



Commerce City

7887 E. 60th Ave.
Commerce City, CO 80022
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Meeting Minutes - Draft City Council

Monday, August 20, 2012

5:30 PM

Council Chambers

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 Ford on August 20, 2012, at 5:30 PM.

Present: 6 - Mayor Sean Ford , Mayor Pro-Tem Dominick Moreno, Council Member Rick A. Teter, Council Member René Bullock, Council Member Crystal Elliott and Council Member Steven J. Douglas

Absent: 3 - Council Member Jim Benson, Council Member Jadie Carson and Council Member Jason McEldowney

2. Executive Session

12-0053

An executive session pursuant to C.R.S. 24-6-402(4)(b) for the purpose of receiving legal advice concerning an Intergovernmental Agreement with Denver regarding Pena Boulevard ramp and regarding the DIA Intergovernmental Agreement

A motion was made by Council Member Bullock, seconded by Council Member Teter, that an executive session pursuant to C.R.S. 24-6-402(4)(b) for the purpose of receiving legal advice concerning an intergovernmental agreement with Denver regarding Pena Boulevard ramp and regarding the DIA Intergovernmental Agreement be held. VOTE:

Aye: 6 - Mayor Ford, Mayor Pro-Tem Moreno, Council Member Teter, Council Member Bullock, Council Member Elliott and Council Member Douglas

3. Pledge of Allegiance

Cub Scout Pack #604 presented the colors and the Pledge of Allegiance was recited. The pack presented Mayor Ford with a plaque in appreciation for the city donating a state flag to them.

Mayor Ford announced that Councilmembers Benson and Carson arrived during the executive session and Council Members Moreno and Douglas moved and seconded to excuse Council member McEldowney from this meeting.

VOICE VOTE: Unanimous; all present affirmed

Present: 8 - Mayor Sean Ford , Mayor Pro-Tem Dominick Moreno, Council Member Jim Benson, Council Member Jadie Carson, Council Member Rick A. Teter, Council Member René Bullock, Council Member Crystal Elliott and Council Member Steven J. Douglas

Excused: 1 - Council Member Jason McEldowney

4. Audience Introduction

The audience introduced themselves.

5. Proclamations and Recognitions

Proc 12-021 Proclamation recognizing John Howard's contributions to the Memorial Day Parade

Attachments: [Proclamation](#)

Mayor Ford read a proclamation honoring IT Director John Howard for serving 34 years on the Memorial Day Committee.

A motion was made by Mayor Pro-Tem Moreno, seconded by Council Member Bullock, that this Proclamation be approved. VOTE:

Aye: 8 - Mayor Ford, Mayor Pro-Tem Moreno, Council Member Benson, Council Member Carson, Council Member Teter, Council Member Bullock, Council Member Elliott and Council Member Douglas

Excused: 1 - Council Member McEldowney

6. Citizen Communication

Trudy Smith, 7142 Pontiac St., invited Council to the Kemp Neighborhood Association's Music in the Park event. Ms. Smith asked how much longer the public improvement fee would be charged to shoppers at the King Soopers in the core city.

Finance Director Roger Tinklenberg answered Ms. Smith's question by stating that the fee would be in place for 20 more years.

Paul Solano, 6751 E. 60th Ave., announced that he is a candidate for the RTD Board of Directors, District K.

7. Approval of Minutes

Min 12-007 Meeting Minutes of August 6, 2012

Attachments: [Minutes](#)

A motion was made by Council Member Bullock, seconded by Council Member Teter, that the minutes of August 6, 2012, be approved. VOTE:

Aye: 8 - Mayor Ford, Mayor Pro-Tem Moreno, Council Member Benson, Council Member Carson, Council Member Teter, Council Member Bullock, Council Member Elliott and Council Member Douglas

Excused: 1 - Council Member McEldowney

8. Consent Agenda

Mayor Pro-Tem Moreno asked to remove both items from the consent agenda for separate discussion and vote.

