

City of Brighton

500 S. 4th Avenue
Brighton, CO 80601



Meeting Minutes

Tuesday, March 7, 2023

6:00 PM

Council Chambers

City Council

MAYOR - GREGORY MILLS
MAYOR PRO TEM - CLINT BLACKHURST
COUNCIL MEMBERS:
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 6:01 p.m.

A. Pledge of Allegiance to the American Flag

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

B. Roll Call

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

2. APPROVAL OF REGULAR AGENDA

Motion by Mayor Pro Tem Blackhurst, seconded by Councilmember Padilla, to approve the Regular Agenda as presented. Motion passed by the following vote:

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

3. CONSENT AGENDA

A. Approval of the February 7, 2023 City Council Minutes

B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AUTHORIZING THE SUBMITTAL OF AN ADAMS COUNTY OPEN SPACE ACTIVE GRANT APPLICATION IN THE AMOUNT OF \$1,750,000.00; AUTHORIZING A FINANCIAL MATCH NOT TO EXCEED \$1,250,000.00; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE GRANT APPLICATION AND UPON AWARD TO FINALIZE AND EXECUTE A REASONABLE GRANT AGREEMENT WITH ADAMS COUNTY

Resolution No. 2023-23

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

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

4. CEREMONIES

A. Women's History Month Proclamation

Councilmember Pawlowski read the Proclamation into the record.

Motion by Councilmember Pawlowski, seconded by Councilmember Padilla, to approve the Proclamation. Motion passed by the following vote:

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

B. Neurodiversity Celebration Week Proclamation

Mayor Mills read the Proclamation into the record.

Motion by Councilmember Padilla, seconded by Mayor Pro Tem Blackhurst, to approve the Proclamation. Motion passed by the following vote:

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

C. Performance and Leadership Academy Graduation

Budget and Performance Manager Kayla Barber-Perrotta introduced the graduates from the Performance and Leadership Academy.

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

Tom Lampo, Thornton, Mr. Lampo prayed for the city.

6. PUBLIC HEARINGS**A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, REPEALING ORDINANCE NO. 2383; ADOPTING THE MODEL TRAFFIC CODE, 2020 EDITION; SETTING FORTH DELETIONS, MODIFICATIONS, AND ADDITIONS THERETO, INCLUDING MODIFYING THE SPEED LIMIT IN ANY RESIDENCE DISTRICT FROM 30 MILES PER HOUR TO 25 MILES PER HOUR (FINAL READING)**

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

Mayor Mills opened the public hearing at 6:27 p.m. and City Clerk Natalie Hoel verified the required postings and publications (February 16 and February 23, 2023 in the Brighton Standard Blade) for this public hearing were completed.

Thomas Kendall, Brighton. Mr. Kendall asked if the speed limit in his neighborhood would be raised from 20 mph to 25 mph and feels that the new speed limit will not make a difference. Additional signage is needed, and enforcement needs to be done properly.

Mayor Mills explained that the unposted speed limit in the city is being lowered from 30 mph to 25 mph.

Assistant Director of Public Works Christopher Montoya explained that if an area is posted at 20 mph, it will be regulated at 20 mph, the residential streets that are not posted will be 25 mph where the Code currently states that it is 30 mph. These changes are associated with the Vision Zero Program for safer pedestrian and multi-modal traffic.

Mayor Mills asked if anyone in the audience had questions for the applicant, there was none.

Mayor Mills asked if there were questions from City Council.

Councilmember Johnston explained that the Police Department should be funded to help enforce speed limits, this will not affect any change.

Councilmember Green asked if there will be additional signage to identify the areas moving from 30 to 20 mph. Assistant Director Montoya explained that there will be additional signs and placards to identify different areas of the program.

Councilmember Padilla explained that a large concern from residents is speeds in neighborhoods and this is an effort to change the default speed. The likelihood of death at 30 mph is many times more than 25 mph. This action will increase safety in the neighborhoods.

Councilmember Taddeo explained that this is not the final solution, and the city will be working on other issues including enforcement.

