



Legislation Text

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## City of Brighton

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



## Meeting Minutes - Draft

**Tuesday, August 20, 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**

*Councilmember Mills 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**

**Motion by Councilmember Wallin, seconded by Councilmember Blackhurst, to approve the Regular 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

**3. CONSENT AGENDA**

**A. Approval of the July 2, 2019 City Council Minutes**

**B. Approval of the July 2, 2019 City Council Special Meeting Minutes**

**C. Approval of the July 9, 2019 City Council Special Meeting Minutes**

**D. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, RATIFYING THE MAYORAL APPOINTMENTS TO THE CITY OF BRIGHTON YOUTH COMMISSION FOR TERMS ENDING IN MAY OF 2021**

**Resolution No: 2019-83**

*Councilmember Mills asked that Item 3C be removed from the Consent Agenda.*

**Motion by Councilmember Wallin, seconded by Councilmember Johnston, to approve the Consent 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

### **C. Approval of the July 9, 2019 City Council Special Meeting Minutes**

**Motion by Councilmember Blackhurst, seconded by Councilmember Humbert, to approve the July 9, 2019 City Council Special Meeting Minutes. Motion passed by the following vote:**

**Aye:** 5 - Mayor Kreutzer, Mayor Pro Tem Edwards, Councilmember Baca, Councilmember Blackhurst, and Councilmember Humbert

**No:** 4 - Councilmember Johnston, Councilmember Mills, Councilmember Pollack, and Councilmember Wallin

## **4. CEREMONIES**

### **A. Swearing in of the Youth Commission and the Youth Corps of Volunteers Members**

*City Clerk Natalie Hoel swore in the Brighton Youth Commission and the Youth Corps of Volunteers members.*

### **B. Recognition of the City of Brighton's Growing Grads Interns**

*Sydney McKinney, Youth Services Coordinator introduced the participants in the Growing Grads Intern Program Giana Rocha, Ashley Settergren, Fiona Mackendrick, Catherine Grovum, Lucas Stanford, Claire Segura, DeAmore Leyva and Levi Rash and gave a brief history of the program.*

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

*Vern Tharp, Arvada. Mr. Tharp is a representative of the Bromley Hishinuma Farm and spoke about the history of the farm in Brighton, the vision of the Council when the farm was purchased, the grant funds that have been used for rehabilitation of the farm, and the community events that take place at the farm.*

*Kathryn Withrow, Brighton. Ms. Withrow expressed concern regarding the changes to the RTD routes in Brighton and the negative impact to riders this change would cause.*

*Troy Whitmore and Nataly Handlos, Representatives from RTD. Mr. Whitmore and Ms. Handlos spoke about the proposed changes to the RTD service in the City of Brighton.*

## **6. PUBLIC HEARINGS**

## **7. RESOLUTIONS**

### **A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE BID OF SILVA CONSTRUCTION INC. AND AWARDING THE CONTRACT FOR SOUTHERN STREET CURB RAMP IMPROVEMENTS PROJECT #19-021, TO SILVA CONSTRUCTION INC. IN THE AMOUNT OF ONE HUNDRED SIXTY FOUR THOUSAND FIVE HUNDRED**

**SEVENTY DOLLARS (\$164,570.00), WITH NO CONTINGENCY FUNDING, AND AUTHORIZING THE CITY MANAGER 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.*

*Acting City Manager Marv Falconburg introduced Public Works Engineer Christopher Montoya.*

*Public Works Engineer Christopher Montoya presented the 2019 Community Development Block Grant (CDBG) Southern Street Improvements project. The Adams County CDBG funds are designated to different entities to be utilized for projects. This is done in accordance with federal requirements and guidelines for the American Disabilities Act (ADA). The Code of Federal Regulations has requirements pertaining to public accommodations for state and local governments. There has to be reasonable access and accommodation for public access to public infrastructure and facilities. Eligible projects include infrastructure, public facility improvements, housing rehabilitation and public service that benefit low to moderate income persons, prevent or eliminate slum and blight conditions, or address an urgent community need. This project addresses infrastructure in low to moderate-income areas. An application was submitted for a public infrastructure project that was scheduled; this project did not meet the criteria for these funds. The project scope was changed to complete work on the west side of Southern Street and the other areas will be completed with Capital Improvement funds. The project includes the installation of curb ramps and associated construction on Southern Street from 4<sup>th</sup> Avenue to 12<sup>th</sup> Avenue. Southern Street carries high traffic and high pedestrian volumes due to the location of several schools in the area. The ramps in this area will be done to comply with current standards. If the project is awarded, the contract will be executed and construction can begin. Three bids were received for this project and Silva Construction was the lowest and most responsive bidder for \$164,570. The engineer estimate was \$216,000, \$225,000 was budgeted for this project, the bid award is \$164,570 and the CDBG Grant is \$170,000. The net cost to the City is \$0.00 for this project. Construction should begin in mid-September and be completed by the end of November. Public Works Engineer Montoya answered questions from Council regarding:*

