



Meeting Minutes - Final City Council

Monday, July 6, 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 July 6, 2015, at 6:00 PM.

A motion was made by Mayor Pro Tem Bullock, seconded by Councilman Teter, to excuse Council members Amador and McEldowney from tonight's meeting.

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

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 Jadie Carson and Mayor Pro Tem René Bullock

Excused: 2 - Council Member Andrew Amador and Council Member Jason McEldowney

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Audience Introduction

The audience introduced themselves.

4. Proclamations and Recognitions

[Proc 15-20](#)

Parks & Recreation Month Proclamation

City Attorney Gehler read a proclamation declaring July 2015 as Parks and Recreation Month.

A motion was made by Mayor Pro Tem Bullock, 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 Carson and Mayor Pro Tem Bullock

Excused: 2 - Council Member Amador and Council Member McEldowney

5. Citizen Communication

Jeffrey Justice, Longmont, spoke in support of Police Chief Smith and in opposition to the FOP's vote of no confidence against the chief.

Shirley Henni, 6390 Olive St., addressed council regarding traffic accidents at 64th & Olive St.

Glenn Murray, 11010 Havana St., addressed council regarding noxious weeds and maintenance of dirt roads.

Diane Thompson, 11462 Chambers Dr., addressed council regarding driveways in Buffalo Run

Brian Ruden, 9670 Dallas St, addressed council regarding multiple marijuana licenses in one location

6. Consent Agenda

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Teter, 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 Carson and Mayor Pro Tem Bullock

Excused: 2 - Council Member Amador and Council Member McElDowney

[Z-923-15](#)

AN ORDINANCE REZONING THE PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, LOCATED AT 6310 POPLAR STREET, COMMERCE CITY, COLORADO, AND AMENDING THE ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO TO REFLECT SAID REZONING.

[Ord 2056](#)

AN ORDINANCE AMENDING THE 2015 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE TONY GRAMPSAS YOUTH SERVICES GRANT FUNDS IN THE AMOUNT OF \$79,119 FOR THE SUPPORT OF YOUTH MARIJUANA USE PREVENTION AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

[Ord 2057](#)

AN ORDINANCE AMENDING THE 2015 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE ADAMS COUNTY OPEN SPACE GRANT FUNDS IN THE AMOUNT OF \$149,609 FOR THE SUPPORT OF IRRIGATION REPLACEMENT PHASE I AT BUFFALO RUN GOLF COURSE AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

[Ord 2058](#)

AN ORDINANCE AMENDING THE 2015 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE ADAMS COUNTY OPEN SPACE GRANT FUNDS IN THE AMOUNT OF \$359,450 FOR THE SUPPORT OF THE SECOND CREEK COMMUNITY PARK EXPANSION ACQUISITION PROJECT AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

[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.

[Res 2015-61](#)

RESOLUTION IN SUPPORT OF RECERTIFICATION APPLICATION FOR QUALIFIED STATE ENTERPRISE ZONE AREAS WITHIN THE CITY

7. Public Hearings

[2015-45](#)

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 THE SOUTHEAST AND SOUTHWEST CORNERS OF HIGHWAY 85 AND EAST 104TH AVENUE, COMMERCE CITY, COLORADO IN AN-235-15
NO. 2015-45

City Attorney Gehler stated the city received correspondence today, seeking to withdraw the annexation petition.

A motion was made by Councilman Benson, seconded by Councilman Douglas to accept the withdrawal of the annexation petition and cancel all public hearings related thereto.

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

[Z-922-15](#)

AN ORDINANCE APPROVING THE SECOND AMENDMENT TO MARTY FARMS INDUSTRIAL CENTER PUD ZONE DOCUMENT.

Mayor Ford opened the public hearing.

Planner Paul Workman presented the case. The applicant is seeking an amendment to the Marty Farms Industrial Center PUD zone document. The request includes three standards: bulk standards, customized I-2 zoning, and increased design standards.

No further comments were provided to council and the public hearing was closed.

A motion was made by Councilman Benson, seconded by Councilwoman Carson, to accept the findings and recommendations of the planning commission.

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

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Teter, that this zoning 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 Carson and Mayor Pro Tem Bullock

Excused: 2 - Council Member Amador and Council Member McEldowney

[Z-204-79-15](#)

AN ORDINANCE REZONING THE PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, LOCATED AT 8600 ROSEMARY STREET, COMMERCE CITY, COLORADO, AND AMENDING THE ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO TO REFLECT SAID REZONING.

Mayor Ford opened the public hearing.

