



Commerce City

7887 E. 60th Ave.
Commerce City, CO 80022
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Meeting Minutes

City Council

Monday, July 2, 2018

6:00 PM

Council Chambers

Regular Meeting

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 2, 2018, at 5:58 PM.

A motion was made by Council Member Huseman, seconded by Mayor Pro Tem Teter, to excuse Council Member Guardiola.

VOTE: 8 - Aye, 1 - Excused (Guardiola)

Present: 8 - Mayor Sean Ford, Mayor Pro Tem Rick A. Teter, Council Member Crystal Elliott, Council Member Steven J. Douglas, Council Member Paolo Diaz, Council Member Benjamin Huseman, Council Member Nicole Frank and Council Member Oscar Madera

Excused: 1 - Council Member Jose Guardiola

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Audience Introduction

The audience introduced themselves.

4. Proclamations and Recognitions

[Proc 18-08](#)

2018 Parks & Recreation Month Proclamation

City Attorney Sheesley read a proclamation declaring July 2018 as Parks and Recreation Month.

Parks, Recreation, and Golf staff members were presented with the proclamation.

A motion was made by Mayor Pro Tem Teter, seconded by Council Member Madera, that this proclamation be approved. VOICE VOTE:

Aye: 8 - Mayor Ford, Mayor Pro Tem Teter, Council Member Elliott, Council Member Douglas, Council Member Diaz, Council Member Huseman, Council Member Frank and Council Member Madera

Excused: 1 - Council Member Guardiola

5. Citizen Communication

Susan Noble, 10642 Olathe and Carly Seller, 10563 Joplin St., came before council to ask that the oil and gas presentation scheduled for the July 9th study session be moved to August 13th.

A motion was made by Council Member Huseman, seconded by Council Member Douglas, that the oil and gas presentation be moved from the July 9th study session to the August 13th study session.

VOTE: 8 - Aye, 1 - Exused (Guardiola)

6. Consent Agenda

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

Aye: 8 - Mayor Ford, Mayor Pro Tem Teter, Council Member Elliott, Council Member Douglas, Council Member Diaz, Council Member Huseman, Council Member Frank and Council Member Madera

Excused: 1 - Council Member Guardiola

[Res 2018-47](#) RESOLUTION APPROVING ECONOMIC DEVELOPMENT BUSINESS INCENTIVES FOR DIVERSIFIED BODY & PAINT SHOP INC.

[Res 2018-57](#) RESOLUTION PROPOSING SUPPORT FOR THE COLORADO DEPARTMENT OF TRANSPORTATION'S BUILD GRANT PROPOSAL

7. Public Hearings

[Res 2018-14](#) 2018 CDBG Annual Action Plan Adoption & Resolution to submit to HUD

Mayor Ford opened the public hearing.

Cheryl Steinberg, Community Development, presented on the 2018 Community Development Block Grant Annual Action Plan. Ms. Steinberg highlighted completed projects, proposed projects in the new plan, and updates on ongoing projects. Ms. Steinberg highlighted survey results received from Commerce City residents and their incorporation into the draft plan.

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

Aye: 8 - Mayor Ford, Mayor Pro Tem Teter, Council Member Elliott, Council Member Douglas, Council Member Diaz, Council Member Huseman, Council Member Frank and Council Member Madera

Excused: 1 - Council Member Guardiola

8. Ordinances on 1st Reading

[Ord 2174](#)

AN ORDINANCE AMENDING THE 2018 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE TONY GRAMPSAS YOUTH SERVICES GRANT FUNDS IN THE AMOUNT OF \$53,774.00 FOR THE SUPPORT OF YOUTH EPIC PROGRAM AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF

A motion was made by Council Member Huseman, seconded by Mayor Pro Tem Teter, that this ordinance be introduced by council as seated and approved on first reading. ROLL CALL VOTE:

Aye: 8 - Mayor Ford, Mayor Pro Tem Teter, Council Member Elliott, Council Member Douglas, Council Member Diaz, Council Member Huseman, Council Member Frank and Council Member Madera

Excused: 1 - Council Member Guardiola

[Ord 2175](#)

AN ORDINANCE AMENDING SECTION 1-3003(a) OF THE COMMERCE CITY REVISED MUNICIPAL CODE TO REDUCE TO 364 DAYS THE MAXIMUM POTENTIAL TERM OF IMPRISONMENT FOR MISDEMEANORS UNDER THE COMMERCE CITY REVISED MUNICIPAL CODE

A motion was made by Mayor Pro Tem Teter, seconded by Council Member Frank, that this ordinance be introduced by council as seated and approved on first reading. ROLL CALL VOTE:

Aye: 8 - Mayor Ford, Mayor Pro Tem Teter, Council Member Elliott, Council Member Douglas, Council Member Diaz, Council Member Huseman, Council Member Frank and Council Member Madera

Excused: 1 - Council Member Guardiola

9. Presentations

[Pres 18-81](#)

E-470 Authority presentation

E-470 Authority Communications Consultant Sheryl Machado, presented to council. Ms. Machade highlighted the history and background of the E-470 Highway Authority, toll fee updates and how the tolls collected are allocated. Ms. Machado reviewed recent projects that have been started or completed in 2018.

