

## CITY OF BRUSH!

### MINUTES OF THE SEPTEMBER 25, 2017 – REGULAR CITY COUNCIL MEETING

The City Council of the City of Brush, Colorado met in regular session on September 25, 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 Vicky Quinlin

Absent Councilor Kimberly Dykes

Also present were Administrator Monty Torres, City Attorney Bo Chapin, Assistant City Administrator Karen Schminke, Police Chief Travis Anderson, Marketing Specialist Tyler Purvis and City Clerk Andrea Strand.

#### **MINUTES**

The minutes of the regular meeting of September 11, 2017, were approved as corrected.

#### **VISITORS AND DELEGATIONS**

Mary Lundstrom, who resides at 5 Noah Court, informed Council of two incidents of vicious dogs coming on her property. She would like to see the owners of the dogs held responsible.

Denise Leaf a county resident who resides at 969 N Custer also reports of incidents of dogs trying to get her horses.

Wanda Blake who resides at 705 Cotton reported on an August 22 incident when 2 pit bulls killed animals on her property.

Ed Lundstrom who resides at 1016 Edmunds asked that policies be in place to check and track vicious dogs.

Tyron Whipple who resides at 807 N. Custer, spoke of an incident when his car was shot by a Brush Police Officer who was defending himself against a vicious dog that Mr. Whipple was

caring for. Mr. Whipple asked for Council consideration to pay the claim of \$1,700 to repair his car. Mr. Whipple was directed to provide Karen Schminke with his estimate and deductible.

Councilor Heath Becker added that he was bitten by a vicious dog when he was small and would like to see a larger fine imposed.

The Mayor stated that the City does have an Ordinance in place that addresses vicious dogs and it will be reviewed.

Rob Baronowski, who resides at 340 Glacier was presented and asked for an update on the house that was moved into the Yosemite neighborhood.

Assistant Administrator Karen Schminke provided an update. She stated that a stop work order was in place while the applicant worked through the process to abate the asbestos. She added that the Westwood covenant previously provided did not apply to this subdivision.

Councilor Rick Bain would like to receive a legal opinion to prevent this from happening in the future. He added that builders may not be interested in this housing division.

Kyle Von Bonn who resides at 2713 Yosemite had concerns about property values and added that the asbestos abatement on the property would need to be disclosed. He felt Brush was a laughing stock and this home should be placed on some other property.

Rob Zellmer who resides at 449 Samples Avenue stated that he has financed single family homes in this area. He was told in 2013 that he could not put a manufactures home in that addition so he build a custom home there.

Bernie Seewald who resides at 336 Glacier bought in the area because he liked it and assumed the homes would all be stick build, he was surprised the City would allow this. His previous residence has a mobile home next door which brought his property value down.

Merle Grauer who resides at 436 Harvard and is assisting with the construction understands the concerns and will guarantee it is completed with a professional appearance and he can secure the fence around the area. He hopes that next week the foundation will be complete, then the garage added and within 90 days it will be framed and sided. They expect 45 days to complete the interior. It will have new electrical, plumbing, windows, wiring, and HVAC. They have designed it to fit into the neighborhood.

Karen Young who resides at 345 Carlsbad stated that it could not be sold as a new home; the taxes should drop in their area.

Allen Scott who resides at 329 Glacier Avenue stated he was sympathetic to the builder but has concerns of the safety of children seen around the house. He urges those involved to move the house to a different location.

Greg Dardaness who resides at 948 Williams, who owns the house in question. He added that there hasn't been many new homes built in Brush, this house is very well made. He encouraged those concerned to purchase the lots so that they have more control over the property. He stated he has had to jump through many hoops to get this home and thinks everyone will be happy with the finished product. They are in compliance with all conditions.

Councilor Becker would like this placed on a future agenda and obtain legal advice on how other communities deal with this.

**Property Casualty/Workers Compensation Insurance**

Administrator Torres provided the quotes for insurance as follows: The 2018 premium for Worker’s Compensation is \$150,676 and the premium for Property Casualty is \$113,441 these are both through CIRSA.

Councilor Quinlin offered a motion, second by Councilor Bain to approve the Property Casualty and Workers Compensation Insurance premiums as presented. It was approved unanimously by roll call vote.

**FINANCE**

**City Disbursements**

Councilor Quinlin moved, second by Councilor Anderson to approve City bills from September 11-25, 2017. The roll call vote was unanimous.

General Fund	\$ 41,985.42
Capital Improvement Fund	\$139,645.54
Capital Reserve Fund	\$ 19,577.33
Water Fund	\$ 19,336.24
Trash and Garbage Fund	\$ 16,123.21
Waste Water Fund	\$ 6,946.78
Storm Water Fund	\$ 26,303.52
Golf Course Fund	\$ 6,397.60
Community Enhancement Fund	\$ 3,661.04
Payroll	\$ 73,982.79
Payroll Liability and Cafeteria	<u>\$ 31,945.99</u>
Disbursements Total	\$ 385,905.46

**2018 Budget**

Department heads presented their budget requests for 2018, Administrator Torres asked all to review each department and provide comments.

**STAFF REPORTS**

**Police Chief**

- Reported that the Colorado Bureau of Investigations has informed him that the Brush Police Department is one of seven agencies that have had zero input errors on reporting. There are 246 agencies in the State. Mary Kay Ferracini is the record reporting clerk.
- The new fingerprint scanner is up and going.

- Introduced Lisa Lebsock the animal control officers to speak on vicious dogs. She state that the City does not have jurisdiction of the County. She reported that for the last two years there have been 735 dog at large calls. 35 calls for dangerous dogs and 11 summonses have been issued for dangerous dogs. Summons to Court usually has a fine of \$300. A dog at large ticket is \$50. An impound fee of \$100 for a vicious dog and \$30 for a dog at large, each are also assessed a \$7 a day fee. She encouraged citizens to sign a complaint if they experience a vicious dog.  
Councilor Becker would like to see the fine increased for vicious dogs. Councilor Anderson would like them chipped and to ban Pit Bulls.  
City Attorney Chapin stated that now that Municipal Court is a Court of Record the find could be increased.

### **Community Development**

- A new duplex is completed on Hospital Road.
- Provided a schedule of community meetings concerning cargo containers
- Council will see a special use permit from the temporary workforce housing soon.

### **Marketing**

- Reported on an upcoming home builder forum on October 12.
- Reported that the recent Pedal the Plains and Oktoberfest held at Memorial Park were successful.

### **City Clerk**

- Highlighted upcoming meetings on the calendar.

### **City Administrator**

- The contract has been received for the fire department building. The bid will go our soon.

## **MAYOR AND COUNCIL**

### **Councilor Becker**

- Would like the vicious dog item on a future agenda.

### **Mayor Schonberger**

- Provided history on the Pedal the Plains Event as well as some of the educational points.
- Awarded the Starburst Award to the Brush Skate Park, this was received by Great Colorado Outdoors.

### **Councilor Anderson**

- Reported on the joint meeting with the Brush Chamber concerning dilapidated buildings. Council will wait for a letter from the Chamber asking for stricter building codes for downtown buildings.

**ADJOURNMENT**

The September 25, 2017, meeting adjourned at approximately 6:50 p.m.

**ATTEST:**

/s/ City Clerk Andrea Strand

/s/ Mayor Pro Tem Vicky Quinlin