

# City of Brighton

500 S. 4th Avenue  
Brighton, CO 80601



## Meeting Minutes

Tuesday, August 16, 2022

6:00 PM

Council Chambers

### City Council

**MAYOR - GREGORY MILLS**  
**MAYOR PRO TEM - ADAM CUSHING**  
**COUNCIL MEMBERS:**  
**CLINT BLACKHURST, 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:** 7 - Mayor Mills, Councilmember Blackhurst, Councilmember Johnston, Councilmember Padilla, Councilmember Pawlowski, Councilmember Pollack, and Councilmember Taddeo

**Not Present:** 1 - Mayor Pro Tem Cushing

**2. APPROVAL OF REGULAR AGENDA**

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

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

**Absent:** 1 - Mayor Pro Tem Cushing

**3. CONSENT AGENDA**

**A. Approval of the July 19, 2022 City Council Minutes**

**B. Approval of the July 26, 2022 City Council Minutes**

**C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE PROPOSAL OF ARAPAHOE ROOFING & SHEET METAL, INC. FOR THE CITY-WIDE ROOFING PROJECT FOR THE CONTRACT AMOUNT OF ONE HUNDRED TWENTY-FIVE THOUSAND THREE HUNDRED TWENTY-NINE DOLLARS (\$125,329.00) AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY**

**Resolution No. 2022-90**

**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 JUNE OF 2024**

**Resolution No. 2022-91**

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

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

**Absent:** 1 - Mayor Pro Tem Cushing

#### 4. CEREMONIES

##### A. Swear in Brighton Youth Commission and Youth Corps of Volunteers Members

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

##### B. Presentation of Gift from Ziebice by Brighton Sister Cities

*Bonnie Simcox, president of Brighton Sister Cities presented a gift to Council from Ziebice, Poland.*

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

#### 6. PUBLIC HEARINGS

#### 7. CONSOLIDATED ITEMS FOR SEQUENTIAL REVIEW

##### A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, MAKING CERTAIN FINDINGS OF FACT REGARDING THE PROPOSED ANNEXATION OF AN APPROXIMATE 95.105 ACRES OF CONTIGUOUS LAND, KNOWN AS THE MAGPIE PROPERTY ANNEXATION, IN THE SOUTHWEST QUARTER OF SECTION 11, THE EAST ONE HALF OF SECTION 11, THE WEST ONE HALF OF SECTION 12, AND THE NORTH HALF OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO (PUBLIC HEARING)

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

*Mayor Mills opened the public hearing at 6:18 p.m. and City Clerk Natalie Hoel verified the required postings and publications (July 14, 21, 28 and August 4, 2022 in the Denver Post) for this public hearing were completed.*

*Associate Planner Nick Di Mario presented the Magpie Annexation and explained that this public hearing would cover the Resolution and the Ordinance for annexation. The property is located to the north of E. 152<sup>nd</sup> Avenue (Bromley Lane) and east of the Burlington Northern Santa Fe Railroad and is 95.105 acres, is unplatted and zoned A-3 (Agricultural – 3) under Adams County. If the annexation is approved, a zoning Ordinance would be presented requesting the zoning be changed to I-1 (Light Industrial) as the applicant wishes to annex the property for industrial zoning and land uses.*

*Annexations are regulated by Colorado state law and is a four-step process.*

- 1. A petition for annexation is presented to City Council. If the petition is deemed substantially compliant with state law, a Resolution is passed, this was done on July 5, 2022.*
- 2. City Council must find that the annexation request meets all criteria as set forth by state law, they vote on an eligibility Resolution.*
- 3. City Council must conduct the first reading of the Annexation Ordinance with a public hearing.*
- 4. A second reading must occur before the Ordinance is passed. At that time, an Annexation Agreement may be approved via Resolution.*

*City Council must determine whether the Annexation complies with the following statutory requirements in C.R.S. Section 31-12-104*

