

**TOWN OF LIMON  
BOARD OF TRUSTEES  
Regular Meeting  
December 7, 2000  
7:30 P.M.**

**ROLL**

Town Clerk Chris Snyder called roll. Members of the Board present: Mayor Bandy, Trustees: Beattie, Hendricks, Kudlock, Lohmeier, Templeman and Younger.

**STAFF**

Staff present: Town Administrator Kiely, Public Works Director Stone, Attorney Kimble, Chief of Police Yowell and Town Clerk Snyder.

**GUESTS**

Guests present: Frank Lucero, Dale Kanack, George Sauter, Joe Martin, Brian Atkinson, and Brad Olsen.

**APPROVAL OF MINUTES**

Trustee Beattie made a motion to approve the minutes for the November 2, 2000 regular meeting; seconded by Trustee Lohmeier. Motion carried unanimously.

Trustee Hendricks made a motion to approve the minutes for the November 16, 2000 special meeting; seconded by Trustee Templeman. Motion carried unanimously.

**TEN MINUTE CITIZEN INPUT**

Joe Martin addressed the board with a concern about Galaxy Cable and the lack of cable service to his new home and the length of time since he made his initial request for service in April of this year. Galaxy does not want to install the service to his home and he wanted the board to be aware of this fact. He complimented Town Administrator Kiely on what he had done to remedy the situation but no progress has been made.

Town Administrator Kiely reported to the board that Galaxy has requested a franchise transfer and that this might be a good time to involve Ken Fellman, who has represented the town in the past in this area. The board instructed Kiely to contact Mr. Fellman.

**PUBLIC HEARING; AMENDMENT TO LAND DEVELOPMENT CODE INCLUDING FIRE STATION AS A CONDITIONAL USE IN A COMMERCIAL BUSINESS AND RESIDENTIAL (CBD-R) ZONE DISTRICT**

Mayor Bandy opened the public hearing at 7:42 p.m.

Town Administrator Kiely reported that the Planning Commission recommended approval of the change.

No comments were received in writing or at the hearing.

Mayor Bandy closed the public hearing at 7:45 p.m.

**ORDINANCE NO. 459; AMENDMENT TO THE LAND DEVELOPMENT CODE CHANGING CONDITIONAL USE OF A FIRE STATION IN A (CBD-R) ZONE DISTRICT**

Town Administrator Kiely introduced and there was read the following proposed ordinance and the entire text of said proposed ordinance was submitted in writing to each member of the Board of Trustees and the Mayor:

Ordinance No. 459; An Ordinance Amending Ordinance No. 376, The Land Development Code of the Town of Limon, By Allowing a Fire Station as a Conditional Use in a Commercial Business and Residential (CDB-R) Zone District.

Trustee Templeman moved to approve Ordinance No. 459; seconded by Trustee Younger. Motion carried unanimously.

**PUBLIC HEARING; CONSIDERATION OF A CONDITIONAL USE PERMIT FOR A PUBLIC SCHOOL AT 590 E AVENUE**

Mayor Bandy opened the public hearing at 7:46 p.m.

Town Administrator Kiely reported that the Planning Commission recommended approval with the conditions that reference hours and days of operation as well as numbers of students and facility on site. In addition, the streets adjacent to the site be designated school zones limiting the speed limit to 15-mph including E Avenue from the drainage to 7<sup>th</sup> Street and 6<sup>th</sup> Street from D Avenue to F Avenue.

George Sauter, BOCES Director, spoke in favor of the public school and explained how the students are transported. The students will not be parking at the school.

Dr. Lucero, when asked by the board, felt there was no problem with limiting the number of students to fifteen, and if it became a problem would come back to the board for permission to increase the number of students.

No comments from the public were received.

Mayor Bandy closed the public hearing at 8:05 p.m.

**ORDINANCE NO. 460; AMENDMENT TO LAND DEVELOPMENT CODE REGARDING ZONE DISTRICT CHANGE**

Town Administrator Kiely introduced and there was read in full the title of the following proposed ordinance and the entire text of said proposed ordinance was submitted in writing to each member of the Board of Trustees and the Mayor:

Ordinance No. 460; An Ordinance Amending Ordinance No. 376, The Land Development Code of the Town of Limon, By Amending the Official Zoning Map of the Town of Limon for Lots 1-10, Inclusive, Block 33 of the Original Town of Limon.

Trustee Hendricks moved to approve Ordinance No. 460, with the Planning Commission conditions; seconded by Trustee Kudlock. Motion carried unanimously.

