



## City of Brighton

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



## Meeting Minutes - Draft

**Tuesday, April 3, 2018**

**7:00 PM**

**Amended**

**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 7:02 p.m.*

**A. Pledge of Allegiance to the American Flag**

*Councilmember Wallin 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

**2. APPROVAL OF REGULAR AGENDA**

*City Manager Philip Rodriguez explained that the Regular Agenda was amended to move a Utilities item to become Item 3C and asked that an Executive Session be added for Negotiations regarding the search for a City Attorney.*

**Motion by Councilmember Wallin, seconded by Councilmember Humbert, to approve the Regular Agenda as amended. 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

**3. CONSENT AGENDA**

**A. Approval of the March 6, 2018 City Council Minutes**

**B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO HISTORY COLORADO-STATE HISTORICAL FUND IN AN AMOUNT NOT TO EXCEED TEN THOUSAND DOLLARS (\$10,000.00), FOR THE “BRIGHTON GRAIN ELEVATOR HISTORIC STRUCTURE ASSESSMENT” PROJECT; AUTHORIZING THE CITY MANAGER TO SIGN AND EXECUTE THE GRANT APPLICATION, AND IF THE GRANT IS APPROVED, TO FINALIZE A GRANT AGREEMENT FOR CONSIDERATION BY THE CITY COUNCIL; AND SETTING FORTH OTHER DETAILS**

## RELATED THERETO

Resolution No: 2018-36

- C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACTING BY AND THROUGH ITS WATER ACTIVITY ENTERPRISE, APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF BRIGHTON AND TRI-COUNTY HEALTH DEPARTMENT FOR THE HOUSEHOLD HAZARDOUS WASTE PROGRAM, AUTHORIZING THE CITY'S CONTRIBUTION UNDER THE INTERGOVERNMENTAL AGREEMENT IN AN AMOUNT NOT TO EXCEED FIFTEEN THOUSAND DOLLARS (\$15,000), AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID INTERGOVERNMENTAL AGREEMENT ON BEHALF OF THE CITY**

Resolution No: 2018-37

**Motion by Councilmember Blackhurst, seconded by Councilmember Johnston, to approve the Consent Agenda as presented. 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

## 4. CEREMONIES

### A. National Service Recognition Day Proclamation

*Mayor Kreutzer read the Proclamation into the record and presented it to Tom Rapp with Senior Hub.*

**Motion by Councilmember Humbert, seconded by Councilmember Wallin, to approve the Proclamation. 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

### B. National Crime Victims' Rights Week Proclamation

*Mayor Kreutzer read the Proclamation into the record and presented it to Victim Advocate Alexis Gutierrez.*

**Motion by Councilmember Mills, seconded by Councilmember Blackhurst, to approve the Proclamation. 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

### C. Child Abuse Prevention Month Proclamation

*Mayor Kreutzer read the Proclamation into the record and presented it to Vanessa DeMott, Director of Ralston House.*

**Motion by Councilmember Baca, seconded by Councilmember Pollack, to approve the Proclamation. 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

**D. Adams County Mayors and Commissioners Youth Awards Recognition**

*Manager of Youth Services Tawnya Russell introduced Katie Hernandez, Jonathan Townsend, Daniel Coniff, Alissa Marquard, Dominic V. Amato, Margarita Almanza, Kylee Lane Versteegt, Victoria Chiquito, Elania Bindel, Rachelle Kardisco, Alexandra Machado, Meagan Elena Sanchez, Karalyn Hester, Linneya Ruybal, Lidia Hernandez, Jasmine Beamen, Leo Deford, Rhiennen Martinez, and Alexandra Garcia, all nominees for the Adams County Mayors and Commissioners Youth Awards.*

**E. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE NAMING OF THE NEIGHBORHOOD PARK LOCATED IN THE SOUTHGATE SUBDIVISION, SOUTH OF 120TH AVENUE ON FOLEY ROAD, BRIGHTON, COLORADO, AS “ORAN AND ROSA FOLEY PARK”**

