



Meeting Minutes - Final City Council

Monday, June 15, 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 June 15, 2015, at 6:00 PM.

A motion was made by Councilman Amador, seconded by Mayor Pro Tem to excuse both Councilman McEldowney and Councilwoman Carson from tonight's meeting.

VOTE: 7 aye, 2 absent (McEldowney, Carson)

Present: 7 - 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 and Mayor Pro Tem René Bullock

Excused: 2 - Council Member Jadie Carson and Council Member Jason McEldowney

2. Executive Session

[15-37](#)

An executive session pursuant to C.R.S. 24-6-402(4)(e) for the purpose of instructing negotiators regarding water transactions and potential contracts

A motion was made by Council Member Teter, seconded by Mayor Pro Tem Bullock, that an executives session, pursuant to CRS 24-6-402(4)(e) for the purpose of instructing negotiators regarding water transactions and potential contract, be held. VOTE:

Aye: 7 - Mayor Ford, Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador and Mayor Pro Tem Bullock

Excused: 2 - Council Member Carson and Council Member McEldowney

3. Pledge of Allegiance

The Pledge of Allegiance was recited.

4. Audience Introduction

The audience introduced themselves.

5. Proclamations and Recognitions

[15-46](#)

Recognition of CARA Volleyball Teams

Mayor Ford read a statement regarding the accomplishments of the CARA volleyball teams.

Volleyball team members that were present in the audience came forward to be recognized.

[Proc 15-19](#)

2015 Day of Play Proclamation

City Attorney Gehler read the proclamation declaring July 4, 2015, as a Day of Play in Commerce City.

A motion was made by Council Member Amador, seconded by Council Member Teter, that this proclamation be approved. VOTE:

Aye: 7 - Mayor Ford, Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador and Mayor Pro Tem Bullock

Excused: 2 - Council Member Carson and Council Member McEldowney

6. Citizen Communication

Carol Taylor Boyd, appeared before Council on behalf of the Quality Community Foundation Board. She stated that the QCF Scholarship Golf Tournament was a success and that 68 golfers participated.

7. Approval of Minutes

[Min 15-41](#)

Meeting minutes of March 16, 2015

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

Aye: 7 - Mayor Ford, Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador and Mayor Pro Tem Bullock

Excused: 2 - Council Member Carson and Council Member McEldowney

[Min 15-44](#)

Meeting minutes of May 11, 2015 special meeting

A motion was made by Councilman Amador, seconded by Mayor Pro Tem Bullock to allow Councilwoman Elliott to abstain from the voting on the minutes of May 11, 2015, because of her excused absence.

VOTE: 6 aye, 1 abstain (Elliott), 2 excused (Carson, McEldowney)

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

Aye: 6 - Mayor Ford, Council Member Benson, Council Member Teter, Council Member Douglas, Council Member Amador and Mayor Pro Tem Bullock

Excused: 2 - Council Member Carson and Council Member McEldowney

Abstained: 1 - Council Member Elliott

8. Consent Agenda

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

Aye: 7 - Mayor Ford, Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador and Mayor Pro Tem Bullock

Excused: 2 - Council Member Carson and Council Member McEldowney

[Ord 2051](#)

AN ORDINANCE AMENDING SECTION 6-2012(B)(1)(D) OF THE COMMERCE CITY REVISED MUNICIPAL CODE PERTAINING TO THE MAINTENANCE OF WEEDS AND VEGETATION ON UNDEVELOPED PROPERTIES THAT EXCEED FIVE ACRES IN SIZE

[Z-919-15](#)

AN ORDINANCE REZONING THE PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, LOCATED AT 7420 EAST 86TH AVENUE, COMMERCE CITY, COLORADO, AND AMENDING THE ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO TO REFLECT SAID REZONING.

