



Commerce City

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

Meeting Minutes - Final

City Council

Monday, August 7, 2017

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 August 7, 2017, at 6:04 PM.

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

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Audience Introduction

The audience introduced themselves.

4. Proclamations and Recognitions

[Proc 17-17](#)

Proclamation declaring August as Commerce City Employee Appreciation Month

City Attorney Sheesley read a proclamation declaring August 2017, as Commerce City Employee Appreciation Month.

Employee Activity Committee Chair Messick accepted the proclamation on behalf of the employees.

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

5. Citizen Communication

Ed Hanson, 7630 Leyden Ln., appeared on behalf of the cultural council and thanked the parks, recreation, and golf staff for their support in a successful concert in the park program.

6. Approval of Minutes

[Min 17-35](#)

Meeting Minutes of January 9, 2017

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

[Min 17-31](#)

Meeting Minutes of March 20, 2017

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member McEldowney, to allow Mayor Ford and Council Member Teter to abstain from voting on the minutes of March 20, 2017, because of their excused absence.

VOTE: 7 aye, 2 abstain (Ford, McEldowney)

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

Aye: 7 - Council Member Carson, Mayor Pro Tem Bullock, Council Member Elliott, Council Member McEldowney, Council Member Douglas, Council Member Amador and Council Member Diaz

Abstained: 2 - Mayor Ford and Council Member Teter

[Min 17-36](#)

Meeting Minutes of April 3, 2017

A motion was made by Council Member McEldowney, seconded by Mayor Pro Tem Bullock, to allow Council Member Carson to abstain from voting on the minutes of April 3, 2017, because of her excused absence.

VOTE: 8 aye, 1 abstain (Carson)

A motion was made by Council Member Teter, seconded by Council Member McEldowney, that the minutes be approved. VOTE:

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

Abstained: 1 - Council Member Carson

[Min 17-32](#)

Meeting minutes of May 1, 2017

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

7. Consent Agenda

A motion was made by Council Member McEldowney, seconded by Council Member Carson, to approve the consent agenda as amended. ROLL CALL VOTE:

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

[Ord 2134](#)

AN ORDINANCE AMENDING THE 2017 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 \$471,197 AND TRANSFERRING A PORTION OF THE UNENCUMBERED FUND BALANCE IN THE GENERAL FUND TO THE CIPP FUND IN THE AMOUNT OF \$305,561, TRANSFERRING \$42,310 FROM THE INFORMATION TECHNOLOGY FUND TO THE CIPP FUND, AND APPROPRIATING A PORTION OF THE UNENCUMBERED FUND BALANCE IN THE NIGID FUND IN THE AMOUNT OF \$68,565; THE FLEET FUND IN THE AMOUNT OF \$47,517; URBAN RENEWAL AUTHORITY FUND IN THE AMOUNT OF \$102,248 AND THE POLICE DONATION FUND IN THE AMOUNT OF \$45,622 FOR A TOTAL AMOUNT OF \$1,083,020 AND AUTHORIZING THE EXPENDITURE THEREOF

[AN-245-17](#)

AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF CONTIGUOUS UNINCORPORATED TERRITORY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, GENERALLY LOCATED NORTH OF E. 104TH AVENUE AND WEST OF CHAMBERS ROAD (PIN: 172300000279), COMMERCE CITY, COLORADO

[Z-781-02-04-05-06-10-17](#)

AN ORDINANCE APPROVING THE REUNION PUD ZONE DOCUMENT AMENDMENT NO. 4

[Res 2017-56](#)

RESOLUTION AMENDING THE DIRECTORY OF CITY FEES AND CHARGES

Council Members expressed concern over recreation fees for seniors and children.

City Manger McBroom suggested revising and bringing back the resolution.

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member McEldowney, that this resolution be continued to the August 14, 2017, study session. VOICE VOTE: Unanimous, all present affirmed.

[Res 2017-67](#)

RESOLUTION APPOINTING MEMBERS TO THE SENIOR COMMISSION

Council Member Carson thanked Director of External Affairs Halstead for all her efforts in making the senior commission a reality.

