

CITY OF BRUSH!

MINUTES OF THE AUGUST 14, 2017 – REGULAR CITY COUNCIL MEETING

The City Council of the City of Brush, Colorado met in regular session on August 14, 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 Heath Becker
Councilor Kimberly Dykes
Councilor Vicky Quinlin

Absent

Also present were Administrator Monty Torres, Police Chief Travis Anderson, City Attorney Bo Chapin, Assistant City Administrator Karen Schminke, Fire Chief Tad Anderson, and City Clerk Andrea Strand.

MINUTES

The minutes of the regular meeting of July 24, 2017, were approved as submitted.

VISITORS AND DELEGATIONS

Monica P. Buettel and Pam Jones were present representing Converge Day Treatment Center, located at 718 Industrial Park Road. They were requesting that therapy goats be allowed on their property located in city limits. They presented statistics of the benefits to their students. Council thanked them for the information and stated that it would be discussed.

COUNCIL ACTING AS THE LOCAL LIQUOR LICENSING AUTHORITY

Clerk Strand informed the Local Liquor Licensing Authority that she had received a completed application by Love's Travel Stop & Country Store Inc. for a 3.2% Beer Off-Premise Liquor License, located 1015 Hospital Road in Brush. She stated that a public hearing would need to be scheduled and the boundaries established for the neighborhood. In the past the city limits had been considered the neighborhood. Casey Ruiz from Love's Travel Stop & Country Store Inc. was present to answer any questions.

Councilor Bain offered a motion to set the public hearing to accept the filing of the application for a 3.2% Beer Off- premise Liquor License, located 1015 Hospital Road in Brush, set the public hearing for September 11, 2017, at 6 p.m. and declare the city limits of Brush as the neighborhood, second by Councilor Quinlin. It was approved unanimously by roll call vote.

MANAGEMENT

Second and Final Reading of Ordinance No. 859-17, An Ordinance Vacating Streets And Releasing Utility Easements In A Portion Of Rosewood Subdivision And Releasing A Utility Easement In BM Processors Subdivision Amendment No. 1 Of The City Of Brush, Colorado.

Councilor Anderson offered a motion, second by Councilor Dykes to adopt on second reading, Ordinance No. 859-17 and order publication by title only. It was approved unanimously by roll call vote.

Second and Final Reading of Ordinance No. 858-17, An Ordinance Rezoning Certain Lands In The City Of Brush Located In BM Processors Subdivision, Amendment No. 2, Being A Re-plat Of BM Processors Subdivision, Amendment No. 1 And A Portion Of Rosewood Subdivision, Morgan County, and Colorado.

Councilor Bain offered a motion, second by Councilor Quinlin to adopt on second reading, Ordinance No. 858-17 and order publication by title only. It was approved unanimously by roll call vote.

Resolution No. 2017-8 Containing Findings of Fact, Conclusions and Order Granting the Application of BM Processors LLC, for an Amended to a Special Use Permit Previously Granted by Resolution No. 02-11 and Resolution No. 11-11 to Operate an Animal Harvesting Facility on Industrial Zoned Land

Councilor Quinlin offered a motion second by Councilor Dykes to approve Resolution No. 2017-8, an Amended Special Use Permit for BM Processor LLC. It was approved unanimously by roll call vote.

Second and Final Reading of Ordinance No. 857-17, An Ordinance of the City Council of the City of Brush, Colorado, Concerning Appointment of a Hearing Officer to Serve as the Liquor Licensing Authority for the City and Establishing Optional Premise License Authority and Standards

Councilor Quinlin offered a motion, second by Councilor Dykes to adopt on second reading, Ordinance No. 857-17 and order publication by title only. Roll call vote as follows:

Yes: Schonberger, Bain, Baker, Becker, Dykes and Quinlin.

No: Anderson

The motion was approved.

First Reading of Ordinance No. 860-17, An Ordinance Annexing City Owned Property Known as the Course at Petteys Park to the City of Brush, Colorado

The Ordinance was introduced by Councilor Quinlin. Councilor Dykes offered a motion, second by Councilor Anderson to approve on first reading Ordinance No. 860-17, An Ordinance Annexing City Owned Property Known as the Course at Petteys Park to the City of Brush, Colorado, and order publication in full. It was approved by roll call vote.