[AN-234-15](#)

AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF CONTIGUOUS UNINCORPORATED TERRITORY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, LOCATED AT 7420 EAST 86TH AVENUE, COMMERCE CITY, COLORADO

[Res 2015-46](#)

RESOLUTION APPROVING AN AGREEMENT FOR CONSTRUCTION CONTRACT BETWEEN THE CITY OF COMMERCE CITY AND A-1 CHIPSEAL COMPANY FOR 2015 SLURRY SEAL PROJECT

[Res 2015-53](#)

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

[Res 2015-56](#)

RESOLUTION APPOINTING MEMBERS TO DESIGNATED BOARDS AND COMMISSIONS OF COMMERCE CITY

[Res 2015-52](#)

APPROVING GRANT OF EASEMENT TO PUBLIC SERVICE COMPANY OF COLORADO

[Res 2015-58](#)

APPROVING GRANT OF EASEMENT TO PUBLIC SERVICE COMPANY OF COLORADO

[Res 2015-59](#)

APPROVING GRANT OF EASEMENT TO PUBLIC SERVICE COMPANY OF COLORADO

[Res 2015-60](#)

APPROVING GRANT OF EASEMENT TO PUBLIC SERVICE
COMPANY OF COLORADO

9. Public Hearings

[Pres 15-286](#)

2015 JAG Formula Grant Public Hearing - \$16,354

Mayor Ford opened the public hearing.

No one appeared to address council regarding this application and the public hearing was closed

A motion was made by Mayor Pro Tem Bullock, seconded by Councilman Amador to move forward with the JAG grant application.

VOTE: 7 aye, 2 excused (Carson, McEldowney)

10. Resolutions

[Res 2015-49](#)

RESOLUTION APPROVING AGREEMENTS RELATING TO THE
PURCHASE AND SALE OF TURNBERRY PARCEL O

A motion was made by Council Member Amador, seconded by Council Member Teter, that this resolution be adopted. VOTE:

Aye: 7 - Mayor Ford, Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador and Mayor Pro Tem Bullock

Excused: 2 - Council Member Carson and Council Member McEldowney

[Res 2015-62](#)

RESOLUTION APPROVING CONTRACT TO BUY AND SELL FRICO
ERU WATER AND OPTION CREDITS TO SDM INVESTMENTS, LLC

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Amador, that this resolution be adopted. VOTE:

Aye: 7 - Mayor Ford, Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador and Mayor Pro Tem Bullock

Excused: 2 - Council Member Carson and Council Member McEldowney

[Res 2015-57](#)

RESOLUTION AMENDING THE DIRECTORY OF CITY FEES AND
CHARGES

Finance Director gave a brief explanation on the proposed resolution. Staff is recommending amending the fee directory to provide for licensing fees for the new marijuana licensing program.

A motion was made by Council Member Benson, seconded by Mayor Pro Tem Bullock, that this resolution be adopted. VOTE:

Aye: 7 - Mayor Ford, Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador and Mayor Pro Tem Bullock

Excused: 2 - Council Member Carson and Council Member McEldowney

11. Ordinances on 1st Reading

[Ord 2059](#)

AN ORDINANCE AMENDING THE 2015 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE ADAMS COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN THE AMOUNT OF \$165,000 FOR THE DERBY INFRASTRUCTURE PROJECT AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

Audience Input:

Guillermo Serna, 14122 E. 102nd Avenue

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: 7 - Mayor Ford, Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador and Mayor Pro Tem Bullock

Excused: 2 - Council Member Carson and Council Member McEldowney

12. Ordinances on 2nd Reading

[Z-920-15](#)

AN ORDINANCE REZONING THE PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, LOCATED AT 6440 EAST 64TH AVENUE, COMMERCE CITY, COLORADO, AND AMENDING THE ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO TO REFLECT SAID REZONING.

Mayor Ford asked to be allowed to abstain from voting on the second reading of this ordinance because he was not present for the public hearing held during the first reading.

A motion was made by Councilman Amador, seconded by Mayor Pro Tem Bullock to allow Mayor Ford to abstain from voting on the second reading of this ordinance.

