



Commerce City

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

City Council

Monday, October 21, 2019

6:40 PM

Council Chambers

Regular Meeting

Or Immediately Following the Urban Renewal Authority Meeting.

Times given are estimates only.

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 October 21, 2019, at 6:30 p.m.

A motion was made by Council Member Huseman, seconded by Mayor Pro Tem Teter, to excuse Council Members Davis and Hurst from the meeting. VOTE: 7 - Aye, 2 - Excused (Davis, Hurst)

Present: 7 - Mayor Sean Ford, Mayor Pro Tem Rick A. Teter, Council Member Oscar Madera, Council Member Nicole Frank, Council Member Steven J. Douglas, Council Member Benjamin Huseman and Council Member Jose Guardiola

Excused: 2 - Council Member Steve Davis and Council Member Craig Hurst

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Proclamations and Recognitions

The Mayor and council presented Laura Bauer, city clerk, with the Colorado Municipal Clerks Association's 2019 Clerk of the Year award.

[Proc 19-17](#)

Proclamation Declaring October 2019 as National Cyber Security Awareness Month in Commerce City

Mayor Ford invited the Information Technology staff forward. The city attorney read the proclamation and the council came forward for a photo.

A motion was made by Mayor Pro Tem Teter, seconded by Council Member Madera, that this proclamation be approved. Vote:

Aye: 7 - Mayor Ford, Mayor Pro Tem Teter, Council Member Madera, Council Member Frank, Council Member Douglas, Council Member Huseman and Council Member Guardiola

Excused: 2 - Council Member Davis and Council Member Hurst

[Proc 19-19](#)**Proclamation Declaring October 2019 as Careers in Construction Month in Commerce City**

Mayor Ford invited Paul Francisco, Postsecondary and Workforce Readiness Director and Adam Nelson, Construction Trades teacher at Prairie View High School, from the 27J School District and Chris Duran, District Coordinator, Career & Technical Education, from Adams 14 School District forward. The city attorney read the proclamation and the council came forward for a photo.

A motion was made by Mayor Pro Tem Teter, seconded by Council Member Frank, that this proclamation be approved. VOTE:

Aye: 7 - Mayor Ford, Mayor Pro Tem Teter, Council Member Madera, Council Member Frank, Council Member Douglas, Council Member Huseman and Council Member Guardiola

Excused: 2 - Council Member Davis and Council Member Hurst

4. Citizen Communication

Shelagh Burke, representing Adams 14 School District, spoke on the attendance of Adams 14 School District students at the 2019 Youth Commission Conference.

Chris Duran, representing Adams 14 School District, informed the council of pre-apprentice vocational opportunities for Adams 14 students.

John Poynton, representing Adams 14 School District, invited council at the open house at Alsup Elementary School on Wednesday, October 23, and that a new school will be built in 2020.

The following spoke on oil and gas development in the city:

Jim Travis, 10233 Salida Street

Marc Moran, 12345 Levi Circle

Ryan Seastrum, representing Colorado Oil and Gas Association

John Brackney, 6300 South Syracuse Street, Centennial

Russ Watterson, 11259 Kalispel Street

Meghan Grimes, 11788 Fairplay Street

Susan Noble, no address given

Stephanie Daniels, 16527 East 99th Place, spoke on the prairie dog management contract.

Ellie Reynolds, representing Waste Management, spoke on the recently approved trash and recycling contract.

John DuPriest, 10157 Fronterra Street, stated his appreciate for the clerk's office work during the election season.

5. Consent Agenda

A motion was made by Council Member Madera, seconded by Mayor Pro Tem Teter, to approve the consent agenda as presented. ROLL CALL VOTE:

Aye: 7 - Mayor Ford, Mayor Pro Tem Teter, Council Member Madera, Council Member Frank, Council Member Douglas, Council Member Huseman and Council Member Guardiola

Excused: 2 - Council Member Davis and Council Member Hurst

[Min 19-153](#) Minutes of October 7, 2019

[Res 2019-111](#) RESOLUTION APPOINTING MEMBERS TO DESIGNATED BOARDS AND COMMISSIONS OF COMMERCE CITY

[Z-777-19](#) AN ORDINANCE AMENDING THE PUD ZONING OF THE CITY OF COMMERCE CITY, COLORADO FOR THE PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, AND LOCATED AT 15060 EAST 103RD PLACE, COMMERCE CITY, COLORADO.

6. Public Hearings

[Res 2019-30](#) RESOLUTION ADOPTING THE BUDGET FOR THE CITY OF COMMERCE CITY, COLORADO FOR THE YEAR 2020 AND PROVIDING FOR 2019 COMMERCE CITY TAX LEVY

Mayor Ford opened the public hearing.

Sheryl Carstens, Finance Director, gave an overview of the 2020 budget. Ms. Carstens provided the key considerations for the 2020 budget, an overview of the budget schedule, the budget general fund sources and uses, and a summary of the Capital Improvement Project Program budget.

No public comment was made.

A motion was made by Council Member Frank, seconded by Council Member Madera, that this public hearing be continued to November 4, 2019. VOTE:

Aye: 7 - Mayor Ford, Mayor Pro Tem Teter, Council Member Madera, Council Member Frank, Council Member Douglas, Council Member Huseman and Council Member Guardiola

Excused: 2 - Council Member Davis and Council Member Hurst

Ordinances on 1st Reading

[Ord 2244](#) AN ORDINANCE CONSOLIDATING THE FUTURE GROWTH FUND AND TRANSFERRING THE REMAINING BALANCE INTO THE CAPITAL IMPROVEMENTS AND PRESERVATION PLAN FUND (CIPP) THEREBY ELIMINATING THE FUTURE GROWTH FUND.