Mayor Mills asked if this will bring down the speed on Bromley Lane or Bridge Street and Assistant Director Montoya explained that an engineering study will be done to determine the speed limit on other roads.

Mayor Mills closed the public hearing at 6:38 p.m.

Motion by Councilmember Padilla, seconded by Councilmember Taddeo, to approve Ordinance 2407. Motion passed by the following vote:

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

No: 1 - Councilmember Johnston

B. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE REZONING OF A PORTION OF THE BROMLEY PARK PLANNED UNIT DEVELOPMENT 3RD AMENDMENT TO THE BROMLEY PARK PLANNED UNIT DEVELOPMENT 28TH AMENDMENT FOR THE APPROXIMATELY 0.852 ACRE PROPERTY, GENERALLY LOCATED TO THE NORTH OF EAST BRIDGE STREET, WEST OF NORTH 42ND AVENUE, EAST OF THE NORTH 40TH AVENUE ALIGNMENT AND SOUTH OF PIONEER PLACE SITUATED WITHIN THE BUFFS LANDING DEVELOPMENT, MORE PARTICULARLY LOCATED IN THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO

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

Mayor Mills opened the public hearing at 6:40 p.m. and City Clerk Natalie Hoel verified the required postings and publications (February 20, 2023 on the City of Brighton Website) for this public hearing were completed.

Associate Planner Summer McCann presented the Bromley Park PUD 28th Amendment. The applicant is Chad August with MAH Architectural Group working on behalf of the prospective property owner Brady and Company 1 LLC, and the property owner is Little Big Fish LLC. The property is .52 acres and is located north of East Bridge Street, west of North 42nd Avenue, east of the North 40th Avenue alignment and south of Pioneer Place within the Buffs Landing Development. The property is zoned under a PUD, a site-specific zoning district with its own standards and requirements. The owner desires to rezone the property via a Major PUD Amendment as allowed under the Bromley Park Land Use Regulations. Staff used the plan development criteria of the Land Use and Development Code under Section 2.04 C and the zoning map amendment criteria under Section 2.03 B. The proposed amendment would remove only the minimum 1,500 sq. ft. floor area of principal building standard from the existing Commercial zoning. The dimensional and design standards put in place by the Bromley Park Land Use Regulations and the Land Use and Development Code shall continue to apply.

The property was annexed in 1986 as part of the Bromley Park Annexation, platted in 2005 under the Buffs Landing Development and is currently zoned Commercial under the Bromley Park PUD, 3rd Amendment. Apart from the unannexed lot to the east, the property is surrounded by existing Commercial zoning under the Bromley Park PUD 3rd Amendment.

The Future Land Use portion of the Comprehensive Plan has designated this area as Commercial. The property is currently zoned for commercial uses and intended for commercial development. The proposed PUD Amendment meets numerous other policies of the Comprehensive Plan. It is within an area of existing infrastructure. The Buffs Landing Development is comprised of various existing commercial uses and has the capacity for additional commercial development within the current pad sites. As this area develops, it will provide additional amenities to service the nearby neighborhood.

The City Council should use the following criteria in Section 2.04 C of the Land Use and Development Code when making its decision:

- a. The amendment will help to support policies of the Comprehensive Plan.*
- b. The removal of the minimum floor area requirement is consistent with the non-residential design standards in the Land Use and Development Code. The removal of this restriction may allow for development of vacant land for commercial purposes.*
- c. The amendment would allow for a smaller building size and may create additional opportunities for outdoor amenities and landscape design.*
- d. The proposed standard does not undermine the original intent or design objectives and is consistent with the design standards outlined in the Land Use and Development Code.*
- e. The proposed PUD Amendment will allow the property to develop in a manner that will support and advance several policies of the Comprehensive Plan.*
- f. The Amendment meets all the review criteria for a zoning map amendment as outlined in Section 2.03 B.*
 - 1. The rezoning of the property will help support policies of the Comprehensive Plan.*
 - 2. The development of the land as allowed under the proposed PUD Amendment may create additional variation and building size within the development. As the existing commercial zoning and standards will remain in effect, the site will develop similarly to other properties under the Bromley Park PUD.*
 - 3. The property can be adequately served, and any future site developer will pay applicable costs to connect to city infrastructure.*
 - 4. The proposed PUD Amendment would no longer restrict the minimum principal building size. The development of this vacant land creates additional retail and service options for surrounding neighborhoods.*
 - 5. City staff finds the site as appropriate for commercial uses given its specific location and based on the desires of the community as expressed in the Comprehensive Plan. Site development will occur in accordance with the applicable zone district standards as outlined in the Bromley Park Land Use Regulations and the Land Use and Development Code.*

