

TOWN OF FIRESTONE, COLORADO
Board of Trustees Regular Meeting
December 12, 2018

1. CALL TO ORDER & ROLL CALL

The Board of Trustees of the Town of Firestone met for a Regular Meeting on December 12, 2018, at the Town Hall, 151 Grant Avenue, Firestone, Colorado. Mayor Sindelar called the meeting to order at 7:10 p.m.

The following were present upon the call of the roll:

Mayor: Bobbi Sindelar

Mayor Pro-tem: Drew Peterson

Trustees: Don Conyac
George Heath
Samantha Meiring – Late 7:37 pm
Frank A. Jimenez
Doug Sharp

Staff: **Present:** Jan Sloat, Director of Human Resources; Katie Hansen, Director of Marketing & Communications; Marty Ostholthoff, Planning Manager; Paula Mehle, Director of Economic Development & FURA; Dave Lindsay; Engineer; Brad Grasmick, Water Attorney; David Montgomery, Chief of Police; Leah Vanarsdall, Town Clerk; Jennifer Weinberger, Asst Town Manager; Julie Pasillas, Director of Community Resources; Tracy Case, Senior Planner; Jessica Clanton, Director of Finance; & A. J. Krieger, Interim Town Manager

2. PLEDGE OF ALLEGIANCE

Pledge was led by Mayor Sindelar

3. APPROVAL OF AGENDA

Motion by Trustee Heath, **second** by Trustee Conyac, to approve the Agenda as amended to move the Budget Items 6, 6a, 6ai, 6aii and 6aiii to Discussion Action Item 7. All in Favor, **Motion carried.**

4. PUBLIC COMMENT

None

5. CONSENT AGENDA

Motion by Trustee Conyac, **second** by Trustee Sharp, to approve the Consent Agenda. **Roll Call Vote:** Trustee Heath – yes, Trustee Sharp – yes, Trustee Conyac – yes, Mayor Pro-tem Peterson – yes, Trustee Jimenez - yes. All in Favor, **Motion carried.**

6. PUBLIC HEARING

Open: 7:19 pm **Close:** 8:14 pm

Public Comments: Craig Owen – 7751 CR 22, Longmont

Fran Holyman – 6382 Twilight

Margaret Parker – 9265 Del Camino Ln, Longmont

Gayle Mertz – 62310 Utica, Firestone

Erin Lind – 1801 Ca. St, Denver (Crestone)

David Stewart – 1801 CA St, Denver (Crestone EHS)

6b. Resolution 18-49: A RESOLUTION APPROVING AN APPLICATION FOR A SPECIAL USE PERMIT FOR CRESTONE PEAK RESOURCES TO LOCATE NINETEEN OIL AND GAS WELLS WITHIN THE TOWN OF FIRESTONE.

Motion by Mayor Pro-tem, Peterson, **second** by Trustee Heath, to approve **Resolution 18-49:** A RESOLUTION APPROVING AN APPLICATION FOR A SPECIAL USE PERMIT FOR CRESTONE PEAK RESOURCES TO LOCATE NINETEEN OIL AND GAS WELLS WITHIN THE TOWN OF FIRESTONE. **Roll Call Vote:** Trustee Meiring – abstained, Trustee Jimenez – yes, Trustee Heath – yes, Trustee Sharp – yes, trustee Conyac – yes, Mayor Pro-tem Peterson – yes. All in Favor, **Motion carried.**

6c. Resolution 18-53: A RESOLUTION AUTHORIZING THE APPROPRIATE TOWN OFFICIAL TO SIGN THE FIRST AMENDMENT TO THE COMPATIBLE DEVELOPMENT AND SURFACE USE AGREEMENT

Motion by Trustee Jimenez, **second** by Trustee Conyac, to approve **Resolution 18-53:** A RESOLUTION AUTHORIZING THE APPROPRIATE TOWN OFFICIAL TO SIGN THE FIRST AMENDMENT TO THE COMPATIBLE DEVELOPMENT AND SURFACE USE AGREEMENT. **Roll Call Vote:** Trustee Jimenez – yes, Trustee Heath – yes, Trustee Sharp – yes, Trustee Conyac – yes, Mayor Pro-tem Peterson – yes, Trustee Meiring – yes. All in Favor, **Motion carried.**

6d. Resolution 18-54: A RESOLUTION APPROVING COOPERATIVE DEVELOPMENT PLAN AGREEMENT

Motion by Trustee Conyac, **second** by Trustee Jimenez, to approve **Resolution 18-54:** A RESOLUTION APPROVING COOPERATIVE DEVELOPMENT PLAN AGREEMENT.