- a. Not less than 1/6 of the perimeter of the area to be annexed is contiguous with the City of Brighton; the property is 22.80% contiguous with the Brighton city limits.*
- b. A community of interest exists between the municipality; minimum contiguity shall mean a community of interest.*

- c. *The area to the annexed is urban and is to be urbanized; the area is to be urbanized in the near future.*
- d. *The area is integrated or capable of integration within the municipality; the area is capable of being integrated within the City of Brighton via sufficient access to utilities and future zoning.*

*Regarding C.R.S. Section 31-12-105, staff has deemed that the request meets the statutory limitations as the request does not separate property held in identical ownership, all property owners have given consent, no other municipality has commenced any annexation proceedings, and the request does not extend the municipal boundaries by more than three miles per year. Comprehensive and technical plans, including the Municipal Code, outline processes and details for services and land uses. Zoning will be in place within ninety days if the Ordinance is approved. This annexation request includes the entirety of East 152<sup>nd</sup> Avenue (Bromley Lane) and the annexation of the property would not deny reasonable access to adjoining landowners.*

*Regarding C.R.S. Section 31-12-108, Notice was published once a week for four successive weeks in the Denver Post on July 14, 21, 28 and August 4 2022. Both the publications and notices were sent within the required timeframes of the Colorado Revised Statutes.*

*Regarding C.R.S. Section 31-12-108.5, an Impact Report was prepared and sent to the Adams County Board of Commissioners within the required timeframe. The Impact Report included all applicable maps, municipal service, financing and school district information.*

*Regarding C.R.S. Section 31-12-109, the Annexation Impact Report included that any person may appear and present evidence and that all proceedings must be recorded.*

*Regarding C.R.S. Section 31-12-110, the governing body must set forth findings of fact and conclusion in a Resolution and that information is included in the Resolution.*

*The Future Land Use Map of the Comprehensive Plan designates the subject property as Agriculture and Natural Resource Conservation and the property is within the City's growth boundary. The Natural Resource Conservation designation is in place due to the presence of a FEMA regulatory floodplain. This floodplain overlay can be altered or removed through a process known as a letter of map revision. Since this is under the purview of the federal government, the applicant and/or developer need to submit a letter of map revision to FEMA along with a study demonstrating that the property will no longer be encumbered by a 100-year floodplain due to changes in the elevation of the property or hydrology, and/or the hydraulics of the natural waterway. This would need to be reviewed and approved by FEMA prior to any development occurring on the property. The applicant and/or developer would need to demonstrate the revision is in compliance with the federal Endangered Species Act. If annexed and zoned, City staff, FEMA, the Colorado Water Conservation Board, Mile High Flood District and the applicant would work together to ensure all regulations are followed related to floodplains. Once a map revision is approved, the City would modify the flood control district overlay boundary allowing development to occur on the property according to an approved zoning designation.*

*Staff has determined that the request for annexation complies with several principles and policies of the Comprehensive Plan. These include Chapter 2: Current Context and Values; Workforce & Job Opportunities and Development Pattern related to sustainability. Chapter 3: Future Land Use Plan and Opportunity Areas; Policy 9, Retain and Expand the Bromley Interstate Business Park. Chapter 4: City Wide Principles, Policies & Strategies; Managing Growth Principal 1, Policy 1.1 and 1.3. Freestanding City Principle 2; Policy 2.1, 2.2, and 2.4.*

*Annexations must meet the review criteria as outlined in Article 2 of the Land Use and Development Code.*

1. *The request complies with the Municipal Annexation Act of 1965, Section 31-12-101.*
2. *This request is in accordance with the Comprehensive Plan and other plans or policies created under the guidance of that plan.*
3. *The property is capable of integration into the City of Brighton.*
4. *City services can be extended in a timely and fiscally responsible manner.*
5. *There will be an adequate capacity to serve this development and its occupants.*
6. *Any development upon the land will be done in a well-ordered fashion with regard to long-range development transportation patterns, open space and all plans and reports will be to Code.*

Staff has determined the request for annexation meets all criteria in Article 2, Section 2.1 of the Land Use and Development Code. Staff recommends approval of the Magpie Property Annexation.

