

Minutes

Board of Trustees – Firestone Town Hall
151 Grant Avenue, Firestone, CO 80520
7:48 p.m.

March 25, 2010

Regular Board Meeting

The Town Board of Trustees of the Town of Firestone met in regular session at Town Hall, 151 Grant Avenue, Firestone, Colorado. Mayor Chad Auer called the meeting to order at 7:30 p.m. Roll call was taken with the following persons present:

Mayor: **Chad Auer**
Mayor Pro-tem: **Charlie Thomas**
Trustees: **Butch Walb**
Matt Holcomb
Darrell Walsh
Paul Sorensen
Kelly Morgan

Also present were: **Wes LaVanchy, Town Manager**
Judy Hegwood, Town Clerk, CMC
Melinda Culley, Town Attorney
Bruce Nickerson, Town Planner
Dave Lindsay, Town Engineer
David Montgomery, Chief of Police
Ron Lay, Finance Director

PLEDGE OF ALLEGIANCE

All rose for Pledge of Allegiance to the flag.

APPROVAL OF AGENDA

Mayor Auer called for additions, deletions or changes to the agenda. Town Manager Wes LaVanchy stated that Larry Burkhart from Upstate Colorado would not be present to give a presentation; this will be placed on a late April or 1st of May agenda. Trustee Holcomb moved and Trustee Thomas seconded, to approve the agenda, as submitted, with the recommended changes. Voice vote taken. Motion carried.

PRESENTATIONS

Upstate Colorado

This was removed from the agenda.

CITIZEN PARTICIPATION

There was audience participation from the following citizen:

1. Nathan Garcia – Mr. Garcia raised the question of raising chickens in the Town of Firestone, he referenced 5th Street. Mayor Auer said to give his information to Town Manager Wes LaVanchy and Town Planner Bruce Nickerson stated that staff has done some research on this subject.

APPROVAL OF CONSENT AGENDA

- a. *Approval of February 2010 Financials*
- b. *Approval of March 2010 Accounts Payable*
- c. *Approval of Minutes – March 11, 2010 Regular Meeting*

Trustee Walb moved and Trustee Morgan, to approve the consent agenda, as submitted. Roll call vote was taken. Motion carried.

PUBLIC HEARINGS

RESOLUTION AMENDING THE 2009 BUDGET BY INCREASING THE APPROPRIATIONS IN THE GENERAL FUND, HIGHWAY FUND, CAPITAL IMPROVEMENTS FUND, WATER FUND, STORMWATER FUNDS, AND DEBT SERVICE FUND

Town Manager Wes LaVanchy stated that the items have already been approved by the Board of Trustees and some are lease items.

Mayor Auer opened the public hearing at 7:55 p.m.

Public Comment

None.

Mayor Auer closed the public hearing at 7:56 p.m.

Board Comment

None.

Resolution No. 10-18

A RESOLUTION AMENDING THE 2009 BUDGET BY INCREASING THE APPROPRIATIONS IN THE GENERAL FUND, HIGHWAY AND STREETS FUND, CAPITAL IMPROVEMENTS FUND, WATER FUND, STORMWATER FUND, AND DEBT SERVICE FUND, AND AUTHORIZING TRANSFERS FROM THE CAPITAL IMPROVEMENTS FUND TO THE GENERAL FUND AND THE HIGHWAY AND STREETS FUND.

Trustee Thomas moved and Trustee Walsh seconded, to adopt Resolution No. 10-18. Roll call vote was taken. Motion carried 6-Yea; 0-Nay.

ACTION ITEMS

2009 Year End Appropriations

This item was completed in the above public hearing.

Carbon Valley Rotary Club Revocable License Agreement for Annual Easter Egg Hunt at Settlers Park

Trustee Sorensen moved and Trustee Morgan seconded, to approve the revocable license agreement for the annual Easter egg hunt. Roll call vote was taken. Motion carried 6-Yea; 0-Nay.

