

AGENDA
TOWN OF LYONS
7:00 P.M., MONDAY, JUNE 21, 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.

Motion: Trustee Kirk Udovich moved to amend the agenda, specifically to remove all documents regarding the Turner Reed Plat Amendment and SIA at the applicants request to the next regularly scheduled Board Meeting July 6, 2010., **Action:** Amend, **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.

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 there were a few communication problems concerning possible flooding of the ST Vrain Rivers in Lyons. I would recommend in the future going through the Sheriff's Dept or the Town Administrator before sending any information to make sure the correct information gets out to the public. Sgt Parker stated he received a lot of calls after the last board meeting asking about things they had heard concerning the river and potential flooding. If there were an emergency, notification would come from the Sheriff Dept. I have requested extra copies of the Emergency Preparedness Guide to have on hand at Town Hall for anyone who wants one. It gives the basics to prepare for disasters. Sgt Barber put one together for the Town 3-4 years ago. There have been a lot of mitigation factors over the past years. The weekend the river hit 1,300 cfs and there was no nuisance flooding. I talked with citizen Arn Hayden and he recalls seeing the river at 2,000 cfs in 1996 and there was some minor flooding at the confluence at Bohn Park and Meadow Park but there were no major issues. Sgt Parker stated sometimes at the meetings we talk about worse case scenarios and that gets relayed to the public. Trustee Johnson asked who they were to call first. Town Administrator Simonsen stated that is what the phone tree is for, if there is an emergency Sgt Parker will call me I will call the Mayor, Town Clerk and Public Works Director and on down the phone tree. Sgt Parker stated you can always the Administrator or dispatch and have me paged. Mayor Van Domelen stated a communications guide, it is our job to answer the citizen's questions, and maybe if we could get a press release from the Sheriff's Dept or the Administrator we would be able to get the correct information to the citizens. Sgt Parker stated if an event were to occur citizens would be notified by reverse 911 calls, the emergency sirens and through the media. You can also go to the Boulder County Sheriff web site and sign up on your cell phone to be sent a text message for warnings and watches in your area. The challenge is to get the correct information out as soon as possible. You have an emergency plan for the Town of Lyons with Boulder County. If there were an event/disaster Boulder County would manage the event/disaster not the Town, we want the Town to dove tail with the County and State with the NIMS system. Trustee Jacobson stated the Mayor had a good point about a prepared statement to be given to us to share with the citizens. Trustee Jacobson also stated I like the idea of registering your phone for emergency notifications. Trustee Bruder stated he had spoken with Town Clerk Anthony about putting this on the agenda due to the fallout from the email. Trustee Bruder stated he talked with Town Administrator Simonsen, Mayor Van Domelen, and Trustee Jacobson about the email he had sent and was at a loss that the email created such a stir. The first we heard of this was from Town

Administrator Simonsen at the workshop, I took notes and then filled them in with what Sgt Parker said at the BOT meeting. Discussion concerning tone and timing of messages. Trustee Bruder stated he felt what he stated was confirmed by the Administrator and he had asked the Mayor if he could send an email to the Stone Canyon HOA, I am not sure what was wrong with the email. Sgt Parker apologized to Trustee Bruder and stated he just wanted to make sure the correct information was getting out to the public. Sgt Parker stated he has kept in contact with the Administrator and the Town Clerk. Mayor VanDomelen stated communication is the key and thanked everyone for the extra hours worked over the weekend and being proactive. Town Administrator Simonsen stated it is a fine line deciding how much information to give everyone but I felt it was the responsible thing to do to give you the information. Sgt Parker stated Dan Barber was at the Emergency Office the whole time watching the Town of Lyons. Trustee Banta stated we appreciated the information you gave us but I would like to see the a Community/Neighborhood Plan would be great. Trustee Banta thanked those who cleaned the debris and tree branches from the 2nd Ave Bridge. Discussion about the Emergency Preparedness Guide out of the Boulder Office of Emergency Management and the one Dan Barber wrote for the Town of Lyons 4 – 5 years ago. Sgt Parker stated he would find one of the ones Dan Barber wrote and we could make some available along with the Emergency Preparedness Guide.