Public notice was provided in accordance with the Land Use and Development Code. Signs were posted on the subject property on February 15, 2023, written notice was mailed to all property owners within 300' of the property and a notice was published on the City of Brighton website on February 17, 2023. Notice was also posted on various social media sites. Staff has not received any formal comments.

The Development Review Committee reviewed the application and recommended approval. The Planning Commission heard the request on February 9, 2023 and recommended approval unanimously. Staff finds the PUD Amendment is in general compliance with the requirements as outlined in the Land Use and Development Code and recommends approval.

Mayor Mills asked if anyone in the audience had questions for the applicant, there was none.

Mayor Mills asked if anyone in the audience wished to speak on behalf of or against the request, there was none.

Mayor Mills asked if the applicant would like to add anything to the presentation, he did not.

Mayor Mills asked if there were questions from City Council.

Mayor Pro Tem Blackhurst asked why it was necessary to have an amendment if this is for a commercial building in a commercial area. Planner McCann explained that the Bromley Park PUD has a minimum 1,500 sq. ft. principal building size, so a smaller building could not be built.

Councilmember Padilla stated that this makes sense and is appropriate for this development and this area.

Mayor Mills stated that there is a lot of traffic in the area, and it will be good to see this cleaned up.

Councilmember Johnston asked if a previous amendment made the 1,500 sq. ft. rule or was it in the original PUD and Planner McCann explained that it was the original PUD. Councilmember Johnston asked when the last time was a PUD Amendment was done on this property and Planner McCann explained that there was an amendment to the zoning, but not to amend the Land Use Regulations.

Mayor Mills closed the public hearing at 6:53 p.m.

Motion by Mayor Pro Tem Blackhurst, seconded by Councilmember Padilla, to approve the Ordinance. Motion passed by the following vote:

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

C. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ADOPTING DISCONNECTION PROCEDURES BY AMENDING CHAPTER 17 ARTICLE 2 OF THE BRIGHTON MUNICIPAL CODE

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

Mayor Mills opened the public hearing at 6:54 p.m. and City Clerk Natalie Hoel verified the required postings and publications (February 14, 2023 on the City of Brighton Website) for this public hearing were completed.

Senior Long Range Planner Shannon McDowell presented the Amendment to the Land Use and Development Code adopting disconnection procedures. This amendment is proposed to Article 2 of the Land Use and Development Code. This is not currently addressed in the Municipal Code or Land Use and Development Code. As part of the city's Home Rule ability, standards will be adopted specific to Brighton in order to facilitate disconnection of land when requested. Without an adopted process, a lengthy court process is required.

The proposed process is modeled after the process defined in the Colorado Revised Statutes. Notice would be sent to the Board of County Commissioners and the Board of Directors of any special or metropolitan district that provides service to the property. There is a thirty-day period for those agencies to request a meeting to discuss the disconnection. If requested, the city and applicant meet with the requesting agency. If none is requested, the disconnection proceeds to consideration by the City Council. City Council then determines if the disconnection is in the best interests of the city. If approved, the Ordinance is recorded with the applicable County Clerk.

