



Commerce City

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

Monday, November 18, 2013

6:30 PM

Council Chambers

1. Call to Order/Roll Call

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Amador, that Council Member Jadie Carson be excused from tonight's meeting. VOICE VOTE: Unanimous, all present affirmed.

2. Executive Session

A motion was made by McElDowney, seconded by Council Member Teter, to enter into the executive session. VOICE VOTE: Unanimous, all present affirmed.

[13-0045](#)

An executive session pursuant to C.R.S. 24-6-402(4)(e) for the purpose of developing strategy for negotiations and instructing negotiators concerning DIA issues

[13-0046](#)

An executive session pursuant to C.R.S. 24-6-402(4)(f)(I) regarding follow-up to the City Manager's evaluation

3. Pledge of Allegiance

4. Audience Introduction

The audience introduced themselves.

5. Proclamations and Recognitions - 6:40

[13-0047](#)

2013 Flood Update and Recognition

Deputy City Manager Hayes presented information on the 2013 flood activities. Employees, senior volunteers, agencies, and businesses were recognized by city council.

6. Citizen Communication

Sara Thompson Cassidy, Union Pacific Railroad, presented council with a commemorative coin signifying the partnership with Commerce City. Ms. Cassidy provided council with 2014 calendars.

7. Approval of Minutes - 7:40

[Min 13-81](#) Meeting Minutes of May 6, 2013

A motion was made by Council Member McEldowney, seconded by Mayor Pro Tem Bullock, that these minutes be approved. VOICE VOTE: Unanimous, all present affirmed.

[Min 13-82](#) Meeting Minutes of July 15, 2013

A motion was made by Council Member McEldowney, seconded by Mayor Pro Tem Bullock, that these minutes be approved. VOICE VOTE: 8 aye, 1 abstain (Benson)

[Min 13-84](#) Meeting Minutes of August 5, 2013

A motion was made by Council Member McEldowney, seconded by Mayor Pro Tem Bullock, that these minutes be approved. VOICE VOTE: Unanimous, all present affirmed.

[Min 13-85](#) Meeting Minutes of August 19, 2013

A motion was made by Council Member McEldowney, seconded by Mayor Pro Tem Bullock, that these minutes be approved. VOICE VOTE: Unanimous, all present affirmed.

[Min 13-87](#) Regular Meeting Minutes of October 7, 2013

Mayor Pro Tem Bullock and Council Member Amador moved and seconded to allow Council Member Elliott to abstain from voting on the meeting minutes of October 7, 2013, because of her excused absence. VOICE VOTE: Unanimous, all present affirmed.

A motion was made by McEldowney, seconded by Bullock, that these minutes be approved. VOICE VOTE: 8 aye, 1 abstain (Elliott)

[Min 13-88](#) Special Meeting Minutes of October 7, 2013

Mayor Pro Tem Bullock and Council Member Amador moved and seconded to allow Council Member Elliott to abstain from voting on the meeting minutes of Special Meeting Minutes of October 7, 2013, because of her excused absence. VOICE VOTE: Unanimous, all present affirmed.

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Amador, that these minutes be approved. VOICE VOTE: 8 aye, 1 abstain (Elliott)

8. Consent Agenda - 7:45

[SAP-004-13](#) AN ORDINANCE ADOPTING THE CITY OF COMMERCE CITY STATION AREA MASTER PLAN

City Attorney Bob Gehler read the title of the ordinance.

A motion was made by Council Member McEldowney, seconded by Mayor Pro Tem Bullock, that this Ordinance be approved on second and final reading.

VOTE:

Aye: Mayor Ford, Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Mayor Pro Tem Bullock, and Council Member McEldowney

Excused: Council Member Carson

9. Public Hearings - 7:50

Z-898-13 AN ORDINANCE REZONING FROM R-1 TO I-2 ZONE DISTRICT THE PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, AND AMENDING THE ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO TO REFLECT SAID REZONING.

City Attorney Bob Gehler read the title of the ordinance.

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member McEldowney, that this ordinance be continued to February 3, 2014. VOICE VOTE: Unanimous, all present affirmed.

10. Ordinances on 1st Reading - 7:55[Ord 1978](#)

AN ORDINANCE AMENDING THE 2009 EDITION OF THE INTERNATIONAL FIRE CODE PREVIOUSLY ADOPTED BY THE CITY OF COMMERCE CITY THROUGH ORDINANCE 1907

City Attorney Bob Gehler read the title of the ordinance.

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

Aye: 8 - Mayor Ford, Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Bullock and McEldowney

Excused: 1 - Carson

[AN-230-13-13](#)

AN ORDINANCE AMENDING THE LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A" TO ORDINANCE AN-230-13 REGARDING PROPERTY LOCATED AT 6771 E. 80TH AVENUE, COMMERCE CITY, COLORADO.

