

City of Brighton

500 S. 4th Avenue
Brighton, CO 80601



Meeting Minutes

Tuesday, January 3, 2023

6:00 PM

Council Chambers

City Council

MAYOR - GREGORY MILLS

MAYOR PRO TEM - ADAM CUSHING

COUNCIL MEMBERS:

CLINT BLACKHURST, TOM GREEN,

MATT JOHNSTON, PETER PADILLA,

JAN PAWLOWSKI, MARY ELLEN POLLACK,

ANN TADDEO

1. CALL TO ORDER

Mayor Mills called the meeting to order at 6:00 p.m.

A. Pledge of Allegiance to the American Flag

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

B. Roll Call

Present: 8 - Mayor Mills, Mayor Pro Tem Cushing, Councilmember Blackhurst, Councilmember Green, Councilmember Padilla, Councilmember Pawlowski, Councilmember Pollack, and Councilmember Taddeo

Not Present: 1 - Councilmember Johnston

2. APPROVAL OF REGULAR AGENDA

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

Aye: 8 - Mayor Mills, Mayor Pro Tem Cushing, Councilmember Blackhurst, Councilmember Green, Councilmember Padilla, Councilmember Pawlowski, Councilmember Pollack, and Councilmember Taddeo

Absent: 1 - Councilmember Johnston

3. CONSENT AGENDA

A. Approval of the December 6, 2022 City Council Minutes

B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, DESIGNATING THE CITY OF BRIGHTON WEBSITE AS THE PUBLIC PLACE TO POST NOTICES AND AGENDAS OF REGULAR, SPECIAL, AND OTHER OPEN MEETINGS OF THE CITY COUNCIL, ANY BOARD, COMMITTEE, COMMISSION, AUTHORITY, OR LOCAL PUBLIC BODY OF THE CITY, AND DESIGNATING CITY HALL AS THE SECONDARY LOCATION TO POST NOTICES DURING EXIGENT CIRCUMSTANCES OR IN THE EVENT OF AN EMERGENCY THAT PREVENTS THE PUBLIC FROM ACCESSING NOTICES ONLINE, FOR THE CALENDAR YEAR 2023

Resolution No. 2023-01

C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AUTHORIZING THE CITY MANAGER TO EXECUTE THE ADAMS COUNTY OPEN SPACE GRANT AGREEMENT FOR CHERRY MEADOWS PARK

Resolution No. 2023-02

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

Aye: 8 - Mayor Mills, Mayor Pro Tem Cushing, Councilmember Blackhurst, Councilmember Green, Councilmember Padilla, Councilmember Pawlowski, Councilmember Pollack, and Councilmember Taddeo

Absent: 1 - Councilmember Johnston

4. CEREMONIES

A. Introduction of the Employee of the Year and Supervisor of the Year

Assistant City Manager Karen Borkowski-Surine introduced the Employee of the Year Shannon Pollock and Supervisor of the Year Rhiannon Natali.

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

6. CONSOLIDATED ITEMS FOR SEQUENTIAL REVIEW

A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ANNEXING TO THE CITY OF BRIGHTON APPROXIMATELY 150.586 ACRES OF CONTIGUOUS LAND, IN A PORTION OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO (FINAL READING)

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

Motion by Councilmember Blackhurst, seconded by Councilmember Pawlowski, to approve Ordinance 2403. Motion passed by the following vote:

Aye: 8 - Mayor Mills, Mayor Pro Tem Cushing, Councilmember Blackhurst, Councilmember Green, Councilmember Padilla, Councilmember Pawlowski, Councilmember Pollack, and Councilmember Taddeo

Absent: 1 - Councilmember Johnston

B. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE SWINK PROPERTY ZONING MAP AMENDMENT FROM ADAMS COUNTY A-3 TO C-3, R-1-A, R-2, AND R-3 FOR AN APPROXIMATELY 150.586 ACRES OF PROPERTY, GENERALLY LOCATED IN A PORTION OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO (FINAL READING)

