

City of Brighton

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



Meeting Minutes

Tuesday, April 4, 2023

6:00 PM

Amended

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 6:00 p.m.

A. Pledge of Allegiance to the American Flag

Councilmember Johnston 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 Councilmember Pawlowski, 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 March 7, 2023 City Council Minutes

B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT FOR ANIMAL SHELTER SERVICES BETWEEN THE CITY OF BRIGHTON AND THE ADAMS COUNTY BOARD OF COUNTY COMMISSIONERS AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

Resolution No. 2023-35

C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING AN INTERGOVERNMENTAL AGREEMENT FOR THE PROVISION AND FUNDING OF JUVENILE ASSESSMENT SERVICES BY THE LINK AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE IGA ON BEHALF OF THE CITY FOR 2023 AND FUTURE YEARS UNTIL THE ANNUAL ASSESSMENT EXCEEDS ONE HUNDRED THOUSAND DOLLARS (\$100,000)

Resolution No. 2023-36

Motion by Councilmember Pawlowski, seconded by Councilmember Johnston, 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. Gerry Evans Day Proclamation

Mayor Mills read the Proclamation into the record.

Motion by Councilmember Green, seconded by Councilmember Pawlowski, 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. Adams County Mayors and Commissioners Youth Awards

Manager of Youth Services Tawnya Russell introduced the nominees for the Mayors and Commissioners Youth Awards.

C. Child Abuse Prevention Month Proclamation

Councilmember Padilla read the Proclamation into the record.

Motion by Councilmember Pawlowski, seconded by Councilmember Taddeo, 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

D. Volunteer Month Proclamation

Mayor Mills 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

E. Sexual Assault Awareness Month Proclamation

Mayor Pro Tem Blackhurst 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

F. National Crime Victims' Rights Week Proclamation

Councilmember Pollack read the Proclamation into the record.

Motion by Councilmember Pawlowski, seconded by Councilmember Taddeo, 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

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

Tom Lampo prayed for the city.

6. PUBLIC HEARINGS**7. ORDINANCES FOR FINAL CONSIDERATION****A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING ARTICLE 2 OF THE BRIGHTON MUNICIPAL CODE RELATING TO BOARDS AND COMMISSIONS**

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

City Attorney Alicia Calderón gave a brief overview of the changes to the Board and Commission Section of the Municipal Code.

Motion by Mayor Pro Tem Blackhurst, seconded by Councilmember Taddeo, to approve Ordinance 2416. 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. RESOLUTIONS**A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, WAIVING THE FORMAL SOLICITATION PROCEDURE FOR THE PURCHASE OF A DIGGER DERRICK TRUCK**

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

Fleet and Facilities Director Patrick Rome asked for approval to purchase equipment through auction outside of the normal procurement process. The 2023 budget includes funds to purchase the used truck through a private seller or auction. This is an important piece of equipment for the Public Works Department.

Motion by Councilmember Padilla, seconded by Councilmember Pawlowski, to approve Resolution 2023-37. 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. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, CREATING A COMMITTEE TO REVIEW THE CHARTER AND MAKE RECOMMENDATIONS FOR POSSIBLE AMENDMENTS TO THE CHARTER

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

City Attorney Alicia Calderón explained that City Council discussed the idea of creating a committee to review the Charter, which would include two City Council members, three community residents and the City Manager as a non-voting member. This action would create a procedure and set a timeline for the acceptance of applications, appointment of members, meeting schedule, and date of dissolution of the committee.

Motion by Councilmember Johnston, seconded by Councilmember Green, to continue the Resolution to May 2, 2023. 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. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, DIRECTING CITY STAFF TO PREPARE AN ORDINANCE AMENDING THE BRIGHTON MUNICIPAL CODE TO ALLOW FOR THE OPERATION OF MARIJUANA BUSINESSES WITHIN THE CITY AND TO ENACT REASONABLE REGULATIONS AND RESTRICTIONS APPLICABLE TO MARIJUANA STORE LICENSES

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

City Attorney Alicia Calderón presented an overview of the Medical and Retail Store Licenses and the tracking and sale requirements for each.

