



# Commerce City

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

### City Council

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Monday, February 6, 2017

6:00 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 Monday, February 6, 2017, at 6:04 PM.*

**Present:** 9 - Mayor Sean Ford, 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, Council Member Andrew Amador and Council Member Paolo Diaz

#### 2. Pledge of Allegiance

*The Pledge of Allegiance was recited.*

#### 3. Audience Introduction

*The audience introduced themselves.*

#### 4. Citizen Communication

*None*

#### 5. Approval of Minutes

**Min 17-11** Meeting Minutes of November 21, 2016

*A motion was made by Mayor Pro Tem Bullock, seconded by Council Member McElDowney, to allow Mayor Ford to abstain from voting on the minutes of November 21, 2016, because of his excused absence.*

*VOTE: 8 aye, 1 abstain (Ford)*

**A motion was made by Council Member Teter, seconded by Council Member McElDowney, that the minutes be approved. VOTE:**

**Aye:** 8 - Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member McElDowney, Council Member Douglas, Council Member Amador and Council Member Diaz

**Abstained:** 1 - Mayor Ford

#### 6. Consent Agenda

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

- Res 2017-05** RESOLUTION APPROVING AWARD OF CONTRACT FOR RECREATION CENTER ADDITIONS AND RENOVATIONS DESIGN SERVICES
- Res 2017-06** RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT FOR THE CONSTRUCTION OF THE NORTHGLENN RALSTON HOUSE
- Res 2017-15** RESOLUTION APPOINTING AND REAPPOINTING MEMBERS TO DESIGNATED BOARDS AND COMMISSIONS OF COMMERCE CITY
- Res 2017-16** RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT FOR TERMINAL GUARD AND ADMINISTRATIVE RECORDS PERSONNEL
- Res 2017-18** RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE WITH SOUTH ADAMS COUNTY WATER AND SANITATION DISTRICT FOR THE PURCHASE OF WATER RIGHTS

## **7. Public Hearings**

- Z-939-17** AN ORDINANCE REZONING FROM I-2 TO C-3 AND I-1 THE PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, LOCATED AT 5850 DAHLIA STREET, COMMERCE CITY, COLORADO, AND AMENDING THE ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO TO REFLECT SAID REZONING.

*Mayor Ford opened the public hearing.*

*Planner Domenic Martinelli appeared before council to give a presentation. Mr. Martinelli stated that the applicant, San Soucie Enterprise, is seeking to subdivide one lot into two and down zone the lots to C-3 and I-1.*

*Attorney Caitlin Quander appeared on behalf of the applicant. She provided a brief presentation with a focus on the criteria of the comprehensive plan. Ms. Quander stated that this application meets all criteria of the comprehensive plan.*

*Interested Parties:*

*Brian Ruden, 5844 Dahlia St.  
Susan Carabajal, 6060 Doris Ct.  
Michael Scanlon, 10635 Nucla St.  
Guillermo Serna, 14122 E. 102nd Pl.*

*Mayor Ford closed the public hearing.*

*A motion was made by Council Member Amador, seconded by Council Member Douglas, to enter into an executive session, pursuant to CRS 24-6-402(4)(b), for the purpose of receiving legal advice on the applications.*

*VOTE: 8 aye, 1 nay (Bullock)*

*A motion was made by Council Member McEldowney, seconded by Council Member Bullock, to accept the findings and recommendations of the planning commission.*

*VOTE: 7 aye, 2 nay (Amador, Douglas)*

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

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

**Nay:** 1 - Council Member Douglas

**Res 2017-11      RESOLUTION APPROVING SUBDIVISION PLAT IN CASE #S-668-17**

*A motion was made by Council Member McEldowney, seconded by Mayor Pro Tem Bullock, to accept the findings and and recommendations of the planning commission.*

*VOTE: 8 aye, 1 nay (Amador)*

**A motion was made by Mayor Pro Tem Bullock, seconded by Council Member McEldowney, that this resolution be adopted. VOTE:**

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

**Nay:** 1 - Council Member Amador

**8.      Resolutions**

**Res 2017-14      RESOLUTION IN SUPPORT OF PUBLIC ART INSTALLATION FOR TURNBERRY PARK AND VILLAGES EAST PARK**

*Members of the cultural council gave a brief presentation on the art installations going in at Turnberry Park and Villages East Park.*

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

**9.      Ordinances on 1st Reading**

**Ord 2120      AN ORDINANCE AMENDING SECTION 21-9230 OF THE**

## COMMERCE CITY LAND DEVELOPMENT CODE RELATING TO THE ANNUAL ESCALATION OF WATER ACQUISITION FEES

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

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

## 10. Presentations

### Pres 17-09 Capital Program Update

*CIPCAC Member Gordon Hamby and Project Manager Scott Hergenrader appeared before council and provided the 12th update of the 2K projects and other capital programs. Expenditures by end of 2016 were \$39 million and revenues have exceeded what was forecast. The portfolio is 40% complete.*

### Pres 17-10 2016 4th Quarter Work Plan Update

*City Manager McBroom highlighted items off the 4th quarter 2016 work plan. Those highlights included: economic development inquiries were up compared to 2015, business licenses and residential permits have increased from 2015, workers' compensation premium was reduced, fuel consumption is reduced and complaints of illegal marijuana grows in our residential neighborhoods are down.*

### Pres 17-04 State of the Court for 2016

*Municipal Judge Juarez appeared before council and gave a presentation on the state of the municipal court. He stated that ticket numbers and visits to the municipal court are down which makes a two-day court still workable. HB 1309, concerning a defendant's right to counsel in certain municipal court cases, will have an impact on court. Court staff have received nine CORA requests from ACLU in 2016 and 22 jury trials were conducted in 2016. Judge Juarez would like to improve efficiencies within the court offices by remodeling the court customer counters.*

### Pres 17-14 Commerce City Cultural Council Presentation

*Representatives of the Cultural Council appeared before council to give an update on the commission. Highlights of 2016 included: 730 volunteer hours, music in the park, spring and winter art shows and receipt of grant funding.*

## 11. Administrative Council Business

*None.*

## 12. Reports

*City Manager McBroom provided council with highlights from his weekly city manager report emailed earlier.*

*Mayor and council reported on their attendance at various meetings and events.*

### **13. Executive Session**

**17-04**

Executive session pursuant to C.R.S. 24-6-402(4)(f)(I) for the purpose of evaluating the Municipal Court Judge.

**A motion was made by Mayor Pro Tem Bullock, seconded by Council Member McElDowney, to enter into an executive session, pursuant to CRS 24-6-402(4)(f)(I), for the purpose of evaluating the municipal court judge. VOICE VOTE: Unanimous, all present affirmed.**

### **14. Adjourn**

*There being no further business to come before council, the meeting was adjourned.*

*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:*

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*Laura J. Bauer, City Clerk*