

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

DRAFT MINUTES
MONDAY, AUGUST 19, 2024

5:30 pm – 6:50 pm WORKSHOP

5:30 pm – 6:00 pm JVA Review of Wastewater Utility Report

6:00 pm – 6:50 pm 2025 Initial Budget Discussion

7:00 pm BOARD OF TRUSTEES REGULAR MEETING

- I. Roll Call and Pledge of Allegiance – **Present:** Mayor Rogin, MPT Williams, Trustee Hamrick, Trustee Daty, Trustee Lowell, Trustee Browning, Trustee Delman
- II. Land Acknowledgement / Moment of Silence
- III. Approve Agenda – **Motion:** to approve, **Moved by:** Trustee Lowell, **Seconded by:** Trustee Delman, **Motion passes unanimously**
- IV. Audience Business & Follow Up – Gil Sparks, 2169 Apple Valley Rd – 4th Annual Hootenanny event this Sunday at River Bend from 2 – 7 PM. This is a very fun community event and a benefit for the Lyons Community Foundation and LEAF, Lyons Elevating All Fund. Mayama and Shuck Wagon band will be performing, online auction starts tomorrow. Record number of items, sponsors and ducks sold for the race. We invite you all. Catherine Russell, 770 Steamboat Valley Rd – I attended this BOT meeting 2 Mondays ago to support the 5 Acre Rule. In the process my words offended at least one trustee if not all of you. I am here tonight to apologize. I seek to habitually speak with integrity and honesty. In the future I will make my points known in the spirit of respect. Yelena Hughes, 142 Stone Canyon Dr – I am here tonight to advocate for a reduction in the speed limit on Hwy 36 as it enters and leaves our beloved Town of Lyons (see attached letter). 116 Signatures were collected in 5 days. Debbie Simms, 809 Upper 5th Ave – we, as a neighborhood group are feeling incredibly angry, betrayed and very deceived. We were told at the last BOT that we would have input on a development plan regarding the noise section. We were waiting for an invitation to do that, then the fire hit and an email was sent to Victoria to keep us in the loop. Notification about the submittal of the development plan was received last Friday at 5:45 PM with no input from us. We are feeling very agitated that we were not part of the discussion. We met with the applicant and Victoria to talk about sound policies, those policies were compromises that we already compromised on. The applicant gave a copy of River Bend Sound policies that were going to be followed in terms of the Development Plan and noise. The policy cut off time change from 9:00 PM to 8:00 PM, we agreed and were expecting that. We never agreed to section 2.2.b.ii of the Development Agreement. We request that no silent discos, no microphone or amplified music after 8:00 PM, enforcement clauses that are built into this plan with neighborhood input and a 2-week delay to meet with applicant. Shannon Johnson, 733 5th Ave – Asking that the board not allow amplification outdoor after 8 PM, this includes no vocal

49 amplification; professional singers can do this with no microphone. Chris said no outdoor
50 amplification by 8 PM or after the first dance, whichever comes first. We were giving the
51 development plan early Friday evening with no input until 3:00 PM today. Multiple
52 amplified, not allowed weddings at River Bend have occurred since the June 17 BOT
53 meeting, violating the current PUD. We need some form of protection from potential
54 incessant noise pollution. Keith Johnson, 733 Upper 5th – River bend comment (see
55 attached letter). Steve Johnson, 809 Upper 5th Ave – I'm so angry, every time we meet
56 from the early days everything gets diluted. We get documents on Friday around 5:00 PM,
57 What are we supposed to do? Give up all of time and quit work and go review the
58 documents? At least give us a couple of weeks to review the work from applicant. I beg
59 you, give us some input. There must be some kind of input and support for us citizens who
60 are working on this. Be an advocate for us, I beg you. Clara Thomas, 601 Indian Lookout
61 Rd – I have concerns on the development plan and ask to not approve as is currently
62 written. There have been several evenings this summer which River Bend violated current
63 noise ordinances with little or no enforcement. Please consider all letters and public
64 comments regarding outdoor amplification and disruption to wildlife. After the last meeting
65 it seemed like we had come to a compromise with the applicant. The development
66 agreement is already wavering from our compromises, and we were given hardly any time
67 to review and discuss. I'm concerned by the request for a microphone after 8 PM and the
68 request for amplified music after 8 PM by a special permit. If the agreement gets approved
69 tonight there will be many unhappy neighbors constantly calling for enforcement, please
70 prevent that from happening. Pat Thomas, 601 Indian Lookout Rd – Echo everything from
71 my neighbors. Silent discos, very annoying and great if we don't allow them anymore.
72 Statements made by applicant on June 17th sounded simple. It's not so simple anymore,
73 let's hold the applicant to its word. Let's keep the PUD-C that was approved on June 17th
74 as least somewhere close to what was presented at that time. This is getting ridiculous.

75 **BOT Response:** Trustee Hamrick is curious about public input on development
76 agreement. Trustee Day understands anger and frustration of River Bend neighbors, we
77 do need to approach CDOT and is excited for Hootenanny event. Trustee Lowell finds
78 River Bend thing disturbing and directs staff to work with CDOT. MPT Williams thanks
79 Catherine Rusell; likes the idea to bring CDOT and issues for development plan will get
80 addressed. Trustee Browning agrees that we need to work with CDOT. Trustee Delman
81 thinks the noise need to be addressed and speed limit needs to be talked about. Mayor
82 Rogin is excited to talk to CDOT about their new process and will address River Bend
83 concerns later.

84

85

V. Staff Reports

86

87 1. Boulder County Sheriff's Office Report – Glad CDOT was brought up, very dangerous
88 area around Circle K, something needs to get done. Updated Model Traffic Code is finally
89 live. Meeting on Wednesday 8/21 with emergency service unit regarding the runoff burn
90 scar for Stone Canyon Fire. National Weather Service on burn scar, 0.3 inches in 15 min
91 or .06 inches in 1 hour for flash flooding. The National Night Out and folks festival went
92 very well. Venus De Miles race this weekend and community BBQ coming up on Sep 6.
93 Calls are up this year by 119 from last year and 422 tickets this year, down 23 from last
94 year. Accidents are still up, we had 2-4 over the weekend. Trustee Daty, any way to hang
95 out around crosswalks early morning for school? Sgt. Sears, deputy Mitch is very good
96 and in charge of morning drop off routine.

