

1 TOWN OF LYONS BOARD OF TRUSTEES MEETING
2 VIRTUAL MEETING
3 LYONS TOWN HALL, 432 5TH AVENUE, LYONS, COLORADO
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5 ZOOM LINK:
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7 <https://us02web.zoom.us/j/89085505187?pwd=bjZRcndSS1M4bDk0S3E4RE81eER3Zz09>
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16 MINUTES
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18 **MONDAY, JULY 18, 2022**

19 **WORKSHOP:**

20 5:30 PM – 6:00 PM Water 101 Follow Up

21 6:00 pm – 6: 50 pm Gun Violence Prevention Opportunities
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24 **7:00 PM BOARD OF TRUSTEES REGULAR MEETING**
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- 26 I. Roll Call and Pledge of Allegiance – Present: Mayor Rogin, MPT Farrell, Trustee
27 Delman, Trustee Oetting, Trustee Williams Absent: Trustee Dady, Trustee Elson
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- 29 II. Land Acknowledgement
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- 31 III. Approve Agenda – **Motion:** move to approve **Moved by:** Trustee Delman **Seconded**
32 **by:** Trustee Williams **Motion passes unanimously**
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- 34 IV. A Reflective Moment of Silence
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- 36 V. Audience Business
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- 38 VI. Boulder County Sheriff's Office Report – Sgt. Crist reported that national night out is
39 August 2nd; moving substation to depot is going good, tech issues resolved. Last week
40 spent in Denver for resource officers conference. Geared up for Rocky Grass in a few
41 weeks. Parks busy over the weekends with hot weather, extra duty signups are open.
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- 43 VII. Ordinances and Public Hearings
44 1. 1st Reading – Ordinance 1124 – An Ordinance of The Town of Lyons, Colorado,
45 Amend Certain Sections Of The Lyons Municipal Code And Adding An Article 9
46 To Chapter 2 Concerning Code Compliance Officials – Director Caplan reported
47 on code amendments to assist with compliance. Mayor Rogin asked if code
48 compliance officer was good with changes? He drafted most of it. **Motion:** move
49 to approve **Moved by:** Trustee Williams **Seconded by:** Trustee Oetting **Motion**
50 **passes unanimously**
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- 52 VIII. Consent Agenda
53 1. Resolution 2022-71 – A Resolution of the Town of Lyons, Colorado Amending
54 the Personnel Handbook and Ratifying the Juneteenth Holiday.
55 2. Resolution 2022-72 – a Resolution of the Town of Lyons, Colorado Selecting
56 Colorado Retirement Association for Retirement Broker Services

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3. Resolution 2022-73 – A Resolution of The Town of Lyons, Colorado Ratifying the Board of Trustee’s July 5, 2022, Decision to Accept Cash-In-Lieu Of Water Rights Dedication From Spirit Hound Distillers
 4. Resolution 2022-74 – A Resolution of The Town of Lyons, Colorado Waiving the Water Rights Dedication Requirement For 423 Reese St. Subdivision Application
 5. Resolution 2022-75 – A Resolution of The Town of Lyons, Colorado Ratifying The First Amendment To The Professional Services Agreement With Kumar And Associates, Inc. For The Great Outdoors Colorado (GOCO) Black Bear Hole & 2nd Ave Trailhead Project
 6. July Accounts Payable
 7. July 5, 2022, BOT Meeting Minutes
 8. July 11, 2022, Special BOT Meeting Minutes
- Motion:** move to approve **Moved by:** Trustee Oetting **Seconded by:** Trustee Williams MPT Farrell pulled item 1, Reso 2022-71 **Motion passes unanimously**
- IX. Items Removed from Consent Agenda
1. Reso 2022-71 – Employee Handbook has a couple of minor additions want staff to have time to work with HR to bring back to next meeting **Motion:** move to a date certain 8/1/22 **Moved by:** Mayor Rogin **Seconded by:** Trustee Williams **Motion passes unanimously**
- X. Boards & Commissions
1. Acknowledge the Service of Chrystal DeCoster to LAHC – Mayor Rogin thanked her for her 10+ years of service. MPT Farrell thanked her for being a mentor.
 2. Appointment of Lori Kran to Historic Preservation Committee
- XI. General Business
1. Spirit Hound Distillers Development Plan Review Requests
 - i. Major vs. Minor Development Review – Director Caplan provided background; no building so asked to follow minor building permit.
 - ii. Off-Street Parking – 2nd request from them to leave as grave/dirt instead of paving. James Waller, consultant and Mark Ford, architect, Matt Rooney, partner. Presented drawings that will enhance the exterior. Discussed parking lot to include ADA parking, motorcycle parking. Trustee Oetting, unpaved parking, area where you accelerate onto 66, will that be gravel? James, concrete per CDOT/Town rules. MPT Farrell, potential trail behind lot, any access planned? James, yes, would connect to sidewalk next to us. Mayor Rogin is there an agreement with neighbors? Aaron there is an easement agreement with neighboring property granted to the Town that Mr. Vasquez leases. Discussion on sharing CDOT curb cut with neighboring property. Administrator Simonsen, have they worked with CDOT, access agreement in place already...does it correspond? James Waller, I believe so, if you have a contact with CDOT we will contact. Administrator Simonsen noted that the flood plain map in packet is wrong property; this property is not in flood way; how are you going to mark parking spots? James, logs to delineate perhaps. Imperviousness, existing condition is a mud pit, does not seep into ground, gravel has 40% impervious value. Administrator Simonsen stated this has not been reviewed at administrative level – neighboring property just paved their parking lot and installed storm drainage, has PCDC reviewed? Director Caplan, valid points, and sidewalk could come back. Dispensary installed sidewalks. Staff feels this could fall under minor, parking alone kicks it to major. Matt Rooney, current plan will decrease ingress/egress by the gas station. If we have to go paved with storage, we will lose parking. MPT Farrell, what storage are you referring to? James, detention pond for stormwater. Mayor Rogin, can we declare minor and kick to PCDC for review? Director Caplan sounds procedural; can be a condition of approval. James Waller, west side where proposed gravel is existing mud pit; north will remove/replace asphalt; east side gas station looking to improve drainage on our site. Director Caplan showed detention pond installed by dispensary. Mr. Waller we would be decreasing standing water. Trustee Oetting has PCDC been asked about major vs. minor? Director Caplan, no

