

Minutes

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

May 28, 2009

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:

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

<i>Also present were:</i>	<i>Cheri Andersen, Town Manager</i>
	<i>Wes LaVanchy, Director of Operations</i>
	<i>Judy Hegwood, Town Clerk, CMC</i>
	<i>Sam Light, Town Attorney</i>
	<i>Bruce Nickerson, Town Planner</i>
	<i>Dave Lindsay, Town Engineer</i>
	<i>David Montgomery, Chief of Police</i>
	<i>Carl Nelson, Finance Director</i>

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. Wes LaVanchy, Director of Operations stated that agenda item 4A a presentation by the St. Vrain Sanitation on Remediation will not be heard, and shall be stricken from the agenda. Trustee Sornesen moved and Trustee Holcomb seconded, to approve the agenda, as amended. Voice vote taken. Motion carried unanimously.

CITIZEN PARTICIPATION

There was no citizen participation.

APPROVAL OF CONSENT AGENDA

- a. Approval of April 2009 Financials*
- b. Approval of May 2009 Accounts Payable*
- c. Approval of Minutes – May 14, 2009 Regular Meeting*

Trustee Sorensen moved and Trustee Walsh seconded, to approve the consent agenda, as submitted. Roll call vote was taken. Motion carried unanimously.

PUBLIC HEARINGS

PROPOSED AMENDMENTS TO THE FIRESTONE DEVELOPMENT REGULATIONS AND THE FIRESTONE ZONING SUBDIVISION ORDINANCES TO INCORPORATE NEW DEADLINES AND REQUIREMENTS FOR FINALIZING AND OTHERWISE PERFECTING LAND USE APPROVALS; HEIGHT LIMITATIONS AND OTHER STANDARDS FOR ANTENNAS, TRANSMISSION TOWERS, WINDMILLS, AND ROOF-MOUNTED ALTERNATIVE ENERGY SYSTEMS; AND RELATED MATTERS (continued from May 14, 2009)

Mayor Auer opened the public hearing at 7:10 p.m.

Town Planner Bruce Nickerson addressed the Board of Trustees stating that the Planning Commission is in the review process on the last draft of this ordinance and said that staff would like to request continuing this public hearing until June 11, 2009.

Discussion. The Board of Trustees asked that the Board of Trustees remain the body to review and approve any extensions. Attorney Light stated that this resolution would be for the extension period only and the remaining items would come back before the Board of Trustees at the June 11, 2009 Meeting.

Public Comment

None.

Board Comment

Resolution No. 09-14

A RESOLUTION AMENDING THE FIRESTONE DEVELOPMENT REGULATIONS CONCERNING EXTENSIONS OF TIMES TO SUBMIT FINAL DOCUMENTS

Trustee Sorensen moved and Trustee Morgan seconded, to adopt Resolution No. 09-14, as read into the record. Roll call vote was taken. Motion carried unanimously.

Trustee Sorensen moved and Trustee Morgan seconded, to continue the public hearing for the remainder of the development standards to the June 11, 2009 Board of Trustees Meeting. Voice vote was taken. Motion carried unanimously.

ARM PETROLEUM AMENDMENT TO FINAL DEVELOPMENT PLAN FOR SIGNAGE AT RETAIL CENTER

Mayor Auer opened the public hearing at 7:35 p.m.

Ms. Barb Brunk was sworn in by Mayor Auer. Ms. Brunk addressed the Board of Trustees stating that they would like to request additional signage for Quizno's and Qdoba's Mexican Grill, that are located on the northeast corner of Firestone Boulevard and the I-25 Frontage Road, behind Wendy's restaurant. The sign would be 10 x 12 and 50 ft. in height and will need to be placed on a second island as a pole sign. Ms. Brunk showed a Power Point presentation of the location.

Town Planner Bruce Nickerson showed Power Point presentation and entered both his and Ms. Brunk's presentation into the record, saying that the Planning Commission has recommended approval of the application.

Public Comment

None.

Mayor Auer closed the public hearing at 7:59 p.m.