IV. Audience Business - All comments will be limited to 4 minutes per person – no one to speak.

V. General Business

1. Approval of Special Use Permit – Centurion Cycle Race

Parks Director Cosgrove, discussion and consideration  of special use permit for Centurion Colorado event. Parks Director Cosgrove stated after several months of planning and discussion with staff and elected officials, Centurion Cycling LLC is requesting approval for the Special Use Permit and noise variance for the Centurion Colorado event to be held July 17-18 in Lyons. The organizers are proposing to move the start and finish of the event from Railroad Avenue and Sandstone Park to 2nd Avenue near the Bohn Park entrance. The permit application and traffic management plan reflect the new route, which should reduce the impact to local residents and minimize the number of turns along the finishing route. Colorado State Patrol and Boulder County Sheriff's Office are supportive of the new route. The organizers are also requesting a variance to the noise ordinance, allowing announcements and music starting at 10:00 a.m. Saturday and 6:15 a.m. Sunday. All other details of the event are outlined in the application. Centurion Cycling is working with the high school for overflow parking and possible set up of booths. They will be contacting LDS church and neighboring residents to inform them of the potential impact the event could have on the neighborhood that weekend. Staff is recommending approval of the permit as presented, and approval of the noise variance, with a de-briefing of the event following its completion. Mr. Pettijohn stated he did not have anything to add to what Parks Director Cosgrove had to say. Discussion concerning the use of the loud speakers & music starting at 6:15 am for announcements, closure of specific roads in Lyons Valley Park (Cobblestone, McConnell, Welch, 2nd Ave), access to the Mormon Church for those going to church. Mr. Pettijohn stated the music will get louder as they get nearer the start of the race in order to get everyone excited. Mr. Pettijohn stated he has not spoken to the manager of the Mormon Church yet but has left messages for him. Mr. Pettijohn also stated they would go door to door in the area of Lyons Valley Park that will be affected and leave door knockers. Discussion concerning the postcards that were sent by Centurion. It was determined that they had sent them to street addresses and most residents would not have received them. Direction from the BOT was to have the Town Clerk get address labels ready for Mr. Pettijohn with the correct addresses and for Mr. Pettijohn to send the postcards again. This is to be done at least 2 weeks before the event. Discussion about parking and traffic control in Bohn Park. Parks Director Cosgrove stated Centurion would have people stations in the park to direct traffic. Trustee Bruder asked if residents of Boulder County would also be sent the postcard. Mr. Pettijohn stated they were sent to the areas that could be affected. Mr. Pettijohn stated they could use more volunteers and there were presently trying to get in touch with the Lyons Football Coach, we will give \$500 to any team who volunteers for us. Trustee Carroll asked how long Lyons Valley Park would be affected. Mr. Pettijohn replied approximately 36 hours. Discussion concerning the fees for the event and how to get a realistic cost for future events. Mr. Pettijohn stated

they will be using one large orange ecocycle truck versus 2 – 30 yard dumpsters; we want to make the statement leave no trash behind. Parks Director Cosgrove stated it is in the contract that if town staff has to clean up after the event Centurion will be charged and if there is damage to the park we will work with Centurion to recoup the cost. Trustee Bruder asked how this event is being received in the community. Mr. Pettijohn stated there is a lot of excitement and confusion as they have not seen a race like this before. We have worked with the Sheriff's Dept and Colorado State Patrol this will transform into a special event for cyclist in Boulder County. Mr. Pettijohn stated all of our events are held in small towns and promote the town. The BOT agreed they are going to hear about the noise and asked if the noise could be adjusted and to be sensitive to the neighborhood. Trustee Bruder stated when he lived in Boulder he was 200 ft from the start of the Boulder Boulder and looked forward to it, this can be a wonderful opportunity, we need to get people out of bed to watch this event instead of being grumpy about it. The positive outweighs the negative. Trustee Bruder suggested giving shirts to the residents that would be affected as a part of public relations and encourage them to attend.

Motion: Trustee Udovich moved to approve the Special Use Permit, the noise variance and the additional closure of Cobblestone and 2nd Ave.

Action: Adjourn, **Moved by** Trustee Kirk Udovich, **Seconded by** Trustee Ed Bruder.

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. Resolution 2010-21 – a Resolution Establishing a “NO PARKING” Zone on Main Street in the Town of Lyons from the Alley Adjacent to 228 Main Street to the intersection of Old Main Street and Authorizing the Colorado Department of Transportation To Grant the Town of Lyons to Make Such Improvements As Are Necessary to Identify the Area As A No Parking Zone

Town Administrator Simonsen stated this is a matter of public safety; people have been parking along Main Street from the alley at 228 Main to Old Main Street. Sgt Parker stated when they park there it forces the bikes into traffic and it narrows the traffic lane. Trustee Udovich stated it is ridiculous to park there - a bike can't get through and it only provides 4 spots it is incredibly dangerous. Town Administrator Simonsen stated she did contact the business owner.