115 brought to you for waiver request. Trustee Oetting, only gravel vs. pavement? MPT
116 Farrell is this for direction only? I think they should go through the minor; look at a
117 pervious and recommend we ask PCDC from design guidelines going forward. **Motion:**
118 approve minor process **Moved by:** MPT Farrell **Seconded by:** Trustee Williams
119 **Motion passes unanimously** Trustee Williams confused why would not require the
120 asphalt Trustee Oetting, gravel is not that more impervious? Discussion on Geotech
121 recommendations. Trustee Delman what is difference in parking spaces? James 6
122 asphalt for motorcycles, 2 concrete for ADA, rest gravel. Mayor Rogin, for asphalt, look
123 at design guidelines going forward. Administrator Simonsen, this is two different issues,
124 if minor with administrative approval why is board waiving? Attorney Dittman asked for
125 5-minute break. Break at 8:17 pm. Meeting resumed at 8:28pm. Attorney Dittman
126 recommends that this comes back at a date certain; not finding where BOT can waive
127 certain requirements. **Motion:** Move to a date certain August 1, 2022 **Moved by:** MPT
128 Farrell **Seconded by:** Trustee Oetting **Motion passes unanimously** **Motion:** Move to
129 recall original motion to approve **Moved by:** Trustee Williams **Seconded by:** Trustee
130 Oetting **Motion passes unanimously**

- 131 2. Discussion/Direction on Updating Building Regulations to the 2018 or 2021 Suite of
132 International Code – Director Caplan gave background; **Trustee Elson joined the**
133 **meeting at 8:34 pm.** MPT Farrell gave background on why certain requirements were
134 waived. Trustee Oetting, lots of discussion in PCDC how often do you want to move
135 goalposts? Summit has already pulled permits; will this affect them? Director Caplan, I
136 don't believe so. Fire would like us to go to 2021, which is a big jump. Trustee Oetting
137 let's look at 2018. BOT consensus is to move ahead with adoption of 2018 codes.
- 138 3. Discussion/Direction on Gun Violence Prevention Strategies – workshop options –
139 Board consensus is to pursue. No support for every option presented. Trustee Oetting,
140 do we have comp plan support for any questions asked (gun control measures)?
141 Administrator Simonsen mentioned open carry in municipal building and that makes
142 staff uncomfortable, would like to hit that hard, unacceptable to feel unsafe in a work
143 environment. Trustee Williams - in favor of pursuing open carry ban throughout town,
144 most enforceable. MPT Farrell - in favor of open carry ban town wide. Zoning
145 recommendations very worthwhile. And recommend writing a strong statement to send
146 to the county/state. Attorney Dittman, we draft a resolution in support of gun violence
147 prevention. Trustee Delman supports open carry option and raise age to 21 and ban on
148 assault weapons. Trustee Elson agrees with open carry town wide. Trustee Williams
149 ok with zoning but at different times. Important to make a statement, don't want to bring
150 too much attention. Trustee Oetting - not as focused on zoning. Doing this in steps not
151 a bad idea, review sheriff's contract, take a balanced approach. Any threatening emails
152 send to Attorney Dittman and copy Administrator Simonsen.

