



Commerce City

7887 E. 60th Ave.
Commerce City, CO 80022
c3gov.com

Meeting Minutes - Final

City Council

Monday, April 5, 2021

6:45 PM This meeting will be conducted electronically via Zoom.

There will be no physical meeting. Public access to this meeting can be found in the agenda below. The meeting will also be live on Channel 8 and c3gov.com/video

Regular Meeting via Zoom

Agenda Updated April 5, 2021 at 10:30 AM

Or Immediately Following the Urban Renewal Authority Meeting

Per Ordinance 2291 the City Manager is authorized to conduct this meeting via Zoom

1. Call to Order/Roll Call

A regular meeting of the City Council of the City of Commerce City was called to order by Mayor Huseman on April 5, 2021, at 7:25 PM.

Present: 9 - Mayor Benjamin Huseman, Mayor Pro Tem Nicole Frank, Council Member Oscar Madera, Council Member Jennifer Allen-Thomas, Council Member Susan Noble, Council Member Jose Guardiola, Council Member Craig Hurst, Council Member Meghan Grimes and Council Member Robyn Smith

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Executive Session

[21-49](#)

An executive session regarding the City Manager recruitment pursuant to C.R.S. 24-6-402(4)(e,f, and g) for the purpose of reviewing and discussing applications and materials related to candidates for the position of City Manager which are documents protected by the mandatory nondisclosure provision of the Colorado Open Records Act, reviewing candidates and discussing personnel matters, and determining negotiation positions and instructing negotiators on matters that may be subject to negotiations concerning the contract for the City Manager

A motion was made by Council Member Allen-Thomas, seconded by Council Member Hurst, to enter into an executive session regarding the City Manager recruitment pursuant to C.R.S. 24-6-402(4)(e,f, and g) for the purpose of reviewing and discussing applications and materials related to candidates for the position of City Manager which are documents protected by the mandatory nondisclosure provision of the Colorado Open Records Act, reviewing candidates and discussing personnel matters, and determining negotiation positions and instructing negotiators on matters that may be subject to negotiations concerning the contract for the City Manager. VOICE VOTE: Unanimous, all present affirmed.

4. Citizen Communication

[21-47](#)

Citizen Communication - City Council will conduct this meeting virtually via Zoom as the Civic Center remains closed out of precaution for COVID-19. There will be the opportunity for public comment at the meeting during citizen communication and/or for each agenda item. Comments may be consolidated under the Citizen Comment part of the meeting. The public can submit their comments live during the meeting via Zoom or in advance using the online form or mail. Visit c3gov.com/council and click on "Meeting agendas" for the full meeting agenda and "Virtual Meeting and Public Comment Instructions" for instructions on how to submit live verbal and written comments. The deadline to register to comment and to submit written comments is noon on April 5.

Steve Douglas spoke on the capped landfill project, Ward redistricting, and the land development code.

Kristi Douglas spoke on oil and gas development.

5. Presentations

[Pres 21-79](#)

Imagination Library

Roger Gundenkauf presented on the Imagination Library, their work in Colorado providing children with books, and their request to council to contribute funds towards their program.

[Pres 21-208](#)

COVID-19 Update

Interim City Manager Tinklenberg provided council an update on the city's response to the COVID-19 pandemic.

[Pres 21-204](#)

Hybrid Council Meeting Update

Dylan Gibson, City Clerk, gave the presentation.

[Pres 21-205](#)

Council Composition Survey Update

Dylan Gibson, City Clerk, gave the presentation.

[Pres 21-45](#)

Environmental Planning & Policy Monthly Update

Domenic Martinelli, Environmental Planner, provided the environmental planning & policy monthly update.

6. Consent Agenda

A motion was made by Council Member Hurst, seconded by Council Member Allen-Thomas, to approve the consent agenda as presented. ROLL CALL VOTE:

Aye: 9 - Mayor Huseman, Mayor Pro Tem Frank, Council Member Madera, Council Member Allen-Thomas, Council Member Noble, Council Member Guardiola, Council Member Hurst, Council Member Grimes and Council Member Smith

[Min 21-70](#)

Minutes of March 15, 2021

[Min 21-69](#)

Minutes of March 22, 2021 Special Meeting

[Z-774-04-21](#)

AN ORDINANCE APPROVING THE SECOND CREEK FARM PUD ZONE DOCUMENT, 1ST AMENDMENT, AND AMENDING ORDINANCE Z-774-04 TO MODIFY THE RESIDENTIAL UNIT CAP, MODIFYING THE LIMITS ON SINGLE FAMILY AND MULTIFAMILY DEVELOPMENT, MODIFYING THE PLANNING AREA BOUNDARIES, SIZES, LOCATIONS, AND LAND USES, AND MODIFYING THE LAND USES, BULK STANDARDS, AND OIL AND GAS STANDARDS, AND OTHER MATTERS, FOR THE PROPERTY BOUNDED GENERALLY BY E 96TH AVENUE TO THE NORTH, TOWER ROAD TO THE EAST, THE SECOND CREEK FLOODPLAIN TO THE SOUTH, AND TELLURIDE STREET TO THE WEST, ZONED PUD (PLANNED UNIT DEVELOPMENT DISTRICT), IN COMMERCE CITY, COLORADO.