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

Madison Jones, representing Lovett Industrial, applicant and developer. Mr. Jones is active in the community at this time and feels this location is a good fit. They are eager to grow in the Denver area and feels the Brighton community offers a lot of industrial investment opportunities. The developer is under contract for this property and has been for the past sixteen months. The goal is to have the property annexed in the City and achieve light industrial zoning, which is appropriate for the proposed development.

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.

Joe Gonzales, Brighton. Mr. Gonzales expresses concern regarding the truck traffic, light, noise and pollution with this operation, the environment at Barr Lake State Park, and the wildlife and birds in the area. Mr. Gonzales has lived in the area for 17 years and wants to keep his country living.

Roger Allgeier, Owner and Manager of Magpie Run Properties has owned the property for eighteen years and is finding it hard to find anyone to farm the property. Central Water cut the usage back on the well and it is no longer feasible to keep the property. Mr. Allgeier has not seen any eagles on the property. Lovett Industrial has been easy to work with and they are very reputable. Mr. Allgeier is happy that this is coming to a positive conclusion.

Kris Ruxton, Brighton. Ms. Ruxton expressed concern regarding traffic on Picadilly Road and the safety for the wildlife in the area. Ms. Ruxton does not want to lose the country life she has.

Mr. Jones responded to concerns regarding the bald eagle habitats and the environmental studies that have been done. The project will be designed with open space requirements with a focus on being cohesive with the surrounding environment. A traffic impact analysis was performed, and they will achieve the required standards and not make things worse in the area. Impact fees will be paid and 152<sup>nd</sup> Avenue will very likely be expanded, and improvements will be made to City infrastructure. Water shares will be dedicated to the City to provide necessary water for development.

Mayor Mills asked if any correspondence had been received, there was none.

Mayor Mills asked if there were questions from City Council.

Councilmember Johnston asked if Planning Commission has seen this and Planner Di Mario reported that they did not see the annexation but did review the zoning. Councilmember Johnston asked if 152<sup>nd</sup> would be expanded, the number of trucks recognized in the traffic studies, the time of day the trucks are coming and the impact of the truck traffic on the roundabout at I-76 and Bromley Lane. City Attorney Alicia Calderón explained that many of the details being discussed are under negotiation and will be part of documents being considered in the future, so the applicant is not bound to speak on anything that is not finalized. Mr. Jones explained that "very likely" is based on the traffic impact analysis based on a preliminary site plan design, this could change. It is suggesting that improvements be made to 152<sup>nd</sup> Avenue to mitigate some traffic issues or keep them from becoming worse. Truck traffic would be generated throughout the whole day. Councilmember Johnston asked what the volume of water rights would be. Mr. Jones explained that 12 to 25 acre-feet would be provided, whatever is appropriate.

Councilmember Blackhurst feels this property is well suited for light industrial and asked why the user would be sending truck traffic down Picadilly Road. Planner Di Mario explained that he does not see a reason for any industrial traffic to utilize Picadilly Road.

Councilmember Padilla asked why the Resolution has different acres listed in the document. Planner Di Mario reported that the correct acres is 95.105. City Attorney Calderón explained that the Resolution contains the legal description, so while the Whereas section of the Resolution does not

contain the correct number, the action portion of the Resolution is accurate. No amendment will be needed to approve the Resolution. Councilmember Padilla asked if the first action is to determine if the property and plan meet the legal requirement for an annexation, Planner Di Mario stated that is correct. Councilmember Padilla asked if Brighton does not proceed with the annexation, this would be an Adams County Development and not a City development. Planner Di Mario agreed and noted that the site plan criteria would be through Adams County. Councilmember Padilla asked that if the City would like to set standards, it needs to be in control of the property, Planner Di Mario said yes and noted that the City would also absorb the impact fees. Councilmember Padilla noted that the largest impact of traffic is on 152<sup>nd</sup> Avenue approaching I-76 and asked if there is an expected increase in truck traffic on Picadilly Road. Planner Di Mario explained that there is an impact to 152<sup>nd</sup> Avenue, but not on Picadilly Road, the applicant or developer will be required to make improvements.

