



Commerce City

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

Meeting Minutes - Final

City Council

Monday, July 17, 2023

6:00 PM Council Chambers, 7887 E. 60th Ave Commerce City, CO
80022. The meeting will be live on Channel 8 and
c3gov.com/video. Zoom Registration:
https://c3gov.zoom.us/webinar/register/WN_vmC8bri0T6Kxdg
aorjISFQ

Regular Meeting
Times given are estimates only
Revised 7/17/2023 @ 12:00 PM

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 July 17, 2023, at 6:00 PM.

Present: 9 - Mayor Benjamin Huseman, Mayor Pro Tem Jennifer Allen-Thomas, Council Member Oscar Madera, Council Member Renee Millard-Chacon, Council Member Susan Noble, Council Member Craig Hurst, Council Member Craig Kim, Council Member Sean Ford and Council Member Kristi Douglas

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Approval of Agenda

A motion was made by Mayor Pro Tem Allen-Thomas, seconded by Council Member Kim, to approve the agenda. VOTE:

Aye: 9 - Mayor Huseman, Mayor Pro Tem Allen-Thomas, Council Member Madera, Council Member Millard-Chacon, Council Member Noble, Council Member Hurst, Council Member Kim, Council Member Ford and Council Member Douglas

4. Citizen Communication

[23-162](#)

Citizen Communication - City Council will conduct this meeting in person at the Commerce City Civic Center, 7887 E 60th Ave, Commerce City, CO 80022. There will be the opportunity for public comment at the meeting during citizen communication and/or about 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 in person, via Zoom, or in advance through mail or email. Visit c3gov.com/council and click on "Meeting agendas" for the full meeting agenda and "Virtual Meeting and Public Comment Instructions" for instructions on how to submit live verbal and written comments. The deadline to register via Zoom or submit written comments is noon on Monday, July 17, 2023.

The following spoke in opposition of Ordinance 2526:

Kirk Cochran

Olga Cantrell

Kevin Koernig

Woody Woodend

Geno Rodriguez

Keith Rogers spoke on commercial development in their community.

Shirley Henni thanked the Council for traffic calming projects in their community.

Jackie Valdez spoke on traffic issues in their community.

Edward Bruns spoke on trash accumulation in their community.

5. Presentations

[Pres 23-224](#)

Quality Community Foundation (QCF) Annual Update

Lindy Larson, Vice-Chair of the Quality Community Foundation, gave the annual update.

[Pres 23-225](#)

Youth Commission Annual Update

Isabela and Aliyah, Youth Commissioners, gave the annual update.

6. Executive Session

A motion was made by Mayor Pro Tem Allen-Thomas, seconded by Council Member Hurst, to amend the agenda to move proclamations & recognitions before the executive sessions. VOTE: 9 - Aye

[23-143](#)

An executive session pursuant to C.R.S. 24-6-402(4)(a), 4(e), & 4(b) for the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest relating to City property around the Civic Center, for the purpose of determining positions relative to a matter that may be subject to negotiation, developing strategy for negotiations; and instructing negotiators regarding a potential land exchange and redevelopment opportunity regarding the same, and for receiving legal advice regarding the implications of a potential land exchange.

A motion was made by Council Member Kim, seconded by Council Member Hurst, to enter into an executive session pursuant to C.R.S. 24-6-402(4)(a), 4(e), & 4(b) for the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest relating to City property around the Civic Center, for the purpose of determining positions relative to a matter that may be subject to negotiation, developing strategy for negotiations; and instructing negotiators regarding a potential land exchange and redevelopment opportunity regarding the same, and for receiving legal advice regarding the implications of a potential land exchange. VOTE:

Aye: 6 - Mayor Huseman, Council Member Madera, Council Member Hurst, Council Member Kim, Council Member Ford and Council Member Douglas

Nay: 3 - Mayor Pro Tem Allen-Thomas, Council Member Millard-Chacon and Council Member Noble

[23-157](#)

An executive session pursuant to C.R.S. 24-6-402(4)(e) for the purpose of determining position relative to a matter that may be subject to negotiations concerning incentives for a potential economic development project within the city, and specifically to discuss potential incentive packages for commercial prospects.