[Ord 2321](#)

AN ORDINANCE AMENDING ORDINANCE 2298 PROVIDING FOR THE AUTHORIZATION OF TEMPORARY OUTDOOR SERVICE AREAS FOR RESTAURANTS AND BARS IN THE CITY OF COMMERCE CITY, COLORADO

[Ord 2322](#)

AN ORDINANCE AMENDING THE 2021 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE DEFENSE COUNSEL FIRST APPEARANCE GRANT OF \$10,000 FOR THE DEFENSE COUNSEL FIRST APPEARANCE PROGRAM AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

[Res 2021-23](#)

JOINT RESOLUTION AUTHORIZING NEGOTIATION AND EXECUTION OF AMENDMENT TO ANNEXATION AND INCLUSION AGREEMENT FOR THIRD CREEK WEST IN AN-19-253, AN-19-254, ECAGID-012-19 AND ERAGID-002-19

- [Res 2021-24](#) A RESOLUTION AUTHORIZING GRANT OF EASEMENT TO SECOND CREEK FARM METROPOLITAN DISTRICT NO. 1 FOR DRAINAGE FACILITIES
- [Res 2021-25](#) A RESOLUTION AUTHORIZING GRANT OF UTILITY EASEMENT TO SOUTH ADAMS COUNTY WATER AND SANITATION DISTRICT FOR SANITARY SEWER PIPELINE OR WATER PIPELINES
- [Res 2021-26](#) A RESOLUTION REPEALING AND REPLACING RESOLUTION NO. 2021-10 AUTHORIZING AWARD OF CONTRACT FOR DESIGN OF COMPREHENSIVE LICENSING, LAND USE AND PERMITTING ENTERPRISE MANAGEMENT SOFTWARE SOLUTION TO CENTRALSQUARE TECHNOLOGIES, LLC

7. Public Hearings

- [CU-121-19-21](#) A-1 Organics is requesting a renewal of a Conditional Use Permit, which allows for the storage of wood chips and mulch piles up to 25', for the property located at 9109 Monaco Street, zoned I-2 (Medium Intensity Industrial District). The existing Conditional Use Permit was granted in June 2019 for a term of 18 months

Mayor Huseman opened the public hearing.

Domenic Martinelli, Environmental Planner, presented on case # CU-121-19-21. Staff provided an overview of the subject property, background, applicant request, site operations, compliance measures, conditional use permit approval requirements, planning commission recommendations, and conditions.

Ryan McBreen, Land Planner, also presented to Council on behalf of the applicant. McBreen provided an overview of compliance and best management practices.

Kent Pendley, Applicant, responded to questions from Council.

Mayor Huseman closed the public hearing.

A motion was made by Mayor Pro Tem Frank, seconded by Council Member Hurst, to accept the findings and recommendations of the Planning Commission on case # CU-121-19-21. VOTE: 9 - Aye

A motion was made by Mayor Pro Tem Frank, seconded by Council Member Hurst, that this conditional use permit be adopted. VOICE VOTE: Unanimous, all present affirmed.

8. Ordinances on 1st Reading

[Ord 2326](#)

AN ORDINANCE AMENDING THE 2021 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE COLORADO DEPARTMENT OF LOCAL AFFAIRS GRANT IN THE AMOUNT OF \$26,000 FOR OFFICERS MENTAL HEALTH SUPPORT PROGRAM AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

A motion was made by Council Member Hurst, seconded by Council Member Allen-Thomas, that this ordinance be introduced by council as seated and approved on first reading. VOTE:

Aye: 9 - Mayor Huseman, Mayor Pro Tem Frank, Council Member Madera, Council Member Allen-Thomas, Council Member Noble, Council Member Guardiola, Council Member Hurst, Council Member Grimes and Council Member Smith

9. Administrative Council Business

A motion was made by Council Member Hurst, seconded by Council Member Guardiola, to allocate \$6,000 of the 2021 budget to supporting the Imagination Library. VOTE: 9 - Aye

A motion was made by Council Member Grimes, seconded by Council Member Guardiola, to direct staff to research and draft an ordinance that addresses street racing in the City. VOTE: 9 - Aye

[21-50](#)

City Manager Search Finalists

The City Council announced their selection of Interim City Manager Roger Tinklenberg as their finalist for the City Manager.

[21-53](#)

Metro Mayors Caucus Letter Regarding Senate Bill 21-62

A motion was made by Council Member Hurst, seconded by Council Member Grimes, to ratify the letter and to affix the Mayor's signature thereon. VOTE: 8 - Aye, 1 - Nay (Noble)

[21-46](#)

Approval of Speed Radar Signs Locations and Funding

Brent Soderlin, City Engineer, provided information on speed radar signs, proposed locations to install the signs, and estimated costs for the project.

A motion was made by Council Member Hurst, seconded by Mayor Pro Tem Frank, to concur with staff's recommendation of the Radar Sign product line as well as installation locations, subject to the identification of funds. VOTE: 9 - Aye

A motion was made by Council Member Hurst, seconded by Council Member Madera, to fund the program with funds from the general fund for the cost of the program with a \$25,000 additional ceiling for data gathering abilities on the speed radar signs if determined to be in line with current procedures and for staff to draft an ordinance to appropriate funding if needed. VOTE: 9 - Aye

10. Council Reports

Interim City Manager Tinklenberg highlighted items presented in his weekly report provided to council earlier. The mayor and council reported on their attendance at various meetings and events.

11. Adjourn

The meeting adjourned at 10:59 PM.

In accord with the city charter, the city clerk read the title to all ordinances and resolutions adopted by Council at this meeting.

Jordan D. Roberts, Deputy City Clerk