



Meeting Minutes - Final City Council

Monday, March 16, 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 March 16, 2015, at 6:04 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. Pledge of Allegiance

Cub Scout Troop 607 presented the colors and led the audience in the Pledge of Allegiance.

3. Audience Introduction

The audience introduced themselves.

4. Proclamations and Recognitions

[Proc 15-05](#)

Proclamation recognizing John Howard's service to Commerce City

Mayor Ford read a proclamation honoring retiring IT Director John Howard for 39 years of service.

On behalf of council, Mayor Ford thanked Mr. Howard for his many years of service.

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

5. Citizen Communication

Kip Cheroutes.2648 Bellaire, appeared before council to extend a personal invitation to the Pat Shroeder dedication of the Rocky Mountain Arsenal Visitor Center.

6. Consent Agenda

A motion was made by Council Member McEldowney, seconded by Council Member Benson, 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

[Res 2015-22](#)

RESOLUTION AUTHORIZING LETTER OF SUPPORT FOR
PLAYFUL CITY USA APPLICATION

7. Public Hearings

A motion was made by Councilman McEldowney, seconded by Mayor Pro Tem Bullock to amend the agenda to move Resolution 2015-09 up to the public hearing portion of the agenda.

VOICE VOTE: Unanimous; all present affirmed

City Attorney Gehler called forward staff representative Robin Kerns to be sworn in and to testify regarding the annexation petition.

Mr. Kerns testified that he is familiar with the annexation case before council, a plan was adopted by council for this particular property, and the property meets the requirements of state statute for annexation. Mr. Kerns further testified the applicant was going to develop an auto glass repair business on a parcel of land in unincorporated Adams County. In order to gain right-of-way for future expansion of East 120th Avenue, Adams County negotiated with the applicant to acquire that parcel, and in return, provided the applicant with the parcel they are currently on and have developed. This parcel is within the city's growth boundary. In order for the applicant to develop the property, he had to join the Northern Infrastructure General Improvement District to gain water and sewer service. An IGA was agreed upon between the applicant, Adams County, the city and South Adams County Water and Sanitation District to allow for the development of the property prior to joining the general improvement district. The IGA triggered the annexation with the issuance of a certificate of occupancy. The applicant notified staff that he was unable to appear before council during this hearing.

No one appeared to address council on this matter and the public hearing was closed

[AN-233-15](#)

AN ORDINANCE APPROVING AND ACCOMPLISHING THE
ANNEXATION OF CONTIGUOUS UNINCORPORATED TERRITORY
DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A
PART HEREOF, LOCATED AT 10655 E 120TH COURT,
COMMERCE CITY, COLORADO

A motion was made by Council Member McEldowney, seconded by Mayor Pro Tem Bullock, that this annexation 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-911-15](#)

AN ORDINANCE REZONING THE PROPERTY DESCRIBED IN
EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF,
LOCATED AT 10655 E. 120TH COURT (PIN: 172102206001 &

172102206002), COMMERCE CITY, COLORADO, AND AMENDING THE ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO TO REFLECT SAID REZONING.

A motion was made by Councilman McEldowney, seconded by Councilman Amador 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 Mayor Pro Tem Bullock, 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

8. Resolutions

[Res 2015-09](#)

RESOLUTION MAKING FINDINGS OF FACT BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY AND ITS CONCLUSION RELATIVE TO ELIGIBILITY OF ANNEXATION TO THE CITY OF COMMERCE CITY OF THE PROPERTY LOCATED AT 10655 E. 120TH COURT, COMMERCE CITY, COLORADO IN AN-233-15

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

[Res 2015-17](#)

RESOLUTION APPOINTING TERESA ABLAO TO SERVE AS THE HEARING OFFICER FOR THE COMMERCE CITY LIQUOR AUTHORITY

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

9. Ordinances on 1st Reading

[Ord 2049](#)

AN ORDINANCE AMENDING ARTICLE IV OF CHAPTER 12 OF THE COMMERCE CITY REVISED MUNICIPAL CODE BY THE ADDITION OF SECTION 12-6012 REGULATING MARIJUANA CULTIVATION AND PROCESSING IN RESIDENTIAL STRUCTURES

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Douglas, 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

10. Administrative Council Business

Deputy City Manager Hayes stated that council discussed joining the Northeast Transportation Connections and now a vote is needed to join, pay the annual membership fee and appoint a council representative.

A motion was made by Mayor Pro Tem Bullock, seconded by Councilman Amador to join NETC, pay the \$5,000 registration fee and appoint Councilman Douglas as the city's council representative.

VOICE VOTE: Unanimous; all present affirmed

A motion was made by Council member Benson, seconded by Council member Elliott to appoint Deputy City Manager Hayes as an alternate member to Northern Area Transportation Alliance.

VOICE VOTE: Unanimous; all present affirmed

A motion was made by Council member Carson, seconded by Council member Teter to sponsor a fundraising event, Kids First Roast.

VOICE VOTE: Unanimous; all present affirmed

Mayor Pro Tem Bullock spoke about mental health training being offered at various locations throughout Adams County and asked that the information be made available on the city's website. Mayor Ford and Mayor Pro Tem Bullock recommended the training for city staff.

Councilman Douglas heard that RTD does not provide public bathrooms at light rail stations and he asked that staff verify that information, given that we will be having a light rail station in the city in the future. Mr. Douglas also requested that the Teen Zone at recreation center be open the same hours on Sunday as the recreation center.

Both Councilwoman Carson and Councilman Teter would like to be excused from the next study session.

Councilman Benson asked for council approval of a travel request of \$1,600 to attend a transportation workshop in Portland, Oregon.

A motion was made by Mayor Pro Tem Bullock, seconded by Council member Douglas to support Council member Benson's request

VOICE VOTE: Unanimous; all present affirmed

11. Reports

Deputy City Manager Hayes highlighted items off the city manager's weekly email report.

Mayor and council reported on their attendance at various meetings and events.

12. Adjourn to NIGID Meeting

The meeting adjourned at 7:00 pm

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