A motion was made by Mayor Pro Tem Allen-Thomas, seconded by Council Member Hurst, to enter into an executive session pursuant to C.R.S. 24-6-402(4)(e) for the purpose of determining position relative to a matter that may be subject to negotiations concerning incentives for a potential economic development project within the city, and specifically to discuss potential incentive packages for commercial prospects.. VOICE VOTE:

Aye: 9 - Mayor Huseman, Mayor Pro Tem Allen-Thomas, Council Member Madera, Council Member Millard-Chacon, Council Member Noble, Council Member Hurst, Council Member Kim, Council Member Ford and Council Member Douglas

7. Proclamations and Recognitions

[Proc 23-16](#)

Proclamation Declaring August 2023 as Employee Appreciation Month in Commerce City, Colorado

Human Resources staff read the proclamation.

A motion was made by Mayor Pro Tem Allen-Thomas, seconded by Council Member Ford, that this Proclamation be approved. VOTE:

Aye: 9 - Mayor Huseman, Mayor Pro Tem Allen-Thomas, Council Member Madera, Council Member Millard-Chacon, Council Member Noble, Council Member Hurst, Council Member Kim, Council Member Ford and Council Member Douglas

[Proc 23-18](#)

Proclamation Declaring the Week of August 6-12, 2023 as National Health Center Week in Commerce City, Colorado

City Clerk Gibson read the proclamation.

A motion was made by Mayor Pro Tem Allen-Thomas, seconded by Council Member Hurst, that this Proclamation be approved. VOTE:

Aye: 9 - Mayor Huseman, Mayor Pro Tem Allen-Thomas, Council Member Madera, Council Member Millard-Chacon, Council Member Noble, Council Member Hurst, Council Member Kim, Council Member Ford and Council Member Douglas

[23-144](#)

Memorial Day Parade Award Winners

Travis Huntington, Community Relations Manager, presented the 2023 Memorial Day Parade awards.

8. Consent Agenda

Council Member Madera left the meeting at 9:21 PM.

Mayor Pro Tem Allen-Thomas requested Resolution 2023-085 be removed from the consent agenda.

A motion was made by Mayor Pro Tem Allen-Thomas, seconded by Council Member Kim, to approve the Consent Agenda as amended. ROLL CALL VOTE:

Aye: 8 - Mayor Huseman, Mayor Pro Tem Allen-Thomas, Council Member Millard-Chacon, Council Member Noble, Council Member Hurst, Council Member Kim, Council Member Ford and Council Member Douglas

Excused: 1 - Council Member Madera

[Res 2023-071](#)

A RESOLUTION SUBMITTING TO THE ELECTORS OF THE CITY OF COMMERCE CITY AT THE REGULAR MUNICIPAL ELECTION TO BE HELD NOVEMBER 7, 2023 THE QUESTION OF WHETHER TO ALLOW THE BACKYARD KEEPING OF CHICKENS AND SETTING THE LANGUAGE THEREOF

[Res 2023-074](#)

A RESOLUTION SUBMITTING TO THE ELECTORS OF THE CITY OF COMMERCE CITY AT THE REGULAR MUNICIPAL ELECTION TO BE HELD NOVEMBER 7, 2023 THE QUESTION OF WHETHER TO ALLOW THE BACKYARD KEEPING OF DUCKS AND SETTING THE LANGUAGE THEREOF

[Res 2023-075](#) A RESOLUTION APPROVING AMENDMENTS TO SECTION 5.2 OF THE CITY OF COMMERCE CITY EMPLOYEE POLICIES REGARDING GENERAL LEAVE

[Res 2023-076](#) A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT FOR THE NOVEMBER 7, 2023 COORDINATED MAIL BALLOT ELECTION

[Res 2023-077](#) A RESOLUTION SUBMITTING TO THE ELECTORS OF THE CITY OF COMMERCE CITY AT THE REGULAR MUNICIPAL ELECTION TO BE HELD NOVEMBER 7, 2023 THE QUESTION OF WHETHER TO ALLOW BACKYARD BEEKEEPING AND SETTING THE LANGUAGE THEREOF

[Res 2023-078](#) A RESOLUTION MODIFYING COUNCIL POLICIES TO REPLACE THE USE OF "CITIZEN" WITH "PUBLIC"

[Res 2023-082](#) A RESOLUTION APPOINTING KRISTIN N. BROWN AS HEARING OFFICER FOR THIRD PARTY CAMPAIGN FINANCE COMPLAINTS AND AUTHORIZING INCREASED PROFESSIONAL SERVICES RATE FOR OTHER APPOINTMENTS

