



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

4 ZOOM LINK:

5 <https://us02web.zoom.us/j/85705979354?pwd=bDFja2ppUWpWSDFRWVNHckNwc0Nodz09>

6 Meeting ID: 857 0597 9354

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9 +1 301 715 8592 US

10 Meeting ID: 857 0597 9354

11 DRAFT AGENDA

12 **MONDAY, SEPTEMBER 20, 2021**

13 6:00 pm – 6:50 pm

14 LYONS CREATIVE DISTRICT - LAHC

15 7:00 PM BOARD OF TRUSTEES REGULAR MEETING

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- 22 I. Roll Call and Pledge of Allegiance – **Present:** Mayor Angelo, Mayor Pro Tem Browning,
23 Trustee Waugh, Trustee Miller, Trustee Rogin, Trustee Lowell, Trustee Karavas
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- 25 II. A Reflective Moment of Silence – In honor of families/victims of COVID
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- 27 III. Approve Agenda – **Motion:** move to approve **Moved by:** Trustee Miller **Seconded by:**
28 Trustee Karavas **Motion passes 7-0**
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- 30 IV. Audience Business - none
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- 32 V. Boulder County Sheriff's Office Report – Sgt Crist reported the speed trailer needs repairs,
33 with school in session, lots of hot spots. Two concerts just held by Planet Bluegrass had
34 zero complaints, they run a good show. This was a little different; big influx and then
35 everyone wanted to leave at the same time. Zach Tucker was very responsive, and they
36 are good to work with. Would like to ask to budget money for cameras at the 36/66
37 Junction; very inexpensive and work well. Everything else is going smooth.
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- 39 VI. Trustee Reports
40 1. Trustee Rogin – HPC walking tour to be finalized in time of spooktacular; porch
41 talk against racism; EVC met, funding for revitalizing Main St and one seat open.
42 CTO restart program. Surveys going out end of the month. Poll the board if
43 support for moving forward with Creative District we just heard about. MPT
44 Browning, if other funding sources ok, not in favor of raising taxes/sales tax. Focus
45 broadly on the arts; not just painting. Trustee Lowell loves concept, supports it.
46 How do we intend to fund it? Trustee Waugh - have more questions and want to
47 follow the normal process. Highly unusual to poll the board in trustee reports.



Trustee Miller – I am for it, if we can make it work, input from community. Trustee Karavas, like concept, but moving forward this fast is not my wish.

2. MPT Browning – PRC met on 9/13; recognize Veronika Gaia for 12 years of service. Discussed need for 4 way stop at Bohn/recycle center, approved written statement. Discussed priorities for upcoming budget.
3. Trustee Lowell – Ecology board meets next Wednesday; next Cemex meeting 10/5.
4. Trustee Karavas – UEB met last Wednesday; solar farm/battery storage discussion. Preparing for comp plan
5. Trustee Miller – HHS struggling to have a quorum, new member Julie Jacobs brought up to speed.
6. Trustee Waugh – PCDC met last Monday; quite a few projects underway, comp plan ready to be kicked off.
7. Mayor Angelo – LAHC award grant from History CO for Trail Marker; allocated \$5K from public funds for that project. SFC has resolution coming forward on climate change. SAC meeting Wednesday.

VII. Boards & Commissions

Mayor Appointment - Arjen Wynja to SAC and Hollie Rogin as liaison to

VIII. Staff Reports

1. Utilities Update – last of the electric meters are shipped; Water - plans in place to connect to 1st Ave to high pressure; get maintenance done at Pump Station. WW - Welch Ct ready to go out to bid; ready to go mid Oct. Break in High pressure line by Stone Canyon. Unexpected \$8K cost. Building permit in for Seward Alley WW line. CDPHE has not yet granted extension on rerating; are looking at giving us 18 months instead of 12, gives us until 1/23 to get that going. Waiting for Summit funds to be in place. HWY 7 is closed until Memorial Day. CDOT does not plan to put crosswalk/signs at Meily, want to see what can be done. Longs Peak staging area is bigger than we thought, these areas can be restored. Can we find any type of solution to install a new sidewalk? Bid came it at \$190K and we don't have the money. Maybe a sidewalk on one side only? Is 2 ½ feet wide, very slim. Do a four-foot sidewalk on one side? In town's best interest to replace. Dead end at top of Longs Peak; would be beneficial to have turn around for fire. Looking at cheapest option. Would an island design be acceptable? MPT Browning asked if this is another poll the board thing, sidewalk is significant expense; many streets in Lyons with no sidewalks and some with only one. Prefer sidewalk on one side and wide turnaround. Trustee Lowell - talking about 25/27 residences in that area, not a very walkable area. In favor of keeping existing/or one sidewalk. Keeping the turnaround. Trustee Karavas - sidewalk on one side. Wide turnaround would be fine. We could find the funding if we put our minds to it. Trustee Waugh - I will vote for least expensive turnaround and am in favor of a nice sidewalk. Trustee Rogin - agree with Trustee Waugh, watching the kids walk to school with no sidewalks, it rubs me wrong that we are replacing a sidewalk up there and not by the school. Trustee Miller concurs with Rogin/Karavas, a safe route on North side is needed. Could we tap Cemex for some dollars? Mayor Angelo, in original bid, no sidewalk? Director Caplan, yes, was a bid-alt was submitted and board did not approve. Discussion on damage to sidewalks, installation of utilities. Mayor Angelo, I will have to go walk it, one sidewalk is plenty. In favor of a cul-de-sac that enables a better fire fighting capability.
2. Finance Update – Finance Director Eyestone – happy to be here; numbers are thru end of May 2021. Debt service payments in two funds. MPT Browning asked for budget session will be getting same type of historic data; 2020 was not