- There being any funds allocated in the budget for this project in 2019.*
- Funds budgeted for future ADA projects.*
- The sidewalks that need to be installed on South Main Street.*
- The ability to complete this work at 25% less than the engineered estimate.*
- The time it would take the City to be reimbursed.*
- Silva Construction having done work in the City before.*
- The budgeted amount including the funds coming from the CDBG Grant.*

**Motion by Councilmember Johnston, seconded by Councilmember Baca, to approve Resolution 2019-84. 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. UTILITIES BUSINESS ITEMS**

### **Resolutions**

- A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACTING BY AND THROUGH ITS WATER ACTIVITY ENTERPRISE, APPROVING INTERGOVERNMENTAL AGREEMENT NO. 19-05.22 REGARDING MAINTENANCE OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR BRIGHTON SOUTH OUTFALL FROM 2ND AVENUE TO FULTON AVENUE BETWEEN THE CITY OF BRIGHTON AND URBAN DRAINAGE AND FLOOD CONTROL**

## **DISTRICT AND AUTHORIZING THE ACTING CITY MANAGER TO EXECUTE SAID INTERGOVERNMENTAL AGREEMENT ON BEHALF OF THE CITY**

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

*Acting City Manager Marv Falconburg introduced Stormwater Coordinator Scott Olsen.*

*Stormwater Coordinator Scott Olsen presented the Intergovernmental Agreement (IGA) with Urban Drainage and Flood Control District (UDFCD) for the maintenance for a portion of the South Outfall. The soil conditions on the banks in this area are poor. The soil is very rocky and sandy so there is no vegetation holding the soil together. During large storm events, the banks erode into the channel causing gulley erosion. In 2018, this erosion caused a water line to become exposed. This is also a problem for dry utilities in the area including electrical and gas these were also exposed. City staff has filled the area with soil but there is a need for a permanent solution. The City and UDFCD will bring in topsoil to this area to allow vegetation to establish. The trash and the sediment from the channel will be removed.*

**Motion by Councilmember Humbert, seconded by Mayor Pro Tem Edwards, to approve Resolution 2019-85. 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. GENERAL BUSINESS**

## **10. REPORTS**

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

*Mayor Kreutzer attended the Metro Mayors Caucus, the E470 Board of Directors meeting, the Platte Valley Medical Center Farm to Table Event, Coffee and Conversation with Acting City Manager Marv Falconburg, the ACED Top Golf tour, the 3E's Ice Cream Social, the ADCOG Executive breakfast, and the Ent Credit Union ribbon cutting. Tomorrow is the United Power Service Center opening in Longmont and Friday is the Texas Roadhouse groundbreaking. Mayor Kreutzer presented a Thank You letter from Ralston House.*

### **B. By Department Heads**

*General Services Director Karen Borkowski Surine updated City Council on the City Attorney Review.*

*Infrastructure Director Mike Woodruff updated City Council on a notice that will be going out to the citizens regarding a staff identified issue with the required reporting from the 2018 backflow testing program to the Colorado Department of Public Health.*

### **C. By the City Attorney**

### **D. By the City Manager**

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

*Councilmember Humbert attended the Be Brighton to Build Brighton open house, Coffee and Conversations with Acting City Manager Marv Falconburg and the Chamber tour of Berry Patch and Bromley Farms.*

*Mayor Pro Tem Edwards attended the Platte Valley Medical Center Farm to Table event, the Ent Credit Union ribbon cutting, the Be Brighton event and Coffee and Conversations with Acting City Manager Marv*

*Falconburg.*

*Councilmember Blackhurst attended the Youth Commission meeting and the Legacy Foundation meeting.*

*Councilmember Mills attended the BURA meeting.*

## **12. EXECUTIVE SESSION**

**Motion by Mayor Pro Tem Edwards, seconded by Councilmember Humbert, to go into Executive Session at 8:12 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 Economic Development. Motion passed by the following vote:**

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

**No:** 1 - Councilmember Johnston

*Mayor Kreutzer reconvened the meeting at 8:52 p.m.*

## **13. ADJOURNMENT**

**Motion by Councilmember Mills, seconded by Councilmember Humbert, to adjourn at 8:53 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