Roll Call Vote: Trustee Heath – yes, Trustee Sharp – yes, Trustee Conyac – yes, Mayor Pro-tem Peterson – yes, Trustee Meiring – yes, Trustee Jimenez – yes. All in Favor, **Motion carried.**

PUBLIC HEARING Open: 8:53 pm Close: 9:11 pm

Public Comment: Aaron Ladd, Attny for Pelican Shores S – HOA – 1720 14th St,
Boulder

6e. Resolution 18-50: A RESOLUTION CONCERNING A PETITION FOR THE ANNEXATION OF PROPERTY TO THE TOWN OF FIRESTONE, COLORADO, KNOWN AS THE GOULD ANNEXATION TO THE TOWN OF FIRESTONE, AND FINDING THE AREA PROPOSED TO BE ANNEXED ELIGIBLE FOR ANNEXATION.

Motion by Mayor Pro-tem Peterson, **second** by Trustee Conyac, to approve **Resolution 18-50:** A RESOLUTION CONCERNING A PETITION FOR THE ANNEXATION OF PROPERTY TO THE TOWN OF FIRESTONE, COLORADO, KNOWN AS THE GOULD ANNEXATION TO THE TOWN OF FIRESTONE, AND FINDING THE AREA PROPOSED TO BE ANNEXED ELIGIBLE FOR ANNEXATION. **Roll Call Vote:** Trustee Sharp – yes, Trustee Conyac – yes, Mayor Pro-tem Peterson – yes, Trustee Meiring – yes, Trustee Jimenez – yes, Trustee Heath – yes. All in Favor, **Motion carried.**

6f. Ordinance 947: AN ORDINANCE APPROVING AN ANNEXATION KNOWN AS THE GOULD ANNEXATION TO THE TOWN OF FIRESTONE, COLORADO.

Motion by Trustee Jimenez, **second** by Trustee Heath, to approve **Ordinance 947:** AN ORDINANCE APPROVING AN ANNEXATION KNOWN AS THE GOULD ANNEXATION TO THE TOWN OF FIRESTONE, COLORADO. **Roll Call Vote:** Trustee Conyac – yes,

Mayor Pro-tem Peterson – yes, Trustee Meiring – yes, Trustee Jimenez – yes, Trustee Heath – yes, Trustee Sharp – yes. All in Favor, **Motion carried.**

6g. Ordinance 948: AN ORDINANCE APPROVING AN INITIAL ZONING OF PROPERTY ANNEXED TO THE TOWN OF FIRESTONE AND KNOWN AS THE GOULD ANNEXATION, AND APPROVING AN OUTLINE DEVELOPMENT PLAN FOR SUCH PROPERTY.

Motion by Trustee Sharp, **second** by Mayor Pro-tem Peterson, to approve **Ordinance 948:** AN ORDINANCE APPROVING AN INITIAL ZONING OF PROPERTY ANNEXED TO THE TOWN OF FIRESTONE AND KNOWN AS THE GOULD ANNEXATION, AND APPROVING AN OUTLINE DEVELOPMENT PLAN FOR SUCH PROPERTY. **Roll Call Vote:** Mayor Pro-tem Peterson – yes, Trustee Meiring – yes, Trustee Jimenez – yes, Trustee Heath – yes, Trustee Sharp – yes, Trustee Conyac – yes. All in Favor, **Motion carried.**

7. DISCUSSTION/ACTION ITEMS

Budget Items Moved from Public Hearing as noted in the above Agenda Amendment Motion

2019 Town of Firestone Budget Adoption

6.a.i. Resolution 18-46: A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET FOR THE TOWN OF FIRESTONE, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY, 2019 AND ENDNG ON THE LAST DAY OF DECEMBER, 2019.

