

Minutes

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

May 13, 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:

<i>Mayor:</i>	<i>Chad Auer</i>	
<i>Mayor Pro-tem:</i>	<i>Paul Sorensen</i>	<i>(arrived at 7:05)</i>
<i>Trustees:</i>	<i>Jennifer Weinberger</i>	
	<i>Matt Holcomb</i>	<i>(absent/excused)</i>
	<i>Darrell Walsh</i>	
	<i>Bobbi Sindelar</i>	
	<i>Kelly Morgan</i>	

Also present were:

Wesley LaVanchy, Town Manager
Judy Hegwood, Town Clerk, CMC
Sam Light, Town Attorney
Ron Lay, Finance Director
David Montgomery, Chief of Police
Bruce Nickerson, Town Planner
Dave Lindsay, Town Engineer

PLEDGE OF ALLEGIANCE

All rose for Pledge of Allegiance to the flag.

PRESENTATIONS

Scholarship Presentations

Trustee Morgan stated that she and Trustee Walsh have reviewed the scholarship applications for two years and it has been a great honor for both of them. Trustee Walsh stated that he realizes the time, effort the person takes to fill out the paperwork for the scholarship, and he and Trustee Morgan appreciate it very much. Trustee Morgan presented Jacob Curtis with a \$1,000 scholarship, for a Degree in Medicine. Trustee Morgan and Safebuilt Owner Mike McCurdie presented Whitney Irman with a \$1,000 scholarship, for Criminal Justice. Trustee Morgan presented the Mayors Award to Mike McCurdie, owner of Safebuilt, for his participation and help with the scholarship program, saying that the Town appreciates all of the work Safebuilt does for the Town.

Onorato Bronze

Mayor Auer stated that each Board member has a special connection with the Onorato family, and would like to honor the family with a bronze plaque reading how the Onorato's have been and are a great part of Firestone. Trustee Sorensen said the plaque would be placed in Onorato Park and talked about his memories of Mr. Onorato Sr. and what an honor it was knowing him, saying that Mr. Onorato was one of the great citizens of Firestone. Police Chief Montgomery said that he met Mr. Onorato Sr. in 1999 and it is an honor to give the Onorato family a plaque in memory of Mr. Onorato Sr., from the Town of Firestone. Mr. Tony Onorato Jr. received the plaque saying "Thank you" to the Town and to his Father in Heaven.

CITIZEN PARTICIPATION

There was no audience participation.

APPROVAL OF AGENDA

Mayor Auer called for additions, deletions or changes to the agenda. There were no changes to the agenda. Trustee Morgan moved and Trustee Weinberger seconded, to approve the agenda, as submitted. Voice vote taken. Motion carried unanimously.

APPROVAL OF CONSENT AGENDA

- a. Approval of May 2010 Accounts Payable*
- b. Approval of Minutes – April 15, 2010 Special Meeting*
- c. Approval of Minutes – April 22, 2010 Regular Meeting*

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

LOCAL LICENSING AUTHORITY

FIRESTONE LIQUOR INC. – TO ESTABLISH NEIGHBORHOOD BOUNDARIES AND SET PUBLIC HEARING DATE

Town Clerk Judy Hegwood stated that an application from Firestone Liquor, Inc. was submitted for a new retail liquor license in the Safeway Marketplace. Town Clerk Hegwood stated that the Liquor Authority needs to set the neighborhood boundaries to be petitioned, and asked that May 27, 2010 be set as the public hearing date.

Attorney Sam Light explained the liquor licensing process, stating that the municipal boundaries of the neighborhood are the Town of Firestone.

Trustee Sorensen moved and Trustee Sindelar seconded, to set the municipal boundaries of the neighborhood as the entire Town of Firestone and to set May 27, 2010 as the public hearing date. Roll call vote was taken. Motion carried 5-Yea, 0-Nay. Trustee Holcomb was absent.

ACTION ITEMS

Planning and Zoning Commission Appointment Recommendations

Mayor Auer made recommendations.

Attorney Sam Light explained the new Ordinance stating the terms will always be in January, which amends Section 2.56.020 of the Municipal Code, and each seat will be for a period on six years.

Mayor Auer appointed Bill Peterson, Jeremy Pilon, and Kathryn Ridenour to the Planning and Zoning Commission, with terms expiring on January 26, 2017.

Ordinance No. 748

AN ORDINANCE AMENDING SECTION 2.56.20 OF THE FIRESTONE MUNICIPAL CODE REGARDING MEMBERSHIP OF THE FIRESTONE PLANNING AND ZONING COMMISSION

Trustee Morgan moved and Trustee Walsh seconded, to adopt Ordinance No. 748. Roll call vote was taken. 5-Yea, 0-Nay. Motion carried unanimously.