97 2. Administrator's Report – Working with appropriate parties for post fires, resources ready
98 to help. Letter of support for the Wildlife corridor crossing across US 36 that Boulder
99 County is applying for. Venus De Miles and the Lights Out Lyons this Saturday. Working
100 on another diversion day for October. Artisan Market on September 7th. Sales tax report

101 7.66% up from last year, mainly from the fee being collected. Trustee Lowell, where does
102 the fire runoff drainage enter the St. Vrain River? Director Caplan, drainage between the
103 Farmette and property to the East to the supply ditch. A 20-year storm will over top supply
104 ditch and towards the Highway. Victoria, 100-year storm to cross the highway and into the
105 St. Vrain River.

106 3. Legal Update – busy with TEBO annexation and River Bend matters.

107 VI. Ordinances and Public Hearings

108 1. Public Hearing - Resolution 2024-74 and 2nd Reading Ordinance 1167

109 a. Resolution 2024-74 – a Resolution of the Town of Lyons, Colorado, Setting Forth
110 Findings of Fact and Determinations Regarding the TEBO Annexation Located at 4545
111 Ute Highway and 4602 Highland Drive –

112 b. Ordinance 1167 – an Ordinance of the Town of Lyons, Colorado, Annexing the Property
113 (Known as the TEBO Property) Located at 4545 Ute Highway and 4602 Highland Drive
114 to the Town of Lyons, Colorado - Attorney Dittman gives intro/guidance to this process.

115 **PH opens at 8:06 pm.** Planner Bowen presented staff report. Both properties were
116 zoned Agriculture a few months ago by Boulder County. No development plan submitted
117 yet only conceptual plan provided in the packet. We have an exploratory pre-app
118 conference with a potential petrol tenant. Neighbor notices and referrals went out on July
119 24. No subdivision nor lot line adjustment being applied for yet, I do anticipate this
120 adjustment in the future to meet development patterns. Both parcels are annexable per
121 our LMC, 2012 IGA and Comp Plan. PCDC commission worried about annexation
122 without development plan. We can't hold a current application to what the town is going
123 to do in the future. Trustee Browning, when will the Town start receiving property tax
124 revenue? If annexation and recordation get done 2024, I think it would hit in 2025.

125 Trustee Lowell, PCDC raised concern about accepting the liability of Highland Dr as this
126 may be the linchpin to future annexations. What is the liability for taking ¼ mile stretch of
127 Highland Dr with all the infrastructure that'll be required. Brandon, the applicant has
128 agreed to address some of the upgrades. James Dixon, CEO of TEBO properties – no
129 further presentation. Trustee Daty, any plan on developing this for workforce housing in
130 the next few years? Mr. Dixon, generally commercial forte, no immediate plans for
131 residential. Mayor, plans for Highland Dr? Mr. Dixon, haven't gotten to the point of what
132 right of way is going to be needed there, conceptual plan we anticipate we'll need to box
133 the ditch over a certain portion of the property. Development of front parcel would trigger
134 the improvement of the northern boundary of Highland Dr. I anticipate commercial
135 development coming first. We are interested in doing things as fast as possible, in
136 negotiations with a petrol store, coffee shop and a couple of other locals. Trustee Daty,
137 potential petrol tenant to replace Circle K? Mr. Dixon, no replacement just an addition.

138 Colleen Jones, 4708 Highland Dr – Lived there for almost 50 years, I'm not anti-
139 development this is great idea for economic development. Concerned about the land
140 with future development proposals. This is a quiet little neighborhood. Areas are reached
141 by a single lane dirt road between 2 ditches. Having many folks living on that land would
142 incredibly shift the current neighborhood. Clever tactic to purchase the property. Jim

143 Kerr, 806 Mountain View Dr – LMC about bringing in water shares/ditch rights, that
144 would be in annexation agreement? Mr. Dixon, hard to get consensus with all the
145 neighbors for a project of any size. As we go through that process, I would be happy to
146 meet with neighbors and come up with a plan. **10-minute break.** No more speakers. **PH**

147 **closes at 9:10 pm. Motion:** To continue to a date certain Sept 3rd, **Moved by:** MPT

149 Williams, **Seconded by:** Trustee Browning, **motion passed unanimously.** Mayor,
150 Utilities and Engineering Board moved to a future agenda.

151 2. 1st Reading – Ordinance 1168 – an Ordinance of the Town of Lyons, Colorado,
152 Rezoning 4545 Ute Highway of the Tebo Annexation to Commercial Eastern Corridor
153 (CEC) – Planner Bowen provides brief staff report, CEC and R3 are the most aligned
154 with planning efforts. **Motion:** To Approve, **Moved by:** MPT Williams, **Seconded by:**
155 Trustee Hamrick, **motion passed unanimously.**

156

157 3. 1st Reading – Ordinance 1169 – an Ordinance of the Town of Lyons, Colorado,
158 Rezoning 4602 Highland Drive of the Tebo Annexation to High-Density Residential (R3)
159 – Planner Bowen provides staff report. Trustee Delman, how dense can this be? Andrew
160 Bowen, Single family up to multifamily- 4 units per structure. **Motion:** To Approve
161 **Moved by:** Trustee Daty, **Seconded by:** MPT Williams, **motion passed unanimously.**

162

163 4. 1st Reading – Ordinance 1170 – an Ordinance of the Town of Lyons, Colorado,
164 Amending Sec. 16-3-150 (D)(1), and Sec. 2-8-120 Of the Lyons Municipal Code to
165 Create a Minimum Area Variance Process to Allow for the Subdivision of Lots Recorded
166 on March 20, 1929, Plat - Planner Bowen provides staff report. Did not pass previously,
167 community concerns about not enough public input or hearing in the process. Worked
168 with Attorney Dittman on a more refined process. Future applicants would have to go
169 through a BOA variance hearing and if approved then through a PCDC subdivision
170 hearing. Mayor Rogin, would the BOT hear these applications? If not, is there a
171 mechanism for someone to appeal to the BOT? Attorney Dittman, the BOA would hear
172 these appeals, would like to come back and answer this on 2nd reading. **Motion:** To
173 Approve **Moved by:** MPT Williams, **Seconded by:** Trustee Browning, **motion passed**
174 **unanimously.** Trustee Browning, I appreciate staff, town attorney and planner for
175 coming back to this so quickly and for including the community input, this is best way to
176 do it.

