



Commerce City

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

Meeting Minutes

City Council

Monday, April 15, 2019

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 April 15, 2019, at 6:00 PM.

A motion was made by Mayor Pro Tem Teter, seconded by Council Member Huseman, to excuse Council Members Davis and Madera from the meeting. VOTE: 6 - Aye, 1 - Absent (Elliott), 2 - Excused (Davis, Madera)

Present: 6 - Mayor Sean Ford, Mayor Pro Tem Rick A. Teter, Mayor Pro Tem Nicole Frank, Council Member Steven J. Douglas, Council Member Benjamin Huseman and Council Member Jose Guardiola

Excused: 2 - Council Member Oscar Madera and Council Member Steve Davis

Absent: 1 - Council Member Crystal Elliott

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Audience Introduction

The audience introduced themselves.

4. Proclamations and Recognitions

[Proc 19-01](#)

Proclamation Declaring April 2019 as Child Abuse Prevention Month in Commerce City

The city attorney read the proclamation. Mayor Ford and the council came forward for a photograph with Jennifer Kemps, representing Ralston House.

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

Aye: 6 - Mayor Ford, Mayor Pro Tem Teter, Mayor Pro Tem Frank, Council Member Douglas, Council Member Huseman and Council Member Guardiola

Excused: 2 - Council Member Madera and Council Member Davis

5. Citizen Communication

Eric and Lisa Gudmunson, 11030 River Oaks Lane, came before council to speak on worsening conditions of the railroad track crossing located at 104th and Highway 2. They also requested the city pause oil and gas permit applications.

Sean Cuervo, 11750 Hannibal St, came before council to request the city pause oil and gas permit applications. Mr. Cuervo also requested the city include information on the city's website about the roles and responsibilities of city council members.

6. Consent Agenda

Ordinance 2206 was pulled from the consent agenda to add an effective date to the ordinance.

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

Aye: 6 - Mayor Ford, Mayor Pro Tem Teter, Mayor Pro Tem Frank, Council Member Douglas, Council Member Huseman and Council Member Guardiola

Excused: 2 - Council Member Madera and Council Member Davis

[Min 19-46](#)

Minutes of April 1, 2019

[Ord 2206](#)

AN ORDINANCE AMENDING THE 2019 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY APPROPRIATING PORTIONS OF THE UNENCUMBERED FUND BALANCE OF THE GENERAL FUND IN THE AMOUNT OF \$517,950 FOR COSTS ASSOCIATED WITH ECONOMIC DEVELOPMENT INCENTIVES AND AUTHORIZATION OF THE EXPENDITURE THEREOF.

A motion was made by Council Member Huseman, seconded by Council Member Frank, that this ordinance be approved on second and final reading as amended to include an effective date of April 15, 2019. ROLL VOTE:

Aye: 6 - Mayor Ford, Mayor Pro Tem Teter, Mayor Pro Tem Frank, Council Member Douglas, Council Member Huseman and Council Member Guardiola

Excused: 2 - Council Member Madera and Council Member Davis

[Res 2019-48](#)

RESOLUTION APPROVING THIRD AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH ATKINS NORTH AMERICA, INC. FOR THE COLORADO BOULEVARD & 72ND AVENUE RAIL LINE STATION AREA IMPROVEMENTS PROJECT

[Res 2019-50](#)

RESOLUTION APPOINTING KRISTIN N. BROWN AS ADMINISTRATIVE HEARING OFFICER

[Res 2019-51](#) RESOLUTION APPOINTING MEMBERS TO DESIGNATED BOARDS AND COMMISSIONS OF COMMERCE CITY

[Res 2019-52](#) RESOLUTION DECLARING A VACANCY ON THE CITY COUNCIL AND DESIGNATING THE APPLICATION DEADLINE AND MATERIALS

7. Public Hearings

[Z-695-98-19](#) AN ORDINANCE APPROVING THE VILLAGES AT BUFFALO RUN WEST PUD ZONE DOCUMENT, AMENDMENT NO. 1

Mayor Ford opened the public hearing.

