

Workshop 5:30 pm – 6:45 pm  
Lyons PPA Master Plan - UPDATE

DRAFT AGENDA  
TOWN OF LYONS

**7:00 P.M., MONDAY, APRIL 18, 2016**

**OUTGOING BOARD OF TRUSTEES MEETING**

SHIRLEY F. JOHNSON COUNCIL CHAMBER  
LYONS TOWN HALL, 432 5<sup>TH</sup> AVENUE, LYONS, COLORADO

- I. Roll Call and Pledge of Allegiance
- II. A Reflective Moment of Silence
- III. Approval of the Agenda
- IV. Sgt Nick Goldberger, Sheriff's Dept Report
- V. Audience Business - Limited to 15 minutes - All comments will be limited to 4 minutes per person
- VI. Confluence Update/Signal at McConnell/Stone Canyon Update
- VII. Consent Agenda
  - 1. April 2016 Accounts Payable
  - 2. April 4, 2016 BOT Meeting Minutes
  - 3. Resolution 2016-40, a Resolution Approving Change Order #3 in the Amount of \$6,238 to the Contract with Bryan Construction , INC, for the Lyons Depot Library Rehabilitation/Renovation
  - 4. July 6, 2015 BOT Meeting Minutes
- VIII. General Business
  - 1. Resolution 2016-42, a Resolution Approving the First Amendment to the Memorandum of Agreement Between the Town of Lyons and Lyons Properties, LLC
  - 2. Resolution 2016-41, a Resolution Approving a Professional Services Agreement with Rock Solid Landscapes, INC. for the Bohn Park Berm Landscaping Project.
  - 3. Resolution 2016 – 43, a Resolution Setting a Goal for Affordable In the Town of Lyons and Setting Forth Potential Measures and Incentives to Accomplish Such Goal
  - 4. BOT to approve a Letter to Boulder County Transportation thanking them for their support for the community Eco Pass Program
- IX. Items Removed from the Consent Agenda
- X. Trustee Reports
- XI. Staff Reports
- XII. Adjournment

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

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Lyons PPA Master Plan - UPDATE

MINUTES  
TOWN OF LYONS

**7:00 P.M., MONDAY, APRIL 18, 2016**

OUTGOING BOARD OF TRUSTEES MEETING

SHIRLEY F. JOHNSON COUNCIL CHAMBER  
LYONS TOWN HALL, 432 5<sup>TH</sup> AVENUE, LYONS, COLORADO

- I. Roll Call and Pledge of Allegiance  
**Roll Call. Present:** Mayor John O'Brien, Mayor Pro Tem Connie Sullivan, Trustee Barney Dreistadt, Trustee Dan Greenberg, Trustee Jim Kerr, Trustee Dawn Weller. **Absent:** Trustee LaVern Johnson.
- II. A Reflective Moment of Silence
- III. Approval of the Agenda  
**Motion:** Mayor Pro Tem Sullivan moved to approve the Agenda.  
**Action: Approve, Moved by Mayor Pro Tem Connie Sullivan, Seconded by Trustee Dan Greenberg.**
- IV. Sgt Nick Goldberger, Sheriff's Dept Report  
Sgt Goldberger reported residents still need to be aware of the IRS scams that are out there and other than that all is good.
- V. Audience Business - no one wished to speak.
- VI. Confluence Update/Signal at McConnell/Stone Canyon Update  
Joe Kubala, Project Manager reported they are to get power to the signals sometime next week, the project slowed a little due to the weather but all is going well.  
Joe Kubala, Project Manager reported Doug Miller and Linda Hubbard's building permits are on their way to Safebuilt, the only one left is for the Schey residence which staff is working on. With the recent snow/rain the roads in the Confluence Area have been slick there will be some better surfacing put down to help with that and Xcel will be in to lower the gas lines.  
Joe Kubala, Project Manager reported they are waiting for historical clearances for the last few 404 buyout homes.
- VII. Consent Agenda
  1. April 2016 Accounts Payable
  2. April 4, 2016 BOT Meeting Minutes
  3. Resolution 2016-40, a Resolution Approving Change Order #3 in the Amount of \$6,238 to the Contract with Bryan Construction, Inc, for the Lyons Depot Library Rehabilitation/Renovation
  4. July 6, 2015 BOT Meeting Minutes**Motion:** Trustee Greenberg moved to approve the Consent Agenda  
**Action: Approve, Moved by Trustee Dan Greenberg, Seconded by Mayor Pro Tem Connie Sullivan.**  
Motion passed unanimously.
- VIII. General Business
  1. Resolution 2016-42, a Resolution Approving the First Amendment to the Memorandum of Agreement between the Town of Lyons and Lyons Properties, LLC  
Town Attorney Kathie Guckenberger reported to the BOT the reason for the MOA and the amendment to the MOA due to the uncertain boundary lines between 501 W Main and Meadow Park due to the 2013 Flood.  
After BOT discussion the BOT agreed the BOT needs to have summaries of the proposed changes to understand the changes that are being proposed. Also changes were made late this afternoon and the BOT had not had time to review the changes.