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

Aye: 7 - Mayor Ford, Mayor Pro Tem Teter, Council Member Madera, Council Member Frank, Council Member Douglas, Council Member Huseman and Council Member Guardiola

Excused: 2 - Council Member Davis and Council Member Hurst

[Ord AN-253-19](#) AN ORDINANCE ANNEXING CERTAIN UNINCOPORATED TERRITORY KNOWN AS THIRD CREEK WEST (1 OF 2) TO THE CITY OF COMMERCE CITY, COLORADO

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

Aye: 7 - Mayor Ford, Mayor Pro Tem Teter, Council Member Madera, Council Member Frank, Council Member Douglas, Council Member Huseman and Council Member Guardiola

Excused: 2 - Council Member Davis and Council Member Hurst

[Ord AN-254-19](#) AN ORDINANCE ANNEXING CERTAIN UNINCOPORATED TERRITORY KNOWN AS THIRD CREEK WEST (2 OF 2) TO THE CITY OF COMMERCE CITY, COLORADO

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

Aye: 7 - Mayor Ford, Mayor Pro Tem Teter, Council Member Madera, Council Member Frank, Council Member Douglas, Council Member Huseman and Council Member Guardiola

Excused: 2 - Council Member Davis and Council Member Hurst

[Z-946-17-19](#) AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO FOR REZONING TO PUD ZONE DISTRICT AND APPROVING A PUD ZONE DOCUMENT FOR THE PROPERTY ANNEXED AS THIRD CREEK WEST FROM ADCO (UNINCORPORATED ADAMS COUNTY) TO PUD (PLANNED UNIT DEVELOPMENT)

A motion was made by Council Member Huseman, seconded by Mayor Pro Tem Teter, to accept the findings and recommendations of the planning commission. VOTE: 7 - Aye, 2 - Excused (Davis, Hurst)

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

Aye: 7 - Mayor Ford, Mayor Pro Tem Teter, Council Member Madera, Council Member Frank, Council Member Douglas, Council Member Huseman and Council Member Guardiola

Excused: 2 - Council Member Davis and Council Member Hurst

7. Ordinances on 2nd Reading

[LUP-55-19](#)

AN ORDINANCE AMENDING THE FUTURE LAND USE PLAN, OF THE COMPREHENSIVE PLAN OF THE CITY OF COMMERCE CITY, FOR THE PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF EAST 104TH AVENUE AND POTOMAC STREET, FROM OFFICE/FLEX TO MIXED USE (CORRIDOR AND COMMERCIAL)

A motion was made by Mayor Pro Tem Teter, seconded by Council Member Huseman, that this ordinance be approved on second & final reading. VOTE:

Aye: 7 - Mayor Ford, Mayor Pro Tem Teter, Council Member Madera, Council Member Frank, Council Member Douglas, Council Member Huseman and Council Member Guardiola

Excused: 2 - Council Member Davis and Council Member Hurst

8. Administrative Council Business

Council Member Douglas requested an update on the contract with United States Department of Agriculture's Wildlife Services Division for prairie dog management services. Mike Brown, Deputy Director of Public Works, stated the services were substantially completed that day.

A motion was made by Council Member Madera, seconded by Council Member Douglas, to direct staff to draft an ordinance for consideration on November 4, 2019 to institute a one-month moratorium on oil and gas development in the city in order to allow city staff to review the Colorado Department of Public Health and Environment study and incorporate those findings into the upcoming Land Development Code update ordinances.

Council Member Madera withdrew his motion.

A motion was made by Mayor Pro Tem Teter, seconded by Council Member Madera, to authorize a second extension of the Mile High Greyhound Park design guideline deadlines as part of the amendment to the purchase and sale agreement to November 4, 2019. VOTE: 6 - Aye, 1 - Nay (Huseman), 2 - Excused (Davis, Hurst)

A motion was made by Council Member Douglas, seconded by Council Member Huseman, to set special meetings of the city council on November 11 and November 25 for the purpose of conducting employee evaluations. VOTE: 7 - Aye, 2 - Excused (Davis, Hurst)

A motion was made by Council Huseman, seconded by Mayor Ford, to donate \$1000 to the Adams City High School JROTC ball. VOTE: 7 - Aye, 2 - Excused (Davis, Hurst)

[Pres 19-471](#)

Monthly Oil and Gas Update

Domenic Martinelli, City Planner, gave the oil and gas monthly update. Mr. Martinelli stated two new oil and gas permits have been submitted by Extraction Oil and Gas and reviewed by the city.

Council Member Douglas asked how the oil and gas permitting process was impacted by the recently released Colorado Department of Public Health and Environment study. Mr. Martinelli stated the COGCC was considering additional set back and rule making criteria for oil and gas permits and that the city could consider additional requirements for oil and gas permit approvals as part of the upcoming Land Development Code update ordinances.

Council Member Huseman asked if the alternate site for the Condor pad was still being considered. Mr. Martinelli stated the alternate site was not an official proposal, the city will continue reviewing the Condor site permit as submitted, but would consider the alternate site if a permit was submitted.

[19-69](#)

Trash and Recycling Bid Recommendation Follow-up Information

Mike Brown, Deputy Director of Public Works, provided an update to Council on the trash and recycling bid. Mr. Brown provided a background on trash and recycling services in the city, the trash and recycling bid results, and stated that the staff recommendation was to award Republic Services the contract.

9. Council Reports

Deputy City Manager Tinklenberg highlighted items presented in the weekly City Manager's report provided to council earlier. The mayor and council reported on their attendance at various meetings and events.

10. Adjourn

The meeting adjourned at 8:54 p.m.

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:

Dylan A. Gibson, Deputy City Clerk