

## Minutes

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

**September 10, 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 7:03 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>(arrived at 7:05 p.m.)</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>Ron Lay, 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. There were no changes to the agenda. Trustee Holcomb moved and Trustee Walb seconded, to approve the agenda, as submitted. Voice vote taken. Motion carried.

### **PRESENTATIONS**

---

#### **Renee Witty – Carbon Valley Recreation District Quarterly Report**

Ms. Witty gave the quarterly report to the Board of Trustees stating that the BMX is going very well, a \$1500 United Way Grant was received for Scholarships, and the new building is going well and is on time. Mayor Auer asked Ms. Witty for a joint meeting between the Recreation District and the Firestone Board of Trustees.

#### **Richard Pickett – Greeley/Weld SBDC**

Mr. Pickett reported that this is a nationwide program for all Weld County towns to help businesses to become successful, having 15 centers throughout the County.

---

---

## CITIZEN PARTICIPATION

---

---

There was citizen participation from the following people:

**Ms. Debbie Lammers**

Ms. Lammers introduced herself as a candidate for the School District.

**Mr. John Poynton**

Mr. Poynton reported that on the morning of September 22, 2009 the Coal Ridge Middle School and the Prairie Ridge Elementary School will be having a full scale drill for responding of emergency drills and information regarding the drills will be sent to each home on the 16<sup>th</sup> of September.

---

---

## APPROVAL OF CONSENT AGENDA

---

---

- a. Approval of September 2009 Accounts Payable*
- b. Approval of Minutes – August 27, 2009 Regular Meeting*
- c. Firestone Blvd. Water Line Change Order No. 3*
- d. Firestone Blvd. Water Line Payment Application No. 2 (Final Payment)*
- e. Firestone Blvd.- Colorado Blvd. Intersection Improvements Construction Project Payment App. No. 5*
- f. Sable Avenue Improvements Construction Project Change Order No. 2*
- g. Sable Avenue Improvements Construction Project Payment Application No. 2 (Final Payment)*
- h. Frontier Street Water Line Construction Project Payment Application No. 1*

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

---

---

## PUBLIC HEARING

---

---

**Consolidated Service Plan for Highway 119 Metropolitan District No's 1-6 to consider the adequacy of the consolidated service plan for Highway 119 Metropolitan District Nos. 1-6 and to form a basis for adopting a resolution approving, disapproving, or conditionally approving the consolidated service plan for Highway 119 Metropolitan District Nos. 1-6, Town of Firestone, County of Weld, State of Colorado**

Mayor Auer opened the public hearing at 7:30 p.m. Town Clerk Judy Hegwood reported that notice was properly provided. Ms. Jennifer Gruber and Mr. Martin Dickey addressed the Board of Trustees as representatives for this property. Mr. Dickey thanked the Board of Trustees for the Union Property and thanked the staff, introducing Ms. Gruber who echoed Mr. Dickey's sentiments to Mr. Nickerson, Attorney Light and Director of Operations Wes LaVanchy. Ms. Gruber gave an overview of the 6 districts and statutory requirements of the service plan. There will be a 20 acre park that will be dedicated to the town, 2 series of bonds for residential, 3 series of bonds for commercial, with an anticipated mill levy of .45 mills, and all mills are subject to the Gallagher Amendment. Attorney Sam Light gave an overview of the chart of the financed obligations that the Board has approved.

Trustee Thomas moved and Trustee Holcomb seconded, to approve the service plan for Hwy 119 Metropolitan District Nos. 1-6 dated September 8, 2009, all notices of filing, the packet files, and all town files of the plan. Voice vote was taken. Motion carried unanimously.

Town Planner Bruce Nickerson talked of the 20 acre park and showed a Power Point presentation of the areas in the Districts. Ms. Jennifer Gruber talked of the O & M components, and there was discussion on who would be doing the maintenance of the parks. Ms. Gruber suggested that an IGA be entered into for marketing purposes to allow them to do the maintenance of the parks, adding this to the service plan.

**Public Comment**

None.

Mayor Auer closed the public hearing at 8:13 p.m.

**Board Comment**

The Board asked if a neighboring property wanted to join in, could they, and the obligations of 78 million and the net proceeds. Ms. Gruber answered yes; a property could be added to the service plan as an amendment which would come back to the town to add the new district. The 78 million is for all with more for commercial than residential, and the net proceeds with PIF about \$54,000 and without PIF about \$45,000.

There was discussion regarding the maintenance of the parks and the Board agreed that the town can take care of this property when it is annexed.

