



# Commerce City

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

## Meeting Minutes

### City Council

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Monday, January 6, 2020

7:00 PM

Council Chambers

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#### Or Immediately Following the Urban Renewal Authority Meeting

#### Regular Meeting

Times Given are Estimates Only

### 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 Huseman on January 6, 2019, at 7:00 PM.*

*A motion was made by Council Member Frank, seconded by Council Member Madera, to excuse Council Member Guardiola from the meeting. VOTE: 8 - Aye, 1 - Excused (Guardiola)*

**Present:** 8 - Council Member Benjamin Huseman, Mayor Pro Tem Nicole Frank, Council Member Oscar Madera, Council Member Jennifer Allen-Thomas, Council Member Susan Noble, Council Member Craig Hurst, Council Member Meghan Grimes and Council Member Robyn Smith

**Excused:** 1 - Council Member Jose Guardiola

### 2. Pledge of Allegiance

*The Pledge of Allegiance was recited.*

### 3. Presentations

#### [Pres 20-01](#)

Oil and Gas Monthly Update

*Domenic Martinelli, City Planner, presented the oil and gas monthly update.*

#### [Pres 20-19](#)

Urban Beekeeping and Animal Code Updates

*Troy Smith, Deputy City Manager, presented an update on urban beekeeping. Robert Sheesley, City Attorney, presented on the proposed changes to the upcoming animal code.*

#### 4. Citizen Communication

*Carlee Cellar, Aurora, came before council to speak on the Suncor facility and asked the council to pass a moratorium on oil and gas development.*

*Ron Bruce, 15800 East 121st Avenue, came before council to speak on the proposed animal code changes.*

*Steve Douglas, 10970 Unity Parkway, came before council to speak on oil and gas development in the city.*

*Kristi Douglas, 10970 Unity Parkway, came before council to speak on oil and gas development in the city.*

*Sean Cuevo, no address given, came before council to speak on oil and gas development in the city.*

#### 5. Consent Agenda

*Council Member Noble requested the Minutes of December 18, 2019 be removed.*

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

**Aye:** 8 - Council Member Huseman, Mayor Pro Tem Frank, Council Member Madera, Council Member Allen-Thomas, Council Member Noble, Council Member Hurst, Council Member Grimes and Council Member Smith

**Excused:** 1 - Council Member Guardiola

[Min 20-01](#)

Minutes of the December 16, 2019 Special Meeting

[Min 20-02](#)

Minutes of the December 16, 2019 Regular Meeting

[Min 20-03](#)

Minutes of December 18, 2019

*Council Member Noble requested the minutes of December 18, 2019 be removed from the consent agenda.*

*A motion was made by Council Member Noble, seconded by Council Member Allen-Thomas, to continue the minutes to February 3, 2020. VOTE: 8 - Aye, 1 - Excused (Guardiola).*

[Res 2020-03](#)

RESOLUTION AMENDING COUNCIL POLICY 2

[Res 2020-04](#)

RESOLUTION REESTABLISHING A TEMPORARY OIL AND GAS FOCUS GROUP AND REAPPOINTING PARTICIPANTS

- [Res 2020-06](#) RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT FOR THE PROVISION OF MUNICIPAL COURT VIDEO SERVICES
- [Res 2020-07](#) RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR INSTALLATION OF TRAFFIC SIGNALS ON EAST 104TH AVENUE, PROJECT TO W.L. CONTRACTORS, INC.
- [Res 2020-08](#) RESOLUTION APPROVING THE SELECTION OF EST, INC. TO PROVIDE PRELIMINARY AND FINAL DESIGN FOR THE WIDENING OF ROSEMARY STREET
- [Z-945-17-19-20](#) AN ORDINANCE AMENDING ORDINANCE Z-945-17-19 AND REZONING THE "NEXUS NORTH AT DIA" PUD ZONE DOCUMENT TO ALLOW CERTAIN CONDITIONS TO THE ZONING FOR THE PROPERTY GENERALLY LOCATED ON THE SOUTHEAST CORNER OF BUCKLEY ROAD AND EAST 88TH AVENUE IN COMMERCE CITY, COLORADO.

## 6. Recess

*Mayor Huseman called a ten-minute recess.*

## 7. Public Hearings

- [Res 2020-01](#) RESOLUTION AUTHORIZING THE SUBMISSION OF THE CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) FOR THE 2018 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM YEAR

*Mayor Huseman opened the public hearing.*

*Cheryl Steinberg, CDBG Coordinator, presented on the 2018 Community Development Block Grant (CDBG) Consolidated Annual Performance Evaluation Report. Ms. Steinberg provided an overview of the CDBG program, past projects funded by the CDBG program, and the projects that will be evaluated in 2019.*

*There was no public comment.*

*Mayor Huseman closed the public hearing.*

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

**Aye:** 8 - Council Member Huseman, Mayor Pro Tem Frank, Council Member Madera, Council Member Allen-Thomas, Council Member Noble, Council Member Hurst, Council Member Grimes and Council Member Smith

**Excused:** 1 - Council Member Guardiola

LUP-56-20

AN ORDINANCE AMENDING THE FUTURE LAND USE PLAN, FIGURE 3.2, OF THE COMPREHENSIVE PLAN OF THE CITY OF COMMERCE CITY, FOR THE PROPERTY KNOWN AS GRUENEWALD SUBDIVISION FILING 1 (TRACT A) GENERALLY LOCATED AT 11100 EAST 108TH AVENUE AND TRACT B (IMMEDIATELY ADJACENT TO THE WEST OF TRACT A), FROM RESIDENTIAL-MEDIUM TO INDUSTRIAL/DISTRIBUTION.

