

Minutes

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

August 26, 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 7:00 p.m. Roll call was taken with the following persons present:

Mayor: *Chad Auer*
Mayor Pro-tem: *Paul Sorensen*

Trustees: *Jennifer Weinberger*
Matt Holcomb
Darrell Walsh (absent/excused)
Bobbi Sindelar
Kelly Morgan

Also present : *Wes LaVanchy, Town Manager*
Judy Hegwood, Town Clerk, CMC
Sam Light, Town Attorney
David Montgomery, Chief of Police
Dave Lindsay, Town Engineer
Bruce Nickerson, Town Planner
Theo Abkes, Public Works 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. Wes LaVanchy Town Manager asked that all three executive sessions be removed from the agenda. Trustee Sorensen moved and Trustee Weinberger seconded, to approve the agenda, as amended. Voice vote taken. Motion carried 5-Yea; 0-Nay. Trustee Walsh was absent.

CITIZEN PARTICIPATION

There was participation from the following citizens:

- 1 Mr. Nathan Garcia – Thanked the Board and Pete Ditmon for the movies in the park and stated that due to the salmonella egg scare, is another reason to allow chickens in Firestone.
- 2 Mr. Purdy Outhouse – Mr. Outhouse said that he is against increasing the dog limit in the town and asked that the number of animals be kept at the two-dog limit.

APPROVAL OF CONSENT AGENDA

- a. *Approval of July 2010 Financials*
- b. *Approval of August 2010 Accounts Payables*
- c. *Approval of Minutes – August 12, 2010 Regular Meeting*

Trustee Holcomb moved and Trustee Sindelar seconded, to approve the consent agenda, as submitted. Roll call vote was taken. Motion carried 5-Yea; 0-Nay.

ACTION ITEMS

Smoking Ordinance

Attorney Sam Light stated that this ordinance amends Chapter 8.20 of the Town Code to ensure it complies with the Colorado Clean Air Act (the "Act"). The ordinance prohibits smoking in the entryways, which are defined to include the main doorway of a building that is not exempt from the smoking ban and the property with 15 feet outside of the doorway; (2) and continues to prohibit smoking in outdoor eating areas of restaurants; (3) and requires the positing of the same kind of signage required by the Act.

Ordinance No. 760

AN ORDINANCE REPEALING AND REENACTING CHAPTER 8.20 OF THE FIRESTONE MUNICIPAL CODE PROHIBITING SMOKING IN PUBLIC PLACES

Trustee Sorensen moved and Trustee Weinberger seconded, to adopt Ordinance No. 760. Roll call vote was taken. Motion carried 5-Yea; 0-Nay. Trustee Walsh was absent.

Ordinance Changing Town Code on Number of Dogs and Cats

Attorney Sam Light stated that the Firestone Municipal Code at Section 6.04.050 currently limits the number of dogs and cats over four months of age that may be kept upon a premises within the Town to two dogs and two cats, with the exception for veterinarian hospitals, kennels, pet shops, education facilities and properly licensed commercial establishments. Discussion.

Ordinance No. 761

AN ORDINANCE AMENDING SECTION 6.04.050 OF THE FIRESTONE MUNICIPAL CODE REGARDING THE LIMIT ON THE NUMBER OF DOGS AND CATS OVER FOUR MONTHS OF AGE THAT MAY BE KEPT UPON A PREMISES IN THE TOWN

Trustee Weinberger moved to adopt Ordinance No. 761. Roll call vote was taken. Motion failed due to lack of a second. 2-Yea; 3-Nay. Trustee Walsh was absent.

Contract for NPDES Phase II Compliance Preparation

Trustee Holcomb moved and Trustee Sorensen seconded, to approve the contract with Colorado Civil Group, Inc. for engineering service for the NPDES Phase II Compliance Preparation for the expenditure of \$26,800.00, and authorizing the Mayor to sign. Roll call vote was taken. Motion carried. 5-Yea; 0-Nay. Trustee Walsh was absent.

Contract for Zinnia Avenue

This is for the improvements to Zinnia Avenue (WCR 5.5 to WCR 7), authorizing the design project in the amount of \$27,290.00 and the design contract for engineering consulting services related to the design of roadway improvements in the amount of \$33,740.00.

