



# Commerce City

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

## Meeting Minutes

### City Council

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Monday, June 4, 2018

6:00 PM

Council Chambers

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#### Regular 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 June 4, 2018, at 6:01 PM.*

*A motion was made by Mayor Pro Tem Teter, seconded by Council Member Huseman, to excuse Council Member Diaz.*

*VOTE: 8 - Aye, 1 Excused (Diaz)*

**Present:** 8 - Mayor Sean Ford, Mayor Pro Tem Rick A. Teter, Council Member Crystal Elliott, Council Member Steven J. Douglas, Council Member Benjamin Huseman, Council Member Jose Guardiola, Council Member Nicole Frank and Council Member Oscar Madera

**Excused:** 1 - Council Member Paolo Diaz

#### 3. Pledge of Allegiance

*The Pledge of Allegiance was recited.*

#### 4. Audience Introduction

*The audience introduced themselves.*

#### 5. Proclamations and Recognitions

##### [Pres 18-07](#)

Recognition of 2018 Memorial Day Parade Winners

*Jodi Hardee, communications specialist, presented the 2018 Memorial Day Parade winners with their awards.*

##### [Proc 18-13](#)

Proclamation recognizing South Adams County Fire District Board of Director Ken Koger for service to the community.

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

**Aye:** 8 - Mayor Ford, Mayor Pro Tem Teter, Council Member Elliott, Council Member Douglas, Council Member Huseman, Council Member Guardiola, Council Member Frank and Council Member Madera

**Excused:** 1 - Council Member Diaz

[Proc 18-14](#)

Proclamation recognizing South Adams County Fire District Board of Director Randy Buckalew for service to the community.

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

**Aye:** 8 - Mayor Ford, Mayor Pro Tem Teter, Council Member Elliott, Council Member Douglas, Council Member Huseman, Council Member Guardiola, Council Member Frank and Council Member Madera

**Excused:** 1 - Council Member Diaz

[Proc 18-16](#)

Proclamation recognizing South Adams County Water and Sanitation District Board of Director John Kuchar for service to the community.

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

**Aye:** 8 - Mayor Ford, Mayor Pro Tem Teter, Council Member Elliott, Council Member Douglas, Council Member Huseman, Council Member Guardiola, Council Member Frank and Council Member Madera

**Excused:** 1 - Council Member Diaz

[Proc 18-17](#)

Proclamation recognizing the Adams City High School Class of 1968's Alumni Veterans

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

**Aye:** 8 - Mayor Ford, Mayor Pro Tem Teter, Council Member Elliott, Council Member Douglas, Council Member Huseman, Council Member Guardiola, Council Member Frank and Council Member Madera

**Excused:** 1 - Council Member Diaz

[Proc 18-18](#)

Proclamation declaring June 2018 as Men's Health Month

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

**Aye:** 8 - Mayor Ford, Mayor Pro Tem Teter, Council Member Elliott, Council Member Douglas, Council Member Huseman, Council Member Guardiola, Council Member Frank and Council Member Madera

**Excused:** 1 - Council Member Diaz

## 6. Citizen Communication

*Shirley Henni, 6390 Olive Street, came before council to inquire about the laws related to mini-bikes on sidewalks in Commerce City.*

*Jim McTurnan and Brian Ruden, representing the Starbuds businesses in Commerce City, came before council to express concerns on the 5% marijuana whole-sale tax increase.*

*A motion was made by Council Member Madera, seconded by Council Member Huseman, to have a study session on the review of the 5% whole-sale tax increase.*

*VOTE: 8 - Aye, 1 - Excused (Diaz)*

## 8. Consent Agenda

**A motion was made by Council Member Huseman, seconded by Council Member Guardiola, that the consent agenda be approved. VOTE:**

**Aye:** 8 - Mayor Ford, Mayor Pro Tem Teter, Council Member Elliott, Council Member Douglas, Council Member Huseman, Council Member Guardiola, Council Member Frank and Council Member Madera

**Excused:** 1 - Council Member Diaz

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|------------------------------------|--|
| <a href="#"><u>Res 2018-44</u></a> | Resolution Authorizing Site Access Agreement with SACWSD for Monitoring Wells  |
| <a href="#"><u>Res 2018-49</u></a> | Resolution Appointing Members to Designated Boards and Commissions of Commerce City  |
| <a href="#"><u>Min 18-48</u></a>   | Meeting Minutes of May 21, 2018  |
| <a href="#"><u>Z-944-18</u></a>    | AN ORDINANCE REZONING FROM I-1 TO I-2 THE PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, LOCATED AT 8546 QUEBEC STREET, COMMERCE CITY, COLORADO, AND AMENDING THE ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO TO REFLECT SAID REZONING. |
| <a href="#"><u>Ord 2166</u></a>    | AN ORDINANCE AMENDING THE 2018 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE COLORADO DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF \$2,500 FOR CLICK IT OR TICKET EFFORTS AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.             |

## 9. Public Hearings

[Z-952-18](#)

Z-952-18: James Herbst is requesting approval to rezone the property located at 7225 East 60th Way from C-3 (Regional Commercial District) to R-2 (Two-Family Residential District).

