



Commerce City

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

Meeting Minutes - Final

City Council

Monday, December 4, 2023

6:00 PM Council Chambers, 7887 E 60th Ave, Commerce City, CO 80022. The meeting will also be conducted in a hybrid format via Zoom. Registration link: https://c3gov.zoom.us/webinar/register/WN_53gAyqzRSZGF1j73ARym2w

Regular Meeting
Times given are estimates only
Revised 11/30/2023 @ 5:00 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 December 4, 2023, at 6:00 PM.

A motion was made by Council Member Hurst, seconded by Council Member Ford, to excuse those members not present. VOTE: 7 - Aye, 2 - Excused (Allen-Thomas, Madera)

Present: 8 - Mayor Benjamin Huseman, Council Member Oscar Madera, Council Member Renee Millard-Chacon, Council Member Susan Noble, Council Member Craig Hurst, Council Member Craig Kim, Council Member Sean Ford and Council Member Kristi Douglas

Excused: 1 - Mayor Pro Tem Jennifer Allen-Thomas

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Approval of Agenda

A motion was made by Council Member Hurst, seconded by Council Member Kim, to adopt the agenda as presented. VOTE: 7 - Aye, 2 - Excused (Allen-Thomas, Madera)

4. Public Comment

[23-210](#)

Public Comment - 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 public comment and/or for each agenda item. Comments may be consolidated under the Public 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 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, December 4, 2023.

Anita Casias spoke on warranty problems on their new home.

Joy Bishop spoke on safety alerts in their neighborhood.

Thelma Cole spoke on "On the Move" publication.

5. Presentations

[Pres 23-059](#)

Oil and Gas Monthly Update

Dr. Rosemarie Russo, Sustainability Manager, gave the oil and gas monthly update.

6. Consent Agenda

A motion was made by Council Member Craig Hurst, seconded by Council Member Craig Kim, that this be approved on the Consent Agenda. VOTE:

Aye: 7 - Mayor Huseman, Council Member Millard-Chacon, Council Member Noble, Council Member Hurst, Council Member Kim, Council Member Ford and Council Member Douglas

Excused: 2 - Mayor Pro Tem Allen-Thomas and Council Member Madera

[Min 23-214](#)

Minutes of the November 13, 2023 Meeting

[Min 23-302](#)

Minutes of the November 27, 2023 Special Meeting

[Ord 2548](#)

SECOND AND FINAL READING OF AN ORDINANCE VACATING A PORTION OF E. 83RD AVE RIGHT-OF-WAY GENERALLY LOCATED SOUTH OF 8003 E. 83RD AVE, NORTH OF 8000 E. 83RD AVE AND WEST OF VACATED ULSTER ST, COMMERCE CITY, COLORADO

[Ord 2553](#) SECOND AND FINAL READING OF AN ORDINANCE AMENDING CHAPTER 11, ARTICLE I OF THE COMMERCE CITY REVISED MUNICIPAL CODE AND ADOPTING THE 2020 COLORADO MODEL TRAFFIC CODE AS REVISED

[Res 2023-125](#) A RESOLUTION AUTHORIZING EXECUTION OF INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE CITY OF COMMERCE CITY AND THE COLORADO DEPARTMENT OF TRANSPORTATION REGARDING FUNDING TO UPGRADE THE DETECTION SYSTEMS AND PROVIDE DILEMMA ZONE AND RED PROTECTION AT 12 SIGNALIZED INTERSECTIONS

[Res 2023-135](#) A RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR THE PURCHASE AND INSTALLATION OF ADVANCED PUBLIC SAFETY TECHNOLOGY TO FLOCK GROUP, INC.

[Res 2023-139](#) A RESOLUTION APPOINTING KENDRA L. CARBERRY AS CAREER SERVICE HEARING OFFICER FOR THE CITY OF COMMERCE CITY AND KATHIE B. GUCKENBERGER AS ALTERNATE CAREER SERVICE HEARING OFFICER

7. Administrative Council Business

8. Council Reports

City Manager Rogers highlighted items presented in their weekly report provided to council earlier. The mayor and council reported on their attendance at various meetings and events.

[23-284](#) Review of Work Schedule

9. Executive Session

Council Member Madera joined the meeting at 7:00 pm.

[23-282](#)

An executive session of the City Council pursuant to C.R.S. sec. 24-6-402(4)(b) for the purpose of conferring with the legal counsel to receive legal advice with regard to litigation, specifically the matter of Clinton Nichols v. City of Commerce City, currently pending in the Adams County District Court, and to the extent necessary, also pursuant to C.R.S. sec. 24-6-402(4)(e)(I) for the purpose of instructing negotiators with regard to the same. Formal action by the City Council following the executive session is anticipated and will occur in open session.

A motion was made by Council Member Hurst, seconded by Council Member Kim, to waive the City's claims made in the civil case 2022 CV31682 Clinton Nichols vs. The City of Commerce City and to authorize the city manager to enter into a settlement agreement with the plaintiff both contingent on the successful conclusion by the City's legal representation. VOTE: 5 - Aye, 1 - Nay (Huseman), 1 - Abstention (Ford), 2 - Excused (Allen-Thomas, Madera).

A motion was made by Council Member Noble, seconded by Council Member Kim, to enter into executive session pursuant to C.R.S. sec. 24-6-402(4)(b) for the purpose of conferring with the legal counsel to receive legal advice with regard to litigation, specifically the matter of Clinton Nichols v. City of Commerce City, currently pending in the Adams County District Court, and to the extent necessary, also pursuant to C.R.S. sec. 24-6-402(4)(e)(I) for the purpose of instructing negotiators with regard to the same. Formal action by the City Council following the executive session is anticipated and will occur in open session. VOTE:

Aye: 6 - Council Member Millard-Chacon, Council Member Noble, Council Member Hurst, Council Member Kim, Council Member Ford and Council Member Douglas

Nay: 1 - Mayor Huseman

Excused: 2 - Mayor Pro Tem Allen-Thomas and Council Member Madera

[23-288](#)

An executive session of the City Council pursuant to C.R.S. § 24-6-402(4)(f) & (g) for the purposes of discussing personnel matters specifically related to recruitment and upcoming interviews for the appointment of a City Attorney, and discussing applications and materials related to candidates for the position of City Attorney, which are documents protected by the mandatory nondisclosure provision of the Colorado Open Records Act

A motion was made by Council Member Noble, seconded by Council Member Hurst, to enter into executive session pursuant to C.R.S. § 24-6-402(4)(f) & (g) for the purposes of discussing personnel matters specifically related to recruitment and upcoming interviews for the appointment of a City Attorney, and discussing applications and materials related to candidates for the position of City Attorney, which are documents protected by the mandatory nondisclosure provision of the Colorado Open Records Act. VOTE:

Aye: 6 - Council Member Millard-Chacon, Council Member Noble, Council Member Hurst, Council Member Kim, Council Member Ford and Council Member Douglas

Nay: 1 - Mayor Huseman

Excused: 2 - Mayor Pro Tem Allen-Thomas and Council Member Madera

10. Adjourn

A motion was made by Council Member Hurst, seconded by Council Member Kim, to adjourn the meeting. VOTE: 7 - Aye, 2 - Excused (Allen-Thomas, Madera)

The meeting adjourned at 8:04 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

[23-285](#)

City Council Policies

Any member of the public 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.