

## Minutes

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

**July 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:

<i>Mayor:</i>	<i>Chad Auer</i>	
<i>Mayor Pro-tem:</i>	<i>Charlie Thomas</i>	<i>(absent/excused)</i>
<i>Trustees:</i>	<i>Butch Walb</i>	
	<i>Matt Holcomb</i>	
	<i>Greg Foster</i>	
	<i>Paul Sorensen</i>	
	<i>Kelly Morgan</i>	

<i>Also present were:</i>	<i>Cheri Andersen, Town Manager</i>
	<i>Wes LaVanchy, Town Administrator</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>

### **PLEDGE OF ALLEGIANCE**

All rose for Pledge of Allegiance to the flag.

### **APPROVAL OF AGENDA**

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Mayor Auer called for additions, deletions or changes to the agenda. Attorney Sam Light requested an executive session to amend the Public Improvements for THF. Mayor Auer added the executive session after Board Reports. Trustee Holcomb moved and Trustee Morgan seconded to approve the agenda. Voice vote was taken. Motion carried.

### **PRESENTATIONS**

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None.

### **APPROVAL OF CONSENT AGENDA**

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- a. Approval of June 2008 Financials*
  - b. Approval of July 2008 Accounts Payable*
  - c. Approval of Minutes – July 10, 2008 Regular Meeting*

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

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

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There was audience participation from the following citizens:

Marie Goader – Ms. Goader invited the Board to the Carbon Valley Academy Community BBQ on August 1, 2008, from 6:00 p.m. to 9:00 p.m. at 4040 Coriolis Way, Frederick, Colorado, to meet neighbors, the CVA administrators, teachers, board members and families. Food will be provided for a minimal price from Pete's Place.

John Strange – Mr. Strange introduced himself to the Board of Trustees as the publisher for the new newspaper, The Carbon Valley Herald. The paper will cover Firestone, Frederick and Dacono and will be out Thursday of each week. Mr. Strange thanked the Board for letting him be here and asked for their support. Trustee Foster applauded Mr. Strange for getting this paper started. Mr. Strange stated that the paper is not for gossip, it is a full fledged newspaper with true facts only, and saying that he is a member of the Colorado Press Association.

## **PUBLIC HEARINGS**

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### **COMFORT SUITES AMENDED CENTER FINAL DEVELOPMENT PLAN**

Mayor Auer opened the public hearing at 7:12 p.m.

Town Planner Bruce Nickerson showed a Power Point presentation of the project which was entered into the record. Mr. Nickerson stated that this is for a 60 ft. sign, which is an amendment to the original Final Development Plan.

#### Applicant

Ms. Mickey Farnsworth was sworn in by Mayor Auer. Ms. Farnsworth used a Power Point to show the location for this 60 ft. sign at Firestone Boulevard and the Frontage Road. There is a 10 ft. drop the elevation and with the additional 10 ft. for the 60 ft. sign, from the approved 50 ft., would be comparable so the sign could be seen over the tops of the buildings.

#### Public Comment

There was public comment from the following person:

Mr. Tom Mason – Mr. Mason was sworn in by Mayor Auer. Mr. Mason asked that if granted, will this serve as a precedent or is this a one time deal. Planner Bruce Nickerson answered that this sign height is not on the approved Final Development Plan and the 10 ft. is a discussion item, and if approved, it will be a stand alone decision.

Mayor Auer closed the public hearing at 7:28 p.m.

#### Board Comment

The Trustees asked if the sign is about halfway back on the lot, questioned the setting of a precedent, the sign sticking out in the landscaping, if this is the tallest height of a sign in this location, how common is the request for this height of a sign for other Comfort Suites, why was this not addressed in the first approval process, does Comfort Suites just think they need the sign, and what is the height of the sign that was approved.

Ms. Farnsworth stated that a light pole is located about halfway back on the lot, and this is about in the middle of the building, Comfort Suites usually do not have pole signs, and the original sign height was 45 or 48 ft. Planner Nickerson stated that the Board can wait until another development comes in to make the decision on the height of the sign, as he has a concern with the height as well.

