

City of Brighton

*500 S. 4th Avenue
Brighton, CO 80601*



Meeting Minutes

Tuesday, April 2, 2019

7:00 PM

Council Chambers

City Council

MAYOR - KENNETH J. KREUTZER

MAYOR PRO-TEM - JW EDWARDS

COUNCIL MEMBERS:

**LYNN BACA, CLINT BLACKHURST, MARK HUMBERT,
MATT JOHNSTON, GREGORY MILLS, MARY ELLEN POLLACK,
KIRBY WALLIN**

1. CALL TO ORDER

Mayor Kreutzer called the meeting to order at 7:00 p.m.

A. Pledge of Allegiance to the American Flag

Mayor Kreutzer led the recitation of the Pledge of Allegiance to the American Flag.

B. Roll Call

Present: 9 - Mayor Kreutzer, Mayor Pro Tem Edwards, Councilmember Baca, Councilmember Blackhurst, Councilmember Humbert, Councilmember Johnston, Councilmember Mills, Councilmember Pollack, and Councilmember Wallin

Councilmember Baca arrived at 8:31 p.m.

2. APPROVAL OF REGULAR AGENDA

Motion by Councilmember Humbert, seconded by Councilmember Blackhurst, to approve the Regular Agenda as presented. Motion passed by the following vote:

Aye: 8 - Mayor Kreutzer, Mayor Pro Tem Edwards, Councilmember Blackhurst, Councilmember Humbert, Councilmember Johnston, Councilmember Mills, Councilmember Pollack, and Councilmember Wallin

Absent: 1 - Councilmember Baca

3. CONSENT AGENDA

A. Approval of the March 5, 2019 City Council Minutes

B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPOINTING ROSE GORRELL AS A PROFESSIONAL MEMBER OF THE BRIGHTON HISTORIC PRESERVATION COMMISSION TO FILL AN UNEXPIRED TERM TO JUNE 2022

Resolution No: 2019-39

C. A RESOLUTION OF THE CITY COUNCIL OF BRIGHTON, COLORADO, FINDING SUBSTANTIAL COMPLIANCE OF AN ANNEXATION PETITION AND SETTING A PUBLIC HEARING FOR MAY 7, 2019, TO DETERMINE IF THE PROPOSED APPROXIMATE 34.97-ACRE PARCEL, TO BE KNOWN AS THE BRIGHTON LAKES-BAR DAIRY AND STARBUCK ANNEXATION, COMPLIES WITH STATUTORY REQUIREMENTS FOR SUCH ANNEXATION

Resolution No: 2019-40

Motion by Councilmember Mills, seconded by Councilmember Humbert, to approve the Consent Agenda as presented. Motion passed by the following vote:

Aye: 8 - Mayor Kreutzer, Mayor Pro Tem Edwards, Councilmember Blackhurst, Councilmember Humbert, Councilmember Johnston, Councilmember Mills, Councilmember Pollack, and Councilmember Wallin

Absent: 1 - Councilmember Baca

4. CEREMONIES

A. Swearing In of New Board and Commission Member

City Clerk Natalie Hoel swore in the newly appointed Board and Commission member.

B. Recognition of the Adams County Mayors and Commissioners Youth Award Nominees

Youth Services Manager Tawnya Russell introduced Noemi Gutierrez, Kassidee Teggart, Airista Atkerson, Aristotle Quinn, Santana Solano, Mary Peralta-Maciaz, Benjamin Erger, Kyle Patterson, Deshawn Aerts, Jenna Hays, Casey Pfenning, Sasha Bailey, Hero Dahلمان, Amanda Ruybal, and Christian Morales, all nominees for the Adams County Mayors and Commissioners Youth Awards.

C. National Service Recognition Day Proclamation

Mayor Kreutzer read the Proclamation into the record.

Motion by Councilmember Humbert, seconded by Councilmember Wallin, to approve the Proclamation. Motion passed by the following vote:

Aye: 8 - Mayor Kreutzer, Mayor Pro Tem Edwards, Councilmember Blackhurst, Councilmember Humbert, Councilmember Johnston, Councilmember Mills, Councilmember Pollack, and Councilmember Wallin

Absent: 1 - Councilmember Baca

D. National Crime Victims' Rights Week Proclamation

Mayor Kreutzer read the Proclamation into the record and presented it to Victims Advocate Coordinator Kim Messina.

