

CITY OF BRUSH!

MINUTES OF THE APRIL 23, 2018 – REGULAR CITY COUNCIL MEETING

The City Council of the City of Brush, Colorado met in regular session on April 23, 2018. Mayor Pro Tem Daniel R. Scalise 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 Pro Tem Daniel R. Scalise
Councilor Jeanine Anderson
Councilor Marlene Baker
Councilor Heath Becker
Councilor Dana Sherman

Absent: Mayor Charles R. Bain
Councilor Vicky Quinlin

Also present were City Administrator Monty Torres, City Attorney Robert Chapin, Assistant Administrator Karen Schminke, Finance Director Joanne Gosselink, Police Chief Travis Anderson, Public Works Director Dale Colerick and City Clerk Andrea Strand.

MINUTES

The minutes of the regular meeting of the April 9, 2018, were approved as submitted.

VISITORS AND DELEGATIONS

Police Chief Travis Anderson presented a Chief Commendation of Merit Award to Officer Dusty Quick and Officer Leroy Brown. He stated that the two officers risked their own safety to rescue an unconscious man from a burning house in the 400 Block of Cameron. City Council expressed their appreciation for their service to the community.

MANAGEMENT

Public Hearing – Petition Filed by Cellular Inc. Network Corp d/b/a Verizon Wireless Requesting a Special Use Permit for an 80 foot Cell Tower Near the Northwest Corner of the Brush Cemetery

Mayor Pro Tem Scalise opened the public hearing at 6:05 p.m.

Community Development Director Schminke provided the staff report. She stated that Cellular Inc. Network Corp D/B/A Verizon Wireless, had submitted an application for a special use

permit for an 80-foot tall monopole type freestanding Commercial Mobile Radio System tower and supporting equipment in a Residential Low Density Zone. The subject property is known as Brush Memorial Cemetery which has an address of 1401 Mill Street, Brush, CO. She provided the summary of public notice for the public hearing as published in the Brush News Tribune on April 4, 2018, signs posted on the subject property and the applicant mailed notices to owners of real property located within three hundred feet of the subject property. She added that she had not received any written comments prior to the hearing. She had one conversation with a neighboring property owner from Daniels Street who had concerns about visual impact but seemed comfortable with the proposed Monopine alternative. She reviewed the location, zoning, land use, Comprehensive Plan as related to the application. She also reviewed the criteria for approval. She added that to date the applicant had made good faith efforts to comply with all City, State, and Federal regulations and requirements. Additionally there was no history of zoning violations with the City.

Adam Pearlman Consultant for Verizon was present and provided background on the project He indicated that Brush was in need of this to maintain adequate service, currently some of the area is being covered by a tower in Fort Morgan. He also provided options for the tower. One being a pine tree looking pole. As council discussed this option they agreed that the Monopine option would look the best in the area. Administrator Torres asked if fencing could be approved by the Cemetery Supervisor. Mr. Pearlman responded that they would place any type of desired fencing around the facility. Torres also asked about weather stations being placed on the tower. He responded that typically work with communities to allow local devices.

Mayor Pro Tem Scalise closed the public hearing at 6:20 p.m.

Councilor Anderson offered a motion, second by Councilor Becker to approve the Special Use Permit by Cellular Inc. Network Corp d/b/a Verizon Wireless for an 80 foot monopine cell tower to be located in the northwest corner of the Brush Cemetery with the 10 conditions identified by staff:

1. The applicant must have a signed lease for use of the land prior to beginning construction.
2. In the event that construction of the facility is not completed within twelve months of the issuance of the Special Use Permit, the approvals granted in this permit will be deemed repealed. This matter does not need to reappear before the City Council for such repeal to be effective.
3. A copy of the final FAA determination must be submitted to the City before a building permit will be issued.
4. Maximum allowed height of the tower is eighty (80) feet excluding the lightning rod.
5. Construction plans must be prepared by a Colorado licensed engineer and must demonstrate compliance with the State minimum standards for this type of structure.
6. Any equipment building must be painted a neutral color, approved by the City, which blends with the surrounding area.
7. Signage is limited to a 4-square foot sign attached to either the fence or ground equipment.
8. If the security fence will be locked, a Knox Box for emergency access must be installed on site as required by the Fire Department.
9. Notice of the sale of or change in the operations company must be provided to the City.

10. CMRS facilities which are abandoned by disconnection of power service, equipment removal or loss of lease for greater than six (6) months shall be removed by the CMRS facility owner within thirty (30) days of the expiration of such time limit.