Res 2012-55 RESOLUTION APPROVING CITY OF LONE TREE REQUEST FOR AFFILIATE MEMBERSHIP IN E-470 PUBLIC HIGHWAY AUTHORITY

Attachments: [Resolution](#)

Mayor Pro-Tem Moreno asked if the City of Lone Tree would be making a financial contribution as an affiliate member of E-470.

A motion was made by Council Member Bullock, seconded by Council Member Benson, that this Resolution be adopted. VOTE:

Aye: 8 - Mayor Ford, Mayor Pro-Tem Moreno, Council Member Benson, Council Member Carson, Council Member Teter, Council Member Bullock, Council Member Elliott and Council Member Douglas

Excused: 1 - Council Member McEldowney

Res 2012-63 RESOLUTION SETTING BALLOT LANGUAGE FOR A SPECIAL ELECTION TO BE HELD IN CONJUNCTION WITH THE NOVEMBER 2012 COORDINATED ELECTION

Attachments: [Resolution](#)

A motion was made by Council Member Bullock, seconded by Council Member Teter, that this Resolution be adopted. VOTE:

Aye: 8 - Mayor Ford, Mayor Pro-Tem Moreno, Council Member Benson, Council Member Carson, Council Member Teter, Council Member Bullock, Council Member Elliott and Council Member Douglas

Excused: 1 - Council Member McEldowney

9. Public Hearings

Council members Bullock and Elliott moved and seconded to continue the public hearings for both Ordinance Z-902-12 and CU-98-12 to September 17, 2012, at 6:30 p.m.

VOICE VOTE: Unanimous; all present affirmed

Z-902-12 BNSF requests approval to rezone two parcels from I-1 to I-3 for property generally located north, south, and west of 9101 Yosemite Street, currently owned by the applicant. The rezoning requested are for the properties with pins 172121401002 and 172121005015.

Attachments: [Staff Report](#)
[V-Map](#)
[Narrative](#)
[DRT Recommendation Form](#)

CU-98-12 BNSF requests a Conditional Use Permit to expand the existing automobile staging facility for the property located at 9101 Yosemite Street, currently zoned I-1 and I-3.

Attachments: [Staff Report](#)
[V-Map](#)
[Narrative](#)
[Operation Narrative](#)
[Development Plan Operation Narrative](#)
[Development Plan](#)

10. Resolutions

Res 2012-57 RESOLUTION APPROVING BUSINESS INCENTIVE AGREEMENT FOR MURRAY FARMS, INC.

Attachments: [Resolution](#)
[Incentive Agreement](#)
[Rebate](#)

A motion was made by Council Member Bullock, seconded by Council Member Carson, that Resolution 2012-57 be adopted. VOTE:

Aye: 8 - Mayor Ford, Mayor Pro-Tem Moreno, Council Member Benson, Council Member Carson, Council Member Teter, Council Member Bullock, Council Member Elliott and Council Member Douglas

Excused: 1 - Council Member McEldowney

Res 2012-61 Resolution approving amendment to intergovernmental agreement between adams county, Colorado, and the city of commerce city regarding the city's 2012 pavement rehabilitation plan for 72nd avenue.

Attachments: [RESOLUTION](#)
[AMENDMENT](#)

A motion was made by Council Member Teter, seconded by Mayor Pro-Tem Moreno, that Resolution 2012-61 be adopted. VOTE:

Aye: 8 - Mayor Ford, Mayor Pro-Tem Moreno, Council Member Benson, Council Member Carson, Council Member Teter, Council Member Bullock, Council Member Elliott and Council Member Douglas

Excused: 1 - Council Member McEldowney

Res 2012-62 RESOLUTION IN SUPPORT OF APPLICATION FOR GREAT OUTDOORS COLORADO LOCAL PARKS AND OUTDOOR RECREATION GRANT

Attachments: [Resolution](#)

