



Commerce City

7887 E. 60th Ave.
Commerce City, CO 80022
c3gov.com

Meeting Minutes - Draft

City Council

Monday, November 6, 2017

6:30 PM

Council Chambers

Immediately Following the URA Meeting

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 November 6, 2017, at 6:12 p.m.

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Teter, to excuse Council Members Amador and McEldowney from this meeting.

VOTE: 7 aye, 2 excused (Amador, McEldowney)

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Teter, to enter into executive session, pursuant to CRS 24-6-402(4)(e), for the purpose of determining positions relative to matters that may be subject to negotiations, to develop strategy for negotiations, and to instruct negotiators relative to a potential economic development incentive.

VOTE: 7 aye, 2 excused (Amador, McEldowney)

Present: 7 - Mayor Sean Ford , Council Member Jadie Carson, Council Member Rick A. Teter, Mayor Pro Tem René Bullock, Council Member Crystal Elliott, Council Member Steven J. Douglas and Council Member Paolo Diaz

Excused: 2 - Council Member Jason McEldowney and 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

17-78 Recognition of the Commerce City Youth Commission

Community Liaison Villarreal provided a brief overview of the 2017-2018 program highlights and goals.

Proc 17-20 Proclamation recognizing the 100th anniversary of Murray Farm

City Attorney Sheesley read a proclamation recognizing the 100th anniversary of Murray Farm.

Mr. and Mrs. Glen Murray were present to accept the proclamation.

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

Aye: 7 - Mayor Ford, Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member Douglas and Council Member Diaz

Excused: 2 - Council Member McEldowney and Council Member Amador

Proc 17-21 National Hunger & Homelessness Awareness Week (HHAW)
Proclamation

City Attorney Sheesley read a proclamation in support of National Hunger & Homelessness Awareness Week.

Cultivando Executive Director Erin Mooney was present to accept the proclamation.

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

Aye: 7 - Mayor Ford, Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member Douglas and Council Member Diaz

Excused: 2 - Council Member McEldowney and Council Member Amador

Proc 17-22 Recognizing South Adams County Fire Department's 75 years of Service
Proclamation

City Attorney Sheesley read a proclamation recognizing South Adams County Fire District's 75 years of service.

Fire Chief Vincel and other fire fighters were present to accept the proclamation.

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

Aye: 7 - Mayor Ford, Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member Douglas and Council Member Diaz

Excused: 2 - Council Member McEldowney and Council Member Amador

5. Citizen Communication

Dianne Evans, 1261 Syracuse Ave, asked about safety measures being considered for the widening of Highway 2.

6. Approval of Minutes

Min 17-55 Special Meeting Minutes of September 5, 2017

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Diaz, to allow Council Members Teter and Douglas to abstain from voting on the minutes of September 5, 2017, because of their excused absence.

VOTE: 5 aye, 2 abstain (Teter, Douglas), 2 excused (Amador, McEldowney)

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Elliott, that the minutes be approved. VOTE:

Aye: 5 - Mayor Ford, Council Member Carson, Mayor Pro Tem Bullock, Council Member Elliott and Council Member Diaz

Excused: 2 - Council Member McEldowney and Council Member Amador

Abstained: 2 - Council Member Teter and Council Member Douglas

Min 17-56 Special Meeting Minutes of September 11, 2017

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Teter, to allow Council Member Douglas to abstain from voting on the minutes of September 11, 2017, because of his excused absence.

VOTE: 6 aye, 2 excused (Amador, McEldowney), 1 abstain (Douglas)

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

Aye: 6 - Mayor Ford, Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott and Council Member Diaz

Excused: 2 - Council Member McEldowney and Council Member Amador

Abstained: 1 - Council Member Douglas

7. Consent Agenda

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Teter, to approve the consent agenda as presented. ROLL CALL VOTE:

Aye: 6 - Mayor Ford, Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott and Council Member Diaz

