



Meeting Minutes - Final City Council

Monday, March 3, 2014

6:00 PM

Council Chambers

URA Meeting to follow

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 Ford on March 3, 2014, at 6:00 PM.

Present: 9 - Mayor Sean Ford , Council Member Jim Benson, Council Member Rick A. Teter, Council Member Crystal Elliott, Council Member Steven J. Douglas, Council Member Andrew Amador, Council Member Jadie Carson, Council Member Jason McEldowney and Mayor Pro Tem René Bullock

2. Executive Session

[14-03](#)

An executive session pursuant to C.R.S. 24-6-402(4)(e) for the purpose of instructing negotiators concerning the master development agreement with Kroenke Sports Enterprises

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member McEldowney, that the executive session be held pursuant to C.R.S. 24-6-402(4) (e) for the purpose of instructing negotiators concerning the master development agreement with Kroenke Sports Enterprises. VOICE VOTE: Unanimous, all present affirmed.

3. Pledge of Allegiance

The Pledge of Allegiance was recited.

4. Audience Introduction

The audience introduced themselves.

5. Proclamations and Recognitions

[14-11](#)

Quality Community Foundation Grant Awards

Chairman Daniel Alire and members of the Quality Community Foundation , presented various non-profit organizations with grant awards totalling \$123,500. The total amount distributed was \$123,500. The non-profit organizations provide services to the community.

6. Citizen Communication

Brian Ervin, 6450 Hudson St., asked if Council would be adopting an ordinance to allow laying hens in residential neighborhoods.

A motion was made by Council member McEldowney, seconded by Council member Amador directing staff to conduct preliminary comparisons with peer cities regarding laying hens in backyards and bringing the information forward to council in a study session.

VOICE VOTE: Unanimous; all present affirmed

7. Consent Agenda

A motion was made by Council Member McEldowney, seconded by Mayor Pro Tem Bullock, that the consent agenda be approved as presented. VOTE:

Aye: 9 - Mayor Ford, Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Council Member Carson, Council Member McEldowney and Mayor Pro Tem Bullock

[Z-908-14](#) AN ORDINANCE REZONING FROM C-3 TO R-1 ZONE DISTRICT THE PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, LOCATED AT 5928 POPLAR STREET, COMMERCE CITY, COLORADO, AND AMENDING THE ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO TO REFLECT SAID REZONING.

[Ord 1992](#) AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE COMMERCE CITY LAND DEVELOPMENT CODE PERTAINING TO FLOODPLAIN REGULATION

[Ord 1995](#) AN ORDINANCE AMENDING ORDINANCE 1845 OF THE CITY OF COMMERCE CITY REGARDING DELEGATION OF AUTHORITY BY THE CITY COUNCIL TO THE COMMERCE CITY POLICE PENSION BOARD

[Res 2014-10](#) RESOLUTION APPROVING AMENDMENT TO 2012 INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF COMMERCE CITY AND THE URBAN RENEWAL AUTHORITY OF THE CITY OF COMMERCE CITY

[Res 2014-13](#) RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF COMMERCE CITY AND ADAMS 14 SCHOOL DISTRICT REGARDING REPLACEMENT/RECONSTRUCTION OF ELEMENTARY SCHOOL BASEBALL/SOFTBALL FIELDS

[Res 2014-19](#) RESOLUTION SUPPORTING A GRANT APPLICATION FOR A LOCAL GOVERNMENT PLANNING GRANT FROM THE STATE BOARD OF THE GREAT OUTDOORS COLORADO FOR TURNBERRY NEIGHBORHOOD PARK PLANNING

[Res 2014-21](#) RESOLUTION AUTHORIZING EXECUTION OF MAINTENANCE CONTRACT FOR 104TH AVENUE A/K/A STATE HIGHWAY 44 BY AND BETWEEN THE CITY OF COMMERCE CITY AND THE COLORADO DEPARTMENT OF TRANSPORTATION

[Res 2014-22](#) RESOLUTION APPOINTING MEMBERS TO THE YOUTH COMMISSION OF COMMERCE CITY

[Res 2014-24](#) RESOLUTION APPROVING TOWER ROAD IMPROVEMENTS PROJECT FUNDING AGREEMENT

8. Public Hearings

[CU-84-14](#) CONDITIONAL USE PERMIT FOR A HAZARDOUS WASTE TREATMENT STORAGE AND RECYCLING FACILITY - CASE #CU-84-14

Mayor Ford opened the public hearing.

Planner Paul Workman presented the case. The applicant, Veolia Environmental Services - Technical Solutions is requesting a conditional use permit in order to bring their existing operations, as a facility for the treatment and storage of hazardous and non-hazardous materials, into legal and conforming status, that in turn will bring the property into compliance with the land use requirements of the Land Development Code. The property was originally developed in unincorporated Adams County in 1980, and, until it was unilaterally annexed in 2007, it operated under a conditional use permit issued by the county. This business is a 24-hour operation and employs 50-60 people. The planning commission held a public hearing and voted unanimously to forward the application on to council with a favorable recommendation.

Thomas Ankard, appeared before Council on behalf of the applicant. The company has been in business for over 30 years and this facility is well managed.

No one else appeared before Council and the public hearing portion of the meeting was closed.

A motion was made by Council member McEldowney, seconded by Mayor Pro Tem Bullock to approve the findings and recommendations of the planning commission.

