



Commerce City

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

Meeting Minutes - Final

City Council

Monday, May 2, 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_bAQpmVEsSLS0dhv9FwjN8Q

Times given are estimates only. Revised as of May 2, 2022 at 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 2, 2022 at 6:00 PM.

A motion was made by Council Member Mayor Pro Tem Allen-Thomas, seconded by Council Member Council Member Grimes, to excuse those members not present.

VOTE: 8 - Aye, 1 - Excused (Davis)

Present: 8 - Mayor Benjamin Huseman, Mayor Pro Tem Jennifer Allen-Thomas, Council Member Oscar Madera, 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 Rick Davis

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Citizen Communication

[22-84](#)

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, May 2nd.

Richard Frank spoke on Ordinance 2379.

Charles Wolfersberger spoke on Ordinance 2379.

4. Proclamations and Recognitions

[Proc 22-08](#)

Proclamation Declaring May 2022 as Asian American and Pacific Islander Heritage Month in Commerce City

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

Excused: 1 - Council Member Davis

[Proc 22-06](#)

Proclamation Declaring May 2022 as Mental Health Awareness Month in Commerce City

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

Excused: 1 - Council Member Davis

[Proc 22-09](#)

Proclamation Declaring the Week of May 2-5, 2022, as National Small Business Week in Commerce City

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

Excused: 1 - Council Member Davis

[Proc 22-02](#)

Proclamation Declaring May 21, 2022 as Kids to Parks Day in Commerce City

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

Excused: 1 - Council Member Davis

[Proc 22-10](#)

Proclamation Declaring May 2022 as National Nurses Month in Commerce City

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

Excused: 1 - Council Member Davis

[22-64](#)

Recognition of ACHS Wrestlers

A motion was made by Council Member Grimes, seconded by Mayor Pro Tem Allen-Thomas, that this Proclamation be approve. VOTE: 8 - Aye, 1 - Excused (Davis)

[22-52](#)

Municipal Judge Swearing-In

Municipal Judge Bowen was sworn in by Mayor Huseman.

5. Noticed Council Business

[22-80](#)

City Truck Routes

Council Member Madera introduced the item.

A motion was made by Council Member Madera, seconded by Council Member Douglas, to direct staff to create maps of the current truck routes and distribute to the business owners with logistic needs. VOTE: 8 - Aye, 1 - Excused (Davis).

[22-83](#)

Letter of Support for the Congressionally Directed Spending Request for Lake Mary Learning Center at RMANWR

Council Member Grimes introduced the item.

A motion was made by Council Member Grimes, seconded by Council Member Ford, to ratify the letter and to affix the Mayor's signature thereon. VOTE: 8 - Aye, 1 - Excused (Davis)

6. Consent Agenda

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

Excused: 1 - Council Member Davis

[Min 22-100](#)

Minutes of the April 4, 2022 Regular Meeting

[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.

[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

[Res 2022-47](#)

A RESOLUTION WAIVING DEVELOPMENT-RELATED FEES FOR CERTAIN NEW COMMERCIAL DEVELOPMENT IN THE CITY OF COMMERCE CITY

A motion was made by Council Member Douglas, seconded by Council Member Noble, to amend Resolution 2022-47 to include fast casual and remove traditional fast food. VOTE: 2 - Nay (Douglas, Noble), 6 - Aye, 1 - Excused (Davis)

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

Excused: 1 - Council Member Davis

[Res 2022-48](#) A RESOLUTION APPROVING COMMERCE CITY ACCOMMODATIONS LODGING TAX REBATE PROGRAM

[Res 2022-52](#) A RESOLUTION AWARDDING 2022 CONCRETE FLATWORK REPLACEMENT AND REPAIR PROJECT TO SILVA CONSTRUCTION, INC.

