

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 Dady, 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

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

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

V. Staff Reports

1. Boulder County Sheriff's Office Report – Glad CDOT was brought up, very dangerous area around Circle K, something needs to get done. Updated Model Traffic Code is finally live. Meeting on Wednesday 8/21 with emergency service unit regarding the runoff burn scar for Stone Canyon Fire. National Weather Service on burn scar, 0.3 inches in 15 min or .06 inches in 1 hour for flash flooding. The National Night Out and folks festival went very well. Venus De Miles race this weekend and community BBQ coming up on Sep 6. Calls are up this year by 119 from last year and 422 tickets this year, down 23 from last year. Accidents are still up, we had 2-4 over the weekend. Trustee Dady, any way to hang out around crosswalks early morning for school? Sgt. Sears, deputy Mitch is very good and in charge of morning drop off routine.
2. Administrator's Report – Working with appropriate parties for post fires, resources ready to help. Letter of support for the Wildlife corridor crossing across US 36 that Boulder County is applying for. Venus De Miles and the Lights Out Lyons this Saturday. Working on another diversion day for October. Artisan Market on September 7th. Sales tax report

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

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

VI. Ordinances and Public Hearings

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

- a. Resolution 2024-74 – a Resolution of the Town of Lyons, Colorado, Setting Forth

Findings of Fact and Determinations Regarding the TEBO Annexation Located at 4545 Ute Highway and 4602 Highland Drive –

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

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

Trustee Lowell, PCDC raised concern about accepting the liability of Highland Dr as this may be the linchpin to future annexations. What is the liability for taking ¼ mile stretch of Highland Dr with all the infrastructure that'll be required. Brandon, the applicant has agreed to address some of the upgrades. James Dixon, CEO of TEBO properties – no further presentation. Trustee Dady, any plan on developing this for workforce housing in the next few years? Mr. Dixon, generally commercial forte, no immediate plans for residential. Mayor, plans for Highland Dr? Mr. Dixon, haven't gotten to the point of what right of way is going to be needed there, conceptual plan we anticipate we'll need to box the ditch over a certain portion of the property. Development of front parcel would trigger the improvement of the northern boundary of Highland Dr. I anticipate commercial development coming first. We are interested in doing things as fast as possible, in negotiations with a petrol store, coffee shop and a couple of other locals. Trustee Dady, potential petrol tenant to replace Circle K? Mr. Dixon, no replacement just an addition. Colleen Jones, 4708 Highland Dr – Lived there for almost 50 years, I'm not anti-development this is great idea for economic development. Concerned about the land with future development proposals. This is a quiet little neighborhood. Areas are reached by a single lane dirt road between 2 ditches. Having many folks living on that land would incredibly shift the current neighborhood. Clever tactic to purchase the property. Jim Kerr, 806 Mountain View Dr – LMC about bringing in water shares/ditch rights, that would be in annexation agreement? Mr. Dixon, hard to get consensus with all the neighbors for a project of any size. As we go through that process, I would be happy to meet with neighbors and come up with a plan. **10-minute break.** No more speakers. **PH closes at 9:10 pm. Motion:** To continue to a date certain Sept 3rd, **Moved by:** MPT

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

2. 1st Reading – Ordinance 1168 – an Ordinance of the Town of Lyons, Colorado, Rezoning 4545 Ute Highway of the Tebo Annexation to Commercial Eastern Corridor (CEC) – Planner Bowen provides brief staff report, CEC and R3 are the most aligned with planning efforts. **Motion:** To Approve, **Moved by:** MPT Williams, **Seconded by:** Trustee Hamrick, **motion passed unanimously.**
3. 1st Reading – Ordinance 1169 – an Ordinance of the Town of Lyons, Colorado, Rezoning 4602 Highland Drive of the Tebo Annexation to High-Density Residential (R3) – Planner Bowen provides staff report. Trustee Delman, how dense can this be? Andrew Bowen, Single family up to multifamily- 4 units per structure. **Motion:** To Approve **Moved by:** Trustee Dady, **Seconded by:** MPT Williams, **motion passed unanimously.**
4. 1st Reading – Ordinance 1170 – an Ordinance of the Town of Lyons, Colorado, Amending Sec. 16-3-150 (D)(1), and Sec. 2-8-120 Of the Lyons Municipal Code to Create a Minimum Area Variance Process to Allow for the Subdivision of Lots Recorded on March 20, 1929, Plat - Planner Bowen provides staff report. Did not pass previously, community concerns about not enough public input or hearing in the process. Worked with Attorney Dittman on a more refined process. Future applicants would have to go through a BOA variance hearing and if approved then through a PCDC subdivision hearing. Mayor Rogin, would the BOT hear these applications? If not, is there a mechanism for someone to appeal to the BOT? Attorney Dittman, the BOA would hear these appeals, would like to come back and answer this on 2nd reading. **Motion:** To Approve **Moved by:** MPT Williams, **Seconded by:** Trustee Browning, **motion passed unanimously.** Trustee Browning, I appreciate staff, town attorney and planner for coming back to this so quickly and for including the community input, this is best way to do it.
5. 1st Reading – Ordinance 1171 – an Ordinance of the Town of Lyons, Colorado Approving and Accepting the Local Historic Designation for the Depot Building at 430 5th Avenue, Lyons, Colorado – Attorney Dittman, recommended by HPC to be local historic designated. Administrator Simonsen, National and State registered but did not have a process for local then, we are catching up. Trustee Browning, any other national registered properties, why not do them all at once? Administrator Simonsen, each one needs a public hearing; we wanted to try town owned first and hopefully get property owners interested so they could get tax credit and grant funding. Director Mitchell, already in the national and the state historic register, this would only be local designation. **Motion:** To Approve **Moved by:** MPT Williams, **Seconded by:** Trustee Lowell, Mayor Rogin, after 4 years it's great to see this in action. **Motion passed unanimously.**
6. 1st Reading – Ordinance 1172 – an Ordinance of the Town of Lyons, Colorado, Amending Sections 16-10-90 of the Lyons Municipal Code to Allow Farmers' Markets as a Permitted and Conditional Use in Commercial and Commercial-Downtown Zones – Planner Bowen provided background information. MPT Williams, any reasons 3.C. didn't say frequency of operation? It sounds like it's required to operate twice a week. Trustee

