

Minutes

Board of Trustees – Firestone Town Hall
151 Grant Avenue, Firestone, CO 80520
7:00 p.m.

April 24, 2008

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 7:00 p.m. Roll call was taken with the following persons present:

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

Also present were:	Cheri Andersen, Town Manager
	Wes LaVanchy, Town Administrator
	Judy Hegwood, Town Clerk, CMC
	Sam Light, Town Attorney
	Bruce Nickerson, Town Planner
	Dave Lindsay, Town Engineer
	David Montgomery, Police Chief

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. Mayor Auer added Coal Ridge PTO, Trustee Walb added discussion of reappointment to Parks and Trails Advisory Board and Trustee Holcomb asked that a citizen comment portion be added right after the approval of agenda.

FIRST PARTICIPATION FROM UNSCHEDULED CITIZENS NOT LISTED ON THE AGENDA

There was citizen participation from the following people:

1. Eric Hahn – Mr. Hahn addressed the Board of Trustees regarding the Town Goals sign.
2. Gayle Mertz – Ms. Mertz asked that the Town look into a Fire Department Sub-Station west of I-25 for the new annexations.

PRESENTATIONS

Frederick/Firestone Fire Protection District Quarterly Report – Fire Chief Ted Posywak

Fire Chief Ted Posywak addressed the Board of Trustees giving the first quarter report for 2008. Chief Posywak stated that the response time is 5.5 minutes, there has been 275 incidents, and National and State training is used. He said there is a fourth sub-station planned for the west side of I-25 and the Fire Department has the funds on hand to build this station. He reported that at 10:00 a.m. on Monday April 28, 2008 the tornado alarm will sound off and May 6, 2008 is the Fire Department Election.

Lieutenant Bryce Borders – FBI Academy

Police Chief David Montgomery presented Commander Bryce Borders with an Award for his March 14, 2008 FBI Academy graduation. Chief Montgomery stated to Commander Borders, “You have represented us well and congratulations.”

Coal Ridge PTO – Trent John

Mr. John, who is representing the Coal Ridge PTO, requested the Board of Trustees to review the SRO position at Coal Ridge Middle School and to make changes by adding an additional SRO. The Board agreed to discuss this in a Work Session.

APPROVAL OF CONSENT AGENDA

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- a. Approval of March 2008 Financials*
 - b. Approval of April 2008 Accounts Payable*
 - c. Approval of Minutes – 4/10/08 Regular Meeting*

Trustee Holcomb moved and Trustee Morgan seconded, to approve the consent agenda, as submitted. Roll call vote was taken. Motion carried. Trustee Sorensen moved and Trustee Holcomb seconded, to reconsider approval of the Minutes to add citizen names under audience participation. Voice vote was taken. Motion carried. Trustee Sorensen moved and Trustee Thomas seconded, to amend the Minutes by adding citizen names to audience participation. Roll call vote was taken. Motion carried.

PUBLIC HEARINGS

GOOD TIMES BURGER FINAL DEVELOPMENT PLAN

Mayor Auer opened the public hearing at 7:32 p.m. Town Planner Bruce Nickerson introduced the application and showed a Power Point Presentation that was entered into the record. Planner Nickerson stated that these are platted lots and the location is I-25 and Firestone Boulevard, Lot 3 and the access to the lot would be from the internal ring road. There has been some additional seating added, there is abundant parking, and four-sided architecture. Engineer Dave Lindsay said that ring road is a private road that the town does not have to maintain. Police Chief Montgomery said that there are trained officers to handle this location. Planner Nickerson went over the conditions of approval going over landscaping plans and water dedications.

Architect

Mr. Nicholas Corbishley was sworn in by Mayor Auer. Mr. Corbishley addressed the Board of Trustees stating that Firestone is the first to have the new building design, and the building is slightly larger than the one in Longmont. They use 100% beef and 100% custard, the landscaping plan will include an island at the back and middle of the site, the roofing will be white PVC to reflect the heat, there will be two order boards and the order board inside will have fluorescent lighting and the building will have ultra-low flow urinals and faucets.

Public Comment

There was no public comment.

Mayor Auer closed the public hearing at 8:08 p.m.

Board Comment

Trustee Holcomb asked if there could be a pedestrian traffic problem and if anything would be placed over the drainage side. Mr. Corbishley stated that there will be a sidewalk from south to north of this location. Trustee Sorensen asked about the columns on the pilasters for sconces and the parking lot lighting. Mr. Corbishley stated that the lighting will all be downward lighting. Trustee Thomas asked how much seating will be available, and when the construction will begin. Mr. Corbishley said there will be 72 seats inside and 16 seats on the patio. Construction will begin in May 2008 and opening in July 2008. Trustee Holcomb asked if energy conservation or standard plans will be used. Planner Nickerson stated that general plans will be used.

