



Commerce City

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

City Council

Monday, October 15, 2018

6:30 PM

Council Chambers

Regular Meeting Immediately Following 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 October 15, 2018, at 6:07 p.m.

A motion was made by Council Member Huseman, seconded by Council Member Madera, to excuse Council Member Douglas from the meeting. VOTE: 8 - Aye, 1 - Nay (Douglas)

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

Excused: 1 - Council Member Steven J. Douglas

2. Executive Session

[18-80](#)

An executive session of the City Council, with City staff and the City's development agent (Rick Wells of ReGen, LLC), pursuant to C.R.S. 24-6-402(4)(e) for the purpose of determining positions and instructing negotiators concerning a request for financial assistance by Delwest Development Corp. for the construction of affordable housing at the Mile High Greyhound Park.

A motion was made by Mayor Pro Tem Teter, seconded by Council Member Davis, to enter into an executive session of the City Council, with City staff and the City's development agent (Rick Wells of ReGen, LLC), pursuant to C.R.S. 24-6-402(4)(e) for the purpose of determining positions and instructing negotiators concerning a request for financial assistance by Delwest Development Corp. for the construction of affordable housing at the Mile High Greyhound Park. VOTE:

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

Nay: 1 - Council Member Huseman

Excused: 1 - Council Member Douglas

3. Pledge of Allegiance

The Pledge of Allegiance was recited.

4. Audience Introduction

The audience introduced themselves.

5. Proclamations and Recognitions

[Proc 18-23](#)

Proclamation recognizing Front Range Community College's 50th Anniversary

Mayor Ford invited representatives from Front Range Community College forward to receive the proclamation.

Michelle Claymore, Economic Development Director, gave a brief introduction of Front Range Community College, provided an overview of FRCC's involvement in the community, and introduced FRCC Vice President Cathy Pellish. The city attorney read the proclamation.

A motion was made by Council Member Huseman, seconded by Mayor Pro Tem Teter, to approve the proclamation. VOTE:

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

Excused: 1 - Council Member Douglas

6. Citizen Communication

Tom Green, 500 Cooperative Way, Brighton, provided a brief summary and overview of United Power and presented a capital credit return check to the city.

A motion was made by Council Member Huseman, seconded by Council Member Davis, to allow Susan Noble to choose to speak during citizen communication or during the public comment section of Ordinance 2183.

VOTE: 7 - Aye, 1 - Nay (Madera), 1 - Excused (Douglas)

Susan Noble, 10642 Olathe St, spoke on Ordinance 2183 that is on the agenda. Ms. Noble spoke on the model extraction agreement and the potential extraction sites.

7. Consent Agenda

Mayor Pro Tem Teter requested to pull Resolution 2018-87 for separate discussion and vote.

A motion was made by Council Member Madera, seconded by Council Member Huseman, to approve the consent agenda as amended. ROLL CALL VOTE:

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

Excused: 1 - Council Member Douglas

- [Min 18-97](#) Minutes of July 2, 2018
- [Min 18-98](#) Minutes of July 16, 2018
- [Ord 2180](#) AN ORDINANCE AMENDNING THE 2018 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY RECOGNIZING REGIONAL AIR QUALITY COUNCIL GRANT FUNDS IN THE AMOUNT NOT TO EXCEED \$18,000 FOR THE EVSE (ELECTRIC VEHICLE SUPPLY EQUIPMENT) PROJECT AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF
- [Res 2018-66](#) RESOLUTION APPROVING AWARD OF CONTRACT FOR COUNCIL CHAMBERS AUDIO/VISUAL UPGRADES TO KING SYSTEMS
- [Res 2018-82](#) RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH ADAMS COUNTY REGARDING SHARING OF FIBER CONDUIT AND DATA CENTER SPACE BETWEEN THE CITY OF COMMERCE CITY AND ADAMS COUNTY
- [Res 2018-85](#) RESOLUTION IN SUPPORT OF ANYTHINK (AKA RANGEVIEW LIBRARY DISTRICT) BALLOT ISSUE 6A
- [Res 2018-86](#) RESOLUTION IN SUPPORT OF GREATER BRIGHTON FIRE PROTECTION DISTRICT BALLOT ISSUE 7F
- [Res 2018-87](#) RESOLUTION IN SUPPORT OF SOUTH ADAMS COUNTY FIRE PROTECTION DISTRICT BALLOT ISSUE 6B
- Mayor Pro Tem Teter spoke on the importance on the resolution and supporting ballot issue 6B and asked that the South Adams County Fire Protection District representatives speak on the ballot issue.*
- The following individuals came forward:*
- Fire Chief Kevin Vincel, Alvin Landley, 1555 Sidewinder Circle, Maria Carbajal, 15859 E 108th Court, Lee Witner, 12815 King Street, Broomfield, Debra Bullock, 6130 Ivanhoe Street, Reba Drotar, 7505 E 121st Place, and Mick Neilson, 9219 Longscreek Drive.*
- A motion was made by Mayor Pro Tem Teter, seconded by Council Member Huseman, that this resolution be adopted. VOTE: 8 - Aye, 1 - Excused (Douglas)**
- [Res 2018-88](#) RESOLUTION IN SUPPORT OF URBAN DRAINAGE AND FLOOD CONTROL DISTRICT BALLOT ISSUE 7G