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

VII. Consent Agenda

1. Resolution 2024-75 - a Resolution of the Town of Lyons, Colorado, Adopting an Amended Colorado Open Records Act (CORA) Request Policy
2. Resolution No. 2024-76 – a Resolution of the Town of Lyons, Colorado, Approving an Intergovernmental Agreement Between the Town of Lyons and the Boulder County Clerk and Recorder for the Conduct and Administration of the 2024 Coordinated Election to be Held November 5, 2024
3. Resolution 2024-77 – a Resolution of the Town of Lyons, Colorado, Accepting the Pavement Management Budget Options Report for the Town of Lyons, June 2024, produced by Capital Asset & Pavement Services (CAPS)
4. Resolution 2024-78 – a Resolution of the Town of Lyons, Colorado, Accepting Public Improvements of the Roadway Repairs – Flood Recovery Project
5. Resolution 2024-79 – a Resolution of the Town of Lyons, Colorado, Approving an Extended Landscape Agreement with Mountain Constructors, Inc. for US36 Broadway Improvements & Multimodal Trail, Project 23-US36/BRDWY IMPRV-03 REBID
6. Resolution 2024-80 – a Resolution of the Town of Lyons, Colorado, Approving the Use of Lake McIntosh Reservoir Company Water Shares for the Water Dedication from Lyons Properties, LLC.
7. August 5, 2024, Regular BOT Meeting Minutes
8. August Accounts Payable
Motion: To approve, **Moved by:** Trustee Daty, **Seconded by:** MPT Williams, Trustee Browning pulled items 1 and 8, **Motion passes unanimously**

VIII. Items Removed from Consent Agenda

1. Item 1- Attorney Dittman, under State Law the 1st hour of research is free and is in the current policy, all this does is change the amount. **Motion:** To Approve Res 2024-75
Moved by: Trustee Browning, **seconded by:** MPT Williams, **motion passed unanimously.**
2. Item 8 – Trustee Williams - \$5,000 roughly payable to Highland Ditch, what is status, and would that be covered by grants? Justin Doles, those fees are for engineers to review our plans and attorneys to review the crossing agreement, fees are covered by grant. They've approved our plans we are just waiting on a few minor items on crossing agreement. Hoping to go out for bids early September. **Motion:** To approve August Accounts Payable
Moved by: Trustee Browning, **seconded by:** MPT Williams, **motion passed unanimously.**

IX. Boards & Commissions – Moved to a future meeting

1. Utilities and Engineering Board
 - a. Wastewater Utility Report by JVA
 - 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 Dady, 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

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

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

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

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

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

XI. Trustee Reports and Requests for Agenda Items

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

XII. Summary of Action Items

1. Distribute JVA presentation to trustees and other staff
2. Reschedule Budget workshop on October 19th
3. Send citizen survey by August 28th
4. Staff to contact CDOT and invite to a workshop
5. Court quarterly report for collections
6. Send letter of support for the Wildlife crossing
7. Explore when tax revenue be collected for TEBO property
8. Highland Dr, when would town take responsibility
9. Ordinance 1167 2nd reading continued to September 3rd
10. Utilities and Engineering Board item moved to a future agenda
11. Ordinance 1168 passes to 2nd reading on September 3rd
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	nbogges75@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	sandrah Haber715@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	amybhartensstine@gmail.com	Amy Hartensstine	207 Welch Drive, Lyons CO		
8/15/2024 17:44:50	pike_sara@svvsd.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@nwi.net	Gil Sparks	2169 Apple Valley		
8/15/2024 18:14:04	josielaurence@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	donnaajlowell@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 Jaeckel	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	katenevewell77@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.cotter@gmail.com	Shane Cotter	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	erinearns13@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@svvsd.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	timpisme@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.decoaster@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	jhggoodell@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 ln Lyons CO 80540
8/18/2024 8:28:52	brenninggrammer@gmail.com	Brenning Grammer	121 osprey ln 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	alysonrcallahan@gmail.com	Alyson Callahan	145 Eagle Canyon Circle
8/18/2024 20:58:50	TIMARCHER@MSN.COM	Tim Archer	122 Eagle Valley dr
8/19/2024 5:39:24	misslinney@gmail.com	Linda Pecone	111 Eagle Canyon Circle #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@spirithounds.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
Aug 15, 2024	mike.newell@gmail.com	Michael Newell	157 Stone Canyon Dr , Lyons , co, 80540
Aug 15, 2024	kcgroves@gmail.com	KC Groves	420 STICKNEY AVE # 25, Lyons, CO, 80540
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Aug 15, 2024	mollybelize@gmail.com	Molly Morton	103 park st, Lyons, Colorado , 80540
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
Aug 15, 2024	sammy.helmle@gmail.com	Samantha Helmle	224 Seward St, T1, Lyons, CO, 80540
Aug 15, 2024	nrsully66@yahoo.com	Neil Sullivan	7 Eagle Nest lane, Lyons, Co, 80540