



Commerce City

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

Meeting Minutes - Final

City Council

Monday, December 6, 2021

6:30 PM Council Chambers, 7887 E 60th Ave, Commerce City, Colorado. 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

Regular Meeting

Immediately Following the Council Orientation, before or after the posted time.
Per Ordinance 2291 the City Manager is authorized to conduct this meeting via Zoom
Revised as of 3:15 PM, December 6, 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 December 6, 2021, at 6:31 PM.

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

Present: 8 - Mayor Benjamin Huseman, Mayor Pro Tem Jennifer Allen-Thomas, 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

Excused: 1 - Council Member Oscar Madera

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Citizen Communication

[21-184](#)

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 by email 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 December 6th.

Ronna Sanchez spoke on Noticed Council Business

Steve Douglas spoke on Resolution 2021-109

4. Noticed Council Business

[21-185](#)

City Council request to determine the appropriateness of a public hearing process pursuant to Land Development Code Sec. 21-3241(4)(d) for Settlers Crossing Filing No. 3 Subdivision Final Plat to create 154 residential lots & 11 tracts for the property located at the northeast corner of E. 96th Ave & Tower Rd, zoned PUD (Planned Unit Development District).

Jim Tolbert, Community Development Director, introduced the subdivision plat.

A motion was made by Council Member Noble, seconded by Council Member Douglas, to call the subdivision plat up for public hearing before the City Council. Motion Failed. VOTE:

Aye: 4 - Mayor Huseman, Mayor Pro Tem Allen-Thomas, Council Member Noble and Council Member Douglas

Nay: 4 - Council Member Davis, Council Member Hurst, Council Member Grimes and Council Member Ford

Excused: 1 - Council Member Madera

[21-186](#)

City Council request to determine the appropriateness of a public hearing process pursuant to Land Development Code Sec. 21-3241(4)(d) for Reunion Filing No. 38 Final Plat, to create 153 residential lots and 11 tracts on approximately 21.9 acres, for the property located at the southeast corner of E. 112th Ave & Chambers Rd, zoned PUD (Planned Unit Development District).

Jim Tolbert, Community Development Director, introduced the subdivision plat.

A motion was made by Council Member Noble, seconded by Mayor Pro Tem Allen-Thomas, to call the subdivision plat up for public hearing before the City Council. Motion Failed. VOTE:

Aye: 4 - Mayor Huseman, Mayor Pro Tem Allen-Thomas, Council Member Noble and Council Member Douglas

Nay: 4 - Council Member Davis, Council Member Hurst, Council Member Grimes and Council Member Ford

Excused: 1 - Council Member Madera

5. Presentations

[Pres 21-94](#)

Environmental Planning Policy and Oil and Gas Monthly Update

Anita Riley, Principal Planner, provided the environmental planning & policy monthly update.

6. Consent Agenda

Council Member Noble requested that the Minutes of November 15, 2021 Regular Meeting and Resolution 2021-109 be removed from the consent agenda.

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

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

Excused: 1 - Council Member Madera

[Min 21-285](#)

Minutes of the October 4, 2021 Regular Meeting

[Min 21-286](#)

Minutes of the October 11, 2021 Special Meeting

[Min 21-287](#)

Minutes of the October 18, 2021 Regular Meeting

- [Min 21-288](#) Minutes of the October 25, 2021 Special Meeting
- [Min 21-289](#) Minutes of the November 1, 2021 Regular Meeting
- [Min 21-290](#) Minutes of the November 15, 2021 Special Meeting
- [Min 21-291](#) Minutes of the November 15, 2021 Regular Meeting - Revised
Council Member Noble requested the minutes be postponed to December 20, 2021 to allow staff to revise a typographical error in the minutes.
- [Min 21-282](#) Minutes of the November 29, 2021 Special Meeting
- [Min 21-283](#) Minutes of the November 29, 2021 Organizational Meeting
- [Res 2021-99](#) A RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR BUFFALO RUN GOLF COURSE IRRIGATION SYSTEM REPLACEMENT CONTRACT TO LEXICON, INC.
- [Res 2021-105](#) A RESOLUTION APPROVING ECONOMIC DEVELOPMENT BUSINESS INCENTIVES FOR PERFORMANCE FOOD GROUP
- [Res 2021-109](#) A RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR CITYWIDE CUSTODIAL SERVICES TO TOWN AND COUNTRY DEVELOPMENT CORPORATION
Joe Wilson, Public Works Director, answered questions from the City Council.