Board Comment

Resolution No. 09-15

A RESOLUTION APPROVING AN AMENDED FINAL DEVELOPMENT PLAN FOR ARM PETROLEUM

Trustee Thomas moved and Trustee Morgan seconded, to adopt Resolution No. 09-15. Roll call vote was taken. Motion carried 5-Yea; 1-Nay. Trustee Holcomb voted Nay.

COTTONWOOD COMMERCE CENTRE FILING NO. 1 FINAL DEVELOPMENT PLAN

Mayor Auer opened the public hearing at 8:00 p.m.

Town Planner Bruce Nickerson addressed the Board of Trustees stating that Mr. Joe Valdez is present to address the Cottonwood Commerce Center. Planner Nickerson showed a Power Point presentation and entered it into the record. The location is south of American Furniture Warehouse on the I-25 Frontage Road on Lot 1, which is a 6 acre lot, and will have 147 parking spaces with bluegrass landscaping, native grass, shrubs, trees and add an estimated 40-80 jobs to the community.

Mr. Joe Valdez was sworn in by Mayor Auer. Mr. Valdez stated that this is for one building on Lot 1 that will be 80,000 square ft. There will be parking in the front and on the side, some vestibule areas, office space, a monument sign will be located at the western portion of the building site. Mr. Valdez showed a sample board of the glass to be used for the glazing, the aluminum windows, and the accent colors.

Public Comment

None.

Mayor Auer closed the public hearing at 8:15 p.m.

Board Comment

Resolution No. 09-16

A RESOLUTION APPROVING A FINAL PLAT AND FINAL DEVELOPMENT PLAN FOR COTTONWOOD COMMERCE CENTRE FILING NO. 1

Trustee Walb moved and Trustee Thomas seconded, to adopt Resolution No. 09-16. Roll call vote was taken. Motion carried unanimously.

ACTION ITEMS

NETWORK EXPANSION

This is an agreement with TimberLan to add 2 gig and expand the server network for the Police Department car videos.

Trustee Walb moved and Trustee Morgan seconded, to approve the expenditure, not to exceed \$17,500, for the Network Expansion. Roll call vote was taken. Motion carried unanimously.

RESOLUTION FOR “COMMUNITIES FOR WATER”

This is for the NISP program.

Resolution No. 09-17

A RESOLUTION APPROVING TOWN MEMBERSHIP IN COMMUNITIES FOR WATER, AN UNINCORPORATED NONPROFIT ASSOCIATION

Trustee Walsh moved and Trustee Sorensen seconded, to adopt Resolution No. 09-17. Roll call vote was taken. Motion carried unanimously.

The Board took a six minute recess at 8:37 p.m.

LONGMONT HUMANE SOCIETY

This is an agreement with the Longmont Humane Society for animal impound services.

Resolution No. 09-18

A RESOLUTION APPROVING AN AGREEMENT FOR ANNUAL IMPOUNDMENT SERVICES WITH THE LONGMONT HUMANE SOCIETY, INC.

Trustee Morgan moved and Trustee Walsh seconded, to adopt Resolution No. 09-18. Roll call vote was taken. Motion carried unanimously.

SABLE AVENUE IMPROVEMENTS CONSTRUCTION CONTRACT

Trustee Holcomb moved and Trustee Thomas seconded, to approve the expenditure, not to exceed \$292,312.47, for the construction contract. Roll call vote was taken. Motion carried unanimously.

SABLE AVENUE IMPROVEMENTS CONSTRUCTION ENGINEERING CONTRACT

Trustee Thomas moved and Trustee Holcomb seconded, to approve the expenditure, not to exceed \$26,940.00, for the construction engineering contract. Roll call vote was taken. Motion carried unanimously.

SABLE AVENUE IMPROVEMENTS MATERIALS TESTING SERVICES CONTRACT

Trustee Thomas moved and Trustee Walsh seconded, to approve the expenditure, not to exceed \$5,795.00, for the materials testing services contract. Roll call vote was taken. Motion carried unanimously.

