



# Commerce City

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

## Meeting Minutes - Final

### City Council

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Monday, May 16, 2022

6:00 PM Council Chambers, 7887 E. 60th Ave Commerce City, CO  
80022. The meeting will be live on Channel 8 and  
c3gov.com/video. Zoom Registration:  
[https://c3gov.zoom.us/webinar/register/WN\\_WBk\\_K4DaRaqqFu5gPvpL7Q](https://c3gov.zoom.us/webinar/register/WN_WBk_K4DaRaqqFu5gPvpL7Q)

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**Regular Meeting. Times given are estimates only.**

**Updated 5/16/2022 @ 12:30 PM**

#### 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 16, 2022 at 6:00 PM.*

*A motion was made by Council Member Noble, seconded by Council Member Madera, to amend the agenda to make consideration of Ordinance 2379 the next item on the agenda. VOTE: 8 - Aye, 1 - Nay (Hurst)*

**Present:** 9 - Mayor Benjamin Huseman, Mayor Pro Tem Jennifer Allen-Thomas, Council Member Oscar Madera, Council Member Rick Davis, Council Member Susan Noble, Council Member Craig Hurst, Council Member Meghan Grimes, Council Member Sean Ford and Council Member Kristi Douglas

#### 2. Pledge of Allegiance

*The Pledge of Allegiance was recited.*

#### 3. Citizen Communication

[22-39](#)

Citizen Communication - City Council will conduct this meeting in person at the Commerce City Civic Center, 7887 E 60th Ave, Commerce City, CO 80022. 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 in person, via Zoom, or in advance through mail or email. Visit [c3gov.com/council](https://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 via Zoom or submit written comments is noon on Monday, May 16th.

*Steve Douglas spoke on the City's golf course and traffic in their community.*

#### 4. Proclamations and Recognitions

[Proc 22-27](#)

Proclamation Declaring May 15-21, 2022 as Commerce City's Public Works Week

**A motion was made by Mayor Pro Tem Allen-Thomas, seconded by Council Member Grimes, that this Proclamation be approved. VOTE:**

**Aye:** 9 - Mayor Huseman, Mayor Pro Tem Allen-Thomas, Council Member Madera, Council Member Davis, Council Member Noble, Council Member Hurst, Council Member Grimes, Council Member Ford and Council Member Douglas

#### 5 Consent Agenda

*Council Member Noble requested Resolution 2022-61 be removed from the consent agenda.*

**A motion was made by Council Member Hurst, seconded by Mayor Pro Tem Allen-Thomas, to approve the Consent Agenda as amended. ROLL CALL VOTE:**

**Aye:** 9 - Mayor Huseman, Mayor Pro Tem Allen-Thomas, Council Member Madera, Council Member Davis, Council Member Noble, Council Member Hurst, Council Member Grimes, Council Member Ford and Council Member Douglas

[Res 2022-59](#)

A RESOLUTION EXTENDING THE COMPREHENSIVE PLAN CITIZEN'S ADVISORY COMMITTEE

[Res 2022-61](#)

A RESOLUTION OF THE CITY OF COMMERCE CITY ADOPTING RULES OF PROCEDURE FOR APPEALS OF A DECISION BY THE COMMUNITY DEVELOPMENT DIRECTOR

**A motion was made by Council Member Hurst, seconded by Mayor Pro Tem Allen-Thomas, that this Resolution be adopted. VOTE:**

**Aye:** 9 - Mayor Huseman, Mayor Pro Tem Allen-Thomas, Council Member Madera, Council Member Davis, Council Member Noble, Council Member Hurst, Council Member Grimes, Council Member Ford and Council Member Douglas

[Res 2022-62](#)

A RESOLUTION AUTHORIZING THE EXTENSION OF INTERIM CITY ATTORNEY EMPLOYMENT AGREEMENT

## 6. Public Hearings

The public hearings will be conducted in a hybrid format via Zoom and in person. There will be an opportunity to testify live during the meeting via Zoom or by written comment via email or regular mail. Visit [c3gov.com/council](https://c3gov.com/council) and click on “Virtual Meeting and Public Comment Instructions” for instructions on how to register or submit comments. The deadline to register to comment via Zoom and to submit written comments is noon on Monday, May 16, 2022. Persons testifying in person should arrive at the Commerce City Civic Center at the meeting start time. Persons testifying in person do not need to register in advance. Please contact the City Clerk at [dgibson@c3gov.com](mailto:dgibson@c3gov.com) or 303-227-8791 to request paper copies of materials.

