



## Meeting Minutes - Final City Council

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Monday, August 20, 2012

5:30 PM

Council Chambers

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### 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 August 20, 2012, at 5:30 PM.*

**Present:** 5 - Mayor Sean Ford , Council Member Rick A. Teter, Mayor Pro Tem 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

[12-0053](#)

An executive session pursuant to C.R.S. 24-6-402(4)(b) for the purpose of receiving legal advice concerning an Intergovernmental Agreement with Denver regarding Pena Boulevard ramp and regarding the DIA Intergovernmental Agreement

**A motion was made by Council Member Bullock, seconded by Council Member Teter, that an executive session pursuant to C.R.S. 24-6-402(4)(b) for the purpose of receiving legal advice concerning an intergovernmental agreement with Denver regarding Pena Boulevard ramp and regarding the DIA Intergovernmental Agreement be held. VOTE:**

**Aye:** 6 - Mayor Ford, Moreno, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott and Council Member Douglas

### 3. Pledge of Allegiance

*Cub Scout Pack #604 presented the colors and the Pledge of Allegiance was recited. The pack presented Mayor Ford with a plaque in appreciation for the city donating a state flag to them.*

*Mayor Ford announced that Councilmembers Benson and Carson arrived during the executive session and Council Members Moreno and Douglas moved and seconded to excuse Council member McEldowney from this meeting.*

*VOICE VOTE: Unanimous; all present affirmed*

**Present:** 7 - 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 and Council Member Steven J. Douglas

**Excused:** 1 - Council Member Jason McEldowney

### 4. Audience Introduction

*The audience introduced themselves.*

## 5. Proclamations and Recognitions

### [Proc 12-021](#)

Proclamation recognizing John Howard's contributions to the Memorial Day Parade

*Mayor Ford read a proclamation honoring IT Director John Howard for serving 34 years on the Memorial Day Committee.*

**A motion was made by Mayor Pro-Tem Moreno, seconded by Council Member Bullock, that this Proclamation be approved. VOTE:**

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

**Excused:** 1 - Council Member McEldowney

## 6. Citizen Communication

*Trudy Smith, 7142 Pontiac St., invited Council to the Kemp Neighborhood Association's Music in the Park event. Ms. Smith asked how much longer the public improvement fee would be charged to shoppers at the King Soopers in the core city.*

*Finance Director Roger Tinklenberg answered Ms. Smith's question by stating that the fee would be in place for 20 more years.*

*Paul Solano, 6751 E. 60th Ave., announced that he is a candidate for the RTD Board of Directors, District K.*

## 7. Approval of Minutes

### [Min 12-007](#)

Meeting Minutes of August 6, 2012

**A motion was made by Council Member Bullock, seconded by Council Member Teter, that the minutes of August 6, 2012, be approved. VOTE:**

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

**Excused:** 1 - Council Member McEldowney

## 8. Consent Agenda

*Mayor Pro-Tem Moreno asked to remove both items from the consent agenda for separate discussion and vote.*

### [Res 2012-55](#)

RESOLUTION APPROVING CITY OF LONE TREE REQUEST FOR AFFILIATE MEMBERSHIP IN E-470 PUBLIC HIGHWAY AUTHORITY

*Mayor Pro-Tem Moreno asked if the City of Lone Tree would be making a financial contribution as an affiliate member of E-470.*

**A motion was made by Council Member Bullock, seconded by Council Member**

**Benson, that this Resolution be adopted. VOTE:**

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

**Excused:** 1 - Council Member McEldowney

[Res 2012-63](#)

**A motion was made by Council Member Bullock, seconded by Council Member Teter, that this Resolution be adopted. VOTE:**

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

**Excused:** 1 - Council Member McEldowney

## 9. Public Hearings

*Council members Bullock and Elliott moved and seconded to continue the public hearings for both Ordinance Z-902-12 and CU-98-12 to September 17, 2012, at 6:30 p.m.*

*VOICE VOTE: Unanimous; all present affirmed*

[Z-902-12](#)

AN ORDINANCE REZONING FROM I-1 TO I-3 ZONE DISTRICT THE PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, COMMONLY KNOWN AS PARCELS 172121401002 AND 172121005015 AND ADJACENT TO 9101 YOSEMITE STREET, COMMERCE CITY, COLORADO, AND AMENDING THE ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO TO REFLECT SAID REZONING.