There was discussion with a few Board members stating that they were struggling with the 60 ft. sign height, and asked to wait for future development. A few others agreed they have no concerns with the 60 ft. sign height based on the need to bring consumers to the Town. Mayor Auer asked the Board if they wished to have the applicant hold off. Trustee Foster said it could be a long wait and could effect the city.

**Resolution No. 08-60 - Denied**

**A RESOLUTION APPROVING AN AMENDED FINAL DEVELOPMENT PLAN FOR COMFORT SUITES**

Trustee Foster moved and Trustee Walb seconded, to adopt Resolution No. 08-60. Roll call vote was taken. There were 2-Yea and 3-Nay votes. Trustee Foster and Walb voted Yea and Trustees Holcomb, Sorensen and Morgan voted Nay. Motion denied.

Attorney Light gave the options open to the Board. The Board directed Staff to bring the sign amendment back before them and to approve the rest of the resolution. The Board directed Staff to bring a draft resolution to them at the next meeting with proposed findings. Planner Nickerson stated that the Board also had the option of approving the resolution with a condition of a 50 ft. pole sign instead of a denial. Discussion.

Trustee Holcomb moved and Trustee Sorensen seconded, to bring Resolution No. 08-60 back before the Board at the next regular meeting. Roll call vote was taken. 4-Yea; 1-Nay. Trustees Walb, Holcomb, Sorensen and Morgan voted Yea; Trustee Foster voted Nay. Motion carried. Discussion.

Trustee Sorensen moved and Trustee Walb seconded, to reconsider the adoption of Resolution No. 08-60. Voice vote was taken with 4-Yea; 1-Nay. Trustee Foster voted Nay. Motion carried.

Trustee Holcomb moved and Trustee Morgan seconded, to amend Resolution No. 08-60 to allow a 50 ft. sign instead of a 60 ft. sign. Roll call vote was taken with 4-Yea; 1-Nay. Trustee Foster voted Nay. Motion carried.

**Resolution No. 08-60 - Adopted**

**A RESOLUTION APPROVING AN AMENDED FINAL DEVELOPMENT PLAN FOR COMFORT SUITES**

Trustee Holcomb moved and Morgan Walb seconded, to adopt Resolution No. 08-60 with the new conditions of approval. Roll call vote was taken. 4-Yea; 1-Nay. Trustee Foster voted Nay. Motion carried.

**FIRESTONE CROSSING BUSINESS CENTER FINAL DEVELOPMENT PLAN**

Mayor Auer opened the public hearing at 8:07 p.m.

Town Planner Bruce Nickerson showed a Power Point presentation of the project which was entered into the record. Mr. Nickerson stated that the location is south and south west of Walgreen’s at Firestone Boulevard and Colorado Boulevard. The plan is for four office buildings with access off of Cimarron Street and the parking is consistent with the town standards.

Applicant

Mr. John Harbor was sworn in by Mayor Auer. Mr. Harbor showed a material board to the Board of Trustees and stated that the site is 24,000 sq. ft. Each building will be 6,000 sq. ft. with a courtyard in the middle of the buildings with benches and walkways to each building. The buildings will be constructed of stucco and tile, with accent colors, and may occupy one to three tenants.

Public Comment

There was no public comment.

Mayor Auer closed the public hearing at 8:20 p.m.

Board Comment

The Trustees made comment on the lack of landscaping asked how large the courtyard will be, how many parking spaces, and the date planned to begin the project.

Planner Nickerson said that the courtyard is just less than 6,000 sq. ft., there will be 119 parking spaces, and landscaping will be between each building as a barrier and all of the building will be built simultaneously.

Mr. Harbor stated that there will be some trees and the start date will be before the end of the year.

**Resolution No. 08-61**

A RESOLUTION APPROVING A FINAL DEVELOPMENT PLAN FOR THE FIRESTONE CROSSING BUSINESS CENTER

Trustee Morgan moved and Trustee Foster seconded, to adopt Resolution No. 08-61. Roll call vote was taken. Motion carried.

**Recess**

Mayor Auer called for a recess at 8:27 p.m.  
The Board reconvened from recess at 8:36 p.m.

**ACTION ITEMS**

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**SIDEWALK BIDS**

Town Administrator Wes LaVanchy stated that this item has not been finalized.