Motion: Trustee Kathy Carroll moved to approve Resolution 2010-21 – a Resolution Establishing a “NO PARKING” Zone on Main Street in the Town of Lyons from the Alley Adjacent to 228 Main Street to the intersection of Old Main Street and Authorizing the Colorado Department of Transportation To Grant the Town of Lyons to Make Such Improvements As Are Necessary to Identify the Area As A No Parking Zone

Action: Approve, **Moved by** Trustee Kathy Carroll, **Seconded by** Trustee Sandy Banta.

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. Discussion and action regarding releasing Lawson payment.

Town Administrator Simonsen stated James Morton was in this week and he has reached a settlement with Lawson Construction concerning the damage to his building. The BOT can now release the funds they have instructed the town to withhold from payment to Lawson.

Motion: Trustee Sandy Banta moved to approve the release of funds owed to Lawson Construction with the settlement of their claim to James Morton for \$67,000.

Action: Approve, **Moved by** Trustee Sandy Banta, **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.


4. Resolution 2010-23, A Resolution Regarding the Status Under Applicable State Law of Existing Medical Marijuana Businesses in the Town of Lyons.

Town Administrator Simonsen stated this resolution asks the BOT that current local medical marijuana businesses in good standing with a store front, that collect sales tax as of July 1, 2010 be acknowledged as a valid business when the new state laws go into effect July 1, 2010. Town Attorney Cox prepared the resolution, it basically states if you are meeting the regulations as of July 1, 2010 you would be eligible for relicensing when state and local regulations are in place. The business would have to follow both state and local regulations. Town Administrator Simonsen stated we currently have 7 business licenses, we still need to establish whether they have proof they are collecting sales tax and that they are operating with a store front. Town Administrator Simonsen stated Town Attorney Cox said the businesses in question must have a store front and be collecting sales tax by June 30, 2010. Mayor Van Domelen stated staff has never issued a grow license. Trustee Jacobson Section 2 of the ordinance says either an optional premises cultivation operation or a medical marijuana infused product manufacturer. Town Administrator Simonsen stated we currently don't have guidelines for optional premises cultivation operation or a medical marijuana infused product manufacturer. Trustee Bruder stated for the record he is the owner of Colorado Care and Wellness. Trustee Bruder stated that his application says making edibles and tinctures, the purpose is for us to apply for cultivation off site or infused products and you have to have the local license in place. Trustee Bruder stated he feels the second section undoes what is stated before; we are required to separate out, of our umbrellas and file appropriate fees, section 2 would stop us from doing that anyway. Town Administrator Simonsen stated I understand, but what we don't want is to have 7 grow operations in Lyons. Trustee Bruder stated the new state regulations require us to grow 70% of what we need, that is the purpose. Town Administrator Simonsen stated you can grow on site but the way it is written it does not appear anyone has the capability to do so. Discussion concerning off site growing, being an established store front, optional premise, infused products and the purpose of separating growing and infused products. Trustee Bruder stated he doesn't think there is anybody actually growing in their storefront. The purpose of being able to separate this out is to that you can find a place in order to be compliant with HB1284 where you have to grow 70% you could have a couple 100 plants, this does not accommodate those who will need to find a place to grow. Trustee Bruder stated my original business application with the town states my home address which I changed to an office in the commercial district that will not accommodate growing. I am under the impression since we will be required to grow that not everyone will be able to grow on site, which is why it is important that if we have to separate entities, which is what we asked the State and that the one umbrella business is for now is okay it will depend on what the town does with zoning, it is up to the town to decide, I feel keeping section 2 eliminates almost everyone. Discussion  concerning zoning issue and the possibility of having 7 separate grow operations in town. Town Administrator Simonsen stated we can't accept any new licenses, none of the current licenses are growing on site, so it would be considered a separate license, growing on site is okay but no grow operations. We currently don't have anyone growing and selling to the dispensaries within town. Trustee Bruder stated personally he has been making infused products for his patients on site, but I don't have a kitchen on site, the new regulations require a commercial kitchen on site, this would prevent us from applying for medical marijuana infused license at the state between July 1 and August 1, and paying the extra fees to the state. There is still the opportunity for zoning, but the option is forcing people to grow where they are, which is limiting, and they are already growing and because it is on their business license they think they are growing legally. Town Administrator Simonsen stated you can still grow a certain number of plants depending on the number of patients, that is not a separate grow operation. Trustee Bruder expressed his concerns about the dispensaries being able to meet all the requirements of the new regulations and that they are being forced to grow with these regulations. . The Importance of being able to do these things currently, there is not license for a marijuana infused product manufacturing in any city or county, but to say we can't do that, at this stage would make us non compliant with 1284 and for that reason we would be denied after spending all this money on application fees. The whole reason I brought this to the town was to make us compliant with what is expected on the state level once July 1 happens and everything up to section 2 is that. Because everybody that has cultivating at whatever their address is. But even manufacturer, now we don't need another town license for that because we were told all those things under one license is fine. Town Administrator Simonsen stated the concern was if the town did not acknowledge the businesses that they would be denied at the state level. Mayor Van Domelen stated the issue of growing and calling them centers is no one can fully grow on site due to space in the establishment, when the new zoning regulations are put in place can we define zoning and then submit optional requests.