Public Safety Radio Amplification Systems – Proposed Amendment to 2006 Fire Code

Mr. Barry Kramer, from Safebuilt, and Fire Chief David Puccetti addressed the Board of Trustees. Mr. Kramer said that some buildings in Firestone do not have radios and the new ordinance will help with that. Fire Chief Puccetti said the public safety radios came about after 911, and is for new development, and the ordinance would assure that all is in place.

Ordinance No. 749

AN ORDINANCE AMENDING SECTION 15.32.020 OF THE FIRESTONE MUNICIPAL CODE TO ENACT AMENDMENTS TO THE 2006 EDITION OF THE INTERNATIONAL FIRE CODE AS ADOPTED BY THE TWON WITH AMENDMENTS IN ORDER TO REGULATE PUBLIC SAFETY RADIO AMPLIFICATION SYSTEMS

Trustee Morgan moved and Trustee Weinberger seconded, to adopt Ordinance No. 749. Roll call vote was taken. Motion carried 5-Yea, 0-Nay.

Fifth Addendum to the Water Service Agreement between the Town of Firestone and Central Weld County Water District

Town Manager Wesley LaVanchy reported that Staff has completed negotiations on the terms of a fifth addendum to the current potable water service agreement with CWCWD and is presenting it for consideration by the Board of Trustees.

Resolution No. 10-23

A RESOLUTION APPROVING A FIFTH ADDENDUM TO THE WATER SERICE AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND CENTRAL WELD COUNTY WATER DISTRICT

Trustee Weinberger moved and Trustee Sindelar seconded, to adopt Resolution No. 10-23. Roll call vote was taken. Motion carried 5-Yea, 0-Nay.

Adoption of the Town of Firestone Sump Basin Master Drainage Plan

Engineer Dave Lindsay stated that as the Town grows, several developments have occurred at the eastern edge of the existing Tri-Town drainage basin, and portions of these developments are located within the Sump Basin. As a result, in the recent activities with the Sump Basin, staff is presenting a final draft for consideration by the Board of Trustees for formal adoption as the guiding document for further development in the Sump Basin.

Resolution No. 10-24

A RESOLUTION ADOPTING THE 2010 TOWN OF FIRESTONE SUMP BASIN MASTER DRAINAGE PLAN

Trustee Morgan moved and Trustee Walsh seconded, to adopt Resolution No. 10-24. Roll call vote was taken. Motion carried 5-Yea, 0-Nay.

Traffic Signal UPS System

Engineer Dave Lindsay stated that the Town of Firestone received a proposal from Interface Communications Co. to install Uninterruptable Power Supplies (UPS) at five (5) traffic signals with the Town of Firestone. After the project is completed, all eight (8) Town of Firestone signalized intersections will have identical CLARY SP series UPS systems. This project will help maintain traffic signal operation during power outages (and/or surges), while improving public safety.

Trustee Sorensen moved and Trustee Morgan seconded, to approve the traffic signal UPS system, in the amount not to exceed \$47,938.00. Roll call vote was taken. Motion carried 5-Yea, 0-Nay.

Updated Public Records Policy and Procedures and Fee Schedules for the Town, Firestone Urban Renewal Authority, and Firestone Police Department

Attorney Sam Light stated that Staff recommends the Board adopt updated public records policies, procedures, and fee schedules for the Town. The policies and fee schedules have been drafted to conform to the requirements set forth in state laws including the Open Records Act.

Resolution No. 10-25

A RESOLUTION ADOPTING AN UPDATED PUBLIC RECORDS POLICY AND PROCEDURES STATEMENT FOR THE TOWN

Trustee Morgan moved and Trustee Weinberger seconded, to adopt Resolution No. 10-25. Roll call vote was taken. Motion carried 5-Yea, 0-Nay.

Resolution No. 10-26

A RESOLUTION APPROVING AND ADOPTING THE FIRESTONE POLICE DEPARTMENT SCHEDULE OF FEES

Trustee Morgan moved and Trustee Sindelar seconded, to adopt Resolution No. 10-26. Roll call vote was taken. Motion carried 5-Yea, 0-Nay.

Attorney Sam Light stated that the Urban Renewal Authority updated records policy will be moved to the May 27, 2010 Board of Trustees meeting.

DISCUSSION

Weld County Coordinated Planning Agreement

Town Planner Bruce Nickerson showed a Power Point Presentation and stated that Town Manager Wesley LaVanchy and himself had met with a few of the Weld County Commissioners and Staff to discuss the IGA. The Weld County Commissioners have redrafted the agreement and the draft defines Urban and Non-Urban development within three (3) miles of our growth boundary, which is the municipal referral area.

