

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

WATCH AT: WWW.TOWNOFLYONS.COM/LIVESTREAM

**DRAFT AGENDA
MONDAY, JANUARY 5, 2026**

WORKSHOP

5:30 PM – 6:15 PM

Historic Preservation and Demolition Moratorium Discussion

6:15 – 6:50 PM

Use Tax 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 Williams
- II. Land Acknowledgement & Reflective Moment of Silence – Trustee Browning noted that Mrs. Janet Freeman passed away this weekend. Her husband Bob Freeman was a former Town Administrator and a longtime resident at Walt Self.
- III. Approval of Agenda – **Motion:** move to approve **Moved by:** MPT Williams **Seconded by:** Trustee Lowell **Motion passes unanimously**
- IV. Audience Business & Follow-up – Kay Sparks, HHSC update, met with new property / maintenance manager at LVT, over 20 years experience. Very positive, aware of need for competent staff. Communication and connection w/community. New, from out of state, aware of challenges. Good education possibilities. Maintenance man has posted his name / cell number on the door. Would like to connect with town staff / hold an open house at the library. Connect with garden club for raised beds. 4 open units. Connection made with BOCO housing authority. Gil Sparks, a tremendous thank you to the town for making LCF what it is. Mental Health fund contributions were very generous. Annual appeal preliminary numbers very successful. Introduced Kate Schnapfel stepping into my role 2/1. Grace Simonsen moving from board to part time paid PR administration role. Kate has lived here since 2019; communications / marketing background. On the board a few years, then communications person for a year, small break and now this role. Excited to do more to help the community. Grace, on the LCF for a year now, looking forward to working with everyone, a good experience. Gil, later discussion on mental health fund, a recommendation from LCF to consider. Cost savings for us, Boulder charges a percentage on assets managed, Longmont a flat fee, going from \$14k to \$6k in fees alone. **Board Response:** Trustee Hamrick thanked Kay for Summit update, sounds promising. Thanked Gil for all his work in so many capacities. TD thanked the Sparks as well; Happy for Kate and Grace, excited for opportunities ahead. Trustee Browning thanked Kay for staying on top of LVT; thankful for LCF. Trustee Williams hopes everyone knows how much we all care about housing. Mayor Rogin, Gil, glad you are staying on in a supportive role. **Staff Response:** VS met with Kay earlier, up to speed.
- V. Request from Adventure Fit Regarding Old Man Winter Rally – Josh Kravitz, OMW. Josh, producing events in Lyons for 15 years. OMW in 12th year, a go to start of the season for