## **PUBLIC HEARING; TOWN OF LIMON BUDGET FOR 2001**

Mayor Bandy opened the public hearing at 8:05 p.m. and after hearing no comments from the public the public hearing was closed at 8:20 p.m.

### **RESOLUTION NO. 12-00-21; ADOPTION OF BUDGET FOR 2001**

Town Administrator Kiely introduced and there was read in full the title of the following proposed resolution and the entire text of said proposed resolution was submitted in writing to each member of the Board of Trustees and the Mayor:

Resolution No. 12-00-21; A Resolution Summarizing Expenditures and Revenues For Each Fund And Adopting A Budget For The Town of Limon, Colorado, For The Calendar Year Beginning On The First Day Of January, 2001, And Ending On The Last Day Of December, 2001.

Trustee Templeman moved to approve Resolution No. 12-00-21; seconded by Trustee Younger. Motion carried unanimously.

### **RESOLUTION NO. 12-00-22; PROPERTY TAX LEVY FOR 2001 BUDGET YEAR**

Town Administrator Kiely introduced and there was read in full the title of the following proposed resolution and the entire text of said proposed resolution was submitted in writing to each member of the Board of Trustees and the Mayor:

Resolution No. 12-00-22; A Resolution Levying General Property Taxes For The Year 2001, To Help Defray The Costs Of Government For The Town of Limon, Colorado, For The 2001 Budget Year.

Trustee Kudlock moved to approve Resolution No. 12-00-22; seconded by Trustee Hendricks. Motion carried unanimously.

### **ORDINANCE NO. 461; BUDGET APPROPRIATIONS FOR 2001**

Town Administrator Kiely introduced and there was read in full the title of the following proposed ordinance and the entire text of said proposed ordinance was submitted in writing to each member of the Board of Trustees and the Mayor:

Ordinance No. 461; An Ordinance Appropriating The Sums Of Money To The Various Funds and Spending Agencies, In The Amount And For The Purpose As Set Forth Below, For The Town Of Limon, Colorado, For The 2001 Budget Year.

Trustee Younger moved to approve Ordinance No. 461; seconded by Trustee Lohmeier. Motion carried unanimously.

### **RESOLUTION NO. 12-00-24; RANGE USE AGREEMENT WITH DEPARTMENT OF CORRECTIONS AND LIMON POLICE DEPARTMENT**

Town Administrator Kiely introduced and there was read in full the title of the following proposed resolution and the entire text of said proposed resolution was submitted in writing to each member of the Board of Trustees and the Mayor:

Resolution No. 12-00-24; A Resolution Approving An Agreement With the Colorado Department of Corrections For Use Of The Limon Correctional Facility Weapons Training Range And Authorizing Execution Of Said Agreement.

Trustee Younger moved to approve Resolution No. 12-00-24; seconded by Trustee Templeman. Motion carried unanimously.

**RESOLUTION NO. 12-00-23; CONTRACT BETWEEN COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND THE TOWN OF LIMON FOR COLORADO STATE DRINKING WATER CONSTRUCTION GRANT FUNDS**

Town Administrator Kiely introduced and there was read in full the title of the following proposed resolution and the entire text of said proposed resolution was submitted in writing to each member of the Board of Trustees and the Mayor:

Resolution No. 12-00-23; A Resolution Approving A Contract Between The Colorado Department Of Public Health And Environment And The Town Of Limon For Colorado State Drinking Water Construction Grant Funds And Authorizing The Execution Of Said Contract.

Trustee Templeman moved to approve Resolution No. 12-00-23; seconded by Trustee Kudlock. Motion carried unanimously.

**RESOLUTION NO. 12-00-25; AMENDMENTS TO THE PERSONNEL MANUAL REGARDING PAY PERIODS**

Town Administrator Kiely introduced and there was read in full the title of the following proposed resolution and the text of said proposed resolution was submitted in writing to each member of the Board of Trustees and the Mayor:

Resolution No. 12-00-25; A Resolution Approving An Amendment To The Personnel Handbook For The Town Of Limon, Colorado Changing The Pay Period To Bi-Weekly.

Trustee Lohmeier moved to approve Resolution No. 12-00-25; seconded by Trustee Hendricks. Motion carried unanimously.

**RESOLUTION NO. 12-00-26; AGREEMENT FOR SOUTH LIMON EMERGENCY OVERFLOW POND**

Town Administrator Kiely introduced and there was read in full the title of the following proposed resolution and the text of said proposed resolution was submitted in writing to each member of the Board of Trustees and the Mayor:

Resolution No. 12-00-26; An Agreement Approving An Agreement With Interstate Irrigation, Inc. To Construct The South Limon Lift Station Emergency Overflow Pond And Authorizing The Execution Of Said Agreement And A Notice Of Award.