*The applicant withdrew their application. The public hearing was canceled.*

[CU-105-14-18](#)

**CONDITIONAL USE PERMIT FOR THE OPERATION OF A  
PETROLEUM STORAGE FACILITY**

*Mayor Ford opened the public hearing.*

*Planning Manager Steve Timms presented the case. The applicant, Sinclair Transportation Company, is seeking an amendment to their existing conditional use permit in order to enlarge their operation. They have been operating at this site since the mid 1970s.*

*The applicant was invited forward to comment on the application and made it clear their request was to only expand one tank.*

*Mayor Ford closed the public hearing.*

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

*VOTE: 8 - Aye, 1 - Excused (Diaz)*

**A motion was made by Mayor Pro Tem Teter, seconded by Council Member Huseman, that this conditional use permit be adopted. VOTE:**

**Aye:** 8 - Mayor Ford, Mayor Pro Tem Teter, Council Member Elliott, Council Member Douglas, Council Member Huseman, Council Member Guardiola, Council Member Frank and Council Member Madera

**Excused:** 1 - Council Member Diaz

## **11. Ordinances on 1st Reading**

[Ord 2168](#)

AN ORDINANCE ENACTING A TEMPORARY MORATORIUM ON THE SUBMISSION, ACCEPTANCE, PROCESSING, AND APPROVAL OF OIL AND GAS PERMITS AND OTHER LAND USE APPLICATIONS RELATED TO THE USE OF PROPERTY FOR EXPLORATION FOR AND EXTRACTION OF OIL AND GAS WITHIN THE CITY OF COMMERCE CITY, COLORADO

*City Attorney Robert Sheesley presented on Ordinance 2168 related to the oil and gas permit moratorium. Mr. Sheesley informed the council of the intent and effects of the ordinance.*

*Ben Poppel, 11277 Osage Circle, Westminster, CO, spoke against the ordinance.*

*Gilbert Trujillo, 14310 Grant Street, Thornton, CO spoke against the ordinance.*

*Susan Noble, 10642 Lake St, spoke in favor of the ordinance.*

*Theresa, 10553 Joplin St, spoke in favor of the ordinance.*

*Amanda Ulster, 10421 Tuscon St, spoke in favor of the ordinance.*

*Carlee Cellar, 10563 Joplin St, spoke in favor of the ordinance.*

*Brian Seastrum, 1800 Glenarm Pl, representing COGA, spoke against the ordinance.*

*Angela VanDyke, 10745 Telluride, spoke in favor of the ordinance.*

*Lisa Goodmanson, 11030 Riverbrooke Lane, spoke in favor of the ordinance.*

*Judy Dorris, 11822 Chambers Drive, spoke in favor of the ordinance.*

*Christen Wolfe, 9490 E 107th Place, spoke against the ordinance.*

*Wes Wilson 2505 Yates St, Denver, CO, spoke in favor of the ordinance.*

*Gary Arnold, no address given , spoke against the ordinance.*

*Brad Natho, 10711 Oedalia Way, spoke in favor of the ordinance.*

*Jenny, 1189 Jasper Court, spoke against the ordinance.*

*Jamie Hope, 15902 Village Circle, spoke in favor of the ordinance.*

*Mike Pallas, no address given, Denver, CO, representing Colorado Petroleum Council, spoke against the ordinance.*

*Phillip Doe, no address given, spoke in favor of the ordinance.*

*Susan Good, 17938 E 105th Ave, spoke in favor of the ordinance.*

*Harry Gregory, no address given, Denver, CO, spoke in favor of the ordinance.*

*Rich Hoolage, representing Viage Colorado, spoke against the ordinance.*

*Eric Goodmanson, 11030 Riverbrooks Lane, Henderson, CO, spoke in favor of the ordinance.*

*Mike Salety, 6747 E 60th Ave, spoke against the ordinance.*

*Serner, spoke in favor of the ordinance.*

*Joan Marelli, 16867 E 106th Ave, spoke in favor of the ordinance.*

**A motion was made by Council Member Douglas, seconded by Council Member Madera, that this ordinance be tabled indefinitely. VOTE:**

**Aye:** 7 - Mayor Ford, Council Member Elliott, Council Member Douglas, Council Member Huseman, Council Member Guardiola, Council Member Frank and Council Member Madera

**Nay:** 1 - Mayor Pro Tem Teter

**Excused:** 1 - Council Member Diaz

### 13. Presentations

#### [Pres 18-98](#)

#### Oil & Gas Public Outreach

*Community Development Director Chris Cramer presented on the oil and gas outreach efforts and strategies put forward by city staff.*

*Council encouraged staff to proceed with outreach efforts for the issues of oil and gas within Commerce City.*

#### [Pres 18-24](#)

#### 2018 CDBG Annual Action Plan

*Cheryl Steinberg, CDBG Coordinator, presented on the 2018 CDBG Annual Action Plan and changes between the 2017 plan and the 2018 plan.*

#### [Pres 18-81](#)

#### E-470 Authority presentation

*Due to scheduling issues, the E-470 Authority requested the presentation be moved to July 2, 2018 meeting.*

**14. Administrative Council Business**

*Council Member Douglas asked staff about the city's contract with a booting and towing company in the city.*

*A motion was made by Council Member Madera, seconded by Council Member Guardiola, to issue a cease and desist letter to any known private parking enforcement companies operating in Commerce City.*

*VOTE: 8 - Aye, 1 - Excused (Diaz)*

*Council Member Huseman introduced a letter to Ron Reiz on the issues of trains blocking intersections and train noise nuisances in Commerce City for the mayor to sign and send.*

*A motion was made by Council Member Huseman, seconded by Council Member Guardiola, to send the letter.*

*VOTE: 8 - Aye, 1 - Excused (Diaz)*

**15. Reports**

*Acting City Manager Tinklenberg highlighted items presented in the weekly report provided to council earlier.*

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

**16. Adjourn**

*The meeting adjourned at 10:08 PM.*

*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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*Dylan Gibson, Deputy City Clerk*