

CITY OF BRUSH!

MINUTES OF THE NOVEMBER 14, 2016 – REGULAR CITY COUNCIL MEETING

The City Council of the City of Brush, Colorado met in regular session on November 14, 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 Administrator Monty Torres, City Attorney Bo Chapin, Finance Director Joanne Gosselink, Assistance City Administrator Karen Schminke, Police Chief Travis Anderson, Assistant Fire Chief Ray Uhrick and City Clerk Andrea Strand.

MINUTES

The minutes of the regular meeting of October 24, 2016, were approved as submitted.

VISITORS AND DELEGATIONS

None.

MANAGEMENT

Public Hearing – Petition by Colorado Farm Products Ltd. For a Special Use Permit for a Medical Clinic at 718 Industrial Park Road

Mayor Schonberger opened the public hearing at 6:05 p.m. to hear comments on the application submitted by Colorado Farm Products Ltd. for a special use permit for a medical clinic in an Industrial zone.

Assistant City Administrator Karen Schminke presented the staff report and stated that the property is approximately 5.12 acres in size, is located at the southwest corner of Industrial Park Road and North Custer Street and is known as 718 Industrial Park Road. She reviewed the criteria as outlined in the Land Use Code. She added that Council should consider the compatibility of the use with adjacent properties, conformance with the Comprehensive Plan and the applicant's history of zoning compliance with the City.

The applicant Nicholas Erker representing Colorado Farm Products Ltd., was present and provided a PowerPoint presentation and explained that his company was seeking the special use permit as Converge Day Treatment Center, a prospective tenant, would like to lease and potentially purchase the property for their operation. Converge is licensed by the State of Colorado as a day treatment center. They provide individual, group and family therapy along with academic instruction for children ages five to eighteen who have a serious emotional disability, or an autism spectrum disorder.

Assistant Administrator Schminke added that the public hearing was properly noticed in the Brush News Tribune, posted on the property and notice sent to property owners in the area. She concluded that should Council find that the proposal had met the review criteria, staff recommended that Council grant a special use permit for a medical clinic in an Industrial (I) zone with conditions identified:

1. This SUP shall apply to Lot 1, Block 5, and that vacated portion of Industrial Park Road, Brush Industrial Park, City of Brush, County of Morgan, State of Colorado.
2. The burdens and benefits of this Special Use Permit as authorized and approved by the City of Brush City Council pursuant to Article 16-6-20(f)(1) of the City Land Use Code, and subject to the provisions of Article 16-6-20 (d) and (e), shall be deemed to be personal to the original applicant, and shall be binding upon any person or entity leasing the Property.
3. The property owner must record a cross access easement that will allow the previously vacated Industrial Park Road to be used by all adjacent parcels for access and parking.
4. The applicant must perform surface preservation (i.e. crack filling & slurry seal) on the vacated portion of Industrial Park Road.
5. All parking spaces must be marked by stripes on the pavement. Consult with the City's Public Works Director to ensure marking conform to standards.
6. The tenant must maintain the appropriate State issued license(s) for their operations.
7. The applicant must provide information demonstrating adequate exterior lighting.
8. The applicant must prepare a landscaping plan. The plan can be installed in phases over a three year period.
9. The building must be reviewed by a code professional and any necessary changes made related to panic hardware on egress doors.
10. A Knox Box for emergency access to the building must be installed on site as required by the Fire Department.
11. The applicant must provide 24/7 emergency access at the entry gates.

12. The applicant and tenant must schedule an Emergency Services orientation walk through of the building prior to beginning operations as a day treatment facility.

No public comments were received at the hearing and Mayor Schonberger closed the public hearing.

Councilor Dykes offered a motion, second by Councilor Bain to approve the special use permit application by Colorado Farm Products Ltd for a medical clinic in an Industrial zoned area with 12 conditions identified by staff.

The roll call vote was unanimous.

Request by Doug Vondy to Approve a Conditional Use Permit Application with Morgan County at 18169 Ray Street, Brush

Doug Vondy was present asking Council to approve signing a document that ensures Morgan County that neighboring property owners do not oppose the property at 18169 Ray Street becoming their headquarters for their silage business during harvest season. They intent to place an apartment on the property and park equipment in the shop. They typically leave at 6 a.m. and return after 6 p.m. The property just north of the Brush Memorial Cemetery. Council asked about interruption of funeral proceedings. He assured them that they would not interfere and would keep the property clean.

