

1 TOWN OF LYONS BOARD OF TRUSTEES MEETING  
2 VIRTUAL MEETING  
3 LYONS TOWN HALL, 432 5<sup>TH</sup> AVENUE, LYONS, COLORADO

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15 **DRAFT AGENDA**

16 **THURSDAY, JANUARY 13, 2022**

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19 **4:00 PM BOARD OF TRUSTEES SPECIAL MEETING**

- 20 I. Roll Call and Pledge of Allegiance – **Present:** Mayor Angelo, Mayor Pro Tem Browning, Trustee  
21 Rogin, Trustee Miller, Trustee Lowell, Trustee Karavas **Absent:** Trustee Waugh  
22
- 23 II. A Reflective Moment of Silence – COVID victims, fire & tornado victims in mind  
24
- 25 III. Approve Agenda-**Motion:** move to approve **Moved by:** Trustee Lowell **Seconded by:** Trustee  
26 Karavas **Motion:** strike item 2 under General Business regarding term limits **Moved by:** MPT  
27 Browning **Seconded by:** Trustee Rogin. MPT Browning, this item was rushed, already voted on by  
28 residents. Trustee Lowell, we have not discussed this as a board, why is it on here now? Mayor  
29 Angelo, capability to pass ballot measures by resolution, historically done by ordinance, not enough  
30 time to consider. In 2018 should have been one question, board decision to revert back to trustees  
31 being able to serve 4 terms. MPT Browning – in December determined ballot questions could pass  
32 via resolution, should have been on the last two meetings. Trustee Miller agrees with Mayor; I would  
33 be willing to move forward with it. Trustee Rogin, I agree, but the voters have voted on that. I see  
34 no reason to put it on the ballot again. **Motion fails Tie 3-3 NO: Mayor Angelo, Trustee Miller,**  
35 **Trustee Lowell Motion:** approve agenda as amended **Moved by:** Trustee Rogin **Seconded by:**  
36 MPT Browning **Motion passes 6-0**  
37
- 38 IV. General Business
- 39 1. **Discussion/Direction on process for Planet Bluegrass Conditional Use Review Submittal**  
40 **Packet and other related agreements** – Trustee Miller stated she has worked for Planet Bluegrass  
41 in the past but can be partial and unbiased. **Motion:** moved that Trustee Miller not participate.  
42 **Moved by:** MPT Browning **Seconded by:** Trustee Karavas Mayor Angelo when a trustee states  
43 they can be impartial the board should respect that. **Motion fails 3-3 Tie NO:** Mayor Angelo, Trustee  
44 Rogin, Trustee Miller Attorney Dittman provided disclaimer that there would be no decisions made  
45 tonight, only to cover the process. Planner Strom provided background on all the documents,  
46 scheduled meetings. Attorney Dittman looked extensively at Ranch key notes on how they are to be  
47 amended. Trustee Rogin – timing question, conditional use review can that take place concurrently  
48 with Ordinance? Attorney Dittman, we would need all documents on same night, would require  
49 another special meeting, to simply set public hearing on annexation meeting. Trustee Rogin - I  
50 served on subcommittee, I know how complex these documents are, why are we moving so quickly  
51 and not taking more time. Attorney Dittman, this is at the request of Planet Bluegrass; we missed  
52 the ordinance requirement. Administrator Simonsen, historically Planet Bluegrass puts ticket sales  
53 out in December, and they are holding off until this decision. We made it very clear we would not  
54 rush to allow for proper review and public input. We didn't receive the redline version till just before  
55 the holidays. MPT Browning - my experience is a special meeting is when we need to make a quick,  
56 important decision. Now we are having special meetings for no reason at all. We all have discussed  
57 Planet Bluegrass, there are no surprises. Trustee Karavas asked what needs to be on the Feb 7<sup>th</sup>  
58 meeting? Attorney Dittman stated the PCDC has them scheduled. Trustee Karavas - does UEB  
59 have time to review? Planner Strom all referrals were sent out and we have received comments.

