

# City of Brighton

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



## Meeting Minutes - Draft

**Tuesday, May 20, 2025**

**6:00 PM**

**Council Chambers**

### **City Council**

**MAYOR - GREGORY MILLS  
MAYOR PRO TEM - PETER PADILLA  
COUNCIL MEMBERS:  
CHRIS FIEDLER, TOM GREEN,  
JAN PAWLOWSKI, JIM SNYDER,  
ANN TADDEO, LLOYD WORTH**

## 1. CALL TO ORDER

*Mayor Pro Tem Padilla called the meeting to order at 6:01 p.m.*

### A. Pledge of Allegiance to the American Flag

*Will Webb led the recitation of the Pledge of Allegiance to the American Flag.*

### B. Roll Call

**Present:** 6 - Mayor Pro Tem Padilla, Councilmember Fiedler, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

**Absent:** 2 - Mayor Mills, and Councilmember Green

## 2. CONSENT AGENDA

### A. Approval of the April 15, 2025 City Council Minutes

### B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT NO. 23-04.24 BETWEEN THE CITY OF BRIGHTON AND THE 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 THE BRIGHTON SOUTH OUTFALL AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AMENDMENT

Resolution No. 2025-29

### C. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ADOPTING ARTICLE 2-33 OF THE BRIGHTON MUNICIPAL CODE RELATING TO THE CREATION OF A SUSTAINABILITY ADVISORY BOARD (FINAL READING)

Ordinance No. 2474

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

**Aye:** 6 - Mayor Pro Tem Padilla, Councilmember Fiedler, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

**Absent:** 2 - Mayor Mills, and Councilmember Green

## 3. APPROVAL OF REGULAR AGENDA

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

**Aye:** 6 - Mayor Pro Tem Padilla, Councilmember Fiedler, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

**Absent:** 2 - Mayor Mills, and Councilmember Green

#### **4. CEREMONIES**

##### **A. Public Works 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)**

*Will Webb asked the city to work together with the Adams County Food Bank to find additional resources for the program.*

*Tom Lampo prayed for the city.*

#### **6. PUBLIC HEARINGS**

##### **A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING CERTAIN ARTICLES OF THE LAND USE AND DEVELOPMENT CODE AND THE MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND MANUFACTURED HOMES (FINAL READING)**

*Mayor Pro Tem Padilla read the title of the Ordinance into the record.*

*Mayor Pro Tem Padilla opened the public hearing at 6:15 p.m. and City Clerk Natalie Hoel verified the required postings and publications (May 1, 2025, on the City of Brighton website) for this public hearing were completed.*

*Affordable Housing Coordinator Shawn Weiman presented the amendments to the Land Use & Development Code and the Municipal Code. These changes are needed because of the passage of a House Bill, and they reflect the goals of the Housing Needs Assessment.*

*Accessory Dwelling Units (ADUs) are separate dwelling units on the same lot as the principal residence. They are an effective way to increase housing supply and provide lower cost housing. Removing process barriers and some regulations will make ADUs more financially and logistically feasible. House bill 24-1152, which affects how cities regulate ADUs goes into effect July 1, 2025. It sites the benefits of ADUs including minimal impacts to infrastructure, generate rental income, and provide families with options for intergenerational living. ADUs can occur within the principal residence, attached to it, detached from it, or within or attached to an accessory building. Internal ADUs can be in attics or basements but does require its own exterior entrance. Detached ADUs are available as modular, manufactured, assembled from kits, or built from stock plans.*

*The revised state statutes prevent planned developments from prohibiting ADUs. An ADU may be situated forward of the primary home. The key is to keep the ADU subordinate to the primary home through its orientation, architecture, and the relationship to the primary home and the street. It may also be possible to designate the existing home as the ADU and build a new primary residence on the lot.*