comparable. WW rate increase a couple of years ago; important to see how those rate increases have affected the WW fund; are we catching up?

3. Administrator's Report – Cassey has been here 4 weeks and is doing a great job. Hope to have current numbers at budget meeting. No big covid update; Keith Bell parcels, will be full agenda item at 10/4 meeting. Assessor shows they were dedicated to the town, the recorder does not have documents. New logo for comp plan "Lyons Thrive". Bang the Table hosting surveys. Summit housing, final approval and submitting water/sewer fees in October. Town has improved upgraded drainage and final civil drawings. They will be adding the garages back to the SFR. BOCO IGA expires in 4/2022 and want to start discussions. Who does BOT want to be representative? Also, BOCO conservation easements for Lot E & F, Liz Northrop will visit 9/15 – 10/15; then discussions will commence. Eagle Canyon neighborhood was very concerned about placement of 5G tower, new meeting tomorrow, potential for it to go in across the highway. Attorney Dittman/Director Caplan to attend. On 8/23 meeting, Keith Chatfield spoke during audience business. No comments/follow up and they have asked to meet with me. I informed them I have not had direction from the BOT, I would like guidance. Trustee Lowell, what is Chatfield basing his ask on? Administrator Simonsen, they acquired many ditch rights during purchase, could we exchange? And they think those lots were platted early 70's. Trustee Rogin, appreciate all the detail. Can Mr. Wickum make an agenda item request? MPT Browning, not here next meeting; there is an SIA recorded before he bought these lots that makes it absolutely clear and contract agreement with Longmont that requires CBT shares. He knew what was required when he bought these lots. There is nothing to discuss here. His comments at the last meeting were aggravating. I resent the amount of staff time being spent, he should know better. After staff told him the requirements, he took it upon himself to go to the City of Longmont to ask for an exemption. Mayor Angelo, MPT Browning reiterated exactly how I felt about it. Trustee Waugh, I agree nothing we can do with this landowner. Trustee Miller stated this item isn't even on the agenda and would like to move on. Trustee Karavas, 5G should help with camera situations. Any tickets issued for recycling center? Administrator Simonsen stated 8 new cameras purchased and scheduled to be installed.
4. Legal Update – Close to a settlement agreement on Callahan matter; on next agenda. Crown Castle meeting tomorrow.

IX. Public Hearings and Ordinances

1. Ordinance 1108 - An Ordinance of the Town of Lyons, Colorado Approving an Application for the Rezoning of Lots 1, 2, And 3 Of Block 32, Commonly Known as 431 4th Avenue, Within the Town of Lyons, From The (C) Commercial Zone District to The General Industrial Zoning District ("GI") – Planner Strom, asking for two items from the board to finalize; conditions and criteria to support rezoning. Trustee Rogin asked if applicant has agreed to materials to be used for fencing? PS, yes agreed to same type of fence at Library, did not like the cost, but using screening guidelines in code. **Motion:** move to approve with conditions **Moved by:** Trustee Miller **Seconded by:** Trustee Lowell **NO:** MPT Browning **Motion passes 6-1**

X. Consent Agenda

1. Resolution 2021-95 - a Resolution of the Town of Lyons, Colorado Ratifying the Decision of the Board of Trustees to Allocate American Rescue Plan Act funds for Certain Town Projects
2. Resolution 2021-96 – a Resolution of the Town of Lyons, Colorado Ratifying the Intergovernmental Agreement (IGA) with the Colorado Department of Transportation (CDOT) for the St. Vrain Regional Trail Extension



