LYONS BOT WILL MEET FOR A WORKSHOP CONCERNING ECONOMIC DEVELOPMENT AT 6:30 PM, MONDAY, MAY 3, 2010 @ THE LYONS TOWN HALL PRIOR TO THE REGULARLY SCHEDULED MEETING – THE PUBLIC IS WELCOME TO COME BUT NO PUBLIC COMMENT WILL BE TAKEN AT THE WORKSHOPS – present at the work shop was Mayor Van Domelen & Trustees, Johnson, Banta, Bruder, Udovich Carroll and Jacobson

AGENDA

TOWN OF LYONS

7:30 P.M., MONDAY, MAY 3, 2010

BOARD OF TRUSTEES MEETING

SHIRLEY F. JOHNSON COUNCIL CHAMBER

LYONS TOWN HALL, 432 5TH AVENUE, LYONS, COLORADO

I. Roll Call and Pledge of Allegiance

Roll Call.

Present: Mayor Julie Van Domelen, Trustee Lavern Johnson, Trustee Sandy Banta, Trustee Ed Bruder, Trustee Kirk Udovich, Trustee Kathy Carroll, Trustee Kathy Jacobson.

II. Recognition of our Citizens in the Armed Forces – Mayor Van Domelen asked for a moment of silence for those serving in the Armed Forces.

III. Sgt Kevin Parker, Lyons Substation Supervisor, Report

Sgt Parker stated the county conducted a test of the Emergency sirens today.

Sgt Parker stated traffic has picked up and traffic enforcement officers have written several summons in the cross walks, we have also looked at the neighborhoods and given some warnings but it is quiet from call load standpoint.

IV. Audience Business - All comments will be limited to 4 minutes per person

1. Dan Ballard, 5th Ave, Lyons, stated he has lived here for 33 years, raised his son here and is the owner of 2 new stores in Lyons, Tumbleweeds General Store and Lyons Finest Confidential Care. Mr. Ballard expressed concerns about information he had received from Trustee Bruder that the Stone Canyon HOA had met and stated they did not like the sign at his business and were told by the Town Administrator that they could petition against the sign. Mr. Ballard questioned that it may be a conflict of interest and did not understand why the Town Administrator was at the HOA meeting. Mr. Ballard also stated a person from Stone Canyon approached him at his store and stated I am a volunteer with the Boulder County Sheriff's Department and some of us in the neighborhood think your sign might not be in compliance that it may be too close to the road and it is too low for people to see the traffic. Mr. Ballard stated he felt it was inappropriate for the volunteer to use his badge in this situation. Mr. Ballard stated the sign is in the same location it has been for 15 -25 years and the town issued a permit for him to restore the sign. Mr. Ballard stated Trustee Bruder invited him to a meeting amongst the dispensary owners in town in January with the exception of Lyons Compassionate Care to set new rules for dispensaries that he would present to the Mayor since she is his friend. I did not attend the meeting, I hope Trustee Bruder is not using the same tactics now that he is a board member. Mr. Ballard stated he feels like he is being singled out or possibly being harassed and wanted to bring this to the BOT's attention.

Mayor Van Domelen stated she stopped by Mr. Ballard's store today and you were not open. Mayor Van Domelen stated the Town Administrator was at the HOA meeting at the request of the HOA and there was no intention to harass Mr. Ballard. Town Administrator Simonsen stated there were many items on the HOA agenda, the only thing I remember about the sign was some thought it might be misleading since it says general store, I don't remember anyone saying anything about the size of the sign. The meeting was not about signage it was for the HOA to express their thoughts in general about marijuana and be brought to the BOT. They did ask if they could petition the sign, I stated they could but they would need to see the Town Clerk. Mr. Ballard stated I pay my taxes and have lived here for a long time, I want this to stop now, I am trying to make a living, I tow the line and would invite you to my store, I have things for children, it is a General Store. Mayor Van Domelen stated with the moratorium in place it will give us

time to put regulations in place, I invite you to engage in those meeting. Mr. Ballard stated he feels it is a conflict of interest for Trustee Bruder to attend those meetings. Mayor Van Domelen stated Trustee Bruder would have to talk to the town lawyer about it. Mr. Ballard asked about the private business meeting Trustee Bruder was holding. Mayor Van Domelen stated private meetings between businesses are not the BOT's concern. Trustee Bruder stated Mr. Ballard was invited but he never returned his calls. Mr. Ballard stated the agenda was not on the web site that he had gotten it from the Town Clerk at town hall. Mayor Van Domelen stated she would make sure Mr. Ballard was invited to the public meetings concerning marijuana dispensaries. Sgt Parker stated they did receive a complaint from Mr. Ballard about the Stone Canyon resident and it is being dealt with as a personnel issue.