Excused: 2 - Council Member McEldowney and Council Member Amador

Abstained: 1 - Council Member Douglas

Ord 2143 AN ORDINANCE AUTHORIZING THE LEASE OF VEHICLES AND THE EXECUTION BY THE CITY OF A MASTER EQUITY LEASE AGREEMENT WITH ENTERPRISE FM TRUST AND RELATED DOCUMENTS; AUTHORIZING THE CITY MANAGER TO EXECUTE RELATED SCHEDULES; SETTING FORTH PARAMETERS AND RESTRICTIONS; AND PROVIDING FOR OTHER RELATED MATTERS

Ord 2148 AN ORDINANCE AMENDING THE 2017 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE U.S. DEPARTMENT OF JUSTICE GRANT IN THE AMOUNT OF \$699,721

FOR THE SEXUAL ASSAULT TASKFORCE AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

Ord 2149 AN ORDINANCE AMENDING THE 2017 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE COLORADO HEALTH FOUNDATION GRANT IN THE AMOUNT OF \$20,000 FOR THE HEALTHY PLACES COMMERCE CITY PROGRAM AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

Res 2017-113 RESOLUTION APPROVING AWARD OF CONTRACT FOR BISON RIDGE RECREATION CENTER FURNITURE PROCUREMENT AND INSTALLATION

Res 2017-119 RESOLUTION REMOVING MEMBERS FROM VARIOUS BOARDS AND COMMISSIONS

Res 2017-121 RESOLUTION APPROVING GRANT OF AN EASEMENT TO PUBLIC SERVICE COMPANY OF COLORADO AT EAGLE POINTE RECREATION CENTER

Res 2017-120 RESOLUTION AMENDING COUNCIL POLICY #CP-12 REGARDING COUNCIL USE OF RECREATION FACILITIES, BUFFALO RUN GOLF COURSE AND PARK FACILITIES

8. Public Hearings

Res 2017-28 RESOLUTION ADOPTING THE 2018 BUDGET AND CERTIFICATION OF THE MILL LEVY FOR THE CITY OF COMMERCE CITY.

Mayor Ford re-opened the public hearingn continued from October 16, 2017.

No one came forward to address council on this matter and the public hearing was closed.

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

Aye: 7 - Mayor Ford, Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member Douglas and Council Member Diaz

Excused: 2 - Council Member McEldowney and Council Member Amador

Res 2017-105 RESOLUTION MAKING FINDINGS OF FACT BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY AND ITS CONCLUSION RELATIVE TO ELIGIBILITY OF ANNEXATION TO THE CITY OF COMMERCE CITY OF THE PROPERTY WITH PIN NO. 172300000105, GENERALLY LOCATED NORTH OF EAST 81ST AVENUE, WEST OF TOWER ROAD, AND DIRECTLY EAST OF THE ROCKY MOUNTAIN ARSENAL NATIONAL WILDLIFE REFUGE, COMMERCE CITY,

COLORADO IN AN-246-17

Mayor Ford opened the public hearing on Resolution 2017-105, Annexation Ordinance AN-246-17 and Zoning Ordinance Z-896-11-12-16-17.

City Attorney Sheesley swore in Planner Jenny Axmacher who testified to the following:

A plan for the area has been adopted by council

Not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the existing boundaries of the city

A community of interest exists between the area proposed to be annexed and the city and the area is urbanized or will be urbanized in the near future

The area proposed to be annexed is integrated, or is capable of being integrated, with the city

No annexation proceedings have been commenced to another municipality

The proposed annexation will not result in the detachment of area from any school district and attachment of the same to another school district

The petitions for annexation meet the requirements of law and are in proper order for annexation of the property

The proposed annexation will not have the effect of extending a municipal boundary more than three miles in any direction from any point of the city boundary in any one year

The entire width of any street or alley to be annexed is included within the annexation.

Planner Axmacher presented the case. The applicant, DIA Tech Center, is seeking to annex property into the city and include it within the metro district. By including this property in the P.U.D., future development will be streamlined.

Chris Thompson, appeared before council on behalf of the petitioner.

Public Input:

Guillermo Serna, 14122 E. 102nd Pl

Mayor Ford closed the public hearing.

