



# Commerce City

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

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Monday, December 17, 2012

5:30 PM

Council Chambers

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### Executive Session at 5:30 p.m.

#### 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 17, 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

[12-0072](#)

Executive session to receive legal advice pursuant to C.R.S. 24-6-402(4)(b) regarding Denver International Airport Intergovernmental Agreement

**A motion was made by Council Member Bullock, seconded by Council Member Elliott, that an executive session to receive legal advice, pursuant to CRS 24-6-402(4)(b), 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

*The Pledge of Allegiance was recited.*

**Present:** 9 - 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, Council Member Jason McEldowney and Council Member Steven J. Douglas

#### 4. Audience Introduction

*The audience introduced themselves.*

#### 5. Proclamations and Recognitions

[12-0062](#)

Recognition of service: Business Advisory Committee and Citizen Advisory Committee

*Economic Development Manager Walter Williams introduced the members of the Business Advisory Committee and the Citizen Advisory Committee that were in attendance. He asked Council to recognize these groups for their contributions to the community.*

[12-0061](#)

Recognition of the accomplishments of Commerce City businesses.

*Economic Development Manager Walter Williams asked that Council recognize the following Commerce City businesses:*

*Commerce City Awards -*

*Entrepreneurial Spirit Award - Ed & Roxanne Anderson, Precast Concepts Company "On the Move" - Mile High Orthotics Lab, Inc - Greg Armstrong and Mark McMahon*

*Pam Downs Lilac Award - Brett Steinbar, North Forest Office Space*

*Small Business of the Year Award - Colographic - Jimmy and Cathy Burds*

*ColoradoBiz Magazine designations -*

*Birko - Kelly Green, Owner and Chairman of the Board*

*Colorado Companies to Watch*

*Top 100 Woman-Owned Companies*

*Top 250 Private Companies*

*Outstanding Women in Business nominee*

*Top Company Finalist for Manufacturing*

*Houg Special Services - Jenyce Houg, CEO*

*Top 100 Woman-Owned Companies*

*Top 250 Private Companies*

*Alpine Waste & Recycling - John Griffith, CEO*

*Top Company Finalist for Services*

[12-0070](#)

Recognition of Jared Butler

*City Council congratulated Commerce City employee Jared Butler for being recognized by the Colorado Section of the Professional Golf Association (PGA) as the 2012 Apprentice of the Year.*

## 6. Citizen Communication

*The following individuals spoke on behalf of the Commerce City Historical Society. They asked Council to donate land from the former Mile High Greyhound Park site for a museum and \$2,500 towards matching a grant that they were awarded.*

*Joann Stevenson, 10571 Nucla Ct.*

*June Younger, 5409 E. 61st Wy.*

*Debra Bullock, 6130 Ivanhoe St.*

*The following individuals spoke regarding the shooting incident of November 24, 2012*

*Jeffrey Justice, 1503 Lamplighter Dr., Longmont*

*Vickie Kirlkland, 1951 Briarwood Ave., Littleton*

*Leo Refuerzo, no address given*

## 7. Approval of Minutes

[Min 12-025](#) Minutes of November 19, 2012

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

[Min 12-026](#) Minutes of December 3, 2012

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

## 8. Consent Agenda

*Mayor-Pro-Tem Moreno asked to pull Resolution 2012-99 off the Consent Agenda for a separate discussion and vote.*

**A motion was made by Council Member Bullock, seconded by Council Member McEldowney, that the consent agenda be approved as amended.**

### **VOTE:**

**Aye:** 9 - Mayor Ford, Mayor Pro-Tem Moreno, Council Member Benson, Council Member Carson, Council Member Teter, Council Member Bullock, Council Member Elliott, Council Member McEldowney and Council Member Douglas

[Res 2012-98](#) RESOLUTION CANCELLING CITY COUNCIL MEETINGS THAT FALL ON OFFICIALLY SCHEDULED CITY HOLIDAYS

[Res 2012-99](#) RESOLUTION REGARDING POSTING LOCATIONS FOR ORDINANCES AND PUBLIC MEETINGS

*Mayor Pro-Tem Moreno asked if consideration was given to approaching the King Soopers at 104th & Chambers about using their store as one of the city's posting locations.*