Mayor Mills encouraged staff to work with Adams County to make improvements all the way to Picadilly Road, which is located in Adams County. People are using Picadilly Road to avoid traffic on 120<sup>th</sup> Avenue.

Mayor Mills closed the public hearing at 7:10 p.m.

**Motion by Councilmember Johnston, seconded by Councilmember Blackhurst, to approve Resolution 2022-92. Motion passed by the following vote:**

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

**Absent:** 1 - Mayor Pro Tem Cushing

**B. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ANNEXING TO THE CITY OF BRIGHTON APPROXIMATELY 95.105 ACRES OF CONTIGUOUS LAND, IN THE SOUTHWEST QUARTER OF SECTION 11, THE EAST ONE HALF OF SECTION 11, THE WEST ONE HALF OF SECTION 12, AND THE NORTH HALF OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO (FIRST READING)**

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

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

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

**Absent:** 1 - Mayor Pro Tem Cushing

**C. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE MAGPIE PROPERTY ZONING MAP AMENDMENT FROM ADAMS COUNTY A-3 TO I-1 FOR AN APPROXIMATELY 95.105 ACRES OF PROPERTY, GENERALLY LOCATED IN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 11, THE EAST ONE-HALF OF SECTION 11, THE WEST ONE-HALF OF SECTION 12, AND THE NORTH HALF OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO (PUBLIC HEARING, FIRST READING)**

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

Mayor Mills opened the public hearing at 7:14 p.m. and City Clerk Natalie Hoel verified the required postings and publications (July 29, 2022 on the City of Brighton website) for this public hearing were completed.

Associate Planner Nick Di Mario presented the Magpie Zoning Map Amendment from Adams County A-3 zoning to I-1 (Light Industrial) zone district. The property is located to the north of East 152<sup>nd</sup> Avenue (Bromley Lane) and east of the Burlington Northern Santa Fe Railroad, is approximately 95.105 acres and is comprised of six properties. The property is currently in the annexation process, is unplatted and zoned A-3 by Adams County. The property is adjacent to City facilities on one of its four sides and adjacent to industrial land uses under the Bromley Park PUD 1<sup>st</sup> and 15<sup>th</sup> Amendments. A Development Agreement would be required before site development could occur.

The Land Use and Development Code defines I-1 zoning as a district that provides primarily service, employment, manufacturing and distribution uses at a scale, intensity and format that will not have significant impact on adjacent uses, and which can mix with supporting and compatible service and retail uses. The I-1 zone district permits uses by right such as manufacturing, storage and warehousing, vehicle service and repair, and distribution, the same uses that can be found adjacent to the property.

The Future Land Use Map of the Comprehensive Plan designates the subject property as Agriculture and Natural Resource Conservation. The subject property is within the City's growth boundary. The applicant will need to demonstrate that the land can be developed outside of the floodplain via a letter of map revision through FEMA. If reviewed and approved by the federal government, this designation is no longer needed.

Staff has determined that the request for annexation aligns with several principles and policies of the Comprehensive Plan including Chapter 2: Current Context and Values, Workforce and Job Opportunities and Development Pattern. Chapter 3: Future Land Use Plan and Opportunity Areas, Policy 9 Retain and Expand the Bromley Interstate Business Park. Chapter 4: City Wide Principles, Policies and Strategies; Managing Growth Principle 1, Policy 1.1 and 1.3, Freestanding City Principle 2, Policy 2.1, 2.2 and 2.4.

The request must be reviewed against Article 2.03 B, Zoning Map Amendment of the Land Use and Development Code.

