



Commerce City

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

Meeting Minutes - Final

City Council

Monday, October 18, 2021

8:00 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

Or Immediately following the ERAGID meeting, before or after the posted time.

Regular Meeting via Zoom

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

Revised as of 2:30 pm on 10/18/2021

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 October 18, 2021, at 6:09 PM.

Present: 9 - Mayor Benjamin Huseman, Mayor Pro Tem Nicole Frank, Council Member Oscar Madera, Mayor Pro Tem 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. Citizen Communication

A motion was made by Council Member Noble, seconded by Council Member Hurst, to amend the agenda to move the executive sessions scheduled for the end of the meeting to occur before citizen communication. VOTE: 9 - Aye

[21-157](#)

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 October 18th.

James Hayes spoke against the direction Council took two weeks prior to call up all residential final plats.

James Hayes spoke against Ordinance 2354.

Richard Frank spoke against Ordinance 2354.

David Foster spoke against Ordinance 2354.

Steve Douglas spoke on initiatives 6A and 6B.

Steve Douglas spoke in support of Ordinance 2354.

Kristi Douglas spoke against Noticed Council Business.

Ronna Sanchez spoke on the oil and gas update and against Noticed Council Business.

Grant Nelson spoke against Ordinance 2354.

Blake Fulenwider spoke against Ordinance 2354.

4. Noticed Council Business

[21-156](#)

Motion to Rescind bringing all subdivision approvals to Council

A motion was made by Council Member Hurst, seconded by Council Member Madera, to rescind action to bring all subdivision applications to Council. VOTE: 5 - Aye, 4 - Nay (Allen-Thomas, Huseman, Noble, Smith)

A motion was made by Council Member Grimes, seconded by , to call the question. VOTE: MOTION FAILED DUE TO LACK OF SECOND

A motion was made by Council Member Hurst, seconded by Council Member Madera, to extend the meeting by 30 minutes. VOTE: 8 - Aye, 1 - Nay (Frank)

5. Proclamations and Recognitions

[Proc 21-14](#)

Proclamation Declaring the Week of October 12-17, 2021 as National Police Week in Commerce City

A motion was made by Mayor Pro Tem Frank, seconded by Council Member Grimes, that this proclamation be approved. VOICE VOTE:

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

[Proc 21-15](#)

Proclamation Declaring the Month of October 2021 as Domestic Violence Awareness Month in Commerce City

A motion was made by Council Member Allen-Thomas, seconded by Council Member Madera, that this proclamation be approved. VOTE:

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

6. Consent Agenda

A motion was made by Council Member Jennifer Allen-Thomas, seconded by Council Member Craig Hurst, that this consent agenda be approved. VOTE:

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

[Ord 2348](#)

AN ORDINANCE AMENDING VARIOUS SECTIONS OF ARTICLE IV OF CHAPTER 5 OF THE COMMERCE CITY REVISED MUNICIPAL CODE TO ADD PROJECT TYPES AND CONSTRUCTION THRESHOLDS ELIGIBLE FOR BUILDING PERMIT EXEMPTIONS AND TO ADD TECHNICAL FOOTNOTES IN AMENDED INTERNATIONAL CODES PREVIOUSLY ADOPTED BY REFERENCE

[Ord 2351](#)

AN ORDINANCE AMENDING THE 2021 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE COLORADO DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF \$16,800 FOR DRIVING UNDER THE INFLUENCE (DUI) ENFORCEMENT EFFORTS AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF

[Ord 2352](#) AN ORDINANCE AMENDING THE 2021 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE STATE OF COLORADO PEACE OFFICER STANDARDS AND TRAINING (POST) GRANT FUNDS IN THE AMOUNT OF \$3,603 FOR THE SUPPORT OF LAW ENFORCEMENT TRAINING equipment AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF

[Ord 2353](#) AN ORDINANCE AMENDING THE 2021 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE ADAMS COUNTY OPEN SPACE GRANT FUNDS IN THE AMOUNT OF \$960,000 FOR THE MONACO PARK RENOVATION PROJECT AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF

[Res 2021-80](#) A RESOLUTION APPROVING THE COLORADO OPIOIDS SETTLEMENT MEMORANDUM OF UNDERSTANDING AND RELATED DOCUMENTS TO EFFECTUATE SETTLEMENTS

[Res 2021-96](#) A RESOLUTION APPOINTING MEMBERS TO DESIGNATED BOARDS AND COMMISSIONS OF COMMERCE CITY

7. Public Hearings

[Res 2021-82](#) A RESOLUTION ADOPTING THE BUDGET FOR THE CITY OF COMMERCE CITY, COLORADO FOR THE YEAR 2022 AND PROVIDING FOR 2021 COMMERCE CITY TAX LEVY

Mayor Huseman opened the public hearing.

