

**TOWN OF LIMON
BOARD OF TRUSTEES
Regular Meeting
July 2, 2009**

Notice of this meeting was published in the Limon Leader on July 2, 2009.

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

ROLL

Town Clerk Chris Snyder called roll. Members of the Board present: Mayor Beattie; Trustees: Coonts, Hawthorne, Hendricks, Metcalf and King. Trustee Williams was absent.

STAFF

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

GUESTS

Kay Christie and Ken Morrison.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

Trustee Coonts moved to approve the minutes for June 4, 2009, correcting the title for Martini's Liquor, adding license renewal and changing a sentence in the Plains Medical report to read - Assistant Manager Kiely gave his final report for Plains Medical; seconded by Trustee Hendricks. Voting Aye; Mayor Beattie, Trustees Coonts, Hawthorne, and Hendricks. Abstain: Trustee King. Motion carried.

TEN MINUTE CITIZEN INPUT - NONE

PUBLIC HEARING; PETITION AMEND THE LAND DEVELOPMENT CODE BY CHANGING THE OFFICIAL ZONING MAP BY REZONING PROPERTY DESCRIBED AS CIRCLE LANE ADDITION TO THE TOWN OF LIMON, ALSO KNOWN AS 1720 CIRCLE LANE FROM SINGLE FAMILY RESIDENTIAL (R-1 ZONE DISTRICT) TO MULTIFAMILY RESIDENTIAL (R-3 ZONE)

PUBLIC HEARING; PETITION AMEND THE LAND DEVELOPMENT CODE BY CHANGING THE OFFICIAL ZONING MAP BY REZONING PROPERTY DESCRIBED AS LOTS 20-22, FIRST BASKETT HILLS ADDITION TO THE TOWN OF LIMON, ALSO KNOWN AS 1750 CIRCLE LANE FROM SINGLE FAMILY RESIDENTIAL (R-1 ZONE DISTRICT) TO MULTIFAMILY RESIDENTIAL (R-3 ZONE)

The agenda included three items addressing Land Development within the Town of Limon. The proposed amendments to the Land Development Code requested changing the zoning of 1750 and 1720 Circle Lane. Terry Ashcraft submitted the petitions on behalf of the property owners. The petitions will be combined for the public hearing and Mr. Ashcraft agreed to them being combined in one hearing.

Mayor Beattie opened the public hearing at 8:05 p.m.

Assistant Town Manager Kiely read letters opposing the petitions from Michael Bass, Patrick Kropp, and Joe & Georgeann Martin.

No testimony was given at the Planning Commission hearing except for Terry Ashcraft.

The Planning Commission voted unanimously to deny both petitions.

Kiely cautioned the Board about spot zoning. These petitions take single parcels within a zone district and upon approval would put them in a different zone district. The purpose of zoning is to lead to compatible land uses. A decision that it would be compatible to allow one zone different uses with no natural barrier is counter productive to the purpose of zoning and may result in a dangerous precedent.

Staff would be more comfortable with an action that at least considers a change of zoning that would affect all properties north and east and adjacent to Circle Lane from L Avenue to 6th Street but that was not the request of the property owners.

Is it in the best interest of the health and safety within the Town of Limon to change the types of uses? What does the Board of Trustees believe about what type of uses should be present in this neighborhood into the future? If the multi-family uses are more appropriate in the future than address the spot zoning issue and approve a zoning change for the area. If the single-family uses are more appropriate into the future, deny the petition.

Ken Morrison said he would not be in favor of a change in the zoning and that he lives in the area.

Mayor Beattie closed the public hearing at 8:25 p.m.

Trustee King moved to deny the petition to amend the Land Development Code by changing the official zoning map by rezoning property described as Circle Lane Addition to the Town of Limon, also known as 1720 Circle Lane from Single Family Residential (R-1 Zone) to Multifamily Residential (R-3); seconded by Trustee Hendricks. Motion carried unanimously.

Trustee Coonts moved to deny the petition to amend the Land Development Code by changing the official zoning map by rezoning property described at Lots 20-22, Block 2, First Baskett Hills Addition to the Town of Limon, also known as 1750 Circle Lane from Single Family Residential (R-1 Zone) to Multifamily Residential (R-3); seconded by Trustee Hawthorne. Motion carried unanimously.

