



# Commerce City

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

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Monday, September 16, 2013

6:30 PM

Council Chambers

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### 1. Call to Order/Roll Call - 6:30

**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 - 6:35

A motion was made by Council Member McEldowney, seconded by Mayor Pro-Tem Bullock, to amend the agenda to include a report regarding the flood efforts.  
**VOICE VOTE: Unanimous, all present affirmed.**

### 3. Audience Introduction - 6:40

*City Manager Brian McBroom presented the Flood Emergency Operations and Actions preliminary briefing.*

*Colorado experienced unprecedented rainfall starting on September 11, 2013 that resulted in devastating flooding. The Commerce City area experienced as much as 10 inches over a 72-hour period.*

*Emergency response to the flooding began the night of September 11th and continued through the morning of September 16th.*

- *Coordinated emergency response with multiple partners (internal and external)*
- *No loss of life or injuries*
- *No significant structural damage*
- *Significant damage to trail facilities*
- *Consistent communication with community and other audiences*

#### **COORDINATION**

- *Emergency Operations Center (activated evening of 9/11)*
- *South Adams County Fire, Northglenn Ambulance, emergency response teams from Arapahoe and Douglas counties, and numerous others.*
- *Emergency Declaration (9/12, 1:21 p.m.)*
- *Closed city buildings*

#### **ROAD CLOSURES**

- *More than a dozen, including major roads such as US Hwy 85, Hwy 2, E. 96th Avenue and E. 88th Avenue*

#### **EVACUATIONS**

*Three areas:*

- *Fairfax Park / Shady Lanes*
- *Mile High Greyhound Park*
- *Irondale*
- *Humans and large animals*
- *Door-to-door notification*
- *Reverse 911 (FirstCall) notification (74% connection rate, also in Spanish)*
- *Press releases and social media*

#### **SHELTER**

- *Emergency shelter established by the Red Cross at Adams City High School. 350 beds were onsite, 55 were used.*
- *Handled special needs evacuees from Woodridge*
- *Police department assumed control of shelter Thursday evening*

*Partner agencies included, South Adams County Water and Sanitation District.*

*Public assistance available at:*

*www.disasterassistance.gov  
800-621-FEMA (3362)*

*Adams County <http://www.co.adams.co.us/>*

*Volunteer or donate at <http://www.helpcoloradonow.org/>*

#### 4. Proclamations and Recognitions - 6:45

**13-0035** Recognition of employee Rick Bassett

*Bob Gehler read the proclamation for the retirement of Rick Bassett.*

*Mayor Ford expressed his gratitude for the 40 years of service as an employee of the city and his admiration of Mr. Bassett as a person.*

*The Mayor and Council presented Mr. Bassett with the proclamation.*

**A motion was made by Council Member McEldowney, seconded by Council Member Teter, to approve proclamation. VOICE VOTE: Unanimous, all present affirmed.**

#### 5. Presentations - 6:55

**Pres 13-301** Election Update Presented by Adams County Clerk & Recorder

*The presentation was cancelled due to the Adams County Clerk and Recorder being unavailable for this meeting.*

#### 6. Citizen Communication - 7:15

*David and Jane Stallsworth, 6950 Forest, expressed disappointment and concern with the Fairfax Park flooding and challenges with engineering expertise and lack of support for clean-up efforts. City Manager Brian McBroom responded that the city is going to coordinate with Waste Management to assist citizens with trash disposal.*

*Derek Ross, with South Adams County Fire Protection District, thanked staff and the school district for the coordinated efforts assisting residents during the torrential rainfall. Mr. Ross spoke on the fire district's mill levy increase for the November ballot issue.*

*Sandy Carruthers, 6951 Kearney Street, stated concern with weed growth on the northwest side of the former Mile High Dog Track and possible mitigation. Deputy City Manager Jim Hayes replied that the area is under soil remediation. The work should start this month.*

*Gene Leffel, 6530 Brighton Blvd., invited everyone to participate in the Chemical Roundup in Adams County for the upcoming weekend.*

#### 7. Approval of Minutes - 7:45

**Min 13-55** Meeting Minutes of June 17, 2013

**Council members Bullock and Teter moved and seconded to allow Councilmember McEldowney to abstain from voting on the meeting minutes of June 17, 2013, because of his excused absence. VOICE VOTE: 8 aye, 1 abstain (McEldowney)**

**Min 13-56** Meeting Minutes of July 1, 2013

**Council members Bullock and McEldowney moved and seconded to approve the meeting minutes of July 1, 2013. VOICE VOTE: Unanimous, all present affirmed.**

**Min 13-60** Minutes of Special Meeting of July 2, 2013

**Council members Bullock and McEldowney moved and seconded to approve the meeting minutes of the July 2, 2013 special meeting. VOICE VOTE: Unanimous, all present affirmed.**

## **8. Consent Agenda - 7:50**

**A motion was made by Council member McEldowney, seconded by Mayor Pro Tem Bullock, to approve the consent agenda as presented. ROLL CALL 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

**Ord 1968** AN ORDINANCE AMENDING SECTIONS 1-3003 AND 1-3004 OF THE COMMERCE CITY REVISED MUNICIPAL CODE ESTABLISHING GENERAL PENALTIES AND AUTHORIZING THE USE OF CERTAIN

**Ord 1970** AN ORDINANCE DISCONNECTING FROM THE CITY THAT PORTION OF THE PUBLIC RIGHT-OF-WAY FOR 120th AVENUE FROM PEORIA STREET TO SABLE BOULEVARD

## **9. Public Hearings - 7:55**

**Ord 1973**

AN ORDINANCE REPEALING AND REENACTING ARTICLES I AND II, CHAPTER 11 OF THE COMMERCE CITY REVISED MUNICIPAL CODE REGARDING THE MODEL TRAFFIC CODE AND ADOPTING THE 2010 EDITION OF THE MODEL TRAFFIC CODE FOR COLORADO BY REFERENCE.