Caitlin Hasenbalg-Long presented the case. The applicant, South Adams County Fire is seeking a rezoning in order to make improvements to the fire station site and building. The planning commission held a public hearing and voted unanimously to forward the case to council with a positive recommendation.

John Sattler, appeared on behalf of the applicant.

There was no further public comment and the public hearing portion was closed.

A motion was made by Councilwoman Carson, seconded by Councilman Teter, to accept the findings and recommendations of the planning commission.

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

A motion was made by Council Member Douglas, seconded by Council Member Teter, that this zoning 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 Carson and Mayor Pro Tem Bullock

Excused: 2 - Council Member Amador and Council Member McEldowney

8. Resolutions

[Res 2015-47](#)

RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT BETWEEN ADAMS COUNTY AND THE CITY OF COMMERCE CITY REGARDING THE CONDUCT OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

A motion was made by Council Member Elliott, 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 Carson and Mayor Pro Tem Bullock

Excused: 2 - Council Member Amador and Council Member McEldowney

[Res 2015-63](#)

RESOLUTION AMENDING COUNCIL POLICY #CP-12 RELATIVE TO CITY COUNCIL USE OF RECREATION FACILITIES, BUFFALO RUN GOLF COURSE AND PARK SHELTERS

A motion was made by Council Member Teter, seconded by Council Member

Douglas, that this resolution be adopted. VOTE:

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

Excused: 2 - Council Member Amador and Council Member McEldowney

[Res 2015-68](#)

RESOLUTION APPROVING AGREEMENT BETWEEN ADAMS COUNTY COORDINATING COMMITTEE AND THE CITY AND COUNTY OF DENVER REGARDING DENVER INTERNATIONAL AIRPORT

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

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

Excused: 2 - Council Member Amador and Council Member McEldowney

9. Ordinances on 1st Reading

[Ord 2060](#)

AN ORDINANCE AMENDING CHAPTER 5 OF THE COMMERCE CITY REVISED MUNICIPAL CODE BY THE ADDITION OF ARTICLE IX CONCERNING THE REPAIR OF CONSTRUCTION DEFECTS

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

Excused: 2 - Council Member Amador and Council Member McEldowney

[Ord 2063](#)

AN ORDINANCE AMENDING THE 2015 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE COLORADO DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF \$15,128 FOR (DUI) ENFORCEMENT EFFORTS AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Teter, 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 Carson and Mayor Pro Tem Bullock

Excused: 2 - Council Member Amador and Council Member McEldowney

[Ord 2065](#)

AN ORDINANCE AMENDING THE 2015 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE

COLORADO DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF \$3,190 FOR CLICK IT OR TICKET EFFORTS AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Teter, 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 Carson and Mayor Pro Tem Bullock

Excused: 2 - Council Member Amador and Council Member McEldowney

[Ord 2064](#)

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 \$82,400 AND TRANSFERRING A PORTION OF THE UNENCUMBERED FUND BALANCE IN THE GENERAL FUND TO THE CIPP FUND IN THE AMOUNT OF \$39,380, TRANSFERRING \$40,000 FROM THE SOLID WASTE FUND TO THE CIPP FUND, \$355,000 FROM THE IMPACT FEES FUND TO THE CIPP FUND; APPROPRIATING A PORTION OF THE UNENCUMBERED FUND BALANCE IN THE CIPP FUND IN THE AMOUNT OF \$550,000, URBAN RENEWAL AUTHORITY FUND IN THE AMOUNT OF \$50,000 AND THE POLICE DONATION FUND IN THE AMOUNT OF \$44,021.59 FOR A TOTAL AMOUNT OF \$1,160,801.59 AND REAFFIRMING PRIOR APPROPRIATIONS AND AUTHORIZING THE EXPENDITURE THEREOF

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Elliott, 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 Carson and Mayor Pro Tem Bullock

Excused: 2 - Council Member Amador and Council Member McEldowney

10. Administrative Council Business

A motion was made by Councilman Benson, seconded by Councilman Douglas, to direct staff to look into the shared driveway issue and ensure it doesn't happen again.

VOTE: 6 aye, 1 nay (Bullock), 2 excused (Amador, McEldowney)

A motion was made by Councilman Benson, seconded by Mayor Ford to hold a study session regarding increasing the level of commitment to securing a sit-down restaurant in the northern part of the city.

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

Councilman Douglas expressed concern regarding property behind the Seven-Eleven at 104th & Chambers property. He asked for an update on the

modulars at the high school site and when the permanent structure is scheduled.

11. Reports

City Manager McBroom showed a quick Commerce City promotional video.

Mayor Ford reported on his attendance at various meetings and events during the week.

12. Adjourn

The meeting adjourned at 8:55 pm.

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