- 154 3. Resolution 2021-97 – a Resolution of the Town of Lyons, Colorado Approving the
155 Third Amendment to the Amendable Letter of Understanding (PBG Farm Property)
156 4. Resolution 2021-98 – a Resolution of the Town of Lyons, Colorado Approving a
157 First Amendment to the Utility Easement Agreement with the Owners of 4170 Ute
158 Highway
159 5. Resolution 2021-99 – A Resolution of the Town of Lyons, Colorado Approving a
160 Contract with Twin City Security, Inc for Lyons Parks
161 6. Resolution 2021-101 – a Resolution of the Town of Lyons, Colorado accepting a
162 Grant from the State Historical Fund to Replace the Ute Trail Marker
163 7. Resolution 2021-102 – a Resolution of the Town of Lyons, Colorado Approving the
164 First Amendment to the Amendable Letter of Understanding (PBG Ranch
165 Property)
166 8. September Accounts Payable
167 9. September 7, 2021, BOT Meeting Minutes
168 **Motion:** move to approve **Moved by:** Trustee Karavas **Seconded by:** Trustee
169 Lowell MPT Browning removed Items 1& 3 **Motion carries 7-0**
170 10-minute break at 8:49 pm. Meeting resumed at 9:00 pm
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172 XI. Items Removed from Consent Agenda –
173 MPT Browning - Item 1 would expend funds in my neighborhood and wish to
174 abstain MK/GL **Motion:** move to approve Reso 2021-95 **Moved by:** Trustee
175 Karavas **Seconded by:** Trustee Lowell **Motion passes 6-1 MPT Browning**
176 **Abstained**
177 MPT Browning - Item 2 – one minor addition needs to be made to contractual
178 agreement; **Motion:** paragraph 6, page 3, 3rd sentence "add – and Mid-Tier
179 Events", under settlement agreement they are to report twice a year. **Moved by:**
180 MPT Browning **Seconded by:** Trustee Karavas Attorney Dittman, an erroneous
181 transcript on my part, fully support motion. **Motion passes 7-0**
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183 XII. General Business
184 1. Resolution 2021-100 – A Resolution of the Town of Lyons, Colorado Board of
185 Trustees Requesting and Recommending that Boulder County Collaborate with
186 the Town of Lyons to Review Connecting Trail Between Lyons' Existing Parks
187 and Trails System and Hall Ranch Open Space Via the Hatrock/Corona Hill Area
188 – MPT Browning provided statement from PRC; maybe time to take another look
189 at it. Potential site visit from BOCO would be beneficial. Let's open up
190 discussions. Trustee Karavas, I don't see why the County wouldn't want to work
191 with us on this one; Ernst Strenge, BOCO Open Space, greater than 12% grade;
192 resources needed; potential site visit. Mayor Angelo, represented to us that the
193 County would consider and have a site visit if BOT passed a resolution? Not
194 construed as negative . Mr. Strenge, no, TOL is a great partner. Attorney Dittman
195 would like opportunity to continue to next agenda. Ratify at next meeting.
196 **Motion:** move to approve **Moved by:** MPT Browning **Seconded by:** Trustee
197 Karavas Attorney Dittman, no substitutive changes, just review. **Motion carries 7-0**
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199 XIII. Discussion on Future Agenda Items
200 1. MPT Browning - Board to authorize Mayor/Town Admin to communicate BOT's
201 concern of possible closing of crosswalk at Meily and potential improvements.
202 2. Trustee Rogin – broader discussion on dangerous crosswalks in town 3rd/Main &
203 3rd/Broadway and General Business item for creative district
204 Administrator Simonsen stated we are at 90% design and don't really have two
205 more weeks; nod given from board to advocate.
206 XIV. Summary of Action Items
207 1. Follow up on Creative Arts District



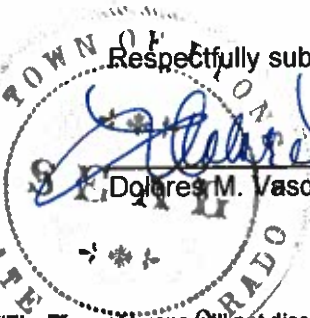
- 208 2. Follow up with BOCO on LVP lots
- 209 3. Potential Direction on water share dedication request from Keith Chatfield
- 210 4. Update Reso 2021-97 with edits.
- 211 5. Ratify Reso 2021-100 next BOT meeting
- 212 **Motion: move to enter into executive session Moved by: MPT Browning**
- 213 **Seconded by: Trustee Karavas Motion passes 7-0 Entered into executive**
- 214 **session at 9:27 pm.**

216 XV. Executive Session – This is an executive session being conducted pursuant to 24-6-
 217 402(4)(b) for receiving legal advice from attorneys representing the Town on specific
 218 legal questions, specifically regarding Bonita Yoder's C.R.C.P. 106(a)(4)401 complaint
 219 against the Town regarding alleged decisions made by the Board of Trustees regarding
 220 her property and obtaining advice as needed from legal counsel on related legal issues.

221 XVI. Adjournment - **Meeting adjourned at 9:49 pm.**

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Respectfully submitted by:



Dolores M. Vasquez, CMC – Town Clerk

Mayor Nicholas Angelo

"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 as soon as possible, but no later than 72 hours before the scheduled event."