



## Meeting Minutes - Draft

### City Council

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Monday, May 16, 2016

6:00 PM

Council Chambers

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#### 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 Pro Tem Bullock on Monday, May 16, 2016, at 6:02 PM.*

*A motion was made by Council Member Carson, seconded by Council Member Douglas, to excuse Mayor Ford and Council Member McEldowney from tonight's meeting.*

*VOTE: 7 aye, 2 excused (Ford, McEldowney)*

**Present:** 7 - Council Member Jadie Carson, Council Member Rick A. Teter, Mayor Pro Tem René Bullock, Council Member Crystal Elliott, Council Member Steven J. Douglas, Council Member Andrew Amador and Council Member Paolo Diaz

**Excused:** 2 - Mayor Sean Ford and Council Member Jason McEldowney

#### 2. Executive Session

**16-15**

An executive session pursuant to C.R.S. 24-6-402(4)(e) for the purpose of instructing negotiators regarding water transactions and potential contracts.

**A motion was made by Council Member Teter, seconded by Council Member Amador, that an executive session, pursuant to CRS 24-6-402(4)(e) for the purpose of instructing negotiators regarding water transactions and potential contracts, and pursuant to CRS 24-6-402(4)(e) for the purpose of instructing negotiators regarding the Conter Lease Agreement, be held. VOTE:**

**Aye:** 7 - Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member Douglas, Council Member Amador and Council Member Diaz

**Excused:** 2 - Mayor Ford and Council Member McEldowney

#### 3. Pledge of Allegiance

*The Pledge of Allegiance was recited.*

#### 4. Audience Introduction

*The audience introduced themselves.*

## 5. Proclamations and Recognitions

### 16-19 Recognition of Commerce City Historical Society Coloring Book Winners

*Members of the Commerce City Historical Society presented awards and gifts to the winners of the 2016 Coloring Book Contest.*

### Proc 16-05 Proclamation declaring May 15- 21, 2016, as Public Works Week in Commerce City

*Interim City Attorney Sheesley read a proclamation declaring May 15-21, 2016, as Public Works' Week in Commerce City.*

*Public Works Director D'Andrea invited council to attend the public works open house in June.*

**A motion was made by Council Member Teter, seconded by Council Member Amador, that this proclamation be approved. VOTE:**

**Aye:** 7 - Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member Douglas, Council Member Amador and Council Member Diaz

**Excused:** 2 - Mayor Ford and Council Member McEldowney

### Proc 16-06 Kids to Parks Day Proclamation

*Interim City Attorney Sheesley read a proclamation declaring May 20-22, 2016, as Kids to Parks Day.*

**A motion was made by Council Member Diaz, seconded by Council Member Carson, that this proclamation be approved. VOTE:**

**Aye:** 7 - Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member Douglas, Council Member Amador and Council Member Diaz

**Excused:** 2 - Mayor Ford and Council Member McEldowney

### Proc 16-07 Proclamation recognizing Malcolm Castellaw's service to Commerce City

*Interim City Attorney Sheesley read a proclamation recognizing retiring Tax Manager Malcolm Castellaw for his 28 years of service to Commerce City.*

**A motion was made by Council Member Elliott, seconded by Council Member Douglas, that this proclamation be approved. VOTE:**

**Aye:** 7 - Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member Douglas, Council Member Amador and Council Member Diaz

**Excused:** 2 - Mayor Ford and Council Member McEldowney

### Proc 16-13 Proclamation Recognizing Buffalo Run Golf Course 20 year Anniversary

*Interim City Attorney Sheesley read a proclamation recognizing Saturday, May 21, 2016, as Buffalo Run's 20th Anniversary Celebration in the City of Commerce City.*

*Golf Manager Hebinck invited council and the community to a celebration at Buffalo Run on Saturday, May 21st.*

**A motion was made by Council Member Amador, seconded by Council Member Teter, that this proclamation be approved. VOTE:**

**Aye:** 7 - Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member Douglas, Council Member Amador and Council Member Diaz

**Excused:** 2 - Mayor Ford and Council Member McEldowney

**Proc 16-14** Proclamation declaring May 15-21, 2016 as Commerce City Police Week

*Interim City Attorney Sheesley read a proclamation declaring May 15-21, 2016, as Commerce City Police Week.*

**A motion was made by Council Member Carson, seconded by Council Member Diaz, that this proclamation be approved. VOTE:**

**Aye:** 7 - Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member Douglas, Council Member Amador and Council Member Diaz

