

**TOWN OF LIMON  
BOARD OF TRUSTEES  
Regular Meeting  
September 5, 2013  
7:00 P.M.**

Notice of this meeting was published in the Limon Leader on August 1, 2013.

Mayor Coonts called the meeting to order at 7:00 p.m.

**ROLL**

Town Clerk Snyder called roll. Members of the Board present: Mayor Coonts; Trustees: Andersen, Beattie, Kelly and Williams. Trustees Hawthorne and Hendricks were absent.

**STAFF**

Staff present: Town Manager Stone, Assistant Manager Kiely, Chief of Police Yowell, Town Attorney Kimble, Limon Recreation Director Stone and Town Clerk Snyder.

**GUESTS**

Phil Esler, Mark Holmes, Joel Asrael, Barb Winkler, Kim Ortell, Kristen, Caiden, & Sierra Allen, and Will Bublitz.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES**

Trustee Beattie moved to approve the minutes for August 1, 2013; seconded by Mayor Coonts. Abstain: Trustee Kelly. Motion carried.

**TEN MINUTE CITIZEN INPUT**

Phil Esler complained about weed control and conditions at his neighbors.

**OSCAR'S BAR & GRILL MANAGER REGISTRATION**

Trustee Beattie moved to approve the manager registration request from Oscar's Bar & Grill; seconded by Trustee Kelly. Motion carried unanimously.

**ESG PRESENTATION**

A presentation was done by ESG on the Colorado Energy Office's Energy Efficiency Program, the Town's technical energy audit and the performance contract proposal by Mark Holes and Joel Asrael. Barb Winkler, Hutchison, Shockey, Erley & Co. explained the financing portion of the projects.

**CONSIDERATION OF APPLICATION FOR SPECIAL USE REVIEW**

Mayor Coonts opened the public hearing at 8:02 p.m.

Assistant Manager Kiely reported to the Board that the application was submitted by Kristen Allen for a Special Use Review for a child care home in a Single-Family Residential Zone District.

All of the requirements of the Land Development Code for public notice have been met. Letters were mailed and notice was published in the Limon leader. There were no written comments received. Joy Johnson spoke at the Planning Commission meeting in support of the application.

The property is located in a Single-Family Residential Zone and a child care home is only allowed by special review. This use would require licensing by Division of Child Care, Colorado Department of Human Services as a family child care home. Kiely explained the rules the state has.

Staff recommends approval of the application and the Planning Commission at their hearing on August 12, 2013 recommended approval with the following special provisions:

1. The applicant shall provide the Town Clerk a copy of a valid child care home license from the State of Colorado. The applicant shall immediately (within 5 working days) notify the Town of Limon if a valid license is revoked by the State of Colorado or if the license is otherwise invalid. Failure, for any cause, to have a valid child care home license from the State of Colorado shall invalidate the special use permit.
2. No signs or business signs shall be displayed on the subject property.
3. The subject property shall be maintained and kept within all other requirements of the Land Development Code and the Municipal Code of the Municipal Code of the Town of Limon.

Kristen Allen spoke about the need for daycare for prison employees who work the second shift.

Chief Yowell, as a neighbor expressed support for the application.

Mayor Coonts closed the public hearing at 8:16 p.m.

Trustee Williams moved to approve the application, with the three special provisions recommended by staff; seconded by Trustee Andersen. Motion carried unanimously.

#### **RESOLUTION NO. 13-09-29; CONTRACT WITH EVEN-PREISSER**

Town Manager Stone introduced and there was read the title of the following resolution and the entire text of said resolution was submitted in writing to each member of the Board of Trustees and the Mayor.

Resolution No. 13-09-29; A Resolution Approving a Contract with Even-Preisser, Inc. for the Construction of the Transportation Enhancement Project #STE M795-001 Sidewalk, Median and Drainage Improvements Along Highway 24 and Authorizing Execution of Said Contract.

Trustee Williams moved to approve Resolution No. 13-09-29; seconded by Trustee Kelly. Motion carried unanimously.