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

*City Manager Rodriguez introduced Parks and Recreation Director Gary Wardle.*

*Parks and Recreation Director Gary Wardle presented the naming for the neighborhood park in the Southgate Subdivision as Oran and Rosa Foley Park. The park is located south of 120<sup>th</sup> Avenue on Foley Avenue, across from Prairie View Middle School. The park is in the process of being built at this time and should be completed this spring. The applicant submitted an application and a petition with the required number of signatures that meets the criteria for the park naming process. The Parks and Recreation Advisory Board reviewed the petition on March 7, 2018 and recommends approval of the petition to City Council. Director Wardle introduced the applicant Michelle Grajeda.*

*Michelle Grajeda, 351 South 26<sup>th</sup> Avenue, Brighton. Ms. Grajeda explained that Oran and Rosa were her great-grandparents. Oran built the barn that is located on the property and Michelle felt it would be fitting that the park be named after them. Oran and Rosa moved to Brighton in 1895 and purchased this property in 1917, the barn was finished in 1918.*

*Director Wardle reported that Oran and Rosa also worked on the Bromley Farm and helped build some of those buildings.*

**Motion by Councilmember Baca, seconded by Councilmember Humbert, to approve the Resolution 2018-38 approving the naming of the neighborhood park located in the Southgate Subdivision, south of 120<sup>th</sup> Avenue on Foley Road, Brighton, Colorado, as Oran and Rosa Foley Park. 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

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

**6. ORDINANCES FOR INITIAL CONSIDERATION**

## **7. ORDINANCES FOR FINAL CONSIDERATION**

### **A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO AMENDING SECTIONS 2-32-40(2) AND 2-36-30(2) OF THE BRIGHTON MUNICIPAL CODE REGARDING THE APPOINTMENT OF MEMBERS TO THE PARK AND RECREATION ADVISORY BOARD AND THE PLANNING COMMISSION; AND SETTING FORTH OTHER DETAILS RELATED THERETO**

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

*City Manager Rodriguez introduced City Attorney Margaret Brubaker.*

*City Attorney Margaret Brubaker reported 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 Wallin, seconded by Councilmember Blackhurst, to approve Ordinance 2280 amending Sections 2-32-40(2) and 2-36-30(2) of the Brighton Municipal Code regarding the appointment of members to the Park and Recreation Advisory Board and the Planning Commission; and setting forth other details related thereto. 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

## **8. RESOLUTIONS**

### **A. A RESOLUTION OF THE CITY COUNCIL OF BRIGHTON, COLORADO AMENDING RESOLUTION NO. 2012-46 REGARDING THE CITY COUNCIL POLICY FOR THE APPOINTMENT OF MEMBERS TO CITY BOARDS, COMMISSIONS AND AUTHORITIES; ADDRESSING SPECIFICALLY THAT CERTAIN BOARDS, COMMISSIONS AND AUTHORITIES INTERVIEW CANDIDATES FOR MEMBERSHIP; AND SETTING FORTH OTHER DETAILS RELATED THERETO**

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

*City Manager Rodriguez explained that the Policy has been amended to include the language that was requested by Mayor Kreutzer during the last discussion regarding swearing in of new Board and Commission members at a City Council meeting.*

**Motion by Councilmember Johnston, seconded by Councilmember Humbert, to approve Resolution 2018-39 amending Resolution No. 2012-46 regarding the City Council Policy for the appointment of members to City Boards, Commissions and Authorities; addressing specifically that certain Boards, Commissions and Authorities interview candidates for membership; and setting forth other details related thereto. 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

**B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE BID OF A-1 CHIPSEAL CO., AND AWARDING THE CONTRACT FOR THE 2018 STREET PRESERVATION, PROJECT# 99920 IN AN AMOUNT NOT TO EXCEED ONE MILLION FIVE HUNDRED SEVENTY SEVEN THOUSAND NINE HUNDRED SEVENTY ONE DOLLARS AND TWENTY FIVE CENTS (\$1,577,971.25), 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 Streets and Fleet Director Kimberly Dall and Traffic Engineer Christopher Montoya.*