177

178

179 5. 1st Reading – Ordinance 1171 – an Ordinance of the Town of Lyons, Colorado
180 Approving and Accepting the Local Historic Designation for the Depot Building at 430 5th
181 Avenue, Lyons, Colorado – Attorney Dittman, recommended by HPC to be local historic
182 designated. Administrator Simonsen, National and State registered but did not have a
183 process for local then, we are catching up. Trustee Browning, any other national
184 registered properties, why not do them all at once? Administrator Simonsen, each one
185 needs a public hearing; we wanted to try town owned first and hopefully get property
186 owners interested so they could get tax credit and grant funding. Director Mitchell,
187 already in the national and the state historic register, this would only be local
188 designation. **Motion:** To Approve **Moved by:** MPT Williams, **Seconded by:** Trustee
189 Lowell, Mayor Rogin, after 4 years it's great to see this in action. **Motion passed**
190 **unanimously.**

191

192 6. 1st Reading – Ordinance 1172 – an Ordinance of the Town of Lyons, Colorado,
193 Amending Sections 16-10-90 of the Lyons Municipal Code to Allow Farmers' Markets as
194 a Permitted and Conditional Use in Commercial and Commercial-Downtown Zones –
195 Planner Bowen provided background information. MPT Williams, any reasons 3.C. didn't
196 say frequency of operation? It sounds like it's required to operate twice a week. Trustee

197 Daty, fiscal impacts how are we ensuring sales tax are being collected already?
198 Administrator Simonsen, same way we do for any mobile vendor, working towards
199 getting a monthly report to what vendors were on their property. **Motion:** To Approve
200 **Moved by:** Trustee Lowell, **Seconded by:** Trustee Daty, excited when I saw the first
201 Farmers Market in Moxies parking lot. Great way to bring fresh produce, flowers and
202 local honey to our residents; a service that we can't find within town limits. **Motion:** To
203 amend section 16-10-90 (a)(3) and shall be operated no more than twice per week.
204 **Moved by:** MPT Williams, **Seconded by:** Trustee Browning, **Motion passes**
205 **unanimously**

206

207 VII. Consent Agenda

208 1. Resolution 2024-75 - a Resolution of the Town of Lyons, Colorado, Adopting an
209 Amended Colorado Open Records Act (CORA) Request Policy

210 2. Resolution No. 2024-76 – a Resolution of the Town of Lyons, Colorado, Approving an
211 Intergovernmental Agreement Between the Town of Lyons and the Boulder County Clerk
212 and Recorder for the Conduct and Administration of the 2024 Coordinated Election to be
213 Held November 5, 2024

214 3. Resolution 2024-77 – a Resolution of the Town of Lyons, Colorado, Accepting the
215 Pavement Management Budget Options Report for the Town of Lyons, June 2024,
216 produced by Capital Asset & Pavement Services (CAPS)

217 4. Resolution 2024-78 – a Resolution of the Town of Lyons, Colorado, Accepting Public
218 Improvements of the Roadway Repairs – Flood Recovery Project

219 5. Resolution 2024-79 – a Resolution of the Town of Lyons, Colorado, Approving an
220 Extended Landscape Agreement with Mountain Constructors, Inc. for US36 Broadway
221 Improvements & Multimodal Trail, Project 23-US36/BRDWY IMPRV-03 REBID

222 6. Resolution 2024-80 – a Resolution of the Town of Lyons, Colorado, Approving the Use of
223 Lake McIntosh Reservoir Company Water Shares for the Water Dedication from Lyons
224 Properties, LLC.

225 7. August 5, 2024, Regular BOT Meeting Minutes

226 8. August Accounts Payable

227 **Motion:** To approve, **Moved by:** Trustee Daty, **Seconded by:** MPT Williams, Trustee
228 Browning pulled items 1 and 8, **Motion passes unanimously**

229 VIII. Items Removed from Consent Agenda

230 1. Item 1- Attorney Dittman, under State Law the 1st hour of research is free and is in the
231 current policy, all this does is change the amount. **Motion:** To Approve Res 2024-75
232 **Moved by:** Trustee Browning, **seconded by:** MPT Williams, **motion passed**
233 **unanimously.**

234 2. Item 8 – Trustee Williams - \$5,000 roughly payable to Highland Ditch, what is status, and
235 would that be covered by grants? Justin Doles, those fees are for engineers to review our
236 plans and attorneys to review the crossing agreement, fees are covered by grant. They've
237 approved our plans we are just waiting on a few minor items on crossing agreement.
238 Hoping to go out for bids early September. **Motion:** To approve August Accounts Payable
239 **Moved by:** Trustee Browning, **seconded by:** MPT Williams, **motion passed**
240 **unanimously.**

241

242 IX. Boards & Commissions – Moved to a future meeting

243 1. Utilities and Engineering Board

244 a. Wastewater Utility Report by JVA

245 b. Three-Phase Power in Downtown

247 X. General Business START 4:18

248 1. Resolution 2024-72 – a Resolution of the Town of Lyons, Colorado, Approving a

249 Development Agreement with Lyons Properties, LLC (Riverbend) at 501 W. Main Street,

250 Lyons, Colorado –Attorney Dittman, purpose of executive session was only for utility

251 matters. We thought we were all in agreement that the microphone stuff was coming out.