[CU-98-12](#)

CONDITIONAL USE PERMIT FOR THE EXPANSION OF AN AUTOMOTIVE STAGING FACILITY AND RAIL YARD

## 10. Resolutions

[Res 2012-57](#)

RESOLUTION APPROVING BUSINESS INCENTIVE AGREEMENT FOR MURRAY FARMS, INC.

**A motion was made by Council Member Bullock, seconded by Council Member Carson, that Resolution 2012-57 be adopted. VOTE:**

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

**Excused:** 1 - Council Member McEldowney

[Res 2012-61](#)

Resolution approving amendment to intergovernmental agreement between adams county, Colorado, and the city of commerce city

regarding the city's 2012 pavement rehabilitation plan for 72nd avenue.

**A motion was made by Council Member Teter, seconded by Mayor Pro-Tem Moreno, that Resolution 2012-61 be adopted. VOTE:**

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

**Excused:** 1 - Council Member McEldowney

[Res 2012-62](#)

RESOLUTION IN SUPPORT OF APPLICATION FOR GREAT OUTDOORS COLORADO LOCAL PARKS AND OUTDOOR RECREATION GRANT

**A motion was made by Council Member Bullock, seconded by Mayor Pro-Tem Moreno, that Resolution 2012-62 be adopted. VOTE:**

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

**Excused:** 1 - Council Member McEldowney

## 11. Ordinances on 1st Reading

[Ordinance 1926](#)

AN ORDINANCE AMENDING THE 2012 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE DEPARTMENT OF JUSTICE - JAG/BYRNE GRANT FUNDS IN THE AMOUNT OF \$14,328 FOR TECHNOLOGY ENHANCEMENTS TO BE USED BY THE POLICE DEPARTMENT PERSONNEL AND AUTHORIZATION OF THE EXPENDITURE THEREOF.

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

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

**Excused:** 1 - Council Member McEldowney

## 12. Presentations

[Pres 12-249](#)

2013 PD Budget

*Interim Police Chief Chuck Saunier presented the 2013 police department budget to Council. He described the department's organizational structure and mission. For 2013, all contract services have increased, and the anticipated total budget expenditures will increase by .04%.*

**This Presentation was discussed and closed**

[Pres 12-260](#)

CIPP Budget

Finance Director Roger Tinklenberg reviewed the funding sources for capital improvement projects: General Fund, trust fund for parks, open space, recreation and trails, Adams County Open Space for parks, open space, recreation and trails; Adams County Transportation Tax for transportation improvement projects and solid waste tipping for mitigating impacts of the landfill. In response to Council questions, Mr. Tinklenberg stated that the general fund balance is approximately \$5.5 million.

Councilman Douglas asked about the cost of adding a traffic signal at Prairie View High School.

**This Presentation was discussed and closed**

[Pres 12-261](#)

**Budget Wrap-Up**

Finance Director Roger Tinklenberg informed Council that their budget books will be provided to them electronically this year.

**This Presentation was discussed and closed**

### 13. Administrative Council Business

Mayor Ford stated that he has received calls regarding a skunk infestation coming from a vacant house in the 5400 block of Niagara. He asked that staff contact Tri-County Health for a health risk assessment, and based on that assessment, a citywide communication be drafted to inform the community on how to deal with these animals. Mayor Ford was told by an animal control officer that there is an even bigger problems with prairie dogs damaging residential properties. He would like staff to contract Tri-County Health for a health risk assessment, and based on that assessment, a citywide communication be drafted informing the community on how to deal with these rodents.

Mayor Ford said he continues to get complaints about the event center and the activities that take place around the event center. Mr. Ford went to the circus at the event center to look for any violations.

Council members Moreno and Douglas moved and seconded to authorize the Mayor to sign a letter of support of the Historical Society's grant funding request.

Councilman Bullock stated that he would recuse himself from this vote.

Council members Moreno and Teter moved and seconded to allow Councilman Bullock to recuse himself from this vote.

VOICE VOTE: Unanimous; all present affirmed

VOICE VOTE ON ORIGINAL MOTION: 7 aye, 1 abstain (Bullock)

Councilman Douglas asked for Council to establish a historical preservation board, a sidewalk crossing near Stewart Middle School, and an organizational audit to be conducted.

### 14. Reports

City Manager Brian McBroom read his weekly reported emailed to Council.

**15. Adjourn**

*The meeting adjourned at 9:00 pm.*