

CITY OF BRUSH!

MINUTES OF THE JANUARY 25, 2016 – REGULAR CITY COUNCIL MEETING

The City Council of the City of Brush, Colorado met in regular session on January 25, 2016. Mayor Chuck Schonberger called the meeting to order at 6:00 p.m. The meeting was held at Brush City Hall. The pledge of allegiance was given.

Present on roll call were: Mayor Chuck Schonberger
Councilor Jeanine Anderson
Councilor Rick Bain
Councilor Marlene Baker
Councilor Heath Becker
Councilor Kimberly Dykes
Councilor Vicky Quinlin

Absent: None.

Also present were City Attorney Robert Chapin, Assistant Administrator Karen Schminke, Finance Director Joanne Gosselink, Public Works Director Dale Colerick, Marketing Specialist Tyler Purvis, and City Clerk Andrea Strand.

MINUTES

The minutes of the regular meeting of the January 11, 2016, were approved as submitted.

VISITORS AND DELEGATIONS

None.

MANAGEMENT

RETAIL MARIJUANA DECISION/OPTIONS

Mayor Schonberger stated that the City's moratorium related to retail marijuana businesses will expire on June 30, 2016. In order to have adequate time to prepare for that event council would need to give staff direction regarding how they would like to proceed. Staff had identified three primary options:

Option 1 – Refer to the November 8, 2016 election, ballot question(s) regarding marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, and retail marijuana stores. Additional option: refer to the ballot questions imposing additional local taxes on retail marijuana.

Option 2 – Adopt ordinances and regulations governing the time, place, manner and number of marijuana establishments. Additional option: refer to the ballot questions imposing additional local taxes on retail marijuana.

Option 3 – Adopt an ordinance prohibiting marijuana cultivation facilities; marijuana produce manufacturing facilities, marijuana testing facilities, and retail marijuana stores.

The Mayor invited members of the public to come forward, state their name and address for the record, and sign the sign in sheet. The individuals speaking stated they were opposed to retail marijuana and some felt that Council should make the decision and not send it to the voters.

Dan Scalise, 220 Custer Street
Brian Amack, 349 Howell Avenue
April Amack, 349 Howell Avenue
Allyn Wind, 345 Howell Avenue
Cristi Mortensen, 26487 Co Rd T
Scott Dunn, 19063 Co Rd 26
Doug Crandall, 2605 Ruhl Rd

Councilor Anderson offered a motion, second by Councilor Baker that City Council would make the retail Marijuana decision and not refer it to the voters. Roll call vote:

For: Anderson, Bain, Baker, Becker, Dykes, Quinlin
Against: Schonberger

Councilor Bain moved, second by Councilor Quinlin to direct staff to draft an ordinance prohibiting marijuana cultivation facilities; marijuana produce manufacturing facilities, marijuana testing facilities, and retail marijuana stores.

For: Anderson, Bain, Baker, Becker, Dykes, Quinlin
Against: Schonberger

SECOND AND FINAL READING OF ORDINANCE NO. 842-16 AN ORDINANCE AMENDING ARTICLE 3 OF CHAPTER 8 OF THE BRUSH MUNICIPAL CODE RELATED TO RAILROADS

Councilor Anderson moved, second by Councilor Quinlin to adopt on second reading and publish by title only, Ordinance No. 842-16 An Ordinance Amending Article 3 of Chapter 8 of the Brush Municipal Code Related to Railroads. It was approved unanimously by roll call vote.

FIRST READING ORDINANCE NO. 843-16 AN ORDINANCE AUTHORIZING THE IMPOSITION OF A CONVENIENCE FEE FOR USE OF ALTERNATIVE FORMS OF PAYMENT TO THE CITY

Councilor Dykes introduced Ordinance No. 843-16 and read it by title. Councilor Dykes moved, second by Councilor Anderson to approve Ordinance 843-16 An Ordinance Authorizing the Imposition of a Convenience Fee for Use of Alternatives Forms of Payment to the City, on first reading and publish in full.

For: Anderson, Bain, Becker, Dykes, Quinlin
Against: Schonberger, Baker

The motion carried.