252 Need direction from the board on what to do with it. There have been drafts sent to

253 applicant that includes that language that was also included in the format. This language

254 is directly under Farmette policy. Administrator Simonsen, I'm liaison with the

255 neighborhood, when they received the agreement Friday night they realized that was not

256 what they had agreed to. Planner Bowen, another new issue is a spotlight on the cliff that

257 was not part of the negotiations. My understanding is that Planet Bluegrass does it right

258 now. Utilities aspects regarding water shares and debt fees is agreed to, no new changes.

259 MPT Williams, where did the additional changes in agreement come from? Attorney

260 Dittman, from the Farmette language around voice policy, many drafts have gone back

261 and forth. Applicant wanted to be treated with the same rules as the Farmette. In the

262 process of using the Farmette policy and cleaning it up it was thought that this section was

263 agreed on and was never taken out. Administrator Simonsen, a meeting with the

264 neighbors and applicant was not arranged until late today. Applicant Chris Legh, the

265 Farmette has an internal policy which is inferior to every other venue in Town. We want to

266 be treated equally. This gets more frustrating as we had around 10 additions of agreement

267 going around. I saw Andrew when I came for the application of McIntosh water shares and

268 was informed of one more change. On Thursday around 3:30 pm that section was redlined

269 at the last minute, without any discussion it was taken out. The opposition is frustrated,

270 you can see my frustration. 501 has always operated for PUD-C for a singer and silent

271 disco. They said they have lived in harmony with that, correct. They accepted microphones

272 and silent discos, now they want to change that. I have presented this policy over and

273 over, all I want is the same as the Farmette's internal policy. On July 11th Pat Thomas

274 texted me regarding really loud music. We are not running weddings, the Farmette is

275 running them until October 7th. In the past The Farmette has doubled weddings of River

276 bend now we have tripled the Farmette. Why are they trying to sabotage our venue. We

277 have had heated discussions with management, we have planners, musicians and venue

278 managers if anyone messes up, they are off the list. Sara Legh 629 1st Ave, the

279 microphone was never an issue in discussion, it's crazy. Administrator Simonsen, Director

280 Caplan and Planner Bowen were the ones negotiating this agreement. When I received

281 the final document, it was not what I had seen or heard on June 17th. That was not what

282 we had agreed to. I'm not sure if neighbors didn't realize of the internal policy happening

283 that wasn't affecting them. Mr. Legh, why are we getting so specific about microphones

284 and instruments when we have an ordinance? Mayor, we have been talking about a

285 potential revision of the ordinance as it seems to not be working. MPT Williams, the SM

286 58 microphone is listed in there, that is probably the least offensive microphone you can

287 choose. Mr. Legh, this is only happening in the last few months, one event manager told

288 a couple and their wedding planner they could have amplified music, we said that's not

289 true. Now we have gotten to a point where River Bend gets a bad review. Trustee

290 Browning, what is the nature of your request for light projections. Mr. Legh, went to Planet

291 Bluegrass once and is very similar to what they have, it's a great feature. Cutting light one

292 hour after dark and a level of the cliff so we are not going over the top. MPT Williams,

293 about half hour difference between sunset and darkness, it would need to be based on

294 sunset. Trustee Daty, why camping changed from 100 ft from the creek to 50 ft? Mr. Legh,

295 I looked at where camping was in the town parks, they are very close and still a long way

296 from the river. **Motion:** To Approve, Moved by: Trustee Browning, **Seconded by:** MTP

297 Williams, Administrator Simonsen, after meeting with public they felt a take away of input

298 when it went from major to minor development review. We should summarize their

299 concerns, so the board is aware of what they feel. You made a commitment to let them
300 have input and they simply have not had time. **Motion:** To continue to a date certain of
301 Sept 3rd, **Moved by:** MPT Williams, **Seconded by:** Trustee Delman, Mayor Rogin, this is
302 a good idea, it'll give neighbors and the applicant to finally come to an agreement. MPT
303 Williams, we can't make this decision tonight when community had information just last
304 Friday. Trustee Lowell, it was clear they felt they weren't treated equally and had an
305 opportunity to review this document anyway. Trustee Daty, this is only fair if we said there
306 was going to be some negotiation. Mayor Rogin, I understand the time crunching to upload
307 this on Friday with changes that people weren't anticipating. They only had the weekend
308 to think and talk about. Administrator Simonsen, Mr Legh needs to start ordering materials
309 to start building, he is nervous about that. Discussion regarding lighting potentially 365
310 days a year compared to 10 days of Planet Bluegrass. Trustee Browning, there are very
311 tangible benefits to the town in this agreement, certainly some additional off-season
312 revenue. It shouldn't be disruptive; we can restrict and be able to reach some
313 accommodation of the kind of mic and what hours are restricted. I regret that neither the
314 board nor neighbors got the full agreement in time. Compromises are appropriate on these
315 issues. Administrator Simonsen, Mr Legh questions why this became an issue all the
316 sudden and it's because of the behavior in the last 2 months. He promised that this was
317 going to be a good test drive, he's still in control of what happens as owner of the property.
318 Mayor Rogin, enforcement ideas? Administrator Simonsen, Mr Legh proposes to give a
319 cell to the manager they should start by calling them if not satisfied then him or Sarah, the
320 neighbors loved that idea, but they don't have that until Oct 11th. **Motion passes
321 unanimously.**