*The Code amendments include changes necessary to comply with the state statute, notably that the property owner is not required to occupy the primary residence or the ADU. Additional parking for the ADU is not required, with exceptions where there is no existing parking available. To accommodate the minimum state requirement of allowing up to a 750 sq. ft. ADU, lot open space will not apply to an ADU, unless when built with a new construction home. ADUs will be limited to two-stories and 35 ft. in height and no larger than the size of the primary home, or 1,200 sq. ft. whichever is smaller.*

*Related Code changes include removing manufactured homes requirements from the Land Use & Development Code that are currently covered by the municipal and building codes and removing the minimum width and area requirements of manufactured homes. A licensed plumber's water demand report will be accepted. Currently, Code requires a report from a professional engineer. Several definitions were added or revised to more effectively distinguish what is and what is not allowed as an ADU. Other amendments to the Code were made to remove the childcare regulations that are now handled by the state. Also, aligning the size of small sheds in the Development Code with those in the Building Code from 120 sq. ft to 200 sq. ft.*

*The Department of Local Affairs (DOLA) reviewed the proposed amendments and determined that minor changes were necessary. These include that the Code allows primary homes in districts other than residential, therefore ADUs must be allowed in those districts where there is a house on the lot. Clarification was received that the city is not forced to allow ADUs at non-conforming residences. ADUs and manufactures homes cannot be held to a higher design standard than for the primary home.*

*The Planning Commission is recommending approval of the amendments. Staff recommends approval of the amendments that will improve the application of the code and serve as a strategy to achieve the city's housing goals by adding additional supply. Based on its value, an ADU will count toward the Proposition 123 commitment and the Housing Needs Assessment calculation showing that 1,000 units at or below 60% AMI are needed by 2034.*

*Mayor Pro Tem Padilla asked if anyone in the audience was signed up to speak, there was none.*

*Mayor Pro Tem Padilla asked if any correspondence had been received, there was none.*

*Mayor Pro Tem Padilla asked if there were questions from City Council.*

*Councilmember Taddeo asked if the city would consider a ranch home that was illegally turned into a duplex an ADU. Coordinator Weiman stated that yes it could, DOLA is putting out a guideline document to address this situation. Meetings with the owner would take place to see if the conditions on the lot could comply with the requirements for an ADU. Councilmember Taddeo asked how one would connect to water and sewer if an ADU was placed on an existing property. Coordinator Weiman explained that a plumber would complete a fixture count to determine if the water tap size and sewer outlet size were sufficient. If there are no issues, the owner could begin the building permit application process. Councilmember Taddeo asked if there is an additional cost to tap into the existing plumbing. Coordinator Weiman explained that the ADU could be connected to the existing tap with no tap fee.*

*Councilmember Snyder asked if there will be an additional fee for the Metro Wastewater service. Utilities Director Scott Olsen explained that Metro Wastewater and the Town of Lochbuie do charge their sewer fees based on the water tap size. If there is no change to the water tap size, there is no additional fee.*

Mayor Pro Tem Padilla asked if there will be reduced impact fees associated with building an ADU. Coordinator Weiman explained that step two in the process will be to study the impact fees and the impact of ADUs on infrastructure to see if those fees could be reduced. Mayor Pro Tem Padilla asked if the homestead property tax reduction would apply if the resident were to move from the primary residence to the ADU on the lot. Coordinator Weiman stated that he believes it would since it is located on the same lot. Mayor Pro Tem Padilla asked that since the maximum size of an ADU is 1,200 sq. ft. and some homes in the city are smaller than that, would it be possible to do construction on the site, reconstruct the original house and reclassify that as the subordinate unit and ADU. Coordinator Weiman does anticipate that as being possible. This would require two permits, one to convert the existing building to the ADU and another permit for the new construction.

Mayor Pro Tem Padilla closed the public hearing at 6:32 p.m.