**WATER LEASING**

Town Administrator Wes LaVanchy stated that this is for a one year lease on water shares that the Town owns.

Trustee Sorensen moved and Trustee Morgan seconded, to lease out 700 acre ft. of the Towns water at 40 dollars per acre ft. and authorizing the Mayor to sign. Roll call vote was taken. Motion carried.

**DRCOG GRANT – PARKS CRITERIA MANUAL**

This is a DRCOG Small Communities Technical Assistance Grant Program Grant for \$5,000 for funding the creation of a Town Parks Design Criteria Manual.

**Resolution No. 08-62**

A RESOLUTION APPROVING A GRANT CONTRACT BETWEEN THE TOWN OF FIRESTONE AND THE DENVER REGIONAL COUNCIL OF GOVERNMENTS (CONTRACT NO. EX08070)

Trustee Foster moved and Trustee Sorensen seconded, to adopt Resolution No. 08-62 and authorizing the Mayor to sign. Roll call vote was taken. Motion carried.

**DOLA GRANT – WATER DRAINAGE & IMPROVEMENTS**

This is an Energy and Mineral Impact Assistance Grant for \$460,000 for funding of improvements to the Towns water system and storm drainage system.

**Resolution No. 08-63**

A RESOLUTION APPROVING A GRANT CONTRACT BETWEEN THE TOWN OF FIRESTONE AND THE STATE DEPARTMENT OF LOCAL AFFAIRS (GRANT # 6093)

Trustee Foster moved and Trustee Sorensen seconded, to adopt Resolution No. 08-62 and authorizing the Mayor to sign. Roll call vote was taken. Motion carried.

**DOLA – FIRESTONE GODDING HOLLOW DRAINAGE IMPROVEMENTS**

This is an Energy and Mineral Impact Assistance Grant for \$400,000 for funding of improvements in the Firestone Godding Hollow drainage basin.

**Resolution No. 08-64**

A RESOLUTION APPROVING A GRANT CONTRACT BETWEEN THE TOWN OF FIRESTONE AND THE STATE DEPARTMENT OF LOCAL AFFAIRS (GRANT # 6094)

Trustee Foster moved and Trustee Sorensen seconded, to adopt Resolution No. 08-62 and authorizing the Mayor to sign. Roll call vote was taken. Motion carried.

**DOLA GRANT – FIRESTONE STREET IMPROVEMENTS**

This is an Energy and Mineral Impact Assistance Grant for \$100,000 for funding of the construction and installation of storm drainage improvements at the intersections of Firestone and Colorado Boulevards’.

**Resolution No. 08-65**

A RESOLUTION APPROVING A GRANT CONTRACT BETWEEN THE TOWN OF FIRESTONE AND THE STATE DEPARTMENT OF LOCAL AFFAIRS (GRANT # 6272)

Trustee Foster moved and Trustee Sorensen seconded, to adopt Resolution No. 08-62 and authorizing the Mayor to sign. Roll call vote was taken. Motion carried.

**DOLA GRANT – ADMINISTRATIVE BUILDING DESIGN**

This is an Energy and Mineral Impact Assistance Grant for \$135,000 for funding of the design of the town hall, administrative building for the Town.

**Resolution No. 08-66**

A RESOLUTION APPROVING A GRANT CONTRACT BETWEEN THE TOWN OF FIRESTONE AND THE STATE DEPARTMENT OF LOCAL AFFAIRS (GRANT # 6273)

Trustee Foster moved and Trustee Sorensen seconded, to adopt Resolution No. 08-62 and authorizing the Mayor to sign. Roll call vote was taken. Motion carried.

**DISCUSSION ITEMS**

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**CENTRAL PARK – Colorado Department of Public Health & Environment Notice of Violation**

Engineer Dave Lindsay stated that Crow Creek Construction and TST Engineering thought that the other had submitted the permit to the State, they both had not and the Town was fined a \$10,000 fine that now has been lowered to \$7,000. Discussion. Mr. Lindsay stated that the Town has 30 days to respond to the letter.

Trustee Sorensen moved and Trustee Foster seconded, to accept the violation not to exceed \$7,000 and authorize the Mayor to sign and execute the settlement documents. Roll call vote was taken. Motion carried.

