

**TOWN OF LIMON
BOARD OF TRUSTEES
Regular Meeting
September 6, 2001
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: Dan Doll, Danny Adams, Joe Brewer, Joe Dunham and Richard Yarian.

APPROVAL OF MINUTES

Trustee Templeman made a motion to approve the minutes for the August 2, 2001 regular meeting; seconded by Trustee Kudlock. Motion carried unanimously.

TEN MINUTE CITIZEN INPUT - None

WESTSIDE LIQUORS LIQUOR LICENSE RENEWAL

Trustee Hendricks moved to approve the liquor license renewal for Westside Liquors; seconded by Trustee Kudlock. Motion carried unanimously.

PUBLIC HEARING ON HOUSING APPLICATION

Mayor Bandy opened the public hearing at 7:35. Joe Brewer, a member of the Limon Community Development Association, spoke in favor of the housing application. Mayor Bandy closed the public hearing at 7:36 with no written comments being received from the public regarding the application.

RESOLUTION NO. 9-01-33; GRANT ASSISTANCE APPLICATION TO COLORADO DIVISION OF HOUSING

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. 9-01-33; A Resolution Approving the Submission of a Grant Assistance Application for the Lincoln County Housing Needs Assessment to the Colorado Division of Housing, Approving Match Funding for the Application and Authorizing the Execution of Said Application.

Trustee Beattie moved to approve Resolution No. 9-01-33; seconded by Trustee Lohmeier. Voting Aye: Mayor Bandy, Trustees: Beattie, Hendricks, Lohmeier, Templeman and Younger. Abstain: Trustee Kudlock. Motion carried.

PAY REQUEST NO. 5 FROM INDUSTRIAL PROCESS TECHNOLOGY, INC. FOR WATER TREATMENT PLANT

Trustee Younger moved to approve Pay Request No. 5 in the amount of \$201,192.17; seconded by Trustee Beattie. Motion carried unanimously.

PAY REQUEST FROM GMS

Trustee Templeman moved to approve the pay request from GMS in the amount of \$23,848.31; seconded by Trustee Hendricks. Motion carried unanimously.

FIRECHIEF JOB DESCRIPTION AND PAY

Asst. Chief Danny Adams addressed the board about concerns he has about being the fire chief and asked the board to consider compensation for the position. The Board instructed following discussion, staff to work on an ordinance that would address the issues brought up and the possibility of forming a fire district was approached. Further research will be done and staff will report back to the Board. Asst. Chief Adams agreed to continue to be Interim Chief while the research is being done.

RESOLUTION NO. 9-01-35; DECLARATION OF ANNEXATION FOR BIG SANDY ADDITION

Town Administrator Kiely 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 9-01-35; A Resolution Approving a Declaration of Annexation for the Big Sandy Addition to the Town of Limon and Authorizing the Execution of Said Declaration.

Trustee Hendricks moved to approve Resolution No. 9-01-35; seconded by Trustee Templeman. Voting Aye: Mayor Bandy, Trustees: Beattie, Hendricks, Lohmeier, Templeman, and Younger. Abstain: Trustee Kudlock. Motion carried.

ORDINANCE NO. 465; ANNEXATION OF BIG SANDY ADDITION

Town Administrator Kiely introduced and there was read the title of the following proposed 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. 465; An Ordinance Finding that the Big Sandy Addition to the Town of Limon is Eligible for Annexation to the Town of Limon.

Trustee Templeman moved to approve Ordinance No. 465; seconded by Trustee Kudlock. Motion carried unanimously.

RESOLUTION NO. 9-01-32; CONSENT TO USE MUNICIPAL PROPERTY WITH AGREEMENT TO HOLD HARMLESS AND IDEMNIFY

Town Administrator Kiely 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. 9-01-32; A Resolution Approving a Consent to Use of Municipal Property with Agreement to Hold Harmless and Indemnify With Eastern Colorado Independent Networks, LLC for Use Associated with the Limon Memorial Library and Authorizing the Execution of Said Consent.

Trustee Younger moved to approve Resolution No. 9-01-32; seconded by Trustee Beattie. Motion carried unanimously.

RESOLUTION NO. 9-01-34; REVISED CDOT RIGHT OF WAY AGREEMENT

Town Administrator Kiely introduced and there was read 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. 9-01-34; A Resolution Approving a Revised Right-Of-Way Agreement Between the State of Colorado, Department of Transportation and the Town of Limon for Use of Public Right-of-Way and Authorizing the Execution of Said Agreement.

Trustee Templeman moved to approve Resolution No. 9-01-34; seconded by Trustee Lohmeier. Motion carried unanimously.

RESOLUTION NO. 9-01-36; EARTHLINK CO-LOCATION SPACE AGREEMENT

Town Administrator Kiely introduced and there was read 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. 9-01-36; A Resolution Approving Co-Location Space Agreement Between Earthlink, Inc. and the Town of Limon for Use of Space in Limon Town Hall and Authorizing the Execution of Said Agreement.

Trustee Hendricks moved to approve Resolution No. 9-01-36; seconded by Trustee Lohmeier. Motion carried unanimously.

ATTORNEY'S REPORT

Attorney Kimble has contacted the CIRSA attorney's and the stipulation of dismissal is waiting for the judge's signature in the Video Xpress case and he will keep the Board informed about the progress.

Kimble reported about odor complaints from Coleman and the problems relating to the cease and desist order.

ADMINISTRATION REPORTS

Public Works Director Stone asked the Board for direction concerning the remaining feedlot items that Brent Hostetler has not picked up. The Board instructed Stone to give him a deadline of one week and if they are not picked up Stone is to dispose of the items at his discretion.

The TIC project at Smith Baseball is being worked on. Mayor Bandy offered to pay for part of the re-wiring as a donation from him and his wife.

We are working on 6th Street and have put in a drain pan. The work will take at least one more week.

Chief of Police Yowell announced that Duane Dillon has resigned and he is taking applications to replace his position.

Town Administrator Kiely has started the budget process.

The Town received over \$6,000 in energy impact money this month.

Kiely reported about a meeting held to discuss re-financing the water bonds and creating special improvement districts.

We will be having several workshops in September and October.

Work is beginning on the transportation enhancement project for Highway 71.

Kiely invited the board to attend the Rural Development Council Meetings that is scheduled for September 19-21.

A Ports to Plains update was given. The Summit meeting is October 25 & 26 in Lubbock, Texas.

MAYORS REPORT

Dan Doll has contacted the Mayor and is concerned about his street in front of his business. Public Works Director Stone will investigate.

TRUSTEES REPORT

Trustee Templeman has been contacted by the day care center about support from the Town is getting equipment for the after school program. Town Administrator Kiely asked about possibly doing a GOCO grant.

Trustee Lohmeier asked Chief of Police Yowell how to respond to citizen complaint about a dog barking. She was told that the citizen should call the police and they will investigate, give a warning or issue a citation.

APPROVAL OF BILLS

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

ADJOURNMENT

At 10:55 p.m. Trustee Kudlock moved to adjourn; seconded by Trustee Templeman. Motion carried unanimously.

TOWN CLERK _____ MAYOR _____