A motion was made by Council Member Bullock, seconded by Mayor Pro-Tem Moreno, that Resolution 2012-62 be adopted. VOTE:

Aye: 8 - Mayor Ford, Mayor Pro-Tem Moreno, Council Member Benson, Council Member Carson, Council Member Teter, Council Member Bullock, Council Member Elliott and Council Member Douglas

Excused: 1 - Council Member McEldowney

11. Ordinances on 1st Reading

Ord 1926 AN ORDINANCE AMENDING THE 2012 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE DEPARTMENT OF JUSTICE - JAG/BYRNE GRANT FUNDS IN THE AMOUNT OF \$14,328 FOR TECHNOLOGY ENHANCEMENTS TO BE USED BY THE POLICE DEPARTMENT PERSONNEL AND AUTHORIZATION OF THE EXPENDITURE THEREOF.

Attachments: [Ordinance](#)

A motion was made by Mayor Pro-Tem Moreno, seconded by Council Member Bullock, that this Ordinance be introduced by council as seated and approved on first reading. VOTE:

Aye: 8 - Mayor Ford, Mayor Pro-Tem Moreno, Council Member Benson, Council Member Carson, Council Member Teter, Council Member Bullock, Council Member Elliott and Council Member Douglas

Excused: 1 - Council Member McEldowney

12. Presentations

Pres 12-249 2013 PD Budget

Attachments: [Budget Presentation](#)

Interim Police Chief Chuck Saunier presented the 2013 police department budget to Council. He described the department's organizational structure and mission. For 2013, all contract services have increased, and the anticipated total budget expenditures will increase by .04%.

This Presentation was discussed and closed

Pres 12-260 CIPP Budget

Attachments: [Budget CIPP Recommendations](#)

Finance Director Roger Tinklenberg reviewed the funding sources for capital improvement projects: General Fund, trust fund for parks, open space, recreation and trails, Adams County Open Space for parks, open space, recreation and trails; Adams County Transportation Tax for transportation improvement projects and solid waste tipping for mitigating impacts of the landfill. In response to Council questions, Mr. Tinklenberg stated that the general fund balance is approximately \$5.5 million.

Councilman Douglas asked about the cost of adding a traffic signal at Prairie View High School.

This Presentation was discussed and closed

Pres 12-261 Budget Wrap-Up

Attachments: [Budget Wrap-up](#)

Finance Director Roger Tinklenberg informed Council that their budget books will be provided to them electronically this year.

This Presentation was discussed and closed

13. Administrative Council Business

Mayor Ford stated that he has received calls regarding a skunk infestation coming from a vacant house in the 5400 block of Niagara. He asked that staff contact Tri-County Health for a health risk assessment, and based on that assessment, a citywide communication be drafted to inform the community on how to deal with these animals. Mayor Ford was told by an animal control officer that there is an even bigger problems with prairie dogs damaging residential properties. He would like staff to contract Tri-County Health for a health risk assessment, and based on that assessment, a citywide communication be drafted informing the community on how to deal with these rodents.

Mayor Ford said he continues to get complaints about the event center and the activities that take place around the event center. Mr. Ford went to the circus at the event center to look for any violations.

Council members Moreno and Douglas moved and seconded to authorize the Mayor to sign a letter of support of the Historical Society's grant funding request.

Councilman Bullock stated that he would recuse himself from this vote.

Council members Moreno and Teter moved and seconded to allow Councilman Bullock to recuse himself from this vote.

VOICE VOTE: Unanimous; all present affirmed

VOICE VOTE ON ORIGINAL MOTION: 7 aye, 1 abstain (Bullock)

Councilman Douglas asked for Council to establish a historical preservation board, a sidewalk crossing near Stewart Middle School, and an organizational audit to be conducted.

14. Reports

City Manager Brian McBroom read his weekly reported emailed to Council.

15. Adjourn

The meeting adjourned at 9:00 pm.