*Mayor Ford opened the hearing to adopt the 2010 edition of the Model Traffic Code.*

*Bob Gehler stated that in 2010, the City adopted the Commerce City Revised Municipal Code. At the time, because the Colorado Department of Transportation had not finalized the 2010 Model Traffic Code, the City determined to leave the provisions of Chapter 11, entitled Motor Vehicles and Traffic, unchanged and the 2003 Model Traffic Code remained in effect. Since the 2010 Model Traffic Code has now been finalized and staff has had an opportunity to review it and suggest amendments where necessary, the City now recommends the adoption of the 2010 Model Traffic Code, as amended in the attached ordinance, and the other revisions to Chapter 11 that will make it more consistent with the remainder of the Revised Municipal Code.*

*Mr. Gehler stated that certain sections were deleted from the 2010 Model Traffic Code and other as amended were kept in the Commerce City Revised Municipal Code:*

- Section 109.5 Golf cars and low-speed electric vehicles*
- Section 235 Minimum standards for commercial vehicles - spot inspections*
- Section 514 Weight limits on certain streets or parts thereof*
- Section 611 Paraplegic person or person with disabilities - distress flag*
- Section 613 Failure to pay toll established by regional transportation authority*
- Section 614 Designation of highway maintenance, repair, or construction zones - signs - increase in penalties for moving violations*
- Section 615 School zones - increase in penalties for moving traffic violations*
- Section 616 High traffic hazard routes*
- Section 1201 Moving parked vehicle*
- Section 1203 Parking for certain purposes prohibited*
- Section 1208 Parking privileges for persons with disabilities - applicability*
- Section 1210 Parking in residential districts*

*Council member McEldowney requested that the Code specify controlled access for bicycles on Highway 270 and Highway 85. Council member McEldowney questioned if the Model Traffic Code allowed for enforcement on private property, such as school parking lots.*

*City Attorney Bob Gehler stated that it did.*

*Council member Douglas had enforcement questions regarding parking in private neighborhoods and ATVs on public roadways. Mr. Gehler replied that after 5 hours a citizen could call law enforcement to have the vehicle moved or towed. In addition, Mr. Gehler stated that the model traffic code had provisions for ATVs.*

*Council member Teter verified the code regarding "jake brakes".*

*Council member Carson asked for clarification about bicycles and public access on major roadways. Mr. Gehler responded and gave clarification. However, the model traffic code gives police officers jurisdiction in certain situations.*

*No one came forward to speak in favor or opposition of the ordinance and the public hearing portion was closed.*

*City Attorney Bob Gehler read the title.*

**A motion was made by Council Member McEldowney, seconded by Mayor Pro-Tem Bullock, that this Ordinance be approved on second & final reading with modifications to include an Appendix A to show access roadways. 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

## **Z-898-13**

*Motion to continue the public hearing for ordinance Z-898-13 which was originally numbered Z-898-12. The continuance is to 6:30 p.m. on November 18, 2013.*

**A motion was made by Council Member Carson, seconded by Council Member McEldowney, that this Zoning Ordinance be continued. VOICE VOTE: Unanimous, all present affirmed.**

## **10. Resolutions - 8:05**

**Res 2013-60** RESOLUTION SUPPORTING COMMERCE CITY'S REFERRED BALLOT MEASURES

**Council members Bullock and McEldowney moved and seconded that Resolution 2013-60 be adopted. VOICE VOTE: Unanimous, all present affirmed.**

## **11. Administrative Council Business - 8:10**

*Mayor Pro Tem Bullock addressed the following:*

*-Requested a crosswalk at 60th Avenue between Holly and Monaco to provide better access to Pioneer Park*

*-The potholes at the Walmart parking lot*

*- Requested that the TVs be returned to the recreation center lobby*

*Council members McEldowney and Teter moved and seconded to direct staff to research the feasibility of installing a crosswalk at 60th Avenue between Holly and Monaco to provide better access to Pioneer Park.*

*VOICE VOTE: Unanimous, all present affirmed.*

*Councilman Douglas inquired about the weeds and sidewalk condition at 104th between 7-Eleven and Kittredge.*

*Councilwoman Elliott inquired about the following:*

*-Condition of the railroad tracks update - Mr. Hayes stated that repairs were delayed because of the rain storm*

*-The trash in the alleyway between Dahlia and Dexter*

*-The work vehicles parked in the street obstructing the view of motorists at East 70th Avenue and Colorado Boulevard.*

**12. Reports - 8:25**

*City Manager Brian McBroom provided Council with highlights from his weekly City Manager Report.*

*Mayor Sean Ford and Council reported on the various meeting and events that they had attended.*

**13. Adjourn - 8:40**

*The meeting was adjourned at 10:30 p.m.*