Attorney Sam Light explained the resolutions content.

Resolution No. 08-38

A RESOLUTION APPROVING A FINAL DEVELOPMENT PLAN FOR GOOD TIMES AT FIRESTONE CITY CENTRE

Trustee Walb moved and Trustee Thomas seconded, to adopt Resolution No. 08-38. Roll call vote was taken. Motion carried.

FIRESTONE VILLAS AMENDED FINAL DEVELOPMENT PLAN

Mayor Auer opened the public hearing at 8:14 p.m. Town Planner Bruce Nickerson introduced the application and showed a Power Point Presentation that was entered into the record. Planner Bruce Nickerson stated that the location is north of Evanston on First Street. This was originally planned for a park so the utility boxes are at the end of the planned lots. Planner Nickerson went over the Tri-town drainage channel and the fencing. The fencing will be 3 ft., 3-rail vinyl along First Street, a 5 ft. vinyl privacy fence on the north side with tapered detail at the end. He went over the conditions of approval stating that maintenance of outlot C would be done by the HOA.

Applicant

Mr. Doug Lockhart was sworn in by Mayor Auer. Mr. Lockhart addressed the Board of Trustees stating that the fencing to the north was going to be made of wood and he is asking to use vinyl. A 5 ft. vinyl privacy fence would be on the north side, tan in color, and a 3 ft. vinyl split rail between the homes. He stated that these are individual built homes on these lots.

Public Comment

There was no public comment.

Mayor Auer closed the public hearing at 8:36 p.m.

Board Comment

Trustee Sorensen asked what the closest park is and was told that Onorato Park is across the street and Gateway Park and Hart Parks are close. Trustee Sorensen asked if this would be in the Firestone Loop, and Town Manager Cheri Andersen said that it would not because the Town needs funds to build the loop.

Resolution No. 08-39

A RESOLUTION APPROVING AN AMENDED FINAL DEVELOPMENT PLAN FOR FIRESTONE VILLAS

Trustee Thomas moved and Trustee Morgan seconded, to adopt Resolution No. 08-39. Roll call vote was taken. Motion carried.

The Board took a Recess at 8:43 p.m. The Board reconvened the meeting at 8:56 p.m.

MOUNTAIN VISTAS ANNEXATION NOS. ONE THROUGH ELEVEN

Mayor Auer opened the public hearing at 8:57 p.m.

Applicant

Mr. Kirby Smith was sworn in by Mayor Auer. Mr. Smith gave an overview of the annexation, zoning, and ODP by showing a Power Point Presentation of the property. The property is approximately 55.2 acres located south of Zinnia Street (CR26), west of Locust Street (CR19) and the annexation encompasses Zinnia, Locust, Firestone Boulevard and Homestead at Firestone. There will be mixed use, residential, several trail systems, future school and park sites. The PUD includes two districts, and an oil & gas well, trees will be planted along the field ditch and the trails will provide pedestrian access. There are 3.23 units per acre and 119 units will be mixed use.

Town Planner Bruce Nickerson showed a Power Point presentation of the project which was entered into the record, along with the presentation from Mr. Smith. Mr. Nickerson stated that this is a serial annexation which is a quarter of a mile away from the Homestead at Firestone project. This is in the Town's Master Drainage plan, the Water Master plan and is in the St. Vrain Sanitation District. Mr. Nickerson entered all e-mails regarding this project into the record and said it will be a long time before any development is done on this project.

Public Comment

There was public comment from the following citizen:

Jeff Patterson – Mr. Patterson was sworn in by Mayor Auer. Mr. Patterson asked the town to look closely at the details for development and the roadways, stating that the NE drainage between CR19 and CR26 is the biggest issue, as the road slopes from south to the north. He cautions on planning from a personal standpoint and asked that the road width and placement be studied. Trustee Sorensen asked if there was heavy traffic in this area and Mr. Patterson said there is heavy traffic off of CR17 onto CR19, with no dust control.

Applicant Rebuttal

Mr. Kirby Smith stated that there was a neighborhood meeting held this week and the concerns regarding traffic in the area were discussed and include possibly having a loop to the roadways so the town would have control of this area. He stated that the drainage is in the Town Master planning and they have met with St. Vrain Sanitation and it is a step-by-step process. Mr. Smith stated that there is a few years of planning before any final plans would come before the town.

Planner Nickerson stated that this is a lot of information and he did ask Mr. Kirby, the applicant, if he would agree to a continuance so the Board could review the application before making a decision. Mr. Kirby agreed to a continuance.