A motion was made by Council Member Hurst, seconded by Council Member Madera, that this Resolution be adopted. Motion Failed. VOTE: 2 - Aye (Hurst, Madera), 6 - Nay, 1 - Excused (Davis)

[Res 2022-53](#) A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE OF THE ANNEXATION PETITION IN CASE AN-265-22 KNOWN AS THE 7001 COLORADO BOULEVARD ANNEXATION AND SETTING A PUBLIC HEARING TO DETERMINE ELIGIBILITY FOR SUCH ANNEXATION

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 Madera, Council Member Noble, Council Member Hurst, Council Member Grimes, Council Member Ford and Council Member Douglas

Excused: 1 - Council Member Davis

[Res 2022-57](#) A RESOLUTION APPOINTING MEMBERS TO DESIGNATED BOARDS AND COMMISSIONS OF COMMERCE CITY

7. Public Hearings

[Z-660-97-99-00-03-03-17-22](#)

SECOND AND FINAL READING OF AN ORDINANCE AMENDING THE MOUNTAIN VIEW INDUSTRIAL PARK PUD ZONE DOCUMENT, AS PREVIOUSLY AMENDED, FOR THE PROPERTY GENERALLY LOCATED AT 9801 HAVANA STREET AND APPROVING THE MOUNTAIN VIEW INDUSTRIAL PARK PUD ZONE DOCUMENT AMENDMENT #6

Mayor Huseman opened the public hearing.

Omar Yusuf, City Planner, provided the staff presentation to Council. Omar provided an overview of the case, applicant request, proposed PUD, and PUD zone document approval.

Robert Hanley, owner of Hanley Holdings was present to take questions from Council.

Mayor Huseman closed the public hearing.

A motion was made by Council Member Grimes, seconded by Council Member Ford, to accept the findings and recommendations of the Planning Commission on case # Z-660-97-99-00-03-03-17-22. VOTE: 8 - Aye, 1 - Excused (Davis)

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: 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

Excused: 1 - Council Member Davis

8. Ordinances on 1st Reading

[Ord 2379](#)

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

Trenten Robinson, Management Analysis, and Dalton Kelley, outside counsel - Butler Snow, presented the changes made to the metro district regulations.

A motion was made by Council Member Noble, seconded by Mayor Pro Tem Allen-Thomas, to amend Ordinance 2379 to include in section 3-2100 the prohibition of multiple metro district service plans and parent/child service plans. VOTE: 4 - Aye (Allen-Thomas, Douglas, Huseman, Noble), 4 - Nay, 1 - Excused (Davis)

A motion was made by Council Member Noble, seconded by Mayor Pro Tem Allen-Thomas, to amend Ordinance 2379 to include language that states all metro district elections must take place within 5 miles of the district's boundary. VOTE: 5 - Aye, 3 - Nay (Huseman, Ford, Madera), 1 - Excused (Davis)

A motion was made by Council Member Noble, seconded by Council Member Douglas, to amend Ordinance 2379 to include language that prohibits metro district service plans if the proposed district is 5 acres or less. VOTE: 3 - Aye (Allen-Thomas, Douglas, Noble), 5 - Nay, 1 - Excused (Davis)

A motion was made by Council Member Hurst, seconded by Council Member Grimes, to amend Ordinance 2379 to include language that would prohibit the execution of any IGA or reimbursement agreement that is likely to cause a material modification to a metro district service plan without consent of the City Council. VOTE: 8 - Aye, 1 - Excused (Davis)

A motion was made by Council Member Hurst, seconded by Council Member Grimes, to amend Ordinance 2379 to change recommendation sections 10, 12, and 14 from recommendations to requirements. VOTE: 3 - Aye (Ford, Grimes, Hurst), 5 - Nay, 1 - Excused (Davis)

A motion was made by Council Member Grimes, seconded by Mayor Pro Tem Allen-Thomas, to extend the automatic adjourn time by 30 minutes. VOTE: 6 - Aye, 2 - Nay (Huseman, Madera)

A motion was made by Council Member Grimes, seconded by Council Member Ford, to have the word "no" removed from section 13-2100(2)(13). VOTE: No action was take.

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

Aye: 6 - Mayor Huseman, Mayor Pro Tem Allen-Thomas, Council Member Madera, Council Member Noble, Council Member Grimes and Council Member Douglas

Nay: 2 - Council Member Hurst and Council Member Ford

Excused: 1 - Council Member Davis

9. Administrative Council Business

A motion was made by Council Member Noble, seconded by Council Member Douglas, to allow the Blue Ribbon Economic Development Advisory Committee members to view the recordings of the BREDAC meetings. VOTE: No action was taken.

A motion was made Council Member Hurst, seconded by Council Member Noble, to extend the automatic adjourn time by 30 minutes. VOTE: 4 - Aye, 4 - Nay (Ford, Grimes, Huseman, Madera), 1 - Excused (Davis)

10. Council Reports

No reports were given due to automatic adjourn time not being extended.

11. Adjourn

The meeting adjourned at 11:19 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.