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

**Aye:** 6 - Mayor Pro Tem Padilla, Councilmember Fiedler, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

**Absent:** 2 - Mayor Mills, and Councilmember Green

## **7. CONSOLIDATED ITEMS FOR SEQUENTIAL REVIEW**

### **A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING THE DEVELOPMENT IMPACT FEES SECTION 3-5 OF THE BRIGHTON MUNICIPAL CODE (FIRST READING)**

*Affordable Housing Coordinator Shawn Weiman presented the Affordable Housing Definition Code Amendment and the Affordable Housing Fee & Dedication Reduction Table. To meet Proposition 120 and the Housing Needs Assessment goals, it was determined that qualifying AMI levels should be increased, CHFA's Adams County income limit table be used, a minimum 30-year affordability duration be set, and various affordability mechanisms be accepted. Staff is working with the Housing Authority to inventory existing affordable housing units.*

*The draft Fee Reduction Table was shaped to generally reflect reductions in the matrix, adding an average AMI component, and address affordable senior housing.*

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

**Aye:** 6 - Mayor Pro Tem Padilla, Councilmember Fiedler, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

**Absent:** 2 - Mayor Mills, and Councilmember Green

### **B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ADOPTING AN AFFORDABLE HOUSING FEE AND DEDICATION REDUCTION TABLE**

**Motion by Councilmember Snyder, seconded by Councilmember Pawlowski, to approve Resolution 2025-30. Motion passed by the following vote:**

**Aye:** 6 - Mayor Pro Tem Padilla, Councilmember Fiedler, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

**Absent:** 2 - Mayor Mills, and Councilmember Green

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

### **A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING SECTION 2-4-13 OF THE BRIGHTON MUNICIPAL CODE RELATED TO NOMINATION PETITIONS**

*Mayor Pro Tem Padilla read the title of the Ordinance into the record.*

*City Attorney Alicia Calderón explained that this change is being made to match the statutory language of requiring petitions to be submitted on the 71<sup>st</sup> day prior to the election.*

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

**Aye:** 6 - Mayor Pro Tem Padilla, Councilmember Fiedler, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

**Absent:** 2 - Mayor Mills, and Councilmember Green

### **B. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING THE LODGING TAX SECTION 3-40-50 OF THE BRIGHTON MUNICIPAL CODE**

*Mayor Pro Tem Padilla read the title of the Ordinance into the record.*

*City Attorney Alicia Calderón explained that this update will reflect the prior practice of the city giving 50% of the lodging tax funding to the Communications and Engagement Department and 50% to the Economic Development Department. The city would like to give 50% to the Economic Development Corporation. This change also reflects the change from Council to allow both of those departments to give Lodging Tax reserves.*

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

**Aye:** 6 - Mayor Pro Tem Padilla, Councilmember Fiedler, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

**Absent:** 2 - Mayor Mills, and Councilmember Green

### **C. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING ARTICLE 8-28 OF THE BRIGHTON MUNICIPAL CODE TO UPDATE THE FIREWORKS AUTHORIZED OFFICERS AND PENALTIES FOR VIOLATIONS**

*Mayor Pro Tem Padilla read the title of the Ordinance into the record.*

*City Attorney Alicia Calderón explained that this amendment will update the sections in the Municipal Code that referenced an incorrect State Statute, and it will allow Code Enforcement Officers to also issue citations and seize fireworks. This does not change the definition that is currently in Code regarding permissible fireworks. Due to publication dates and timing, this Ordinance will not be effective until July 1, 2025. If a change in definition is requested by Council, staff does recommend that the change take place after the July 4<sup>th</sup> holiday. This Ordinance does increase the penalties for violations.*

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

**Aye:** 6 - Mayor Pro Tem Padilla, Councilmember Fiedler, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

**Absent:** 2 - Mayor Mills, and Councilmember Green

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

## **10. RESOLUTIONS**

### **A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO APPROVING AN AMENDMENT TO THE 2025 FEES AND CHARGES FOR SERVICES PROVIDED BY THE CITY AS SET FORTH HEREIN**