Resolution Confirming the Cancellation of the April 6, 2010 Election and Declaration of Candidates Elected

Resolution No. 10-19

A RESOLUTION CONFIRMING THE CANCELLATION OF THE APRIL 6, 2010 ELECTION AND DECLARATION OF ELECTED OFFICIALS

Trustee Thomas moved and Trustee Sorensen seconded, to adopt Resolution No. 10-19. Roll call vote was taken. Motion carried 6-Yea; 0-Nay.

Economic Development Manual

As envisioned by Trustee Thomas, Chairman of the Firestone Economic Development Committee, Town staff has prepared the Firestone Economic Development Reference Manual. The purpose of this Manual is to serve as a technical reference resource for Firestone elected and appointed officials. The manual generally outlines key economic development policies and procedure that Firestone has so successfully utilized over the years.

Resolution No. 10-20

A RESOLUTION APPROVING AND ADOPTING THE FIRESTONE ECONOMIC DEVELOPMENT MANUAL

Trustee Walb moved and Trustee Thomas seconded, to adopt Resolution No. 10-20. Roll call vote was taken. Motion carried 6-Yea; 0-Nay.

Human Resource Proposal

Town Manager Wes LaVanchy stated that the review committee met with HRMC and MSEC on March 19, 2010, to hold interviews. Based on the individual interviews with both firms staff recommends that the Town contract with MSEC to provide human resources services.

Trustee Sorensen moved and Trustee Walsh seconded, to approve the expenditure, not to exceed \$45,000.00, for Mountain States Employers Group for Human Resources for the town and authorizing the Mayor and Town Clerk to sign. Roll call vote was taken. Motion carried 5-Yea; 1-Nay. Trustee Morgan voted Nay.

Fireworks Ordinance

Section 9.16.070.B of the Town Code currently makes it unlawful for a person to sell, possess or use any fireworks in the Town, with the limited exception that supervised public displays may be held within the Town so long as a permit is first obtained from the Board. The Town's regulations pertaining to fireworks are more restrictive than Colorado law, which exempts from its general prohibition against the possession and use of fireworks certain "permissible fireworks." The Board adopted Ordinance No. 742 to repeal and reenact Section 9.16.070 in order to regulate the possession, discharge, sale, and display of fireworks within the Town, including permitting the sale and use of permissible fireworks under Colorado law, under certain circumstances.

Ordinance No. 742

AN ORDINANCE REPEALING AND REENACTING SECTION 9.16.070 OF THE FIRESTONE MUNICIPAL CODE REGARDING THE TOWN'S REGULATIONS OF FIREWORKS

Trustee Holcomb moved and Trustee Walb seconded, to adopt Ordinance No. 742. Roll call vote was taken. Motion carried 6-Yea; 0-Nay.

Zone 1-2 PRV Station and Zone 2-3 Stations Engineering Design Contract

The project will consist of engineering design for three (3) Pressure Reducing Valve (PRV) Stations located at Overlook (Southwest corner of Grant Avenue and Frontier Street), Stage Coach Detention Pond (Northeast corner) and Booth Park (Southwest corner of Booth Park adjacent to Colorado Boulevard).

Trustee Thomas moved and Trustee Morgan seconded, to approve the expenditure, not to exceed \$32,450.00, to CCG and authorizing the Mayor to sign. Roll call vote was taken. Motion carried 6-Yea; 0-Nay.

Major Intersection Operational Study

The Town of Firestone has received a proposal from Fox-Higgins Transportation Group, LLC to evaluate and identify potential improvements for eight intersections in the Town of Firestone. The Town has anticipated that these eight Intersections will need to be improved in the future. This study will help the Town anticipate future improvements to ensure that the intersections have sufficient capacity while improving public safety.

Trustee Morgan moved and Trustee Walsh seconded, to approve the expenditure, not to exceed \$16,475.00, to CCG and authorizing the Mayor to sign. Roll call vote was taken. Motion carried 6-Yea; 0-Nay.