2. Rick Hammans, liaison to the town for the St Vrain Valley School Dist introduced himself to the BOT and stated if anyone has any questions to contact him and if they want to meet with the School Board he would arrange that. Mayor Van Domelen stated she attends the Mayor's meeting at the school district.

V. General Business

1. Venus De Miles Bike Race – Information, Bike Route, Date (discussion/information/approval)

Joanna Laubscher, Boulder, stated this is an all women's bike ride, it is not a race. We are emphasizing safety this year; we have met with the Boulder County Sheriff's Dept and the State Police. The ride will be held August 29, 2010. Ms. Laubscher stated money from the ride is used for scholarships for children. They will be using the Lyons Grade School to stage the ride this year instead of Sandstone Park we will be there no earlier than 9 am and out by 12:30 pm. Ms. Laubscher explained the route and where the Sheriff's and State Police would assist. We will add signage or support if you think extra is needed, we should not impact the roads in town, we encourage single file riding and those who are not following the rules will be pulled from the route. Trustee Johnson asked how many bike riders there would be. Ms. Laubscher stated no more than 2,500. Trustee Johnson asked if the scholarships were available now. Ms. Laubscher stated yes, there are approximately 50 given every year and that counselors and kids can apply. Trustee Udovich stated the only change seems to be moving to the school to stage the event and from what I recall the event has gone well the past few years. Sgt Parker stated we have not had an issue with this ride. Parks Director Cosgrove stated since it is a ride not a race once they get here there is little to no impact as they are all spread out. Mayor Van Domelen questioned if the churches would be impacted since the ride is on a Sunday morning. Ms. Laubscher stated they would be notifying the churches and if necessary we can have the riders walk through the church areas. The rest stop area will have portalets set up, tables, chairs and 3 – 3 x 10 tents, we are about zero waste, we will take everything we bring out. Parks Director Cosgrove stated I have worked with this group from the start and asked them to resubmit due to the changes in the rest area and the route, we have a lot of rides/races that utilize our roads we may want to consider doing something different in the future. Trustee Banta asked about the riders turning onto Apple Valley Rd. Sgt Parker stated a Sheriff would be there to assist the riders and traffic. Parks Director stated the BOT would need to give approval of the date and the route.

Motion: Trustee Sandy Banta moved to approve the route and the August 29, 2010 date for the Venus de Miles Bike Ride.

Action: Approve, **Moved by** Trustee Sandy Banta, **Seconded by** Trustee Kirk Udovich.

Trustee Udovich stated with it being a ride versus a race more people stayed in town to shop. Mayor Van Domelen asked if anyone from the public wished to speak.

Pat Ward, Park Drive, Lyons stated he is on the board for the Stone Church, and that he has had to sit at the lights for 15 minutes and be late to church due to a bike race. Mr. Ward also stated he is concerned about law enforcement giving tickets to bike riders who do not follow the rules. Mr. Ward expressed that he did not think the bike riders should be in Lyons, or the north or south canyons due to the safety of the riders and the vehicles. Sgt Parker stated if there are any issues the bike riders would be summoned to appear in the Lyons court, this is a growing part of our community and we need to work on educationing all parties. Discussion concerning bike riders and the regulations they follow.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Mayor Julie Van Domelen, Trustee Lavern Johnson, Trustee Sandy Banta, Trustee Ed Bruder, Trustee Kirk Udovich, Trustee Kathy Carroll, Trustee Kathy Jacobson.