Motion by Councilmember Humbert, seconded by Councilmember Mills, to approve the Proclamation. Motion passed by the following vote:

Aye: 8 - Mayor Kreutzer, Mayor Pro Tem Edwards, Councilmember Blackhurst, Councilmember Humbert, Councilmember Johnston, Councilmember Mills, Councilmember Pollack, and Councilmember Wallin

Absent: 1 - Councilmember Baca

E. Sexual Assault Awareness Month Proclamation - April 1-30, 2019

Mayor Kreutzer read the Proclamation into the record and presented it to Victims Advocate Coordinator Kim Messina.

Motion by Councilmember Johnston, seconded by Councilmember Blackhurst, to approve the Proclamation. Motion passed by the following vote:

Aye: 8 - Mayor Kreutzer, Mayor Pro Tem Edwards, Councilmember Blackhurst, Councilmember Humbert, Councilmember Johnston, Councilmember Mills, Councilmember Pollack, and Councilmember Wallin

Absent: 1 - Councilmember Baca

5. PUBLIC INVITED TO BE HEARD ON MATTERS NOT ON THE AGENDA (Speakers limited to five minutes)

Tom Green, United Power, Brighton. Mr. Green invited everyone to the United Power Annual Meeting on April 17th at the Adams County Regional Park celebrating the 80th Anniversary for United Power.

6. PUBLIC HEARINGS**7. ORDINANCES FOR INITIAL CONSIDERATION**

- A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, REPEALING ORDINANCE 2175 IN ITS ENTIRETY; ESTABLISHING THE BRIGHTON CUSTOMER ASSISTANCE PROGRAM TO REPLACE EXISTING PROGRAM KNOWN AS GOOD NEIGHBOR; AUTHORIZING THE FINANCE DEPARTMENT TO CONTINUE TO ACCEPT VOLUNTARY "ROUND-UP" CONTRIBUTIONS TO SUCH PROGRAM; AUTHORIZING THE CITY TO ACCEPT ADDITIONAL ONE-TIME CONTRIBUTIONS TOWARDS THE PROGRAM; AUTHORIZING THE CITY MANAGER TO ESTABLISH POLICIES AND PROCEDURES FOR SUCH PROGRAM; AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR ADMINISTRATION OF SUCH PROGRAM**

Mayor Kreutzer read the title of the Ordinance into the record.

City Manager Rodriguez introduced Finance Director Ron Lay and Utility Customer Service Supervisor JD McCune.

Utility Customer Service Supervisor JD McCune presented the new Utility Customer Assistance Program (CAP). The Good Neighbor Program is the current customer assistance program that was established in 2014. This program was given seed money of \$25,000.00 to start the program and the funding for the program was to come from round-up donations from community members. This program has helped community members in need, but there are challenges with the program. There is a deficit in the program and it has been determined that it cannot fund itself as designed with round-up donations. The new program will prioritize the customers, increase efficiencies and create positive outcomes for the community and the City. Creating the CAP will accomplish three goals, increase access to the utility for those in need or are experiencing a temporary financial crisis, decrease the number of delinquencies, and enhance community relationships. Staff recommends collaborating with a local non-profit to manage the CAP. The City would fund the remainder of the 2019 program with existing funds in the Good Neighbor Program and general fund dollars. For the 2020 budget and beyond, funds would be subject to the annual budget process. The recommended partner for the CAP is Almost Home. Almost Home has done a great job with the programs they currently manage. The program would focus on the following: financial sustainability and education for residents on budgeting and money management, strong local partnerships, and education on water conservation. The CAP framework is similar to existing programs that Almost Home manages. A customer in need would be referred to Almost Home by City staff. Almost Home would conduct a brief case evaluation and a voucher would be distributed for the water bill to be redeemed at the customer service counter. A customer can receive vouchers up to \$300.00 annually. The round-up option would still be available for customers to contribute to the program. Additional contributions could be accepted under the new program, these types of donations could not be accepted under the Good Neighbor Program. To be part of the CAP, one must be able to show proof of residency at the address associated with the utility bill and must be a residential water customer. Director Lay and Supervisor McCune answered questions from Council regarding:

- The processes in place to notify customers they can contribute to the round-up program.*

Motion by Councilmember Johnston, seconded by Councilmember Pollack, to approve the Ordinance. Motion passed by the following vote:

Aye: 8 - Mayor Kreutzer, Mayor Pro Tem Edwards, Councilmember Blackhurst, Councilmember Humbert, Councilmember Johnston, Councilmember Mills, Councilmember Pollack, and Councilmember Wallin

Absent: 1 - Councilmember Baca

8. ORDINANCES FOR FINAL CONSIDERATION

- A. **AN ORDINANCE OF THE CITY OF BRIGHTON CITY COUNCIL, APPROVING THE SOUTHGATE BRIGHTON PUD, 3RD AMENDMENT OF AN APPROXIMATELY 15.45-ACRE AREA OF LAND GENERALLY LOCATED IN THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO**

Mayor Kreutzer read the title of the Ordinance into the record.

City Manager Rodriguez explained that this is the final reading of the Ordinance and there have not been any changes since first reading.

Mayor Kreutzer asked if there were any comments from the audience on the second reading of the Ordinance, there were none.

Motion by Councilmember Johnston, seconded by Councilmember Humbert, to approve Ordinance 2304. Motion passed by the following vote:

Aye: 8 - Mayor Kreutzer, Mayor Pro Tem Edwards, Councilmember Blackhurst, Councilmember Humbert, Councilmember Johnston, Councilmember Mills, Councilmember Pollack, and Councilmember Wallin

Absent: 1 - Councilmember Baca

9. RESOLUTIONS

- A. **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT ESTABLISHING THE ADAMS COUNTY COMMUNICATIONS CENTER AUTHORITY AND AUTHORIZING THE MAYOR TO EXECUTE SAID IGA ON BEHALF OF THE CITY**

Mayor Kreutzer read the title of the Resolution into the record.

City Manager Rodriguez introduced Chief of Police Paul Southard.

Chief of Police Paul Southard presented the IGA establishing the Adams County Communications Center Authority (ADCOM). The existing ADCOM agencies include Adams County Sheriff's Office, Brighton Police Department, Commerce City Police Department, Northglenn Police Department, Adams County Fire Rescue, Brighton Fire Rescue District, North Metro Fire District and South Adams County Fire Rescue. ADCOM was formed in 1974 by contracting members and its purpose is to provide emergency service reporting, dispatching, emergency services communication, and coordination. Services are provided 24 hours a day, 7 days per week. ADCOM currently has a dual legal status as a governmental entity and a non-profit corporation. This is cumbersome for ADCOM and creates confusion for third parties as to its governmental status. Reorganizing ADCOM as a statutory authority would clarify ADCOM's status as a political subdivision of the State of Colorado. The status of ADCOM has been an issue when negotiating contracts. By changing the legal status, ADCOM would be able to realize the benefit of having the non-profit corporation restructures to support the authority through donations, grants and other funding. This would not change how the City works with ADCOM.

Motion by Mayor Pro Tem Edwards, seconded by Councilmember Blackhurst, to approve Resolution 2019-41. Motion passed by the following vote:

Aye: 8 - Mayor Kreutzer, Mayor Pro Tem Edwards, Councilmember Blackhurst, Councilmember Humbert, Councilmember Johnston, Councilmember Mills, Councilmember Pollack, and Councilmember Wallin

Absent: 1 - Councilmember Baca

B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE BID OF B&M ROOFING OF COLORADO, AND AWARDING THE CONTRACT FOR BRIGHTON DEPOT ROOF REPLACEMENT PROJECT #19018 TO B&M ROOFING OF COLORADO, IN AN AMOUNT OF SIXTY SIX THOUSAND SEVEN HUNDRED EIGHTY NINE DOLLARS (\$66,789.00), AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACT ON BEHALF OF THE CITY AND THE CITY CLERK TO ATTEST THERETO

Mayor Kreutzer read the title of the Resolution into the record.

City Manager Rodriguez introduced Urban and Public Policy Director Ryan Johnson.

