

City of Brighton

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



Meeting Minutes

Tuesday, May 16, 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 Taddeo led the recitation of the Pledge of Allegiance to the American Flag.

B. Roll Call

Present: 7 - Mayor Mills, Councilmember Green, Councilmember Johnston, Councilmember Padilla, Councilmember Pawlowski, Councilmember Pollack, and Councilmember Taddeo

Absent: 1 - Mayor Pro Tem Blackhurst

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

Absent: 1 - Mayor Pro Tem Blackhurst

3. CONSENT AGENDA

A. Approval of the April 18, 2023 City Council Minutes

B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE SECOND AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF BRIGHTON AND URBAN DRAINAGE AND FLOOD CONTROL DISTRICT D/B/A MILE HIGH FLOOD DISTRICT REGARDING FINAL DESIGN AND CONSTRUCTION OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR THE BRIGHTON NORTH OUTFALL AT BASELINE, AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AMENDMENT ON BEHALF OF THE CITY

Resolution No. 2023-55

C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING INTERGOVERNMENTAL AGREEMENT NO. 23-04.24 BETWEEN THE CITY OF BRIGHTON AND URBAN DRAINAGE AND FLOOD CONTROL DISTRICT D/B/A MILE HIGH FLOOD DISTRICT REGARDING REGIONAL PLANNING STUDIES, DESIGN, CONSTRUCTION, AND MAINTENANCE OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR BRIGHTON SOUTH OUTFALL AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID INTERGOVERNMENTAL AGREEMENT ON BEHALF OF THE CITY

Resolution No. 2023-56

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

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

Absent: 1 - Mayor Pro Tem Blackhurst

4. CEREMONIES

A. Recognition of the Water Conservation Poster Contest Winners

Colorado Water Conservation Board member Robert Sakata spoke about water conservation and congratulated the winners of the contest.

Utilities Program Coordinator Louis Morris and Utilities Director Marc Johns recognized the Water Conservation Poster Contest winners Paige Nino, Jaidyn Dominguez, Grace Kelly, and Jaslyn Fresquez.

B. Honoring Justin Daigle and Brighton High School 2022 Reflections Yearbook Team Proclamation

C. National Police Week Proclamation

D. Kids to Parks Day Proclamation

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

Tom Lampo prayed for the city.

Andrew Huie with Amprius Technologies reported that they will be hosting a community open house on May 24th and 25th at the Armory to answer questions and present information regarding the facility and manufacturing process.

6. PUBLIC HEARINGS

A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING CHAPTER 15 OF THE BRIGHTON MUNICIPAL CODE AND ADOPTING BY REFERENCE THE 2023 EDITION OF THE NATIONAL ELECTRICAL CODE (FINAL READING)

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

Mayor Mills opened the public hearing at 6:30 p.m. and City Clerk Natalie Hoel verified the required postings and publications (April 27 and May 4, 2023 in the Brighton Standard Blade) for this public hearing were completed.

Deputy Building Official Michael Abruzzi presented the 2023 National Electrical Code adoption. This action will cycle to the current standards in Chapter 15 of the Municipal Code. This Code was prepared by the National Fire Protection Association National Electrical Code Committee, which developed new codes, updated code sections, and included new standards in technologies for safe installation of electrical systems. The adoption of the current code is required by the State of Colorado Electrical Board and is required every three years per State Statute.

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 Padilla is grateful that staff is adopting these changes in a timely manner.

Mayor Mills closed the public hearing at 6:34 p.m.

Motion by Councilmember Green, seconded by Councilmember Taddeo, to approve Ordinance 2419. Motion passed by the following vote:

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

Absent: 1 - Mayor Pro Tem Blackhurst

7. CONSOLIDATED ITEMS FOR SEQUENTIAL REVIEW

A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ADDING A SUB-SECTION TO BRIGHTON MUNICIPAL CODE SECTION 13-16-70 REGARDING WASTEWATER FEES (FINAL READING)

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

Finance Director Catrina Asher presented the Amendment to the Agreement with Metro Water Recovery to allow a payoff in 2023. This requires that the city would transfer all sewer flows to Metro within 30 days and the city would commence with decommissioning activities of the Wastewater Treatment Plant within 180 days. This would also prohibit the city from opening a new Wastewater Treatment Plant. If approved, the city would transfer flows to Metro by July 30th and would decommission the city's plant between August and December.

Motion by Councilmember Pawlowski, seconded by Councilmember Padilla, to approve Ordinance 2420. Motion passed by the following vote:

Aye: 5 - Mayor Mills, Councilmember Green, Councilmember Padilla, Councilmember Pawlowski, and Councilmember Taddeo

No: 2 - Councilmember Johnston, and Councilmember Pollack

Absent: 1 - Mayor Pro Tem Blackhurst

B. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AUTHORIZING, APPROVING, AND DIRECTING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT AND A PROMISSORY NOTE PAYABLE FROM NET REVENUES DERIVED FROM THE OPERATION OF THE CITY OF BRIGHTON WATER ACTIVITY ENTERPRISE, AND CERTAIN OTHER DOCUMENTS IN CONNECTION THEREWITH, FOR THE PURPOSE OF FINANCING THE PAYMENT IN FULL OF THE CITY'S SEWAGE TREATMENT AND DISPOSAL AGREEMENT (SERVICE CONTRACT) WITH METRO WATER RECOVERY (FINAL READING)

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

Motion by Councilmember Padilla, seconded by Councilmember Taddeo, to approve Ordinance 2421. Motion passed by the following vote:

Aye: 5 - Mayor Mills, Councilmember Green, Councilmember Padilla, Councilmember Pawlowski, and Councilmember Taddeo