The criteria to be considered when reviewing this amendment include:

- 1. The amendment furthers the purposes of the Land Use and Development Code. This amendment provides a process for disconnection that can be consistently applied. These are an infrequent application for the city and with turnover, consistency gets lost.*
- 2. Consistency with the Comprehensive Plan. The proposed amendment supports the policy by defining a process to use for disconnection. The Comprehensive Plan highlights the use of annexation and disconnection in managing utilities and making those efficient.*
- 3. The amendment promotes the public safety, health and general welfare of the community in the City of Brighton. All of those items could be considered with an application.*
- 4. The amendment improves the effectiveness and efficiency of administering the Land Development Code. When a clear process is defined, staff is more efficient at implementing the Code.*

Public notice was provided in accordance with the Land Use and Development Code. Notice was published on the City of Brighton website on February 14, 2023. Information was posted on various social media sites. Staff has not received any formal comment.

The Development Review Committee reviewed the code amendment and recommended approval. Staff finds the Disconnection Code Amendment is in general compliance with the requirements as outlined in the Land Use and Development Code. The Planning Commission heard this code amendment on February 9, 2023 and unanimously recommended approval.

Mayor Mills asked if anyone in the audience had questions for the applicant.

Thomas Kendall, Brighton. Mr. Kendall asked if this would apply to property in an HOA or Metro District and Planner McDowell explained that it is for property in the city limits that has been annexed.

Mayor Mills asked if anyone in the audience wished to speak on behalf of or against the request, there was none.

Mayor Mills closed the public hearing at 7:01 p.m.

Motion by Councilmember Padilla, seconded by Mayor Pro Tem Blackhurst, to approve the Ordinance. Motion passed by the following vote:

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

D. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE SERVICE PLAN FOR THE SWINK METROPOLITAN DISTRICT; SETTING FORTH CERTAIN FINDINGS IN RELATION THERETO; AND APPROVING AN INTERGOVERNMENTAL AGREEMENT IN CONNECTION THEREWITH

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

Mayor Mills opened the public hearing at 7:02 p.m. and City Clerk Natalie Hoel verified the required postings and publications (February 9, 2023 in the Brighton Standard Blade) for this public hearing were completed.

Senior Planner and Historic Preservationist Emma Lane presented the Service Plan and Intergovernmental Agreement for the Swink Metropolitan District. The property is generally located north of East Bromley Lane, south of Southern Street, and between the South 45th Avenue alignment and South 50th Avenue. The 133.56-acre property is zoned R-1-A, R-2, and R-3. The Swink property, to be known as Mirasol, also contains an area zoned C-3, but it is not included in the proposed Metro District. The application was submitted and reviewed using the city's adopted Model Service Plan and the applicant seeks no variation from that. Per the Special District Act, Article 1, Title 32 of the Colorado Revised Statutes, service plans must include several items including a description of services, preliminary engineering or architectural survey showing how the services are to be provided, and a general description of facilities. In addition to the requirement in the Colorado Revised Statutes, the city's Service Plan also requires specific items to be included within the Service Plan including a mill levy cap of 60 mills, a debt service cap of 50 mills, debt service payment of no more than 40 years and Notice of Inclusion to the District, which includes an estimate of property taxes with and without the district mill levies.

The following roadways shall be fully constructed by the developer:

- *South 45th Avenue as a collector street section.*
- *Southern Street as a collector street section.*
- *South 50th Avenue as a minor arterial street section.*
- *East Bromley Lane as a major arterial street section.*
- *Frontage Road improvements will be included with the East Bromley Lane improvements.*

The developer will construct water lines in South 45th Avenue and South 50th Avenue, sewer lines in South 50th Avenue and East Bromley Lane, and storm drainage within all four external roads. The developer will also construct improvements internal to the site including new streets, water lines, sewer lines, storm drainage and landscaping.

The Service Plan provides all necessary information and aligns with the adopted Model Service Plan. The Service Plan outlines that the district will need to spend approximately \$33 million for the installation of infrastructure and will need the borrowing authority of \$50 million to cover additional costs. The full build out is estimated to be 1,180 units with a population of approximately 2,950.

Written notice was published in the Brighton Standard Blade on February 9, 2023. Notice was published on the City of Brighton website and posted to various social media sites on February 17, 2023. Staff has not received any formal comments.