VOICE VOTE: Unanimous; all present affirmed

A motion was made by Council Member McEldowney, seconded by Council Member Amador, that the conditional use permit be approved. VOTE:

Aye: 9 - Mayor Ford, Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Council Member Carson, Council Member McEldowney and Mayor Pro Tem Bullock

9. Ordinances on 1st Reading

[Ord 1996](#) AN ORDINANCE AMENDING THE 2014 BUDGET OF THE CITY OF

COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE KAISER PERMANENTE WALK & WHEEL GRANT FUNDS IN THE AMOUNT OF \$12,275 TO FUND THE WELLNESS COMMITTEE PROGRAM AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Teter, that this ordinance be introduced by council as seated and approved on first reading. VOTE:

Aye: 9 - Mayor Ford, Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Council Member Carson, Council Member McEldowney and Mayor Pro Tem Bullock

[Ord 1997](#)

AN ORDINANCE AMENDING THE 2014 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE VALE GRANT IN THE AMOUNT OF \$3,894 FOR THE SUPPORT OF THE COMMUNITY JUSTICE PROGRAM AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

A motion was made by Council Member McEldowney, seconded by Mayor Pro Tem Bullock, that this ordinance be introduced by council as seated and approved on first reading. VOTE:

Aye: 9 - Mayor Ford, Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Council Member Carson, Council Member McEldowney and Mayor Pro Tem Bullock

[Ord 1999](#)

AN ORDINANCE AMENDING THE 2014 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE COLORADO DEPARTMENT OF TRANSPORTATION (CDOT) GRANT FUNDS IN THE AMOUNT OF \$7,000 FOR THE SUPPORT OF DUI ENFORCEMENT AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

A motion was made by Council Member McEldowney, seconded by Mayor Pro Tem Bullock, that this ordinance be introduced by council as seated and approved on first reading. VOTE:

Aye: 9 - Mayor Ford, Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Council Member Carson, Council Member McEldowney and Mayor Pro Tem Bullock

[Ord 2001](#)

AN ORDINANCE AMENDING THE 2014 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY TRANSFERRING A PORTION OF THE UNENCUMBERED FUND BALANCE IN THE GENERAL FUND TO THE FUND FOR THE URBAN RENEWAL AUTHORITY OF THE CITY OF COMMERCE CITY, AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member McEldowney, that this ordinance be introduced by council as seated and

approved on first reading. **VOTE:**

Aye: 9 - Mayor Ford, Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Council Member Carson, Council Member McEldowney and Mayor Pro Tem Bullock

[Ord 2002](#)

AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF COMMERCE CITY, COLORADO OF ITS SALES AND USE TAX REVENUE BONDS, SERIES 2014; AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member McEldowney, that this ordinance be introduced by council as seated and approved on first reading. VOTE:

Aye: 9 - Mayor Ford, Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Council Member Carson, Council Member McEldowney and Mayor Pro Tem Bullock

10. Presentations

[Pres 14-474](#)

RMANWR Update

US Fish & Wildlife Manager Dave Lucas presented Council with an update of the activities that occurred at the refuge during 2013. The refuge was visited by over 300,000 people, suffered significant flood damage in September and officially kicked off their comprehensive plan update. Mr. Lucas touched on some of the refuge's major issues and challenges such as supporting increased visitation, improved access and reintroduction of the endangered black-footed ferret.

In response to Council questions, Mr. Lucas spoke about prairie dog and coyote management and illegal dumping along the perimeter fence.

Tri-County Health Department Representatives addressed Council regarding the hazardous material containment remedies that are, and have been, in place at the refuge.

11. Administrative Council Business

A motion was made by Council member Amador, seconded by Mayor Pro Tem Bullock, to appoint Councilman McEldowney as Acting Mayor while Mayor Ford and Mayor Pro Tem Bullock are in Washington D.C.

VOICE VOTE: Unanimous; all present affirmed

Mayor Pro Tem Bullock has received requests to open the Commerce City Recreation Center at 8:00 am on Sundays.

Mayor Ford would like a study session on this request.

Councilwoman Carson congratulated the newly appointed members of the youth commission.

Councilman Douglas plans to meet socially with a California state representative

while in Washington D.C.

Councilwoman Elliott is seeking sponsorship of \$150 per council member for the EduExpo at Adams City High School.

A motion was made by Council member McEldowney, seconded by Council member Douglas to approve \$150 from each Council member's discretionary fund, to sponsor EduExpo at Adams City High School.

VOICE VOTE: Unanimous; all present affirmed

A motion was made by Council member McEldowney, seconded by Council member Amador, to schedule a study session on the 5th Monday that occurs in any month in 2014

VOICE VOTE: Unanimous; all present affirmed

12. Reports

City Manager McBroom asked for Council action on adding representation to Highway 85 Planning Committee; however, they will meet in Greeley on the 2nd Thursday of each month.

A motion was made by Council member McEldowney, seconded by Council member Elliott to name Mayor Ford as the representative to the Highway 85 Planning Committee and Mayor Pro Tem Bullock as his alternate.

VOICE VOTE: Unanimous; all present affirmed

City Manager McBroom highlighted the items of his weekly report provided to Council via email.

Deputy City Manager Hayes reported that four RFPs were released for positions related to the upcoming capital improvement projects. Recreation center tours will be scheduled when council gets back from Washington D.C.

Mayor and council reported on the meetings and events they attended.

13. Adjourn to Urban Renewal Authority Meeting

The meeting adjourned at 9:40 pm .