Board Comment

Mayor Auer asked the Board members if they wished to proceed or to continue this hearing. The Board agreed to continue the Public Hearing. Attorney Sam Light explained the process for continuation, again asking Mr. Smith if he agreed to the continuance, with Mr. Kirby saying "yes".

Trustee Thomas moved and Trustee Walb seconded, to continue the Mountain Vistas Annexations One through Eleven public hearing until May 22, 2008. Roll call vote was taken. Motion carried.

ACTION ITEMS

APPOINTMENT OF TOWN CLERK

Trustee Thomas moved and Trustee Morgan seconded, to appoint Judy Hegwood as Town Clerk. Roll call vote was taken. Motion carried unanimously.

APPOINTMENT OF TREASURER

Trustee Holcomb moved and Trustee Thomas seconded, to appoint Carl Nelson as Treasurer. Roll call vote was taken. Motion carried unanimously.

APPOINTMENT OF TOWN ATTORNEY

Trustee Walb moved and Trustee Holcomb seconded, to appoint Light, Harrington, and Dawes as the Town Attorney's. Roll call vote was taken. Motion carried unanimously.

ON-LINE WEB PAYMENT SERVICES

Town Administrator Wesley LaVanchy said this is a web based service for the Black Mountain Utility program. The advantages are on-line payments, which will reduce staff time, and also interfaces with the town receipting ledger. The town would need to charge a convenience fee and he recommends a \$2.50 fee for all transactions.

Trustee Holcomb asked if this is set up for credit card payments to have auto debited. Administrator Wesley LaVanchy said an analysis is done to off-set the convenience fee to residents. He stated that the town has not looked at fees since April 2003 and he would like to set the fee now.

Trustee Thomas moved and Trustee Morgan seconded, to approve the on-line web payment services and authorizing the Mayor to sign. Roll call vote was taken. Motion carried.

DISCUSSION/DIRECTION/ACTION TRUSTEE VACANCY

Mayor Auer opened discussion up the Board, Staff and Attorney. Attorney Light recapped the different options for the Trustee appointment. Discussion.

Trustee Sorensen moved and Trustee Morgan seconded, to appoint Mr. Greg Foster as Trustee, as he had the next highest in votes from the April 1, 2008 election, by using secret ballot. Discussion.

Trustee Walb moved and Trustee Thomas seconded, to vote by secret ballot, for the appointment of Mr. Greg Foster as Trustee on the Board of Trustees. Roll call vote was taken. Motion carried.

The Trustees voted by secret ballot and the voted ballots were passed to Town Clerk Judy Hegwood.

Town Clerk Judy Hegwood read the final results and reported that the vote was 3-Yea; 2-Nay for the appointment of Greg Foster to the Board of Trustees. Motion carries 3-Yea; 2-Nay.

Town Clerk Judy Hegwood swore Greg Foster into the Office of Trustee and he was seated at the Board dais.

DISCUSSION ITEMS

WATER LEASING PROGRAM

Town Administrator Wesley LaVanchy reported that the town is in excess in the water supply. A leasing plan has been submitted to the town giving the Board of Trustees a way to lease the water and recoup the costs of \$48 per acre ft. beginning April 25, 2008. Mr. Steve Nyguen, of Clearwater Solutions, addressed the Board stating that there is 1100 acre ft. of Colorado Big Thompson (CBT) water and that each November Northern Colorado Water Conservancy District (NCWCD) tells the town what the quota is, and he recommends leasing 800 acre ft. now.

Trustee Holcomb asked if this has been budgeted for and where the water tank is located. Administrator Wesley LaVanchy said yes this is in the budget and is slightly over the \$50,000 budgeted. Mr. Nyguen said that Central Weld treats and delivers the water to the Master Meter and Northern Colorado manages the water. Engineer Dave Lindsay said the water tank is located on CR17, east of Frederick. The Board agreed to lease the water and Trustee Thomas asked about the allotments and the price. Administrator Wesley LaVanchy stated that there are two allotments, one in July and one in August. Mr. Nyguen said the staff is looking at the \$45 to \$46 price range. Trustee Foster asked if there are historical studies of the past and Wes said yes. Trustee Thomas asked how much the town water tank holds and Engineer Dave Lindsay said it holds one million gallons and that there is no water in it at present.

RAW WATER IRRIGATION MASTER PLAN

Engineer Dave Lindsay told the Board that they need to decide on how to add a potable water supply to implement the system. He said after evaluation of the Master Plan of the infrastructure the plan is to use irrigation water for larger public parks or HOA's. He stated that some developments have water rights attached and use the Master Plan to designate the best corridors for placement of sub-stations. He said this is for information only and no decision needs to be made this evening. Town Administrator Wesley LaVanchy said that the funds have been budgeted for the Raw Water Irrigation Master Plan.