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

[Res 2017-72](#)

A RESOLUTION AUTHORIZING ASSIGNMENT TO THE COLORADO HOUSING AND FINANCE AUTHORITY OF A PRIVATE ACTIVITY BOND ALLOCATION OF THE CITY OF COMMERCE CITY PURSUANT TO THE COLORADO PRIVATE ACTIVITY BOND CEILING ALLOCATION ACT

- [Res 2017-73](#) RESOLUTION APPROVING AMENDMENT TO CONTRACT FOR HIGHWAY 2 WIDENING PROFESSIONAL SERVICES
- [Res 2017-75](#) RESOLUTION FINDING SUBSTANTIAL COMPLIANCE OF AN ANNEXATION PETITION AND SETTING A PUBLIC HEARING TO DETERMINE IF THE PROPOSED ANNEXATION COMPLIES WITH STATUTORY REQUIREMENTS FOR SUCH ANNEXATION AN-239-17
- [Res 2017-76](#) RESOLUTION FINDING SUBSTANTIAL COMPLIANCE OF AN ANNEXATION PETITION AND SETTING A PUBLIC HEARING TO DETERMINE IF THE PROPOSED ANNEXATION COMPLIES WITH STATUTORY REQUIREMENTS FOR SUCH ANNEXATION AN-240-17
- [Res 2017-77](#) RESOLUTION FINDING SUBSTANTIAL COMPLIANCE OF AN ANNEXATION PETITION AND SETTING A PUBLIC HEARING TO DETERMINE IF THE PROPOSED ANNEXATION COMPLIES WITH STATUTORY REQUIREMENTS FOR SUCH ANNEXATION AN-247-17
- [Res 2017-78](#) RESOLUTION FINDING SUBSTANTIAL COMPLIANCE OF AN ANNEXATION PETITION AND SETTING A PUBLIC HEARING TO DETERMINE IF THE PROPOSED ANNEXATION COMPLIES WITH STATUTORY REQUIREMENTS FOR SUCH ANNEXATION AN-248-17
- [Res 2017-82](#) RESOLUTION AUTHORIZING AND REFERRING A BALLOT ISSUE FOR THE NOVEMBER 2017 REGULAR ELECTION TO PROPOSE A FIVE PERCENT EXCISE TAX ON THE WHOLESALE TRANSFER OF MARIJUANA AND MARIJUANA PRODUCTS TO PROMOTE PUBLIC SAFETY AND SETTING THE BALLOT LANGUAGE AND PROVIDING OTHER MATTERS RELATED THERETO
- [Res 2017-84](#) RESOLUTION APPROVING SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT FOR DESIGN SERVICES
- [Res 2017-85](#) RESOLUTION AMENDING COUNCIL POLICY #CP-5 REGARDING COUNCIL EXPENDITURES FOR AUTHORIZED EVENTS AND TRAVEL

8. Public Hearings

- [CU-81-08-10-12-17](#) CONDITIONAL USE PERMIT FOR SALVAGE YARD OPERATIONS IN CASE CU-81-08-10-12-17

A motion was made by Council Member McEldowney, seconded by Council Member Amador, that this conditional use permit be continued to a date to be determined. VOICE VOTE: Unanimous, all present affirmed.

[CU-82-08-10-12-17](#)

CONDITIONAL USE PERMIT FOR SALVAGE YARD OPERATIONS IN CASE CU-82-08-10-12-17

A motion was made by Council Member McEldowney, seconded by Council Member Amador, that this conditional use permit be continued to a date to be determined. VOICE VOTE: Unanimous, all present affirmed.

[Res 2017-65](#)

RESOLUTION APPROVING BOTH THE AMENDED AND RESTATED POTOMAC FARMS METROPOLITAN DISTRICT SERVICE PLAN AND THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF COMMERCE CITY AND THE POTOMAC FARMS METROPOLITAN DISTRICT

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

[Res 2017-66](#)

RESOLUTION APPROVING BOTH THE AMENDED AND RESTATED HIGH POINT METROPOLITAN DISTRICT SERVICE PLAN AND THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF COMMERCE CITY AND THE HIGH POINT METROPOLITAN DISTRICT

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

[Res 2017-71](#)

RESOLUTION APPROVING BOTH THE AMENDED AND RESTATED BUFFALO RUN MESA METROPOLITAN DISTRICT SERVICE PLAN AND THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF COMMERCE CITY AND THE BUFFALO RUN MESA METROPOLITAN DISTRICT

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

9. Ordinances on 1st Reading

[Ord 2140](#)

