

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
FOR THE CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF
COLORADO, HELD ON SEPTEMBER 16, 2014.**

1. CALL TO ORDER

Mayor Pro Tem Wallin called the meeting to order at 7:03 p.m.

A. Pledge of Allegiance to the American Flag.

Councilmember Bell led the recitation of the Pledge of Allegiance to the American Flag.

B. Roll Call.

Council present: Mayor Pro Tem Wallin, Councilmembers Baca, Bell, Edwards, Humbert, Kniss, Kreutzer and Martinez.

Council absent: Mayor McLean (excused).

2. CONSENT AGENDA

A. Approval of the August 5, 2014 City Council Minutes.

B. Approval of the August 19, 2014 City Council Minutes.

Mayor Pro Tem Wallin read the Consent Agenda into the record.

Motion by Councilmember Humbert to approve the Consent Agenda as presented, **second by Councilmember Kniss.**

Voting aye: All present.

3. APPROVAL OF REGULAR AGENDA (Council will take a short break between 8:30–9:00 p.m.)

City Manager Manuel Esquibel asked that the Regular Agenda be amended to change the title of Item 8A and to add Business Regulations to the Executive Session.

Motion by Councilmember Martinez to approve the Regular Agenda as amended, **second by Councilmember Bell.**

Voting aye: All present.

4. CEREMONIES

A. Youth Protection & Bully Prevention Campaign Proclamation.

Mayor Pro Tem Wallin read the Proclamation into the record and presented it to Amanda Griffin, President Elect for the Brighton Kiwanis Club

Amanda Griffin gave a brief description of the events that will take place in October and thanked City Council for their support.

Motion by Councilmember Edwards, second by Councilmember Baca to approve the Proclamation.

Voting aye: All present.

B. National Preparedness Month Proclamation.

Mayor Pro Tem Wallin read the Proclamation into the record and presented it to Stephanie Hackett, Emergency Management Coordinator for the City of Brighton.

Stephanie Hackett, Emergency Management Coordinator thanked City Council for their support of this proclamation.

Motion by Councilmember Kreutzer, second by Councilmember Humbert to approve the Proclamation.

Voting aye: All present.

C. National Public Lands Day Proclamation.

Mayor Pro Tem Wallin read the Proclamation into the record and presented it to Parks and Recreation Director Gary Wardle.

Motion by Councilmember Baca, second by Councilmember Bell to approve the Proclamation.

Voting aye: All present.

D. Recognition of the City of Brighton for Market Day by Lee Grothe.

Brighton Jazz member Lee Grothe presented Market Day posters signed by the local growers featured on the posters to Mayor McLean, Gary Montoya, Mark Heidt and Teri Sanchez as a thank you for allowing Brighton Jazz to perform at Market Day. Mr. Grothe thanked them all for their hard work with the City and help putting on such a great event.

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

Jim Ruhoff, 4817 Mt. Belford Drive, Brighton. Mr. Ruhoff asked for information regarding a letter he received from Mid Continent Energy and asked what the City is doing to regulate fracking and protect homeowners and schools in the City. City Attorney Margaret Brubaker referred Mr. Ruhoff to the Colorado Oil and Gas Commission website to find information and contact numbers for attorneys that specialize in oil and gas issues.

Jackie Kuusinen, Anythink Library, 327 Bridge Street. Ms. Kuusinen explained that it is the 5th Birthday for Anythink Library and explained a little about the "Outside the Lines" initiative that the Brighton library is participating in. Ms. Kuusinen encouraged everyone to visit the library and see what an important part of the community the library is.

Madonna McCollum, 753 Mockingbird Lane. Ms. McCollum expressed her concern regarding fracking wells and the number of spills that take place in Colorado each day and the lack of communication regarding these spills from the oil and gas industry. Ms. McCollum presented some written information to the City Clerk for distribution to City Council.

Keya Horiuchi, 735 South 8th Avenue. Ms. Horiuchi presented some written information to the City Clerk for distribution to the City Council and expressed her concern regarding fracking wells, health issues of people that live near fracking wells, water contamination from fracking and the need to have fracking wells further than 500 ft. from schools and homes.

6. **PUBLIC HEARINGS**

7. **ORDINANCES FOR FINAL CONSIDERATION**

8. **RESOLUTIONS**

A. A Resolution of the City Council of the City of Brighton, Colorado, Supporting the School District 27J November 2014 Bond Measure Election

Mayor Pro Tem Wallin read the title of the Resolution into the record.

Councilmembers Kreutzer and **Kniss** expressed their support for this Resolution.

