



# Commerce City

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

## Meeting Minutes - Final

### City Council

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Monday, March 7, 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\\_pzNmTJOkSeqwSi-v7z-2NA](https://c3gov.zoom.us/webinar/register/WN_pzNmTJOkSeqwSi-v7z-2NA)

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Or Immediately following the URA meeting, before or after the posted time. Times given are estimates only. Revised as of March 7, 2022 at 3:00 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 March 7, 2022 at 7:32 PM.*

**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

[22-49](#)

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](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 via Zoom or submit written comments is noon on Monday, March 7.

*David Polley spoke on Resolution 2022-14*

*Austin Gonzales spoke on speeding in their community.*

*Steve Douglas spoke on foliage overgrowth in their community.*

#### 4. Proclamations

[Proc 22-03](#)

Proclamation Declaring March 2022 as Women's History Month in Commerce City, Colorado

*City Clerk Gibson read the proclamation in full.*

**A motion was made by Council Member Grimes, seconded by Council Member Madera, 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. Noticed Council Business

[22-45](#)

Sponsorship Request - Camo to College Golf Tournament

*Mayor Huseman introduced the sponsorship request.*

*A motion was made by Council Member Hurst, seconded by Council Member Madera, to approve the sponsorship request. VOTE: 9 - Aye*

[22-46](#)

Sponsorship Request - Celebrate Hope - Food for Hope Annual Gala 2022

*Mayor Huseman introduced the sponsorship request.*

*A motion was made by Mayor Pro Tem Allen-Thomas, seconded by Council Member Madera, to approve the sponsorship request. VOTE: 9 - Aye*

#### 6. Presentations

[Pres 22-62](#)

Environmental Planning Policy and Oil and Gas Monthly Update

*Anita Riley, Principle Planner, introduce Dr. Russo as the new environmental planner for the City of Commerce, City.*

*Dr. Russo gave the monthly environmental policy planning and oil and gas update.*

#### 7. Consent Agenda

**A motion was made by Council Member Craig Hurst, seconded by Council Member Meghan Grimes, that this consent agenda 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

[Min 22-43](#) Minutes of the February 7, 2022 Regular Meeting

[Min 22-44](#) Minutes of the February 14, 2022 Special Meeting

## 8. Public Hearings

[Res 2022-03](#) A RESOLUTION APPROVING THE AVILLA SETTLERS CROSSING SUBDIVISION, LOCATED AT THE SOUTHEAST CORNER OF TOWER ROAD AND E. 100TH AVENUE

*Mayor Huseman opened the public hearing.*

*Harry Brennan, City Planner, gave the staff presentation.*

*Tyler Elik, NextMetro Communities, Ty Robins, Norse Design, and Charlie Smith, Brownstein, gave the applicant presentation.*

*Steve Douglas spoke on traffic conditions.*

*Mayor Huseman closed the public hearing.*

*A motion was made by Council Member Grimes, seconded by Mayor Pro Tem Allen-Thomas, to accept the findings and recommendations of the Planning Commission for case # S-789-21. VOTE: 9 - Aye*

*A motion was made by Council Member Hurst, seconded by Council Member Grimes, that this resolution be adopted. Motion Failed. VOTE: 2 - Aye (Grimes, Hurst), 7 - Nay*

**A motion was made by Mayor Huseman, seconded by Mayor Pro Tem Allen-Thomas, that this resolution be continued to a later date to allow staff and the applicant to better define the terms of the application. VOICE 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 2022-14](#)

A RESOLUTION APPROVING THE REUNION FILING 38 SUBDIVISION LOCATED AT THE SOUTHEAST CORNER OF E. 112TH AVENUE AND CHAMBERS ROAD

*Mayor Huseman opened the public hearing.*

*Michelle Berger, counsel for the applicant, entered a motion to request Council Members Douglas and Noble recuse themselves from the hearing.*

*Jennifer Jones, City Planner, gave the staff presentation.*

*Jim Hayes, Vice President of Land Acquisition for Oakwood Homes, and Michelle Berger, counsel for the applicant, gave the applicant presentation.*

