6. Develop strategy to get illegal ADU's compliant
7. Strengthen/reestablish relationship with Boulder housing authority
8. Apply for DOLA housing assessment and strategic housing plan by 10/5
9. Draft letter of support of emergency services ballot measure at next meeting if Lyons Fire supports
10. What is plan for signage on gun violence ordinances passed?
11. Confirmation from BOCO on lot at Apple Valley subdivided/recorded
12. Follow up with Dennis Pappas/Next Light.

Five-minute break at 9:31 pm. Meeting resumed at 9:37 pm

Motion: move to enter into executive session **Moved by:** MPT Farrell **Seconded by:** Trustee Williams **Motion passes unanimously Entered into executive session at 9:48 PM**

- X. Executive Session - Executive session pursuant to C.R.S. Sections 24-6-402(4)((a))
For the purpose of the discussion of the sale of Town-owned property at the former water treatment plant facility site located at 2186 Apple Valley Rd and 0 N St Vrain Dr, Mountains, CO 80540

- XI. Adjournment – meeting adjourned at 10:14 pm

Respectfully Submitted by:

Dolores M. Vasquez, CMC – Town Clerk

Mayor Hollie Rogin