



# Commerce City

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

## Meeting Minutes

### City Council

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Monday, April 20, 2020

6:00 PM This meeting will be conducted electronically via Zoom.

There will be no physical meeting. Public access to this meeting can be found in the agenda below. The meeting will also be live on Channel 8 and [c3gov.com/video](https://c3gov.com/video)

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#### Regular Meeting via Zoom

Per Ordinance 2271 the City Manager is authorized to conduct this meeting via Zoom

#### 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 April 20, 2020, at 6:01 PM via Zoom.*

**Present:** 9 - Mayor Benjamin Huseman, Mayor Pro Tem Nicole Frank, Council Member Oscar Madera, Council Member Jennifer Allen-Thomas, Council Member Susan Noble, Council Member Jose Guardiola, Council Member Craig Hurst, Council Member Meghan Grimes and Council Member Robyn Smith

#### 2. Citizen Communication

[20-27](#)

Citizen Communication - City Council will conduct this meeting virtually via Zoom as the Civic Center remains closed out of precaution for COVID-19. There will be the opportunity for public comment at the meeting during citizen communication and/or for each agenda item. Comments may be consolidated under the Citizen Comment part of the meeting. The public can submit their comments live during the meeting via Zoom or in advance using the online form or mail. Visit [c3gov.com/council](https://c3gov.com/council) and click on "Meeting agendas" for the full meeting agenda and instructions on how to submit comments. The deadline to register to comment and to submit written comments is noon on Monday, April 20.

*A motion was made by Mayor Pro Tem Frank, seconded by Council Member Noble, to include public comment on ordinances and resolutions under Citizen Communication.*  
ROLL CALL VOTE: 9 - Aye

*Anthony Murray spoke on amending the municipal code to allow backyard chickens.*

*Steven Douglas spoke on oil and gas development in the city.*

*Ryan Seastrum spoke against Ordinance 2272.*

*David Yost spoke on community assistance during the COVID-19 crisis.*

*Kristi Douglas spoke on oil and gas development in the city.*

### 3. Presentations

#### COVID-19 Update

*City Manager McBroom, Deputy City Managers Smith and Tinklenberg, and Chief of Police Nichols provided updates on the city's response to the COVID-19 crisis.*

[Pres 20-165](#)

#### C3 Community Assistance Program

*Deputy City Manager Smith provided a presentation on the proposed Community Relief Fund.*

*A motion was made by Council Member Frank, seconded by Council Member Madera, to amend the agenda to move Ordinance 2274 as the current item for consideration.*  
ROLL CALL VOTE: 9 - Aye

### 4. Resolutions

[Res 2020-30](#)

#### RESOLUTION ESTABLISHING POLICIES FOR CONDUCTING PUBLIC HEARINGS DURING ELECTRONIC MEETINGS

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

**Aye:** 9 - Mayor Huseman, Mayor Pro Tem Frank, Council Member Madera, Council Member Allen-Thomas, Council Member Noble, Council Member Guardiola, Council Member Hurst, Council Member Grimes and Council Member Smith

## 5. Ordinances on 1st Reading

### [Ord 2274](#)

AN EMERGENCY ORDINANCE AUTHORIZING THE CITY OF COMMERCE CITY COMMUNITY RELIEF PROGRAM AND AMENDING THE 2020 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY APPROPRIATING PORTIONS OF THE UNENCUMBERED FUND BALANCE OF THE GENERAL FUND IN THE AMOUNT OF \$800,000 FOR COSTS ASSOCIATED WITH THE PROGRAM AND AUTHORIZING RELATED ACTIONS

*A motion was made by Council Member Hurst, seconded by Council Member Madera, to amend the grant application requirements to allow business opened as of March 12, 2020 to qualify to apply for grants. ROLL CALL VOTE: 9 - Aye*

*A motion was made by Mayor Pro Tem Frank, seconded by Council Member Allen-Thomas, to approve the City Manager's use of \$50,000 in contingency for donations to food banks serving city residents. VOTE: 9 - Aye*