#### **RESOLUTION NO. 13-09-30; CONTRACT WITH LAYNE CHRISTENSEN**

Town Manager Stone introduced and there was read the title of the following resolution and the entire text of said resolution was submitted in writing to each member of the Board of Trustees and the Mayor.

Resolution No. 13-09-30; A Resolution Approving a Bid from Layne Christensen Company for Drilling a Replacement Well for Mock 1 and Authorizing Execution of Said Contract.

Trustee Andersen moved to approve Resolution No. 13-09-30; seconded by Trustee Williams. Motion carried unanimously.

## **RESOLUTION NO. 13-09-31; CONTRACT WITH MCCORMICK EXCAVATION**

Town Manager Stone introduced and there was read the title of the following resolution and the entire text of said resolution was submitted in writing to each member of the Board of Trustees and the Mayor.

Resolution No. 13-09-31; A Resolution Approving a Contract with McCormick Excavation and Paving, LLC for Construction of the Water Main and Sewer Main Replacement Projects #EIAF-7117 and Authorizing Execution of Said Contract.

Trustee Kelly moved to approve Resolution No. 13-09-30; seconded by Trustee Andersen. Motion carried unanimously.

## **ORDINANCE NO. 564; TRI-STATE EASEMENT**

Town Manager Stone introduced and there was read the title of the following ordinance and the entire text of said ordinance was submitted in writing to each member of the Board of Trustees and the Mayor.

Ordinance No. 564; An Ordinance Approving a Permanent Easement for Tri-State Generation and Transmission Association, Inc. for a Ground Grid and Associated Installations and Authorizing Execution of Said Easement.

Trustee Andersen moved to approve Ordinance No. 564; seconded by Trustee Beattie. Motion carried unanimously.

## **RESOLUTION NO. 13-09-33; CONSTRUCTION EASEMENT**

Town Manager Stone introduced and there was read the title of the following resolution and the entire text of said resolution was submitted in writing to each member of the Board of Trustees and the Mayor.

Resolution No. 13-09-33; A Resolution Approving a Temporary Easement for Tri-State Generation and Transmission Association, Inc. to Perform Construction for a Ground Grid and Authorizing Execution of Said Easement.

Trustee Kelly moved to approve Resolution No. 13-09-33; seconded by Trustee Andersen. Motion carried unanimously.

At 8:50 Trustee Williams left the meeting.

## **ATTORNEY REPORT**

Attorney Kimble reported on a busy month but there were no cases in Municipal Court.

## **ADMINISTRATION REPORTS**

Chief Yowell

- Memorandum of Understanding with DOC

Assistant Manager Kiely

- Ports to Plains conference

Town Manager Stone

- Special Meeting and Workshop set for September 23<sup>rd</sup> at 5:30.
- Plans for possible school reconstruction
- Recommended tabling adoption of new building codes

- CML District meeting on September 17<sup>th</sup>
- Trevor Williams has been hired as the Code Enforcement/Building Inspector.

### **MAYORS REPORT**

Mayor Coonts reported on the natural gas station meeting. She also attended a meeting with Senator Bennett and he supports the foreign trade zone designation. Tuesday she will be attending a mayor's meeting at CML.

### **TRUSTEES REPORT**

Trustee Kelly commended the Town for the preparation for the car show. The horseshoe tournament was a success and the fireworks were phenomenal.

Trustee Beattie reported the Progressive 15 annual meeting will be September 18-20.

Trustee Andersen commented on how nice the flowers in the medians look and the Chamber should be commended. He also expressed concern about traffic out by McDonalds at certain times of the day.

### **APPROVAL OF BILLS**

Trustee Kelly moved to approve the bills submitted for the month of August; seconded by Trustee Beattie. Motion carried unanimously.

### **ADJOURNMENT**

Trustee Andersen moved to adjourn at 9:15 p.m.; seconded by Trustee Beattie. Motion carried unanimously.

TOWN CLERK \_\_\_\_\_

MAYOR \_\_\_\_\_