[Res 2023-085](#) A RESOLUTION APPOINTING MEMBERS TO DESIGNATED BOARDS AND COMMISSIONS OF THE CITY OF COMMERCE CITY

A motion was made by Mayor Pro Tem Allen-Thomas, seconded by Council Member Hurst, to amend Resolution 2023-085 to include Jennie Loveridge, Delilah Collins, Carole Harvell as appointments to various boards and commissions. VOTE: 7 - Aye, 1 - Excused (Madera)

A motion was made by Mayor Pro Tem Allen-Thomas, seconded by Council Member Douglas, that this Resolution be adopted as amended. VOTE:

Aye: 8 - Mayor Huseman, Mayor Pro Tem Allen-Thomas, Council Member Millard-Chacon, Council Member Noble, Council Member Hurst, Council Member Kim, Council Member Ford and Council Member Douglas

Excused: 1 - Council Member Madera

9. Public Hearings

[Res 2023-050](#)

A RESOLUTION FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM APPROVING THE 2023 ANNUAL ACTION PLAN

Mayor Huseman opened the public hearing.

George Lewis, Community Development Block Grant Coordinator, gave the 2023 Annual Action Plan presentation.

Mayor Huseman closed the public hearing.

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

Aye: 8 - Mayor Huseman, Mayor Pro Tem Allen-Thomas, Council Member Millard-Chacon, Council Member Noble, Council Member Hurst, Council Member Kim, Council Member Ford and Council Member Douglas

Excused: 1 - Council Member Madera

[Res 2023-083](#)

A RESOLUTION APPROVING THE FINAL PLAT FOR REUNION RIDGE FILING NO. 2, GENERALLY LOCATED BETWEEN PEORIA PARKWAY AND TUCSON STREET, APPROXIMATELY 1,000 FEET SOUTH OF E. 104TH AVENUE, AND CONSISTING OF 22.26 ACRES

Mayor Huseman opened the consolidated public hearing Reunion Filling No. 2 and No. 3.

Michael Rosso, City Planner, provided the staff presentation to Council. Michael provided an overview of the case summary, the comprehensive plan consistency, and considerations for discussion.

Jeff Marck, Terracina Design, gave the applicant's presentation and were present to take questions from Council.

A motion was made by Council Member Hurst, seconded by Council Member Noble, to extend the automatic adjourn time by two and half hours. Motion Failed. VOTE: 4 - Aye (Ford, Huseman, Hurst, Noble), 4 - Nay

This item was continued to a future meeting.

[Res 2023-084](#)

A RESOLUTION APPROVING THE FINAL PLAT FOR REUNION RIDGE FILING NO. 3, GENERALLY LOCATED BETWEEN PEORIA PARKWAY AND TUCSON STREET, APPROXIMATELY 1,000 FEET SOUTH OF E. 104TH AVENUE, AND CONSISTING OF 11.01 ACRES

This item was continued to a future meeting.

[Z-989-23](#)

SECOND AND FINAL READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO BY REZONING THE PROPERTY LOCATED AT 8705 ROSEMARY STREET FROM LIGHT INTENSITY INDUSTRIAL DISTRICT (I-1) AND AGRICULTURAL DISTRICT (AG) TO MEDIUM INTENSITY INDUSTRIAL DISTRICT (I-2)

This item was continued to a future meeting.

[Res 2023-086](#)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO MAKING CERTAIN LEGISLATIVE FINDINGS AND APPROVING THE FIRST AMENDMENT TO THE MILE HIGH GREYHOUND PARK URBAN RENEWAL PLAN

This item was continued to a future meeting.

The public hearings will be conducted in a hybrid setting. There will be an opportunity to testify live during the meeting in person. Visit c3gov.com/council and click on “Virtual Meeting and Public Comment Instructions” for instructions on how to register or submit comments. The deadline to register to comment and to submit written comments is noon on Monday, July 17, 2023. Please contact the City Clerk to request paper copies of materials.

10. Resolutions

[Res 2023-065](#)

A RESOLUTION AUTHORIZING THE SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH LOTUS ENGINEERING AND SUSTAINABILITY, LLC TO PROVIDE SUSTAINABILITY SERVICES

This item was continued to a future meeting.

