

1 TOWN OF LYONS BOARD OF TRUSTEES MEETING
2 VIRTUAL MEETING
3 LYONS TOWN HALL, 432 5TH AVENUE, LYONS, COLORADO
4

5 ZOOM LINK:

6 <https://us02web.zoom.us/j/85266223454?pwd=dEtVNWczRkdEaFdDNmFVQXArR3hjdz09>
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8 Meeting ID: 852 6622 3454

9 Passcode: 147100

10 Dial by your location:

11 +1 301 715 8592

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16 DRAFT AGENDA

17 **MONDAY, JANUARY 3, 2022**
18

19 6:15 pm – 6:50 pm

20 *Sales Tax Collection from Wedding Vendors/Food Trucks*
21

22 7:00 PM BOARD OF TRUSTEES REGULAR MEETING

- 23 I. Roll Call and Pledge of Allegiance – Present: Mayor Angelo, MPT Browning, Trustee Waugh,
24 Trustee Miller, Trustee Karavas, Trustee Rogin, Trustee Lowell
25
- 26 II. A Reflective Moment of Silence – for neighbors in Louisville/Superior
27
- 28 III. Approve Agenda – **Motion:** move to approve **Moved by:** Trustee Karavas **Seconded by:** MPT
29 Browning **Motion passes 7-0**
30
- 31 IV. Audience Business - none
32
- 33 V. Boulder County Sheriff's Office Report – Administrator Simonsen reported that Sgt Crist would
34 not be in attendance; has been working very long shifts since last Monday due to fires.
35 Reminded everyone school is starting back up on Wednesday, please drive carefully. End of
36 year report coming soon and does have the two new day deputies, will introduce soon.
37
- 38 VI. Trustee Reports:
39 1. Mayor Angelo – rather cruel year; we will persevere.
40 2. Mayor Pro Tem Browning – PRC trying to organize a group walkalong for the sidewalk for 4th
41 Ave Ped bridge. When discussed in July, fire mitigation group introduced wildland urban
42 interface code, not sure where we are with that. We need to look at ways to build that in for
43 grant purposes. We have also undergrounded several electric lines over the years, can
44 UEB/utilities director work on priorities list for remaining above ground lines?
45 3. Trustee Waugh – PCDC has not met but will meet next Monday.
46 4. Trustee Lowell – second WUI code adoption; consider the Summit housing project for fire
47 mitigation. Annual year-end report coming soon, willing to help anyone who needs
48 assistance.
49 5. Trustee Rogin – thanked Sheriff Pelle and please check on your neighbors.
50 6. Trustee Karavas – UEB meets this Wednesday to discuss hotel. I would like to see what
51 utility shut down procedure is and how long it takes to do that by next meeting.
52 7. Trustee Miller – HSAC meets Tuesday discussing what to do in an emergency event.
53 Workshop with Fire, no real connection with new Chief, time to build that relationship.
54
- 55 VII. Boards & Commissions
56 1. Mayoral Appointment – Kay Sparks to HSAC

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58 VIII. Staff Reports

- 59 1. Flood Recovery Update – Waiting for CDOT to issue notice of award for 4th Ave Ped bridge project;
60 no mobilization, waiting on more documentation. LOMR project pending. Broadway design is
61 starting, survey work will start this week. Trail, two design proposals, scored and very close, hopeful
62 for contract next meeting. Black bear hole, several bids under review.
- 63 2. Administrator's Report – COVID variant is surging; with Town hall being closed all week, reinstated
64 masking in common areas. Eligible for vaccine clinic, already being offered by local non-profit, and
65 not being used to capacity. Trustee Miller, if it helps just a few it's worth it. Mayor Pro Tem
66 Browning, LEAF just did one, but if we can publicize it more that would help. Maybe beginning of
67 February. Library is hosting this Friday, January 7th, still have openings. Trustee Rogin agrees to get
68 as many people vaccinated. Also, town has ordered rapid tests for town employees/board.
69 Nomination Packets available tomorrow to run for Board of Trustees. Hotel development packet is
70 substantially complete, out for referrals. Demo of remainder of buildings to take place this week.
71 DOLA awarded us a 3rd round of COVID funding for card reader for bulk water @ \$42K. Mayor
72 Angelo asked LVP lift station, any alarms go off since last meeting? Administrator Simonsen to
73 follow up.
- 74 3. Legal Update – Attorney Dittman, Honeywell is same, arbitrators selected. Callahan fines have been
75 paid. Interviews conducted and listed several subcontractors, need to contact them for potential
76 action. Yoder – draft order due this week, 10 days to make decision. Will know by end of the month,
77 still a stop work on property, has not come in for building permit. Frysig, last payment due today and
78 close out case. Summit property SIA, section 9 requires bond/LOC +15% amounting to \$3 million
79 dollars. Will cost them \$50-70K, have requested alternative. Code allows for much broader
80 sureties. Summit Const Group is requesting a corporate guaranty. In order for construction to start,
81 we need some sort of guarantee in place. Does board have interest in amending development
82 agreement/special meeting? Mayor Angelo thinks it is important and we should bring it to the BOT.
83 MPT corporate guaranty is only as good as company doing the guarantying. I would need a very
84 detailed breakdown of assets, not sure of CORA rules. When budgeting for this, they must have
85 budgeted something for getting a bond/LOC, did they fail to include in their projections. Trustee
86 Karavas, depending on a meeting, how long would this delay the project? Attorney Dittman, not sure,
87 they would have to go to a bank to secure. Trustee Karavas, I'm inclined to say move forward and
88 hurry up. Trustee Miller, I think we need to have a special meeting to get into it.