Town Administrator Simonsen stated from what we understand the local license has to be in place by July 1, 2010.

Mayor Van Domelen asked if there was anyone from the public who wished to speak.

Shawn Welch, 5th Ave Lyons, owner of Lucky Farms, stated he would bring his tax information to the town

tomorrow.  Mr. Welch stated from what Trustee Bruder is stating the dispensaries in town do have store fronts but are not large enough for onsite growing and if I understand Trustee Bruder correctly section 2 of the resolution will put all the current businesses out of business if passed. Fortunately I have enough space to do what I need to do. You might want to take section 2 out or let the current business owners get their licenses up to snuff and can include grow facility.

Dan Ballard – 5th Ave Lyons, my question is where do I get the form, I comply with everything according to the new law it does state you have to grow on site and you have to file for the offsite a second license if not big enough to grow on site which is now considered a center. I chose to sell hemp products but am able to sell the medicinal also. I have two wings in the building I have not even opened yet. The law does state you have to grow at the facility and you have to apply for an offsite grow if you need more room. You have to grow 70%, I mean I have a ton of guys working on this, I could join a corporation, and we've got warehouses. I actually grow 99% of my own product. The thing I don't like about the new law is they do say you have to grow onsite, due to security I would rather not have my site disclosed. Recently my site did get disclosed and I have since moved it. Neither my attorney nor myself have been able to come up with the papers to file by July 1, 2010.

Trustee Udovich  stated I am nervous about the removal of Section 2 because we are essentially opening up 7 grow operations prior to zoning which means when zoning does go into effect we have grandfathered 7 grow operations. Town Administrator Simonsen stated that is why it is worded like that we currently don't have anyone who is licensed for cultivation in connection with a dispensary. Mayor Van Domelen stated if they need more space, an operating store front, may need to identify an additional site to meet the 70% grow requirement from the state so, is there a way for the board to legally consider a maneuver around all of this to keep that door open to allow the granting of optional premise or infused products for the current licensees, pending zoning regulations that are going to be developed. Trustee Udovich stated so what you are saying is put something in place but disallow grandfathering. Trustee Bruder stated the state has already said there will be no grandfathering on this. Trustee Bruder stated the locals can change zoning accommodate this. The other thing is the location for facilities are confidential even on a local level. The big looming issue is woven through 1284 is anything you don't do right you are judged as of not good moral character and could lose all money put towards applicant as a technicality. Trustee Bruder stated you already have 7 grow facilities based on the fact that we are now required to grow and it still confidential as of July 1, 2011. Trustee Bruder stated I still think Section 2 takes away everything we are trying to accomplish. Mayor Van Domelen when we ask the existing licensees to come in with their tax information can they also express an intent to have an optional premise, since they have applied to grow on the permits as well. So the question I have is there a way of saying will you be pursuing off site premise as part of your operation, not to sell to others. Town Administrator Simonsen stated there is a difference from a center; a center can have 70% growing with the license. The grow operations will sell to the centers. Trustee Bruder stated there is no grow operations there are centers and in adjunct to those are the other premises. Discussion concerning about growing facility, growing center, the number of plants you can grow, the percent of product that has to be grown and can be bought, off site premise, where it can be grown, centers, dispensaries and being compliant.

