

CITY OF BRUSH!

MINUTES OF THE JANUARY 9, 2017 – REGULAR CITY COUNCIL MEETING

The City Council of the City of Brush, Colorado met in regular session on January 9, 2017. 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 Kimberly Dykes
Councilor Vicky Quinlin

Absent: Councilor Heath Becker

Also present were City Administrator Monty Torres, Police Chief Travis Anderson, City Attorney Bo Chapin, Community Development Director Lance Schwindt, Public Works Director Dale Colerick, Assistant Fire Chief Ray Uhrick and City Clerk Andrea Strand.

MINUTES

The minutes of the regular meeting of December 12, 2016, were approved.

VISITORS AND DELEGATIONS

None.

MANAGEMENT

Resolution No. 2017-01 – Official Posting Places

Councilor Quinlin offered a motion, second by Councilor Dykes to approve Resolution No. 2017-01, Designation Of A Public Place For Posting Of Notices Concerning Official City Business of the City Of Brush, Colorado Pursuant To C.R.S. 24-6-402(2)C) and was approved unanimously by roll call vote.

Public Hearing Special Use Permit Augmentation Pond

Mayor Schonberger opened the public hearing at 6:03. City Administrator Monty Torres provided a staff presentation stating that the Upper Platte and Beaver Canal Company had submitted an application for an augmentation pond on a 10 acre parcel located in the Environmental Preservation (EP) zone. The subject property is Lot 2 of Castle Rock Subdivision and is located east of Hospital Road, north of Mill Street and west of the Brush Village Subdivision, known as 1524 Boxer Street. He reviewed the Criteria as identified in the

Land Use Code for a special use permit. He also addressed the Compatibility of the use, the City's Comprehensive Plan and the applicant's compliance history. To date staff had not received any comments for or against the use. He added if Council should find that the proposal met the review criteria, staff recommended that Council grant the special use permit for a water augmentation pond with the following conditions:

- 1) The landscape and vegetation plan be reviewed in 2 years from the date that the permit is issued and the signed dates of all agreements.
- 2) The applicant shall validate through a licensed surveyor the property lines and the alignment of the train around the pond.
- 3) The applicant shall comply with all terms and conditions outlined in the development agreement.
- 4) The applicant shall comply with all terms and conditions outline din the maintenance agreement.
- 5) The applicant shall allow public access and use of the site.
- 6) The applicant shall provide the required engineering letter to the City.

Bart Ginther was present on behalf of the Upper Platte and Beaver Canal Co. and thanked the Council and City staff. No one from the public was present. Mayor Schonberger added that he would like to see access from East Boxer Street or open from Mill Street for public use. Mayor Schonberger closed the public hearing at 6:20 p.m.

Resolution No. 2017-2 Containing Findings of Fact, Conclusions and Order Granting the Application of the Upper Platte and Beaver Canal Company for a Special Use Permit to Operate an Augmentation Pond on Environmental Preservation (EP) Zoned Land at 1524 Boxer Street

Council discussed the Resolution and It was decided that Resolution No. 2017-2, would be presented at the next council meeting so that the all conditions could be included. An additional condition number 7 would be added by City Attorney Chapin that would allow for future crossing agreement of the ditch using existing culvert if it is determined to be on the Upper Platte and Beaver Canal Company's property.

Development Agreement for the Upper Platte and Beaver Canal Company's Augmentation Pond at 1524 Boxer Street

Councilor Dykes offered a motion, second by Councilor Quinlin to approve the Development Agreement between the City of Brush and Upper Platte and Beaver Canal Company, it was approved unanimously by roll call vote.

Maintenance Agreement

Councilor Bain offered a motion, second by Councilor Dykes to approve the Maintenance Agreement between the City of Brush and Upper Platte and Beaver Canal Company, it was approved unanimously by roll call vote.