Chris Cramer, director of community development, presented the case to council. Mr. Cramer provided an overview of the site location, existing development in proximity of the site, background on the site, zoning criteria, the applicants request to rezone the commercial area to expand permitted uses, and then planning commissions recommendation for approval of the case.

The following spoke against the ordinance:

Judy Door, 11882 Chambers Drive

Lisa Gudmundson, 11030 River Oaks Lane

Ron Bruce, 15800 E. 121st Avenue

Sean Quevo, 11750 Hannibal Street

Guillermo Serna, 14122 E. 102nd Place

Mayor Ford closed the public hearing.

A motion was made by Council Member Huseman, seconded by Council Member Douglas, to reject the findings and recommendations of the planning commission.

VOTE: 3 - Aye (Douglas, Guardiola, Huseman), 3 - Nay (Ford, Frank, Teter), 2 - Excused (Davis, Madera)

A motion was made by Mayor Pro Tem Teter to accept the findings and recommendations of the planning commission. Motion failed due to lack of second.

A motion was made by Mayor Pro Tem Teter, seconded by Council Member Frank, to continue the ordinance to May 6, 2019. VOTE: 3 - Aye (Ford, Frank, Teter), 3 - Nay (Douglas, Guardiola, Huseman), 2 - Excused (Davis, Madera)

A motion was made by Mayor Pro Tem Teter, seconded by Council Member Frank, to continue the consideration of the ordinance to May 6, 2019. VOTE: 3 - Aye (Ford, Frank, Teter), 3 - Nay (Douglas, Guardiola, Huseman), 2 - Excused (Davis, Madera)

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

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

Nay: 3 - Council Member Douglas, Council Member Huseman and Council Member Guardiola

Excused: 2 - Council Member Madera and Council Member Davis

8. Ordinances on 1st Reading

[Ord 2209](#)

AN ORDINANCE REPEALING AND REENACTING ARTICLE X OF CHAPTER 20 OF THE COMMERCE CITY REVISED MUNICIPAL CODE REGARDING THE VOTER-APPROVED EXCISE TAX ON THE WHOLESALE TRANSFER OF MARIJUANA AND MARIJUANA PRODUCTS TO SUPPORT PUBLIC SAFETY.

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

Aye: 6 - Mayor Ford, Mayor Pro Tem Teter, Mayor Pro Tem Frank, Council Member Douglas, Council Member Huseman and Council Member Guardiola

Excused: 2 - Council Member Madera and Council Member Davis

9. Presentations

[Pres 19-191](#)

South Adams County Fire Department Annual Report

Chief Kevin Vincel, and Division Chief of Fire Prevention Randall Weigum, came before council to present their annual report. They highlighted the services the fire department provides to Commerce City residents and information regarding district boundaries, call response times, and capital improvement projects planned for 2019 and 2020.

10. Administrative Council Business

A motion was made by Council Member Huseman, seconded by Mayor Pro Tem Teter, to allocate \$1000 to fund city employee teams to participate in the rotary trap shoot competition. VOTE: 6 - Aye, 2 - Excused (Davis, Madera)

A motion was made by Council Member Huseman, seconded by Council Member Douglas, to direct city staff to begin engaging in conversations with Union Pacific Railroad and all relevant elected officials related to railroad crossing issues in the city. VOTE: 6 - Aye, 2 - Excused (Davis, Madera)

A motion was made by Council Member Huseman, seconded by Mayor Pro Tem Teter, to have a study session on redrawing city council district boundaries. VOTE: 6 - Aye, 2 - Excused (Davis, Madera)

Council Member Douglas stated the annual mow down pollution event hosted by the Regional Air Quality Council will take place at Dick's Sporting Goods Park on May 4, 2019.

Council Member Douglas asked that staff look into installing a crosswalk at 68th Avenue and Highway 2.

[Pres 19-77](#)

Oil and Gas Monthly Update

Chris Cramer, director of community development, presented the monthly oil and gas update.

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 9:48 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:

Dylan A. Gibson, Deputy City Clerk