60 Attorney Dittman - they had submitted the packet, staff deemed it was not sufficient. The updated  
61 packet received just before the holidays and staff did not have sufficient time to review. **Trustee**  
62 **Lowell was having connection issues and had to leave the meeting.**

- 63 2. Discussion/Direction on potential ballot question on BOT Term Limits – Mayor Angelo, previous  
64 board passed this, they spent over an hour discussing, died because they could not come up with  
65 anything. Future ballot measure separated term potentials for mayor/trustees. I would just like to see  
66 it revert back. It's a long time to serve for some people. My intent is to equalize. Trustee Rogin, I  
67 see your point, see point for staggered term limits. The point is the voters have decided this issue, I  
68 don't believe we need to put it on the ballot again. Trustee Karavas, we did discuss in great detail  
69 staggering terms, reason is no one signing up to run, flood recovery needed to keep people who  
70 knew the history. I think we leave it the way it is. MPT Browning, I agree, this is a solution in search  
71 of a problem. The voters have spoken. We must respect the will of the voters. Mayor Angelo, it isn't  
72 a matter of the mayor serving four terms, it is a matter of equality. Board consensus is to not pursue  
73 ballot question at this time.
- 74 3. Discussion/Direction on potential ballot question on Increase in Lodging Tax – Mayor Angelo, prime  
75 time to consider raising the lodging tax. \$2 is extremely low; \$5 would be acceptable. Trustee  
76 Miller, when this came forward, I thought \$2 was very low, I don't think camping should be included;  
77 we should be charging \$10-\$12 dollars. \$2 is ridiculously low. MPT Browning – Tabor requires a  
78 dollar amount and needs to be estimated high; if estimated low you have to refund. We need to have  
79 a good idea of revenue raised. Now in January of 2022 very hard to do that; we have a hotel  
80 application coming up. We don't even know the number of rooms. Planet Bluegrass has a pending  
81 application so we don't know if that will change revenues. If a decision is made to put to a vote can  
82 go on November ballot. Also agree with Trustee Miller, camping should be taken out. One option is  
83 to set different tax rates for hotel rooms/camp sites. Another plan, work with Planet Bluegrass on  
84 agreement for them to pay a contractual service impact fee. Could be set initially, and have built in  
85 inflation index., when Planet Bluegrass raises its ticket prices, the fee goes up. Lodging tax should  
86 be increased, but a lot of work to get done. Don't proceed now, merits study for the future. Trustee  
87 Karavas, I agree with Trustee Miller, wanted a higher fee, and remove the campsites. We have had  
88 a lot of hassles with it; if we raise it, we don't even know what we're raising it too. Hard to do our due  
89 diligence. If we can help Planet Bluegrass a little bit, insulate them from constant board changes.  
90 Let's give the new hotel time to even figure out their numbers. Trustee Miller, November ballot, we  
91 can't bind a future board, can we get a portion of it on the ballot, to remove camping? Attorney  
92 Dittman, the board could remove camping anytime without an election. Only a tax increase requires  
93 an election. Mayor Angelo, MPT Browning laid out a great strategy, maybe be ready for November  
94 ballot. Point is that we have got to change that \$2 tax, it is not in the town's best interest. MPT  
95 Browning, for the record, why the low \$2 was set, minutes reflect that \$3 was proposed as an  
96 average; at the meeting determined that \$3 was a lot for a campsite, so cut to \$2. Level of potential  
97 tax for a hotel got dragged down to camping. It's time to focus on decoupling the camping/hotel tax.  
98 Trustee Rogin agrees 100%. Trustee Karavas would like to see this board start the process.  
99 Nominate MPT Browning, Trustee Rogin and Administrator Simonsen since they worked with PB  
100 before. Trustee Miller concurs.

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102 V. Summary of Action Items

- 103 1. Start discussions on removing camping tax  
104 2. Schedule planet bluegrass meetings

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106 VI. Adjournment – **Motion:** move to adjourn **Moved by:** Trustee Karavas **Seconded by:** Trustee Miller  
107 **meeting adjourned at 5:32 pm**

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109 Respectfully Submitted by:

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Dolores M. Vasquez, CMC – Town Clerk

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Mayor Nicholas Angelo