



Meeting Minutes - Final

City Council

Monday, December 21, 2015

6:00 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 December 21, 2015, at 6:00 PM.

Present: 9 - Mayor Sean Ford, Council Member Jadie Carson, Council Member Rick A. Teter, Mayor Pro Tem René Bullock, Council Member Crystal Elliott, Council Member Jason McEldowney, Council Member Steven J. Douglas, Council Member Andrew Amador and Council Member Paolo Diaz

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Audience Introduction

The audience introduced themselves.

4. Citizen Communication

None

5. Approval of Minutes

[Min 15-98](#)

Meeting Minutes of Special Meeting - November 23, 2015

A motion was made by Council Member McEldowney, seconded by Council Member Teter, to allow Council member Diaz to abstain from voting on the minutes of November 23, 2015, because he was not a seated member of council on this date.

VOTE: 8 aye, 1 abstain (Diaz)

A motion was made by Council Member Carson, seconded by Council Member Teter, that the minutes be approved. VOTE:

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

Abstained: 1 - Council Member Diaz

6. Consent Agenda

Council Member Douglas asked to remove Resolution 2015-130 from the consent

agenda for further discussion and vote.

[Res 2015-130](#)

**RESOLUTION AUTHORIZING CONDITIONAL SALE AGREEMENT
FOR PURCHASE OF GOLF CARTS**

Golf Manager Paul Hebinck was called forward to explain the sale agreement for golf carts. Mr. Hebinck stated that the golf cart fleet purchase is an integral part of the golf course operation. A large percentage of golfers rent the carts and the lifespan of a fleet is typically four years. In the past, staff has extended the life span of the fleet to six years by replacing batteries after four years. This practice has saved the city money. The current fleet is six years old and as a regular course of action the city went out to bid for a new fleet. In response to questions from Council member Douglas, he explained the accessories available on the carts, and that there have been no offers to purchase the old fleet. The vendor will accept the used fleet and provide a trade-in. The final purchase price including trade-in and financing is \$223,000.

A motion was made by Council Member McEldowney, seconded by Council Member Douglas, that this resolution be adopted. VOICE VOTE: Unanimous, all present affirmed.

7. Public Hearings

[CU-109-16](#)

**CONDITIONAL USE PERMIT FOR A SALVAGE YARD - CASE
#CU-109-16**

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member McEldowney, that this conditional use permit be continued to February 1, 2016. VOICE VOTE: Unanimous, all present affirmed.

[CU-108-15](#)

CONDITIONAL USE PERMIT FOR A METAL RECYCLING FACILITY

Mayor Ford opened the public hearing.

Planner Caitlin Hasenbalg-Long presented the case. The applicant, RCI Investments, is requesting a conditional use permit and subdivision to consolidate two lots into one to expand their current recycling facility. The property was originally subdivided into two lots prior to its annexation into the city in 2007, and at that time the properties were zoned I-3 to match Adams County zoning. The existing use has been in operation since 2005, and when it became part of the city, it became a legal non-conforming use. The planning commission voted unanimously to forward the application to council with a favorable recommendation and six conditions:

- (1) A renewal of the conditional use permit, in accordance with the LDC, will be required to expand operations past a certain date*
- (2) The materials accepted for recycling will be limited*
- (3) Whole crushed cars can be stored on site for no more than 72 hours. No vehicle crushing on site, and no storing of inoperable vehicles will be permitted*
- (4) Except for landscaping, the site must be developed prior to expansion*
- (5) Landscaping must be installed by September 21, 2016*
- (6) The applicant shall notify the city, in writing, if the facility is ever discontinued by RCI.*

Jim Brienza and Bob Fleming appeared on behalf of the applicant. They stated that RCI will have to go through the process of annexing the existing Lot 1 into the South Adams County Water and Sanitation District and abandon the well and septic.

No one else came forward and the public hearing was closed.