VOTE: 6 aye, 1 abstain (Ford), 2 excused (Carson, McEldowney)

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Amador, that this zoning ordinance be approved on second & final reading. VOTE:

Aye: 6 - Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador and Mayor Pro Tem Bullock

Excused: 2 - Council Member Carson and Council Member McEldowney

Abstained: 1 - Mayor Ford

13. Presentations

[Pres 15-203](#)

Turnberry and Villages at Buffalo Run East Neighborhood Parks

Parks Planning and Operations Manager Mike Brown gave a presentation on the status of two new neighborhood parks: Turnberry and Villages at Buffalo Run East. These two parks are the second and third of the three neighborhood parks approved as part of the 2K Initiative. Public outreach for this project included: over 1,000 door hangars distributed within a one-half mile radius of both sites, ballots for voting on specific elements and themes were available in both print and electronic media, and press releases. A total of 351 ballots received for Turnberry and 274 ballots received for the Villages at Buffalo Run East.

Mr. Brown answered council questions about the RFP posting.

[Pres 15-225](#)

Refuse & Recycling Program: Fully Automated Collection Project Update

Public Works Director Maria D'Andrea gave a brief presentation to council on the refuse and recycling program and the new fully-automated collection project. She stated that the program objective is minimizing waste while maximizing our recycling materials, improving education, and expanding recycling participation. The city issued an RFP in July 2014, and received two proposals. The program selected through Waste Management is called Fully Automated Collection which involves weekly trash service and bi-weekly single-stream recycling. Waste Management has provided each household with one 96-gallon garbage container and one 96-gallon recycling container. Any additional services above those 96-gallon limit would have to be purchased by the customer. Five large-item pickups will be provided to each household as part of the contract. Waste Management told the city that it usually takes 12-15 weeks to implement a project this size and we are now in week 13. Staff has been tracking complaints to the city and the number of complaints is beginning to decrease.

In response to council questions, old garbage cans can be either placed within a 96-gallon container, or removed as one of your large item pickups. A large item pickup is restricted to 40 pounds. The city does not want unlimited trash put out as one large item.

Lance Allen, appeared on behalf of Waste Management to listen to council feedback.

[Pres 15-341](#)

Rocky Mountain Arsenal National Wildlife Refuge Comprehensive Conservation Plan Review

Community Development Director Chris Cramer gave a presentation regarding the city's position on the Rocky Mountain Arsenal National Wildlife Refuge's Comprehensive Conservation Plan. He stated that there are four main alternatives being proposed in the plan and there are some new elements that are common to the four alternatives: improvements to both First and Second Creeks, a DIA conservation corridor, and restoration of native species. There is a comment period that is scheduled to end on July 6, 2015, and staff has drafted a comment letter in support of Alternative C that includes: expanded visitation, increased access/alternative entrance points, maintain one main entrance, expanded driving tour loop, partners village, and Rattlesnake Hill renovations.

A motion was made by Mayor Pro Tem Bullock, seconded by Councilman Teter to allow Mayor Ford to sign a letter regarding the comprehensive conservation plan.

VOICE VOTE: 7 aye, 2 excused (Carson, McEldowney)

14. Administrative Council Business

A motion was made by Mayor Pro Tem Bullock, seconded by Councilman Teter to call a special meeting for June 22, 2015.

VOTE: 7 aye, 2 excused (Carson, McEldowney)

A motion was made by Mayor Pro Tem Bullock, seconded by Councilman Teter to approve Mayor Ford's travel request of \$268

VOTE: 7 aye, 2 excused (Carson, McEldowney)

A motion was made by Mayor Pro Tem Bullock, seconded by Councilman Benson to approve Councilman Douglas's travel request to an IBB Conference in Florida

VOTE: 7 aye, 2 excused (Carson, McEldowney)

Councilman Douglas asked if information future growth along Tower Road could be included in a future city newsletter. He also asked about the timing of the Tower Road/Pena Ramp in coordination with the expansion of Tower Road. Mr. Douglas also asked about the temporary buildings on the Lutheran School site along 104th.

Councilman Amador stated that he has received an email from Georgia O'Neal regarding cancelation of the senior water exercise class to accomodate swim lessons.

Councilwoman Elliott stated she has received comments regarding the quality of sound and lights during the council meetings being televised on Channel 8.

15. Reports

City Manager McBroom highlighted items of his weekly report emailed to council earlier.

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

16. Adjourn

The meeting adjourned at 9:27 pm.

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