Ordinance No. 852-17 Brush Municipal Court Becoming a Court of Record

Councilor Bain Introduced Ordinance No., 852-17, An Ordinance Repealing and Reenacting Article 4 of Chapter 2 of The Brush Municipal Code, Related to the Municipal Court, to Create a

Qualified Municipal Court of Record. Councilor Dykes offered a motion, second by Councilor Quinlin to approve the Ordinance and publish in full with item Sec 2-4-90 b removed and an effective date of April 1, 2017. It was also suggested to create a department in the 2018 Budget. It was approved unanimously by roll call vote.

Approve Bid for Parks Department Pick-up

Director Schwindt presented two bids for a parks department pick-up, staff’s recommendation was to award the bid to Korf in the amount of \$38,778.00.

Councilor Dykes offered a motion, second by Councilor Bain to approve the bid to Korf for the park’s department pick-up and it was approved unanimously by roll call vote.

FINANCE

City Disbursements

Councilor Quinlin moved, second by Councilor Anderson to approve City bills from December 12-28, 2016. The roll call vote was unanimous.

General Fund	\$	46,577.67
Water Fund	\$	6,982.25
Trash and Garbage Fund	\$	6,356.00
Waste Water Fund	\$	38,871.38
Storm Water Fund	\$	421.73
Golf Course Fund	\$	10,589.04
Cemetery Perpetual Care Fund	\$	4,300.00
Payroll and Cafeteria	\$	67,744.89
Payroll Liability	\$	<u>29,235.19</u>
Disbursements Total	\$	211,078.15

City Disbursements

Councilor Quinlin moved, second by Councilor Anderson to approve City bills from December 28, 2016 – January 9, 2017. The roll call vote was unanimous.

General Fund	\$	93,259.27
Water Fund	\$	12,448.27
Trash and Garbage Fund	\$	8,902.97
Waste Water Fund	\$	19,433.38
Storm Water Fund	\$	3,124.01
Golf Course Fund	\$	9,275.44
Community Enhancement Fund	\$	8,600.00
Payroll and Cafeteria	\$	67,761.77
Payroll Liability	\$	<u>41,161.43</u>
Disbursements Total	\$	263,966.54

STAFF REPORTS

Police Chief Anderson

- Reported that the POST suspension had been lifted as the department had received the required amount of training.
- Reported that Officer Jeremy Sagner is in K-9 training with the new dog named Mux.

Lance Schwindt

- The New Year's Eve Resolution Run was a success with 31 people participating.
- Kyle Lynch's last day was January 6th; he took a position in Dallas, TX and will be missed.

Dale Colerick

- Reported that staff was doing removal of snow and ice in the gutters, and reviewed the snow removal plan for the City.

Assistant Fire Chief Ray Uhrick

- Reported that Tad Anderson was re-elected as Chief and Ray was re-elected as Assistant Chief.
- Reported that in 2016, the department had 469 calls for service and received 500 hours of training.
- 2 structure fires occurred that week and the new ladder truck was used.
- Reminded citizens to make sure fire hydrants are clear of snow.
- Invited everyone to the fire hall tomorrow as the ladder truck will be inaugurated. Rocky mountain oysters will be served.

City Clerk Strand

- Highlighted upcoming meetings on the calendar.
- Brush will host the City/County meeting on Tuesday, January 31, 2017.

City Administrator Torres

- Reported that some of the area energy partners had committed to financial donations up to \$2,500 each for the new fire department building.

MAYOR AND COUNCIL

Mayor Schonberger announced a special meeting for January 16, 2017, to discuss the Golf Course.

City and County Meeting will be hosted by Brush on Tuesday, January 31, 2017, at the Course in Brush. City staff was thanked by Councilor Bain for the new sledding hill and Councilor Quinlin for the Resolution Run.

Appointments to Various Boards and Commissions

Historic Preservation

Helena Schultz for a term ending in 2020

Tree Board terms ending in 2020

Ron Bauer

Bruce Bosley

Aviation Advisory Board

Cary Kemble term ending in 2021

Councilor Quinlin offered a motion, second by Councilor Dykes to approve the appointments to the boards that staff presented and was approved unanimously by roll call vote.

ADJOURNMENT

The January 9, 2017, meeting adjourned at approximately 7:00 p.m.

ATTEST:

/s/ City Clerk Andrea Strand

/s/ Mayor Chuck Schonberger