runners / riders. Started Summer Vibes, incorporating Lyons Outdoor Games into that one. A lot of other communities as well; some of them help sponsor. Requesting a waiver of fees for using the park in exchange for a sponsorship. Not a huge ask; waiving rental fees for OMW and Summer Vibes. Trustee Daty thanked him for all the exposure brought to Lyons. 2K spectators and 800 applicants; what fees exactly? Josh, last years invoice came out to \$2,150 +/- . Are you wanting all the fees waived? Josh, if possible. Other places provide the parks facilities and money as well. TD any estimates to impact on town sales tax? Josh, no official numbers, but estimate significant money spent in town. We try to find ways to make it as beneficial as possible. MPT is this a non profit? Josh, we are not, a for profit company. MPT why would you be asking? Josh, trying to promote the town as well. Trustee Lowell, are there vendors there selling goods subject to sales tax? Josh confirmed. GL, tough to track, is that your preview? Josh, typically 30-40 vendors, some not selling goods, offering bike tune-ups or selling windows. MB don't all special events promote the town, if we waive for you what about everyone else? Josh, the exposure, options to take to other cities, we prefer to showcase Lyons. Trustee Williams, I could see some hesitation about waiving fees, and see some discussion on purchasing a sponsorship? Josh we would work with Kim to find a beneficial partnership. LW also a firefighter and we send some guys there are you planning on hiring? Josh we always bring a crew. LW good for you to link to fire. DH are any of these soft costs? Kim, we go off the fee schedule. We do a kind of barricades, cones, closing the roads, staff time and that's part of the fee. TD worked with other organizations, what kind of outreach do you do? Josh, we end event early enough so that people can get dinner in town. GL what are advantages of being a sponsor? Josh, opportunity to showcase. GL trying to figure out the return. Josh, best opportunity is to follow up after the event. Hollie, typically Chamber of Commerce would be a sponsor. **Board response:** MPT setting a very bad precedent in waiving fees for Non-profits. MB agrees, we sponsored Outdoor Games for years and lost money. Staff time is our number one cost, we have to be careful and concerned about precedent. Yes, we want to showcase our events, but not a taxpayer cost. LW tend to agree to be disciplined using staff time; would look favorably on a sponsorship proposal. Opportunity for us to harvest contact information and that also takes time. Benefits don't come automatically, it takes staff time. DH in favor of sponsorship; constantly strive to bring more business to town. Maybe involve EVC. TD would consider a sponsorship of permit fee, have reservations of setting precedent for a for profit. GL we treasure this, but not in favor of waiving any fees but may consider a sponsorship of some sort. HR agrees, but we are a lot smaller than our neighbors and a smaller budget. We do allocate marketing dollars and could review that. would be concerned that if we waived your fees we would be setting a precedent for other events.

VI. Staff Reports

1. Boulder County Sheriff's Office Report – Sgt Crist stated that they are geared up for OMW; covered staffing and new / returning deputies. Meeting up with SAC to discuss projects. Sharon and I have been doubled up today and tomorrow. Will assist Sharon with annual report. Transition will go smoothly, shifts will be the same so I will be available.
2. Town Administrator's Report – updated on Ewald project complete, did not receive electric undergrounding grant. WWTF design at 30%; centrifuge went down last week; around \$10K a week to haul. Installed a new sensor, now it is shaking so bad they are coming back tomorrow to address. Will be receiving 250 hours of technical support for green stormwater infrastructure. Hoping to reach an agreement with CDOT on the Black Bear Hole drainage. ADA CDOT project was quite impactful, starting on HWY 7 then done. CO Tourism grant opportunity, a 4/1 match. Last one was for wayfinding. Big wind event had lots of limbs/twigs. The BOCO dropoff this Saturday was very successful. I think the public is getting into the habit. Last limb pickup was half the amount, I think people are really taking advantage of the county program, which is taxpayer funded. LCD want to present update on 1/20. No reason for Kim / Kristen to coordinate quarterly art shows, willing to do it if we give them the budget, \$2k annually. If ok, we would transfer \$1500 since January is set. Town Clerk did ship 5 pallets of records to be scanned digitized. Trustee Lowell asked about centrifuge; will we pay now and then change in 2 years. Can we jump to fan

option? AC don't think we can get one quickly installed. Have asked if Consor could get a demo going as a temporary set up. GL for Lisa, we received \$900K where is it? LR in our bank account; we have not transferred any funds. Will talk with Boulder Mod / BCHA and the board with any updates. TD WWTF when do we think we will be at 100% design? AC at 30% in February then we go back to decide if we want fan or screw press. Contract was to have them finish by year end. Goal now is to get sensor working or will have to look at other options. Originally going with a press. Trustee Browning, cutting water line at AV WTP, will he be tapping into town. AC he has a tap but has a 12" water line, have discussed cutting the line across AV road, work in BOCO right away or work on his property with his approval. We could have him pay for the parts and install that for him. MB, why are we putting a hydrant there if it's not in town limits. AC we have several on AV road; effective protection for the town to have as much firefighting capabilities as possible. LW hydrants also used for filling trucks in vicinity. Limb drop off, we had 123 bringing over 153 loads. These were the highest numbers yet. If were to pivot to Boulder Mod, what is lag time? LR they have some openings, have a gap in production.