Trustee Kudlock moved to approve Resolution No. 12-00-26; seconded by Trustee Hendricks. Motion carried unanimously.

**RESOLUTION NO. 12-00-27; RESOLUTION APPROVING CONSTRUCTION CONTRACT WITH INTERSTATE IRRIGATION, INC. TO CONSTRUCT SEWER MAIN PROJECT**

Town Administrator Kiely introduced and there was read in full the title of the following proposed resolution and the text of said proposed resolution was submitted in writing to each member of the Board of Trustees and the Mayor:

Resolution No. 12-00-27; A Resolution Approving A Construction Contract With Interstate Irrigation, Inc. To Construct The Town Of Limon 8" Sewer Main Project, Phases 2 And 3 And Authorizing The Execution Of Said Agreement And Notice Of Award.

Trustee Hendricks moved to approve Resolution No. 12-00-27; seconded by Trustee Kudlock. Motion carried unanimously.

### **RESOLUTION NO. 12-00-28; ANNUAL ADJUSTMENT TO TOWN OF LIMON PERSONNEL SALARY RANGES**

Town Administrator Kiely introduced and there was read in full the title of the following proposed resolution and the text of said proposed resolution was submitted in writing to each member of the Board of Trustees and the Mayor:

Resolution No. 12-00-28; A Resolution Providing An Annual Adjustment To Town Of Limon Personnel Salary Ranges Based On The Denver-Boulder Consumer Price Index.

Trustee Templeman moved to approve Resolution No. 12-00-28; seconded by Trustee Hendricks. Motion carried unanimously.

### **TREE BOARD APPOINTMENTS**

Trustee Younger moved to appoint Dave Stone, Paul Metcalf and Jeff Coonts to the Tree Board for a three year term; seconded by Trustee Templeman. Motion carried unanimously.

### **JOB DESCRIPTIONS FOR PRO SHOP MANAGER AND GOLF COURSE MAINTENANCE SUPERINTENDENT**

Trustee Lohmeier moved to approve job descriptions for the Pro Shop Manager and Golf Course Manager; seconded by Trustee Templeman. Motion carried unanimously.

### **ATTORNEY'S REPORT**

Attorney Kimble reported that a traffic case is being appealed and he has had to spend more time on it than he normally would have to. The defendant is representing himself and so Attorney Kimble has to respond to agencies he normally would not have to.

GMS has come out to do the work on Lake Creek but we have not heard back from them.

Attorney Kimble has called the attorney with CIRSA regarding the Video Xpress suit and he has not received the advance notice of complaint. He did an analysis of the ordinances regarding the sexually oriented businesses and felt the Town has a strong case. CIRSA won't represent us to enforce our ordinances, only if we are being sued can they represent us.

### **ADMINISTRATION REPORTS**

Public Works Director Stone reported on the sale of a truck and asked for direction on how the board wanted to proceed with the sale of the old trash truck and that the bids close on the 15th. He was told to use his discretion on accepting the bid award.

Street Sanding procedures were discussed.

Stone reviewed a copy of a letter sent to the Department of Corrections stating the town's position on not accepting the brine discharge and that the town is asking to meet with the state to come to a solution that will work for both entities.

Town Administrator Kiely updated the board on water rights and wells.

He gave an update on the Tri State contract and that they are asking for in town rates. They are also negotiating for easements on property owned by the town. The contract will be brought in front of the board for approval at the next meeting.

The Water Treatment Code review is complete and the project is out to bid.

Kiely updated the board on cost recovery agreements and that there is a property owner who does not want to pay the assessment. He will inform Mountain View Service Corporation and the town will do whatever they can to assist them. The property owner is responsible for litigation.

Town Administrator Kiely has asked Attorney Kimble to send letters to Safety Kleen and Nighthawk Trucking regarding the bill for a haz mat spill.

Kiely has sent a letter to the Department of Transportation requesting signs at Highway 71 identifying how to get to Interstate 70. The state has scheduled a meeting to discuss signage needs in the town.

#### **MAYORS REPORT - NONE**

#### **TRUSTEES REPORT**

Trustee Beattie asked how the cost recovery agreements work and the responsibilities that the town has to assist the property owner.

#### **APPROVAL OF BILLS**

Trustee Younger moved to approve the bills that were submitted for the month of November; seconded by Trustee Lohmeier. Motion carried unanimously.

#### **ADJOURNMENT**

At 9:45 p.m. Trustee Kudlock moved to adjourn; seconded by Trustee Younger. Motion carried unanimously.

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