11. Ordinances on 1st Reading - 9:40 PM

[Ord 2514](#)

SECOND AND FINAL READING OF AN ORDINANCE AMENDING SECTION 21-7205 OF THE CITY OF COMMERCE CITY LAND DEVELOPMENT CODE TO ADD CONSTRUCTION STANDARDS FOR RESIDENTIAL DRIVEWAYS

This item was continued to a future meeting.

[Ord 2516](#)

SECOND AND FINAL READING OF AN ORDINANCE ADDING SECTION 21-3219 AND AMENDING SECTION 21-3200 OF THE CITY OF COMMERCE CITY LAND DEVELOPMENT CODE ALLOWING FOR THE REVIEW AND APPROVAL OF EARLY GRADING PERMITS

This item was continued to a future meeting.

[Ord 2515](#)

SECOND AND FINAL READING OF AN ORDINANCE AMENDING SECTION 21-3210 OF THE CITY OF COMMERCE CITY LAND DEVELOPMENT CODE ADDING FOUNDATION-ONLY PERMITS AND EXTENSIONS THERETO AS BUILDING PERMIT TYPES FOR REVIEW AND APPROVAL

This item was continued to a future meeting.

[Ord 2526](#)

SECOND AND FINAL READING OF AN ORDINANCE RETITLING CHAPTER 8 AND REPEALING AND REENACTING ARTICLE II OF CHAPTER 8 OF THE COMMERCE CITY REVISED MUNICIPAL CODE PERTAINING TO THE LICENSING OF MEDICAL AND RECREATIONAL MARIJUANA BUSINESSES

This item was continued to a future meeting.

[Ord 2533](#)

SECOND AND FINAL READING OF AN ORDINANCE AMENDING THE 2023 BUDGET OF THE CITY OF COMMERCE CITY BY RECOGNIZING A PORTION OF THE CITY'S TOTAL \$10,505,025 AMERICAN RESCUE PLAN ACT FUNDING ALLOCATION IN THE AMOUNT OF \$3,075,000 AND AUTHORIZING THE EXPENDITURE THEREOF

This item was continued to a future meeting.

[Ord 2536](#)

SECOND AND FINAL READING OF AN ORDINANCE AMENDING THE 2023 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE COLORADO DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF \$15,000 FOR DRIVING UNDER THE INFLUENCE (DUI) ENFORCEMENT EFFORTS AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF

This item was continued to a future meeting.

[Ord 2537](#)

SECOND AND FINAL READING OF AN ORDINANCE SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF COMMERCE CITY AT THE REGULAR MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 7, 2023, PROPOSED AMENDMENTS TO THE CHARTER OF THE CITY OF COMMERCE CITY CONCERNING THE MODERNIZATION AND STANDARDIZATION OF PUBLICATION REQUIREMENTS FOR LEGAL NOTICES, ORDINANCES, DOCUMENTS, AND OTHER LEGAL PUBLICATIONS

This item was continued to a future meeting.

[Ord 2540](#)

SECOND AND FINAL READING OF AN ORDINANCE AMENDING SECTIONS 21-5200, 21-5249, AND 21-11200 OF THE LAND DEVELOPMENT CODE PERTAINING TO THE REGULATION OF MEDICAL AND RECREATIONAL MARIJUANA BUSINESSES

This item was continued to a future meeting.

12. Administrative Council Business

[23-146](#)

Alley Upkeep in City and Adding Them to Owners Property

This item was continued to a future meeting.

[23-158](#)

Sand Creek Regional Greenway Partnership Event Sponsorship

This item was continued to a future meeting.

13. Council Reports

[23-159](#)

Review of Work Schedule

14. Adjourn

A motion was made by Mayor Pro Tem Allen-Thomas, seconded by Council Member Kim, to adjourn the meeting. VOTE: 5 - Aye, 3 - Nay (Ford, Hurst, Noble), 1 - Excused (Madera)

The meeting adjourned at 10:30 PM.

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

Jordan D. Roberts, Deputy City Clerk

[23-161](#) City Manager Week in Review Report

[23-160](#) City Council Policies

Any citizen requesting accommodations, with respect to rights under the Americans with Disabilities Act, to attend or participate in any public meeting, and/or to obtain this notice in alternate formats, is asked to please contact the City Clerk at 303-227-8791 as soon as possible before the meeting.