Urban and Public Policy Director Ryan Johnson presented the project to replace the roof on the Depot building. The entire roof will be replaced including decking, gutters and a rubber shield on the boxcar. Some of the gutters will be replaced to match the original gutters. Bids were completed in March and B&M Roofing was identified as the most responsive bidder out of two bids. Staff recommends awarding the contract for \$66,789.00 plus a 10% contingency for a total amount of \$73,468.00. The project should be completed in May. Councilmember Johnston asked that the 10% contingency not be added to the contract. Director Johnson and City Manager Rodriguez answered questions from Council regarding:

- The reason a bid comparison sheet is not included in the packet.*
- The possible number of other expensive projects for this building.*
- The type of shingle being used.*
- The soffit and fascia being replaced.*
- The color of the new roof.*

Motion by Councilmember Humbert, seconded by Mayor Pro Tem Edwards, to approve Resolution 2019-42. Motion passed by the following vote:

Aye: 7 - Mayor Kreutzer, Mayor Pro Tem Edwards, Councilmember Blackhurst, Councilmember Humbert, Councilmember Johnston, Councilmember Mills, and Councilmember Wallin

No: 1 - Councilmember Pollack

Absent: 1 - Councilmember Baca

10. UTILITIES BUSINESS ITEMS

11. GENERAL BUSINESS

12. REPORTS

A. By the Mayor

Mayor Kreutzer attended the Adams County Mayors luncheon, the Holiday Inn Express ribbon cutting, the Vision and Planning Session, BJAA shrimp and chow mein luncheon, and a tour with the new Executive Director of DOLA Rick Garcia.

B. By Department Heads

C. By the City Attorney

City Attorney Jack Bajorek announced that the City Attorney's Office has hired Assistant City Attorney Lena McClelland.

D. By the City Manager

City Manager Rodriguez thanked everyone for attending the Vision and Planning session.

City Manager Rodriguez asked citizens and business owners in the Downtown area to utilize the existing parking lots for all day parking and to cooperate with the parking time limits on the street.

13. REPORTS BY COUNCIL ON BOARDS & COMMISSIONS

Councilmember Johnston attended the Planning and Vision Session and the Brighton East Farms HOA meeting.

Councilmember Humbert attended the Adams County Mayor and Commissioners Youth Awards recognition dinner, the ribbon cutting for the surgical wing at Platte Valley Medical Center, the recognition of Sam Mamet for his retirement from CML, the BJAA luncheon and programs at the Anything Library. Help for Homes will take place on May 4th.

Councilmember Baca attended the NATA meeting.

Mayor Pro Tem Edwards attended the Holiday Inn Express ribbon cutting and the Planning and Vision session.

Councilmember Blackhurst attended the Link meeting and the Legacy Foundation meeting

Councilmember Mills attended the BURA meeting, the NATA meeting, the Platte Valley Medical Center Surgical Wing ribbon cutting, the Chamber Transportation luncheon, and the Open House for Sam Mamet at CML. Spring Fest will take place April 13th downtown.

14. EXECUTIVE SESSION

- A. For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) regarding Farmland Acquisitions**

Motion by Mayor Pro Tem Edwards, seconded by Councilmember Humbert, to go into Executive Session at 8:48 p.m. Motion passed by the following vote:

Aye: 9 - Mayor Kreutzer, Mayor Pro Tem Edwards, Councilmember Baca, Councilmember Blackhurst, Councilmember Humbert, Councilmember Johnston, Councilmember Mills, Councilmember Pollack, and Councilmember Wallin

Mayor Kreutzer reconvened the meeting at 9:48 p.m.

15. ADJOURNMENT

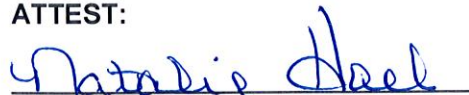
Motion by Councilmember Humbert, seconded by Councilmember Baca, to adjourn at 9:49 p.m. Motion passed by the following vote:

Aye: 9 - Mayor Kreutzer, Mayor Pro Tem Edwards, Councilmember Baca, Councilmember Blackhurst, Councilmember Humbert, Councilmember Johnston, Councilmember Mills, Councilmember Pollack, and Councilmember Wallin

CITY OF BRIGHTON, COLORADO


Kenneth J. Kreuzer, Mayor

ATTEST:


Natalie Hoel, City Clerk


Approval Date