3. Town Clerk's Report – Town Clerk shared the why should I run packet, important election dates and board would like to see an open house for the public. Eblast going out tomorrow.
4. Legal Update – update on CO supreme court decision on municipal offenses / penalties. Contrary to precedent, local penalties cannot be any more / less stringent. Was effective immediately. Communicating with CML/Judge. Judge Brown has issued a standing order and we will be reviewing code for revisions. Discussion on LMC specific fines. Standing order protects us for now, easiest fix is to amend the code. DH should we pull out anything that overlaps state code? BD this is more criminal not general code revisions. Legislative session has already kicked off.

VII. Ordinances and Public Hearings

1. 1st Reading – Ordinance 1203- an Ordinance of the Town of Lyons, Colorado, Approving the Rezoning of 4651 & 4652 Ute Hwy from Commercial Eastern Corridor (CEC) to PUD CEC – Planner Ritchie application is to rezone the property containing 3 lots. Trustee Lowell asked about CPW comments: what is the obligation of developers to adhere to CPW recommendations. Attorney Dittman: depends on if it's a binding state requirement. CPW recommends no ground disturbance within 500' of the river which would essentially take away all that south side. Planner Ritchie - no formal plan for what they want to do on the south side. In the town's perview to factor CPW's recommendations, any future development would have to go through permitting process. Trustee Lowell – I request that we see any applicable permits when working on the river. Trustee Browning - two areas didn't see any time limitations, just granting a PUD as use by right but no deadlines to file development plans. Staff: this just rezones the property. Attorney Dittman: typically not tied to zoning, perhaps a reverter clause. Trustee Browning - unique history, had an agreement in place where they had a deadline to submit development agreement or receive \$100K fine; a later board waived that requirement. That was done so this property wouldn't sit here vacant for many years and that is exactly what has happened. How typical is it for PUD applications to have no limitations. They want carte blanche here. Planner Ritchie, fair question, PUD's can serve different tools for communities. They basically serve as the zoning. This would propose to change the zoning only. Applicant did not propose a development, future development would have to go through the process. Not sure which proposal they are ready to commit to. Still exploring feasibility of getting utilities to the property; waiting on TEBO for access issues; a good conversation with applicant to have on dialing in. Mayor Rogin, if they don't know what they want to do why do they want to change the zoning now? Administrator Simonsen, it is zoned AG and they can't do anything with the property. The PUD would open up possibilities with developers. Trustee Hamrick: would it make more sense to amend CEC zoning uses? Staff: you could amend that. Discussion on when TEBO may start developing. There are a lot of parties that need to get on the same page so it is a work in progress. Trustee Williams: opening up all of these uses would allow broader marketing, does this mean current owner could

seek partnerships or allow for marketing of sales of the properties. Staff stated it could be either / or. **Motion:** move to approve **Moved by:** MPT Williams **Seconded by:** Trustee Williams Discussion: MPT they may consider selling and this would make it easier for them. Trustee Browning, I have concerns, has been frustrating. Eastern Corridor a puzzle we haven't solved. Could we approve with a deadline / incentives? Mayor Rogin shares the concerns and wants to hear from the applicant. **Motion passes unanimously**