**Excused:** 2 - Mayor Ford and Council Member McEldowney

## 6. Citizen Communication

*Esther Hall, 7200 E. 75th Ave., donated handmade clowns to the Commerce City Police Department to give to children they come in contact with during calls for service.*

*Caryn Datz, introduced herself as candidate for district attorney.*

## 7. Consent Agenda

**A motion was made by Council Member Douglas, seconded by Council Member Amador, to approve the consent agenda as presented. ROLL CALL VOTE:**

**Aye:** 7 - Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member Douglas, Council Member Amador and Council Member Diaz

**Excused:** 2 - Mayor Ford and Council Member McEldowney

**Ord 2086** AN ORDINANCE AMENDING THE 2016 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE COLORADO DEPARTMENT OF TRANSPORTATION (CDOT) GRANT FUNDS IN THE AMOUNT OF \$691,600 FOR THE SUPPORT OF INFRASTRUCTURE IMPROVEMENTS FOR THE NORTH METRO RAIL LINE AT COLORADO BLVD AND E. 72ND AVENUE AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

- Res 2016-03** RESOLUTION APPROVING AWARD OF CONTRACT FOR ENVIRONMENTAL AND DESIGN SERVICES FOR TOWER ROAD AT PENA BOULEVARD ROADWAY IMPROVEMENTS PROJECT
- Res 2016-60** RESOLUTION APPROVING APPLICATION FOR A GRANT FROM THE FEDERAL LANDS ACCESS PROGRAM
- Res 2016-62** RESOLUTION CONSENTING TO INCLUSION OF PROPERTY IN THE SERVICE AREA OF THE DIATC METROPOLITAN DISTRICT
- Res 2016-65** RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT WITH ADAMS COUNTY
- Res 2016-66** RESOLUTION APPOINTING MEMBERS TO DESIGNATED BOARDS AND COMMISSIONS OF COMMERCE CITY
- Res 2016-67** RESOLUTION APPROVING GRANT OF EASEMENT TO PUBLIC SERVICE COMPANY OF COLORADO

## 8. Public Hearings

- CU-110-16** CU-110-16: Travel Centers of America; CUP for truck stop; 5101 Quebec St

**A motion was made by Council Member Amador, seconded by Council Member Elliott, that this conditional use permit be continued. VOTE:**

**Aye:** 7 - Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member Douglas, Council Member Amador and Council Member Diaz

**Excused:** 2 - Mayor Ford and Council Member McEldowney

- Z-926-16** AN ORDINANCE REZONING THE PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, LOCATED NORTH OF EAST 112TH AVENUE AND EAST OF POTOMAC STREET (PIN: 172306301001), COMMERCE CITY, COLORADO, FROM PUD TO PUBLIC AND AMENDING THE ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO TO REFLECT SAID REZONING

*Mayor Pro Tem Bullock opened the public hearing.*

*Planner Steve Timms presented the case. The applicant, the city, is seeking to rezone the property at 112th & Potomac for the purpose of constructing a new recreation center.*

*There was no public comment and the public hearing was closed.*

*A motion was made by Council Member Diaz, seconded by Council Member Teter, to accept the findings and recommendations of the planning commission.*

*VOTE: 7 aye, 2 excused (Ford, McEldowney)*

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

**Aye:** 7 - Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member Douglas, Council Member Amador and Council Member Diaz

**Excused:** 2 - Mayor Ford and Council Member McEldowney

## **Z-936-16**

**AN ORDINANCE REZONING THE PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, LOCATED AT 15050 EAST 104TH AVENUE, COMMERCE CITY, COLORADO, FROM PUD TO C-2 AND AMENDING THE ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO TO REFLECT SAID REZONING**

*Mayor Pro Tem Bullock opened the public hearing.*

*Planner Caitlin Hasenbalg-Long presented the case. The applicant, Tait & Associates, is seeking a zone change from PUD to C-2 to allow for the construction of a monument sign currently prohibited in the Aspen Hills PUD.*

*Ron McCullen appeared on behalf of the applicant. In response to council questions, Mr. McCullen stated that the monument sign usually matches the facade.*

*There was no additional public comment and the public hearing was closed.*

*A motion was made by Council Member Amador, seconded by Council Member Teter, to accept the findings and recommendations of the planning commission.*

*VOTE: 7 aye, 2 excused (Ford, McEldowney)*

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

**Aye:** 7 - Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member Douglas, Council Member Amador and Council Member Diaz

