

# Minutes

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

**June 12, 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:

<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>Greg Foster</i> (absent/excused)
	<i>Paul Sorensen</i>
	<i>Kelly Morgan</i>

*Also present were:*

- Cheri Andersen, Town Manager*
- Wes LaVanchy, Town Administrator*
- Judy Hegwood, Town Clerk, CMC*
- Sam Light, Town Attorney*
- Carl Nelson, Finance Director*
- Bruce Nickerson, Town Planner*
- Dave Lindsay, Town Engineer*
- David Montgomery, Chief of Police*

## **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 Cheri Andersen added item 10b. Sports Complex Update. Town Administrator Wes LaVanchy deleted item 6b. from the agenda. Mayor Auer added Mayoral Awards under Presentations.

## **APPROVAL OF CONSENT AGENDA**

- a. Approval of June 2008 Accounts Payable*
- b. Approval of Minutes – May 22, 2008 Regular Meeting*

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

## **PRESENTATIONS**

### **Carbon Valley Recreation District Quarterly Update**

Ms. Renee Witty gave the quarterly report on the Carbon Valley Recreation District.

### **Mayoral Awards**

Mayor Auer presented certificates to Commander Bryce Borders, Maintenance Employee Donald Roose and Receptionist April Smith as Employees of the Month. Mayor Auer also presented Mr. Doug Sharp with a certificate for his personal labor given to the schools and the participation in Sharefest. Mr. Sharp thanked all and said he is glad to see all working together.

**2007 Audit Presentation**

Town Administrator Wes LaVanchy and Auditor Dan Schommer gave the audit report for the year 2007. Town Administrator Wes LaVanchy stated that the Town is in better financial status now then it was last year at this time. Mr. Schommer explained the audit process, the exhibits, the water fund, the Kugel property, and the bond for the Town Hall building.

Trustee Morgan asked for a briefing from the Finance Committee on today’s meeting. Mayor Pro-tem Thomas stated that there needs to be timelier accounting of CD’s and the bank needs to give the Town more frequent statements; there have been some lagging items. Trustee Holcomb stated that collections from developers have been beneficial and Mayor Pro-tem Thomas said the town has put some safe guards in place for 2008. Town Administrator Wes LaVanchy thanked Mr. Dan Schommer and Finance Director Carl Nelson and stated that the Town will be applying for the GFOA Award again this year. Mayor Auer gave credit to the staff and thanked the previous Town Board on the stewardship they have done. Mayor Pro-tem Thomas thanked Mr. Schommer.

**FIRST PARTICIPATION FROM UNSCHEDULED CITIZENS NOT LISTED ON THE AGENDA**

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There was audience participation from the following citizen:

1. Mr. Tom Mason asked about the Planning Commission Ordinance.

**LIQUOR LICENSE AUTHORITY**

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Trustee Holcomb recused himself from the Liquor License Authority.

**American Legion Post 1985 – Special Events Permit**

Trustee Walb moved and Trustee Thomas seconded, to approve the Special Events Permit for the American Legion Post 1985, to have a beer garden on July 4, 2008 from 12:00 noon to 9:00 p.m. Voice vote was taken. Motion carried.

**Safeway Store #4614 – Liquor License Renewal**

Trustee Thomas moved and Trustee Morgan seconded, to approve the liquor license renewal for Safeway Grocery Store #4614. Voice vote was taken. Motion carried.

**Safeway Store #1828 – Liquor License Renewal**

Trustee Thomas moved and Trustee Morgan seconded, to approve the liquor license renewal for Safeway Convenience Store #1828. Voice vote was taken. Motion carried.

**Cimarron Liquors – Liquor License Renewal**

Trustee Thomas moved and Trustee Morgan seconded, to approve the liquor license renewal for Cimarron Liquors. Voice vote was taken. Motion carried.

**Wah Wok Chinese Food – Liquor License Renewal**

Trustee Thomas moved and Trustee Morgan seconded, to approve the liquor license renewal for Wah Wok Chinese Food, Inc. Voice vote was taken. Motion carried.

Trustee Holcomb returned to the meeting.

