



Meeting Minutes - Final City Council

Monday, April 15, 2013

6:30 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 April 15, 2013, at 6:30 PM.

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

Excused: 1 - Council Member Andrew Amador

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Audience Introduction

The audience introduced themselves.

4. Proclamations and Recognitions

[Proc 13-05](#)

Proclamation declaring April 21-27, 2013 as Victims' Rights Week

City Attorney Gehler read a proclamation declaring April 21-27, 2013, as Victims' Rights Week.

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

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

Excused: 1 - Council Member Amador

[Proc 13-08](#)

Arbor Day proclamation and Tree City USA recognition

City Attorney Gehler read a proclamation declaring April 19, 2013, as Arbor Day in the USA

Parks Development Supervisor Tony Jaramillo stated that Commerce City has been recognized by the National Arbor Day Association for the 22nd consecutive year for the city's tree planting efforts. Mr. Jaramillo informed everyone of the various events the city will be hosting to celebrate Arbor Day and he introduced State Forester Keith Wood.

Mr. Wood outlined the criteria for being selected as a Tree City USA.

A motion was made by Council Member McEldowney, seconded by Council Member Teter, that this proclamation be approved. VOICE VOTE:

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

Excused: 1 - Council Member Amador

5. Citizen Communication

Deborah Bullock, 6130 Ivanhoe St., appeared before Council on behalf of the Commerce City Historical Society to announce that the Society will be delivering their coloring books to all 2nd grade students in both Adams 14 and 27J School Districts. They would like to distribute certificates to the students during an upcoming Council meeting. Ms. Bullock also asked Council to consider purchasing a table for their annual luncheon.

Mary Mortin, 5980 66th Ave., appeared before Council, on behalf of the Adams 14 School Board, to invite Council to various events at Adams City High School.

Roy Hayes, 6970 Birch Street, asked if any research has been done regarding his request to amend the city's ordinance regarding pot belly pigs.

Present: 9 - Mayor Sean Ford, Council Member Jim Benson, 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 and Council Member Andrew Amador

6. Consent Agenda

A motion was made by Council Member McEldowney, seconded by Mayor Pro-Tem Bullock, that the consent agenda be approved. VOTE:

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

[Ord 1948](#)

AN ORDINANCE AMENDING SECTIONS 21-5249 AND 21-11200 OF THE LAND DEVELOPMENT CODE OF THE CITY OF COMMERCE CITY FOR THE PURPOSE OF REGULATING THE LOCATION OF MEDICAL MARIJUANA BUSINESSES AND PRIMARY CAREGIVERS

[Res 2013-25](#)

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN EQUIPMENT LEASE/PURCHASE AGREEMENT TO REFINANCE CERTAIN ENERGY-EFFICIENCY EQUIPMENT AND SYSTEMS, AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS REQUIRED IN CONNECTION THEREWITH AND AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION

7. Resolutions

[Res 2013-03](#)

RESOLUTION RECOGNIZING NEIGHBORHOOD IDENTIFICATION BOUNDARIES FOR THE CITY OF COMMERCE CITY

Council members Bullock and Teter moved and seconded to allow Mayor Ford to abstain from voting on the resolution because he is a member of Community Enterprise.

VOICE VOTE: 8 aye, 1 abstain (Ford)

The following citizens addressed Council regarding this resolution:

Guillermo Serna, 14122 E. 102nd Pl.

Erin Mooney, Executive Director of Community Enterprise

Sandy Carruthers, 6951 Kearney St.

Trudy Smith, 7142 Pontiac St.

Gene Leffel, 6530 Brighton Blvd.

Joy Bishop, 6751 E. 64th Ave.

Mike Cheney, 7980 Olive St.

Debra Bullock 6130 Ivanhoe St.

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

Aye: 8 - Council Member Benson, 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 - Mayor Ford

[Res 2013-24](#)

RESOLUTION FINDING SUBSTANTIAL COMPLIANCE OF AN ANNEXATION PETITION AND SETTING A PUBLIC HEARING TO DETERMINE IF THE PROPOSED ANNEXATION COMPLIES WITH STATUTORY REQUIREMENTS FOR SUCH ANNEXATION AN-230-13

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

8. Ordinances on 1st Reading - 7:55

[Ord 1954](#)

AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT OF ANY RECREATIONAL MARIJUANA RELATED BUSINESSES

Councilman Benson asked about the effect on city revenues if the moratorium is in place.

City Manager McBroom responded that staff has not run the calculations because it is unknown what businesses are contemplating moving into the city.

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

[Ord 1955](#)

AN ORDINANCE RE-ESTABLISHING THE BOUNDARIES OF THE FOUR WARDS OF THE CITY OF COMMERCE CITY

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

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

Nay: 1 - Council Member Douglas

9. Presentations

[Pres 13-142](#)

Transportation Update

Deputy City Manager Hayes reported to Council that staff has identified several projects for CDOT RAMP (Responsible Acceleration of Maintenance & Partnerships) funding: Highway 2 widening between 72nd & I-76, 104th widening between Highway 85 and Brighton Rd, Highway 6/85 at the 60th Ave interchange, Highway 85 & 120th and I-270 widening. Mr. Hayes asked Council to authorize Mayor Ford to sign two letters of support: (1) for the Adams County application for the Highway 85 & 120th project and (2) for the High-Performance Tolling Enterprise (HPTE) application for the I-270 widening project.

Mr. Hayes stated that staff has been working with consultants on concept plans for the RTD Station and that the city is engaged in the North Area Transit Alliance (NATE). City Manager McBroom has been meeting with DIA and FAA since returning from Washington D.C. regarding the Tower Road/Pena Boulevard ramp. Staff is working on an IGA amendment to authorize E-470 to release funds for ramp design.

Council members McEldowney and Bullock moved and seconded to allow Mayor Ford to sign two letters on behalf of Council in support of transportation projects.

VOICE VOTE: Unanimous; all present affirmed

Council would like time to consider names and designs for the light-rail station that will be located in Commerce City.

10. Administrative Council Business

Council members Bullock and McEldowney moved and seconded to change the start date of the May 6, 2013, meeting from 6:30 pm to 5:30 pm.

VOICE VOTE: Unanimous; all present affirmed

Councilman Douglas asked for an update on the Xcel Franchise Agreement, solar farms and mineral rights on the Vaughn Property

City Attorney Gehler discussed surface rights for the Vaughn property.

Mayor Ford would like maintenance on Highway 2 addressed with the state if the conditions along the highway do not improve.

11. Reports

City Manager McBroom asked Council to review his weekly report.

Mayor Ford reported on his attendance at various meetings and events.

12. 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 9:30 pm.