School District 27J Superintendent Dr. Chris Fiedler, 1568 Wildflower Drive, Brighton. Dr. Fiedler explained that he is before the Council as a father, asking for support for this Resolution. Growth in the City of Brighton took off in 2000 and the number of students has tripled in size since then. The 27J schools are overcrowded and they have closed open enrollment to allow room for local kids to attend these schools. Dr. Fiedler explained that the City of Brighton and School District 27J are great partners and he thanks the City for considering this Resolution of support. Each of the five (5) Charter School Boards and the Brighton Economic Development Corporation has passed this Resolution of support and Commerce City will consider it on October 6, 2014. The Charter Schools in the area serve almost 4,000 of the 17,000 students in the area. In the absence of a successful bond this year the School District will explore other options like extended day and split schedules for high school and middle school students and year-round classes for elementary school students in the District.

Commerce City Councilwoman Jadie Carson, 11305 Paris Street, Commerce City. Councilwoman Jadie Carson representing the Colorado Classified School Employees Association explained that school employees see first-hand the needs of this District and because of that the Association unanimously supports this bond issue and will do everything they can to help its success.

Chris Warley a parent of two (2) children in School District 27J thanked City Council for helping to address the overcrowding of the 27J School District system. Mr. Warley referred City Council to the "I am 27J.org" website for information regarding the election and issues.

Terry Lucero, 839 Canary Lane, Brighton. Mr. Lucero explained that he and his family have been residents of Brighton and have attended Brighton schools for years. Mr. Lucero has children in the School District and feels the District and the City are in this together. The community must work together and work hard for this election because with the rate of growth in the City the District will not be able to make up the difference any longer and there will be hardships for everyone.

Dr. Fiedler thanked City Council for their support and recognizes that it is hard to ask for a raise in taxes.

Dr. Fiedler and Mr. Lucero answered questions from Council regarding:

- The renovations and new schools voters can anticipate seeing if the bond measure passes.

Motion by Councilmember Humbert to approve Resolution 2014-88 the title of which as read by Mayor McLean, **second by Councilmember Edwards.**

Voting aye: All present.

B. A Resolution of the City Council of the City of Brighton, Colorado, Authorizing the Submittal of a Hazard Mitigation Grant Application to the Colorado Division of Homeland Security and Emergency Management in the Amount of Approximately Two Hundred and Sixty Three Thousand Dollars (\$263,000.00), for the Addition of Three (3) Outdoor Warning Sirens, an Activation Encoder and Four (4) Upgrades to Existing Units; and Authorizing the City Manager to Execute the Grant Application.

Mayor Pro Tem Wallin read the title of the Resolution into the record.

City Manager Esquibel introduced Emergency Management Coordinator Stephanie Hackett.

Emergency Management Coordinator Stephanie Hackett explained that this is an application for a grant. The State of Colorado was awarded approximately 46 million dollars for hazard mitigation activities following the 2013 Colorado floods. A portion of this is within a section called “5% Projects” and the state has decided to award no more than 10% of the funds to these projects. One of the applicable categories in the 5% is for public and outdoor warning systems. This application is shared with the Brighton Fire Rescue and two (2) of the proposed sirens will be placed just outside of the city limits at the fire stations, one (1) at Prairie Center and four (4) of the existing sirens will be upgraded to an omni directional siren which are louder have a more consistent sound. If the City is awarded this grant FEMA will cover 75% of the cost, the State of Colorado will cover 12.5% and the City will be responsible for 12.5%. The grant is a reimbursement grant and the City portion is \$20,475.00. Emergency Management Coordinator Hackett answered questions from Council regarding:

- The City’s portion of the \$20,000.00

Motion by Councilmember Martinez to approve Resolution 2014-89 the title of which as read by Mayor McLean, **second by Councilmember Kreutzer.**

Voting aye: All present.

C. A Resolution of the City Council of the City of Brighton, Colorado, Authorizing the Reversion of One Million Seven Hundred Thirty-Eight Thousand Seven Hundred and No/100 Dollars (\$1,738,700.00) of the City’s Private Activity Bond Allocation for 2014 to the Statewide Balance.

Mayor Pro Tem Wallin read the title of the Resolution into the record.

City Manager Esquibel explained that each year the Federal Government allocates these bonds through the State of Colorado and they are made available to cities with a population over 25,000. This year the City’s allocation is \$1,738,700.00. The allocation is designed to support low income housing, industrial development bonds which support businesses that want to create opportunities in industry. The interest rates on these bonds are similar to what one could get at a bank. The State of Colorado authorized the City to determine if there are programs available; at this time the Housing Authority does not have a need for these funds. The amount of the allocation, 1.7 million, is not enough to go out for a bond issue, there would have to be several years of allocations set aside for a bond allocation.

The City has to go through the process of stating that there is not a need for the bond allocation at this time. The State of Colorado has asked that if the City cannot use this allocation at this time it will be returned to the statewide balance to be used by other entities. If the City does find a project where this allocation could be used the State of Colorado can be contacted to use this allocation and previous

allocations. This action will return the allocation to the statewide balance. City Manager Esquibel answered questions from Council regarding:

- Another project like Libretto being suitable for these funds.
- The City not turning down these funds, only stating that the City will not borrow these funds at this time.