322
323 Resolution 2024-81 – A Resolution of the Town of Lyons, Colorado, Approving a Site
324 Licensing Agreement Between the Town of Lyons and ECamion USA, Inc. at 0 Railroad
325 Ave. – Director Caplan provides background information. Discussion regarding a
326 bathroom requirement being part of the grant, they want to know this is a corridor. Trustee
327 Browning, what happened to looking into the use of the already concreted space? Director
328 Caplan, HPC was against having anything done and PRC asked for other locations than
329 the park. Administrator Simonsen, Private property is a possibility, but the bathroom is the
330 issue. ECamion representative, power battery box needed instead of transformer that
331 would cost thousands of dollars to the town. One of the spots needs to be ADA accessible
332 and we need overflow parking nearby, there is no other space in town that would
333 accommodate this facility. No trees would be cut down or damaged. **Motion:** To approve,
334 **Moved by:** MPT Williams, **Seconded by:** Trustee Lowell, MPT Williams, if we chose to
335 put it there we will not be creating goodwill with HPC. Trustee Browning, opposed to having
336 more concrete, the multimodal sidewalk is too wide. Disagree with HPC and agree with
337 PRC. Mayor Rogin, basis for HPC to preserve concrete pad? MPT Williams, It's historical,
338 something they saw as significant. They would like to look at other things that could be
339 there related to the railroad. Trustee Delman feels neutral. Trustee Lowell, the location is
340 perfect, and my preference is to the East side. Trustee Daty, my preference was the post
341 office parking lot; I hear and respect what both commissions said. Loving the idea of EV
342 charges I don't see another option. Trustee Hamrick, I'm fine with the East side.
343 Administrator Simonsen, I think it would be great to do it in High St, this is my personal
344 opinion. Discussion regarding level charges and the Town's electric infrastructure.
345 **Motion passes 6-1, Trustee Browning No.**

346
347 2. Discussion / Direction to Boards and Commissions on Updating Lyons Thrive
348 Comprehensive Plan - Planner Bowen, PCDC met on July 8, 2024 and Neal Evers, PCDC
349 Chair, provided a letter on how to update the Comp Plan. Staff agrees with PCDC chair
350 and PCDC recommendation. Administrator Simonsen, Lyons Thrive recommends

351 progress implementation strategies reviewed annually. Mayor, I agree Board and
352 Commissions should determine their own processes and what they want to review. Would
353 like to see suggestions from staff on public input for any changes we make to the comp
354 plan. Trustee Browning, I don't consider large amounts of time spent on comp plan to be
355 productive use of board, staff or public time. Mayor Rogin, PCDC sees comp plan as a
356 guidepost, it's important to document any changes. Trustee Daty, I appreciate having a
357 more formalized process to guide them, to help us better meet our priorities. Trustee
358 Hamrick, it was made to be a living document and a yearly review makes sense.
359

360 3. Discussion / Direction to Staff on a Town of Lyons WUI Code – MPT Williams, waiting for
361 the State to come out makes more sense. Trustee Browning, my views have not changed.
362 I will be interested in forming a board subcommittee to work along with staff to propose a
363 stage 1 WUI code and a list of issues that will be considered for a second stage. Trustee
364 Lowell, agree with Trustee Browning and we need to have it soon. Happy to serve on a
365 subcommittee. Trustee Daty, should we wait for CWPP as a step 1 and what are the
366 implications if we don't wait? Director Caplan, CWPP is more of a hazard mitigation plan.
367 Trustee Daty, what do staff think? I worry about our staff resources. Administrator
368 Simonsen, my biggest concern is enforcement. Trustee Hamrick, not in favor I agree with
369 MPT Williams. We can start putting things in LMC or send out recommendations to
370 residents. Trustee Delman, I don't think it is necessary if there are already resources
371 available. Mayor Rogin, having a task force of the board to look at what is most effective
372 in other Towns. In favor of moving forward with mitigation but not in favor of doing a
373 separate code. Trustee Browning and Trustee Lowell interested in forming a force task to
374 investigate this and report back to the board.
375

376 XI. Trustee Reports and Requests for Agenda Items

- 377 1. Trustee Daty – Monday 50th anniversary of CBDG grants coming to Lyons. Reviewed the
378 Federal Strategic Plan to Prevent and End Homelessness with the group of Bulder County
379 Homelessness Working Group.
- 380 2. Trustee Hamrick – SFC did not meet.
- 381 3. Trustee Lowell - EAB meets tomorrow night.
- 382 4. MPT Williams - HPC meets Wednesday.
- 383 5. Trustee Browning – 2 future agenda requests, noise ordinance and Apple Valley Water
384 Plant. The UEB meet talked about water system, electrical rates, wastewater treatment
385 facility & JVA report and the TEBO Annexation for water rights. EVC meets Wednesday.
- 386 6. Trustee Delman - PRC meet. St. Vrain trail work has begun, seasonal workers are done.
387 Small lawn equipment must be electric for the end of 2025.
- 388 7. Mayor Rogin – Went to Metro Mayors.

389 XII. Summary of Action Items

- 390 1. Distribute JVA presentation to trustees and other staff
- 391 2. Reschedule Budget workshop on October 19th
- 392 3. Send citizen survey by August 28th
- 393 4. Staff to contact CDOT and invite to a workshop
- 394 5. Court quarterly report for collections
- 395 6. Send letter of support for the Wildlife crossing
- 396 7. Explore when tax revenue be collected for TEBO property
- 397 8. Highland Dr, when would town take responsibility
- 398 9. Ordinance 1167 2nd reading continued to September 3rd
- 399 10. Utilities and Engineering Board item moved to a future agenda
- 400 11. Ordinance 1168 passes to 2nd reading on September 3rd
- 401 12. Ordinance 1169 passes to 2nd reading on September 3rd

403 13. Ordinance 1170 passes to 2nd reading on September 3rd
404 14. Ordinance 1171 passes to 2nd reading on September 3rd
405 15. Ordinance 1172 amended passes to 2nd reading on September 3rd
406 16. Resolution 2024-76 continued to September 3rd
407 17. Public input process for Comp Plan review
408 18. Board and Commissions deadline schedule for comp plan review
409 19. Ad Hoc resolution for subcommittee

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411 XIII. Adjournment **Motion:** To Adjourn at 11:47 pm, **Moved by:** MPT Williams, **Seconded by:**
412 Trustee Delman **Motion passed unanimously.**

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416 Respectfully submitted by:

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422 Maria Marquez-Rubio, Deputy Town Clerk

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427 Mayor Hollie Rogin
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449 “The Town of Lyons will not discriminate against qualified individuals with disabilities on the basis
450 of disability in its services, programs, or activities. Persons needing accommodations or special
451 assistance should contact the Town at hr@townoflyons.com as soon as possible, but no later than
452 72 hours before the scheduled event.”