**PROPOSED IMPROVEMENTS AT COLORADO BOULDEVAR AND FIRESTONE BOULEVARD**

Engineer Dave Lindsay showed a Power Point Presentation of the intersections at Colorado and Firestone Boulevards showing the design to widen the area, put in concrete curb and gutter, have raised medians, trees, landscaped, and have colored stamped concrete. This will be a five-lane arterial with a double left on Colorado Boulevard, by Walgreens’s. A signal light will be placed on Oak Meadows Boulevard at Cimarron Street, there will be 8 ft. sidewalks, some attached, and will be funded to be built in 2010. Mr. Lindsay recommends the first phase to begin next year instead of this year in 2008.

Trustee Sorensen asked if the tow signals could be put in this year and Dave said that could be done.

**COMMUNITY GRANTS – MONACRCH ESTATES \$11,231 AND RIDGECREST HOA \$5,000**

Town Administrator Wes LaVanchy stated that the Board of Trustees has set aside a portion of the parks budget to reflect with the parks improvements. He stated that Staff recommends the Monarch and Ridgecrest Grant.

Trustee Walb moved and Trustee Holcomb seconded, to approve the expenditures, not to exceed \$11,231 for Monarch Estates, and \$5,000 for the Ridgecrest HOA community grants and authorizing the Mayor to sign. Roll call vote was taken. Motion carried.

A friendly amendment was made to accept the grant materials. Trustees Walb and Holcomb accepted the friendly amendment.

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

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There was audience participation from the following citizen.

Tom Mason – Mr. Mason asked about water leasing and raw water.

**STAFF REPORTS**

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Mayor Auer reported that all staff reports were given electronically.

Town Manager Cheri Andersen reported that she and Wes have been working on agenda items, there is a Work Session in August to have the calendar with topics 2) Notification from St. Vrain Valley School District with their attorney first part of August, the back to the Town, then a meeting in mid August with Trustee Sorensen and the School President. 3) Wes sent a draft to the School for crosswalks; this will be in the packets the first meeting in August.

**BOARD REPORTS**

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Trustee Holcomb reported that he and Trustee Morgan have talked about a way the Trustees could meet with the Town citizens. They thought the Trustees could rotate out and have two Trustees available at each meeting. Kelly has talked to the paper about a press release. 2) The Finance Committee met this evening and things are looking decent and going well. Compensation and benefits will be talked about soon and asked the others to think in strategies of dollars, compensation to market value and to discuss this at the work session next week. 3) The Town has wonderful grants and neat things for new energy, community and greening up the Town.

Trustee Foster thanked the Staff and Trustees for taking all of his phone calls and thanked them for the open communication.

Trustee Sorensen reported that he and Pete had a great meeting to get the clock, and Trustee Morgan will talk to the schools about the time capsule. He remarked that Pete is great and a good promoter.

Trustee Morgan reported that she and Trustee Foster attended the I-25 Corridor Meeting since Mayor Auer was unable to attend, and she said that it was interesting to see the communication, it was all positive, and Trustee Foster agreed. Mayor Auer thanked them both for their attendance.

**EXECUTIVE SESSION**

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Mayor Auer called for a motion to enter into executive session.

Trustee Thomas moved and Trustee Morgan seconded, to enter into executive session for a conference with the town attorney for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) – Union PIRA Agreement. Roll call vote was taken. Motion carried with a vote of 6-Yea; 0-Nay. [9:45 p.m.]

Attorney Sam Light said the purpose of the executive session is to give legal advice for the purpose of determining positions relative to matters that may be subject to negotiations relating to the proposed amendment to the THF Reimbursement agreement

The board re-convened from executive session at 10:45 p.m.

Mayor Auer stated that the persons in attendance in the executive session were Attorney Sam Light, Town Manager Cheri Andersen, Town Administrator Wes LaVanchy, Planner Bruce Nickerson, Engineer Dave Lindsay, Trustees Walb, Holcomb, Foster, Sorensen, Morgan and himself.

### **ADJOURNMENT**

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Trustee Sorensen moved and Trustee Morgan seconded, to adjourn the meeting. The meeting adjourned at 10:46 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 14th DAY OF AUGUST 2008.