First Reading of Ordinance No. 861-17 An Ordinance Declaring a Moratorium on the Placement and Siting of Cargo Containers Within the City of Brush, and Declaring an Emergency

The Ordinance was introduced by Councilor Anderson. Councilor Quinlin offered a motion, second by Councilor Baker to approve on first reading Ordinance No. 861-17 and order publication in full.

Discussion was held as Councilor Bain asked that the unlawful wording be modified as the City also has these containers. Attorney Chapin added that anytime the Land Use Code doesn't provide for something, it is considered to be unlawful. Since our Land Use Code did not provide for regulation of containers it would be considered to be unlawful. Councilor Bain felt that the emergency clause should be removed. He further explained that three quarters of the Council must approve the Emergency Clause on final adoption.

The motion was approved by roll call vote as follows:
Yes: Schonberger, Anderson, Baker, Becker, Quinlin
No: Bain and Dykes

Resolution No. 2017-9 A Resolution Supporting the Brush Agra Park Master Plan

Councilor Dykes offered a motion, second by Councilor Quinlin to approve Resolution No. 2017-9. It was approved unanimously by roll call vote.

Award the Bid for the Golf Course Parking Lot

This item was removed as new information is being discussed between staff and the Petteys Foundation.

FINANCE

City Disbursements

Councilor Quinlin moved, second by Councilor Bain to approve City bills from July 24-August 14, 2017. The roll call vote was unanimous.

General Fund	\$ 87,088.78
Fire Equipment Fund	\$ 1,956.00
Water Fund	\$ 13,389.82
Trash and Garbage Fund	\$ 14,542.11
Waste Water Fund	\$329,905.90
Storm Water Fund	\$ 3,129.50
Golf Course Fund	\$ 20,430.23
Community Enhancement Fund	\$ 7,695.90
Payroll	\$ 97,553.76
Payroll Liability and Cafeteria	<u>\$ 47,826.91</u>
Disbursements Total	<u>\$ 623,518.91</u>

2018 Budget Calendar

Finance Director Gosselink presented the 2018 Budget Calendar to Council. She added that the budget retreat is scheduled for November 13 or November 14, with backup dates of November 20 and November 21.

STAFF REPORTS

Finance Director

- The 2016 Audit presentation will be held on August 28, 2017, at the finance meeting beginning at 5:30 p.m. everyone is invited to attend.
- Fire and Police Pension was selected to undergo and audit. An independent auditor will be selected with a cost estimated to be at \$3,000.

Police Chief

- Reported 567 calls for service
- The department is receiving four mobile fingerprint scanners and a live scan machine for the office.

Fire Chief

- Received a \$25,000 grant for an extractor for bunker gear.

City Clerk

- Highlighted upcoming meetings on the calendar.
- The City of Brush was selected as a finalist with the Weigh and Win Program. Our partners in this project are Eben Ezer and East Morgan County Hospital.
- Election update – candidates are circulating their petitions. To date those submitting their petitions are:
Ward 2: Dan Scalise and Jeff Osuch
Ward 3: Mark Thomas and Glenda McNabb
Mayor: Paul Acosta

City Administrator

- Reported on the final phase of the Downtown Project, paving is to be completed this week.

MAYOR AND COUNCIL

Historic Preservation Board – Shari Chavez was appointed to the Historic Preservation Board by City Council.

Mayor Schonberger

- Reported on attending the banquet of Employer Support of the Guard and Reserve.

Councilor Anderson

- Reported on mosquito control vendors, residents inquiring about ash bore and uneven sidewalks on city property. Administrator Torres asked for resident addresses. She also provided a brief introduction to House Bill 1193 and House Bill 1229.

ADJOURNMENT

The August 14, 2017, meeting adjourned at approximately 6:40 p.m.

ATTEST:

/s/ City Clerk Andrea Strand

/s/ Mayor Chuck Schonberger