



# Commerce City

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

## Meeting Minutes - Final

### City Council

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Monday, April 1, 2024

6:00 PM Council Chambers, 7887 E 60th Ave, Commerce City, CO 80022. The meeting will also be conducted in a hybrid format via Zoom. Registration link: [https://c3gov.zoom.us/webinar/register/WN\\_er7HFsrVRFu\\_VGovubRoRg](https://c3gov.zoom.us/webinar/register/WN_er7HFsrVRFu_VGovubRoRg)

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**Regular Meeting. Revised 4/1/2024 at 4:30 PM.**  
**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 Douglas on April 1, 2024, at 6:00 PM.*

**Present:** 9 - Mayor Steven J. Douglas, Mayor Pro Tem Susan Noble, Council Member Oscar Madera, Council Member Rocky Teter, Council Member Renee Millard-Chacon, Council Member Craig Kim, Council Member Charles Dukes, 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 Noble, seconded by Council Member Chacon, to amend the agenda by moving the oil and gas monthly update presentation to April 15, 2024; make Case #PUDA23-0002 as the first public hearing item; make Resolution 2024-037 as the second public hearing item; make Case #Z-993-24 as the third public hearing item; and making Case #CUP23-0001 as the last public hearing item. VOTE: Unanimous, all present affirmed.*

#### 4. Public Comment

[24-019](#)

Public Comment - 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 public comment and/or for each agenda item. Comments may be consolidated under the Public 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](https://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, April 1, 2024.

*There was no public comment.*

## 5. Proclamations and Recognitions

[Proc 24-002](#)

Proclamation Declaring April 2024 as Sexual Assault Awareness Month in Commerce City, Colorado

**A motion was made by Council Member Ford, seconded by Council Member Kim, that this Proclamation be approved. VOICE VOTE: Unanimous, all present affirmed.**

[Proc 24-003](#)

Proclamation Declaring April 2024 as Child Abuse Prevention Month in Commerce City, Colorado

**A motion was made by Council Member Millard-Chacon, seconded by Council Member Douglas, that this Proclamation be approved. VOICE VOTE: Unanimous, all present affirmed.**

[Proc 24-025](#)

Proclamation Declaring April 2024 as Sikh Awareness and Appreciation Month in Commerce City, Colorado

**A motion was made by Council Member Teter, seconded by Council Member Ford, that this Proclamation be approved. VOICE VOTE: Unanimous, all present affirmed.**

[Proc 24-028](#)

Proclamation Recognizing United Power's 85th Anniversary

**A motion was made by Council Member Teter, seconded by Council Member Douglas, that this Proclamation be approved. VOICE VOTE: Unanimous, all present affirmed.**

[Proc 24-029](#)

Proclamation Declaring the Week of April 2-8, 2024 as International Dark Sky Week in Commerce City, Colorado

**A motion was made by Council Member Millard-Chacon, seconded by Council Member Teter, that this Proclamation be approved. VOICE VOTE: Unanimous, all present affirmed.**

[Proc 24-030](#)

Proclamation Declaring April 2024 as Autism Awareness and Acceptance Month in Commerce City, Colorado

**A motion was made by Council Member Millard-Chacon, seconded by Council Member Teter, that this Proclamation be approved. VOICE VOTE: Unanimous, all present affirmed.**

## 6. Noticed Council Business

[24-088](#)

Audit of emergency rent subsidies expended from ARPA funds in 2023-24

*A motion was made by Mayor Pro Tem Noble, seconded by Council Member Ford, to direct staff to conduct an audit of emergency rent subsidies expended from ARPA funds in 2023 and 2024 to be conducted by either the City of Commerce City Finance Department or a third party.*

*Council Member Dukes offered a friendly amendment to include staff providing policy recommendations.*

*VOTE: Unanimous, all present affirmed.*

## 7. Presentations

[Pres 24-099](#)