8. Public Hearings

[Res 2018-19](#)

RESOLUTION ADOPTING THE BUDGET FOR THE CITY OF
COMMERCE CITY, COLORADO FOR THE YEAR 2019 AND
PROVIDING FOR THE 2018 COMMERCE CITY TAX LEVY

Mayor Ford opened the public hearing. Mayor Ford seeing no public comments asked for a motion to continue the public hearing to the November 5 meeting.

A motion was made by Mayor Pro Tem Teter, seconded by Council Member Madera, that this public hearing be continued to the November 5 Council meeting. VOTE:

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

Excused: 1 - Council Member Douglas

9. Ordinances on 1st Reading

[Ord 2183](#)

AN ORDINANCE AMENDING SECTIONS 21-3200, 21-3425, 21-3216
AND 21-5266 OF THE LAND DEVELOPMENT CODE OF THE CITY
OF COMMERCE CITY RELATING TO THE OIL AND GAS PERMITS
AND SUBSURFACE EXTRACTION REQUIREMENTS AND RELATED
PROCEDURAL MATTERS

City Attorney Sheesley gave an overview of the the minor changes to the Land Development Code (LDC) being proposed by the ordinance. Mr. Sheesley outlined the minor codes within the LDC being changed and their compliance with new state and federal laws.

Ryan Seastrum, representing Colorado Oil and Gas Association, came before council to express COGA's interest in being included on the minor changes proposed in the ordinance.

Council Member Huseman expressed his concern that the public did not have adequate time to review the proposed changes in the ordinance and requested the ordinance is tabled to the November 5 meeting. City attorney Sheesley clarified the ordinance will go on second reading after 21 days of passage and to allow the public

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

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

Excused: 1 - Council Member Douglas

[Ord 2184](#)

AN ORDINANCE REPEALING AND RE-ENACTING SECTION 12-5005
OF THE COMMERCE CITY REVISED MUNICIPAL CODE
REGARDING PROHIBITED SOLICITATIONS

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

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

Excused: 1 - Council Member Douglas

10. Administrative Council Business

City Manager McBroom asked council to think about potential dates for the 2019 retreat. Council Member Guardiola asked for clarification on the typical time frame of the retreat typically. Mr. McBroom clarified that the retreat typically happens in late January to early February.

A motion was made by Council Member Frank, seconded by Council Member Madera, to allow Council Members Davis and Huseman to serve on the Oakwood Homes Food Hall Working Group. VOTE: 8 - Aye, 1 - Excused (Douglas)

Council Member Huseman asked staff to look into intermitten wifi issues at the Bison Ridge Recreation Center.

A motion was made by Council Member Guardiola, seconded by Council Member Madera, to direct staff to invite Team Tipton to a study session to give their findings and staff options to help the school district. VOTE: 8 - Aye, 1 - Excused (Douglas)

Mayor Ford asked staff to look at the grading on Peoria Street as it has become rough to drive on.

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.

[Pres 18-342](#)

Oil & Gas Speaker Series | Rocky Mountain Arsenal National Wildlife
Refuge

Charlie Shermann, representing the Rocky Mountain Arsenal National Wild Life Refuge, came before council to present on the issue of oil and gas in the area around the Arsenal. Mr. Shermann gave an overview of the Arsenal's area, historical sources of groundwater contamination, treatment facilities located within the Arsenal, and of being neutral oil and gas developments in the east and north sides of the Arsenal.

12. Adjourn

A motion was made by Council Member Madera, seconded by Mayor Pro Tem Teter, to adjourn to an executive session pursuant to C.R.S. 24-6-402(4)(e) for the purpose of determining positions and instructing negotiators concerning a request for financial assistance by Delwest Development Corp. for the construction of affordable housing at the Mile High Greyhound Park. Vote: 7 - Aye, 1 - Nay (Huseman), 1 - Excused (Douglas)

The meeting adjourned at 10:50 PM