DISCUSSION

CITIZEN SURVEY

Director of Operations Wes LaVanchy gave explanation to the Board on the citizen survey. There was discussion, with the Board of Trustees giving the direction to move forward with this project.

**FIRESTONE BOULEVARD WATER LINE CONSTRUCTION ENGINEERING CONTRACT
FIRESTONE BOULEVARD WATER LINE MATERIALS TESTING SERVICES CONTRACT
GODDING HOLLOW/TRI-TOWN BASIN OUTFALL DESIGN**

Town Engineer Dave Lindsay explained the Firestone Boulevard construction engineering contract, the Firestone waterline materials testing services contract and the Godding Hollow/Tri Town basin outfall design to the Board of Trustees and saying that these will come before the Board at the June 11, 2009 meeting as action items.

EXECUTIVE SESSION

Executive Session Pursuant to C.R.S. 24-6-402 (4)(e) for Purpose of Determining Positions Relative to Matters Subject to Negotiation, Developing Strategy for Negotiations - Proposed Intergovernmental Agreement with Weld County

Town Manager Cheri Andersen stated that the executive session is for an IGA with Weld County on the Union/Firelight property.

Trustee Sorensen recused himself from the executive session at 9:25 p.m.

Attorney Sam Light noted for the record that the executive session was for Purpose of Determining Positions Relative to Matters Subject to Negotiation, Developing Strategy for Negotiations – Proposed Intergovernmental Agreement with Weld County.

Trustee Thomas moved and Trustee Walb seconded, to enter into executive session for Purpose of Determining Positions Relative to Matters Subject to Negotiation, Developing Strategy for Negotiations – Proposed Intergovernmental Agreement with Weld County. The motion carried 5-Yea; 0-Nay. Trustee Sorensen recused himself from the executive session due to his involvement with Lifebridge Church. [9:26 p.m.]

The Board came out of executive session and reconvened in open session at 10:11 p.m.

The persons in attendance were Attorney Sam Light, Town Manager Cheri Andersen, Director of Operations Wes LaVanchy, Town Planner Bruce Nickerson, Town Engineer Dave Lindsay, Trustees Walb, Holcomb, Walsh, Thomas, Morgan and Mayor Auer.

CITIZEN PARTICIPATION

There was no citizen participation.

STAFF REPORTS

Mayor Auer stated that Staff Reports were reported electronically.

Town Planner Bruce Nickerson reported that the town has received a letter from the St. Vrain Valley School District for placement of a sign at the southeast corner of Booth Drive, the entrance to Coal Ridge Middle School. The School District has asked the Town to participate with the power and the foundation for the sign that would be 10 to 20 ft. in height. Town Manager Cheri Andersen asked the Board if they were interested and Mayor Auer said he will talk to the HOA of Booth Farms, and Attorney Light stated that if the sign is on town property there will need to be a license agreement and possibly a sign permit. He asked if the Board would like staff to work on this. The Board asked that more information be given to them and they would like to hear from the people who live around this area and invite the public to an open forum for discussion and to answer any questions that the public may have. The Board directed Town Manager Cheri Andersen to relay to the School District that they would need to go through the proper process for a Final Development Plan. Town Engineer Dave Lindsay stated that there are two major water lines at this location and the sign would have to be at least 75 ft. off of the roadway.

BOARD REPORTS

Trustee Morgan asked if the town has received any funds from the State for Sable Avenue. Town Manager Cheri Andersen said that each company involved has been sent notification and she will be in contact with Crowe Creek Construction. The amount owed is \$7,000.00.

Mayor Auer reported that he will not be at the next Board of Trustees meeting.

ADJOURNMENT

There being no further business to come before the Board of Trustees, Trustee Morgan moved and Trustee Sorensen seconded, to adjourn the meeting. The meeting adjourned at 10:29 p.m.

TOWN OF FIRESTONE, COLORADO

ATTEST:

Chad Auer, Mayor

Judy L. Hegwood, Town Clerk, CMC

READ AND APPROVED THIS _____ DAY OF _____ 2009.