Motion by Trustee Heath, **second** by Trustee Meiring, to approve **Resolution 18-46:** A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET FOR THE TOWN OF FIRESTONE, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY, 2019 AND ENDNG ON THE LAST DAY OF DECEMBER, 2019. **Roll Call Vote:** Trustee Sharp – yes, Trustee Conyac – yes, Mayor Pro-tem Peterson – yes, Trustee Meiring – yes, Trustee Jimenez – yes, Trustee Heath – yes. All in Favor, **Motion carried.**

6.a.ii. Resolution 18-47: A RESOLUTION APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES, IN THE AMOUNTS AND FOR THE PURPOSES AS SET FORTH BELOW, FOR THE TOWN OF FIRESTONE, COLORADO, FOR THE 2019 BUDGET YEAR.

Motion by Trustee Meiring, **second** by Trustee Jimenez, to approve **Resolution 18-47:** A RESOLUTION APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES, IN THE AMOUNTS AND FOR THE PURPOSES AS SET FORTH BELOW, FOR THE TOWN OF FIRESTONE, COLORADO, FOR THE 2019 BUDGET YEAR. **Roll Call Vote:** Trustee Conyac – yes, Mayor Pro-tem Peterson – yes, Trustee Meiring – yes, Trustee Jimenez – yes, Trustee Heath – yes, Trustee Sharp – yes. All in Favor, **Motion carried.**

6.a.iii. Resolution 18-48: A RESOLUTION LEVYING GENERAL PROPERTY TAXES FOR THE 2018 TAX YEAR, TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR THE TOWN OF FIRESTONE, COLORADO FOR THE 2019 BUDGET YEAR.

Motion by Trustee Jimenez, **second** by Trustee Conyac, to approve **Resolution 18-48:** A RESOLUTION LEVYING GENERAL PROPERTY TAXES FOR THE 2018 TAX YEAR, TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR THE TOWN OF FIRESTONE, COLORADO FOR THE 2019 BUDGET YEAR. **Roll Call Vote:** Mayor Pro-tem Peterson – yes, Trustee Meiring – yes, Trustee Jimenez – yes, Trustee Heath – yes, Trustee Sharp –

yes, Trustee Conyac – yes. All in Favor, **Motion carried.**

7a. Resolution 18-51: A RESOLUTION PRESCRIBING WATER RATES, FEES, TOLLS AND CHARGES FOR THE TOWN OF FIRESTONE, COLORADO

Motion by Trustee Conyac, **second** by Mayor Pro-tem Peterson, to approve **Resolution 18-51:** A RESOLUTION PRESCRIBING WATER RATES, FEES, TOLLS AND CHARGES FOR THE TOWN OF FIRESTONE, COLORADO. **Roll Call Vote:** Mayor Pro-tem Peterson – yes, Trustee Meiring – yes, Trustee Jimenez – yes, Trustee Heath – yes, Trustee Sharp – yes, Trustee Conyac – yes. All in Favor, **Motion carried.**

b. Resolution 18-52: A RESOLUTION APPROVING A THIRD AMENDMENT TO THE FACILITY USE LICENSE AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND CARBON VALLEY

Motion by Trustee Meiring, **second** by Trustee Sharp, to approve **Resolution 18-52:** A RESOLUTION APPROVING A THIRD AMENDMENT TO THE FACILITY USE LICENSE AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND CARBON VALLEY. **Roll Call Vote:** Mayor Pro-tem Peterson – yes, Trustee Meiring – yes, Trustee Jimenez – yes, Trustee Heath – yes, Trustee Sharp – yes, Trustee Conyac – yes. All in Favor, **Motion carried.**

c. Resolution 18-55: A RESOLUTION APPROVING AN OPTION TO PURCHASE AGREEMENT

Motion by Trustee Meiring, **second** by Trustee Sharp, to approve **Resolution 18-55:** A RESOLUTION APPROVING AN OPTION TO PURCHASE AGREEMENT. **Roll Call Vote:** Trustee Sharp – yes, Trustee Conyac – yes, Mayor Pro-tem Peterson – yes, Trustee Jimenez – yes, Trustee Meiring – yes, Trustee Heath – yes. All in Favor, **Motion carried.**

d. Resolution 18-57: A RESOLUTION AUTHORIZING THE INTERIM TOWN MANAGER TO EXECUTE AN ENGAGEMENT AGREEMENT FOR INTERIM TOWN ATTORNEY LEGAL SERVICES