2. 1st Reading – Ordinance 1211 – an Ordinance of the Town of Lyons, Colorado Approving a Ballot Question Regarding the Increase of the Use Tax by 1.0% to be Approved by Voters at the April 7, 2026, Election – Director Eyestone: at Oct budget workshops this was discussed; not typically seen to have different use / sales tax. This would align the two. Attorney Dittman, this is a TABOR question, specific structure. Can put out information but not in ballot question itself. Pro Con statement required for TABOR. **Motion:** move to approve **Moved by:** MPT Williams **Seconded by:** Trustee Daty Discussion: Trustee Browning is not in favor of pursuing. Important to see who this tax hits, it hits locals. Makes new developments more expensive. Tax increase history for Lyons noted. Will vote no on 2nd reading. MPT Williams believes we will be facing high infrastructure costs, can't rely on Feds and the State is struggling. Good governance with recognizing every opportunity for revenue. This is not an onerous tax that would create a great difficulty and would put us in line with most municipalities. Would be appropriate for these two taxes to match. Biggest concern is for those who previously initiated business projects. Want to see it go to 2nd reading but see it start later. Trustee Lowell - biggest problem is the long awaited hotel; they have waited for interest rates / commodity prices to come down and now we want to raise the rate. 80% of tax on automobiles, not untoward to think of how it affects residents. Not in favor of. Trustee Williams - no view on if we should pass, worth further consideration. People who buy used cars rarely want to be the first people we want to raise taxes, but we have a budget to balance, so if not here, it will come from somewhere. That extra 1% not that difficult to adjust for. Not sympathetic to try to steer as many fees / taxes to visitors and spare locals. Often painful to recognize that those who live here have a responsibility as well. Trustee Daty agrees; hears both sides. Merits more discussion and ultimately voters should decide. I would like to correct the error I made on the last board of not matching it to the sales tax. Dave Hamrick also will vote to move to 2nd reading and voters should decide. Mayor Rogin I will vote for 2nd reading I want to hear from the public and staff can meet with hotel to see if a later start date would be beneficial. A motivating factor to get shovels in the town. The beauty of TABOR is that voters do get to decide. We are fiduciaries of the town and we do want for people to afford to live here. **Motion passes 5-2 Trustees Lowell / Browning NO. 10 minute break at 8:55 pm. Meeting**

VIII. Consent Agenda

1. Resolution 2026-01 – a Resolution of the Town of Lyons, Colorado, Designating the Official Public Notice Location and the Official Newspapers of General Circulation for the Town of Lyons
2. Resolution 2026-02 - A Resolution of the Town of Lyons, Colorado, Determining That the Regular Municipal Election be Held on April 7, 2026, and Shall be a Mail Ballot Election
3. Resolution 2026-03 - A Resolution of the Town of Lyons, Colorado Approving a Fourth Amendment to a Development Plan Agreement Between Colorado Lookout Lyons LLC, and the Town of Lyons
4. December 15, 2025, Regular BOT Meeting Minutes
5. January Accounts Payable

Trustee Williams recused himself from consent and any items removed. Trustee Williams left the meeting at 9:08 pm Motion: move to approve Moved by: MPT Williams Seconded by: Trustee Lowell Motion passes unanimously. Trustee Williams rejoined the meeting at 9:09 pm

IX. Items Removed from Consent Agenda

X. Boards & Commissions

1. LAHC - Municipal Flag Presentation – Director Mitchell - back in August municipal flag call to artists. Received 10 applications; LAHC narrowed it down to 4. Felt like none met the mark of what the board was looking for. Met again in December and narrowed it down to three artists but still don't feel like there is a particular flag. Asking if board would opt to choose an artist. All local artists; maybe need more direction on what we are looking for. Hope tonight is to choose an artist and give direction for staff to work with them to refine. Mayor Rogin – a great approach; strong opinion, I think artist A is way to go. Love color pattern; have any designs further simplified if possible. MPT Williams shares that opinion, as does Trustee Browning, Fine with staff working with them. No increase in budget / staff time. Trustee Williams: I agree, logically / legally can pivot from call for design to call for artists. Trustee Lowell supports A. Trustee Daty preference for artist A, as does Trustee Hamrick.
2. Appointment of Adam Walker to the Student Advisory Commission