*Mayor Pro Tem Padilla read the Resolution into the record.*

*Budget and Performance Manager Kathryn Mortensen explained that this amendment will clarify and correct some of the wastewater related impact fees. These include a reduction in the wastewater related impact fees passed through from the Town of Lochbuie to reflect the actual cost of service, it adds clarification on how single-family residential equivalents are calculated and adds maps to detail zones for the calculation of the South Brighton Infrastructure wastewater development fee.*

**Motion by Councilmember Worth, seconded by Councilmember Fiedler, to approve Resolution 2025-31. Motion passed by the following vote:**

**Aye:** 6 - Mayor Pro Tem Padilla, Councilmember Fiedler, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

**Absent:** 2 - Mayor Mills, and Councilmember Green

### **B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING CHANGE ORDER NUMBER 2 WITH HALLMARK, INC. FOR THE COLORADO FRONT RANGE TRAIL VETERAN'S PARK TRAIL CONNECTION PROJECT IN THE AMOUNT OF ONE HUNDRED NINE THOUSAND, SIX HUNDRED TEN DOLLARS (\$109,610) AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE CHANGE ORDER ON BEHALF OF THE CITY**

*Mayor Pro Tem Padilla read the title of the Resolution into the record.*

*Parks Planning, Development and Grant Manager Ryan Smith presented the change order for the project. CDOT has required changes for the project including a 3<sup>rd</sup> party onsite inspector, additional traffic control measures, waterproofing the concrete box culverts, and additional asphalt patching. The RCP pipe that is under the driveway will need to be realigned for stormwater conveyance. The first change order under City Manager approval was for \$67,375 and the second change order is for \$109,610. This action will reset the change order allowance of 10% that the City Manager can approve.*

**Motion by Councilmember Fiedler, seconded by Councilmember Pawlowski, to approve Resolution 2025-32. Motion passed by the following vote:**

**Aye:** 6 - Mayor Pro Tem Padilla, Councilmember Fiedler, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

**Absent:** 2 - Mayor Mills, and Councilmember Green

## **11. UTILITIES BUSINESS ITEMS**

## **12. GENERAL BUSINESS**

### **A. Q1 2025 Budget and Financial Update**

*Finance Director Catrina Asher and Budget and Performance Manager Kathryn Mortensen presented the Quarter 1 Budget and Financial Update.*

## **13. REPORTS**

### **A. By the Mayor**

*Mayor Pro Tem Padilla attended the Olive Garden grand opening. There will not be a study session next week and there is a concert at the Armory this weekend.*

### **B. By Department Directors**

### **C. By the City Attorney**

*City Attorney Alicia Calderon announced that her office has a law intern for the summer.*

### **D. By the City Manager**

*City Manager Michael Martinez attended the ribbon cutting for the Cherry Meadows park and the budget kickoff event. There will be a tour of the Water Treatment Plant and Lutz Reservoir next Tuesday. Next Thursday is the event at the Sister Cities Park for the Youth Delegates from Ziebice, Poland.*

### **E. By City Council**

*Councilmember Taddeo attended the 7am Somewhere coffee shop ribbon cutting.*

*Councilmember Worth attended the Legacy Foundation meeting.*

*Councilmember Pawlowski attended the Parks & Recreation Advisory Board meeting, the E-470 meeting, the Olive Garden ribbon cutting, and the CML meeting at the Armory.*

*Councilmember Snyder attended the Youth Commission meeting.*



*Councilmember Fiedler attended the Almost Home event.*

**14. EXECUTIVE SESSION**

**15. ADJOURNMENT**

*Mayor Pro Tem Padilla adjourned the meeting at 7:18 p.m.*

**CITY OF BRIGHTON, COLORADO**

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Peter Padilla, Mayor Pro Tem

**ATTEST:**

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Natalie Hoel, City Clerk

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Approval Date