*City Clerk Laura Bauer responded that no, that location was not given consideration. She stated that as discussed in the study session, the charter provision of posting in six locations was created in the early 1950s, long before the technological tools of today. There is a strong belief that the posting locations no longer meet the communication needs of the community, but have been replaced by the city's website. However, she agreed to consider the new King Soopers location in the northern range as an option for 2014.*

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

[Ord 1943](#) AN ORDINANCE AMENDING THE 2012 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE BULLETPROOF VEST PARTNERSHIP GRANT FUNDS IN THE

AMOUNT OF \$9,775 FOR THE BULLETPROOF VEST PROGRAM IN THE POLICE DEPARTMENT AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

[Res 2012-102](#) RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT FOR HOUSEHOLD CHEMICAL ROUNDUP PROGRAM

## 9. Public Hearings

[Z-897-12](#) AN ORDINANCE APPROVING THE PUD ZONE DOCUMENT ATTACHED HERETO AS EXHIBIT "A" AND MADE A PART HEREOF WHICH REZONES THE PROPERTY DESCRIBED THEREIN, WHICH IS LOCATED AT 5801 BRIGHTON BOULEVARD, COMMERCE CITY, COLORADO, FROM I-3 TO PUD ZONE DISTRICT AND AMENDING THE ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO TO REFLECT SAID REZONING.

*Mayor Ford announced that the public hearings on Ordinance Z-897-12 and Resolution 2012-86 would be combined as they are interrelated.*

*The public hearing was opened.*

*Planner Paul Workman presented the case. He stated that the applicant, Suncor, is seeking a rezoning from I-3 to a customized PUD, in addition to consolidating the property on the southeast side of Brighton Boulevard, to meet the unique needs of the refinery. The Planning Commission held a public hearing in May of 2012, and voted unanimously to forward the application to Council with a favorable recommendation.*

*Applicant representatives Lisha Burnett and John Gallagher addressed Council.*

*No one else came forward from the audience to address Council regarding the application and the public hearing portion was closed.*

*Council members McEldowney and Moreno moved and seconded to accept the findings and recommendations of the Planning Commission.*

*VOICE VOTE: Unanimous; all present affirmed*

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

**Aye:** 9 - Mayor Ford, Mayor Pro-Tem Moreno, Council Member Benson, Council Member Carson, Council Member Teter, Council Member Bullock, Council Member Elliott, Council Member McEldowney and Council Member Douglas

[Res 2012-86](#) RESOLUTION APPROVING SUBDIVISION PLAT IN CASE #S-583-12

*Council members McEldowney and Teter moved and seconded to accept the recommendations of the Planning Commission.*

*VOICE VOTE: Unanimous; all present affirmed*

A motion was made by Mayor Pro-Tem Moreno, seconded by Council Member McEldowney, that this resolution be adopted. VOICE VOTE: Unanimous, all present affirmed.

## 10. Resolutions

### [Res 2012-82](#)

Resolution approving 2013 Commerce City Business and Development Incentives Program.

A motion was made by Mayor Pro-Tem Moreno, seconded by Council Member McEldowney, that this resolution be adopted. VOICE VOTE: Unanimous, all present affirmed.

## 11. Administrative Council Business

*Councilman Douglas asked how Council feels about an officer's bill of rights and if it could be made an action item or discussed at a study session.*

*Councilman Bullock objected to this request.*

*Mayor Pro-Tem Moreno supports this request.*

*Councilman McEldowney thinks the timing is awkward given that a new police chief is starting in a few weeks.*

*Mayor Ford supports this request.*

*City Manager McBroom asked Council if they would like the next two study sessions held in the chambers and televised.*

*Council agreed to broadcasting both meetings.*

## 12. Reports

*City Manager McBroom highlighted items from his weekly report to Council.*

*Mayor and Council reported on their attendance at various meetings and events throughout the week.*

## 13. Adjourn

*In accord with the City Charter, the City Attorney read the title to all ordinances and resolutions that were adopted by the City Council at this meeting.*

*The meeting adjourned at 8:10 p.m.*