

City of Brighton

500 S. 4th Avenue
Brighton, CO 80601



Meeting Agenda

Tuesday, December 2, 2014

7:00 PM

Council Chambers

City Council

*MAYOR - RICHARD N MCLEAN
MAYOR PRO-TEM - KIRBY WALLIN
COUNCIL MEMBERS:
LYNN BACA, REX BELL, JW EDWARDS
MARK HUMBERT, JOAN KNISS, KEN KREUTZER
CYNTHIA A MARTINEZ*

1. CALL TO ORDER

- A. Pledge of Allegiance to the American Flag.
- B. Roll Call.

2. CONSENT AGENDA**3. APPROVAL OF REGULAR AGENDA**

(Council may take a short break between 8:30–9:00 p.m.)

4. CEREMONIES

- A. [ID-278-14](#) SOCK IT TO EM WORKDAY PROCLAMATION
Attachments: [Proclamation - Sock It To Em](#)
- B. [ID-251-14](#) INTRODUCTION OF NEW EMPLOYEES BY HUMAN RESOURCES
DIRECTOR KAREN BORKOWSKI SURINE

5. PUBLIC INVITED TO BE HEARD ON MATTERS NOT ON THE AGENDA

(Speakers limited to five minutes)

6. PUBLIC HEARINGS

- A. [ID-283-14](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON AMENDING CHAPTER 17 OF THE BRIGHTON MUNICIPAL CODE, COMMONLY KNOWN AS THE LAND USE AND DEVELOPMENT CODE, PROVIDING FOR THE REPEAL OF SEC. 17-20-70, OIL AND GAS WELLS IN ITS ENTIRETY AND READOPTION AS SEC. 17-20-70, SET BACKS, OIL/GAS FACILITIES; THE ADOPTION OF A NEW ARTICLE 17-64, OIL AND GAS FACILITIES REQUIRING CONDITIONAL USE APPROVAL FOR OIL AND GAS WELLS AND OTHER RELATED FACILITIES OR ADMINISTRATIVE APPROVAL SET FORTH IN A MEMORANDUM OF UNDERSTANDING APPROVED BY THE CITY MANAGER; SETTING FORTH APPLICATION REQUIREMENTS, GENERAL STANDARDS, PLANS FOR SITE DEVELOPMENT, ENVIRONMENTAL PROTECTIONS, CONTROL OF NUISANCES, TRAFFIC PROTECTIONS, PROHIBITED FACILITIES, FEES, CITY INSPECTION, APPEALS, ENFORCEMENT; AMENDING SEC. 17-8-30. PROCEDURES REQUIRING A MAP OF OIL AND GAS FACILITIES AND NEIGHBORHOOD NOTICE; AMENDING SEC. 17-12-20. DEFINITIONS; AMENDING SEC. 17-8-60. CONDITIONAL USE RELATIVE TO ASSIGNABILITY OF A CONDITIONAL USE PERMIT; AMENDING SEC. 17-20-30 FENCE AND SIGHT TRIANGLES EXEMPTING TEMPORARY NOISE BARRIERS AT OIL AND GAS FACILITIES; AMENDING SEC. 17-32-15. TABLE OF USES; AND SETTING FORTH DETAILS RELATED TO THE FOREGOING.

7. ORDINANCES FOR INITIAL CONSIDERATION

- A. [ID-275-14](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO AMENDING SECTION 1-27-40, FEES AND CHARGES, OF THE BRIGHTON MUNICIPAL CODE TO AMEND FEES CHARGED FOR TIME REQUIRED TO RESEARCH, RETRIEVE, COPY AND/OR REDACT RECORDS PRODUCED IN RESPONSE TO REQUESTS MADE UNDER THE COLORADO OPEN RECORDS ACT; AND SETTING FORTH DETAILS RELATED THERETO

Attachments: [Code Amendment Research & Retrieval Fees](#)

8. ORDINANCES FOR FINAL CONSIDERATION

- A. [ID-242-14](#) AN ORDINANCE OF THE CITY COUNCIL AMENDING THE BRIGHTON MUNICIPAL CODE CHAPTER 8. HEALTH AND SAFETY, AMENDING ARTICLE 8-44, SMOKING PROHIBITED; TO INCORPORATE THE USE OF ELECTRONIC CIGARETTES, AND CHAPTER 17. LAND USE AND DEVELOPMENT CODE, AMENDING ARTICLE 17-12. DEFINITIONS; TO ADD A NEW DEFINITION REFERENCING THE MUNICIPAL CODE; AND SETTING FORTH DETAILS IN RELATION TO THE FOREGOING.