10. Administrative Council Business

City Manager McBroom stated that based on comments from council at their last study session, a few minor edits have been made to the letter addressed to the Adams County 14 School District Board of Education.

A motion was made by Council Member Huseman, seconded by Council Member Madera, to authorize Mayor Ford's signature on a letter to Adams 14 School District Board of Education.

VOTE: 8 - Aye, 1 - Excused (Guardiola)

Council Member Douglas informed council of complaints he is receiving from an Eagle Creek resident regarding the train warning signal going off several times for each passing train. He asked that staff find out how many times the warning signal is required to go off.

Council Member Huseman moved that staff prepare an ordinance to exempt charitable 501(c)(3) organizations from any and all taxes collected by the city.

City Attorney Sheesley stated that council could take action to amend the sales and use tax code to grant additional exemptions; however, before taking action, he asked that the finance department be allowed to analyze the impacts of such action on the city's bonds or base budget and best route to take.

An amended motion was made by Council Member Huseman, seconded by Mayor Pro Tem Teter, to direct staff to research the financial impact of exempting 501(c)(3) organizations from sales and use tax and bring a recommended action back to council at a later date.

VOTE: 8 - Aye, 1 - Excused (Guardiola)

Councilman Huseman said that in honor of National Parks & Recreation Month, as well as our nation's birthday this Wednesday, he would like to look at changing the fee structure for the Commerce City Recreation Centers and Paradise Island Pool to allow all active duty military members and their families, who reside in Commerce City, as well as national guard and reserve members and families who are serving on active orders to have free access to the recreation centers and Paradise Island Pool. Additionally, he would like to include any veteran who resides in Commerce City, that has a proven disability rating of 50% or greater.

A motion was made by Mayor Ford, seconded by Council Member Madera, to change the fee structure for the Commerce City Recreation Centers and Paradise Island Pool to allow all active duty military members and their families, who reside in Commerce City, as well as guard and reserve members and families who are serving on active orders to have free access to the recreation centers and Paradise Island Pool.

VOTE: 8 - Aye, 1 - Excused (Guardiola)

Council Member Huseman asked to look at increasing the speed limit on Tower Road back to 55 mph. Council Member Douglas asked that the speed on Highway 2, between Quebec and 120th be increased as well.

A motion was made by Council Member Madera, seconded by Council Member Huseman, to direct staff to conduct an updated speed study on Tower Road, Highway 2 and South of Quebec Parkway from 72nd and Highway 2.

VOTE: 8 - Aye, 1 - Excused (Guardiola)

Mayor Ford asked council to approve a civic recommendation for Senator Moreno to serve on the Adams County 14 School District Board of Education.

A motion was made by Council Member Huseman, seconded by Mayor Pro Tem Teter, to authorize the mayor to provide a civic recommendation to Senator Moreno for appointment to the Adams 14 School District Board of Education.

VOTE: 8 - Aye, 1 - Excused (Guardiola)

11. Reports

City Manager McBroom highlighted items presented in his weekly report provided to council earlier.

A motion was made by Mayor Pro Tem Teter, seconded by Council Member Douglas, to cancel the July 9, 2018 study session.

VOTE: 8 - Aye, 1 - Excused (Guardiola)

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

12. Executive Session

A motion was made by Mayor Pro Tem Teter, seconded by Council Member Madera, to enter into executive session pursuant to C.R.S. 24-6-402(4)(b) to receive legal advice regarding potential litigation arising from the opioid crisis and the selection of outside counsel. VOICE VOTE: 8 - Aye, 1 - Excused (Guardiola)

[18-57](#)

An executive session pursuant to C.R.S. 24-6-402(4)(b) to receive legal advice regarding potential litigation arising from the opioid crisis and the selection of outside counsel.

13. Adjourn

The meeting adjourned at 7:36 p.m.

Respectfully submitted by:

Dylan A. Gibson, Deputy City Clerk