

City of Brighton

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



Meeting Minutes - Draft

Tuesday, April 1, 2025

6:00 PM

Council Chambers

City Council

MAYOR - GREGORY MILLS

MAYOR PRO TEM - PETER PADILLA

COUNCIL MEMBERS:

CHRIS FIEDLER, TOM GREEN,

MATT JOHNSTON, JAN PAWLOWSKI,

JIM SNYDER, ANN TADDEO, LLOYD WORTH

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 Pawlowski led the recitation of the Pledge of Allegiance to the American Flag.

B. Roll Call

Present: 8 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Fiedler, Councilmember Green, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

Absent: 1 - Councilmember Johnston

2. CONSENT AGENDA

A. Approval of the March 4, 2025 City Council Minutes

B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPOINTING QUENTIN KOSCH AS AN ALTERNATE MEMBER OF THE PARKS AND RECREATION ADVISORY BOARD TO FILL AN UNEXPIRED TERM TO JANUARY 2027

Resolution No. 2025-13

C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPOINTING BARBARA HEUMANN AS A MEMBER OF THE BRIGHTON HISTORIC PRESERVATION COMMISSION TO FILL AN UNEXPIRED TERM TO JUNE 2028

Resolution No. 2025-14

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 Padilla, Councilmember Fiedler, Councilmember Green, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

Absent: 1 - Councilmember Johnston

3. APPROVAL OF REGULAR AGENDA

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

Aye: 8 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Fiedler, Councilmember Green, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

Absent: 1 - Councilmember Johnston

4. CEREMONIES

A. Swearing In of New Board and Commission Member

City Clerk Natalie Hoel swore in the new Board and Commission Members.

B. Proclamation Honoring Matilda "Tilly" Hruby, State Girl's Wrestling Champion, and Coaches Eric Heinz and James Garcia

Mayor Pro Tem Padilla read the Proclamation into the record.

C. Sexual Assault Awareness Month Proclamation

Councilmember Taddeo read the Proclamation into the record.

D. National Crime Victims' Rights Week Proclamation

Councilmember Worth read the Proclamation into the record.

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

Nena DelVillar expressed concern regarding elected representatives showing up and living in the city limits.

6. PUBLIC HEARINGS

A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING CERTAIN ACCOUNTS IN THE PARKS AND RECREATION CAPITAL IMPROVEMENT FUND, LODGING TAX FUND, CEMETERY FUND, CEMETERY PERPETUAL CARE FUND, AND STORM DRAINAGE FUND, AND APPROPRIATING MONEY FOR EXPENDITURES IN THE AMOUNT OF ONE MILLION FOUR HUNDRED THIRTY-SEVEN THOUSAND SIX HUNDRED EIGHT DOLLARS (\$1,437,608) TO SUPPORT ADDITIONAL LODGING TAX ALLOCATIONS, TRANSFERS TO COVER STORM DRAINAGE IMPROVEMENTS, AND TO TRANSFER INTEREST EARNINGS TO COVER CEMETERY MAINTENANCE

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

Mayor Mills opened the public hearing at 6:33 p.m. and City Clerk Natalie Hoel verified the required postings and publications (March 20, 2025, in the Brighton Standard Blade) for this public hearing were completed.

Mayor Mills asked the City Council if there are any conflicts of interest or any ex-parte communications that need to be disclosed, there were none.

Budget and Performance Manager Kathryn Mortensen presented the first amendment to the 2025 Budget. The amendments to the 2025 budget include additional Lodging Tax allocations, transfers to cover storm drainage improvements as part of Parks and Recreation projects, and cemetery maintenance. The Lodging Tax allocations include Chamber assistance for \$35,000 and BCAC carryover for \$24,000 for a total of \$59,000. The storm drainage improvements were approved in the 2025 budget in the Storm Drainage Fund. These funds need to be transferred to the Parks & Recreation Capital Improvement Fund.

The interest earnings from the Cemetery Perpetual Maintenance Fund will be transferred to the Cemetery Maintenance Fund. The total 2025 city budget is 311 million dollars.

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 Green asked why if the money is being transferred from one account to another account both budgets are being increased. Manager Mortensen explained that it is the difference between cash and the actual appropriation to spend the money. There needs to be an approved appropriation to transfer anything out as if it is an expense. Instead of it hitting a project account, it is a transfer of cash into that fund. The budget is then being increased in the actual projects themselves in the Parks & Recreation Capital Improvement Fund. A payment will be seen in the Storm Drainage Fund that is not a typical expense, it is actually just moving the cash.

Mayor Mills closed the public hearing at 6:40 p.m.