**Motion:** Mayor Pro Tem Sullivan moved to continue Resolution 2016-42 to the May 2, 2016 BOT meeting and for staff to provide a summary of the proposed changes.

**Action: Continue Moved by Mayor Pro Tem Connie Sullivan, Seconded by Trustee Dan Greenberg.**  
Motion passed unanimously.

2. Resolution 2016-41, a Resolution Approving a Professional Services Agreement with Rock Solid Landscapes, Inc. for the Bohn Park Berm Landscaping Project.

Town Administrator Simonsen reported this project relates to a previously passed resolution and agreement. Resolution 2015-117, a Resolution Approving the 2<sup>nd</sup> Amendment to the Covenant and Agreement Respecting the Bradford Homestead and Use of Lot 1, and Agreement Respecting the Use of Lot E. The background documentation was presented to the BOT on November 16, 2015 and passed by a vote of 4-2. The meeting minutes were in your packet for your review. Town Staff has been working with the adjacent property owner to facilitate the requirements spelled out in the agreement in accordance with the established deadlines. The first requirement was the formalization of a landscaping plan which has been completed and agreed upon with the property owners. Town Staff contacted at least 8 landscaping companies to solicit quotes based on the provided plan in order to ensure that the project could be completed on or near the required date of May 15, 2016 deadline. Only 2 companies were able to respond and had the capacity to complete the project within the required timeline. The estimate and contract with the successful bidder were in your packet for your review. Town Staff has been in contact with the property owner to communicate progress and potential start dates as well as other project details. Town Administrator Simonsen reported Parks Director Cosgrove is seeking guidance as to whether the BOT would like staff to utilize funding for this project since the cost of the project was not available during budget discussions. Town Administrator Simonsen reported staff recommendation would be to move forward with the project in order to be in compliance with the agreement to have the landscaping installed by May 15, 2016.

BOT discussions included that this item was approved after the 2016 Parks Budget was approved, what the overage is based on, whether or not there was time for staff to have included this cost in the 2016 budget, Parks to find the money needed within their budget, responsibility of the departments to know what they need in their budgets, why additional landscape was added (this was due to landowner wanting a buffer), public process, landowner and town entered in to this agreement in 2005 and it has not been completed, what the urgency is to get this completed now, negotiating flexibility in the end date, window to get the plantings done, exploring options for the cost of the project such as increasing fees in the park to cover the cost, using the Parks reserves, midyear budget adjustment, decrease costs within the Parks budget.

**Motion:** Trustee Dreistadt moved to approve Resolution 2016-41 with the Parks Director Cosgrove first looking at the Parks budget and decreasing costs or increasing fees to cover the \$40,421, second using Parks Reserve, third a midyear budget adjustment and forth taking the money needed out of the Conservation Trust Fund.

BOT discussion concerning if Parks can't find the money within their budget that they come back to the BOT for approval and to present why they could not find within their budget, long standing agreement that is just being completed, midyear budget adjustment, contract stating landscaping shall be planted by a certain date or null and void, clear message needs to be sent to the Parks Dept to figure out where the money will come from versus laying it on the BOT (staff accountability).