Motion by Trustee Sharp, **second** by Mayor Pro-tem Peterson, to approve **Resolution 18-57:** A RESOLUTION AUTHORIZING THE INTERIM TOWN MANAGER TO EXECUTE AN ENGAGEMENT AGREEMENT FOR INTERIM TOWN ATTORNEY LEGAL SERVICES. **Roll Call Vote:** Trustee Conyac – yes, Mayor Pro-tem Peterson – yes, Trustee Jimenez – yes, Trustee Meiring – yes, Trustee Heath – yes, Trustee Sharp – yes. All in Favor, **Motion carried.**

8. PUBLIC COMMENT * (maximum time permitted for all Public Comment is 30 minutes)
None

Motion by Trustee Sharp, **second** by Trustee Conyac to **NOT APPROVE** (rescind) Item 5i – **Resolution 18-56:** A RESOLUTION CONCERNING REVISIONS TO THE EMPLOYEE HANDBOOK AND REPEALING THE AUTHORITY OF THE TOWN MANAGER TO MAKE REVISIONS. **Roll Call Vote:** Trustee Conyac – yes, Mayor Pro-tem Peterson – yes, Trustee Jimenez – yes, Trustee Meiring – yes, Trustee Heath – yes, Trustee Sharp – yes. All in Favor, **Motion carried.**

Motion by Trustee Jimenez, **second** by Trustee Conyac to continue to January 9, 2019. **Roll Call Vote:** Trustee Conyac – yes, Mayor Pro-tem Peterson – yes, Trustee Jimenez – yes, Trustee Meiring – yes, Trustee Heath – yes, Trustee Sharp - yes. All in Favor, **Motion carried**

9. REPORTS

- a. Staff – Big thank you to everyone that helped coordinate the Town holiday Party
- b. Mayor
- c. Trustees
- d. Committee Updates

Board of Trustees Meeting was recessed at 9:54 pm to conduct the Firestone Urban Renewal Authority Meeting – Reconvened at 9:52 pm.

10. EXECUTIVE SESSION Open: 9:52 pm Closed: 10:19 pm

a. **Executive Session** for the purpose of (1) a conference with the Town Attorney for the purpose of receiving legal on specific legal questions under C.R.S. 24-6-402(4)(b); and (2) for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy nor negotiations, and/or instructing negotiators under C.R.S. 24-6-402(4)(e), regarding Town Manager recruitment.

Motion by Trustee Sharp, **second** by Trustee Heath, to adjourn into an Executive Session **ONLY** 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. 24-6-402(4)(e), regarding Town Manager recruitment. **Roll Call Vote:** Trustee Meiring – yes, Trustee Jimenez – yes, Mayor Pro-tem Peterson – yes, Trustee Conyac – yes, Trustee Sharp – yes, Trustee Heath – yes. All in Favor, **Motion carried.**

Staff asked to participate: Jennifer Weinberger; Asst Manager

Report from Executive Session

No Report

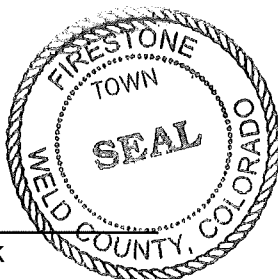
11. ADJOURNMENT

Motion by Mayor Pro-tem Peterson, **second** by Jimenez, to adjourn meeting at 10:18 pm. **Motion passed**, all in favor.

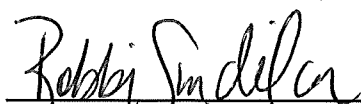
Introduced and Approved this 19th day of December, 2018.

ATTEST


Leah Vanarsdall, Town Clerk



TOWN OF FIRESTONE, COLORADO


Bobbi Sindelar, Mayor