Staff recommends adoption of the Service Plan for the Swink Metropolitan District and the accompanying Intergovernmental Agreement as the proposed service plan meets the requirements of Article 1, Title 32 of the Colorado Revised Statutes.

Mayor Mills asked if the applicant would like to add anything to the presentation.

Matt Ruhland with Cockrel Ela Glesne Greher & Ruhland. Mr. Ruhland thanked staff for their help with this process and gave a brief description of the improvements that will be done on this property. The commercial property was not included in the district because commercial property is assessed at a rate of 29% where residential is assessed at a rate of under 7%, so commercial and residential are not in the same district. If the service plan were not approved, it would have a significant negative impact on the project moving forward.

Mayor Mills asked if anyone in the audience had questions for the applicant, there was none.

Mayor Mills asked if anyone in the audience wished to speak on behalf of or against the request, there was none.

Mayor Mills asked if there were questions from City Council.

Councilmember Johnston asked what it means that 50th Avenue will be fully constructed. Planner Lane explained that the roadway will be widened to a full minor arterial. Councilmember Johnston asked if there will be four more lanes and Planner Lane explained it will be four lanes total and will mirror what is to the north of Southern Street. Councilmember Johnston expressed concern regarding the traffic at I-76 and Bromley Lane.

Mayor Pro Tem Blackhurst asked for the timing of the roadway improvements and wants to know if they will be done before the development is finished. Planner Lane explained that the next step is the Subdivision Plan where the phasing will be determined.

Councilmember Pawlowski stated that this will be an ideal place for people to live that could possibly work at the new business at the K-Mart Distribution Center. Traffic is an issue in the city.

Councilmember Padilla explained that the complexity of development is that improvements cannot be made before a detailed plan on what is to be built is determined. Councilmember Padilla asked for information regarding the metrics that will be used to change signaling on I-76 and Bromley Lane. This information is not directly associated with the approval of the Service Plan. Assistant Director of Public Works Christopher Montoya explained that staff is looking at the design process for signalization of the intersection, which will improve traffic control. Councilmember Padilla stated that all requirements for the Service Plan have been met and Council's obligation is to establish the metro districts to enable development and construction. Traffic is not the issue before Council at this time.

Councilmember Green is excited to see the improvements to 50th Avenue and the interchange without the city paying for those improvements.

Mayor Mills stated that this will bring improvements to the area and asked staff to work with CDOT and DRCOG to get real improvements to I-76 and Bromley Lane.

Councilmember Johnston feels the city could add I-76 into this metro district and asks that the city do better in the future.

Mayor Mills closed the public hearing at 7:27 p.m.

Motion by Councilmember Green, seconded by Councilmember Padilla, to approve Resolution 2023-24. Motion passed by the following vote:

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

No: 1 - Councilmember Johnston

7. ORDINANCES FOR INITIAL CONSIDERATION

A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING SECTION 6-4-900 OF THE BRIGHTON MUNICIPAL CODE RELATING TO MINIATURE GOAT KEEPING

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

Senior Long Range Planner Shannon McDowell explained that a pilot program was adopted in 2021 regarding miniature goat keeping on residential properties in the city, one permit was issued. City Council is required to take action to continue the program that expires March, 2023. Community Services has made several visits to the permitted home and there have been no concerns. Staff proposes to make the program permanent and not restrict the program to ten permits.

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

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

Mayor Mills called for a break at 7:35 p.m.

Mayor Mills reconvened the meeting at 7:48 p.m.

B. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, GRANTING A PERPETUAL EASEMENT TO UNITED POWER, INC. OVER A PORTION OF REAL PROPERTY GENERALLY LOCATED IN A PORTION OF THE WEST HALF OF THE NORTHEAST QUARTER AND THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 20 TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID EASEMENT ON BEHALF OF THE CITY

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

Senior Planner and Historic Preservationist Emma Lane presented the United Power easements for Farmlore, and Barr Lake, the applicant is United Power. There are two properties subject to proposed easements. The first two parcels are along the east side of Chambers Road and one parcel along East 144th Avenue next to Barr Lake. All properties are owned by the City of Brighton. The Farmlore Easement will allow Chambers Road and East 144th Avenue to be widened as required for the Farmlore Development. The Barr Lake Easement will allow FRICO access to power for a new lift station.