The motion was approved unanimously by roll call vote. A resolution outlining the conditions will be prepared.

Proclamation 2018-02

Councilor Sherman introduced Proclamation 2018-2, Councilor Sherman offered a motion to approve the reading of the Proclamation and Councilor Anderson seconded the motion. The adoption and reading of Proclamation 2018-2 was approved unanimously by roll call vote.

Proclamation 2018-2

**A PROCLAMATION AFFIRMING APRIL 26 ARBOR DAY
IN BRUSH, COLORADO**

- WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and
- WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and; and
- WHEREAS, Arbor Day is now observed throughout the nation and the world; and
- WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and;
- WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and;
- WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and
- WHEREAS trees are a source of joy and spiritual renew; and
- WHEREAS, Brush! has been recognized as a Tree City USA by The National Arbor Day Foundation and desires to continue its tree-planting ways,

Therefore, On behalf of the Brush! City Council, I, Dan Scalise as Mayor Pro Tem, do hereby proclaim April 26, 2018, as ARBOR DAY in the City of Brush! and I urge all citizens to support the efforts to care for our city's community forestry program, and

Further, I urge all citizens to plant trees to gladden the hearts and promote the well-being of present and future generations.

Approved and adopted this 23rd day of April, 2018.

(SEAL)

Mayor Pro Tem City of Brush!
Daniel R. Scalise

FINANCE

City Disbursements

Councilor Sherman moved, second by Councilor Becker to approve City bills from March 26-April 9, 2018. The motion was approved unanimously by roll call vote.

General Fund	\$ 97,700.08
Fire Equipment Fund	\$ 19,539.82
Water Fund	\$ 54,518.91
Trash and Garbage Fund	\$ 6,249.20
Waste Water Fund	\$ 17,162.18
Storm Water Fund	\$ 2,759.40
Golf Course Fund	\$ 9,313.52
Joslin Needham Fund	\$ 22,513.39
Payroll	\$ 63,129.60
Payroll Liability and Cafeteria	<u>\$ 26,955.38</u>
Disbursements Total	\$ 319,841.48

STAFF REPORTS

Police Chief Anderson

- Reported 486 calls for service in the last two weeks.
- K9 Officer Mux assisted Log Lane in a search that found meth and cocaine; he also assisted the state patrol and found \$20,000 in drug money.
- Officer Dusty Quick is in training to be an active shooter instructor.
- Chris Laporte will be starting on May 1.
- BM Processors will be hosting a lunch for first responders on April 25 from 11-1.

Community Development Director Schminke

- Reminded everyone of Arbor Day on Thursday, April 26, at 8:45, at Doty Pond.

Public Works Director Colerick

- Spring Clean-up will begin Monday, April 30 and continue that week. Items should be placed out with the regular trash, electronics stacked separately.
- Brush Agri Park water line is being installed, should be finished May 23.
- Street patching will begin now that asphalt batch plant is operating.

City Clerk Strand

- Announced upcoming meetings and other announcements.

City Administrator Torres

- Reported that the portion of the fire department building is down and secure and waiting for the new building.
- Brush Agri Park activity; a party is interested in starting a business there. The matter will be brought to council in an executive session. The Parks and Wildlife Division are beginning the process to place their modular office there.
- Golf Course renovation is close to being completed.
- Hwy 34 speed reduction issue will be initiated when the Mayor returns. He distributed flyers explaining the process to request this through CDOT.
- Reported that he received an email from CWCB and they will be concluding their study and he will present it to Council in the near future.

MAYOR AND COUNCIL REPORTS

Councilor Anderson

- Reported that she attended a session with Senator Cory Gardner who provided updates. He spoke of FEMA and the flood plain issue in the Brush area. He offered his assistance with the Army Core of Engineers.
- Asked for police patrols in her neighborhood and in the alley, she is experiencing theft and vandalism.
- She recently attended a UCC Church movie regarding the murder of Marvin Booker, she is hopeful that it will come to the Sands Theater in Brush.

Mayor Pro Tem Scalise

- Reminded everyone that on Thursday, April 26, the Boulder International Film Festival will show 6 short movies at the Sands Theater in Brush.
- Conveyed the information that Central School is now in the possession of the Sands Foundation Committee.
- The Peoples Market received a Governors Small Town Award. The market will begin the first Wednesday in August and continue for ten weeks.

ADJOURNMENT

The April 23, 2018, meeting adjourned at approximately 6:45 p.m.

ATTEST:

City Clerk Andrea Strand

Mayor Pro Tem Daniel R. Scalise