*Traffic Engineer Christopher Montoya presented the 2018 Street Preservation Project. This project is intended to preserve the roadway infrastructure and involve a process of evaluation and preparation by utilizing computer aided programs and visual observations. A strategic bid package was prepared that included the base bid with a bid alternate #1 and #2. This gave the City options to award the bid alternates, but not the obligation to do so. Construction is planned to take place for 180 days. This project will cover 23 lane miles of roadway work. Chip seal and slurry seal are product types used for preservation for this project. Pavement markings including striping and crosswalks are included in this project and if there is an opportunity, bike lanes will be added. Asphalt patching and crack sealing are also used for asphalt preservation. The base bid includes work on Main Street, Bromley Lane from Chambers Road to 27<sup>th</sup> Avenue, and the Preserve Subdivision. Bid alternate #1 includes finishing the work on Brighton Road. Bid alternate #2 includes about half of the neighborhood in Brighton Crossing. One bid was received by A-1 Chipseal for \$1,577,971.25, which was less than the budget anticipated for this project. Staff is recommending approval of the base bid for \$1,356,021.25 and bid alternate #1 and #2 for \$221,950.00. Traffic Engineer Montoya answered questions from Council regarding:*

- The ability to "piggy back" on the Adams County asphalt contract for a lower cost.*
- Crack sealing being done on some of the roadways before the project begins.*
- The criteria used to determine the roadways that are chosen for work.*
- The method for reporting sinkholes found by anyone completing work for this project.*

**Motion by Councilmember Baca, seconded by Councilmember Pollack, to approve Resolution 2018-40 accepting the bid of A-1 Chipseal Co., and awarding the contract for the 2018 Street Preservation Project #99920 in an amount not to exceed \$1,577,971.25, and authorizing the Mayor to sign the contract on behalf of the City and the City Clerk to attest thereto. 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

## **9. UTILITIES BUSINESS ITEMS**

## **10. GENERAL BUSINESS**

## **11. REPORTS**

### **A. By the Mayor**

*Mayor Kreutzer attended the CML Effective Government workshop, the groundbreaking of Northeast*

*Elementary and Overland Trail Middle School, the Denver Metro Annual Economic Development meeting, the City Council retreat and strategic planning session, the 76 Commerce Center groundbreaking and was asked to speak at the Brighton Rotary meeting.*

*Mayor Kreutzer told City Council that there will be a meet and greet with Thornton on April 11<sup>th</sup>.*

**B. By Department Heads**

**C. By the City Attorney**

**D. By the City Manager**

*City Manager Rodriguez thanked City Council for attending the retreat and strategic planning session.*

## **12. REPORTS BY COUNCIL ON BOARDS & COMMISSIONS**

*Mayor Pro Tem Edwards attended the CML Workshop, the Airport Coordinating Committee meeting, the 76 Commerce Center groundbreaking and the Platte Valley Medical Center Foundation dinner.*

*Councilmember Pollack attended the Northeast Elementary and Overland Trail Middle School groundbreaking.*

*Councilmember Mills attended the 76 Commerce Center groundbreaking, the Springfest Downtown, the State of the Chamber breakfast, the ribbon cutting for the Fairfield Inn, the Northeast Elementary and Overland Trail Middle School groundbreaking and the NLC conference.*

*Councilmember Baca attended the NATA meeting and the DRCOG meeting.*

*Councilmember Humbert invited everyone to the Downtown Parking Plan meeting tomorrow at the Armory.*

*Councilmember Johnston attended the Brighton East Farms HOA meeting and will be speaking at Metro University this week.*

## **13. EXECUTIVE SESSION**

**Motion by Mayor Pro Tem Edwards, seconded by Councilmember Mills, to go into Executive Session at 8:09 p.m. 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 the search for a City Attorney. 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 8:28 p.m.*

## **14. ADJOURNMENT**

**Motion by Councilmember Blackhurst, seconded by Councilmember Wallin, to adjourn at 8:29 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**

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Kenneth J. Kreutzer, Mayor

**ATTEST:**

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Natalie Hoel, City Clerk

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Approval Date