[Res 2022-31](#)

A RESOLUTION DETERMINING THE ELIGIBILITY FOR ANNEXATION TO THE CITY OF COMMERCE CITY, COLORADO OF THE PROPERTY GENERALLY LOCATED AT 10070 POTOMAC STREET IN CASE AN-260-22 KNOWN AS THE EBERLY PLACE ANNEXATION

*Mayor Huseman opened the public hearing.*

*Andrew Baker, City Planner, provided the staff presentation to Council. Andrew provided an overview of the case, case history, proposed PUD, DRT and PC analysis, and recommendations.*

*The public hearing was continued due to a lack of an updated PUD zone document.*

**A motion was made by Council Member Madera, seconded by Council Member Grimes, that this Resolution be continued to the May 23, 2022 special meeting.  
VOTE:**

**Aye:** 9 - Mayor Huseman, Mayor Pro Tem Allen-Thomas, Council Member Madera, Council Member Davis, Council Member Noble, Council Member Hurst, Council Member Grimes, Council Member Ford and Council Member Douglas

[AN-260-22](#)

SECOND AND FINAL READING OF AN ORDINANCE ANNEXING THE PROPERTY GENERALLY LOCATED AT 10070 POTOMAC STREET, ADAMS COUNTY, COLORADO (PIN: 0172300000147) TO THE CITY OF COMMERCE CITY, COLORADO IN CASE AN-260-22 KNOWN AS THE EBERLY PLACE ANNEXATION

**A motion was made by Council Member Madera, seconded by Council Member Grimes, that this Ordinance be continued to the May 23, 2022 special meeting. VOTE:**

**Aye:** 9 - Mayor Huseman, Mayor Pro Tem Allen-Thomas, Council Member Madera, Council Member Davis, Council Member Noble, Council Member Hurst, Council Member Grimes, Council Member Ford and Council Member Douglas

[Z-971-21-22](#)

SECOND AND FINAL READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO BY ZONING THE PROPERTY ANNEXED AS THE EBERLY PLACE ANNEXATION FROM ADAMS COUNTY A-3 TO COMMERCE CITY PUD AND APPROVING A ZONE DOCUMENT

**A motion was made by Council Member Madera, seconded by Council Member Grimes, that this Zoning Ordinances be continued to the May 23, 2022 special meeting. VOTE:**

**Aye:** 9 - Mayor Huseman, Mayor Pro Tem Allen-Thomas, Council Member Madera, Council Member Davis, Council Member Noble, Council Member Hurst, Council Member Grimes, Council Member Ford and Council Member Douglas

[Res 2022-30](#)

A RESOLUTION DETERMINING THE ELIGIBILITY FOR ANNEXATION TO THE CITY OF COMMERCE CITY, COLORADO OF THE PROPERTY LOCATED GENERALLY AT 9940 EAST 112TH AVENUE, HENDERSON, COLORADO IN CASE AN-259-21-22 KNOWN AS THE CANAM ANNEXATION

*Mayor Huseman opened the public hearing.*

*Andrew Baker, City Planner, provided the staff presentation to Council. Andrew provided an overview of the case, case history, proposed PUD, DRT and PC analysis, and recommendations.*

*A motion was made by Council Member Grimes, seconded by Council Member Madera, to limit debate to 10 minutes per council member. VOTE: 8 - Aye, 1 - Nay (Noble)*

*Mike Tallcot, applicant, David Foster, counsel for the applicant, Kristen Stewart, Foster Graham, and Jeff Plank, Traffic Engineer, were present to give the applicant presentation and to take questions from Council.*