**PUBLIC HEARINGS**

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**SADDLEBACK HILLS SUBDIVISION FILINGS 1 AND 2 – Final Plats and Final Development Plans**

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

Town Planner Bruce Nickerson gave an overview of the project showing a Power Point Presentation, which was entered into the record. This is a residential project, and if the applicant is eligible to begin construction, the final plan and final development plan stages may be started. In future phases this project will connect CR15 and CR18; there are lots of oil and gas well sites, a commercial park and housing.

Filing 1 is 67.9 acres, 72 lots, privacy fencing, landscaping around the detention pond, park land that will be dedicated to the town, and the project will be set back from the road. In Filing 2 the landscaping is the same as in Filing 1, and they will be using rail fencing where they can. Both filings will have monument signs and future filings will have a parks and trail system.

Engineer Dave Lindsay stated that this is a low impact development and explained the stormwater drainage and how water will drain back into the ground.

Applicant

Mr. Bob Dewitt stated that this project has larger lots and 100 acres of open space.

Public Comment

There was public comment from the following citizens:

Mr. Tom Mason was sworn in by Mayor Auer. Mr. Mason asked about the irrigation ditch, fencing, and if there is enough water for the development.

Applicant Rebuttal

Mr. Dewitt stated that the irrigation ditch shown on the map is not included in this property and the water for this development has not been finalized, but water is available.

Board Comment

Trustee Sorensen remarked that the Russell Mine is located on this property and there is a concrete cap over the well. He said he would like to have this area preserved or create a park in this area for public viewing. Applicant Bob Dewitt said they would not build on top of the Mine.

Trustee Morgan asked what type of ponds is on the property, and who will maintain the area. Engineer Dave Lindsay said these are retention ponds that will hold a 100 storm and the area will be maintained by the HOA.

Trustee Sorensen stated that area three has another mine shaft that was capped off in the 1900's. Mr. Dewitt said he knows of that mine and they have designed around it.

Trustee Walb asked Engineer Dave Lindsay about the water. Engineer Dave Lindsay replied that prior to recording of the Final Plat the developer is responsible for giving the Town 75% of CBT Water and 25% Cash In Lieu for the development.

**Resolution 08-57**

A RESOLUTION APPROVING FINAL PLATS AND FINAL DEVELOPMENT PLANS FOR SADDLEBACK HILLS FILINGS 1 AND 2

Trustee Walb moved and Trustee Thomas seconded, to adopt Resolution No. 08-57. Roll call vote was taken. Motion carried.

**FIRESTONE CROSSING BUSINESS CENTER FINAL DEVELOPMENT PLAN – VACATED**

This public hearing was vacated.

The Board took a recess at 8:27 p.m.

The Board reconvened from recess at 8:38 p.m.

## ACTION ITEMS

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### **Ordinance No. 693**

AN ORDINANCE AMENDING SECTION 2.56.020 OF THE FIRESTONE MUNICIPAL CODE REGARDING MEMBERSHIP OF THE FIRESTONE PLANNING AND ZONING COMMISSION

Attorney Light explained that this ordinance allows the seventh person on the Planning Commission to be a Town citizen, and the Mayor no longer will be required to be an ex-effico on the Commission.

Trustee Sorensen moved and Trustee Walb seconded, to adopt Ordinance No. 693. Roll call vote was taken. Motion carried.

### **Ordinance No. 694**

AN ORDINANCE AMENDING CHAPTER 5.08 OF THE FIRESTONE MUNICIPAL CODE TO AUTHORIZE THE SECRETARY OF THE LOCAL LICENSING AUTHORITY TO APPROVE LIQUOR LICENSE APPLICATIONS FOR RENEWAL

Attorney Light explained that this ordinance delegates the secretary of the liquor authority (Town Clerk) to approve liquor license renewals administratively and the applicant will not have to come before the Authority for application review or approval.

Trustee Thomas moved and Trustee Morgan seconded, to adopt Ordinance No. 694. Roll call vote was taken. Motion carried.