Mayor Van Domelen state let me get a consensus of where the BOT is. Our options are to do nothing and from what I understand the resolution in front of us is not needed, it is a written statement, it does not affect anyone adversely or we could adopt and it seems to close the door on optional premise and infused marijuana to go along with the licenses or tweak how we want. Trustee Jacobson stated I don't understand why we are doing this if we don't need to, what is the purpose. Is the intent to close the door on optional premise and infused products. Mayor Van Domelen stated that is how it is being read but that was not the intent, it was to give surety to the existing dispensaries. Trustee Jacobson stated then I think we should just let them do it and take out section 2. Trustee Udovich stated I think you would be opening the door to 7 grow operations that zoning will not touch. Trustee Bruder stated the difference is every dispensary currently open has the option and everyone has to realize that every dispensary currently in

there is now a grow operation as well, you are not opening the door for anything that isn't mandatory by 1284. Trustee Carroll stated with the moratorium currently in place and if you apply the rules at the state level then that will have the opposite effect you would be in conflict with the moratorium by applying for the secondary and third license. Town Administrator stated yes currently, we are not accepting anything new during the moratorium. Mayor Van Domelen stated do we want to make sure the 7 businesses can survive. Trustee Banta would like to leave the door open to what they can grow, we need to support the businesses we have. Trustee Bruder stated I think we leave it the way it is, just take out section 2. Trustee Bruder stated the bills passed at the state give the local authorities until July 1, 2011 to get their regulations in place, the 30 day window is to apply for the license at the state level. Trustee Bruder stated all those things have to be considered on a local level before the state will take our license, and this applicant fee which for some people may be \$18,000 is dependent on the local level having approval. Discussion including the 1,000 ft from a school, zoning, local options, nonconforming use, grandfathering, complying with Lyons zoning, Lyons regulations, meaning of established business and updating the current business licenses. Trustee Udovich & Carroll stated the BOT just got the resolution as they came to the meeting tonight that no one has had time to read and understand the resolution. Trustee Jacobson stated we can do nothing tonight have staff contact the business owners and have them update to be compliant with the new rules as of July 1, 2010 and if we need a special meeting to deal with the resolution after staff talks with Town Attorney Cox we will need on Monday June 28, 2010. The BOT agreed to the statement made by Trustee Jacobson. Mayor Van Domelen for a motion on Resolution 2010-13. Mayor Van Domelen stated the Resolution 2010-13 dies for lack of motion.

VI. Staff Reports

Town Administrator Simonsen staff report read as follows

Lyons Outdoor Games - Despite uncooperative weather, the Lyons Outdoor Games continued! The land events (5K run and bicycle activities) were cancelled except for the dirt bike demonstration. Several of the kayak events were moved, but it seemed that all enjoyed Meadow Park white water at its highest. Revenues were down significantly in the beer tent and registration fees. We should have final numbers for the event by next week. Several of the vendors / sponsors said that they would return to Lyons for other events as a replacement for the Outdoor Games this year.

Wastewater Plant Operations - The waste water plant saw significant increases in filament (resulting in foam) this past week due to an increase in oil and grease entering the plant. Administrator Simonsen and Bob Alberts visited downtown business owners to inspect their grease/oil traps and determine the contributors to the problem. Nearly all of the businesses were either out of compliance or did not have grease/oil traps at all. The businesses will have about ten days to clean out their traps before a return visit and possible surcharges for exceeding limits. Bob will be continuing with the inspections for the eastern restaurants throughout the coming week. With the high water recently, the waste water plant has seen a significant increase in influent. The plant normally runs about 170K gallons of water per day. Over the past week, they have been treating around 310K gallons per day. The town is permitted to treat 381K gallons. This scenario demonstrates that the Town has a considerable amount of inflow and infiltration (I & I) coming into our system with the recent rains. Although this water is 'clean', it must be treated in the plant, doubling our cost for chemicals, utilities and hauling. These two scenarios (foaming and excess water) have caused the clarifier to overflow foam from the tanks. Bob is proposing to reduce the amount of water in the clarifiers by hauling three tankers of waste water to be applied to farm land. This will cost approximately \$3,000 to haul and was not budgeted. Staff will be bringing a recommendation to the Board regarding the enforcement of grease/oil traps within the town limits.

Lyons Ditch - A meeting with representatives of the Lyons Ditch this week produced a land survey by Rick England showing where the head gate and ditch are located on Mr. Hains property adjacent to Meadow Park. Staff will work with the ditch members to draft a proposed agreement to allow the town and ditch to build a fence around the head gate to safely allow access and maintenance to the head gate as needed.

A big thank you to the Garden Club for their spring planting downtown, along the eastern trail and near town hall! These dedicated volunteers have done a remarkable job 'sprucing' up our community with

new plantings and their willingness to continue maintaining the beds throughout the summer and fall.



