

TOWN OF LYONS
BOARD OF TRUSTEES MEETING
MINUTES
MONDAY, OCTOBER 17, 2016
SHIRLEY F.JOHNSON COUNCIL CHAMBERS
LYONS TOWN HALL, 432 5TH AVENUE, LYONS, COLORADO

- I. Roll Call and Pledge of Allegiance
Trustee Karavas – present
Trustee Waugh – absent
Trustee Kerr – absent
Mayor Sullivan- present
Mayor Pro Tem Greenberg – present
Trustee Dreistadt – present
Trustee Miller - present
- II. A Reflective Moment of Silence
- III. Approve Agenda
Mayor Pro Tem Greenberg made a motion to remove items VIII-4 and IV-1; Mayor Pro Tem Greenberg further moved to revise Item XIII Executive Session, CRS (4)(f)(I). Mayor Pro Tem Greenberg stated "I move to amend the agenda to revise Item 13 to state that the executive session will be pursuant to C.R.S. Section 24-6-402(4)(f)(I) to discuss personnel matters involving employees and pursuant to C.R.S. Sec. 24-6-402(4)(b) for the purpose of receiving legal advice from attorneys representing the Town of Lyons on specific legal questions, and specifically, discussing matters pertaining to the HUD investigation with employees placed on leave as a precaution during that investigation, and obtaining related legal advice."
Trustee Dreistadt seconded the motion with all voting in favor thereof.
- IV. Boulder County Sheriff's Report
Sgt. Crist said there were no problems over the last couple of weeks. The biggest issue is traffic through neighborhoods based on Highway 34 detour traffic. Drug Take Back Day has been set for October 22 at the Lyons substation. He said that due to the backpack bomb in Nederland, officers will be extra vigilant at all public buildings. He added that the person dumping at Bohn Park has been charged, pending an ongoing investigation. **Mayor Sullivan** asked **Sgt. Crist** if there are measures by CDOT for heavy weekend traffic due to Highway 34 being shut down.
Sgt. Crist suggested telling travelers they can reach Estes by using Hwy 7 to keep Hwy 36 from being so congested. Locals using side neighborhoods should be respectful with speed. If this weekend is busy, **Sgt Crist** said he will place officers in neighborhoods to keep an eye on local streets.
- V. Staff Reports
Acting Administrator Cavalier read high level summary of staff reports, report attached to record. **Acting Administrator Cavalier** met with Steve Bowen from the State of Colorado, regarding the cash flow situation. The plan is that money spent in October will get reimbursed in the next three months. **Acting Town Administrator Cavalier** said the State will fund additional staffing for a procurement specialist and a recovery manager. **Acting Town Administrator Cavalier** also said project funding is being examined for faster reimbursement opportunity. Moving forward, they should be able to use information on cash flow analysis to prioritize projects.
Mayor Sullivan asked staff provide a timeline for reimbursement and project estimates for the BOT to prioritize.
- VI. Audience Business
Peter Baumgartner, 221 Ewald, asked if the Town could put a pedestrian underpass beneath McConnell Drive Bridge. Mr. Baumgartner also reported that residents have "no parking" signs up across the street from Town Hall, which is illegal, according to Sgt. Goldberger.
- VII. Board and Commission Updates
Library District Annual Update
Andrew Biel, Kathleen Crane, and Katherine Weadley gave the 2016 annual report from Lyons Library District. Visitors: 837 in 2015; 1470 in 2016. \$600,000 in tax revenues can go to library building project. The District will need to get a loan for operations and construction.
Trustee Miller asked if the Library District has looked at buying one of the buildings on Main Street. Biel said none would meet the Library's long term needs

Mayor Sullivan made following appointments to Boards and Commissions:

Pat Dumbauld - Watershed Board

Claudia Keen - Parks and Recreation Commission

Dawn Weller - Sustainable Futures Commission

Brian Baer - Ecology Board

Jay Stott- Utilities and Engineering Board

Crystal White - Human Services and Aging

Jacob Leeuwenbergh - Arts and Humanities

VIII. Consent Agenda

1. October Accounts Payable
2. Resolution 2016-90, a Resolution Approving change orders for a Krische contract for work completed on Lavern Johnson Park (pulled)
3. Resolution 2016- 89, a Resolution Approving an Amendment to COPHE Grant Number 17FEGA 94812, extending the grant deadline to June 2017.