**Excused:** 2 - Mayor Ford and Council Member McEldowney

## **9. Resolutions**

### **Res 2016-26**

**RESOLUTION APPROVING ECONOMIC DEVELOPMENT BUSINESS INCENTIVES FOR MCLANE FOODSERVICE, INC.**

*Economic Development Specialist Michelle Hill asked for incentives on behalf of McLane Food Service, a national wholesale distributor of food and paper products. They are planning on constructing a 200,000 square foot industrial warehouse facility for a capital investment of \$31.5 million and total employment opportunities of 255 jobs.*

**A motion was made by Council Member Elliott, seconded by Council Member Teter, that this resolution be adopted. VOTE:**

**Aye:** 7 - Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member Douglas, Council Member Amador and Council Member Diaz

**Excused:** 2 - Mayor Ford and Council Member McEldowney

## 10. Ordinances on 1st Reading

**Ord 2099** AN ORDINANCE AMENDING THE 2016 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE E-470 TRANSPORTATION SAFETY FOUNDATION GRANT IN THE AMOUNT OF \$2,500 FOR THE PURCHASE OF EMERGENCY BARRICADES AND CONES, AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

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

**Aye:** 7 - Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member Douglas, Council Member Amador and Council Member Diaz

**Excused:** 2 - Mayor Ford and Council Member McEldowney

**Ord 2102** AN ORDINANCE AMENDING SECTION 2-3005 OF THE COMMERCE CITY REVISED MUNICIPAL CODE TO PROVIDE ADDITIONAL TERMS FOR THE YOUTH COMMISSION

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

**Aye:** 7 - Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member Douglas, Council Member Amador and Council Member Diaz

**Excused:** 2 - Mayor Ford and Council Member McEldowney

## 11. Presentations

**Pres 16-240** 2015 Garbage & Recycling Program Overview

*Public Works Operations Coordinator Uriel Akiva explained the city's waste disposal program goals and objectives. He stated that recycling efforts have been extremely successful, doubling from previous years.*

*Waste Management Representatives reviewed the public outreach piece of the new automated program. Recycling data for the year was provided to council: 2,835 tons of material was recycled.*

**Pres 16-218** Community Enterprise Mission and Community Work

*Community Enterprise Executive Director Erin Mooney appeared before council to*

*provide them with an update. They are proud to announce a name change from Community Enterprise to Cultivando. The non-profit has focused on deepening their impact and honing in on health equity, community leadership development, and providing technical assistance for other organizations around inclusive community engagement. Towards those goals, they have hired four part-time community positions, two of whom are long-time Commerce City residents.*

## **12. Administrative Council Business**

*City Manager McBroom stated that there is a desire of both the fire district and the city to initiate a fire commission.*

*A motion was made by Council Member Amador, seconded by Council Member Elliott, to appoint Council Members Teter and Carson to a newly forming fire commission.*

*VOTE: 7 aye, 2 excused (Ford, McEldowney)*

*A motion was made by Council Member Elliott, seconded by Council Member Teter to appoint Council Member Diaz as liaison to Metro North Chamber and Council Members Douglas and Elliott as alternates.*

*VOTE: 7 aye, 2 excused (Ford, McEldowney)*

*Council Member Douglas stated that he had received complaints regarding weeds at the former pet cemetery property, the traffic signal timing at 104th & Highway 2, 104th & Highway 85, and Highway 2 and Quebec. He also reported that the concrete is separating from the sidewalk at 104th & Landmark, and there have been cars cutting through the back of the 104th Avenue park-and-ride to southbound Highway 2.*

*Council Member Amador also asked about the signal timing at 104th & Highway 2.*

*Council Member Elliott expressed concern about possible camping behind King Soopers at the Parkway Market and people making u-turns on Highway 85 before the 60th Street intersection.*

## **13. Reports**

*City Manager McBroom highlighted items off his weekly report provided to council earlier via email.*

*Interim City Attorney Sheesley noted that the city and the northern infrastructure general improvement district were named in three judicial foreclosure actions where the city had a recorded item that is affected.*

## **14. Executive Session**

**16-21**

An executive session pursuant to C.R.S. 24-6-402(4)(e) for the purpose of instructing negotiators regarding the Conter Lease Agreement

*This executive session topic was disposed of during the first executive session.*

## 15. Adjourn

*The meeting adjourned at 9:44 pm.*

*In accord with the city charter, the city attorney read the title to all ordinances and resolutions adopted by council at this meeting.*

*Respectfully Submitted By:*

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*Laura J. Bauer, City Clerk*