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

Aye: 7 - Mayor Ford, Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member Douglas and Council Member Diaz

Excused: 2 - Council Member McEldowney and Council Member Amador

AN-246-17

AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF CONTIGUOUS UNINCORPORATED TERRITORY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, GENERALLY LOCATED NORTH OF EAST 81ST AVENUE, WEST OF TOWER ROAD, AND DIRECTLY EAST OF THE ROCKY MOUNTAIN ARSENAL NATIONAL WILDLIFE REFUGE (PIN: 172300000105), COMMERCE CITY, COLORADO.

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Douglas, that this annexation ordinance be introduced by council as seated

and approved on first reading. VOTE:

Aye: 7 - Mayor Ford, Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member Douglas and Council Member Diaz

Excused: 2 - Council Member McEldowney and Council Member Amador

Z-896-11-12-16-17 **AN ORDINANCE APPROVING THE DIA TECH CENTER PUD ZONE DOCUMENT AMENDMENT NO. 2.**

A motion was made by Council Member Carson, seconded by Council Member Teter to accept the findings and recommendations of the planning commission.

VOTE: 7 aye, 2 excused (Amador, McEldowney)

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

Aye: 7 - Mayor Ford, Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member Douglas and Council Member Diaz

Excused: 2 - Council Member McEldowney and Council Member Amador

Res 2017-106 **RESOLUTION CONSENTING TO INCLUSION OF PROPERTY IN THE SERVICE AREA OF THE DIATC METROPOLITAN DISTRICT**

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

Aye: 7 - Mayor Ford, Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member Douglas and Council Member Diaz

Excused: 2 - Council Member McEldowney and Council Member Amador

9. Resolutions

Res 2017-99 **RESOLUTION APPROVING AN AGREEMENT FOR THE EXCHANGE OF REAL PROPERTY**

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

Aye: 7 - Mayor Ford, Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member Douglas and Council Member Diaz

Excused: 2 - Council Member McEldowney and Council Member Amador

10. Ordinances on 1st Reading

Ord 2146 **AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE AND ENACTING AND AUTHORIZING THE COLLECTION OF A**

DEVELOPMENT FEE FOR FIRE AND EMERGENCY SERVICES

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

Aye: 7 - Mayor Ford, Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member Douglas and Council Member Diaz

Excused: 2 - Council Member McEldowney and Council Member Amador

Ord 2152

AN ORDINANCE AMENDING THE 2017 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE STATE OF COLORADO DEPARTMENT OF NATURAL RESOURCES FUNDING AGREEMENT IN THE AMOUNT OF \$1,160,000 FOR THE SAND CREEK OPEN SPACE REMEDIATION & RESTORATION PROJECT AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

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

Aye: 7 - Mayor Ford, Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member Douglas and Council Member Diaz

Excused: 2 - Council Member McEldowney and Council Member Amador

11. Presentations**Pres 17-473 Senior Advisory Committee Bi-Annual Presentation**

The following committee members: JoAnn Vail, George Maxey and Jennie Loveridge reviewed the 2017 highlights of the various sub-committees that make up the overall senior advisory committee.

Pres 17-516 Capital Program Update

Members of CIPAC and Program Manager Scott Hergenrader provided the 14th quarterly update on the capital programs. Through August \$9.73 million in revenues have been received, Tower Road is nearly complete and the new recreation center is scheduled for completion in the spring of 2018.

Pres 17-466 2017 Q3 Work Plan Update

Deputy City Manager Smith reported that staff has been working on 20 outcomes, 123 objectives, 281 strategies and 643 tactics toward accomplishing council's five overall goals. At the end of the third quarter 81% of the objectives are on track. Mr. Smith provided details of some of the disruptions detailed in the report.

12. Administrative Council Business

Council congratulated Chief Nichols on his appointment from interim police chief to permanent police chief.

Council Member Douglas asked what the construction at 104th & Tower is about. He requested consideration of a four-way stop sign to be installed at the intersection of Parkside North & Landmark. Council Member Douglas also reported confusion for motorists with the new striping along Chambers Road.

13. Reports

City Manager McBroom provided highlights from his weekly report emailed to council earlier.

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

14. Adjourn

The meeting adjourned at 9:15 p.m.

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:

Laura Bauer, City Clerk