*Leslie Holmes spoke in opposition.*

*David Yost spoke on the land use.*

*Stephanie Fernandez spoke in opposition.*

*Stephanie Fernandez spoke in opposition.*

*Steve Douglas spoke on traffic.*

*Alex Payan spoke in opposition.*

*Matt Paul spoke in opposition.*

*Mayor Huseman closed the public hearing.*

*A motion was made by Council Member , seconded by Mayor Pro Tem Allen-Thomas, to accept the findings and recommendations of the Planning Commission on case # Z-964-21-22. VOTE: 3 - Aye (Allen-Thomas, Douglas, Noble), 6 - Nay*

**A motion was made by Council Member Ford, seconded by Council Member Grimes, that this Resolution be adopted. VOTE:**

**Aye:** 7 - Mayor Huseman, Mayor Pro Tem Allen-Thomas, Council Member Madera, Council Member Davis, Council Member Hurst, Council Member Grimes and Council Member Ford

**Nay:** 2 - Council Member Noble and Council Member Douglas

[AN-259-21-22](#)

SECOND AND FINAL READING OF AN ORDINANCE ANNEXING THE PROPERTY GENERALLY LOCATED AT 9940 EAST 112TH AVENUE, HENDERSON, COLORADO (PIN: 0172110109002) TO THE CITY OF COMMERCE CITY, COLORADO, IN CASE AN-259-21-22 KNOWN AS THE CANAM ANNEXATION

**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:** 7 - Mayor Huseman, Council Member Madera, Council Member Davis, Council Member Hurst, Council Member Grimes, Council Member Ford and Council Member Douglas

**Nay:** 2 - Mayor Pro Tem Allen-Thomas and Council Member Noble

**Z-964-21-22**

SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO BY ZONING THE PROPERTY ANNEXED AS CANAM ANNEXATION FROM ADAMS COUNTY I-1 AND COMMERCE CITY I-1 TO COMMERCE CITY PUD (PLANNED UNIT DEVELOPMENT) AND APPROVING A ZONE DOCUMENT

*A motion was made by Mayor Huseman, seconded by Council Member Madera, to amend Ordinance Z-964-21-22 to require a traffic light be installed at the intersection of Florence St and 112th Ave conditioned on CDOT approval and if denied then the installation of other pedestrian safety mechanisms as a condition of approval. VOTE: 9 - Aye*

**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:** 6 - Mayor Huseman, Council Member Madera, Council Member Davis, Council Member Noble, Council Member Grimes and Council Member Ford

**Nay:** 3 - Mayor Pro Tem Allen-Thomas, Council Member Hurst and Council Member Douglas

**7. Ordinances on 1st Reading**[Ord 2379](#)

FIRST READING OF AN ORDINANCE ENACTING CHAPTER 13 - METROPOLITAN DISTRICTS OF THE COMMERCE CITY REVISED MUNICIPAL CODE.

**A motion was made by Council Member Grimes, seconded by Council Member Madera, that this Ordinance be continued to the May 23, 2022 meeting. VOTE:**

**Aye:** 9 - Mayor Huseman, Mayor Pro Tem Allen-Thomas, Council Member Madera, Council Member Davis, Council Member Noble, Council Member Hurst, Council Member Grimes, Council Member Ford and Council Member Douglas

## 8. Administrative Council Business

*A motion was made by Council Member Noble, seconded by Council Member Douglas, to amend Council Policy #2. VOTE: 9 - Aye*

*A motion was made by Council Member Noble, seconded by Mayor Pro Tem Allen-Thomas, to add to the June 6, 2022 meeting agenda discussion and vote on board and commission term limits. VOTE: 9 - Aye*

*A motion was made by Mayor Huseman, seconded by Council Member Hurst, to have the City of Commerce City sponsor the Rotary Club Trap Tournament in the amount of \$1,500. VOTE: 9 - Aye*

## 9. Council Reports

*Acting City Manager Blakeman highlighted items presented in the weekly City Manager Report provided to Council earlier. The mayor and Council reported on their attendance at various meetings and events.*

## 10. Adjourn

*The meeting adjourned at 9:51 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*

**Any citizen requesting accommodations, with respect to rights under the Americans with Disabilities Act, to attend or participate in any public meeting, and/or to obtain this notice in alternate formats, is asked to please contact the City Clerk at 303-227-8791 as soon as possible before the meeting.**