Council Member Teter stated that the applicant has a great relationship with the fire department and donates vehicles for training.

A motion was made by Council Member McEldowney, seconded by Council Member Douglas, to accept the recommendations of the planning commission.

VOTE: Unanimous; all present affirmed

A motion was made by Council Member McEldowney, seconded by Mayor Pro Tem Bullock, that this conditional use permit be adopted. VOICE VOTE: Unanimous, all present affirmed.

[Res 2015-116](#)

RESOLUTION APPROVING SUBDIVISION PLAT IN CASE #S-629-15

A motion was made by Council Member Amador, seconded by Council Member McEldowney, to accept the findings of the planning commission.

VOTE: Unanimous; all present affirmed

A motion was made by Council Member McEldowney, seconded by Council Member Douglas, that this resolution be adopted. VOICE VOTE: Unanimous, all present affirmed.

8. Ordinances on 1st Reading

[Ord 2068](#)

AN ORDINANCE REPEALING, ADOPTING, AND AMENDING PORTIONS OF THE LAND DEVELOPMENT CODE RELATING TO TELECOMMUNICATION FACILITIES

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

Aye: 9 - Mayor Ford, Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member McEldowney, Council Member Douglas, Council Member Amador and Council Member Diaz

[Ord 2073](#)

AN ORDINANCE AMENDING SEVERAL SECTIONS OF THE LAND DEVELOPMENT CODE REGARDING SHARED DRIVEWAYS

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

Aye: 9 - Mayor Ford, Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member McEldowney, Council Member Douglas, Council Member Amador and Council Member Diaz

9. Presentations

[Pres 15-518](#)

Senior Advisory Committee Bi-Annual Presentation

The senior advisory committee is made up of subcommittees. In 2015, 20 positions were filled following an extensive recruitment process. Four subcommittees gave a brief presentation on their 2015 accomplishments. The following subcommittee representatives appeared before council to provide highlights:

Program Committee JoAnn Vail: trips and programs survey completed and will be unveiled early 2016, will provide 30 meals on December 23, 2015, to assist seniors in the community.

Outreach Committee Al Hardt: developed a new brochure and promotional t-shirts

Health/Wellness Committee George Maxey. formed a monthly group dedicated to social health and promoting positive exercise habits

Umbrella Committee JoAnn Hardt: created an all subcommittee mid-year planning event.

10. Administrative Council Business

Council Member McEldowney asked for a follow up to an earlier request regarding the safety of the 96th Avenue & Chambers intersection. He also stated that the 120th & Chambers intersection is becoming increasingly challenging, eastbound especially.

A motion was made by Council Member McEldowney, seconded by Mayor Ford, to direct staff to investigate opportunities for the 120th & Chambers intersection.

VOTE: Unanimous; all present affirmed

Mayor Ford asked for an update on the configuration of 120th & Potomac.

A motion was made by Council Member McEldowney, seconded by Mayor Pro Tem Bullock, to direct staff to take a much more aggressive look at the possibilities of closing off 88th & Tower.

VOTE: Unanimous; all present affirmed

Council Member Teter asked about the timing of the traffic signal at 69th & Highway 85.

Council Member Elliott asked about the legality of a makeshift cellular phone sale at 72nd & Colorado in front of the Adams County Human Services building.

Council Member Douglas would like to see more proactive plowing during storms. He also asked when a fleet of new vehicles would be placed into service.

Council Member McEldowney and Mayor Ford asked for a review of the city's snow plan.

A motion was made by Council Member Douglas, seconded by Council Member Amador, to financially cover all who wish to attend the Westin opening event.