*A motion was made by Council Member Grimes, seconded by Council Member Hurst, to extend the meeting by thirty minutes. VOTE: 9 - Aye*

*The following Spoke in opposition to the case:*

- Craig Kim*
- Rachel Eng*
- Georgeann Becker*
- Danell Kalcevic*
- Anthony Salado*
- Justin schulwitz*
- Phil Baca*
- Steve Douglas*
- David Polley*
- Nicole Babyak*
- Ramon Alvarado*
- Brian Parkinson*
- Ellen Haug*

*A motion was made by Council Member Noble, seconded by Mayor Pro Tem Allen-Thomas, to extend the meeting by thirty minutes. VOTE: 9 - Aye*

*Mayor Huseman closed the public hearing.*

*A motion was made by Council Member Hurst, seconded by Council Member Madera, to accept the findings and recommendations of the Planning Commission for case # S-776-20-22. VOTE: 1 - Aye (Madera), 8 - Nay*

*A motion was made by Council Member Grimes, to continue Resolution 2022-14 to April 4, 2022. Motion Failed for lack of second.*

*A motion was made by Council Member Ford, seconded by Council Member Hurst, to deny Resolution 2022-14 on the basis of undue burden on adjacent properties, traffic conditions, and public improvements as they exist and there are inadequate schools to service the subject property. VOTE: 9 - Aye*

## 9. Resolutions

*A motion was made by Council Member Hurst, seconded by Council Member Madera, to amend the agenda to vote on Ordinance 2376, continue the remaining items to the next agenda date, and then to adjourn. VOTE: 9 - Aye*

### [Res 2022-15](#)

A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT WITH MICHAEL BAKER INTERNATIONAL, INC. FOR DESIGN AND PRECONSTRUCTION SERVICES FOR THE WIDENING OF AND IMPROVEMENTS TO COLORADO BOULEVARD

## 10. Ordinances on 1st Reading

### [Ord 2365](#)

AN ORDINANCE AMENDING THE 2022 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY TRANSFERRING \$515,000 FROM THE WATER ACQUISITION FUND TO THE CAPITAL IMPROVEMENTS AND PRESERVATION PLAN FUND (CIPP) FOR COSTS ASSOCIATED WITH THE BUFFALO RUN GOLF COURSE WELL PROJECT AND THE AUTHORIZATION OF THE EXPENDITURES THEREOF

### [Ord 2369](#)

AN ORDINANCE AMENDING THE 2022 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE ADAMS COUNTY OPEN SPACE GRANT FUNDS IN THE AMOUNT OF \$1,500,000 FOR THE BUFFALO RUN GOLF COURSE IRRIGATION SYSTEM AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF

### [Ord 2376](#)

AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF COMMERCE CITY, COLORADO OF ONE OR MORE SERIES OF ITS SALES AND USE TAX REVENUE BONDS; PROVIDING OTHER DETAILS IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY ON FIRST AND FINAL READING.

*Roger Tinklenberg, City Manager, introduced the item.*

**A motion was made by Mayor Pro Tem Allen-Thomas, seconded by Council Member Grimes, that this ordinance be introduced by council as seated and approved on first and final reading as an emergency ordinance. VOTE:**

**Aye:** 8 - Mayor Huseman, Mayor Pro Tem Allen-Thomas, Council Member Madera, Council Member Noble, Council Member Hurst, Council Member Grimes, Council Member Ford and Council Member Douglas

**Nay:** 1 - Council Member Davis

[Ord 2380](#)

AN EMERGENCY ORDINANCE AMENDING SECTIONS 11-2100 AND 7-1003 OF THE COMMERCE CITY REVISED MUNICIPAL CODE TO AMEND THE DEFINITION OF ALL-TERRAIN VEHICLE, EXPRESSLY PROHIBIT THE USE OF ALL-TERRAIN VEHICLES ON PARK PROPERTY, AND ESTABLISH A MINIMUM FINE FOR THE UNLAWFUL USE OF ALL-TERRAIN VEHICLES AND MOTORCYCLES ON PARK PROPERTY AND OPEN SPACE

**11. Administrative Council Business**

**12. Council Reports**

**13. Adjourn**

*The meeting adjourned at 1:34 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.**