

**TOWN OF LIMON
BOARD OF TRUSTEES
Regular Meeting
October 6, 2022
7:00 P.M.**

Notice of this meeting was posted town hall and on the website on October 3, 2022 and in the Limon Leader on October 6, 2022.

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

ROLL

Town Clerk Chris Snyder called roll. Members of the Board present: Mayor Randolph; Trustees: Beattie, Ferree by Zoom, Lancaster, Neiber and Pottorff. Trustee Chittenden was absent.

STAFF

Staff present: Town Manager Tacha, Chief of Police Yowell, Attorney Kimble, Recreation Director Bandy, Deputy Clerk Reimer and Town Clerk Snyder.

GUESTS

Adena Santiago, Mike Hines, Judy Pierce, Drew Falvey, Troy McCue, Charlie Kendrick, Gary Lewman, Lem Scarbrough, and Traci Rand.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

Trustee Neibur moved to approve the minutes for September 1, 2022; seconded by Trustee Beattie. Motion carried unanimously.

CITIZEN INPUT

Troy McCue gave an economic development report.

PUBLIC HEARING FOR LAS, LTD LIQUOR LICENSE REQUEST DBA PINBOWL ALLEY

Mayor Randolph opened the public hearing at 7:12 p.m.

Town Clerk Snyder reported that the notice of public hearing has been posted and published in accordance with state statutes and there have not been any protests to the issuance of this license. Background checks have been done and there is nothing to preclude the applicants from holding a license. Before granting this license, the Board needs to consider if the applicants are prohibited by law to hold the license and if the requirements and desires of the neighborhood have been met.

Petitions in favor of granting the license were submitted.

Applicants Lem Scarbrough and Traci Rand were present.

Troy McCue commented he is excited to have the bowling alley back.

Mayor Randolph closed the public hearing at 7:19 p.m.

Trustee Neibur moved to approve the license request from LAS, Ltd, dba PinBowl Alley; seconded by Trustee Beattie.

PUBLIC HEARING FOR TA OPERATING LLC DBA TRAVELCENTERS OF AMERICA LIQUOR LICENSE REQUEST

Mayor Randolph opened the public hearing at 7:19 p.m.

Town Clerk Snyder reported that the notice of public hearing has been posted and published in accordance with state statutes. I have not received any protests to the issuance of this license. Before granting this license, the Board needs to consider if the applicants are prohibited by law to hold the license and if the requirements and desires of the neighborhood have been met. TA Operating has a state master file and there is nothing in the officer's backgrounds which would preclude the applicants from holding a license. TA is represented by counsel, Adena Santiago and she is present on zoom.

A petition in favor of granting the license was submitted.

Chief Yowell reported he has no concerns and there is a similar license at Flying J Pilot. He spoke about having alcohol in vehicles.

Attorney Kimble told the board they have to meet the needs and desires of the neighborhood which can be demonstrated by petitions.

Charlie Kendrick testified that he is here as a concerned member of the community. He is having a hard time with putting another establishment putting in another liquor outlet. He is concerned about Martini's business and Oscars. He reminded the Board about an incident where there was a patron who was overserved and caused an accident. He questioned the quality of employees who will be doing the compliance checks and would they recognize that someone has been overserved. Flying J is a different story because they are kind of isolated back on that side of the highway. TA is very vulnerable to future problems that could pop up.

Attorney Kimble asked Mr. Kendrick if his statements are in concern regarding the needs of the neighborhood and he said that would be yes.

Trustee Ferree requested the staff report be read again and Town Clerk Snyder repeated her report. She reported the petition submitted at the hearing had ninety-one percent were in favor, nine percent were opposed and they got ninety-two signatures. They had a business survey result. I think they had eight nos.

Attorney Kimble asked the attorney where the poll was taken.

Attorney Santiago reported the petitions were done by a third-party entity, Liquor Pro Surveys. They came out and canvassed the community. There was overwhelming support of the majority of the people, both residents and businesses from the area that they spoke with.

Trustee Ferree asked for clarification of where the liquor would be sold.

Attorney Santiago replied the selling would be done out of the convenience store within the larger truck stop facility and it would be fermented malt beverages, only and to go only. TA is national company that holds multiple liquor licenses of this nature, five in Colorado. The company has protocols in place and trains their employees on proper service and id checks.

Trustee Neibur commented there is a signature in favor of the license from someone at Martini's and Trustee Lancaster said someone at Oscars also signed.

Mike Hines, owner of Martinis Liquors testified he is a local business owner and asked the Board to consider the ramifications to his business. How many liquor licenses do we need at the west end? He supports the community and as far as he knows TA doesn't. They have more buying power that he does.

Attorney Santiago said that Travel Centers does not come in and take business from people, it is just an alternative. They really do make compliance in a number one priority for employees to make sure they don't overserve. They are given training on proper service and checking ids. The petition has shown the community is in support of this application.

The public hearing closed at 7:40 p.m.

Trustee Lancaster questioned if there has been elevated crime tied to liquor purchases in the area and was told by Chief Yowell there has not been.

Trustee Ferree moved to deny the application based on what he has heard tonight about the needs and wants of the neighborhood; seconded by Trustee Beattie. Motion carried unanimously.

PILOT TRAVEL CENTERS LIQUOR LICENSE RENEWAL

Trustee Lancaster moved to approve the liquor license renewal request from Pilot Travel Center; seconded by Trustee Neibur. Motion carried unanimously.

RESOLUTION NO. 22-10-30; CEBT PROPOSAL

Town Manager Tacha introduced and there was read the title of the following proposed 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. 22-10-30; A Resolution Approving a Proposal from Colorado Benefit Trust (C.E.B.T.) for Health, Dental, Vision and Life Insurance Coverage for Full-Time Employees of the Town of Limon.

Trustee Lancaster moved to approve Resolution No. 22-10-30; seconded by Trustee Neibur. Motion carried unanimously.

ATTORNEY REPORT

Attorney Kimble reported court was held today.

ADMINISTRATION REPORTS

Chief of Police Yowell

- Car
- Recruiting for position being done by Officers Nielson and Herrera at academy's
- Revenue is up
- Presence in school
- Ordinance for golf carts and UTV's will be tabled till next month

Town Manager Tacha

- Drew Falvey has starting work on his rv park
- Library building repair project
- Community Building meeting
- Budget will be out October 15th and a workshop is scheduled for November 15th at 5:30
- Asked for permission to proceed with re-sodding the baseball field at a cost of \$66,500

MAYORS REPORT

Mayor Randolph thanked the local police, sheriff and state patrol for what they do. He thanked the Rotary for the concerts in the park and Charlie Kendricks volunteerism. Youth volleyball and football are winding up. He asked about the employee party.

TRUSTEES REPORT

Trustee Lancaster saw the posting for the Ambulance Director and commented things seem to be going well.

Trustee Ferree thanked the folks at the bowling alley and it is a big deal to have it open again.

Trustee Beattie has had some issues and she has cancer that might prevent her from making some of the meetings.

Members of the Board expressed support for her.

Trustee Pottorff will be saying prayers for her. She welcomed the bowling alley back. She thanked the police and fire department for their efforts when the gas meter got hit by her house.

Trustee Neiber also welcome the bowling alley back and the community will enjoy having it. He thanked the police department for being proactive to the department's needs.

APPROVAL OF BILLS

Trustee Pottorff moved to approve the bills that were submitted for the month of September; seconded by Trustee Neibur. Motion carried unanimously.

ADJOURNMENT

Trustee Neibur moved to adjourn at 8:30 p.m.; seconded by Trustee Beattie. Motion carried unanimously.

TOWN CLERK _____

MAYOR _____