Trustee Karavas made a motion to pull item 2, then pass the Consent Agenda.

Trustee Dreistadt seconded, with all voting in favor thereof (5-0).

IX. General Business

Status report related to HUD Investigation

Mayor Sullivan reported that while the FBI investigation has ended, HUD is still investigating the Town, and therefore, the Board of Trustees is still unable to speak about current circumstances. She thanked the public for their patience, and Town staff, for their professionalism, during this time.

X. Items Removed from Consent Agenda:

Resolution 2016-90, a Resolution Approving change orders for a Krische contract for work completed on Lavern Johnson Park

Trustee Karavas asked why the Town is covering charges that should be in contingencies.

Parks Project Manager Sloane Nystrom explained that the design changes from Ripley led to construction change orders with Krische. Nystrom said they have a final cost for the last of the change orders and that direction from State officials is to go after them through errors and omissions in the contract. She explained that Ripley has not been fully paid because of this issue. But the Town will pay Krische and expect payment from Ripley.

Trustee Karavas made a motion to approve Resolution 2016-90.

Trustee Miller seconded, with all voting in favor (5-0).

XI. Trustee Reports (5 minutes per person)

Trustee Karavas said he missed the Ecology Board meeting. He reported the Lyons Volunteers are working on Mark Bray's house with Habitat for Humanity.

Trustee Miller said the Aging Commission meets next week. Working on a proposal for budget

Trustee Dreistadt said the LAHC will extend the Last Thursdays Art walk to the Parade of lights weekend in December; also considering a quilt show in downtown. The EDC had a budget meeting to discuss revenues and tie related expenses, for example, increase business license revenues, which could be used for EDC objectives.

Mayor Pro Tem Greenberg said the Sustainable Futures Commission has waste hauler information to consider. They have heard some good news about eco passes, but will have some shared costs by Town. Mayor Pro Tem Greenberg: can SFC lend support to school bond measure.

Town Attorney Guckenberger is going to look into legality of support 1B and 1C by the SFC.

Mayor Sullivan suggested the SFC chair write a letter to the editor in support, if the commission can't use the town government e-blast for legal reasons

XIII. Executive Session

Mayor Pro Tem Greenberg moved to go into executive session pursuant to C.R.S. Section 24-6-402(4)(f)(I) to discuss personnel matters involving employees and pursuant to C.R.S. Sec. 24-6-402(4)(b) for the purpose of receiving legal advice from attorneys representing the Town of Lyons on specific legal questions, and specifically, discussing matters pertaining to the HUD investigation with employees placed on leave as a precaution during that investigation, and obtaining related legal advice. As a portion of this executive session involves a personnel matter, the employees involved have been given an opportunity to require that this discussion be conducted in public, and the employees have indicated that they desire that this discussion occur in private. Mayor Pro Tem Greenberg further moved to reconvene the Board meeting at the conclusion of the

executive session, for the purpose of taking any actions deemed necessary, and to adjourn the October 17, 2016 regular Board of Trustees meeting.

Mayor Pro Tem Greenberg made a motion to adjourn for a 5-minute recess beginning at 8:08 p.m.

Trustee Dreistadt seconded the motion, with all voting in favor (5-0).

Mayor Pro Tem Greenberg made a motion to adjourn at 11:33 p.m.

Trustee Miller seconded the motion, with all voting in favor (5-0).

Respectfully submitted by:

Jacquelyn Watson, CMC
Deputy Town Clerk

Mayor Connie Sullivan

"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 as soon as possible, but no later than 72 hours before the scheduled event."