PUBLIC HEARING; AMENDING CHAPTER I – GENERAL PROVISIONS, SUBSECTION N – GENERAL DEFINITIONS AND INTERPRETATION, MOBILE HOME PARK AND CHAPTER V – SUPPLEMENTARY DEVELOPMENT STANDARDS AND REGULATIONS, SUBSECTION A – MANUFACTURED AND MOBILE HOME STANDARDS

Assistant Manager Kiely reported to the Board that the Planning Commission did not have time to go into deliberative stage at their meeting. The next Planning Commission meeting is scheduled for July 23rd. He recommended continuing this agenda item to the August 6th Board meeting.

Trustee Hawthorne moved based on staff recommendation to table the agenda item until August 6th; seconded by Trustee Hendricks. Motion carried unanimously.

APPOINTMENT OF MUNICIPAL JUDGE

Trustee Coonts moved to appoint Dorothy Stone as the Municipal Court Judge; seconded by Trustee Hawthorne. Motion carried unanimously.

PRESENTATION BY KEN MORRISON, OFFICE OF COUNTY EMERGENCY MANAGEMENT

Ken Morrison gave a presentation on NIMS training and emergency management planning.

GRASSLAND LEASE REQUEST

Town Manager Stone was asked if the Town was interested in leasing property and the Board declined the request.

SUPPLEMENTAL FUNDING FOR LINCOLN COUNTY ECONOMIC DEVELOPMENT OFFICE

Trustee Hawthorne abstained from discussion and voting because she is a board member of the Lincoln County Economic Development Office.

The Lincoln County Economic Development office is in need of \$16,000 additional funding.

Trustee Coonts moved to give the Lincoln County Economic Development Office \$3,128 additional funds contingent upon the raising of the \$16,000; seconded by Trustee Metcalf. Voting Aye: Mayor Beattie, Trustees Coonts, Hendricks, and Metcalf. Nay: Trustee King. Abstain: Trustee Hawthorne.

RESOLUTION NO. 07-09-21; AMEND SALARY RANGE

Town Manager Stone 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. 07-09-22; A Resolution Changing Salary Ranges for Certain Job Descriptions Within the Town of Limon.

Trustee Coonts moved to approve Resolution No. 07-09-21; seconded by Trustee King. Motion carried unanimously.

RESOLUTION NO. 07-09-22; AMEND CODE ENFORCEMENT TECHNICIAN JOB DESCRIPTION

Town Manager Stone 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. 07-09-22; A Resolution Amending and Approving the Code Enforcement Technician Job Description.

Trustee King moved to approve Resolution No. 07-09-22; seconded by Trustee Hawthorne. Motion carried unanimously.

ATTORNEY'S REPORT

Attorney Kimble reported on the Big Sandy Water Board litigation.

ADMINISTRATION REPORTS

Chief Yowell

- Thanked Attorney Kimble for his assistance in getting a new judge
- The new car is here
- Reported on junk vehicles and weed issues

Town Manager Stone

- Thanked the Board for the opportunity to attend the CML convention
- Reported on the mosquito abatement program
- Judge has overturned Amendment 54
- Requested a workshop which will be held July 16th from 7-9

MAYORS REPORT

Mayor Beattie reported that the CML conference is invaluable and talked about meetings he attended and contacts he made. He gave an update on Progressive 15.

TRUSTEES REPORT

Trustee Hendricks reported on a CML program he attended on water and will get the information to staff.

Trustee Coonts said the CML program was good and valuable time together. The more information we have the better.

She complimented the staff on doing a good job despite being short staffed.

Heritage Society invitations will be going out for the Limon Centennial celebration and she encouraged everyone to take an active role. She mentioned that everyone should look at the improvements done at the museum and depot.

Trustee Metcalf questioned if there needed to be representation from Lincoln County on the East Central RC & D Board since he and Gary Ensign had both resigned.

Trustee Hawthorne reported the CML conference was very good and adaptive to small communities this year.

APPROVAL OF BILLS

Trustee Hawthorne moved to approve the bills that were submitted for the month of June; seconded by Trustee Coonts. Motion carried unanimously.

ADJOURNMENT

Trustee Coonts moved to adjourn at 10:20 p.m.; seconded by Trustee Hawthorne.

TOWN CLERK _____

MAYOR _____