Town Manager Wesley LaVanchy stated that the attorneys' office will review the agreement and there will be a Joint meeting with the Commissioners.

Mayor Auer stated that this agreement is to make the notification process more robust and to know that the Town is participating in the process.

Town Planner Bruce Nickerson asked the Board of Trustees for approval to proceed. The Board gave their approval to proceed.

Carbon Valley Transit System Feasibility Study

Engineer Dave Lindsay reported that the Town of Firestone received the grant to prepare an analysis for the need to have a transit in the Tri-Town area. Engineer Lindsay said that this is a federal, non-negotiable grant and he would be working with CDOT, the City of Dacono, and the Town of Frederick on a cost recovery agreement.

CITIZEN PARTICIPATION

There was no citizen participation.

STAFF REPORTS

Mayor Auer stated that Staff Reports were reported electronically.

Town Manager Wesley LaVanchy recommended that the June 24, 2010 regular Board of Trustees meeting be changed to a Special Board of Trustees meeting on June 17, 2010, so there are not two meetings back to back. This change is due to the CML Conference being held the week of June 21, 2010 in which some members and staff will be attending. 2) stated that if planning to attend the CML Conference, to please tell Town Clerk Judy Hegwood, so she can get you registered.

Finance Director Ron Lay reported that there is \$9,000 in the 2010 Budget for conferences.

BOARD REPORTS

Trustee Morgan reported that there was a meeting to discuss the Associate Judge position and the interviews will be on May 25, 2010. 2) reported that she was asked to go to High School to work on Student Government and her classes will be Monday and Tuesday this next week.

Trustee Sorensen stated that it was good to see Vice President Joe Biden 2) reported that the Parks & Trails meeting was canceled due to the weather.

Trustee Walsh reported that he attended the Greeley Hall of Fame Awards to honor seniors in the County 2) reported that he attended the Carbon Valley Network and they now have a new email listserv 3) reported that there are now 212 paying seniors, and 103 people were served at lunch today 4) Mayor Auer will be speaking to the seniors on June 30, 2010

Mayor Chad Auer 1) reported that \$100 was received from King Soopers for the 4th of July 2) reported that he will be speaking at Frederick High School on Monday afternoon 3) stated that Mayor Pro-tem Sorensen will be hosting the June 10, and June 17, 2010 Board of Trustees meetings. 4) reported that he has been invited to visit Turkey and will meeting the Turkish parliament. This is a part of a coordinated effort of the Embassy's to build relationships. He will be leaving for Turkey on June 7, 2010 and returning on June 17, 2010,

EXECUTIVE SESSION

Executive Session Pursuant to C.R.S. 24-6-402 (4)(b) for Conference with Town Attorney for Legal Advice Regarding Pending Litigation: Annexation Litigation with City of Longmont

Mayor Auer read the title to enter executive session.

Attorney Sam Light stated that he had requested an executive session and noted for the record that the executive session was Pursuant to C.R.S. § 24-6-402(4)(b) for Conference with Town Attorney for Legal Advice Regarding Pending Litigation: Annexation Litigation with City of Longmont, and to update on the case and give negotiation strategy.

Trustee Morgan moved and Trustee Weinberger seconded, to enter into executive session for Conference with Town Attorney for Legal Advice Regarding Pending Litigation: Annexation Litigation with City of Longmont. Motion carried 5-Yea, 0-Nay. [9:05 p.m.]

The Board of Trustees reconvened in open session at 10:14 p.m.

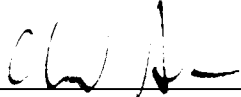
The persons in attendance were Attorney Sam Light, Town Manager Wesley LaVanchy, Town Planner Bruce Nickerson, Trustees Weinberger, Walsh, Sindelar, Sorensen, Morgan and Mayor Auer.

Attorney Sam Light stated that the executive session was concluded on Legal Advice Regarding Pending Litigation: Annexation Litigation with City of Longmont and direction was given by the Board of Trustees.

ADJOURNMENT

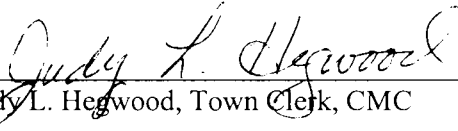
There being no further business to come before the Board of Trustees, Trustee Morgan moved and Trustee Weinberger seconded, to adjourn the meeting. The meeting adjourned at 10:15 p.m.

TOWN OF FIRESTONE, COLORADO



Chad Auer, Mayor

ATTEST:



Judy L. Hegwood, Town Clerk, CMC

READ AND APPROVED THIS 27th DAY OF May, 2010.