A motion was made by Council Member Grimes, seconded by Council Member Noble, to direct staff to negotiate a one year extension for custodial services for the City of Commerce City and bring back to Council at the December 20, 2021 meeting. VOTE: 8 - Aye, 1 - Excused (Madera)

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

Aye: 1 - Council Member Davis

Nay: 7 - Mayor Huseman, Mayor Pro Tem Allen-Thomas, Council Member Noble, Council Member Hurst, Council Member Grimes, Council Member Ford and Council Member Douglas

Excused: 1 - Council Member Madera
- [Res 2021-111](#) A RESOLUTION APPOINTING MEMBERS TO DESIGNATED BOARDS AND COMMISSIONS OF COMMERCE CITY

7. Resolutions

[Res 2021-107](#)

A RESOLUTION GRANTING AUTHORITY TO APPOINT A CITY EMPLOYEE TO THE NORTH METRO YOUTH DIVERSION PROGRAM'S GOVERNING NORTH METRO COMMUNITY DIVERSION BOARD

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

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

Excused: 1 - Council Member Madera

8. Ordinances on 1st Reading

[Ord 2362](#)

AN ORDINANCE AMENDING THE 2022 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO, BY APPROPRIATING PORTIONS OF THE UNENCUMBERED FUND BALANCES OF THE GENERAL FUND, FACILITIES FUND, AND INFORMATION TECHNOLOGY FUND, AND REAFFIRMING CERTAIN PRIOR APPROPRIATIONS, FOR A TOTAL AMOUNT OF \$660,500 AND AUTHORIZING THE EXPENDITURE THEREOF.

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

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

Excused: 1 - Council Member Madera

[Ord 2363](#)

AN EMERGENCY ORDINANCE AUTHORIZING THE LEASING OF CERTAIN EQUIPMENT AND THE EXECUTION AND DELIVERY BY THE CITY OF A LEASE PURCHASE AGREEMENT AND OTHER FINANCING DOCUMENTS IN CONNECTION THEREWITH; SETTING FORTH PARAMETERS AND RESTRICTIONS WITH RESPECT TO THE FINANCING; RATIFYING ACTION PREVIOUSLY TAKEN CONCERNING THE REFERENCED TRANSACTIONS; AND PROVIDING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY.

A motion was made by Mayor Pro Tem Allen-Thomas, seconded by Council Member Hurst, 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 Davis, Council Member Noble, Council Member Hurst, Council Member Grimes, Council Member Ford and Council Member Douglas

Excused: 1 - Council Member Madera

9. Ordinances on 2nd Reading

[Ord 2358](#)

AN ORDINANCE AMENDING ORDINANCE NO. 2143 TO INCREASE THE AUTHORIZED TOTAL EXPENDITURE AMOUNT FOR THE LEASING OF VEHICLES UNDER THE CITY'S MASTER LEASE PROGRAM AGREEMENT WITH ENTERPRISE FLEET MANAGEMENT

A motion was made by Council Member Hurst, seconded by Council Member Grimes, that this ordinance be approved on second & final reading. VOTE:

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

Excused: 1 - Council Member Madera

10. Administrative Council Business

A motion was made by Council Member Grimes, seconded by Council Member Davis, to request a special meeting to discuss extending the consolidated agreement for Oakwood Homes. Motion Failed. VOICE VOTE: 4 - Aye (Davis, Ford, Grimes, Hurst), 4 - Nay, 1 - Excused (Madera).

A motion was made by Council Member Hurst, seconded by Council Member Grimes, to have a discussion on what Council would want to have in the negotiations for extending the consolidated development agreement with Reunion Master Development Community. Motion Failed. VOICE VOTE: 4 - Aye (Davis, Ford, Grimes, Hurst), 4 - Nay, 1 - Excused (Madera).

A motion was made by Council Member Noble, seconded by Council Member Douglas, to have staff draft remarks and return to Council at the December 20, 2021 regular meeting, in preparation for a representative to testify at the January 8, 2022 Colorado Department of Health and Environment hearing regarding the Suncor water quality permit. VOICE VOTE: 8 - Aye, 1 - Excused (Madera)

A motion was made by Council Member Grimes, seconded by Council Member Hurst, to direct staff to bring Council and the public back into chambers and keep a hybrid platform for public comment. VOICE VOTE: 6 - Aye, 2 - Nay (Allen-Thomas, Noble), 1 - Excused (Madera)

[21-187](#)

Ratification of Letter of Support for Esports Awards in Colorado

A motion was made by Council Member Grimes, seconded by Council Member Hurst, to ratify the letter of support for the Esports Awards and to affix the Mayor's signature thereon. VOICE VOTE:

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

Excused: 1 - Council Member Madera

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.

12. Adjourn

The meeting adjourned at 9:47 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