



Commerce City

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

Meeting Minutes - Final

City Council

Monday, April 4, 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_pxwg5tqkTeakkPB6NQmbMw

Regular Meeting. Times given are estimates only. Revised as of April 1, 2022 at 9:00 AM.

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 April 4, 2022 at 6:00 PM.

A motion was made by Mayor Pro Tem Allen-Thomas, seconded by Council Member Grimes, to excuse those members not present. VOTE: 8 - Aye, 1 - Excused (Madera)

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

[22-71](#)

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 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, April 4.

Spoke in support of Ordinance 2388:

Hillary Leitch

Philip Barrett

Sonia Gutierrez

Laura Hellewell

Brandon Young

Breanna Young

Eloy Espinoza

4. Proclamations and Recognition

Council Member Madera arrived to the meeting at 6:31 PM.

[Proc 22-04](#)

Proclamation Declaring April as Autism Awareness and Acceptance Month in Commerce City

A motion was made by Council Member Grimes, seconded by Mayor Pro Tem Allen-Thomas, 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

[Proc 22-05](#)

Arbor Day Proclamation and Tree City USA Award Recognition

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 Resolutions 2022-28 and Resolution 2022-29 be pulled from the consent agenda.

Council Member Hurst requested that Ordinance 2365 be pulled from the consent agenda.

Council Member Douglas requested that the Minutes of the March 21, 2022 meeting be pulled from the consent agenda.

A motion was made by Council Member Grimes, seconded by Council Member Hurst, 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

[Min 22-80](#)

Minutes of the March 21, 2022 Regular Meeting

A motion was made by Council Member Grimes, seconded by Council Member Hurst, that this minutes 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 22-77](#)

Minutes of the March 28, 2022 Special Meeting

[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

A motion was made by Council Member Hurst, seconded by Council Member Grimes, to amend the dollar amount of Ordinance 2365 in the title and in Section 1 to \$691,652 from \$515,000. VOTE: 9 - Aye

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

[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

[Res 2022-28](#)

RESOLUTION FINDING SUBSTANTIAL COMPLIANCE OF AN ANNEXATION PETITION AND SETTING A PUBLIC HEARING TO DETERMINE IF THE PROPOSED ANNEXATION COMPLIES WITH STATUTORY REQUIREMENTS FOR SUCH ANNEXATION AN-259-21-22

A motion was made by Council Member Hurst, seconded by Council Member Grimes, 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 2022-29](#)

RESOLUTION FINDING SUBSTANTIAL COMPLIANCE OF AN ANNEXATION PETITION AND SETTING A PUBLIC HEARING TO DETERMINE IF THE PROPOSED ANNEXATION COMPLIES WITH STATUTORY REQUIREMENTS FOR SUCH ANNEXATION AN-260-22

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 2022-35](#)

A RESOLUTION AUTHORIZING THE DEDICATION OF CERTAIN REAL PROPERTY FROM COMMERCE CITY TO THE COLORADO DEPARTMENT OF TRANSPORTATION FOR ADDITIONAL RIGHT-OF-WAY ALONG EAST 104TH AVE

[Res 2022-37](#)

A RESOLUTION AUTHORIZING THE SELECTION OF LAYNE CHRISTENSEN COMPANY FOR THE BUFFALO RUN GOLF COURSE WELL PROJECT AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT

6. Public Hearings

[Res 2022-17](#)

RESOLUTION APPROVING SOUTHLAWN ELEMENTARY SCHOOL FILING NO. 1, LOT 1 FINAL PLAT TO CREATE ONE LOT FROM ONE EXISTING TRACT, CONSISTING OF 10.61 ACRES, LOCATED AT THE NORTHWEST CORNER OF WALDEN STREET AND EAST 100TH AVENUE

Mayor Huseman opened the public hearing.

Harry Brennan, City Planner, provided the staff presentation to Council. Harry presented an overview of the case, applicant's request, proposed plat, subdivision plat analysis, subdivision plat approval criteria, the Development Review Team's recommendation, and the Planning Commission's recommendation.

Caleb McNeil, Sr. Project Manager - Brighton 27J, was present to take questions from Council.

Mayor Huseman closed the public hearing.