**A motion was made by Mayor Pro Tem Frank, seconded by Council Member Guardiola, that this emergency ordinance be approved by council as seated. ROLL CALL VOTE:**

**Aye:** 9 - Mayor Huseman, Mayor Pro Tem Frank, Council Member Madera, Council Member Allen-Thomas, Council Member Noble, Council Member Guardiola, Council Member Hurst, Council Member Grimes and Council Member Smith

### [Ord 2272](#)

AN EMERGENCY ORDINANCE ENACTING A TEMPORARY PROHIBITION ON THE ACCEPTANCE AND PROCESSING OF CERTAIN APPLICATIONS RELATED TO THE EXPLORATION FOR AND EXTRACTION OF OIL AND GAS WITHIN THE CITY OF COMMERCE CITY, COLORADO

**A motion was made by Council Member Noble, seconded by Council Member Allen-Thomas, that this ordinance be introduced by council as seated as a standard ordinance as provided in the agenda packet and approved on first reading. ROLL CALL VOTE:**

**Aye:** 4 - Council Member Madera, Council Member Allen-Thomas, Council Member Noble and Council Member Guardiola

**Nay:** 5 - Mayor Huseman, Mayor Pro Tem Frank, Council Member Hurst, Council Member Grimes and Council Member Smith

[Ord 2273](#)

AN EMERGENCY ORDINANCE OF THE CITY OF COMMERCE CITY, COLORADO AMENDING SECTION 2-5005 OF THE COMMERCE CITY REVISED MUNICIPAL CODE RELATING TO COLLECTIVE BARGAINING NEGOTIATIONS AND EXTENDING THE NEGOTIATION DATE IN 2020

**A motion was made by Mayor Pro Tem Frank, seconded by Council Member Guardiola, that this emergency ordinance be approved by council as seated.  
VOTE:**

**Aye:** 9 - Mayor Huseman, Mayor Pro Tem Frank, Council Member Madera, Council Member Allen-Thomas, Council Member Noble, Council Member Guardiola, Council Member Hurst, Council Member Grimes and Council Member Smith

## 6. Administrative Council Business

*A motion was made by Council Member Guardiola, seconded by Council Member Grimes, to make the special investigative report on Mayor Huseman public. ROLL CALL VOTE: 6 - Aye (Huseman, Allen-Thomas, Grimes, Guardiola, Hurst, Noble), 3 - Nay (Frank, Madera, Smith)*

*A motion was made by Council Member Grimes, seconded by Council Member Noble, to convene a fifteen minute recess and direct the city attorney to draft a resolution reprimanding Mayor Huseman. ROLL CALL VOTE: 4 - Aye (Grimes, Guardiola, Madera, Noble), 4 - Nay (Allen-Thomas, Frank, Hurst, Smith), 1 - Abstention (Huseman). Motion failed.*

[20-25](#)

### Discussion on Future Board and Commission Meeting Schedules

*A motion was made by Council Member Madera, seconded by Council Member Hurst, to cancel all future board and commission meetings until further notice unless a special meeting is approved by the City Manager per Ordinance 2271. VOTE: 6 - Aye (Frank, Grimes, Guardiola, Hurst, Madera, Smith), 3 - Nay (Huseman, Allen-Thomas, Noble)*

[20-26](#)

### Honnen Building Update - Possible Purchase and Sale Agreement (PSA) Amendment

*Deputy City Manager Smith provided an update on the Honnen building to council.*

*A motion was made by Council Member Madera, seconded by Council Member Frank, to enter into an executive session pursuant to CRS 24-6-402(4)(a, b, e) to instruct negotiators relating to the potential purchase of the Honnen Building and to receive related legal advice. VOTE: 8 - Aye (Allen-Thomas, Frank, Grimes, Guardiola, Hurst, Madera, Noble, Smith), 1 - Nay (Huseman)*

## **7. 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.*

## **8. Adjourn**

*The meeting adjourned at 9:58 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, Interim City Clerk*