XI. General Business

1. Discussion / Direction on Workshop: Downtown Demolition Moratorium – Discussion: do we want to pursue any options at all? MPT Williams, I have a lot of concerns. The fact that someone can just tear anything down worries me. Maybe 30 days to explore options, don't want to hold folks up. Trustee Lowell supports 30 days in concert of a catalog of what building we are talking about. Trustee Williams - struggling with what do we do in that 30 days. Would like to have a pause, comfort that a building that we care about is getting torn down. Would like to have a development agreement in place but that is a big ask. Mayor Rogin agrees, education on what is possible. Trustee Browning - this is a solution in search of a problem. Projects that have gone forward have done what most developers do. Not something that needs to be done. Creating a lot of staff time. We will be sending status quo message. Trustee Daty - I tend to really look towards commissions for recommendations; they have valid concerns. No clear middle ground. Trustee Hamrick would like a blend of options 2 & 3. 60 days especially if doing due diligence. Will it change things, it will at least force a conversation. Mayor Rogin agrees, 45 days seems like a good amount of time. Requiring development agreement before would really harm those trying to sell. Glass and steel structures, if I remember correctly, when a potential buyer came with that proposal they pulled the listing. A hybrid approach is best. Board consensus is 45 days. Planner Ritchie - during this 45 day period, should this stay at staff level / education? Or elevate publicly. Proposed workflow / policy from staff. Area discussed: Main street is priority, concern for Shopette, High Street? Use map provided by staff. Definition of demo: what are other municipalities doing? Age: use national standards of 50 years. Fine tune incentives and bring back.
2. Discussion / Direction on Workshop: Use Tax (if needed) – nothing to discuss
3. Discussion / Direction on the Mental Health and Wellness Fund - Community Foundation Boulder County – LCF asking to consider terminating Boulder Community Foundation (BCF) relationship and draft contract with Longmont Community Foundation. BCF ok with LCF still being advisory board but will still be charged the fee. They are ok with any of the options, including terminating. Would then bring back new contract. Staff supports if it saves them \$6-\$8K and we want our local foundation as the advisory board. Board direction is to draft termination and in no way a reflection of our relationship with BCF.
4. Agenda Request: Limb Pick Up – Trustee Browning - several citizens had expressed interest after big storm, what amount was left over. Administrator Simonsen - we rolled it to fire mitigation; around \$3K. We have a lot of need on public land and need to figure out how to utilize the buddy system. Trustee Williams - we need solid drop off / pick up. County trying to have several of these events that are not town specific. Should have bids available in the next couple of days.

XII. Trustee Reports

1. Trustee Hamrick – SFC meets Wednesday

2. Trustee Daty – SAC meets Jan 15th, Ord 1205 regarding unreasonable noise; want to reiterate I stand by faulty mechanical noise. I should have voted differently.
3. Trustee Lowell – Ecology / PRC have not met. David Neal to speak at library soon.
4. MPT – HPC meets the 21st.
5. MB – UEB/ EVC have not met
6. LW – PCDC discussed dual parcels in eastern corridor.
7. Hollie – HHSC have not met. I get a lot of holiday cards from different municipalities; just got one from the governor. Read a poem by Andrea Gibson.

XIII. Summary of Action Items

1. Board would consider a sponsorship for OMW
2. Schedule running for office open house
3. TEBO update at next meeting
4. Ord 1203 passed to 2nd reading
5. Ord 1211 passed to 2nd reading
6. Municipal Flag - Board opted for Artist A / Staff to work with them
7. Demo Moratorium – direction on proposed workflow / policy. 45 day period. Area: defined in map. Age: use national standards Fine tune incentives and bring back
8. Draft termination letter to Boulder Community Foundation and bring contract forward for Longmont Community Foundation
9. Research conditional zoning on PUD / CPW comments

XIV. Adjournment – **Motion:** move to approve **Moved by:** MPT Williams **Seconded by:** Trustee Daty **Motion passes unanimously Meeting adjourned at 9:55 pm.**

Respectfully Submitted By:

Dolores M. Vasquez, CMC – Town Clerk

Mayor Hollie Rogin