A motion was made by Council Member Hurst, seconded by Council Member Noble, to accept the findings and recommendations of the Planning Commission on case # S-809-22. VOTE: 9 - Aye

A motion was made by Council Member Grimes, seconded by Council Member Madera, to amend Resolution 2022-17 to include of the recommendations of the traffic study as a condition of approval. VOTE: 8 - Aye, 1 - Nay (Hurst).

A motion was made by Council Member Hurst, seconded by Mayor Pro Tem Allen-Thomas, that this resolution be adopted as amended. 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-722-00-22](#)

AN ORDINANCE AMENDING THE SIGN SCHEDULE CONTAINED IN THE POTOMAC FARMS PUD LOCATED GENERALLY AT THE NORTHWEST CORNER OF 104TH AVENUE AND WORCHESTER DRIVE BY APPROVING THE POTOMAC FARMS PUD AMENDMENT #1

Mayor Huseman opened the public hearing.

Dalton Guerra, City Planner, provided the staff presentation to Council. Dalton presented an overview of the case, applicant's request, existing PUD sign schedule, proposed PUD, proposed sign schedule, PUD Zone Document approval criteria, and the Planning Commission's recommendation.

Harrison Tanksley III, Potomac Farms Metro District President, was present to take questions from Council

Charles Wolfersberger, Potomac Farms District Manager, spoke on updates for the District.

Mayor Huseman closed the public hearing.

A motion was made by Council Member Hurst, seconded by Council Member Grimes, to accept the findings and recommendations of the Planning Commission on case # Z-722-00-22. VOTE: 9 - Aye

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

7. Resolutions

[Res 2022-39](#)

A RESOLUTION TO SUPPORT THE STUDENTS OF THE ADAMS 14 SCHOOL DISTRICT

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

8. Ordinances on 1st Reading

[Ord 2388](#)

AN ORDINANCE AMENDING THE 2022 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO, BY TRANSFERRING \$2,000,000 FROM THE UNENCUMBERED FUND BALANCE IN GENERAL FUND TO THE CAPITAL IMPROVEMENTS AND PRESERVATION PLAN FUND (CIPP) FOR COSTS ASSOCIATED WITH THE BUFFALO HIGHLANDS OASIS PROJECT AND AUTHORIZATION OF THE EXPENDITURES THEREOF.

A motion was made by Council Member Noble, seconded by Mayor Pro Tem Allen-Thomas, that this ordinance be introduced by council as seated and approved on first reading. 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

9. Administrative Council Business

A motion was made by Council Member Noble, seconded by Council Member Douglas, to direct staff to prepare and present to the City Council and Planning Commission an orientation on land use public hearings. VOTE: 5 - Aye, 3 - Nay (Ford, Grimes, Madera), 1 - Absent (Davis)

A motion was made by Council Member Madera, seconded by Council Member Grimes, to direct the Policy and Governance Subcommittee to draft a policy that would limit the amount of tasks an individual council member can present to the City staff within a week. VOTE: 9 - Aye

A motion was made by Council Member Hurst, seconded by Council Member Ford, to have staff draft a letter of support for the Adams County flyover at 120th Ave and Highway 85 as it goes through the grant process. VOTE: 9 - Aye

A motion was made by Council Member Hurst, seconded by Council Member Grimes, to approve the Mayor's signature on the Metro Mayor Caucus' letter regarding HB 22-1326. VOTE: 9 - Aye

A motion was made by Council Member Hurst, seconded by Council Member Grimes, to extend the automatic adjourn time by 30 minutes. VOTE: 9 - Aye

A motion was made by Council Member Hurst, seconded by Mayor Pro Tem Allen-Thomas, to extend the automatic adjourn time by 30 minutes. VOTE: 9 - Aye

10. 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.

11. Executive Session

[22-60](#)

An executive session regarding the City Attorney recruitment pursuant to C.R.S. 24-6-402(4)(f, and g) for the purpose of reviewing 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 and interviewing candidates.

A motion was made by Council Member Hurst, seconded by Council Member Grimes, to enter into executive session pursuant to C.R.S. 24-6-402(4)(f, and g) for the purpose of reviewing 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 and interviewing candidates. 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

12. Adjourn

The meeting adjourned at 11:01 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

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.