



# Commerce City

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

## Meeting Minutes - Final

### City Council

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Monday, May 3, 2021

7:00 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](http://c3gov.com/video)

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Revised as of 5/3/2021 at 11:00 AM

Or immediately following the Urban Renewal Authority 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

#### 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 May 3, 2021, at 7:06 PM.*

*A motion was made by Council Member Grimes, seconded by Council Member Allen-Thomas, to excuse members not present. VOTE: 8 - Aye, 1 - Excused (Frank)*

**Present:** 8 - Mayor Benjamin Huseman, 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

**Excused:** 1 - Mayor Pro Tem Nicole Frank

#### 2. Pledge of Allegiance

*The Pledge of Allegiance was recited.*

#### 3. Citizen Communication

[21-68](#)

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](http://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 May 3.

*Jeremy Rodriguez spoke on updates regarding Congressman Perlmutter's office.*

*Steve Douglas spoke on city projects and green house gas limitations.*

#### 4. Presentations

[Pres 21-271](#)

COVID-19 Update

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

[Pres 21-46](#)

Environmental Planning & Policy Monthly Update

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

[Pres 21-214](#)

Derby Entryway Signage Design Review

*This presentation was also made during the Urban Renewal Authority Meeting earlier in the evening and thus was not given during the City Council meeting.*

#### 5. Consent Agenda

**A motion was made by Council Member Grimes, seconded by Council Member Madera, to approve the consent agenda as presented. ROLL CALL VOTE:**

**Aye:** 8 - Mayor Huseman, Council Member Madera, Council Member Allen-Thomas, Council Member Noble, Council Member Guardiola, Council Member Hurst, Council Member Grimes and Council Member Smith

**Excused:** 1 - Mayor Pro Tem Frank

- [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.
- [Res 2021-27](#) A RESOLUTION AUTHORIZING AMENDMENT TO CONTRACT WITH RME LTD. TO INCLUDE 2021 ASPHALT MILL & OVERLAY PROJECT
- [Res 2021-28](#) A RESOLUTION AUTHORIZING AMENDMENT TO CONTRACT WITH SILVA CONSTRUCTION INC. TO INCLUDE 2021 CONCRETE FLATWORK REPLACEMENT AND REPAIR PROJECT
- [Res 2021-37](#) A RESOLUTION AUTHORIZING AMENDMENT TO FEDERAL ADVOCACY AND LOBBYING AGREEMENT WITH SQUIRE PATTON BOGGS LLP

## 6. Public Hearings

- [Z-945-17-19-21](#) AN ORDINANCE APPROVING THE AMENDMENT OF THE NEXUS NORTH AT DIA PUD ZONE DOCUMENT TO INCORPORATE 12 ADDITIONAL ACRES OF ADJACENT PROPERTY LOCATED AT THE NORTHWEST CORNER OF TELLURIDE ROAD AND E 84TH AVE., INTO THE PUD ZONE DISTRICT, IN COMMERCE CITY, COLORADO.

*Mayor Huseman opened the public hearing.*

*Jenny Axmacher, principal planner, gave the staff presentation.*

*No public comment was received.*

*Mayor Huseman closed the public hearing.*

*A motion was made by Council Member Grimes, seconded by Council Member Hurst, to accept the findings and recommendations of the Planning Commission on case # Z-945-17-19-21. VOICE VOTE: 8 - Aye, 1 - Excused (Frank)*

**A motion was made by Council Member Grimes, seconded by Council Member Hurst, that this zoning ordinances be introduced by council as seated and approved on first reading. VOTE:**

**Aye:** 8 - Mayor Huseman, Council Member Madera, Council Member Allen-Thomas, Council Member Noble, Council Member Guardiola, Council Member Hurst, Council Member Grimes and Council Member Smith

**Excused:** 1 - Mayor Pro Tem Frank

[Z-968-21](#)

AN ORDINANCE REZONING FROM C-3 (COMMERCIAL) TO I-2 (MEDIUM-INTENSITY INDUSTRIAL DISTRICT) THE PROPERTY LOCATED AT 7167 E 53RD PL., COMMERCE CITY, COLORADO, AS DESCRIBED IN EXHIBIT A, AND AMENDING THE ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO TO REFLECT SAID REZONING.