No: 2 - Councilmember Johnston, and Councilmember Pollack

Absent: 1 - Mayor Pro Tem Blackhurst

C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING AN AMENDMENT TO THE SEWAGE TREATMENT AND DISPOSAL AGREEMENT WITH METRO WATER RECOVERY, AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE TO EXECUTE THE AMENDMENT

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

Motion by Councilmember Pawlowski, seconded by Councilmember Padilla, to approve Resolution 2023-57. Motion passed by the following vote:

Aye: 6 - Mayor Mills, Councilmember Green, Councilmember Padilla, Councilmember Pawlowski, Councilmember Pollack, and Councilmember Taddeo

No: 1 - Councilmember Johnston

Absent: 1 - Mayor Pro Tem Blackhurst

D. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING CERTAIN ACCOUNTS IN THE GENERAL FUND, CAPITAL FUND, LODGING TAX FUND, CEMETERY FUND AND WASTEWATER FUND; AND APPROPRIATING MONEY FOR EXPENDITURES IN THE AMOUNT OF \$46,856,273 TO SUPPORT ADDITIONAL SCHOOL RESOURCE OFFICERS, A COMMUNITY PHYSICAL BRANDING STUDY, ADDITIONAL LODGING TAX AWARDS, POSITIONS IN THE PARKS AND RECREATION DEPARTMENT, AND BORROWING FOR THE BUYOUT OF A CONTRACT WITH METRO WATER RECOVERY(PUBLIC HEARING)

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

Mayor Mills opened the public hearing at 6:48 p.m. and City Clerk Natalie Hoel verified the required postings and publications (May 4, 2023 in the Brighton Standard Blade) for this public hearing were completed.

Budget and Performance Manager Kayla Barber-Perrotta presented the 2nd Amendment to the 2023 Budget. The amendments are needed for the Metro Water Recovery buyout, the Community Physical Branding Plan, Lodging Tax, Cemetery and Recreation Center staff and the equipment and vehicles for six School Resource Officers. 27J Schools will cover the salaries and benefits of the new SRO's. This is a \$46,856,273 increase to the 2023 budget.

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 Padilla asked if the two additional staff members were added because of an increase in sales tax and Manager Barber-Perrotta stated that it was.

Mayor Mills closed the public hearing at 6:56 p.m.

Motion by Councilmember Green, seconded by Councilmember Taddeo, to approve Resolution 2023-58. Motion passed by the following vote:

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

Absent: 1 - Mayor Pro Tem Blackhurst

8. ORDINANCES FOR INITIAL CONSIDERATION

9. ORDINANCES FOR FINAL CONSIDERATION

- A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ADDING SECTIONS TO CHAPTERS 2 AND 3 OF THE BRIGHTON MUNICIPAL CODE RELATING TO LEASES, REVOCABLE LICENSES AND PERMITS, INTERGOVERNMENTAL AGREEMENTS, AND NON-LAPSING CAPITAL IMPROVEMENT APPROPRIATIONS**

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

Motion by Councilmember Padilla, seconded by Councilmember Pawlowski, to approve Ordinance 2422. Motion passed by the following vote:

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

Absent: 1 - Mayor Pro Tem Blackhurst

- B. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING CHAPTER 6 – ANIMALS, OF THE BRIGHTON MUNICIPAL CODE**

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

Motion by Councilmember Padilla, seconded by Councilmember Pawlowski, to approve Ordinance 2423. Motion passed by the following vote:

Aye: 5 - Mayor Mills, Councilmember Padilla, Councilmember Pawlowski, Councilmember Pollack, and Councilmember Taddeo

No: 2 - Councilmember Green, and Councilmember Johnston

Absent: 1 - Mayor Pro Tem Blackhurst

- C. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO AMENDING ARTICLE 10 – VEHICLES & TRAFFIC, OF THE BRIGHTON MUNICIPAL CODE**

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

Motion by Councilmember Padilla, seconded by Councilmember Pawlowski, to approve Ordinance 2424. Motion passed by the following vote:

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

Absent: 1 - Mayor Pro Tem Blackhurst

10. RESOLUTIONS

11. UTILITIES BUSINESS ITEMS

12. GENERAL BUSINESS

13. REPORTS

A. By the Mayor

Mayor Mills attended Teacher Appreciation Week events, the Chamber luncheon, the Airport Coordinating Committee meeting, and the Adams County Open Space awards. Move with the Mayor is Saturday at Kids to Parks Day.

B. By Department Directors

C. By the City Attorney

City Attorney Alicia Calderón reported on the Adams County Fresh Start Day for the District Court.

D. By the City Manager

City Manager Michael Martinez attended the AC-REP meeting where Brighton projects were discussed. City Manager Martinez will be attending the International Conference of Shopping Centers this weekend.

E. By City Council

Councilmember Taddeo attended the Housing Authority meeting and the Chamber luncheon. The Historic Preservation Gala is this weekend.

Councilmember Green attended the Law Day breakfast, the Open Space Awards breakfast, the Splendid Valley bus tour and the State of the Region luncheon.

Councilmember Johnston attended a meeting regarding the Lodging Tax Advisory Committee.

Councilmember Pawlowski attended the ADCOG dinner, the Chamber luncheon, the E-470 meeting, and the DRCOG meeting.

Councilmember Padilla attended the Airport Coordinating Committee meeting and a meeting with the Housing Authority. Summerfest is June 3rd.

14. EXECUTIVE SESSION

15. ADJOURNMENT

Mayor Mills adjourned the meeting at 7:20 p.m.

CITY OF BRIGHTON, COLORADO




Gregory Mills, Mayor

ATTEST:



Natalie Hoel, City Clerk



Approval Date