Lyons Mayor Hollie Rogin, Lyons Board of Trustees, Lyons Town Staff

I would like to put some context around the proposed Riverbend development agreement. This formerly residential property is surrounded by many longtime residents and homeowners that were here long before the zoning change. Riverbend will potentially have events 365 days a year which is on a scale completely out of the realm of current operations of other local venues. These Riverbend events are already affecting the neighbors in a negative way under the current agreement. The new agreement is basically expanding the amount of events and adding amplification before 8pm.

I am requesting the following changes to the development agreement before it is finalized or approved in an effort to protect the surrounding community from more excessive negative impact.

- No outdoor amplification of any kind after 8pm including singers and announcers. The only exceptions would be for special town permitted events.
- Special town permitted events should be few and far between. Special permit events should be public events.
- If there are an excessive number of noise complaints in a given month or season there shall be a consequence for the riverbend property owner or business that includes termination of all outdoor amplification for an extended period.
- Lights should not be projected at surrounding cliffs, animal habitats, neighborhoods or parks.

Thank you for your consideration.

Keith Johnson
733 Upper 5th, Lyons, CO

Good evening, members of the Board of Trustees, fellow citizens of Lyons, and representatives from the Colorado Department of Transportation.

My name is Yelena Hughes, 142 Stone Canyon Dr., and I stand before you today to advocate for a reduction in the speed limit on Highway 36 as it enters and leaves our beloved town of Lyons. This change is not just a matter of preference, but a crucial step towards ensuring the safety and well-being of our community. I walk and cross this road every day and there isn't a day that goes by that I don't see a car run through the red light at a higher than posted speed limit.

Recent developments from the Colorado Department of Transportation (CDOT) provide a compelling foundation for this request. As referenced in a recent article from Colorado Public Radio, CDOT is adopting a new method of setting speed limits that tends to lower them. Traditionally, speed limits have been determined by the "85th percentile" method, setting limits at the speed at or below which 85 percent of drivers travel under normal conditions. While this federally approved approach has been the norm since the 1960s, it often results in higher speed limits and, consequently, faster speeds. This is directly associated with more serious crashes, posing a significant risk to our community.

CDOT's new technique, however, allows state traffic engineers to consider additional factors when setting speed limits on state-controlled roads and highways. These factors include the road's purpose, geometry, and the number of pedestrians and cyclists who use it. This holistic approach aligns perfectly with the needs of our town.

Highway 36 is not just a thoroughfare; it is a vital artery that connects our neighborhoods, parks, and schools. Our residents, including our children, rely on this road to access Safe Routes to School trails, recreational areas, and the heart of our town. The current speed limits create a hazardous environment for pedestrians, cyclists, and drivers alike.

Studies consistently show that slower speeds are safer. According to the National Highway Traffic Safety Administration (NHTSA), the risk of fatality for pedestrians struck by a vehicle increases dramatically with speed. At 20 mph, the risk of fatality is approximately 10%, but this risk jumps to nearly 50% at 30 mph and over 90% at 40 mph. By lowering the speed limit on Highway 36, we can significantly reduce the likelihood of severe accidents and fatalities, creating a safer environment for everyone.

Moreover, the geometry of Highway 36 as it approaches Lyons includes several curves and intersections that necessitate slower speeds for safe navigation. With the increasing number of residents and tourists frequenting our town, the pedestrian and cyclist traffic has surged. It is imperative that we adapt our speed limits to reflect these changes and prioritize the safety of all road users.

Lowering the speed limit on Highway 36 is not just a safety measure; it is an investment in the future of our community. It will encourage more walking and cycling, promote a healthier lifestyle, and enhance the overall quality of life in Lyons. It will also align with CDOT's

progressive approach to traffic safety, ensuring that our town is at the forefront of adopting safer, more effective traffic management practices.

The Town of Lyons and specifically Stone Canyon has endured a harsh summer with fire danger on our literal doorstep. We're working together and mitigating our fire risk. The town provided goat mowers to cut the grass, and we're advocating for switching out our wooden fences to keep us safer. I am asking you to come together with us as a community and with CDOT and mitigate this danger on our doorstep.

I urge the Board of Trustees and the Colorado Department of Transportation to consider this request seriously. Let us work together to make Lyons a safer, more connected, and thriving community. Thank you for your time and consideration.