Motion by Councilmember Kreutzer to approve Resolution 2014-90 the title of which as read by Mayor McLean, **second by Councilmember Edwards.**

Voting aye: All present.

9. UTILITIES BUSINESS ITEMS

Ordinances

Resolutions

10. GENERAL BUSINESS

11. REPORTS

A. By the Mayor – No report.

B. By Department Heads – City Manager Intern Murphy Robinson reminded everyone of the Good, Clean, Fun City Clean-up program on Saturday morning at 9:00 a.m.

C. By the City Attorney – No report.

D. By the City Manager – City Manager Esquibel reported that the meeting with School District 27J scheduled for September 30, 2014 has been canceled.

12. REPORTS BY COUNCIL ON BOARDS & COMMISSIONS

Councilmember Bell reported that the Housing Authority received spotless 2013 audit results. Councilmember Bell attended the Highway 85 Coalition Executive Community Meeting and CDOT presented the progress on the Highway 85 improvements. At this time there are 35,000 vehicles that travel through Brighton and that number will double by 2035, these are the challenges that are being addressed.

Councilmember Humbert attended the Parks and Recreation Facility planning meeting and a community survey will be sent soon. Councilmember Humbert celebrated events in three (3) different park facilities in Brighton and out of town guests were impressed with the City's parks. The heArt of Brighton is hosting an evening with Albin Wagner and Pat Reither on October 12th at the Armory.

Councilmember Baca will attend two (2) meetings in the coming weeks. The Good, Clean, Fun event is this Saturday along with Trash Bash.

Councilmember Edwards announced that the Eagle View Adult Center craft fair is on November 1st and all tables have been sold. Councilmember Edwards thanked United Power for donating the money for the table rental.

Councilmember Martinez participated in the ALS water challenge at the Eagle View Adult Center and it was very entertaining. The Brighton Housing Authority voucher program was a huge success and there are so many people with need for the vouchers for homes in the City.

Councilmember Kreutzer attended the car show at the Eagle View Adult Center, a great band performed. Councilmember Kreutzer also participated in the ALS ice bucket challenge and City Council challenged Fort Lupton and Lochbuie Councils. The Historic Preservation gala will take place on October 11th at the Armory and will be a raging 50's party. Councilmember Kreutzer attended a Parks and Recreation hearing for new facilities and it is interesting to see what ideas the community has for future parks in the City. Councilmember Kreutzer was a tour guide for the Historic Tour of Downtown Brighton, it was a great event.

Councilmember Kniss attended the Historic Tour and Downtown Brighton and Councilmember Kreutzer was a fabulous guide. The money raised through the Legacy Foundation will go to sponsor youth activities in the City and to scholarships. The Main Street Gallery was recently showcased in a national magazine. The art currently on display in City Hall will be gone soon for the new upcoming show, this has become a very popular event in the City, there were 460 items entered for consideration for the upcoming show. Councilmember Kniss thanked the Fire Department for their free community breakfast, it was a great event. Councilmember Kniss asked City Council if they would ask local resident Brian Arnold who was a participant in the American Ninja Warrior competition to come to a meeting and be recognized.

Councilmember Edwards agreed with Councilmember Kniss and gave a brief history of the American Ninja Warrior competition and the success Brian Arnold has had.

Mayor Pro Tem Wallin reported that the Youth Commission has conducted interviews to send members to the National League of Cities conference and there should be a strong delegation attending this year. During the interviews several students answered that they would like to go back to the 1950's when asked where they would go if they had a time machine. In order to send the maximum number of attendees to NLC the Youth Commission has engaged in a competition that NLC has offered to create a video about the future of Brighton. This video can be found on the City and Youth Commission Facebook pages so please vote for this video to send members to the NLC conference. The Historic Preservation 1950's gala will take place on October 11th. Friday the City will be hosting a delegation from Brazil to speak about efforts in their community to have government and schools work together.

13. EXECUTIVE SESSION

For a Conference with the City Attorney for the Purpose of Receiving Legal Advice on Specific Legal Questions Under C.R.S. Section 24-6-402(4)(b) Regarding Water and Business Regulations.

Motion by Councilmember Baca, second by Councilmember Martinez to go into Executive Session at 9:05 p.m.

Voting aye: All present.

14. ADJOURNMENT

Motion by Councilmember Martinez, second by Councilmember Kniss to adjourn at 9:06 p.m.

Voting aye: All present.

CITY OF BRIGHTON, COLORADO

DRAFT

By: _____
Kirby Wallin, Mayor Pro Tem

ATTEST:

Natalie Hoel, City Clerk

Approval Date