1. The rezoning will help to support a number of policies of the Comprehensive Plan.
2. The development of the land as allowed under the I-1 zone district will ensure that the site develops in accordance with all requirements of the Land Use and Development Code. The surrounding allowed uses are compatible with the use of the property.
3. The property can be adequately served and any future site developer would pay applicable costs to connect to City infrastructure. External referral agencies will have the chance to review and comment on future plans that will be submitted to the City and reviewed by appropriate parties.
4. The property is currently outside the city limits and zoned Agriculture 3 with Adams County. The rezoning will facilitate industrial development within the Bromley Interstate Business Park area and provide job creation.
5. Staff finds the site is appropriate for industrial uses given its specific location and based on the desires of the community as expressed in the Comprehensive Plan. Site development including buffering and building design will occur in accordance with the Land Use and Development Code.

In accordance with the Land Use and Development Code, two signs were posted on the property on July 28, 2022, written notice was mailed to all property owners within 1,000 feet of the property and notice was published on the City's website on July 29, 2022. Notice was posted on various social media sites. Prior to initial submission and in accordance with the Land Use and Development Code, a neighborhood meeting was held on March 16, 2022. Staff has not received any formal comment.

The Development Review Committee reviewed the project and recommended approval. The Planning Commission heard the request on July 14, 2022 and recommended approval by a 3 to 1 vote. Staff finds the Zoning Map Amendment is in general compliance with the requirements as outlined in the Land Use and Development Code and is in general compliance with the goals and objectives as set

forth by the Comprehensive Plan. Staff recommends approval of the Magpie Property Zoning Map Amendment.

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

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

Terry Hill asked if Adams County denied the request and that is why this was brought to Brighton and asked what the impact will be with the lighting at night. Madison Jones explained that the process began in Brighton, and the original plans were not met favorably by the city. The developer then went to Adams County and during that process they began speaking with the City of Brighton again. The city then worked with the applicant on the annexation process. Adams County wanted the applicant to go to Brighton, so they denied the request. The process then began again with the City of Brighton. There will be appropriate lighting levels that meet the Code for safety reasons.

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 any correspondence had been received, there was none.

Mayor Mills asked if there were questions from City Council.

Councilmember Johnston asked what the comments were from the Planning Commissioner that voted for denial. Planner Di Mario reported that the comments were specific to the future land use designation as Agriculture and Natural Resource Conservation and centered around traffic. Councilmember Johnston explained that having this development under the city will be more beneficial for the residents in the surrounding area. These comments will be considered when negotiations are done during this development process.

Councilmember Padilla explained that annexing the property gives the city more control over the property and will ensure there is a plan for the industrial development. Staff is trying to ensure that the development is planned well for access for those in the city and the community that we value around Barr Lake.

Mayor Mills closed the public hearing at 7:31 p.m.

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

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

**Absent:** 1 - Mayor Pro Tem Cushing

## **8. ORDINANCES FOR INITIAL CONSIDERATION**

## **9. ORDINANCES FOR FINAL CONSIDERATION**

### **A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, RESCINDING AND REPLACING SECTION 3-8 CONTRACTS AND PURCHASES OF THE BRIGHTON MUNICIPAL CODE**

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

Finance Director Catrina Asher explained that a change has been made since first reading to increase the micropurchase amount from \$10,000 to 15,000 at the direction of City Council.



**Motion by Councilmember Padilla, seconded by Councilmember Blackhurst, to approve Ordinance 2391. Motion passed by the following vote:**

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

**Absent:** 1 - Mayor Pro Tem Cushing

*Mayor Mills called for a break at 7:34 p.m.*

*Mayor Mills reconvened the meeting at 7:47 p.m.*

## 10. RESOLUTIONS

### A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPOINTING DIRECTORS TO THE BOARDS OF DIRECTORS OF BRIGHTON CROSSING METROPOLITAN DISTRICT NOS. 5-8