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

Motion by Councilmember Padilla, seconded by Councilmember Pollack, to approve Ordinance 2404. Motion passed by the following vote:

Aye: 7 - Mayor Mills, Councilmember Blackhurst, Councilmember Green, Councilmember Padilla, Councilmember Pawlowski, Councilmember Pollack, and Councilmember Taddeo

No: 1 - Mayor Pro Tem Cushing

Absent: 1 - Councilmember Johnston

C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE ANNEXATION AGREEMENT FOR THE APPROXIMATELY 150.586 ACRES OF CONTIGUOUS LAND, LOCATED GENERALLY AT THE NORTHWEST CORNER OF EAST BROMLEY LANE AND FRONTAGE ROAD, IN A PORTION OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO, TO BE KNOWN AS THE SWINK PROPERTY ANNEXATION

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

Senior Planner and Historic Preservationist Emma Lane presented the Swink Property Annexation Agreement. The applicant is Anna Sparks of Innovative Land Consultants, Inc and the owners are the Swink Family Farms LLLP and Alvin W. Swink. The property is located north of East Bromley Lane, south of Southern Street, west of South 50th Avenue and east of the South 45th Avenue alignment. The property is currently unplatted, is in the city's growth boundary, and is designated as Mixed Use Residential and Parks and Open Space per the Land Use Map of the Comprehensive Plan. Senior Planner Lane explained the steps in the annexation process and the purpose of the Annexation Agreement. The applicable focus areas of the draft Annexation Agreement are transportation, utility services and stormwater, which includes water dedication, and zoning. The draft agreement requires the developer to dedicate right-of-way and carry out any related right-of-way and multi-modal improvements as follows:

- *The developer will dedicate and construct the entirety of the South 45th Avenue alignment to a collector street section as well as bike lanes and sidewalks on each side.*
- *Southern Street and Frontage Road will be dedicated and improved as such collector street sections.*
- *South 50th Avenue will be dedicated to the city and constructed as a full minor arterial street section.*
- *East Bromley Lane will be dedicated to the city and constructed as a major arterial street section.*
- *The developer will design and construction of a number of intersections or pay a pro-rata share. This includes the intersections of Southern Street and South 50th Avenue, traffic signals at South 45th Avenue and Southern Street, South 45th Avenue and East Bromley Lane, private access drive and East Bromley Lane, South 50th Avenue and Frontage Road, and Southern Street and South 40th Avenue (Tower Road). The pro-rata share of the traffic signals will be further determined based on the Traffic Impact Study required with future development.*
- *Improvements to the round-a-bout on East Bromley Lane and Frontage Road.*
- *All utility lines except transmission lines running through the property shall be undergrounded.*
- *A pedestrian connection will be installed from the north end to the south end of the property.*
- *Street lighting will be installed along adjacent and internal roads.*
- *Installation of any additional needed water, sewer, and stormwater infrastructure.*
- *Raw water will be dedicated to the city in accordance with the city's policy at the time of platting.*
- *A Subdivision Plan is required prior to Final Plat.*
- *At the time of platting, one or more Development Agreements will be required to address specific needs of the platted area.*
- *The developer is responsible for making any successors and assigns aware of the community benefit and incentives within the Land Use and Development Code Section 5.08, which offers incentives for affordable housing.*
- *The developer shall enter into a Participant Agreement with 27J Schools to benefit the Capital Facility Fee Foundation program.*

Staff finds the Annexation Agreement is in line with city codes, plans and policies and recommends approval. The Development Review Committee, Owners and Applicant agree with this recommendation.