AN ORDINANCE AMENDING THE 2017 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE TONY GRAMPSAS YOUTH SERVICES GRANT FUNDS IN THE AMOUNT OF \$53,774 FOR THE SUPPORT OF YOUTH EPIC PROGRAM AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

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

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

[Ord 2141](#)

AN ORDINANCE AMENDING THE 2017 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE GREATER OUTDOORS COLORADO IMPLEMENTATION GRANT FUNDS IN THE AMOUNT OF \$1,845,918 FOR THE SUPPORT OF THE PROGRAMS, PLACES AND PATHWAYS PROJECTS, "GO WILD" AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

A motion was made by Council Member Amador, 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 Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member McEldowney, Council Member Douglas, Council Member Amador and Council Member Diaz

10. Ordinances on 2nd Reading

[Ord 2130](#)

AN ORDINANCE AUTHORIZING THE LEASING OF CERTAIN CITY PROPERTY AND THE EXECUTION AND DELIVERY BY THE CITY OF A SITE LEASE, A LEASE PURCHASE AGREEMENT AND OTHER FINANCING DOCUMENTS IN CONNECTION THEREWITH; SETTING FORTH PARAMETERS AND RESTRICTIONS WITH RESPECT TO THE FINANCING; RATIFYING ACTION PREVIOUSLY TAKEN CONCERNING THE REFERENCED TRANSACTIONS; AND PROVIDING OTHER MATTERS RELATING THERETO.

A motion was made by Council Member McEldowney, seconded by Council Member Teter to amend Ordinance 2130 at Section 4, Subparagraph "e" by replacing "1.5 million" with "9 million."

VOTE: Unanimous; all present affirmed

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

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

11. Administrative Council Business

Director of External Affairs Halstead stated that before council was a letter of recommendation in support of Council Member Douglas's appointment to EPA Local Government Advisory Committee.

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Teter, to support the appointment of Council Member Douglas to the EPA Local Government Advisory Committee.

VOTE: Unanimous; all present affirmed

City Manager McBroom informed council of the need for a special meeting on September 5, 2017, for the purpose of conducting the ballot placement lot draw in front of council.

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Douglas, to call a special meeting on September 5, 2017, for the purpose of conducting the ballot placement lot draw.

VOTE: Unanimous; all present affirmed

Council Member Douglas asked for council support in bringing forward a charter amendment question to the ballot making the chief of police report directly to council similar to the city manager, city attorney, and municipal judge.

Council did not voice support.

A motion was made by Council Member Elliott, seconded by Mayor Pro Tem Bullock, to direct staff to provide administrative support for creating and distributing meeting minutes for a committee she is serving on.

VOTE: Unanimous; all present affirmed

Council Member Amador asked for staff to send notice to the Adams County School District 14 Board of Directors that their next meeting with council is set for October 30, 2017.

A motion was made by Council Member Douglas, seconded by Council Member Amador to direct staff to add more positive messaging to offset negative imagery of the city on the internet.

After discussion, a motion was made by Council Member Douglas, seconded by Council Member Amador, to direct staff to add a study session item regarding more positive messaging.

VOTE: Unanimous; all present affirmed

12. Reports

City Manager McBroom reported that the post office has agreed to issue a Commerce City zip code of 80022 to the new recreation center.

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

13. Executive Session

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Carson to recess the regular business meeting until after the scheduled Northern Infrastructure General Improvement District meeting.

VOTE: Unanimous; all present affirmed

A motion was made by Council Member Douglas, seconded by Council Member McElowney, to enter into an executive session, pursuant to CRS

24-6-402(4)(f), for discussion of the annual evaluations of the city manager and city attorney. VOICE VOTE: Unanimous, all present affirmed.

[17-59](#)

An executive session pursuant to CRS 24-6-402(4)(f) for discussion of the annual evaluations of the City Manager and City Attorney.

Upon returning from the executive session, Mayor Ford explained the City Manager and City Attorney evaluation score results and proposed salary adjustments.

A motion was made by Council Member McEldowney, seconded by Council Member Teter, to increase City Manager McBroom's salary to \$190,000 annually, effective January 2017, and to increase City Attorney Sheesley's salary by 4%, to \$161,200 annually, effective January 2017.

VOTE: Unanimous; all present affirmed.

14. Adjourn to NIGID Meeting

The meeting adjourned at 10:38 p.m.

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

Respectfully Submitted By:

Laura Bauer, City Clerk