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90 IX. Public Hearings and Ordinances

- 91
92 1. 1st Reading – Ordinance 1117 – an Ordinance of the Town of Lyons, Colorado Approving a Lease of
93 Town Property to Raul Vasquez – Administrator Simonsen gave staff report, renewal of 3 year lease
94 of 2 tracts of RR ROW; Mr. Vasquez has been paying \$3300 per parcel for over 20 years. Touched
95 base with him today on location of trail as there are several large trees that we would like to
96 preserve. He is fine with that, would like to extend for three more years. Staff recommends
97 approving the lease. Attorney Dittman, be as flexible as possible of course, we can put that
98 language in for 2nd reading. Trustee Miller, the lots got split, he will still be leasing those lots.
99 Trustee Waugh, when was the last time the rent was raised, and history of rent? Administrator
100 Simonsen, I believe 6 years ago. Trustee Waugh, can we do a marketplace assessment, since
101 things have changed in the last 6 years. **Motion:** move to approve **Moved by:** MPT Browning
102 **Seconded by:** Trustee Karavas Mayor Angelo, this arrangement is to the benefit of the town.
103 Trustee Waugh, I'm not trying to get every penny, but it seems very low to me. I want to support Mr.
104 Vasquez, but I want to be fair. Trustee Karavas, didn't we just try to raise the rent on Planet
105 Bluegrass, and it failed, be fair.

106
107 X. Consent Agenda

- 108
109 1. Resolution 2022-01 – a Resolution of the Town of Lyons, Colorado Designating the Official Public
110 Notice Location and the Official Newspaper of General Circulation for the Town of Lyons
- 111 2. Resolution 2022-02 – A Resolution of the Town of Lyons, Colorado Authorizing an
112 Intergovernmental Agreement for Alternative Transportation Services Between the Town of Lyons
113 and Boulder County
- 114 3. January Accounts Payable

115 4. December 20, 2021, BOT Meeting Minutes **Motion:** move to approve consent **Moved by:** Trustee
116 Karavas **Seconded by:** Trustee Lowell Trustee Rogin pulled minutes, I was absent. **Motion passes**
117 **7-0**
118

119 XI. Items Removed from Consent Agenda

120 1. Minutes – **Motion:** move to approve **Moved by:** Trustee Karavas **Seconded by:** Trustee Lowell
121 **Motion passes 5-0 (Trustee Rogin & Trustee Miller abstained as they were not at last meeting)**
122