Oil and Gas Monthly Update

*This item was continued to April 15, 2024.*

## 8. Consent Agenda

**A motion was made by Mayor Pro Tem Noble, seconded by Council Member Teter, to approve the Consent Agenda as presented. ROLL CALL VOTE:**

**Aye:** 9 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

[Min 24-046](#)

Minutes of the March 18, 2024 Regular Meeting

[Ord 2565](#)

AN ORDINANCE AMENDING THE 2024 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF AMERICAN RESCUE PLAN ACT CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY GRANT FUNDS IN THE AMOUNT OF \$20,500 FOR FOOD ASSISTANCE PROGRAMS AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

## 9. Public Hearings

[PUDA23-0002](#)

AN ORDINANCE APPROVING THE REUNION PUD ZONE DOCUMENT AMENDMENT NO. 6 TO MODIFY ALLOWED USES, INCLUDING THE ADDITION OF MARIJUANA USES, CREATE SETBACK REQUIREMENTS FOR A SINGLE MEDICAL MARIJUANA CENTER AND RETAIL MARIJUANA STORE, AND INSTITUTE NEW AND MODIFIED DEVELOPMENT STANDARDS FOR THE 1.48-ACRE LOT LOCATED AT 18494 E. 104TH AVENUE

*Mayor Douglas opened the public hearing.*

*Jennifer Jones, Principal Planner, provided the staff presentation.*

*Adam Stapen, representing the applicant, provided the applicants presentation.*

*The following spoke in support of the case:*

*Amir Affouri*

*Evan Habluetzel*

*Matt Fisher*

*Mike Lampert*

*Eric Mayka*

*Ingrid Barnett*

*Lacey Cundiff*

*Richard Brown*

*The following spoke in opposition of the case:*

*Dianna Houghtaling*

*Justine Lowe*

*Meladie Lowe*

*Tim Jungclaus*

*JR Ridings*

*Mayor Douglas closed the public hearing.*

*A motion was made by Council Member Kim, seconded by Council Member Ford, to extend the automatic time of adjournment to midnight. VOTE: 8 - Aye, 1 - Nay (Madera)*

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

**Aye:** 6 - Council Member Madera, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes and Council Member Ford

**Nay:** 3 - Mayor Douglas, Mayor Pro Tem Noble and Council Member Douglas

[Res 2024-037](#)

A RESOLUTION APPROVING A PERMIT FOR A MAJOR EXTENSION OF AN EXISTING DOMESTIC WATER SYSTEM SPECIFICALLY FOR THE INSTALLATION OF A WATER LINE APPROXIMATELY 1.5 MILES LONG GENERALLY LOCATED WITHIN E-470 AND EAST 96TH AVENUE RIGHT-OF-WAY

*Mayor Douglas opened the public hearing.*

**A motion was made by Council Member Ford, seconded by Council Member Kim, that this public hearing be continued to June 3, 2024. VOICE VOTE: Unanimous, all present affirmed.**

[Z-993-24](#)

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO BY REZONING THE PROPERTY GENERALLY LOCATED AT 8050 ROSEMARY STREET FROM AGRICULTURAL DISTRICT (AG) TO LIGHT INTENSITY INDUSTRIAL DISTRICT (I-1)

*Mayor Douglas opened the public hearing.*

*A motion was made by Council Member Kim, seconded by Council Member Chacon, to continue this public hearing to June 3, 2024. VOTE: 7 - Aye, 2 - Nay (Madera, Dukes)*

*The applicant requested City Council reconsider continuing the hearing so they could be heard.*

*A motion was made by Council Member Kim, seconded by Council Member Ford, to rescind the motion and hear the case. VOTE: 8 - Aye, 1 - Nay (Chacon)*

*Dalton Guerra, city planner, provided the staff presentation.*

*Tyler Carlson provided the applicant's presentation.*

*There was no public testimony.*

*Mayor Douglas closed the public hearing.*

**A motion was made by Council Member Dukes, seconded by Council Member Ford, that this Zoning Ordinances be introduced by council as seated and approved on first reading. VOTE:**

**Aye:** 7 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Kim, Council Member Dukes and Council Member Ford

**Nay:** 1 - Council Member Douglas

**Abstained:** 1 - Council Member Millard-Chacon

CUP23-0001

Tom Wood, on behalf of Rocky Mountain Recycling Inc., is requesting a Conditional Use Permit to allow a Recycling Facility located at 6425 Brighton Boulevard, zoned I-3 (Heavy Intensity Industrial) consisting of approximately 1.23 acres.

