

CITY OF BRUSH!

MINUTES OF THE SEPTEMBER 23, 2013 – REGULAR CITY COUNCIL MEETING

The City Council of the City of Brush, Colorado met in regular session on September 23, 2013. Mayor Daniel R. Scalise called the meeting to order at 6:00 p.m. The Pledge of Allegiance was given.

Present on roll call were: Mayor Daniel Scalise
Councilor Felix Acosta
Councilor Heath Becker
Councilor Kimberly Dykes
Councilor Vicky Quinlin
Councilor Charles Schonberger

Absent on roll call were: Councilor Mark Smith

Also present were Assistant City Administrator Karen Schminke, Police Chief Mark Thomas, Community Service Director Lance Schwindt, Public Works Director Dale Colerick, Marketing Specialist Tyler Purvis, and City Clerk Andrea Strand.

MINUTES

The minutes of the regular meeting of September 9, 2013, were approved as submitted.

VISITORS AND DELEGATIONS

Brush Rodeo President Steve Treadway was present and provided a brief history of the Brush Rodeo. The Brush Rodeo Association is requesting a \$1,500 donation from the City to add to the current \$7,500 the association spends on fireworks. Mayor Scalise stated that this request would be considered at the 2014 Budget retreat and added that the additional fireworks was enjoyed by everyone.

Brush Area Chamber of Commerce Executive Director Ronald Prascher was present and brought forth concerns the Chamber had about one part of the current signage ordinance. The Chamber Board requested that Article 12 Signs, Section 16-12-70 (b) (1) a, entitled, Permitted Signs by Zoning Districts, which reads, One (1) such sign is permitted per business, be changed to per business per street frontage. Section (b)(3) b, concerning maximum permitted number of signs per premises is one (1) per street frontage, be changed to business. And finally, Section (b)(9)d. concerning maximum number of signs is one (1) per business use, be removed and replaced with per street frontage. Assistant City Administrator stated that she would attach this request to the budget request for the Sign Code update. He asked if the entire Code is not changed if Council would consider changing this section.

Second Reading of ORDINANCE NO. 822-13, entitled “AN ORDINANCE TO AMEND CHAPTER 6 OF THE BRUSH MUNICIPAL CODE BY THE ADDITION THERETO OF A NEW ARTICLE 7 CONCERNING THE PROHIBITION OF MARIJUANA CULTIVATION FACILITIES, MARIJUANA PRODUCT MANUFACTURING FACILITIES, MARIJUANA TESTING FACILITIES AND RETAIL MARIJUANA STORES IN THE CITY OF BRUSH, AND DECLARING AN EMERGENCY”

Councilor Schonberger offered a motion to adopt Ordinance 822-13 and read the ordinance by title, “AN ORDINANCE TO AMEND CHAPTER 6 OF THE BRUSH MUNICIPAL CODE BY THE ADDITION THERETO OF A NEW ARTICLE 7 CONCERNING THE PROHIBITION OF MARIJUANA CULTIVATION FACILITIES, MARIJUANA PRODUCT MANUFACTURING FACILITIES, MARIJUANA TESTING FACILITIES AND RETAIL MARIJUANA STORES IN THE CITY OF BRUSH, AND DECLARING AN EMERGENCY” Councilor Acosta offered a second. The second and final reading of Ordinance 822-13 was approved unanimously by a roll call vote of six members of Council.

Second Reading of ORDINANCE NO. 823-13, entitled “AN ORDINANCE TO ADD A NEW ARTICLE 8 TO CHAPTER 6 OF THE BRUSH MUNICIPAL CODE TO PROHIBIT THE OPERATION OF MEDICAL MARIJUANA CENTERS, OPTIONAL PREMISES CULTIVATION OPERATIONS, AND MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURERS’ LICENSE WITHIN THE CITY OF BRUSH, COLORADO “

Councilor Dykes offered a motion to adopt Ordinance 823-13 and read the ordinance by title, “AN ORDINANCE TO ADD A NEW ARTICLE 8 TO CHAPTER 6 OF THE BRUSH MUNICIPAL CODE TO PROHIBIT THE OPERATION OF MEDICAL MARIJUANA CENTERS, OPTIONAL PREMISES CULTIVATION OPERATIONS, AND MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURERS’ LICENSE WITHIN THE CITY OF BRUSH, COLORADO ” Councilor Quinlin offered a second. The second and final reading of Ordinance 823-13 was approved unanimously by roll call vote.

Second Reading of ORDINANCE NO. 824-13. Entitled, “AN ORDINANCE AMENDING CHAPTER 18 OF THE BRUSH MUNICIPAL CODE BY ADDING A NEW DIVISION 4, REGULATING THE GROWING OF MARIJUANA FOR MEDICAL OR PERSONAL USE”

Councilor Becker offered a motion to adopt Ordinance 824-13 and read the ordinance by title, “AN ORDINANCE AMENDING CHAPTER 18 OF THE BRUSH MUNICIPAL CODE BY ADDING A NEW DIVISION 4, REGULATING THE GROWING OF MARIJUANA FOR MEDICAL OR PERSONAL USE ” Councilor Schonberger offered a second. The second and final reading of Ordinance 824-13 was approved unanimously by roll call vote.