UPDATE ON PURCHASE OF POLICE CAR AND PUBLIC WORKS VEHICLE

Administrator Wesley LaVanchy introduced the purchases to the Board of Trustees stating that these vehicles have been budgeted for with the Police vehicle having a two year rollover and the public works truck is needed for the Sports Complex projects. Trustee Thomas asked how much the cost is for the Public Works vehicle and Trustee Walb asked if the town received bids. Administrator Wesley LaVanchy stated that the cost to the F250 for Public Works is \$25,000 and the Town did receive bids and went with the State bid. Trustee Thomas asked how many miles are on the police vehicles before retiring. Police Chief Montgomery stated that approximately 85,000 miles are on the Police vehicles before retiring. Trustee Thomas asked which car the Police Department is retiring, and Police Chief Montgomery said the PD is retiring unit 16.

SCHOLARSHIP COMMITTEE BOARD LIASON

Town Administrator Wesley LaVanchy stated that this program is for graduating seniors to apply to the Town for a Scholarship. The Board looks at the applications, without seeing the name of the applicant, and then have the designations compiled before the first of May. He asked the Board to designate a liaison from the Board to review the applications. The Board agreed to designate Mayor Chad Auer to review the applications and become the Board liaison.

PARKS AND TRAILS ADVISORY BOARD

Trustee Walb stated that the Parks and Trails Advisory Board would like to get two positions filled. He recommended reappointing Dave Fox for a two year term, Marlene Morris to a three year term and Julie Andersen to a four year term. There is currently one 2 year term open and one 3-year term open, and he would like this advertised in the town newsletter. He asked that the letters of interest be submitted to the Town and then given to Mayor Auer for review. He would like the nominations at the next meeting.

Trustee Walb asked that there be a Clean Up Day for Aisik's Dog Park. Trustee Holcomb agreed, and stated that this dog park is always a mess and there are always bags available. Trustee Thomas said to send the CSO's out to the park. Trustee Walb said he would get with the Public Works Director Theo Abkes, to work on cleaning up the dog park.

SECOND PARTICIPATION FROM UNSCHEDULED CITIZENS NOT LISTED ON THE AGENDA

There was citizen participation from the following citizen:

Lane Johnson – Mr. Johnson would like to see a web site of communications from this Board to the Community and the public to have access.

STAFF REPORTS

Town Administrator Wesley LaVanchy (1) The Town was approved for a Division of Local Government (DOLA) Grant in the amount of \$460,000 for a water project.

Engineer Dave Lindsay reported that there is power to the Sports Complex on Firestone Blvd. and RD 15.

BOARD REPORTS

Trustee Holcomb asked if the speed limit on Sable Ave is set by design. Engineer Dave Lindsay said it is 45 MPH. (2) Reported that Kelly Martindale has offered her paper for communications such as agendas, meetings, etc. This will be placed for discussion in a work session.

Trustee Walb (1) Requested that the Town Managers Report and the Agenda be given to the Board electronically. (2) Clean-Up Day is May 3, 2008.

Trustee Foster asked Town Clerk Judy Hegwood for a packet of tonight's meeting. Town Clerk Judy Hegwood gave Trustee Foster a packet of tonight's meeting.

Trustee Thomas (1) Reported that he and Town Manager Cheri Andersen will be attending the South West Weld meeting on May 7, 2008 (2) asked Town Administrator Wesley LaVanchy to arrange, with Finance Director Carl Nelson, a quarterly finance meeting, before April is over.

Trustee Sorensen reported that he participated in the Habitat for Humanity building project in Longmont on April 19, 2008.

Trustee Morgan (1) Reported that she attended the School Board meeting and Prom is Saturday April 26, 2008. After Prom is from 9:00 p.m. to 3:00 a.m. and she would love to have any of the Board there, reporting that there is a car being raffled off and the kids have to be there at the 3:00 a.m. hour to be eligible to win.

Mayor Auer (1) Asked that all prepare to mend the status with other communities and all others. The Board agreed. (2) Asked Staff to bring the SVVSD IGA status up for reconsideration, and the same for the Weld County IGA. (3) Asked Town Manager Cheri Andersen to discuss with Frederick and Dacono, the possibility of a local bus to run between the Tri-towns. (4) Mayor Auer would like to paint the wall behind the Board Dais. The Board agreed.

ADJOURNMENT

Trustee Holcomb moved and Trustee Thomas seconded, to adjourn the meeting. The meeting adjourned at 11:35 p.m.

TOWN OF FIRESTONE, COLORADO

Chad Auer, Mayor

ATTEST:

Judy L. Hegwood, Town Clerk, CMC

READ AND APPROVED THIS _____ DAY OF _____, 2008.