



Commerce City

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

Meeting Minutes - Final City Council

Monday, November 2, 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 Pro Tem Bullock on November 2, 2015, at 6:05 PM.

A motion was made by Councilman Amador, seconded by Councilman McEldowney, to excuse Mayor Ford from tonight's meeting.

VOTE: 8 aye, 1 excused (Ford)

Present: 8 - 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

Excused: 1 - Mayor Sean Ford

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Audience Introduction

The audience introduced themselves.

4. Proclamations and Recognitions

[15-78](#)

Recognition of 2015 Colorado Parks and Recreation Award Recipients

Colorado Parks and Recreation Association Awards Chair Rachel Wysuph recognized the following:

*Columbine Award: New Facility Design - Paradise Island Pool
Facility Managers Professional of the Year: Chad Redin
Legacy Award: Tim Moore*

5. Citizen Communication

None.

6. Consent Agenda

A motion was made by Council Member McEldowney, seconded by Council Member Elliott, to approve the consent agenda as presented. ROLL CALL

VOTE:

Aye: 8 - 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

Excused: 1 - Mayor Ford

[Res 2015-78](#) RESOLUTION AUTHORIZING NEGOTIATIONS, PURCHASE, AND THE EXERCISE OF THE CITY'S POWERS OF EMINENT DOMAIN TO ACQUIRE CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR THE TOWER ROAD WIDENING PROJECT

[Res 2015-85](#) A RESOLUTION APPROVING THE 2016 CITY OF COMMERCE CITY LEGISLATIVE PRINCIPLES

[Res 2015-103](#) RESOLUTION APPROVING SECOND AMENDMENT TO THE AGREEMENT AMONG ADAMS COUNTY, CITY AND COUNTY OF BROOMFIELD, AND THE MUNICIPALITIES OF BRIGHTON, COMMERCE CITY, FEDERAL HEIGHTS, NORTHGLENN, THORNTON, AND WESTMINSTER TO ESTABLISH THE NORTH METRO TASK FORCE AS A LEGAL ENTITY

[Res 2015-115](#) RESOLUTION GRANTING ENTRY MONUMENT LICENSE TO BUCKLEY RANCH WEST HOMEOWNERS ASSOCIATION, INC.

[Res 2015-117](#) RESOLUTION AUTHORIZING INTERGOVERNMENTAL AGREEMENT REGARDING PROVISION AND FUNDING OF JUVENILE ASSESSMENT SERVICES BY THE LINK

[Ord 2072](#) ORDINANCE AMENDING CERTAIN PROVISIONS OF THE CITY OF COMMERCE CITY SALES AND USE TAX CODE TO BRING IT INTO COMPLIANCE WITH REQUIREMENTS OF COLORADO LAW

7. Public Hearings

[Res 2015-36](#) RESOLUTION ADOPTING THE 2016 BUDGET AND CERTIFICATION OF THE MILL LEVY FOR THE CITY OF COMMERCE CITY.

Mayor Pro Tem Bullock re-opened the public hearing continued from October 19, 2015.

No one appeared to provide public comment and the public hearing was closed.

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

Aye: 8 - 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

Excused: 1 - Mayor Ford

[Res 2015-120](#)**RESOLUTION IN SUPPORT OF APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT**

Council was informed that the application process for CDBG grants has changed and a public hearing is not required.

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

Aye: 8 - 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

Excused: 1 - Mayor Ford

[CU-112-15](#)**CONDITIONAL USE PERMIT FOR AN AUTO BODY REPAIR SHOP - CU-112-15**

Mayor Pro Tem Bullock opened the public hearing.

Planner Jared Draper presented the case. Mr. Draper stated that the property at 7350 Highway 2 is part of the Derby Planned Unit Development. The subject property was originally constructed as a service garage and in 2007 there was a zone change from C-3 to a PUD for the Derby Downtown District. A 2015 amendment to the Derby PUD, allows automotive use and repair for the subject property specifically, with a conditional use permit to match the intent of the original construction of the building as a service garage. There are three proposed conditions: site improvements, 18-month timeframe for completing improvements and no outdoor storage. The planning commission had recommended a nine-month timeframe for improvements, but staff believes that given the upcoming Highway 2 widening project, they don't want to see the property owners improvements destroyed after they have been made.

Alan Sterms appeared on behalf of the applicant. He stated the business would not be doing any major repair work at this location.

A motion was made by Councilman McEldowney, seconded by Councilman Teter, to accept the findings and fact of the planning commission.

VOTE: 8 aye, 1 excused (Ford)

A motion was made by Council Member Benson, seconded by Council Member Douglas, that this conditional use permit be adopted. VOTE:

Aye: 8 - 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

Excused: 1 - Mayor Ford

8. Resolutions

[Res 2015-119](#)**RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT TO JOINTLY FUND THE DESIGN OF A FACILITY TO PROVIDE PROFESSIONAL AND COMPREHENSIVE SERVICES FOR SEXUALLY, PHYSICALLY, AND EMOTIONALLY ABUSED**

CHILDREN AND THEIR FAMILIES

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

Aye: 8 - 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

Excused: 1 - Mayor Ford

9. Presentations

[Pres 15-94](#)

Capital Program Update

Program Manager Scott Hergenrader gave a presentation regarding the capital program update. He stated that the Turnberry Neighborhood and Villages at Buffalo Run East Neighborhood Parks are out for bid, the infrastructure design contract for the new recreation center has been awarded, and 104th should be open to four lanes by end of the year.

Council asked that the completion sign at Paradise Island Pool be removed.

[Pres 15-95](#)

2015 3rd Quarter Work Plan Update

Deputy City Manager Hayes presented the update. Highlights include:

ED: Enterprise Zone was approved in October and the Master Development Agreement for Mile High Greyhound Park is ongoing

CD: active land use cases significantly higher than last year

Safety: developed safety incentive program for implementation in 2016, workers comp cases dropped significantly, revenues outpacing expenditures by \$3.85 million

10. Administrative Council Business

[15-81](#)

Motion to change the study session of November 23, 2015, to a special meeting

City Manager McBroom asked council to consider changing the November 23, 2015, meeting from a study session to a special meeting, adding a special meeting after the November 9, 2015, study session, and canceling the December 28, 2015, meeting.

A motion was made by Council Member McEldowney, seconded by Council Member Teter, to change the November 23, 2015, meeting from a study session to a special meeting, add a special meeting following the study session on November 9, 2015, and cancel the December 28, 2015.

VOTE: 8 aye, 1 excused (Ford)

[15-82](#)

Motion to cancel the city council meeting of December 28, 2015

City Manager McBroom asked council to consider changing the November 23, 2015, meeting from a study session to a special meeting, adding a special meeting after the November 9, 2015, study session, and canceling the December 28, 2015, meeting.

A motion was made by Council Member McEldowney, seconded by Council Member Teter, to change the November 23, 2015, meeting from a study session to a special meeting, add a special meeting following the study session on November 9, 2015, and cancel the December 28, 2015.

VOTE: 8 aye, 1 excused (Ford)

11. Reports

City Manager McBroom highlighted items from his weekly report sent to council earlier.

12. Adjourn to NIGID Meeting

The meeting adjourned at 7:36 pm.

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