Motion by Councilmember Pawlowski, seconded by Councilmember Fiedler, to approve Resolution 2025-15. Motion passed by the following vote:

Aye: 8 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Fiedler, Councilmember Green, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

Absent: 1 - Councilmember Johnston

B. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE WATERTOWER PLACE ZONING MAP AMENDMENT FOR AN APPROXIMATELY 14.727 ACRE PROPERTY, GENERALLY LOCATED TO THE NORTHEAST OF THE BRIGHTON FIRE RESCUE DISTRICT STATION 52, SOUTH OF EAST BRIDGE STREET, WEST OF SOUTH 42ND AVENUE AND EAST OF SOUTH 40TH AVENUE, MORE PARTICULARLY LOCATED IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO (FIRST READING, CONTINUED FROM MARCH 18, 2025)

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

Mayor Mills opened the public hearing at 6:41 p.m. and City Clerk Natalie Hoel verified the required postings and publications (February 18, 2025, on the City of Brighton website) for this public hearing were completed.

Mayor Mills asked City Council if there are any conflicts of interest or any ex-parte communications that need to be disclosed, there were none.

Senior Planner Summer McCann presented the Watertower Place Zoning Map Amendment, the applicant is Columbo II LLC. The 14.727-acre site is located to the northeast of the Brighton Fire Rescue District Station 52, south of East Bridge Street, west of South 42nd Avenue, and east of South 40th Avenue. The property owner requests to rezone the property

from Bromley Park PUD 13th Amendment to C-2 (Restricted Retail and Services) and R-2 (Mixed Density Residential). When considering the amendment, staff used the review criteria in Section 2.03 B in the Land Use & Development Code. The property was annexed in 1986 as part of the Bromley Park Annexation. It is currently zoned Bromley Park PUD 13th Amendment, which has an underlying zoning of C-3 (General Retail and Services). The property was partially platted under the Brighton Crossing Filing No. 5 Lot 1 Plat. The rezoning request includes two planning areas. Planning Area A includes 10.216-acres of R-2 zoning and Planning Area B includes 4.511-acres of C-2 zoning.

The rezoning of the property will help support the policies of the Comprehensive Plan. The Future Land Use portion of the Comprehensive Plan has designated the property as Commercial. While the zoning proposal does include a portion of commercial, it is also introducing residential zoning. The opinion of staff is that this mixed-use approach will help to facilitate growth and development that is compatible with the surrounding area. Since the property was last zoned in 2009, the site to the east which was planned for higher density has since been rezoned single family detached. With no immediate area zoned for additional density, the addition of medium density residential uses will not disrupt the framework of the neighborhood. The proposed C-2 zoning allows for less intense commercial uses and is more compatible with the residential zoning already in place. The proposed R-2 zoning will serve as an appropriate pocket of medium density housing that allows for various types of residential housing types to help fill the missing middle housing gap.

The zoning map amendment meets other policies of the Comprehensive Plan. The rezoning aligns with the vision of Bridge Street as stated in the Comprehensive Plan. The property is located within an area of existing infrastructure and is along an arterial roadway. As development continues to the south, the property will play a key role in completing the buildout of adjacent streets and public infrastructure. The proposal maintains commercial zoning creating a viable commercial intersection at East Bridge Street and South 40th Avenue. Although the area has commercial amenities, the ongoing residential growth will increase the demand for additional retail and service options. This rezoning will help to meet that demand while strengthening the non-downtown commercial corridors. While the surrounding area remains predominantly low density, offering additional housing options is essential to addressing the long-term housing needs in the city.

The rezoning from Bromley Park to a straight zone will ensure the development complies with all of the current Land Use & Development Standards including buffers and parking requirements. The site can be adequately served by existing utilities, and a future developer will pay all applicable costs to connect to city infrastructure. The underlying zoning of C-3 allows for the highest intensity of commercial uses, some of which may not be compatible with the adjacent low density residential. The proposed C-2 zoning will limit uses, providing a smoother transition between commercial and residential areas. The R-2 zoning promotes housing diversity, addressing the shortage identified in the Housing Needs Assessment. The proposed zoning will create a medium intensity, mixed use environment that is appropriate along a major roadway.

All posting was completed in accordance with the Land Use & Development Code and information was posted on various social media sites. A neighborhood meeting was held on February 7, 2024. Three formal comments were received by staff. The Planning commission heard the request on February 13, 2025, and unanimously recommended approval. The Development Review Committee reviewed the project and recommended approval. Staff recommends approval of the Watertower Place Zoning Map Amendment.

Marcus Pachner, Land Use and Community Outreach Consultant for the Watertower Place project and property owner Paul DeCrescentis presented the history of the property and their approach to the community engagement that has taken place regarding the property.

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. City Clerk Natalie Hoel presented the correspondence to Mayor Mills.

Mayor Mills asked if there were questions from City Council.

Mayor Pro Tem Padilla asked if the residential will be rental or purchased properties. Mr. Pachner explained that they will let the market decide. Mayor Pro Tem Padilla asked what this development's contribution is back to the city in relation to improvements in the area. Planner McCann explained that the developer will be required to complete a Traffic Impact Study to determine any additional improvements that are needed. Any improvements triggered by the development will be the responsibility of the developer. Assistant Director of Public Works Christopher Montoya explained that the developer will be responsible for any reimbursement on 40th Avenue for the impacts from their development.

