



Commerce City

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

City Council

Monday, October 1, 2018

6:00 PM

Council Chambers

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 October 1, 2018, at 5:57 PM.

A motion was made by Mayor Pro Tem Teter, seconded by Council Member Douglas, to excuse Council Member Huseman. VOTE: 8 - Aye, 1 - Excused (Huseman)

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

Excused: 1 - Council Member Benjamin Huseman

2. Executive Session

[18-79](#)

An executive session, pursuant to C.R.S. 24-6-402(4)(a) and (e), to discuss the purchase of real property at Adams Tower and to determine positions and instruct negotiators regarding such purchase.

A motion was made by Mayor Pro Tem Teter, seconded by Council Member Douglas, to enter into an executive session, pursuant to C.R.S. 24-6-402(4)(a) and (e), to discuss the purchase of real property at Adams Tower and to determine positions and instruct negotiators regarding such purchase. VOTE:

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

Excused: 1 - Council Member Huseman

3. Pledge of Allegiance

The Pledge of Allegiance was recited.

4. Audience Introduction

The audience introduced themselves.

5. Proclamations and Recognitions

[Proc 18-22](#)

Proclamation honoring National Manufacturing Day

Mayor Ford invited Laura Moody from economic development to introduce representatives from the manufacturing industry in Commerce City. Mayor Ford asked the city attorney to read the proclamation.

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

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

Excused: 1 - Council Member Huseman

[Proc 18-24](#)

Proclamation declaring October 2018 as Domestic Violence Awareness Month

Mayor Ford invited staff members from the police department's victim's advocate unit forward to receive the proclamation. Mayor Ford asked the city attorney to read the proclamation.

A motion was made by Council Member Frank, seconded by Council Member Madera, that this proclamation be approved. VOTE:

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

Excused: 1 - Council Member Huseman

6. Citizen Communication

Cassie Ratliff and Jenny Shaw, representing the Adams County Foundation and Adams County Commissioners Office, came to invite council to their fundraiser on October 19th.

Shae Develen, 14492 E. 102nd Place, and Debra Eggleston, 10090 Crystal Street, asked council to act on the issue of private parking enforcement by their homeowners' association in their neighborhood.

Mayor Ford directed staff to reach out to the City of Thornton for a copy of their parking enforcement ordinance.

Mike Ulbrich, 7231 E. 69th Ave., came before council to speak on the issue of right-of-way permits and their impact on public safety related to setbacks of fences and curbs.

Andra Heel, 11358 E. 116th Place, came before council to speak on the issue of the firework violation fees.

7. Consent Agenda

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

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

Excused: 1 - Council Member Huseman

[Res 2018-67](#) Resolution approving Third Amended and Restate Establishing Contract for the E-470 Public Highway Authority

[Res 2018-75](#) Resolution Authorizing Award of Contract for Fitness Equipment at the Eagle Pointe Recreation Center

[Res 2018-76](#) RESOLUTION AUTHORIZING CONTRACT AWARD FOR THE 88TH AVENUE ENVIRONMENTAL ASSESSMENT & CONCEPTUAL DESIGN SERVICES

[Res 2018-77](#) RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT FOR LANDLORD/TENANT LEGAL SERVICES PILOT PROGRAM

[Ord 2181](#) AN ORDINANCE CREATING SECTION 12-2011 OF THE COMMERCE CITY REVISED MUNICIPAL CODE REGARDING ENTRANCE UPON CLOSED PUBLIC GROUNDS AND REPEALING ORDINANCE 2160.

8. Public Hearings

[Z-772-01-04-18](#) AN ORDINANCE APPROVING THE BUFFALO HIGHLANDS PUD ZONE DOCUMENT AMENDMENT NO. 1

Mayor Ford opened the public hearing.

Brad Callendar, Senior Planner, presented case Z-772-01-04-18. Mr. Callendar identified the current zoning designation for the property, the property's compliance with the future land use plan, current conditions of the property, and the intent of the applicant to change the PUD zoning, due to changes in the plan, from multi-family units to single-family attached units known as "townhomes."

Mayor Ford closed the public hearing.

A motion was made by Mayor Pro Tem Teter, seconded by Council Member Davis, to accept the findings and recommendations of the planning commission on Case # 772-01-04-18. VOTE: 7 - Aye, 1 - Nay (Guardiola), 1 - Excused (Huseman)

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

Aye: 7 - Mayor Ford, Mayor Pro Tem Teter, Council Member Elliott, Council Member Douglas, Council Member Frank, Council Member Madera and Council Member Davis

Nay: 1 - Council Member Guardiola

Excused: 1 - Council Member Huseman

9. Resolutions

A motion was made by Council Member Douglas, seconded by Council Member Davis, to take no position on any of the four resolutions before council. After council discussion, a vote was taken on the motion. ROLL CALL VOTE: 3 - Aye (Madera, Douglas, Guardiola), 5 - Nay (Davis, Elliott, Ford, Frank, Teter), 1 - Excused (Huseman)

[Res 2018-74](#)

A RESOLUTION OPPOSING "AMENDMENT 74" WHICH ATTEMPTS TO AMEND THE COLORADO CONSTITUTION TO DRASTICALLY LIMIT STATE AND LOCAL GOVERNMENT SERVICES AT A HIGH COST TO TAXPAYERS

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

Aye: 7 - Mayor Ford, Mayor Pro Tem Teter, Council Member Elliott, Council Member Douglas, Council Member Guardiola, Council Member Frank and Council Member Madera

Excused: 1 - Council Member Huseman

[Res 2018-79](#)

RESOLUTION IN OPPOSITION TO PROPOSITION 109, A TRANSPORTATION BOND INITIATIVE

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

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

Excused: 1 - Council Member Huseman

[Res 2018-80](#)

RESOLUTION IN SUPPORT OF PROPOSITION 110, ALSO KNOWN AS "LET'S GO, COLORADO," A STATEWIDE TRANSPORTATION SOLUTION BALLOT ISSUE

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

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

Excused: 1 - Council Member Huseman

[Res 2018-81](#)**RESOLUTION IN OPPOSITION TO PROPOSITION 112, A SETBACK REQUIREMENT FOR OIL AND GAS DEVELOPMENT**

Council Members stated their reasons on how they intended to vote on the resolution.

*Citizens Susan Noble and Guillermo Serna stated their opposition to the resolution.
Citizen Christopher Wolfe stated his support support of the resolution.*

A motion was made by Mayor Pro Tem Teter, seconded by Council Member Davis, that this resolution be adopted, failed by the following vote:

Aye: 3 - Mayor Ford, Mayor Pro Tem Teter and Council Member Frank

Nay: 4 - Council Member Elliott, Council Member Douglas, Council Member Guardiola and Council Member Madera

Excused: 1 - Council Member Huseman

10. Administrative Council Business

A motion was made by Mayor Pro Tem Teter, seconded by Council Member Guardiola, to set a special meeting on October 29th at 5:30 PM for the purpose of conducting city manager, city attorney, and municipal judge evaluations.

*A motion was made by Council Member Davis, seconded by Council Member Guardiola, to approve the expenditure of city funds to allow Council Member Douglas to attend the Economic Development Council of Colorado 2018 DRIVE | LEAD | SUCCEED | Conference in Estes Park on October 24-26, 2018.
VOTE: 8 - Aye, 1 - Excused (Huseman)*

11. Reports

City Manager McBroom highlighted items presented in his weekly report provided to council earlier.

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

12. Adjourn

The meeting adjourned at 9:01 p.m.