*Mayor Douglas opened the public hearing.*

*A motion was made by Council Member Chacon, seconded by Council Member Douglas, to continue the public hearing to June 3, 2024. VOTE: 3 - Aye (Chacon, S. Douglas, K. Douglas), 6 - Nay. Motion failed.*

**A motion was made by Council Member Madera, seconded by Council Member Teter, that this Conditional Use Permit be amended to limit operating hours to be from 7am to 7pm Monday through Friday and 8am to 5pm on Saturday and Sunday and require the applicant to install additional screening to match existing screening. VOICE VOTE: Unanimous, all present affirmed.**

**The public hearings will be conducted in a hybrid format in person and via Zoom. There will be an opportunity to testify live during the meeting or in advance via email or regular mail. Visit [c3gov.com/council](https://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, April 1. Please contact the City Clerk to request paper copies of materials.**

**10. Ordinances on 2nd Reading**Z-990-24

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO BY REZONING THE PROPERTY GENERALLY LOCATED AT 6601 COLORADO BOULEVARD FROM AGRICULTURAL DISTRICT (AG) & LIGHT INTENSITY INDUSTRIAL DISTRICT (I-1) TO MEDIUM INTENSITY INDUSTRIAL DISTRICT (I-2)

*A motion was made by Council Member Dukes, seconded by Council Member Teter, to extend the automatic time of adjournment to 12:45 AM. VOTE: 7 - Aye, 2 - Nay (Chacon, Kim)*

**A motion was made by Council Member Ford, seconded by Council Member Teter, that this Zoning Ordinances be approved on second & final reading. VOTE:**

**Aye:** 5 - Mayor Pro Tem Noble, Council Member Teter, Council Member Millard-Chacon, Council Member Dukes and Council Member Ford

**Nay:** 3 - Mayor Douglas, Council Member Kim and Council Member Douglas

**Abstained:** 1 - Council Member Madera

**11. Administrative Council Business**

*A motion was made by Council Member Dukes, seconded by Council Member Madera, to establish a subcommittee to collaborate, create structure, rules, timelines, outcomes, and policy focus areas, currently known as the Education Commission; include board members of the Adams 14 and 27J school districts; and change the name from Education Commission to be C3 Children's Affairs Partnerships Commission. Motion withdrawn.*

**12. Council Reports**

*This item was not discussed.*

[24-057](#)

Review of Work Schedule

**13. Executive Session - 11:00 PM**

[24-082](#)

An executive session pursuant to C.R.S 24-6-402(4)(e) for the purpose of determining positions relative to matters subject to negotiation, developing strategy for negotiations, and instructing negotiators accordingly, specifically with regard to offers to lease and purchase City-owned mineral interests.

**A motion was made by Council Member Kim, seconded by Council Member Madera, that this Executive Session be continued to a special meeting on April 8, 2024. VOICE VOTE: Unanimous, all present affirmed. by the following vote:**

**Aye:** 9 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

## 14. Adjourn

*A motion was made by Mayor Pro Tem Noble, seconded by Council Member Kim, to adjourn the meeting. VOTE: Unanimous, all present affirmed.*

*The meeting adjourned at 12:23 AM on Tuesday, April 2, 2024.*

*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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*Dylan A. Gibson, City Clerk*

[24-084](#) City Manager Week in Review Report

[24-085](#) City Council Policies

**Any member of the public 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.**