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

*City Attorney Alicia Calderón explained that this action is due to a clerical error, the failure to complete the Director's oaths of office following a May 3, 2022 election for the Brighton Crossing Metropolitan Districts. There is a State Statute 21-1-906 (2.5) that authorizes the governing body of the municipality to appoint the board of directors if the Metropolitan District is wholly within the boundaries of the City, if there are no board members, and if this would result in the interruption of services being provided by the district. The City Council may appoint directors from a pool of duly qualified and willing candidates. If this resolution is approved, the board of directors will call for an election that is required in the next six months. Their plan is to hold a special election on November 8, 2022 and they would have their next regular election in May, 2023. Without approval of the resolution, the boards cannot call for the November special election, be unable to adopt their annual budget or certify the mill levies for collection in 2023. The mill levies are already obligated to be paid toward bonds that were issued in 2020. Without the boards being able to take action, the bonds would be in default. Additionally, one Brighton Crossing board member from each district is appointed to their operations board, which oversees the operation and administration and without certifying the mill levy for operations, the operations board would be impacted and would be unable to provide community services in 2023. District No. 7 did not originally have any candidates, but several residents have come forward as candidates for that board. Four residents are qualified and willing to serve on the board and one is a Brookfield employee. Metro Districts 5, 6 and 8 do not have any residents or property owners, so the Brookfield employees are qualified and being appointed. There are no plans for the board to take any other actions like imposing fees or making other changes.*

**Motion by Councilmember Padilla, seconded by Councilmember Taddeo, to continue the Resolution to a Special City Council Meeting on August 23, 2022. Motion passed by the following vote:**

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

**Absent:** 1 - Mayor Pro Tem Cushing

## 11. UTILITIES BUSINESS ITEMS

### Ordinances

**A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING ARTICLE 13-6 OF THE BRIGHTON MUNICIPAL CODE TO CLARIFY THE APPROPRIATION OF GROUNDWATER BY THE CITY WHEN ANNEXING LAND TO THE CITY (FINAL READING)**

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

**Motion by Councilmember Johnston, seconded by Councilmember Blackhurst, to approve Ordinance 2392. Motion passed by the following vote:**

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

**Absent:** 1 - Mayor Pro Tem Cushing

**12. GENERAL BUSINESS**

**13. REPORTS**

**A. By the Mayor**

*Mayor Mills attended the Metro Mayors Caucus, the New Teachers luncheon for 27J Schools, the AC-REP meeting, the Chamber luncheon, the groundbreaking for the Brighton High School CTE and STEM Addition, the Armory 100 Year celebration, the City Museum Military History exhibit, and a tour of the High Zone Water Tank. The Open House for the Master Transportation Plan is tomorrow, and Saturday is the Touch a Truck event.*

**B. By Department Directors**

*Director of Parks and Recreation Travis Haines updated City Council regarding the basketball courts at Brighton Park and Montoya Park and the Donelson Park parking lot.*

*Utilities Director Marc Johns updated City Council regarding the PFAS issue in the water.*

**C. By the City Attorney**

**D. By the City Manager**

*City Manager Michael Martinez reported that the Open House for the Transportation Master Plan is tomorrow at the Armory. City Manager Martinez attended the 100<sup>th</sup> Anniversary of the Armory.*

**E. By City Council**

*Councilmember Padilla attended the Colorado Attorney General Conference for Opioid Abatement.*

*Councilmember Pawlowski attended the Parks & Recreation Advisory Board meeting, the E-470 meeting, the Chamber luncheon and the 100-year celebration of the Armory.*

*Councilmember Taddeo attended the New Teacher Luncheon for 27J Schools, Flix and Kicks and a concert at the Armory.*

**14. EXECUTIVE SESSION**

**15. ADJOURNMENT**

*Mayor Mills adjourned the meeting at 8:44 p.m.*

CITY OF BRIGHTON, COLORADO

  
\_\_\_\_\_  
Gregory Mills, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Natalie Hoel, City Clerk

  
\_\_\_\_\_  
Approval Date