123 XII. General Business

124 1. Discussion/Direction on Rental Licensing Program – Administrator Simonsen, Trustee Miller
125 requested this, developing rental licensing program for every rental, not just short-term, does BOT
126 want to pursue? Only 4 municipalities we are aware of; Longmont considered and tabled. Trustee
127 Miller, this is for the safety of residents. Many rentals in town are not code compliant, only one exit,
128 smaller windows, some painted shut. I have seen people live in a walk-in closet and pay exorbitant
129 amounts. Fair housing act, while important, not easily accessible and many tenants don't have the
130 education, means and can't navigate that stuff. We have slum lords in this town, I have rented from
131 them. We need basic safety measures, especially since they are paying so much in rent. Doesn't
132 need to be extravagant, but a basic form, a walk through with code compliance. Boulder's is way too
133 much; but we need to start somewhere. Trustee Waugh, I own multiple rental properties in the town,
134 so I am not going to participate. Trustee Rogin, long overdue, not too onerous on property owners,
135 but we need to ensure the safety of our residents. Mayor Pro Tem Browning, we have a code now,
136 and hopefully new code enforcement officer, reason there are only 4 of these programs in place,
137 they are all very expensive to run. Beyond the capability of the Town, not to say we shouldn't, but we
138 could have unintended consequences, decreasing rentals for one. I don't think this is feasible, that
139 is why Longmont has hesitated to do this as well. Administrator Simonsen, this is a critical issue,
140 none of us want anyone to live in unsafe conditions. Can the BOT send this to HSAC to educate if
141 no desire to pursue at this time. Give resources, like the get help booklet, and hand out when they
142 sign up for utilities. Trustee Karavas, while idea is right, staffing issues over the years, putting more
143 permitting processes in place and they will raise rents. Good idea for HSAC to educate; how long
144 would this actually take to get in place? Very costly for the town. Trustee Miller, if we know a
145 building is not up to code, several units, how do you go about enforcing the building code? Attorney
146 Dittman, complaint driven processes, town can address any building code issues, with no
147 complaints, we can't bring enforcement action. Administrator Simonsen, recently made aware of
148 situation, would displace at least 12, need to address situation, contact owner, and come up with a
149 plan. Do you want to have a standby situation. Attorney Dittman, people need to know they can
150 contact the town with any health and safety issues. Mayor Angelo, your liaison position with HSAC
151 gives you broader authority to pursue. Let's gather more facts and inform those involved we are
152 keeping an eye on it. Trustee Karavas asked, do bigger entities have a backup system if we were to
153 displace 12 people?

154 2. Discussion/Direction on Role and Authority of Boards and Commissions – PowerPoint presented
155 and potential training session on 1/22. Attorney Dittman, it is important for BOT to attend training as
156 well, given recent incidents. BOT is the final decision-making authority; expectations need to be set.
157 A two-hour training, very beneficial for everyone. Mayor Pro Tem Browning, only the BOT can apply
158 for/accept a grant; cannot communicate to other governmental agencies on behalf of the town, only
159 the BOT can; most report to the BOT on areas of concerns, need to bring original ideas to the BOT.
160 Trustee Karavas, regarding minutes, missing tons of minutes, we need to get updated asap. Trustee
161 Lowell, four square in favor of having chairs come before the board, maybe twice a year. A
162 workshop/training would be valuable. Trustee Rogin, not feasible to get every member at the
163 training, let's record it for future reference. Mayor Angelo, any issues should be brought to the BOT
164 as soon as possible so we are all on the same page. Administrator Simonsen, once someone is
165 appointed, we do send a welcome packet, and would like to get back to initial meeting and twice a
166 year trainings, end of year highlight reports from chairs.
167

168 XIII. Discussion on Future Agenda Items

169 1. Mayor Pro Tem Browning – **Motion:** on 1/18 agenda a resolution to place a non-binding referendum
170 question for off highway connecting trail between Lyons/Hall ranch **Moved by:** Mayor Pro Tem
171 Browning **Seconded by:** Trustee Lowell Motion passes 7-0

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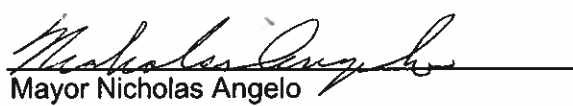
XIV. Summary of Action Items

1. Follow-up on WUI code status
2. Prioritize remaining electric lines for undergrounding
3. Utility Shut down procedures
4. Report from Fire Dept on method of operation for high wind events
5. Workshop with Fire Department (Trustee Miller)
6. Schedule COVID clinic
7. Plan review of hotel to commissions ?
8. VS to follow up on LVP lift station alarms.
9. Schedule special meeting for Summit bond issues.
10. Market rate assessment for RR properties/Vasquez Lease
11. Research a backup system for displaced residents for unsafe living situations.
12. Notify commissions if minutes other documentation is missing.
13. Schedule 1/26 Board & Commission training.
14. Referendum Resolution question for 1/18 meeting
15. Year End Reports to Trustee Lowell

XV. Adjournment- **Motion:** move to adjourn **Moved by:** Trustee Karavas **Seconded by:** Trustee Waugh **Motion passes 7-0** meeting adjourned at 9:16 pm.

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."