Trustee Sorensen moved and Trustee Sindelar seconded, to approve the design project and the engineering contract for Zinnia Avenue for the expenditures of \$27,290.00 and \$33,740.00, and authorizing the Mayor to sign. Roll call vote was taken. Motion carried. 5-Yea; 0-Nay. Trustee Walsh was absent.

Authorization of Chip Seal Contract

Staff is requesting authorization to Chip Seal aging roads in the Overlook Subdivision, and authorization to hire A-1 Chip Seal to Chip Seal the streets in Overlook totaling 55,564 square yards at 2.15 a square yard for a total cost of \$119,462.60.

Trustee Sorensen moved and Trustee Holcomb seconded, to approve the contract with A-1 Chip Seal for the overlay of streets in the Overlook Subdivision for the expenditure, not to exceed the amount of \$119,462.60, and authorizing the Mayor to sign. Roll call vote was taken. Motion carried. 5-Yea; 0-Nay. Trustee Walsh was absent.

Lease Purchase for Tractor

Staff is requesting authorization to purchase a Kubota M135 mowing tractor from B & G Equipment for \$58,496.52, for the mowing of open spaces and Town rights of ways, under a four-year lease with annual payments of \$15,439.16 with Key Bank.

Trustee Sindelar moved and Trustee Holcomb seconded, to approve the purchase of a Kubota M135 mowing tractor from B & G Equipment for \$58,496.52, under a four-year lease with annual payments of \$15,439.16 with Key Bank, and authorizing the Mayor to sign. Roll call vote was taken. Motion carried. 5-Yea; 0-Nay. Trustee Walsh was absent.

Mayor Auer called for a break at 8:05 p.m. The Board reconvened from break at 8:15 p.m.

DISCUSSION

Ordinance Amending Raw Water Dedication Requirements

Dave Lindsay, Town Engineer stated that staff would like to present the planned revisions to the Town Code related to dedication of Raw Water for new single-family residential development.

Discussion on FURA IGA with Frederick-Firestone Fire Dept. Carbon Valley Recreation District

Wes LaVanchy, Town Manager stated that this is for the urban renewal study and IGA cost sharing with Weld County. Discussion. Attorney Sam Light is drafting an ordinance for the incremental revenue that will be before the Board at the September 9, 2010 meeting.

CITIZEN PARTICIPATION

There was no citizen participation.

STAFF REPORTS

Town Manager Wes LaVanchy (1) reported that he and Town Planner Bruce Nickerson will meet with Weld County on the coordinated planning agreement and will bring to the board at the end of Sept. (2) Will be meeting with Mr. John Zadel (3) reported that the Town received approval on a water conservation grant rebate (4) Honey Fest is Saturday, Aug. 28th and the Tri-Area Jt. Meeting is Sept. 7th at the Carbon Valley Regional Library.

Town Attorney Sam Light (1) Talked of HB that effects HOA's and he gave a summary of 10-12-78.

BOARD REPORTS

Trustee Holcomb (1) reported that he attended DRCOG this past week.

Trustee Sindelar (1) reported that she attended the CML Oil and Gas Industry seminar (2) attended the Chamber luncheon and there was a presentation regarding the 60-61-101 amendments.

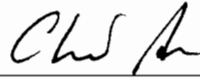
Trustee Sorensen (1) reported that he attended a CML meeting that had discussion regarding the 60-61-101 amendments.

Mayor Auer (1) reported that he has a meeting with the SVVSD and BOD supervisors next week (2) Has a question about the economy tightening businesses to in-home and what is allowable for in-home business such as parking, etc., and has asked for help from the staff to set out some guidelines.

ADJOURNMENT

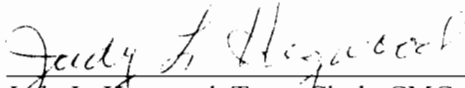
There being no further business to come before the Board of Trustees, Trustee Sorensen moved and Trustee Sindelar seconded, to adjourn the meeting. Motion carried 5-Yea; 0-Nay. The meeting adjourned at 8:49 p.m.

TOWN OF FIRESTONE, COLORADO



Chad Auer, Mayor

ATTEST:


Judy L. Hegwood, Town Clerk, CMC

READ AND APPROVED THIS 9th DAY OF September, 2010.