2. Centurion Bike Race Agreement - Parks & Recreation Dept. (discussion of/approval)

Parks Director Cosgrove stated he has been working on the agreement and there are some key issues. The Centurion has provided additional information per our agreement. One issue is Planet Bluegrass has Bohn Park leased for the same date for the weekend (and week of) prior to Rocky Grass we are working with Craig Ferguson/Planet Bluegrass to see how to see how this event can also take place and make sure Bohn Park can handle the traffic from Planet Bluegrass and the Centurion. Approximately 150 campers start lining up early for the Rocky Grass Academy, first in line gets the camping in Planet Bluegrass, there will be some issues getting the line up of campers and the people attending and participating in the bike race in and out of Bohn Park. Craig Ferguson has possession of Bohn Park at that time for Rocky Grass Academy and Rocky Grass Festival. Parks Director Cosgrove stated Craig Ferguson is amenable to making this work; the people from Centurion have been in contact with Craig Ferguson.

Discussion concerning when the camping starts, when the lineup starts, getting a detailed site plan, impact to Bohn Park, detail on how parking would be structured, number of trash and portalets, how to access the entrance and exit, where Planet Bluegrass and Centurion would place vendors, utilizing parking efficiently, overflow parking (high school), permission from high school, parking fees, campers being on the perimeter and cyclists in the center, support from the neighborhood, general noise in the neighborhood, use of public address system and music before 7 am, flow of traffic for the residents at Walt Self Senior Center, shutting down Railroad Ave to through traffic with the exception of Walt Self Senior Center only Sunday during the event, various other road closures, traffic control, how to stage the cyclists coming out of Bohn Park, signage, routes for the races, educating the residents, summer traffic

Parks Director Cosgrove stated since Craig Ferguson, Planet Bluegrass has Bohn Park leased if he wants to charge Centurion for parking they would have to work that out between themselves. Mr. Pettijohn stated it would be a huge problem if the cyclists were charged for parking, I don't see any problem if we stay to the middle and the festivarians to the perimeter. Mr. Pettijohn stated he did not understand why the parking issues came up tonight. Parks Director Cosgrove stated the plan is to use the high school for overflow but he was not sure Centurion has contacted the school yet. Mayor Van Domelen stated the town has a long history with Planet Bluegrass. Town Administrator Simonsen stated this recently came up, it appears Planet Bluegrass has been waiting for a phone call from Mr. Pettijohn. Mr. Pettijohn stated he has already contracted with the Planet Bluegrass crew and from our perspective things have been worked out, we did not know there was a possibility we would be in charge until now. Mr. Pettijohn stated they are environmentally conscious and will work with the vendors, everything brought in will be taken out. Trustee Carroll suggested they use compostable plates, forks, etc and separate them. Mayor Van Domelen suggested the BOT continue this until the next meeting so Mr. Pettijohn can continue to work with Craig Ferguson and staff.

Motion: Trustee Kirk Udovich moved to continue the Centurion Bike Race Agreement to the May 17, 2010 BOT meeting.

Action: Approve, **Moved by** Trustee Kirk Udovich, **Seconded by** Trustee Kathy Jacobson.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Mayor Julie Van Domelen, Trustee Lavern Johnson, Trustee Sandy Banta, Trustee Ed Bruder, Trustee Kirk Udovich, Trustee Kathy Carroll, Trustee Kathy Jacobson.

3. Update on the Comprehensive Plan Implementation Workbook and Review of Zoning Regulations (for information).

Jeff Cornell, PCDC – recommendations for the implementation plan. PCDC Cornell stated this is not just a land use plan it is also a community plan. The Economic Development Plan will also be used. There is nothing in the plan about the Main Street Program or the marijuana issues, this is a good draft but it still needs some work to get the implementation plan in order. The implementation plan show\s the action needed, the time frame, resources needed/available, responsible party, how success will be measured and what the town can do to make the Comp Plan come alive. Mr. Cornell asked the BOT to look the Implementation Plan over, make sure you are comfortable with it and let the PCDC know if you approve, the PCDC would ask that you have the appropriate committee look at the doc and make sure it is what you want and who should be responsible and how to measure success. After getting

feedback from the responsible parties and the BOT we will review and present a final draft implantation plan. This will give PCDC a basis for planning, budgeting and developing. Once this is done we will have a work book for everyone. PCDC Cornell stated changes to the Comp Plan can only be made during and update to the Comp Plan. Mayor Van Domelen stated we need a formal process with a timeline for the committees to fill in the blanks so it can be put in one formal document that will be sent to the county, it will show our goals have been set. Town Administrator Simonsen stated what is concerning to this BOT is what will happen over the next 2 yrs, we need to look at implementation items, process, documenting the progress, getting people into the planning mode and budgeting, yearly reports of efforts, specific activities will be listed and groups will identify what their goals are. Mr. Cornell suggested a deadline of 6 weeks to get the input back within 6 weeks. Trustee Bruder suggested getting the chairs/liaisons together to streamline the process and get everyone on the same page to explain the process.

