Commerce City

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

Meeting Minutes - Draft

City Council

Thursday, February 11, 2021 **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**

Revised as of February 11, 2021 at 12:30pm
Special Meeting via Zoom
Public Comment will be limited to Ordinance 2266
Per Ordinance 2291 the City Manager is authorized to conduct this meeting via Zoom

1. Call to Order/Roll Call

A special meeting of the City Council of the City of Commerce City was called to order by Mayor Huseman on February 11, 2021, at 6:00 PM.

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. Ordinances on 1st Reading

Ord 2266

AN ORDINANCE RELATING TO THE REGULATION AND ENFORCEMENT OF OIL AND GAS DEVELOPMENT BY AMENDING THE COMMERCE CITY REVISED MUNICIPAL CODE, INCLUDING SECTION 3-2304 AND ARTICLES III, V, VI, AND XI OF THE COMMERCE CITY LAND DEVELOPMENT CODE, REPEALING AND RESERVING SECTION 21-3216 OF THE LAND DEVELOPMENT CODE, ENACTING A NEW SECTION 21-3235 OF THE LAND DEVELOPMENT CODE, APPROVING AND IMPLEMENTING A BEST MANAGEMENT PRACTICES DOCUMENT, AND ESTABLISHING RELATED PENALTIES AND PROCEDURES

Domenic Martinelli, environmental planner, Robert Sheesley, city attorney, and Matt Sura, outside legal counsel provided the presentation.

A motion was made by Council Member Nobel, seconded by Council Member Guardiola, to move public comment on the ordinance before Council asked questions of staff. 3 - Aye, 6 - Nay (Madera, Hurst, Grimes, Smith, Frank, Huseman). Motion Failed.

The following spoke on the ordinance:
Ronna Sanchez
James Hayes
Blake Fulenwider
Ferd Belz
Andrew Forkes-Gudmundson
Ryan Seastrom
Vicki Kettler
Christopher McGowne
Lisa Gudmundson
Erik Gudmundson
Cristen Logan
Lois Vanderkooi
Katherine Merlin
Sara Kettler
Derek Seifried
Brittany Severyn
Kristi Douglas
Steve Douglas

A motion was made by Council Member Madera, seconded by Council Member Nobel, to amend Ordinance 2266 by inserting in Exhibit F, a new Section 21-5266(6)(c) and renumbering that section as shown in Proposed Amendment 1 (School Facility Setback). VOTE: 9 -Aye

A motion was made by Council Member Madera, seconded by Mayor Pro Tem Frank, to amend Ordinance 2266 by amend Ordinance 2266 by modifying the language of Exhibit F, at Section 21-5266(9(b)(ii) and renumbering that section, and striking subsection F(6)(c)(4)(iv) in Exhibit I, as shown in Proposed Amendment 2 (Noise Regulations). VOTE: 9 - Aye

A motion was made by Council Member Nobel, seconded by Council Member Madera, to amend Ordinance 2266 by modifying Exhibit I, Section G(1) by modifying

subsection (a) and adding a new subsection (b) as shown in Proposed Amendment 3 (Community Outreach). VOTE: 9 - Aye

A motion was made by Mayor Pro Tem Frank, seconded by Council Member Madera, to amend Ordinance 2266 by modifying Exhibit I, Section I beginning at page 24, line 31, by adding a new subsection 1 and renumbering that section, as shown in Proposed Amendment 4 (Reclamation - Location Pictures). VOTE: 9 - Aye

A motion was made by Council Member Grimes, seconded by Council Member Hurst, to amend Ordinance 2266 by substituting Exhibit G with Proposed Amendment 5 (PC Recommendation of Revised Exhibit G).

Council Member Grimes amended their motion to modify the 1000 foot reverse setback requirement in the Proposed Amendment 5 to a 500 foot reverse setback requirement. The amendment was accepted by Council Member Hurst.

Council Member Grimes amended their motion to strike Exhibit G subsection (1) and (2) from Proposed Amendment 5 and consider those separately from Ordinance 2266 at a later date. The amendment was accepted by Council Member Hurst.

After Council discussion, a motion was made by Council Member Noble, seconded by Council Member Madera, to call the question. VOTE: 8 - Aye, 1 - Nay (Hurst)

Council voted on Council Member Grimes' motion. VOTE: 2 - Aye (Grimes, Hurst), 7 - Nay. Motion failed.

A motion was made by Council Member Grimes,seconded by Council Member Hurst, to strike Exhibit G subsections (1) and (2) from Ordinance 2266 and to discuss the matter at a later meeting. VOTE: 2 - Aye , 7 - Nay (Madera, Allen-Thomas, Noble, Guardiola, Smith, Frank, Huseman). Motion Failed.

A motion was made by Council Member Madera, seconded by Council Member Hurst, to modify the 1000 foot reverse setback requirement in Exhibit G subsections 1 and 2 to a 650 foot reverse setback requirement regardless of well count. VOTE: 4 - Aye, 5 - Nay (Allen- Thomas, Noble, Guardiola, Frank, Huseman). Motion Failed.

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

Aye: 7 - Mayor Huseman, Mayor Pro Tem Frank, Council Member Madera, Council Member Allen-Thomas, Council Member Noble, Council Member Guardiola and Council Member Smith

Nay: 2 - Council Member Hurst and Council Member Grimes

3. Administrative Council Business

21-25 Ratification of Metro Mayors Caucus Letter

A motion was made by Council Member Madera, seconded by Council Member Hurst, to ratify the Metro Mayors Caucus' letter requesting a suspension on relocation of the U.S. Space Command until further review and to affix the Mayor's signature thereon. VOTE: 9 - Aye

4. Adjourn

The meeting adjourned at 10:05 PM.

In accord with the city charter, the city clerk read the title to all ordinances and resolutions adopted by Council at this meeting.

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Jordan D. Roberts, Deputy City Clerk