VOTE: Unanimous; all present affirmed

[15-87](#)

Committee Appointments

Board of Adjustment: Amador
Derby Review Board: Teter
Parks & Recreation Advisory: Carson, Douglas
Police Pension Board: Douglas (Regular), Teter (Alternate)
Youth Commission: Bullock (Regular), Carson (Regular)
Cultural Council: Carson (Regular), Elliott (Regular)
Housing Authority: Bullock (Regular), Amador (Alternate)
Retreat Planning Committee: McEldowney (Regular), Bullock (Regular), Douglas (Regular), Elliott (Regular)
City Manager, City Attorney, and Municipal Court Judge Evaluation Committee: McEldowney (Regular), Douglas (Regular)
Boards & Commissions Committee: Amador (Regular), Bullock (Regular), Carson (Regular)
Legislative Committee: Ford (Regular), Bullock (Regular), Douglas (Regular)
ADCO Economic Development : Ford (Regular), Teter (Alternate), Diaz (Alternate)
ADCO Water Quality Advisory: McEldowney (Regular), Bullock (Alternate)
Adams 14 Foundation: Amador (Regular), Bullock (Alternate)
CML Policy Committee: Bullock (Regular), Douglas (Alternate)
Business & Professionals Association: Teter (Regular), Elliott (Alternate)
DIA Noise: Ford (Regular), Teter (Regular), McEldowney (Alternate), Amador (Alternate)
Airport Coordinating Committee: Ford (Regular), Teter (Regular) McEldowney (Alternate), Amador (Alternate)
DRCOG: Teter (Regular), Bullock (Alternate)
DRCOG Metro Visions Issues Committee (MVIC): Teter (Regular), Bullock (Alternate)
E-470 Highway Authority: Douglas (Regular), Diaz (Alternate)
US 85 Planning and Environmental Linkage (PEL) Study Executive Committee: Ford (Regular), Bullock (Alternate)
National Organization to Insure a Sound Controlled Environment (NOISE): Bullock (Regular), Elliott (Alternate)
NATA: Ford (Regular), Teter (Alternate)
Northern Community Coalition (NCC): Teter (Regular), Carson (Regular), Elliott (Alternate)
Rotary: Ford (Regular), Bullock (Regular)
RTD: Diaz (Regular)
School District 27J Facilities Foundation: McEldowney (Regular)
Sand Creek Regional Greenway Steering Committee: Bullock (Regular)
10-Year Plan to end Homelessness in Adams County: Douglas (Regular), Elliott (Regular)
Education Commission: McEldowney (Regular), Amador (Regular), Douglas (Alternate), Elliott (Alternate)
SD 27J Use Tax Committee: McEldowney (Regular), Amador (Regular)
Water Commission: Ford (Regular), McEldowney (Regular)
ADCOG Dinner: Diaz
Area Boards: Ford (Regular)
Memorial Day Parade Advisory Committee: Douglas (Regular), Elliott (Regular)
Northeast Transportation Connection: Douglas (Regular) meets at Northfields
Stapleton CAB: Amador (Regular) - meet 3rd Thursday at 7:30 am
Friends of the Front Range Wildlife Refuges: Bullock (Regular), Diaz (Regular), Elliott (Regular) - oversees programming of the refuge and Rocky Flats , meets 3rd Thursday of each month at 4:00 at the Arsenal Visitor Center

Staff to investigate (1) whether DIA Noise and Coordinating Committee are the same or different committees, (2) is the Northern Community Coalition and the 10-Year Plan to End Homelessness in Adams County committees are still active.

Adams 14 Facilities Review Board: Douglas has been attending and staff is to research regarding membership of council

Council Member McEldowney asked to have columns added that includes a definition of each body, defines the governing body and membership of each body. He would also like the committees categorized and membership added to council profiles.

A motion was made by Council Member Douglas, seconded by Council Member McEldowney, to approve all committee appointments.

VOTE: Unanimous; all present affirmed

11. Reports

City Attorney Gehler stated that the Branson case settled, and the city would not be going to trial.

Mayor and council reported on their attendance at various meetings and events.

12. Adjourn

The meeting adjourned at 8:25 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: _____
Laura J. Bauer, City Clerk*