Councilor Bain offered a motion, second by Councilor Quinlin to authorize the Mayor to sign the document that would be filed with Morgan County.

The roll call vote was unanimous.

FINANCE
City Disbursements

Councilor Quinlin moved, second by Councilor Anderson to approve City bills from October 24- November 14, 2016. The roll call vote was unanimous.

General Fund	\$	103,508.44
Capital Improvement Fund	\$	8,934.75
Water Fund	\$	57,392.44
Trash and Garbage Fund	\$	18,874.79
Waste Water Fund	\$	12,082.84
Storm Water Fund	\$	5,081.85
Golf Course Fund	\$	12,616.82
Community Enhancement Fund	\$	2,834.42
Joslin Needham Fund	\$	24,179.17
Payroll and Cafeteria	\$	68,276.89
Payroll Liability	\$	<u>42,605.41</u>
Disbursements Total	\$	356,387.82

Resolution No. 2016-6 Supplemental Budget

Finance Director Gosselink presented a supplemental budget for council consideration.

Councilor Anderson moved, second by Councilor Quinlin to approve Resolution No. 2016-6 Supplemental Budget as presented. The roll call vote was unanimous.

STAFF REPORTS

DOLA Grant for Fire Department Building

Monty reported that the Brush Rural Fire Protection District recently met and also gave their approval to submit the DOLA grant for the new fire department building. Staff is currently reviewing the application and will file it prior to the December 1 deadline.

Finance Director Gosselink

- Provided an invitation to Council to attend the City Holiday party on December 2, 2017. RSVP by November 24.

Police Chief Anderson

- Staff has submitted two DUI grants; LEAF and High Visibility.
- Currently upgrading trauma kits for the department.
- Three officers will be sent to Leadership Academy.
- Investigators have identified a suspect in an abduction case.

Fire Department

- Reported that the Brush Rural Fire Protection District and representation from the Brush Volunteer Fire Department met with management at Xcel Energy, Pawnee Power Plant to discuss financial support for the new fire department building. They will start moving the request up their corporate structure. It was mentioned that support may be in the \$10,000-\$100,000 range.
- The tower truck is getting close to being in service, staff is being trained. They recently had the truck painted to remove the old lettering.
- The AFG grant will be closed out soon. They are looking at applying for a grant to help with the cost of gear extractor to remove toxins from fires.
- Working with the police department to come up with dates for first aid and CPR certification.
- Hosting a community event of Bingo and chili supper on Saturday, November 19, from 5-9 p.m. at the fire hall.

City Clerk Strand

- Highlighted upcoming meetings

City Administrator Torres

- Distributed the proposed 2017 Budget in a binder to Council. He asked that they review the budget and email or contact either he or Joanne if they should have any questions. This is in preparation for the November 21, budget retreat.

MAYOR AND COUNCIL

Announced that the 2017 Budget Retreat will be held November 21, at the Jaycee Building. Food will be ready at 5:15 p.m. and the meeting will start at 5:30 p.m.

Council discussed whether to hold the December 26th meeting, since City offices will be closed. Councilor Dykes offered a motion, second by Councilor Bain to cancel the December 26, council meeting and schedule a meeting for December 19. Monty and the Mayor will decide by December 16, if that meeting should be held or cancelled due to lack of business items. The roll call vote was unanimous.

Councilor Anderson distributed brochures concerning victims' rights from S.H.A.R.E and the 13th Judicial District Attorney's Office.

Councilor Bain reported that he had attended an affordable housing presentation offered by CML. One item of interest was that the recommended individual housing budget is 30% of income; our state reflects residents maybe spending 50%. He added that Tyler Purvis will be providing a presentation in the future.

ADJOURNMENT

The November 14, 2016, meeting adjourned at approximately 7:00 p.m.

ATTEST:

/s/ City Clerk Andrea Strand

/s/ Mayor Chuck Schonberger