Second Reading of ORDINANCE NO 825-13 entitled, “AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 6 OF THE BRUSH MUNICIPAL CODE CONCERNING THE USE, POSSESSION AND TRANSFER OF MARIJUANA”

Councilor Quinlin offered a motion to adopt Ordinance 825-13 and read the ordinance by title, “AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 6 OF THE BRUSH MUNICIPAL CODE CONCERNING THE USE, POSSESSION AND TRANSFER OF MARIJUANA” Councilor Becker offered a second. The second and final reading of Ordinance 825-13 was approved unanimously by roll call vote.

First Reading of Ordinance 826-13 entitled, “An Ordinance Rezoning Certain Lands In The City of Brush Located in East Morgan County Hospital Subdivision, And A Portion of Block P, Sunset Addition To The City of Brush, Morgan County, Colorado.”

Mayor Scalise excused himself from the item as he serves on the East Morgan County Hospital Board. Mayor Pro Tem Schonberger asked for a Councilor to introduce Ordinance 826-13. Councilor Kimberly Dykes introduced the ordinance and read it by title, “An Ordinance Rezoning Certain Lands In The City of Brush Located in East Morgan County Hospital Subdivision, And A Portion of Block P, Sunset Addition To The City of Brush, Morgan County, Colorado.” Councilor Acosta then offered a motion to approve the first reading of the ordinance, it was seconded by Councilor Quinlin and approved unanimously with Mayor Scalise abstaining from the vote.

CIRSA PROPERTY/CASUALTY PRELIMINARY QUOTE

Finance Director Gosselink informed Council that the City had received a preliminary quote from CIRSA for property/casualty coverage in the amount of \$130,061.

A motion was made by Councilor Dykes authorizing the Mayor to sign the CIRSA Property/Casualty Pool Preliminary 2014 Contribution Quotation for the City. Councilor Quinlin seconded the motion which was unanimously approved by roll call vote.

CIRSA WORKERS’ COMPENSATION PRELIMINARY QUOTE

Finance Director Gosselink informed Council that the City had received a preliminary quote from CIRSA for property/casualty coverage in the amount of \$156,321.

A motion was made by Councilor Schonberger authorizing the Mayor to sign the CIRSA Workers’ Compensation Preliminary 2014 Contribution Quotation for the City. Councilor Quinlin seconded the motion which was unanimously approved by roll call vote.

DISBURSEMENTS AND PAYROLL

Councilor Acosta offered a motion to approve City bills from September 9-23, 2013. His motion was seconded by Councilor Schonberger and was approved unanimously by roll call vote.

General Fund	\$ 42,557.10
Water Fund	\$ 3,093.67
Trash and Garbage Fund	\$ 10,144.84
Waste Water Fund	\$ 55,551.93
Storm Water Fund	\$ 687.05
Community Enhancement Fund	\$ 7,154.65
Payroll and Cafeteria	\$ 56,702.37
Payroll Liability	<u>\$ 24,860.42</u>
Disbursements Total	\$200,752.03

2014 BUDGET LINE ITEMS PRESENTED BY DEPARTMENT HEADS

Line item requests for inclusion in the 2014 budget were presented by Department Directors for Council consideration. Finance Director Gooselink stated that a preliminary budget would be presented at the October 14, 2014, council meeting and capital outlay projects would be presented at the October 28, 2014, council meeting.

STAFF REPORTS

Police Chief Thomas

- The police department and fire department will be discussing an after action briefing this Wednesday at 8:30 a.m. at City Hall.
- Reported that Beaver Creek currently has a flood advisory which expires at midnight.

Community Service Director Schwindt

- He is stuffing door-to-door bags and will be delivering them this week.
- A recreation questionnaire will be available for citizens to respond to.

Public Works Director Colerick

- Reported that the street crew is working to remove dead branches and trees.
- Reported that the recent flood did not reach the waste water treatment facility. City crews worked to secure it.
- The City of Brush Waste Water Treatment Facility recently received a Plant Maintenance Merit Award from the Rocky Mountain Water Environment Association Accomplishments.
- We assisted the City of Sterling's by receiving waste during the recent flood in their area.

Marketing Specialist Purvis

- Reported the the City and Chamber received a Governor's Award for Downtown Excellence. from Downtown Colorado, Inc.

City Clerk

- Announced upcoming meetings.

MAYOR AND COUNCIL REPORTS

None.

ADJOURNMENT

The September 23, 2013, meeting was adjourned at approximately 6:45 p.m.

ATTEST:

/s/ Andrea J. Strand
City Clerk

/s/ Daniel R. Scalise
Mayor