Public Comment:

- Steve Douglas spoke on the City budget

A motion was made by Council Member Hurst, seconded by Council Member Madera, that this public hearing be continued. VOICE VOTE:

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

8. Resolutions

[Res 2021-97](#) A RESOLUTION IN SUPPORT OF NORTHERN INFRASTRUCTURE GENERAL IMPROVEMENT DISTRICT BALLOT ISSUES 6A AND 6B

A motion was made by Council Member Madera, seconded by Council Member Hurst, that this resolution be adopted. VOICE VOTE:

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

9. Ordinances on 1st Reading

[Ord 2354](#)

AN ORDINANCE REQUIRING A PUBLIC HEARING PROCESS FOR ALL FINAL PLATS AND CONSOLIDATION PLATS ZONED FOR ANY RESIDENTIAL USE THROUGH APRIL 4, 2021, AND TEMPORARILY AMENDING THE COMMERCE CITY LAND DEVELOPMENT CODE

[Ord 2355](#)

AN ORDINANCE AMENDING SECTIONS 1-3003 AND 3-2103 OF THE COMMERCE CITY REVISED MUNICIPAL CODE TO ESTABLISH A MINIMUM \$500 PENALTY FOR LITTERING AND IMPROPER DUMPING

A motion was made by Council Member Madera, seconded by Council Member Guardiola, 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, Mayor Pro Tem Allen-Thomas, Council Member Noble, Council Member Guardiola, Council Member Hurst, Council Member Grimes and Council Member Smith

10. Administrative Council Business

A motion was made by Council Member Grimes, seconded by Council Member Hurst, to extend the meeting by 15 minutes. VOTE: 8 - Aye, 1 - Nay (Frank)

A motion was made by Council Member Hurst, seconded by Mayor Pro Tem Frank, to cancel the October 25th study session regarding the Quality Community Foundation situation and to direct City Manager Tinklenberg to implement a third party mediation and return to the Council with an outcome. VOTE: 4 - Aye (Frank, Hurst, Huseman, Smith), 5 - Nay. MOTION FAILED

A motion was made by Council Member Hurst, seconded by Council Member Madera, to have a study session or special meeting to discuss a list of potential solutions to obtain the development vision of the Council moving forward and to hear about next steps with the Comprehensive Plan and the ways to align those goals. VOTE: 7 - Aye, 2 - Nay (Allen-Thomas, Noble)

[21-155](#)

Ratification of Mayor's Signature to Letter to Governor Polis regarding WQCC June 2020 Decision

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

11. Council Reports

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.

*A motion was made by Council Member Hurst, seconded by Council Member Grimes, to have Human Resources start preparing City Attorney recruitment documentation.
VOTE: 9 - Aye*

*A motion was made by Council Member Madera, seconded by Council Member Grimes, to set a special meeting for October 25th to enter into negotiations with the Deputy City Attorney to act as the Interim City Attorney during the recruitment process.
VOTE: 9 - Aye*

12. Executive Session

Held before Citizen Communication

[21-154](#)

An executive session pursuant to C.R.S. 24-6-402(4)(e & f) for the purpose of discussing personnel and negotiation matters relating to the City Attorney and the interim City Attorney position.

**A motion was made by Council Member Allen-Thomas, seconded by Council Member Grimes, to enter into an executive session pursuant to C.R.S. 24-6-402(4)(e & f) for the purpose of discussing personnel and negotiation matters relating to the City Attorney and the interim City Attorney position.
VOTE:**

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

[21-158](#)

An executive session regarding the City Manager pursuant to C.R.S. 24-6-402(4)(f) for the purposes of discussing personnel matters relating to the City Manager's performance.

A motion was made by Council Member Allen-Thomas, seconded by Council Member Grimes, to enter into an executive session regarding the City Manager pursuant to C.R.S. 24-6-402(4)(f) for the purposes of discussing personnel matters relating to the City Manager's performance. VOTE:

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

13. Adjourn

The meeting adjourned at 11:30 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