Respectfully,

Yelena Hughes

142 Stone Canyon Dr.

Lyons, CO 80540

Timestamp	Email Address	Name	Lyons Address
8/15/2024 16:53:09	ejfriedman@yahoo.com	Eric Friedman	122 Noland Ct. Lyons, CO 80540
8/15/2024 16:53:23	nboggess75@gmail.com	Natalie Boggess	205 Ewald Avenue
8/15/2024 16:54:56	briannahoyt92@gmail.com	Brianna Hoyt	117 Eagle Valley Dr
8/15/2024 17:02:47	4pauldreyer@gmail.com	Paul Dreyer	Antelope Drive
8/15/2024 17:30:09	sandrahaber715@gmail.com	Sandra Haber	423 Reese st
8/15/2024 17:30:42	eric.kean1@gmail.com	Eric Kean	228 Welch Dr
8/15/2024 17:34:31	ginamclaughlin@gmail.com	Gina McLaughlin	219 Welch Dr.
8/15/2024 17:35:23	claudiakean@gmail.com	Claudia Kean	228 Welch Drive
8/15/2024 17:43:40	amybhartenstine@gmail.com	Amy Hartenstine	207 Welch Drive, Lyons CO
8/15/2024 17:44:50	pike_sara@svsrd.org	Sara Pike	830 3rd Ave.
8/15/2024 17:46:08	natalie.m.pool@gmail.com	Natalie Pool	1813 Kiowa Road
8/15/2024 17:49:52	goldengirl6752@yahoo.com	Meredith Dendo	1693 Kiowa Rd
8/15/2024 17:51:38	kateschnepel@gmail.com	Kate Schnepel	364 McConnell Dr
8/15/2024 17:51:57	debzeiglercpa@gmail.com	Deb Zeigler	137 Eagle Canyon Circle, Lyons CO
8/15/2024 17:52:54	rebeccaholley@gmail.com	Rebecca Holley	509 Goranson Ct, Lyons, CO 80540-8410, USA
8/15/2024 18:05:02	nicknsusy@msn.com	Susan Schmidt	155 Stone Canyon Dr
8/15/2024 18:13:09	gsparks@nw.net	Gil Sparks	2169 Apple Valley
8/15/2024 18:14:04	josielawrence@gmail.com	Josie Wratten	Osprey Lane, Lyons
8/15/2024 18:23:54	arevoir@gmail.com	Ambee	Lyons valley park neighborhood
8/15/2024 18:40:55	donnajlowell@gmail.com	Donna Lowell	411 Raymond Court, Lyons, CO 80540
8/15/2024 18:42:04	smirvins@gmail.com	Elizabeth Simmons	204 old Main Street
8/15/2024 18:43:00	baurick@gci.net	Tina Baurick	18424 N St Vrain Drive
8/15/2024 18:46:51	danielleschaafsma@gmail.com	Danielle Schaafsma	2330 Stone Canyon
8/15/2024 18:50:46	racheld.huff@gmail.com	Rachel Chandler	123 Peregrine Lane
8/15/2024 18:57:54	dmlundell@yahoo.com	Dawn Lundell	221 Welch Drive Lyons, CO 80540
8/15/2024 18:58:20	janetdcallahan@gmail.com	Janet Callahan	104 Eagle Canyon Circle, Lyons Co 80540
8/15/2024 19:09:28	darceypierce@gmail.com	Darcey Pierce	115 Eagle Canyon Circle, Lyons, CO 80540
8/15/2024 19:46:34	heidi.koss@gmail.com	Heidi Jaekel	229 Welch Dr
8/15/2024 19:59:31	rubydakota@gmail.com	C. Rivers	122 Peregrine Lane
8/15/2024 20:09:50	robynfaike@gmail.com	Robyn Faike	202 Welch Court. Lyons CO 80540
8/15/2024 20:10:21	georgesharman@gmail.com	George Sharman	202 Welch Court Lyons CO 80540
8/15/2024 20:14:57	krsmith1@gmail.com	Kelly Mahoney	2708 Eagle Ridge Rd (1127) Longmont, co 80503
8/15/2024 20:29:13	katharinadonahue@gmail.com	Katie	POB 1723
8/15/2024 20:44:07	colette.valette@gmail.com	Colette Valette	804 Mountain View Dr. Lyons, CO 80540
8/15/2024 20:44:24	cookchas@hotmail.com	Chastidee Bolkovatz	308 Seward Street
8/15/2024 20:56:58	katenewell77@gmail.com	Kate Newell	157 Stone Canyon Road
8/15/2024 21:05:39	eriknhall258@gmail.com	Erik Hall	219 Park Street
8/15/2024 21:14:27	muthdaniel@hotmail.com	Daniel Muth	75 Pyrite Way
8/15/2024 21:15:12	alena.tipnis@gmail.com	Alena Tipnis	119 Eagle Valley Drive
8/15/2024 21:16:01	shane.cottey@gmail.com	Shane Cottey	119 Eagle Valley Drive
8/15/2024 21:17:18	toryoakland@gmail.com	Tory Oakland	120 Falcon Lane 80540
8/15/2024 21:20:05	sarah.camille.k@gmail.com	Sarah Knapp	138 Eagle Valley Drive
8/15/2024 21:30:07	megan.foreman@gmail.com	Megan	102 Noland Ct Lyons, CO 80540
8/15/2024 21:40:12	jenniferellis123@msn.com	Jennifer Ellis	123 Eagle valley drive
8/15/2024 21:40:43	nigel@big-wow.com	Nigel Ellis	123 Eagle valley drive
8/15/2024 21:42:37	nadiaauch@gmail.com	Nadia Auch	106 Eagle Canyon Circle, Lyons, CO 80540
8/15/2024 21:45:56	raeann.s.smith@gmail.com	Raeann Smith	121 Eagle Valley Dr., Lyons, CO 80540
8/15/2024 21:46:39	koby.z.smith@gmail.com	Koby Smith	121 Eagle Valley Dr., Lyons, CO 80540
8/15/2024 21:49:17	lynnejohann@yahoo.com	Lynne Johann	116 Eagle Valley Dr Lyons 80540
8/15/2024 21:57:55	heatheryv23@msn.com	Heather Baltrush	349 McConnell Drive, Lyons CO 80540
8/15/2024 22:01:43	ginnaloularson@gmail.com	Ginna Larson	140 Eagle Valley Drive
8/15/2024 22:20:28	erinkearns13@gmail.com	Erin Kearns	994 Longmont Dam Rd, Lyons
8/15/2024 22:38:52	taniaorlow@gmail.com	Tania Wilhelm	113 Eagle Canyon Circle Lyons, CO 80540
8/15/2024 22:48:51	willson_aleta@svsrd.org	Aleta Willson	129 Ewald avenue
8/16/2024 0:06:04	elizabeth_morton@hotmail.com	Elizabeth	452 Steamboat Vly rd
8/16/2024 2:48:09	elc204@gmail.com	Elizabeth Schnabolk	355 McConnell Drive