Councilmember Green asked if it is their intention to move forward with residential and then commercial or will they be completed simultaneously. Mr. DeCrescentis stated that he does not know at this time.

Mayor Mills closed the public hearing at 7:06 p.m.

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

Aye: 8 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Fiedler, Councilmember Green, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

Absent: 1 - Councilmember Johnston

7. ORDINANCES FOR INITIAL CONSIDERATION

8. ORDINANCES FOR FINAL CONSIDERATION

9. RESOLUTIONS

A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE DISTRIBUTION OF FUNDS AUTHORIZED IN THE 2025 BUDGET AND FINDING A PUBLIC PURPOSE FOR THE USE OF THOSE FUNDS

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

Management Analyst Rebecca Hefty presented the amendment to the 2025 Donations resolution. The public purpose is typically detailed in grant agreements when the city utilizes lodging tax dollars. As the Chamber assistance and the BCAC carryover items are not following the typical grant process and are utilizing fund balance, they will be added to this resolution.

Motion by Mayor Pro Tem Padilla, seconded by Councilmember Fiedler, to approve Resolution 2025-16. Motion passed by the following vote:

Aye: 8 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Fiedler, Councilmember Green, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

Absent: 1 - Councilmember Johnston

B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE FIRST AMENDMENT TO THE DEED OF CONSERVATION EASEMENT IN GROSS, RECORDED IN THE REAL PROPERTY RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER ON APRIL 13, 2023, AT RECEPTION NO. 2023000020247

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

City Attorney Alicia Calderón explained that the city placed a Conservation Easement on the Wagner Mayhew property when it was purchased because of its location in the Historic Splendid Valley. The city will be expanding Sable Boulevard and steps need to be taken to remove the portion of the property from the Conservation Easement that will be needed for the future right-of-way.

Motion by Councilmember Green, seconded by Councilmember Fiedler, to approve Resolution 2025-17. Motion passed by the following vote:

Aye: 8 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Fiedler, Councilmember Green, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

Absent: 1 - Councilmember Johnston

C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING CHANGE ORDER NUMBER 2 WITH BRANNAN SAND AND GRAVEL, LLC FOR THE BRIDGE STREET WIDENING PROJECT IN THE AMOUNT OF TWO MILLION NINE HUNDRED THIRTY-THREE THOUSAND DOLLARS (\$2,933,000), AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE CHANGE ORDER ON BEHALF OF THE CITY

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

Councilmember Taddeo recused herself due to a conflict of interest.

Assistant Director of Public Works Christopher Montoya presented the Bridge Street Widening Construction Contract Amendment. The amendments include design and construction of lighting and electrical with United Power, regional pond improvements, the Brighton Lateral 24" storm ditch crossing, the field and design change, and utility infrastructure modifications for a total contract amendment amount of \$2,933,000.

Motion by Mayor Pro Tem Padilla, seconded by Councilmember Worth, to approve Resolution 2025-18. Motion passed by the following vote:

Aye: 7 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Fiedler,

Councilmember Green, Councilmember Pawlowski, Councilmember Snyder, and Councilmember Worth

Absent: 1 - Councilmember Johnston

Recuse: 1 - Councilmember Taddeo

D. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPOINTING SPECIAL COUNSEL TO ADVISE CITY COUNCIL FOR A PROTEST HEARING

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

City Attorney Alicia Calderón reported that the City Clerk has received six letters protesting the qualifications of a City Council member. This Resolution will appoint special counsel to advise City Council during the hearing. Cory Hoffman has agreed to act as the special counsel.

Motion by Mayor Pro Tem Padilla, seconded by Councilmember Pawlowski, to approve Resolution 2025-19. Motion passed by the following vote:

Aye: 8 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Fiedler, Councilmember Green, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

Absent: 1 - Councilmember Johnston

10. UTILITIES BUSINESS ITEMS

11. GENERAL BUSINESS

12. REPORTS

A. By the Mayor

Mayor Mills attended the NATA meeting.

B. By Department Directors

C. By the City Attorney

D. By the City Manager

Deputy City Manager Marv Falconburg reminded the City Council of the Aerotropolis meeting tomorrow and recognized city staff for their work on the Downtown Public Open House. The current population of the city is 48,000.

E. By City Council

Councilmember Snyder attended the Downtown Partnership meeting.

Councilmember Fiedler attended the Lochbuie Sewer Board meeting.

Mayor Pro Tem Padilla attended the Eagle View Adult Center spaghetti luncheon and the Visions of Brighter Downtown event.

Councilmember Green recognized Happy Family Tree Service for helping to remove an old tree in the city.

Councilmember Worth attended the Youth Commission meeting and the Visions of Brighter Downtown event.

Councilmember Pawlowski attended the Visions of Brighter Downtown event.

13. EXECUTIVE SESSION

14. ADJOURNMENT

Mayor Mills adjourned the meeting at 7:46 p.m.

CITY OF BRIGHTON, COLORADO

Gregory Mills, Mayor

ATTEST:

Natalie Hoel, City Clerk

Approval Date