*Mayor Huseman opened the public hearing.*

*Jennifer Jones, principal planner, gave the staff presentation.*

*No public comment was received.*

*Mayor Huseman closed the public hearing.*

*A motion was made by Council Member Hurst, seconded by Council Member Allen-Thomas, to accept the findings and recommendations of the Planning Commission on case # Z-968-21. VOICE VOTE: 8 - Aye, 1 - Excused (Frank)*

**A motion was made by Council Member Hurst, seconded by Council Member Grimes, that this zoning ordinances be introduced by council as seated and approved on first reading. VOTE:**

**Aye:** 8 - Mayor Huseman, Council Member Madera, Council Member Allen-Thomas, Council Member Noble, Council Member Guardiola, Council Member Hurst, Council Member Grimes and Council Member Smith

**Excused:** 1 - Mayor Pro Tem Frank

[Z-970-21](#)

AN ORDINANCE REZONING FROM C-2 (GENERAL COMMERCIAL DISTRICT) TO PUBLIC. THE PROPERTY LOCATED AT 4761 E 69TH AVENUE, COMMERCE CITY, COLORADO, AS DESCRIBED IN EXHIBIT A, AND AMENDING THE ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO TO REFLECT SAID REZONING.

*Mayor Huseman opened the public hearing.*

*Stacy Wasinger, city planner, gave the staff presentation.*

*No public comment was received.*

*Mayor Huseman closed the public hearing.*

*A motion was made by Council Member Grimes, seconded by Council Member Madera, to accept the findings and recommendations of the Planning Commission on case # Z-970-21. VOICE VOTE: 8 - Aye, 1 - Excused (Frank)*

**A motion was made by Council Member Grimes, seconded by Council Member Madera, that this zoning ordinances be introduced by council as seated and approved on first reading. VOTE:**

**Aye:** 8 - Mayor Huseman, Council Member Madera, Council Member Allen-Thomas, Council Member Noble, Council Member Guardiola, Council Member Hurst, Council Member Grimes and Council Member Smith

**Excused:** 1 - Mayor Pro Tem Frank

## 7. Resolutions

[Res 2021-35](#)

A RESOLUTION APPOINTING ROGER TINKLENBERG AS CITY MANAGER AND APPROVING AN EMPLOYMENT AGREEMENT

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

**Aye:** 8 - Mayor Huseman, Council Member Madera, Council Member Allen-Thomas, Council Member Noble, Council Member Guardiola, Council Member Hurst, Council Member Grimes and Council Member Smith

**Excused:** 1 - Mayor Pro Tem Frank

## 8. Ordinances on 1st Reading

[Ord 2328](#)

AN ORDINANCE ENACTING A NEW SECTION 2-1005 IN ARTICLE I OF CHAPTER 2 OF THE COMMERCE CITY REVISED MUNICIPAL CODE CREATING A PROCESS FOR HANDLING THIRD PARTY COMPLAINTS ALLEGING VIOLATIONS OF CAMPAIGN FINANCE LAWS RELATING TO MUNICIPAL ELECTIONS.

**A motion was made by Council Member Madera, seconded by Council Member Grimes, that this ordinance be introduced by council as seated and approved on first reading. VOTE:**

**Aye:** 8 - Mayor Huseman, Council Member Madera, Council Member Allen-Thomas, Council Member Noble, Council Member Guardiola, Council Member Hurst, Council Member Grimes and Council Member Smith

**Excused:** 1 - Mayor Pro Tem Frank

[Ord 2329](#)

AN ORDINANCE AUTHORIZING THE LEASE OF EQUIPMENT AND THE EXECUTION BY THE CITY OF A MASTER LEASE AGREEMENT WITH ALL COPY PRODUCTS, INC., A RENTAL AGREEMENT WITH FRANCO TYP-POSTALIA, D/B/A FP MAILING SOLUTIONS, INC. AND RELATED DOCUMENTS; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT; SETTING FORTH PARAMETERS AND RESTRICTIONS; AND PROVIDING FOR OTHER RELATED MATTERS.

**A motion was made by Council Member Grimes, seconded by Council Member Madera, that this ordinance be introduced by council as seated and approved on first reading. VOTE:**

**Aye:** 8 - Mayor Huseman, Council Member Madera, Council Member Allen-Thomas, Council Member Noble, Council Member Guardiola, Council Member Hurst, Council Member Grimes and Council Member Smith

**Excused:** 1 - Mayor Pro Tem Frank

**9. Administrative Council Business**

[21-66](#)

Letter of Support for the Wayside Horn Project

*A motion was made by Council Member Allen-Thomas, seconded by Council Member Madera, to ratify the letter of support and to affix the Mayor's signature thereon. VOTE: 8 - Aye, 1 - Excused (Frank)*

[21-67](#)

Letter of Support for the Domestic Violence Appropriation Request

*A motion was made by Council Member Hurst, seconded by Council Member Guardiola, to ratify the letter of support and to affix the Mayor's signature thereon. VOTE: 8 - Aye, 1 - Excused (Frank)*

**10. 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.*

**11. Adjourn**

*The meeting adjourned at 8:38 PM.*

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

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*Jordan D. Roberts, Deputy City Clerk*