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

Aye: 7 - Mayor Mills, Mayor Pro Tem Blackhurst, Councilmember Johnston, Councilmember Padilla, Councilmember Pawlowski, Councilmember Pollack, and Councilmember Taddeo

Recuse: 1 - Councilmember Green

C. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, GRANTING A PERPETUAL EASEMENT TO UNITED POWER, INC. OVER A PORTION OF REAL PROPERTY LOCATED IN THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID EASEMENT ON BEHALF OF THE CITY

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

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

Aye: 7 - Mayor Mills, Mayor Pro Tem Blackhurst, Councilmember Johnston, Councilmember Padilla, Councilmember Pawlowski, Councilmember Pollack, and Councilmember Taddeo

Recuse: 1 - Councilmember Green

D. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING ARTICLE 9 OF THE BRIGHTON MUNICIPAL CODE TO UPDATE HARASSMENT LANGUAGE, INCREASE THE VALUE LIMIT FOR THEFTS, CLARIFY TRESPASS, AND ADD COMPARABLE STATE LANGUAGE FOR INTERFERING WITH A POLICE OFFICER

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

City Attorney Alicia Calderón presented amendments to the Municipal Code related to Municipal Court. The Colorado Supreme Court determined that specific language was too vague and therefore unconstitutional. That language will be removed from the harassment section. Changes to the State Statutes regarding jurisdictional dollar limits requires the city to change the theft dollar limit to \$2,000 to be prosecuted in the Municipal Court. Language is being removed in the trespass statute that did not make sense. A section is being added to mimic the State Statute regarding interference with a Police Officer so misdemeanor charges can be brought to Municipal Court and a cash bond can be put on those circumstances.

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

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

8. ORDINANCES FOR FINAL CONSIDERATION

A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, GRANTING A PERPETUAL EASEMENT TO ALLO BRIGHTON, LLC LOCATED WITHIN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID EASEMENT ON BEHALF OF THE CITY

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

Motion by Councilmember Pawlowski, seconded by Councilmember Taddeo, to approve Ordinance 2408. Motion passed by the following vote:

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

9. RESOLUTIONS

10. UTILITIES BUSINESS ITEMS

Ordinances

A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING SECTION 13-4-180 OF THE BRIGHTON MUNICIPAL CODE RELATING TO WATER USE, PROHIBITIONS, AND CONSERVATION MEASURES (FINAL READING)

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

Motion by Mayor Pro Tem Blackhurst, seconded by Councilmember Padilla, to approve Ordinance 2409. Motion passed by the following vote:

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

11. GENERAL BUSINESS

12. REPORTS

A. By the Mayor

Mayor Mills attended the Strategic Planning Session, the NATA meeting, the Allo groundbreaking, read to third graders at Foundations Academy and announced that the EVAC Spaghetti Lunch is in a couple weeks.

B. By Department Directors

C. By the City Attorney

D. By the City Manager

City Manager Michael Martinez announced that Brighton was chosen by Amprius Technologies for their site, and the time changes on Sunday.

E. By City Council

Councilmember Taddeo attended the Strategic Planning Session and the Brighton Cultural Arts Commission meeting.

Councilmember Green announced that the Barr Lake Boat Ramp opening is April 1st.

Councilmember Padilla attended the Brighton Cultural Arts Commission meeting and the Strategic Planning Session.

13. EXECUTIVE SESSION

14. ADJOURNMENT

Mayor Mills adjourned the meeting at 8:26 p.m.

CITY OF BRIGHTON, COLORADO

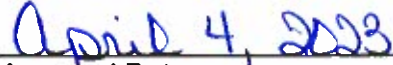


Gregory Mills, Mayor

ATTEST:



Natalie Hoel, City Clerk



Approval Date