Planner Nickerson showed a Power Point presentation of the resolution for approval. Attorney Sam Light explained the resolution, going through each section. Planner Nickerson stated that the staff recommendations were the conditions in the service plan.

Mr. Dickey asked for approval tonight so they could go to the November 3, 2009 election.

**Resolution No. 09-28**

IN RE THE ORGANIZATION OF THE HIGHWAY 119 METROPOLITAN DISTRICT NOS. 1-6, IN THE TOWN OF FIRESTONE, COUNTY OF WELD, STATE OF COLORADO

Trustee Walb moved and Trustee Walsh seconded, to adopt Resolution No. 09-28, correcting the typo in #31 and the word exhibit. Roll call vote was taken. Motion carried 4-Yea; 2-Nay. Trustee Holcomb and Trustee Thomas voted Nay.

The Board took a break at 9:25 p.m. and reconvened at 9:40 p.m.

**ACTION ITEMS**

---

---

**Memorandum of Understanding for North Area Transportation Alliance (NATA)**

Town Manager Cheri Andersen stated that the Board can “Op Out” at any time and said if the resolution is adopted, one elected official and one alternate will be designated to the NATA.

Discussion. The Board designated Mayor Auer as the elected official and Trustee Morgan as the alternate.

**Resolution No. 09-29**

A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING AMONG PUBLIC AND PRIVATE ENTITIES TO FORM THE NORTH AREA TRANSPORTATION ALLIANCE (“NATA”) AND APPOINTING A REPRESENTATIVE AND ALTERNATE

Trustee Holcomb moved and Trustee Morgan seconded, to adopt Resolution No. 09-29. Roll call vote was taken. Motion carried unanimously.

**New Administration Building/Town Hall Architectural Design**

Mr. Bob West and Mr. John Goldman were present from “Oz”. Planner Bruce Nickerson showed a Power Point Presentation of the New Town Hall designs. The Board made their choice of one of the plans.

---

---

## FIRESTONE URBAN RENEWAL – DISCUSSION/DIRECTION/ACTION ITEMS

---

---

### **Adoption of Bylaws - FURA**

Attorney Sam Light handed out an urban renewal reference notebook to the Commissioners. Attorney Light stated that the “Firestone Urban Renewal Authority” was established on July 9, 2009 by the Board of Trustees and the State of Colorado certification was on July 24, 2009, with the State of Colorado recognizing the existence of the Firestone Urban Renewal Authority (FURA).

Commissioner Sorensen moved and Commissioner Walb seconded, to approve the FURA Bylaws, as submitted. Roll call vote was taken. 7-Yea; 0-Nay. Motion carried unanimously.

---

---

## DISCUSSION

---

---

### **Draft Ordinance Amending Title 17 of the Firestone Municipal Code for the Purpose of Regulating Medical Marijuana Dispensaries**

AN ORDINANCE AMENDING TITLE 17 OF THE FIRESTONE MUNICIPAL CODE AND CHAPTER 15 OF THE FIRESTONE DEVELOPMENT REGULATIONS TO REGULATE THE LOCATION OF MEDICAL MARIJUANA DISPENSARIES

Attorney Sam Light explained the draft ordinance for medical marijuana dispensaries stating that this is a land use issue and where the town wants them in the zoning. He went through the ordinance and said that sales tax would need to be collected and reported from each dispensary. If the Board approves to move forward, this would go before the Planning Commission, and then come back to the Board.

---

---

## CITIZEN PARTICIPATION

---

---

There was no citizen participation.

---

---

## EXECUTIVE SESSION

---

---

There was no executive session held.

---

---

## STAFF REPORTS

---

---

Mayor Auer stated that Staff Reports were reported electronically.

Town Manager Cheri Andersen reported that Fire Chief Posywak has invited the Board of Trustees to the Memorial Service on September 11, 2009 beginning at 8:00 a.m. for an Honorary Salute and a Ceremony at 9:00 a.m., at Station 2, located on the Frontage Road.

---

---

## BOARD REPORTS

---

---

Mayor Auer reported that he met with Weld County Commissioner Glen Vaad.

**ADJOURNMENT**

---

---

There being no further business to come before the Board of Trustees, Trustee Holcomb moved and Trustee Morgan seconded, to adjourn the meeting. Motion carried. The meeting adjourned at 10:37 p.m.

TOWN OF FIRESTONE, COLORADO

ATTEST:

\_\_\_\_\_  
Chad Auer, Mayor

\_\_\_\_\_  
Judy L. Hegwood, Town Clerk, CMC

READ AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009.