Tank Site Subdivision Plat

In 2005, the Town of Firestone entered into a lease-purchase agreement with Jacor Broadcasting of Colorado, Inc. in regards to the existing tank site on Cleveland Hill. The existing Town of Firestone water tank is located on the first parcel and the second parcel will be occupied by a future water tank for the Town. According to the Weld County Planning Department, these two parcels can be subdivided through the Recorded Exemption (RE) process, which needs to be completed prior to the agreement termination date of August 31, 2010.

Trustee Thomas moved and Trustee Morgan seconded, to approve the expenditure, not to exceed \$12,500.00, to CCG and authorizing the Mayor to sign. Roll call vote was taken. Motion carried 6-Yea; 0-Nay.

Town Manager Evaluation/Contract Amendment

The Board of Trustees discussed the Town Manager evaluation/contract amendment in length and agreed to table until all of the Trustees had reviewed and replied to Mayor Auer regarding the position.

Trustee Thomas moved and Trustee Walb seconded, to table the Town Manager evaluation/Contract Amendment until the April 8, 2010 meeting. Roll call vote was taken. Motion carried 6-Yea; 0-Nay.

DISCUSSION

Transportation/Road Funds - DRCOG

In anticipation of a Federal Stimulus II funding bill, DRCOG has requested proposals from member jurisdictions for qualifying transportation projects that can be ready for construction in about 10 months. The applications are due to DRCOG by March 17. We have determined that none of the projects on our 2010 5-YR CIP are eligible for funding so we have proposed a new project that will complete the ultimate Firestone Boulevard cross section from the I-25 Frontage Road east to Bailey Street (RD 9 ¾). The project construction cost is estimated to be \$2.3 Million and we will be requesting 100% funding of the project because the Town will not have any available matching funds for the application. The Town will be required to pay 100% of the cost of the design, which we are estimating to be \$102,600.00. Staff needs direction from the Board regarding the proposed project and if the Board wants to pursue any potential Stimulus II funds, if they are available.

Judge Appointment Memo

Town Manager Wes LaVanchy asked for direction from the Board of Trustees regarding the Judge appointment and said that the Town will need to make a 2010 supplemental appropriation for an Associate Judge should the B.O.T. proceed with an appointment of such. The Board of Trustees directed staff to solicit Letter of Interest/RFP for presiding judge and/or associate judge.

Farmers Market & Eagle Scout Update

Town Planner Bruce Nickerson stated that a Farmers Market could be done as a land use recommendation such as a special use permit.

Planner Nickerson reported that the benches for the Scouting project are on hold due to the weather and are scheduled to be put in on Monday or Tuesday of next week.

CITIZEN PARTICIPATION

There was no citizen participation.

STAFF REPORTS

Mayor Auer stated that Staff Reports were reported electronically.

Town Manager Wes LaVanchy reported that he will have a monthly report to the Board soon (2) reported that a template agenda has been provided showing how the April 8, 2010 agenda will layout for new appointments.

Town Planner Bruce Nickerson reported that staff has had a request from the Ridgecrest HOA President asking to place a shed on the corner of town property. Discussion. Planner Nickerson will get more info and send a memo to the Board.

BOARD REPORTS

Trustee Sorensen reported that the pinewood derby was good.

Trustee Walb asked Planner Nickerson to check the Hall Irwin FDP to see if the property required a berm.

ADJOURNMENT

There being no further business to come before the Board of Trustees, Trustee Thomas moved and Trustee Walb seconded, to adjourn the meeting. Motion carried. The meeting adjourned at 10:45 p.m.

TOWN OF FIRESTONE, COLORADO

ATTEST:

Chad Auer, Mayor

Judy L. Hegwood, Town Clerk, CMC

READ AND APPROVED THIS _____ DAY OF _____, 2010.