4. Proclamation – Silver Star Service Banner Day (consideration of)

Town Administrator Simonsen stated rather than spending time each meeting recognizing those serving in the Armed Forces we found a group that acknowledges those on May 1st of every year and the town has proclaimed the day Silver Star Service Banner Day. Those who are and have served are then acknowledged in the local paper and there is a Silver Star banner that family and friends can purchase to put in their window to acknowledge those who are and have served. Town Administrator Simonsen suggested bringing this back at the next meeting after changes had been made to the document. Trustee Johnson stated the Silver Star Banner would be nice but she likes the moment of silence they need our prayers. Trustee Bruder asked if the Silver Star organization was affiliate with any religion or movement. Town Administrator Simonsen suggested the BOT look at this during the BOT retreat.

Motion: Trustee Kathy Jacobson moved to close the regular BOT meeting and open as the Liquor Authority
Action: Approve, **Moved by** Trustee Kathy Jacobson, **Seconded by** Trustee Kirk Udovich.
Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).
Yes: Mayor Julie Van Domelen, Trustee Lavern Johnson, Trustee Sandy Banta, Trustee Ed Bruder, Trustee Kirk Udovich, Trustee Kathy Carroll, Trustee Kathy Jacobson.

VI. Liquor License Authority

1. Oskar Blues – Modification of Premise

Mayor Van Domelen not a public hearing for modification of premise,

Deputy Clerk Watson stated Oskar Blues has obtained an 'exclusive use' lease agreement from Colorado Department of Transportation for the sidewalk area in front of its expanded operations (the old Subway building). This area is controlled by an iron rail that cannot be entered through the public right of way, only through the restaurant. Oskar Blues will be providing a petition showing that the premise modification meets the wants and desires of the adult inhabitants of the Town of Lyons. The ability to lease CDOT Right of Way (Lyons' Main Street sidewalks) is unique in the State of Colorado and has been several months in development. However, it should greatly enhance both Oskar Blues' business as well as the economic development of the Town of Lyons, as other businesses may also be able to take advantage of this opportunity. Gina Johnson manager for Oskar Blues presented the petition showing the neighborhood supports this. Trustee Udovich asked if anyone had heard anything negative. Deputy Clerk Watson stated no more than unfairness of the size of the sidewalks in front of some businesses. CDOT requires 42 inches for public access, and the access in front is actually 5 feet.

Motion: Trustee Kirk Udovich moved to approve the Modification of Premise for Oskar Blues as it meets the desires of the adult neighborhood.
Action: Approve, **Moved by** Trustee Kirk Udovich, **Seconded by** Trustee Kathy Jacobson.
Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).
Yes: Mayor Julie Van Domelen, Trustee Lavern Johnson, Trustee Sandy Banta, Trustee Ed Bruder, Trustee Kirk Udovich, Trustee Kathy Carroll, Trustee Kathy Jacobson.

VII. Staff Reports

Town Administrator Simonsen stated Main Street behind schedule due to the moisture, the irrigation is being put in now and the landscaping will be done prior to May 15the for the downtown celebration. The Banners will also be in place prior to the 15th. Deputy Clerk Watson stated the Chamber is using this event to open the summer season.

Town Administrator Simonsen stated she met with Corriane Pederson form NMPP, the town has not been active since Administrator Cinnamon left. NMPP has lots of options to help the town. At the next meeting I will ask you to appoint either myself or the new finance director to become the liaison between NMPP and the Town.

Trustee Udovich stated the certificate has expired on the Exchange Server and asked Staff to speak to the IT person to have it updated.

Town Administrator Simonsen stated there is a situation regarding the Lyons Ditch, we are aware of it and will be working to get it completed in house, the project was to be completed last year.

Town Administrator Simonsen stated the town received a letter from the City of Longmont they are requesting 2 alternative points of diversion. I have contacted a water attorney and they are drafting a response. We will keep you informed.

Town Administrator Simonsen stated we have hired Lori Dickes for the front office. We have completed the interviews for the Finance Director and hope to finish reference checks by mid week and make an offer by the end of the week.