**Action:** Approve, Moved by Trustee Barney Dreistadt, Seconded by Trustee Jim Kerr.

**Vote:** Motion passed (summary: Yes = 5, No = 1, Abstain = 0).

**Yes:** Mayor John O'Brien, Trustee Barney Dreistadt, Trustee Dan Greenberg, Trustee Dawn Weller, Trustee Jim Kerr.

**No:** Mayor Pro Tem Connie Sullivan.

3. Resolution 2016 – 43, a Resolution Setting a Goal for Affordable Housing in the Town of Lyons and Setting Forth Potential Measures and Incentives to Accomplish Such Goal

Cody Humphrey, Project Manager reported the Lyons Board of Trustees asked Town Staff (Staff) and the Special Housing Committee (SHC) to research and recommend ways in which the Town can achieve the goal of developing affordable housing within the Town of Lyons. In early March 2016, Staff and the SHC presented an Affordable Housing framework draft that proposed ten guidelines the Town should consider when looking to propose to pass policy centered on affordable housing. Using this framework as a basis, Trustee Sullivan and Trustee Greenberg drafted a resolution in early April that sets a goal for affordable housing in the Town with a list of potential measures and incentives to accomplish this goal. The resolution outlines the reasoning behind why an affordable housing measure is being proposed for the Town and directs Staff to further explore policy strategies in support of affordable housing.

After BOT discussion the BOT agreed to the following changes to the resolution;

- ✓ In the first whereas change enhances sustainability to enhances economic sustainability
- ✓ Section 1, in first sentence units that are permanently affordable.... strike permanently
- ✓ Section 1, add to the last sentence with the emphasis on permanently affordable units
- ✓ Section 2, change (4) to read as follows deed restrictions, covenant controls, on further market-rate housing

**Motion:** Trustee Weller moved to approve Resolution 2016-43 with the changes listed above by the BOT.

The BOT thanked Cody Humphrey, for all of the work he has done on housing since he has come to work for the Town. The BOT also thanked the Special Housing Committee for all their work.

**Action:** Approve, Moved by Trustee Dawn Weller, Seconded by Trustee Barney Dreistadt.

Motion passed unanimously.

4. BOT to approve a Letter to Boulder County Transportation thanking them for their support of the community Eco Pass Program

Trustee Weller stated the letter is to thank Boulder County Transportation for helping the Town with the Eco Pass Program and new bus routes.

**Motion:** Trustee Weller moved to approve the Mayor signing the letter to Boulder County Transportation

**Action:** Approve, **Moved by** Trustee Dawn Weller, **Seconded by** Trustee Dan Greenberg.

Motion passed unanimously.

IX. Items Removed from the Consent Agenda - no items were removed from the Consent Agenda

X. Trustee Reports

Trustee Dreistadt referenced a parking study that was completed a few years ago and that there have not been a lot of changes since then, EDC is attempting to move the recycle station and the skate park for additional parking and will be looking at parking enforcement.

Trustee Dreistadt stated EDC will be sponsoring the Chamber Social in May and LAHC will be meeting tomorrow.

Trustee Greenberg reported the Library will be meeting tomorrow at the Annex.

Trustee Greenberg suggested getting a group together to walk back and forth across the highway at the McConnell/Stone Canyon signal lights when they are put in to celebrate the new signal.

Mayor O'Brien appointed Diane Dandeneau to the LAHC.

Mayor O'Brien shared with the BOT the changes in SB 16-173 concerning Golf Carts.

Mayor Pro Tem Sullivan stated the Watershed Board met last week, they are currently working on fish habitat in Bohn Park.

Mayor Pro Tem Sullivan stated that she would like an update on the Highland Ditch and the CDOT work along the stream at the May 2, 2016 BOT meeting.

Trustee Kerr stated he attended the UEB meeting and distributed the energy policy from MEAN.

Trustee Kerr stated he attended the MEAN quarterly meeting and will be attending the CAMU meeting in July.

Trustee Weller stated SFC met with Red Fox concerning Earth Day and they are excited about the new ideas they are bringing, exciting ideas to inspire nature experiences.

Trustee Weller stated Lyons Community Yard Sale and Clean Up Days are scheduled for May 21<sup>st</sup> and 22<sup>nd</sup>.

Trustee Weller stated SFC is also working on the fund raiser for Linda Hubbard.

XI. Staff Reports

Staff report highlights will be attached for the record.

Town Administrator Simonsen reported that Cody Humphrey, Project Manager will be leaving the Town as he has accepted another position in Colorado Springs. Town Administrator Simonsen reported Cody has worked diligently to seek permanent solutions to housing in Lyons, we wish him farewell.

XII. Adjournment

**Motion:** Mayor Pro Tem Sullivan moved to adjourn at 8:19 pm.

**Action:** Adjourn, **Moved by** Mayor Pro Tem Connie Sullivan, **Seconded by** Trustee Dan Greenberg.

Respectfully submitted by;



Deb Anthony, MMC – Town Clerk



Mayor John E. O'Brien

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