



Meeting Minutes - Final City Council

Monday, January 5, 2015

6:00 PM

Council Chambers

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 Ford on January 5, 2015, at 6:00 PM.

Present: 9 - Mayor Sean Ford, Council Member Jim Benson, Council Member Rick A. Teter, Council Member Crystal Elliott, Council Member Steven J. Douglas, Council Member Andrew Amador, Council Member Jadie Carson, Council Member Jason McElDowney and Mayor Pro Tem René Bullock

2. Executive Session

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Benson, that an executive session, pursuant to CRS 24-6-402(4)(e) for the purpose of instructing negotiators regarding the new recreation center and pursuant to CRS 24-6-402 (4)(e) for the purpose of instructing negotiators regarding DIA issues. VOICE VOTE: Unanimous, all present affirmed.

[15-07](#)

An executive session pursuant to C.R.S. 24-6-402(4)(e) for the purpose of instructing negotiators regarding the new recreation center

[15-05](#)

An executive session C.R.S. 24-6-402(4)(e) for the purpose of instructing negotiators regarding DIA issues.

3. Pledge of Allegiance

The Pledge of Allegiance was recited.

4. Audience Introduction

The audience introduced themselves.

5. Proclamations and Recognitions

[Proc 15-01](#)

A proclamation recognizing January as National Mentoring Month

City Attorney Gehler read a proclamation declaring January 2015 as National Mentoring Month.

Police Chief Smith accepted the proclamation.

A motion was made by Council Member McElDowney, seconded by Mayor Pro Tem Bullock, that this proclamation be approved. VOICE VOTE: Unanimous, all present affirmed.

6. Citizen Communication

Carol Taylor Boyd, appeared on behalf of Quality Community Foundation. She thanked council for their support and provided them with an update on the foundation's activities.

7. Approval of Minutes

[Min 15-03](#)

Meeting Minutes of August 18, 2014

A motion was made by Mayor Pro Tem Bullock, seconded by Councilman Amador to allow Councilman Douglas to abstain from voting on the minutes of August 18, 2014, because of his excused absence.

VOTE: 8 aye, 1 abstain (Douglas)

A motion was made by Council Member McEldowney, seconded by Mayor Pro Tem Bullock, that the minutes be approved. VOTE:

Aye: 8 - Mayor Ford, Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Amador, Council Member Carson, Council Member McEldowney and Mayor Pro Tem Bullock

Abstained: 1 - Council Member Douglas

[Min 15-02](#)

Special Meeting Minutes of September 29, 2014

A motion was made by Council Member Douglas, seconded by Council Member McEldowney, that the minutes be approved. VOICE VOTE: Unanimous, all present affirmed.

[Min 15-04](#)

Meeting Minutes of December 15, 2014

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member McEldowney, that the minutes be approved. VOICE VOTE: Unanimous, all present affirmed.

8. Consent Agenda

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Amador, to approve the consent agenda as presented. ROLL CALL VOTE:

Aye: 9 - Mayor Ford, Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Council Member Carson, Council Member McEldowney and Mayor Pro Tem Bullock

[Ord 2037](#)

AN ORDINANCE ADOPTING THE CITY OF COMMERCE CITY PUBLIC ART FUNDING PROGRAM

[Ord 2040](#)

AN ORDINANCE AMENDING THE 2015 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY APPROPRIATING A PORTION OF THE UNENCUMBERED FUND BALANCE OF THE GENERAL FUND IN THE AMOUNT OF \$80,000 FOR THE ANNUAL

APPROPRIATION TO THE BOYS AND GIRLS CLUBS OF METRO DENVER, INC., AND THE EXPENDITURE THEREOF.

9. Public Hearings

[Z-914-15](#)

AN ORDINANCE REZONING FROM AG TO I-2 ZONE DISTRICT THE PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, LOCATED AT 9109 MONACO STREET, COMMERCE CITY, COLORADO, AND AMENDING THE ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO TO REFLECT SAID REZONING.

Mayor Ford disclosed that he has had prior business relations with the applicant before being seated on council; however, he has not had any business dealings with the applicant in several years. Mayor Ford believes he can vote on the application in an un-biased manner.

Mayor Ford opened the public hearing.

Planner Jared Draper presented the case on behalf of the applicant. The applicant, Fiore & Sons, is seeking to rezone their property from AG to I-2. A development plan is under review at this time; however, the applicant is proposing to use the site for storage.

Tony Fiore, appeared on behalf of the applicant. Mr. Fiore stated that his family acquired the property after it had been used as a gravel pit. In response to council questions, he stated that truck traffic would not be greater than what it has been in the past and there would be no more than three tenants.