Motion by Councilmember Johnston, seconded by Councilmember Padilla, to approve Resolution 2023-38. Motion passed by the following vote:

Aye: 5 - Councilmember Green, Councilmember Johnston, Councilmember Padilla, Councilmember Pollack, and Councilmember Taddeo

No: 3 - Mayor Mills, Mayor Pro Tem Blackhurst, and Councilmember Pawlowski

D. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, DIRECTING CITY STAFF TO PREPARE AN ORDINANCE AMENDING THE BRIGHTON MUNICIPAL CODE TO ALLOW FOR THE OPERATION OF MARIJUANA BUSINESSES WITHIN THE CITY AND TO ENACT REASONABLE REGULATIONS AND RESTRICTIONS APPLICABLE TO MARIJUANA CULTIVATION FACILITY LICENSES

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

City Attorney Alicia Calderón presented an overview of the Medical and Retail Store Cultivation Facility Licenses and the tracking and sale requirements for each.

Resolution failed for lack of a Motion.

E. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, DIRECTING CITY STAFF TO PREPARE AN ORDINANCE AMENDING THE BRIGHTON MUNICIPAL CODE TO ALLOW FOR THE OPERATION OF MARIJUANA BUSINESSES WITHIN THE CITY AND TO ENACT REASONABLE REGULATIONS AND RESTRICTIONS APPLICABLE TO MARIJUANA TESTING FACILITY LICENSES

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

City Attorney Alicia Calderón presented an overview of the Medical and Retail Testing Facility Licenses and the requirements for these types of facilities including restrictions regarding financial interest in other types of marijuana licenses.

Resolution failed for lack of a Motion.

F. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, DIRECTING CITY STAFF TO PREPARE AN ORDINANCE AMENDING THE BRIGHTON MUNICIPAL CODE TO ALLOW FOR THE OPERATION OF MARIJUANA BUSINESSES WITHIN THE CITY AND TO ENACT REASONABLE REGULATIONS AND RESTRICTIONS APPLICABLE TO MARIJUANA PRODUCTS MANUFACTURER LICENSES

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

City Attorney Alicia Calderón presented an overview of the Marijuana Products Manufacturer Licenses and the requirements to produce that product.

Resolution failed for lack of a Motion.

Mayor Mills called for a break at 8:11 p.m.

Mayor Mills reconvened the meeting at 8:24 p.m.

G. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, DIRECTING CITY STAFF TO PREPARE AN ORDINANCE AMENDING THE BRIGHTON MUNICIPAL CODE TO ALLOW FOR THE OPERATION OF MARIJUANA BUSINESSES WITHIN THE CITY AND TO ENACT REASONABLE REGULATIONS AND RESTRICTIONS APPLICABLE TO MARIJUANA HOSPITALITY LICENSES

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

City Attorney Alicia Calderón presented an overview of the Marijuana Hospitality Licenses and the restrictions and requirements for those premises.

Resolution failed for lack of a Motion.

9. UTILITIES BUSINESS ITEMS

10. GENERAL BUSINESS

A. City Hall Security / Access

City Attorney Alicia Calderón explained that City Council members have access to City Hall during normal business hours and during City Council meetings per the City Council Rules of Procedure and the Municipal Code.

City Council members discussed Council members having access to City Hall outside of normal business hours.

11. REPORTS

A. By the Mayor

Mayor Mills attended the NATA meeting, the NLC conference, a tour of Precision Building Systems, Chamber events, a ribbon cutting at Team Toddler, the groundbreaking for the Eagle Ridge Academy expansion and a Union Pacific Railroad event.

B. By Department Directors

C. By the City Attorney

D. By the City Manager

Deputy City Manager Marv Falconburg attended the NLC conference.

E. By City Council

Councilmember Padilla attended the Public Art Committee meeting, the Adams County Committee on Grant Proposals for Opioid Abatement, the NLC Conference and announced that the State of the City is tomorrow.

Councilmember Pawlowski attended the Eagle View Adult Center Volunteer Awards luncheon and the E-470 Foundation meeting.

Councilmember Green attended the Police Vehicle Theft event.

Councilmember Taddeo attended the NLC Conference and announced that the 1st meeting for the Single Hauler Discussion is tomorrow at the Recreation Center.

12. EXECUTIVE SESSION

Motion by Mayor Pro Tem Blackhurst, seconded by Councilmember Padilla, to go into Executive Session for legal advice on specific legal questions relating to Litigation under C.R.S. Section 24-6-402(4)(b) and City Charter Section 5.4 (C)(3). 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

Mayor Mills reconvened the meeting at 9:06 p.m.

13. ADJOURNMENT

Mayor Mills adjourned the meeting at 9:07 p.m.

CITY OF BRIGHTON, COLORADO




Gregory Mills, Mayor

ATTEST:



Natalie Hoel, City Clerk



Approval Date