VII. Trustee Reports

Trustee Jacobson stated the open house for the Library was well attended and have accumulated all the comments and they will be reviewed. Trustee Jacobson stated they were going to have another open house due to the fact that notice did not get in the paper for the first one.

Trustee Udovich stated he would be leaving for vacation next week for two weeks and then would have to go to Washington for work for at least a week after vacation.

Trustee Bruder stated he has met with the seniors at the Golden Gang and they have provided him a list of concerns such as trying to get the seniors in town to engage in the programs, to form a list of all the senior in town, lunches, transportation and grant writers.

Trustee Bruder stated he had gotten calls concerning the banner in the median between Main and High Street on Hwy 36 announcing the Lyons Outdoor Market. Discussion included the owner Matt Depofi was told last year that he could not put the sign in CDOT or town right of way, the signs are also creating a traffic hazard. Town Clerk Anthony stated Mr. Depofi had been told and the next step would be to have Public Works or the Sheriff's Department take the signs down. The signs are in several right of way from Hwy 36/Hwy 66 through town on Main Street. Town Administrator Simonsen stated she would contact Sgt Parker and ask him to call Mr. Depofi and instruct his officers this weekend to pull the signs if they are in the right of way.

Trustee Banta stated LAHC will have a new art show hung in the BOT this week and will have a Open House the 26th of June during Good Old Days.

Trustee Johnson gave a list of activities the Redstone Museum would be having for the weekend and invited the BOT to attend. There will be a ceremony at the visitor center to honor Frances Bracket and Bob Doseff Saturday at 11:00 am at the Visitors Center. There will also be a dedication for Ralston Block Mayor Van Domelen stated attended the DRCOG meeting and met with Boulder County Transit to brainstorm improving transit to and from Lyons. Trustee Carroll and Town Administrator Simonsen also attended the meeting.

Mayor Van Domelen stated she would be out the rest of the week at the CML conference.

VIII. Consent Agenda

1. June 7, 2010 Board of Trustees Meeting Minutes

Motion: Trustee Kathy Jacobson moved to approve the Consent Agenda.

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

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.

IX. Second Reading Ordinances.

1. Public Hearing, Ordinance 883, an Ordinance Amending Ordinance 519 Establishing the Model Traffic Control Schedule by Expanding the Areas Subject to Two Hour Parking. Second Reading.

Town Administrator Simonsen stated previously the town had two hour parking from 4th to 5th on Main Street this Ordinance asks for 2 hour parking from 3rd to 5th on Main Street from 8am to 6 pm with the exception of holidays. Trustee Jacobson questioned whether 2 ours was long enough if you were eating and shopping. Trustee Bruder asked if the alley along Broadway between 3rd and 5th could be included in the 2 hour parking.



Town Clerk Anthony stated that is CDOT right of way not town property. Town Administrator Simonsen stated the town does not have jurisdiction, we could request permission from CDOT but it would have serious impact on those businesses. Trustee Bruder asked who is going to enforce the 2 hour parking. Town Administrator Simonsen stated she would speak to Sgt Parker. Mayor Van Domelen opened the Public Hearing at 10:00 pm, public hearing closed with no public comment at 10:01 pm.

Trustee Carroll asked about handicap or hardship parking space. Town Administrator Simonsen stated if they have a handicap sticker they would not be ticketed. Discussion about two residents who live at their

place of business on Main Street and where they could park. Mayor Van Domelen suggested adding a residential sticker. Town Administrator Simonsen stated you are going to have to follow the statues for handicap/hardship. Discussion about 3hr vs 2 hr parking, handicap parking and the town having its own process for handicap/hardship parking on Main Street.

Town Administrator Simonsen stated you will need to identify handicap/hardship, it will be subjective. You could pass the basic ordinance and then have staff work towards a resolution for the handicap/hardship.

Motion: Trustee Kirk Udovich moved to approve Ordinance 883, an Ordinance Amending Ordinance 519 Establishing the Model Traffic Control Schedule by Expanding the Areas Subject to Two Hour Parking. ,

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

Trustee Bruder asked again about enforcement. Town Administrator Simonsen stated at this point the Sheriff Dept during the week, it should not be as difficult as the weekends. Trustee Bruder asked when the signs would be in place. Town Administrator Simonsen the signs will be places as soon as the town has them.

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 - no items were removed from the Consent Agenda.
- XI. Adjournment - meeting adjourned at 10:10 pm by Trustee Kathy Jacobson

Respectfully submitted by

Deb Anthony, CMC – Town Clerk

Mayor Julie Van Domelen