City Attorney Bob Gehler read the title of the ordinance.

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

Aye: 8 - Mayor Ford, Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Bullock and McEldowney

Excused: 1 - Carson

[Z-905-13-13](#)

AN ORDINANCE AMENDING THE LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A" TO ORDINANCE Z-905-13 REGARDING PROPERTY LOCATED AT 6771 E. 80TH AVENUE, COMMERCE CITY, COLORADO.

City Attorney Bob Gehler read the title of the ordinance.

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

Aye: 8 - Mayor Ford, Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Bullock and McEldowney

Excused: 1 - Carson

11. Presentations - 8:10

[Pres 13-409](#)

Moving Forward: Issue 2K

City Manager Brian McBroom stated that at the Nov. 5th election, Commerce City voters approved Issue 2K, which increased the city's 3.5% sales and use tax by one percent to provide a dedicated funding source for new parks, recreation and road projects. The dedicated increase is for capital expenditures as well as operations and maintenance on new projects. Commerce City is committed to leverage the funding to build five projects in the next five years, including: a new recreation center, expanding Tower Road, a new outdoor pool, three new neighborhood parks, and new additions to existing recreation center.

The successful ballot initiative was the result of a two-year, community-driven process to identify how to implement programs and services that address growing population needs, achieve vision and build a better Commerce City. The presentation provides initial information on how the city intends to follow-through on Issue 2K commitments, including; program goals and objectives, overall schedule and delivery team, procurement, project-specific information, and action items for the next 90 days. Regular council updates on the voter-approved program will be provided, coinciding with quarterly administrative work plan updates.

12. Administrative Council Business - 8:40

Mayor Pro Tem Bullock stated that additional outside boards and commissions need to be added to the excel spreadsheet.

It was moved by Council Member Amador and seconded by Council Member McEldowney to begin the December 2, 2013 Regular Council Meeting at 5:30 p.m. for the purpose of holding an executive session to discuss DIA issues, and personnel items with City Attorney Gehler and Municipal Judge Juarez. VOICE VOTE: Unanimous, all present affirmed.

13. Reports - 8:55

City Manager Brian McBroom reported on the following topics:

- Long-term parking needs for RTD users in the Belle Creek area, near McDonalds. Staff will ask RTD about the potential for them to provide a dedicated lot at this location and also continue to monitor the area to determine if additional signage to restrict parking becomes necessary.

-Exiting traffic at the RTD Park-n-Ride lot located near 104th Avenue and Highway 2. The RTD lot sits on the southwest portion of the property, located at 104th Avenue and Revere Street. A traffic signal is planned for the intersection of 104th Avenue and Revere Street when traffic volumes warrant. Over the past week, staff observed traffic operations at this intersection. Staff will research crashes at this location to determine if turning restrictions should be implemented. However, at this time, no additional signage is recommended.

-Adams County billboard sign update.

On November 14, 2013, the Adams County Planning Commission heard the conditional use permit case to allow an off-premise sign (billboard) at 9985 Tower Road. County staff recommended denial. Commerce City staff spoke in opposition to the applicant's requests, highlighting that the subject property is within the city's growth boundary and that off-premise signs are prohibited within the city. Furthermore, the proposed signage does not align with the goals of the Commerce City or Adams County comprehensive plans. The Planning Commissioners voted unanimously to deny both the rezoning and conditional use permit requests. The Board of County Commissioners is scheduled to hear the case at 10 a.m. Dec. 9, 2013.

-Yosemite Rail Crossing Repairs.

The Burlington Northern Santa Fe (BNSF) railroad spur on Yosemite Street south of 92nd Avenue has been in poor condition for an extended period of time. The BNSF recently did a good job making temporary repairs and the current condition of the crossing is much better than it has been in the past. The BNSF has proposed replacing the crossing in March of 2014 weather permitting.

- December 2 organizational meeting

Newly-elected council members will be sworn in at the Dec. 2 meeting, with a brief reception to follow after the meeting concludes. New appointments to boards and committees will also occur that evening, including the selection of a mayor pro tem.

-Hometown Holiday update

This year the Hometown Holiday event was moved to a Friday night based on participant feedback from prior years. The "lighting" ceremony will take place at 6:30 p.m.

-December 23 study session canceled

The Dec. 23 study session is being canceled to hold a legislative reception from 6 – 8 p.m. at the Buffalo Run Bison Grill.

Council member reported on meeting and events from the previous week.

14. Adjourn to the ECAGID Meeting - 9:10