### **Water Tank SCADA System Purchase**

Town Administrator Wes LaVanchy said the Water Tank will be going from manual operation to automatic. and the money is in the budget. Engineer Dave Lindsay stated that the tank and pump station will be automatic for date collection, wireless transmission, and data monitoring. This system has amply capacity for use on the west side of I-25, and there will be the capability of dialing out, by cell phone to the public works director, and the system should be up and running in July 2008.

Trustee Thomas moved and Trustee Sorensen seconded, to approve the expenditure, not to exceed \$37,488.00, for purchase of the Water Tank SCADA system. Roll call vote was taken. Motion carried.

## DISCUSSION

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### **Sign Ordinance**

Attorney Light explained the sign ordinance that the previous Board adopted on temporary signage in the right-of-way. Discussion. The Board of Trustees agreed to place this item on a Work Session agenda for discussion in September or October of 2008, and to enforce the Ordinance as it is written today.

### **Recreation District/Sports Complex**

Town Manager Cheri Andersen said there are some business points that need to be worked out with the Recreation District for the Sports Complex. The Recreation District has asked for Board approval to provide concession stands at the Sports Complex. The Board gave their approval to let the Recreation District have concession stands this year, with discussion, at a later date, as to how the concessions will be handled. The Board also gave their approval for the Recreation District not to have to apply for or receive a Business License for concessions. Town Manager Cheri Andersen told the Board that the Recreation District has been approached by Triple Crown for holding tournaments at the Sports Complex. The going rate is \$150.00 per day per field and \$450 for 3 days for 3 fields, and the Recreation District would like the Board of Trustees approval of these tournaments' before entering into a contract with Triple Crown. The Board approved the Recreation District to coordinate these tournaments with Triple Crown for this year (2008), while stating that there will be discussion at a later date as to how the ball fields will be run. Triple Crown will pay for the lights and the field maintenance in 2008 and the Board of Trustees agreed to split the fees with the Recreation District at either 2/3 profit to the town or 50/50.

**SECOND PARTICIPATION FROM UNSCHEDULED CITIZENS NOT LISTED ON THE AGENDA**

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There was audience participation from the following citizens:

1. Mr. Tom Mason asked about the cost of the proposed water tank for the west side of I-25 and who will fund this. Engineer Dave Lindsay stated that the cost will go to the developer, maintenance will be done by the Town, and there is no exact cost, at this time, for the maintenance.
2. Mr. Lane Johnson commented on the sign ordinance and the public right-of-way, asking the Board not to restrict freedom of speech and to allow people to express themselves.

**STAFF REPORTS**

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Mayor Auer stated that Staff Reports were reported electronically.

Town Planner Bruce Nickerson showed a Power Point of the Sports Complex Grand Opening.

**BOARD REPORTS**

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Trustee Morgan reported that the sprinklers in Oak Meadows Park come on at 8:00 a.m. and asked that this time be extended. Trustee Walb suggested changing the watering at Oak Meadows Park, to be done at night. (2) Reported that the dog water faucet at Harney Park is not working.

Trustee Sorensen reported that the theme for the Relay for Life event is “Super Hero’s.”

Mayor Auer stated that there is a NISP Meeting on 6/16/08 and he attended the SVVSD Mayors Meeting.

Trustee Thomas stated that the Sports Complex Grand Opening was very good and to pass his appreciation on to Community Resource Coordinator Pete Ditmon.

Trustee Walb stated that he has been asked when the town will be putting in batting cages (2) Remarked that he cannot thank or say enough to Pete for doing a good job of the Grand Opening of the Sports Complex (3) Reported that the Parks and Trails Committee approved the design of a metal building shade shelter, for Settlers Park, and the color to match other items in the Park. Trustee Walb also said that the structural engineering will be completed at no cost to the Town.

**ADJOURNMENT**

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There being no further business to come before the Board of Trustees, Trustee Holcomb moved and Trustee Sorensen seconded, to adjourn the meeting. The meeting adjourned at 10:15 p.m.

TOWN OF FIRESTONE, COLORADO

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Chad Auer, Mayor

ATTEST:

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Judy L. Hegwood, Town Clerk, CMC

READ AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2008.