ANNUAL BRUSH MUSEUM CONTRACT

Councilor Quinlin moved, second by Councilor Dykes to approve the annual contract between the City of Brush and the Brush Area Museum Association and was approved unanimously by roll call vote.

FINANCE

City Disbursements

Councilor Quinlin moved, second by Councilor Dykes to approve City bills from January 11-25, 2016. The motion was approved unanimously by roll call vote.

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|----------------------------|---------------------|
| General Fund | \$ 33,360.99 |
| Water Fund | \$ 9,395.47 |
| Trash and Garbage Fund | \$ 9,228.02 |
| Waste Water Fund | \$ 14,697.16 |
| Storm Water Fund | \$ 4,179.04 |
| Golf Course Fund | \$ 5,623.81 |
| Community Enhancement Fund | \$ 500.00 |
| Joslin Needham Fund | \$ 628.54 |
| Payroll and Cafeteria | \$ 68,011.78 |
| Payroll Liability | <u>\$ 28,927.06</u> |
| Disbursements Total | \$ 174,551.87 |

STAFF REPORTS

Finance Director Gosselink

- Informed Council that trash rates would increase by about thirty cents pursuant to a Resolution adopted previously that rates would increase in the years 2016-2018 according to the Denver Boulder CPI.
- John McGinn is still working on the water rates and staff hopes to bring them forward at the next work session.

Public Works Director Colerick

- Street Department staff is trying to clear ice dams now that the weather is warming, he recommended to call the front desk at City Hall if citizens have an issue so that a work order could be made.
- He will be attending an informational meeting concerning the Windy Hill Project.

Marketing Specialist Purvis

- Announced that the school district is considering a 4 day school week and will hold three meetings to receive public input. He will provide information on the city's website.

City Clerk Strand

- Announced upcoming meetings and other announcements.
- Provided a report with statistics from Weigh and Win.

Community Development Director Schminke

- Reported that the Planning Commission will meet on Monday, February 1 to review an application to subdivide Castlerock Subdivision.

Administrator Torres

- Reported that Police Chief Mark Thomas resigned last week, with the vacancy a recruitment process will be established.
- He received a letter from the Brush Rural Fire Board, and provided a copy, stating they could not proceed with the application process for a new building. The application to DOLA has been withdrawn. He will continue to work with the fire chief and Rural Fire Board to review options for the fire department building.

MAYOR AND COUNCIL REPORTS

Councilor Anderson

- will be attending the January 27, 2016, Clean Power Plan Development of Colorado's State 111(d) Plan, to be held at the Brush High School Auditorium.

Appointments to Boards and Commissions

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| Aviation | Stan Gray Tim Oakley | Jan 2020 |
| Board of Adjustments | Larry Andersen Ed loose Harry Rieger Paula Pattee Jeff Osuch | Jan 2019 |
| Brush Housing Authority Council Liaison | Marlene Baker | Jan 2020 |
| East Morgan County Library Council Liaison | Kim Dykes | Jan 2018 |
| Historic Preservation | Kyndra Sheets | Jan 2019 |
| Museum Board Council Liaison | Rick Bain | Jan 2018 |
| Planning and Zoning | Jeanine Anderson Rick Bain | Jan 2018 |
| Tree Board | Sharon Bzdek | Jan 2019 |
| Finance Committee | Heath Becker | Jan 2020 |

Citizens Outreach Beginning in March

Council decided to host a citizen outreach forum on the first Monday of each month, beginning March 7, at the Course from 6-7 p.m. A sign-up sheet was circulated and staff will advertise in the newspaper and on the website.

Special Meeting, Wednesday, January 27, 2016. At 5:30 p.m.

A special meeting is needed in order for Council to approve the extension of the contract with DOLA on Phase 4 of the Downtown Project. The contract did not arrive in time for this meeting, once it has been received, the City Clerk will call to schedule a meeting.

ADJOURNMENT

The January 25, 2016, meeting adjourned at approximately 7:03 p.m.

ATTEST:

/s/ City Clerk Andrea Strand

/s/ Mayor Chuck Schonberger