Town Administrator Simonsen stated we have advertised in CML, Longmont Times Call and the local paper for the Judge position. This position is appointed by the BOT. Mayor Van Domelen and Trustees Udovich and Jacobson stated they would like to be on the hiring committee. Town Administrator Simonsen stated May 8, 2010 is Lyons Spring Clean Up Days and asked the Mayor and Trustees to sign up to work two hour shifts along with staff for the cleanup days.

Town Administrator Simonsen stated Gloria with CDOT has contacted her, the review and engineering of the stop light at Stone Canyon/McConnell Drive she wants to make sure the BOT and Staff understand there will be implications to the U Pump It, the access points would change, there would only be two going on to the highway and the semi trailers would not be able to get into the station and when coming out of the station you would only be able to make a right turn. U Pump It is concerned there sales will go down so they are voicing their opposition to the light. Consensus was to look closer at this.

VIII. Trustee Reports

Trustee Johnson stated at the Parks and Rec meeting tonight we talked about the Centurion Bike Race. Trustee Johnson stated May is Historic Month and that she would be recognized for her work on the Redstone Museum at the Community Building at Chautauqua Park in Boulder May 23rd.

Trustee Banta stated she is the liaison with the LAHC and she attended the new show on Friday, the show features youth art mentoring in the community.

Trustee Bruder stated he has met with some of the neighborhoods in town and their suggestions have been to implement some of the chain saw art in the downtown area. Town Administrator Simonsen directed Trustee Bruder to work with Trustee Banta.

Trustee Bruder sated the Golden Gang has approached him to assist with writing grants, I am not sure of the process or action plan but I have several people who are willing volunteer to help with the grant writing. Trustee Bruder was directed to put the volunteers in contact with the Golden Gang.

Trustee Udovich stated he has gotten several calls concerning signage for the medical marijuana dispensaries in town, one in particular that include the price per gram. There are a lot of issues that need to be discussed before regulations are put in place.

Trustee Carroll stated there are grants available through the Governor's Office, I have identified 2 potential grants for the town, one with compact florescent lights and a Main Street efficiency grant.

Mayor Van Domelen thanked Trustee Udovich for taking care of things and signing checks while she was away this past week.

Mayor Van Domelen stated while at the DRCOG meeting she found the town missed some grant opportunities for 2010 but would have to keep them on the radar for 2011.
Discussion concerning parking on Main Street. Staff was directed to look at this.
Mayor Van Domelen appointed Ann Obrien to the LAHC.

IX. Consent Agenda

1. First Reading, Ordinance 881, an Ordinance Amending Section 1-6-6(A) of the Lyons Municipal Code Concerning the Time of Regular Meetings of the Board of Trustees
2. April 19, 2010 Outgoing Board of Trustees Meeting Minutes
3. April 19, 2010 Incoming Board of Trustees Meeting Minutes
4. April 2010 Accounts Payable

Trustee Udovich removed items 2 & 3 from the minutes.
Motion: Trustee Lavern Johnson moved to approve items 1 & 4 from the Consent Agenda
Action: Adjourn, **Moved by** Trustee Lavern Johnson, **Seconded by** Trustee Kathy Jacobson.
Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).
Yes: Mayor Julie Van Domelen, Trustee Lavern Johnson, Trustee Sandy Banta, Trustee Ed Bruder, Trustee Kirk Udovich, Trustee Kathy Carroll, Trustee Kathy Jacobson.

X. Items Removed from the Consent Agenda

Trustee Udovich stated he pulled items 2 & 3 because he was not present at either meeting.
Motion: Trustee Kathy Jacobson moved to approve items 2 & 3 that were removed from the Consent Agenda
Action: Adjourn, **Moved by** Trustee Lavern Johnson, **Seconded by** Trustee Kathy Jacobson.
Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).
Yes: Mayor Julie Van Domelen, Trustee Lavern Johnson, Trustee Sandy Banta, Trustee Ed Bruder, Trustee Kathy Carroll, Trustee Kathy Jacobson. **No:** Trustee Kirk Udovich

XI. Adjournment – Trustee Udovich moved to adjourn at 10:45 pm

Respectfully submitted by;

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Deb Anthony, CMC – Town Clerk Mayor Julie Van Domelen