Attachments: [CC Ordinance e-cigs final](#)
[PC Reso Final Signed Copy](#)

- B. [ID-261-14](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING THE BRIGHTON MUNICIPAL CODE SECTION 1-24-10 TO INCREASE THE FINES WHICH MAY BE IMPOSED BY THE MUNICIPAL COURT TO TWO THOUSAND SIX HUNDRED FIFTY DOLLARS (\$2,650); PROVIDING THAT HEREAFTER ANNUAL INCREASES OF THE MAXIMUM FINE TO BE DETERMINED BY THE INCREASE IN THE COST OF LIVING; GRANTING AUTHORITY TO SUSPEND ALL OR A PORTION OF THE SENTENCE AND GRANT PROBATION, ALL AS AUTHORIZED BY C.R.S. §13-10-113; AND SETTING FORTH DETAILS IN RELATION THERETO

Attachments: [Municipal Court Fines - Ordinance](#)

- C. [ID-258-14](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, REPEALING THE BRIGHTON MUNICIPAL CODE SECTION 9-12-20. VIOLATION AND PENALTY FOR TRESPASS AND ADOPTING A NEW SUBSECTION 9-12-10(c) SETTING PENALTIES FOR TRESPASS VIOLATIONS IN ACCORDANCE WITH ARTICLE 1-24 GENERAL PENALTY; ADOPTING SECTION 9-16-20 DISORDERLY CONDUCT SETTING FORTH WHAT CONSTITUTES DISORDERLY CONDUCT; AND ADOPTING SUBSECTIONS 9-16-90(a)(4) and (c) HARASSMENT TO INCLUDE ELECTRONIC FORMS OF HARASSMENT; REPEALING AND REENACTING OR AMENDING SECTIONS 9-16-51. PUBLIC INDECENCY, 9-16-52. INDECENT EXPOSURE, AND 9-16-53, PUBLIC URINATION AND DEFECATION; AND, SETTING FORTH DETAILS IN RELATION TO THE FOREGOING.

Attachments: [Disorderly Conduct - Ordinance](#)

- D. [ID-262-14](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING THE BRIGHTON MUNICIPAL CODE RELATED TO RECOVERY OF THE CITY'S COSTS OF CODE ENFORCEMENT AS SET FORTH IN SUBSECTIONS 8-8-80(1) AND (2), WEED ABATEMENT; 8-8-220(1) AND (2), TREES AND PLANTS; 8-16-85, LITTER AND TRASH; AND 8-24-160(1) AND (2), NUISANCES; AND SETTING FORTH DETAILS IN RELATION THERETO.

Attachments: [Code Enforcement Fees - Ordinance](#)

9. RESOLUTIONS

- A. [ID-273-14](#) A RESOLUTION AMENDING THE 2014 BUDGET, AND APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES IN THE AMOUNTS SPECIFIED BELOW, FOR THE CITY OF BRIGHTON, COLORADO, FOR THE 2014 BUDGET YEAR.

Attachments: [2014 Budget Amendment 12-2-14](#)

- B. [ID-277-14](#) A RESOLUTION PROVIDING FUNDS FOR A 2014 SUPPLEMENTAL BUDGET APPROPRIATION IN THE AMOUNT OF FOUR HUNDRED TWENTY FOUR THOUSAND DOLLARS AND NO/100 DOLLARS (\$424,000.00) FOR THE TRAFFIC SIGNAL SYSTEM IMPROVEMENT PROGRAM (TSSIP) GRANT AND SIGNAL INTERCONNECT PROJECT

Attachments: [14-017 Reso Supp Budget TSSIP](#)

- C. [ID-276-14](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THAT CERTAIN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE CITY AND THE COLORADO DEPARTMENT OF TRANSPORTATION (CDOT), FOR THE DESIGN AND CONSTRUCTION OF CERTAIN TRAFFIC SIGNAL SYSTEM IMPROVEMENTS; AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT FOR THE CITY; AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO TAKE SUCH ACTIONS AND EXECUTE SUCH DOCUMENTS AS MAY BE REASONABLY NECESSARY TO CARRY OUT THE AGREEMENT.

Attachments: [14-017 Reso CDOT IGA TSSIP](#)
[19882 Brighton Signal System Imp IGA EXECS 9-16-14](#)

- D. [ID-260-14](#) RESOLUTION SETTING THE CITY OF BRIGHTON HOLIDAY SCHEDULE AND GENERAL LEAVE FOR 2015 CALENDAR YEAR

Attachments: [2015 Holiday Schedule](#)

10. UTILITIES BUSINESS ITEMS

- A. [ID-267-14](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING TITLE 13 OF THE BRIGHTON MUNICIPAL CODE PERTAINING TO WATER, WASTEWATER AND STORM DRAINAGE FEES AND CHARGES ASSESSED BY THE CITY OF BRIGHTON; SETTING FORTH EFFECTIVE DATES FOR SAID RATES, FEES AND CHARGES; AND, OTHER DETAILS RELATED THERETO

Attachments: [Water Rates - Ordinance](#)
[Water Rates - Ex. 1](#)

11. GENERAL BUSINESS**12. REPORTS**

- A. By the Mayor.
- B. By Department Heads.
- C. By the City Attorney.
- D. By the City Manager.

13. REPORTS BY COUNCIL ON BOARDS & COMMISSIONS**14. EXECUTIVE SESSION****15. ADJOURNMENT**