154 XII. Trustee Reports

- 155 1. Trustee Williams – HPC did not meet; will have statement on CEMEX ready.
156 Chair resigned.
- 157 2. MPT Farrell – PCDC comp plan moving along; bit of concern in participation level
158 by BOT/PCDC. Calling everyone to actively engage!
- 159 3. Trustee Delman – PRC met entirely on CEMEX
- 160 4. Trustee Oetting – UEB discussed CEMEX; student advisory council elected to
161 stay silent on CEMEX; I am the one trustee in town taking bus, need more riders.
162 Did not show up today; need to contact BOCO. And can I hear about CML
163 conference?
- 164 5. Trustee Elson – EVC discussed CEMEX, SFC the same.
- 165 6. Mayor Rogin – LAHC discussed CEMEX and art at Riverbend. Discussed policy
166 on placing public art. They are to get input from neighbors. Grant funding
167 awarded to reduce bear/human interactions.

169 XIII. Staff Reports

- 170 1. Utility Update – no questions from the BOT

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- 2. Finance Update – Director Eyestone presented 6/30 numbers. Sales tax up 7.95% from last year.
- 3. Administrator’s Report – Prickly pear tavern closed finer diner had soft opening, have temp license until transfer. A-lodge was able to get their license as well, thanked the clerks for assisting both of them. CEMEX consuming a lot of staff time. Several new grant opportunities, to bring to board in lieu of priorities; while you wanted to be less grant dependent, the Biden dollars are a onetime shot. Noticing randomly that not all businesses applying sales tax equally; Kim put together a brochure and she and Cassey sending out educational emails. Comp plan, 3 inquiries in last month regarding annexation; will share with Clarion, they may not be in our current planning area. Stone Canyon request for speed study.
- 4. Legal Update – attorney Dittman discovery started in Honeywell.

XIV. Summary of Action Items:

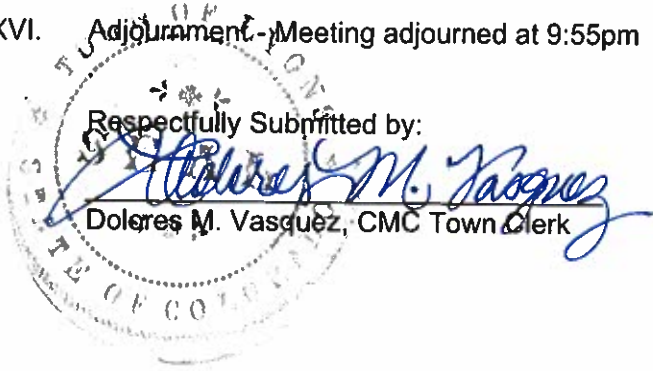
- 1. 2nd reading of Ord 1124
- 2. Employee Handbook resolution on 8/1 agenda
- 3. Spirit Hounds agenda item continued to date certain 8/1
- 4. Draft ordinance banning open carry town wide and discuss zoning
- 5. Resolution in support of gun violence prevention
- 6. Sheriff’s contract data from Sgt. Crist
- 7. Follow up with BOCO on bus schedule status for no show
- 8. Attorney Fees comparison 2022 to 2021 next report
- 9. Operating costs comps 2022 vs 2021 next report
- 10. CML update to board

Motion: move to enter into executive session **Moved by:** Trustee Williams
Seconded by: MPT Farrell Entered into ex session 9:28 pm.

XV. Executive Session - Executive Session Pursuant to C.R.S. Sections 24-6-402(4)(E) And 24-6-402(4)(B) For the Purpose of Determining Positions Relative to Matters That May Be Subject to Negotiations, Developing Strategy for Negotiations, and Instructing Negotiators, and for Legal Advice from Attorneys Representing the Town Regarding the Sale of Town Owned Property

XVI. Adjournment - Meeting adjourned at 9:55pm

Respectfully Submitted by:



Dolores M. Vasquez
Dolores M. Vasquez, CMC Town Clerk

Hollie Rogin
Mayor Hollie Rogin

“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.”