Motion by Councilmember Blackhurst, seconded by Councilmember Padilla, to approve Resolution 2023-03. Motion passed by the following vote:

Aye: 8 - Mayor Mills, Mayor Pro Tem Cushing, Councilmember Blackhurst, Councilmember Green, Councilmember Padilla, Councilmember Pawlowski, Councilmember Pollack, and Councilmember Taddeo

Absent: 1 - Councilmember Johnston

7. PUBLIC HEARINGS

8. ORDINANCES FOR INITIAL CONSIDERATION

9. ORDINANCES FOR FINAL CONSIDERATION

- A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING CERTAIN SECTIONS AND ENACTING NEW SECTIONS OF THE BRIGHTON MUNICIPAL CODE IN CHAPTER 17, LAND USE & DEVELOPMENT CODE, RELATED TO BUILDING TYPES, ACCESSORY STRUCTURES, COMMON OWNERSHIP COMMUNITIES, SITE DESIGN, SIGNS, AND CORRECTION OF ERRORS**

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

Motion by Councilmember Padilla, seconded by Councilmember Green, to approve Ordinance 2405. Motion passed by the following vote:

Aye: 8 - Mayor Mills, Mayor Pro Tem Cushing, Councilmember Blackhurst, Councilmember Green, Councilmember Padilla, Councilmember Pawlowski, Councilmember Pollack, and Councilmember Taddeo

Absent: 1 - Councilmember Johnston

10. RESOLUTIONS

- A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE COLORADO REGION 8 OPIOID INTERGOVERNMENTAL AGREEMENT AND DESIGNATING A POINT OF CONTACT**

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

City Attorney Alicia Calderón explained that the city is being asked to sign the IGA for Region 8. The city participated in litigation and those funds are being sent to the states. Council approved the city joining the State Memorandum of Understanding, which would distribute the funds from the settlements. Colorado Region 8 was formed, and this IGA creates the various representatives. The goal is to develop a two-year plan that identifies the purposes for which the funds will be used. Councilmember Padilla is currently serving a two-year term as a local government representative. The IGA also seeks to identify the point of contact for the city's obligations under the agreement, this Resolution identifies the City Manager as the point of contact.

Motion by Councilmember Blackhurst, seconded by Councilmember Padilla, to approve Resolution 2023-04. Motion passed by the following vote:

Aye: 8 - Mayor Mills, Mayor Pro Tem Cushing, Councilmember Blackhurst, Councilmember Green, Councilmember Padilla, Councilmember Pawlowski, Councilmember Pollack, and Councilmember Taddeo

Absent: 1 - Councilmember Johnston

11. UTILITIES BUSINESS ITEMS

Ordinances

- A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING CERTAIN SECTIONS OF CHAPTER 13 ARTICLE 4 OF THE BRIGHTON MUNICIPAL CODE RELATING TO WATER DEDICATION (FINAL READING)**

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

Motion by Mayor Pro Tem Cushing, seconded by Councilmember Pollack, to approve Ordinance 2406. Motion passed by the following vote:

Aye: 8 - Mayor Mills, Mayor Pro Tem Cushing, Councilmember Blackhurst, Councilmember Green, Councilmember Padilla, Councilmember Pawlowski, Councilmember Pollack, and Councilmember Taddeo

Absent: 1 - Councilmember Johnston

12. GENERAL BUSINESS

13. REPORTS

- A. By the Mayor**

Mayor Mills congratulated new Chief of Police Matt Domenico.

- B. By Department Directors**

- C. By the City Attorney**

- D. By the City Manager**

City Manager Michael Martinez announced that the swearing in ceremony for Chief of Police Matt Domenico will take place on January 12th at the Armory.

- E. By City Council**

Mayor Pro Tem Cushing attended the Legacy Foundation meeting and the Link meeting.

14. EXECUTIVE SESSION

15. ADJOURNMENT

Mayor Mills adjourned the meeting at 7:05 p.m.

CITY OF BRIGHTON, COLORADO



 Gregory Mills, Mayor

ATTEST:

Natalie Hoel

Natalie Hoel, City Clerk

February 7, 2023

Approval Date