*Mayor Huseman opened the consolidated public hearing for cases LUP-56-20 and Z-957-20.*

*Robin Kerns, City Planner, presented on the cases. Mr. Kerns highlighted the locations of the subject properties, the history of the subject properties, the current zoning of the subject properties, the applicants request to amend the city's land use plan to change the tracts from residential medium to industrial distribution to allow for uses such as warehouses, flex space, light manufacturing, and office & distribution, the roadway classification plan, the reasons for the zone change request, and the recommendation of the planning commission to approve both cases.*

*John Seiple, 385 Inverness Parkway, Englewood, representing the applicant Huntington Industrial Partners, presented on the proposed site plan,*

*Mayor Huseman closed the public hearing.*

*A motion was made by Council Member Hurst, seconded by Council Member Madera, to accept the findings and recommendations of the planning commission. VOTE: 8 - Aye, 1 - Excused (Guardiola)*

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

**Aye:** 7 - Council Member Huseman, Mayor Pro Tem Frank, Council Member Madera, Council Member Allen-Thomas, Council Member Hurst, Council Member Grimes and Council Member Smith

**Nay:** 1 - Council Member Noble

**Excused:** 1 - Council Member Guardiola

[Z-957-20](#)

AN ORDINANCE REZONING FROM THE R-1 (SINGLE-FAMILY DETACHED RESIDENTIAL ZONING DISTRICT) TO THE I-1 (LIGHT INTENSITY INDUSTRIAL ZONING DISTRICT) FOR THE PROPERTY KNOWN AS GRUENEWALD SUBDIVISION FILING 1 (TRACT A) GENERALLY LOCATED AT 11100 EAST 108TH AVENUE AND TRACT B (IMMEDIATELY ADJACENT TO THE WEST OF TRACT A), MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, AND AMENDING THE ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO TO REFLECT SAID REZONING.

*A motion was made by Mayor Pro Tem Frank, seconded by Council Member Hurst, to accept the findings and recommendations of the planning commission. VOTE: 7 - Aye, 1 - Nay (Noble), 1 - Excused (Guardiola)*

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

**Aye:** 7 - Council Member Huseman, Mayor Pro Tem Frank, Council Member Madera, Council Member Allen-Thomas, Council Member Hurst, Council Member Grimes and Council Member Smith

**Nay:** 1 - Council Member Noble

**Excused:** 1 - Council Member Guardiola

## 8. Resolutions

[Res 2020-02](#)

RESOLUTION APPROVING AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT LOANING FUNDS FROM THE CITY OF COMMERCE CITY TO THE URBAN RENEWAL AUTHORITY OF THE CITY OF COMMERCE CITY FOR THE MILE HIGH GREYHOUND PARK URBAN RENEWAL PROJECT

*Jenna Lowery, Management Analyst, presented on the resolution amending and restating the intergovernmental agreement for loans for the Mile High Greyhound Park project. Ms. Lowery highlighted the terms of the existing loans, repayment obligations of the Urban Renewal Authority, and the repayment terms of the loans.*

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

**Aye:** 8 - Council Member Huseman, Mayor Pro Tem Frank, Council Member Madera, Council Member Allen-Thomas, Council Member Noble, Council Member Hurst, Council Member Grimes and Council Member Smith

**Excused:** 1 - Council Member Guardiola

## 9. Ordinances on 1st Reading

[Ord 2252](#)

AN ORDINANCE AMENDING THE 2020 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN THE AMOUNT OF \$428,484 FOR MINOR HOME REPAIR, ARAPAHOE CO WEATHERIZATION, PAINT-A-THON, GROUNDWORKS DENVER, AUDIO INFORMATION NETWORK AND DOMESTIC VIOLENCE VICTIM PROGRAMS.

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

**Aye:** 8 - Council Member Huseman, Mayor Pro Tem Frank, Council Member Madera, Council Member Allen-Thomas, Council Member Noble, Council Member Hurst, Council Member Grimes and Council Member Smith

**Excused:** 1 - Council Member Guardiola

## 10. Administrative Council Business

*Troy Smith, Deputy City Manager, updated council on the energy audit conducted on the Honnen building.*

*A motion was made by Council Member Noble, seconded by Council Member Allen-Thomas, to convene a twenty-minute recess to allow for staff to draft an emergency ordinance to issue a moratorium on oil and gas development. VOTE: 3 - Aye (Allen-Thomas, Huseman, Noble), 5 - Nay (Frank, Grimes, Hurst, Madera, Smith), 1 - Excused (Guardiola)*

*A motion was made by Council Member Madera, seconded by Council Member Hurst, to direct staff to prepare a study session item on the relationship the city has with Dick's Sporting Good Park. VOTE: 8 - Aye, 1 - Excused (Guardiola)*

*A motion was made by Mayor Pro Tem Frank, seconded by Council Member Allen-Thomas, to create a Veteran's Commission. VOTE: 8 - Aye, 1 - Excused (Guardiola)*

*Mayor Huseman requested that staff look into allowing citizens to sign up for e-mail notifications for upcoming administrative subdivision cases on the city's website.*

*Mayor Huseman set a special meeting for February 24, 2020 for an executive session to allow CIRSA to provide ethics training to council.*

## 11. Council 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.*

[20-02](#)

### Civic Center Access Rules

*City Attorney Sheesley highlighted the draft civic center access rules which address security concerns at the civic center.*

## 12. Adjourn

*The meeting adjourned at 9:50 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:*

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*Dylan A. Gibson, Deputy City Clerk*