Timestamp	Email Address	Name	Lyons Address
8/16/2024 4:10:48	mslubke@gmail.com	Michael Lubke	227 Pyrite Way
8/16/2024 4:38:44	edaugherty34@gmail.com	Ellen Daugherty	100 Open Range Rd Lyons CO 80540
8/16/2024 5:50:45	meredith.muth@gmail.com	Meredith Muth	75 Pyrite Way, Lyons CO 80540
8/16/2024 5:59:04	tanya@daty.co	Tanya Mercer-DATY	623 1st Ave
8/16/2024 6:14:33	ajwitt20@msn.com	Alicia Thompson	632 2nd Ave. Lyons, Co 80540
8/16/2024 6:24:33	h.santest@gmail.com	Heather Santesteban	409 Raymond Ct
8/16/2024 6:43:17	toddetherton@gmail.com	Todd Etherton	110 Eagle Valley Dr. Lyons CO 80540
8/16/2024 7:05:54	dhjt3693@gmail.com	Heather christiansen	1476 Apple valley road, Lyons CO
8/16/2024 8:05:56	mrtobby@gmail.com	Toby Russell	838 4th Ave, Lyons CO 80540
8/16/2024 8:11:25	mcthompson12@gmail.com	Michael Thompson	632 2nd Ave Lyons Co 80540
8/16/2024 8:12:32	claywoman3479@gmail.com	Sharon Denton	213 Ewald Ave
8/16/2024 8:49:04	pmcnichol48@gmail.com	Patricia McNichol	121 Eagle Canyon Circle
8/16/2024 9:19:20	bonhair@aol.com	Bonnie Mann	532 Prospect Street #4
8/16/2024 9:46:13	jackiemweiss@gmail.com	Jacqueline Weiss	630 2nd ave
8/16/2024 9:46:46	timothymweiss@gmail.com	Timothy weiss	630 2nd Ave
8/16/2024 10:16:31	bergeron.adam@gmail.com	Adam Bergeron	319 McConnell Dr
8/16/2024 10:21:41	lsv.king@yahoo.com	Jay and Stephanie King	136 Stone Canyon Drive Lyons, CO
8/16/2024 11:09:46	tmpisme@gmail.com	Tim Phelps	151 Whitehouse Circle
8/16/2024 11:24:07	amyesaucier@gmail.com	Amy	142 stone canyon rd Longmont
8/16/2024 12:04:38	jax.decoster@gmail.com	Jacklyn DeCoster	24 Appleby Dr
8/16/2024 13:19:06	helenhv357@gmail.com	Helen Vanderwerken	223 Welch Dr
8/16/2024 13:20:16	rbullers@gmail.com	Regan Bullers	146 Stone Canyon Dr
8/16/2024 13:45:17	lorinlegault@gmail.com	Lori LeGault	427 Red Gulch Rd.
8/16/2024 14:10:24	ryanchiachiere@gmail.com	Ryan Chiachiere	420 Prospect St
8/16/2024 14:19:36	florine.valerie@gmail.com	Florine Valerie	212 High St, Lyons, CO 80540-5015, USA
8/16/2024 15:02:08	ba262@live.com	Beth Abbott	137 Stone Canyon Drive
8/16/2024 15:26:31	jhngoodell@gmail.com	John Goodell	415 Carter Dr.
8/16/2024 18:25:49	abbott.beth1974@gmail.com	Jeffrey Abbott	137 Stone Canyon Drive
8/17/2024 9:43:13	4brents@gmail.com	Kristi Brent	115 Eagle Valley Drive
8/18/2024 8:27:52	laddgrammer@yahoo.com	Ladd Grammer	121 osprey In Lyons CO 80540
8/18/2024 8:28:52	brenninggrammer@gmail.com	Brenning Grammer	121 osprey In Lyons co 80540
8/18/2024 16:48:17	christieporschen@gmail.com	Christie Avton	203 McConnell Ct
8/18/2024 18:34:21	stephen.g.dalton@gmail.com	Stephen Dalton	107 Noland Ct. Lyons, CO 80540
8/18/2024 19:44:27	schnabolk@gmail.com	Stuart Schnabolk	355 McConnell
8/18/2024 19:55:27	alysoncallahan@gmail.com	Alyson Callahan	145 Eagle Canyon Circle
8/18/2024 20:58:50	TIMARCHER@MSN.COM	Tim Archer	122 Eagle Valley dr
			111 Eagle Canyon Circle
8/19/2024 5:39:24	misslinney@gmail.com	Linda Pecone	#661
8/19/2024 6:46:25	4pjfree76@gmail.com	Pamela Freeman	1554 Rowell Dr. Lyons, CO 80540
8/19/2024 6:52:40	craig@frii.com	Craig Engelhorn	727 2nd Avenue
8/19/2024 7:10:00	dkg@gbhan.com	Donna Guest	PO Box 98, Lyons, CO 80540
8/19/2024 7:11:22	brad@spiritounds.com	Brad Stevenson	4196 Ute Hwy
8/19/2024 7:49:08	matt@farmbearcreek.com	Matt Rooney	1636 Apple Valley rd
8/19/2024 8:59:41	gerardosullivan@gmail.com	Gerard O'Sullivan	107 Estes Ct, Lyons CO 80540
8/19/2024 9:04:02	mrgnlvr@gmail.com	Katherine Jensen	127 Eagle Canyon Cir
8/19/2024 11:27:21	chrismeline@gmail.com	Chris Meline	124 Peregrine Lane, Lyons CO 80540
8/19/2024 13:40:55	amontoya99@gmail.com	Andrea Montoya	424 Carter Drive, Lyons
8/19/2024 17:43:12	calcallahan59@gmail.com	James Callahan	104 Eagle Canyon Circle
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Aug 15, 2024	mariah.vanleuven@we...	Mariah Knotts	399 May Ave, Lyons, Co, 80540
Aug 15, 2024	lesleylundeen@gmail.com	Lesley Lundeen	450 Vasquez Ct , Lyons, CO, 80540
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Aug 15, 2024	nrsully66@yahoo.com	Neil Sullivan	7 Eagle Nest lane, Lyons, Co, 80540