There being no further public comment, the public hearing portion was closed.

A motion was made by Councilman McEldowney, seconded by Mayor Pro Tem Bullock, to accept the findings and recommendations of the planning commission.

VOICE VOTE: Unanimous; all present affirmed

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

Aye: 9 - Mayor Ford, Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Council Member Carson, Council Member McEldowney and Mayor Pro Tem Bullock

[Z-867-07-09-15](#)

AN ORDINANCE APPROVING THE SECOND AMENDMENT TO THE DERBY DOWNTOWN DISTRICT PUD ZONE DOCUMENT.

Mayor Ford opened the public hearing.

Planner Jared Draper presented the case. He stated that some of the key changes include moving the Derby Review Board authority out of the PUD and into the municipal code, including new uses into the district and eliminating the 500' distance restriction from a school for certain liquor licensed establishments.

Public Input:

Debra Bullock, 6150 Ivanhoe

Mayor Ford closed the public hearing.

A motion was made by Councilman Amador, seconded by Mayor Pro Tem Bullock, to accept the findings and recommendations of the planning commission.

VOICE VOTE: Unanimous; all present affirmed

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

Aye: 9 - Mayor Ford, Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Council Member Carson, Council Member McEldowney and Mayor Pro Tem Bullock

10. Ordinances on 1st Reading

[Ord 2043](#)

AN ORDINANCE REVISING SECTION 2-3002 OF THE MUNICIPAL CODE FOR THE DERBY REVIEW BOARD IN CONJUNCTION WITH THE DERBY PUD AMENDMENT NO. 2

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

Aye: 9 - Mayor Ford, Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Council Member Carson, Council Member McEldowney and Mayor Pro Tem Bullock

[Ord 2020](#)

AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE LAND DEVELOPMENT CODE

Planner Jared Draper gave a brief presentation on this ordinance. He stated that staff is recommending 26 proposed amendments broken down into five general categories: customer service process, legal clarification, land use table additions, modernization of the code and community needs identified.

Public Input:

*Michael Pate, North Carolina
Laura Gatling*

A motion was made by Councilman McEldowney, seconded by Mayor Pro Tem Bullock, to approve Ordinance 2020 with the following exceptions: electric fences and telecommunications. Allow staff to consider modifications on electric fences between first and second reading and remove telecommunications for consideration in 2015.

VOTE: Unanimous; all present affirmed

A motion was made by Council Member McEldowney, seconded by Mayor Pro Tem Bullock, that this ordinance be introduced by council as seated and

approved on first reading. **VOTE:**

Aye: 9 - Mayor Ford, Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Council Member Carson, Council Member McEldowney and Mayor Pro Tem Bullock

[Ord 2021](#)

ADOPTING THE COMMERCE CITY HISTORIC PRESERVATION PLAN

Planner Paul Workman stated that this project is currently in its final phase. The goal of the plan is to provide comprehensive direction related to historic preservation throughout the city. It will also identify specific strategies for implementing historic preservation. There are seven specific overarching goals identified in the plan.

Public Input:

Debra Bullock, representing the Commerce City Historical Society

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

Aye: 9 - Mayor Ford, Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Council Member Carson, Council Member McEldowney and Mayor Pro Tem Bullock

[Ord 2041](#)

AN ORDINANCE AMENDING THE 2015 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE ADAMS COUNTY OPEN SPACE GRANT IN THE AMOUNT OF \$200,000 TO BE USED FOR THE FRONTERRA NEIGHBORHOOD PARK PROJECT AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

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

Aye: 9 - Mayor Ford, Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Council Member Carson, Council Member McEldowney and Mayor Pro Tem Bullock

[Ord 2042](#)

AN ORDINANCE AMENDING THE 2015 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE ADAMS COUNTY OPEN SPACE GRANT IN THE AMOUNT OF \$518,281 TO BE USED FOR THE OUTDOOR LEISURE POOL AT PIONEER PARK PROJECT AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

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

Aye: 9 - Mayor Ford, Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Council Member Carson, Council Member McEldowney and Mayor Pro Tem Bullock

11. Administrative Council Business

Councilman Douglas reported on an incident he was involved in a few weeks back and he apologized for his actions.

A motion was made by Mayor Pro Tem Bullock, seconded by Councilman McEldowney, that council does not support or condone Councilman Douglas' actions on December 24, 2014. His behavior was inconsistent with this city council's values and vision for the city.

VOICE VOTE: Unanimous; all present affirmed

12. Reports

City Manager McBroom highlighted items from his weekly report provided to council earlier via email.

The mayor and council reported on their attendance at various meetings and events.

13. Adjourn

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

The meeting adjourned at 9:59 pm.