



Meeting Minutes - Final City Council

Monday, October 1, 2012

6:30 PM

Council Chambers

1. Call to Order/Roll Call

Present: 8 - Mayor Sean Ford , Mayor Pro-Tem Dominick Moreno, Council Member Jim Benson, Council Member Jadie Carson, Council Member Rick A. Teter, Council Member René Bullock, Council Member Jason McEldowney and Council Member Steven J. Douglas

Absent: 1 - Council Member Crystal Elliott

3. Pledge of Allegiance

The Pledge of Allegiance was recited.

4. Audience Introduction

The audience introduced themselves.

5. Proclamations and Recognitions

[Proc 12-022](#) Proclamation recognizing Gregg Clements for his years of service to Commerce City

Mayor Ford presented retired Public Works Director Gregg Clements with a proclamation recognizing his 36 years of service to Commerce City.

A motion was made by Mayor Pro-Tem Moreno, seconded by Council Member McEldowney, that this Proclamation be approved. VOTE

Aye: 8 - Mayor Ford, Mayor Pro-Tem Moreno, Council Member Benson, Council Member Carson, Council Member Teter, Council Member Bullock, Council Member McEldowney and Council Member Douglas

[Proc 12-024](#) Proclamation declaring October as Community Planning Month

Mayor Ford presented the Planning Commission with a proclamation declaring October 2012 as planning month in Commerce City.

A motion was made by Council Member Benson, seconded by Mayor Pro-Tem Moreno, that this Proclamation be approved. VOTE:

Aye: 8 - Mayor Ford, Mayor Pro-Tem Moreno, Council Member Benson, Council Member Carson, Council Member Teter, Council Member Bullock, Council Member McEldowney and Council Member Douglas

6. Citizen Communication

Kathy McIntyre, 17509 104th Way, expressed concern about the public notification for the public hearing regarding the Xcel pipeline project and requested the public hearing be postponed.

Kristi Douglas, 10970 Unity Parkway, expressed concern about the public notification for the public hearing regarding the Xcel pipeling project and requested the public hearing be postponed.

Guillermo Serna, 14122 E. 102nd Pl., acknowledged Mr. Clements and expressed concern about horses and commercial vehicle traffic on State Highway 2.

Ellen Haug, 10550 E. 112th Ave., thanked Council for appointing her as a regular member to the Zoning Board of Adjustment.

Representatives from United Power presented Council with a capital credit refund check in the amount of \$7,135.82.

7. Approval of Minutes

[Min 12-016](#) Approval of Minutes of September 17, 2012

A motion was made by Council Member McEldowney, seconded by Mayor Pro-Tem Moreno, that the minutes of September 17, 2012, be approved. VOTE:

Aye: 8 - Mayor Ford, Mayor Pro-Tem Moreno, Council Member Benson, Council Member Carson, Council Member Teter, Council Member Bullock, Council Member McEldowney and Council Member Douglas

8. Public Hearings

[Res 2012-53](#) RESOLUTION IN SUPPORT OF APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT

The Mayor opened the public hearing.

Interm Community Development Director Chris Cramer presented on Resolution 2012-53 regarding the CDBG project. Mr. Cramer stated that this is an utilization of allocation of Community Development Block Grant dollars. The proposal is to utilize \$200,000 for home improvement programs.

No one came forward to address Council regarding this resolution and the public hearing portion was closed.

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

Aye: 8 - Mayor Ford, Mayor Pro-Tem Moreno, Council Member Benson, Council Member Carson, Council Member Teter, Council Member Bullock, Council Member McEldowney and Council Member Douglas

[CU-97-12](#) CONDITIONAL USE PERMIT FOR A NATURAL GAS TRANSMISSION PIPELINE AS PART OF THE CHEROKEE PIPELINE PROJECT

Mayor Ford opened the public hearing.

City Attorney Bob Gehler admitted Exhibits A-I, included with the agenda packet, into the record.

Preston Gibbs and Sara Anderson, representing the applicant, appeared before council and gave a PowerPoint presentation. Mr. Gibbs provided a historical timeline of this project which included an anticipated completion date of January 2018. Mr. Gibbs gave a brief overview of the Cherokee Generating Station project and outlined the proposed route for the pipeline.

Acting Planning Manager Steve Timms presented to Council. The applicant, Public Service Company, is proposing to construct a natural gas pipeline, approximately 34 miles long. The proposed project would be constructed between a new gas metering facility in Fort Lupton (Fort Lupton facility) and the Cherokee Generating Station (Cherokee Station) north of Denver in unincorporated Adams County. The Planning Commission held a public hearing on September 4, 2012, and voted unanimously to forward this case to City Council along with some recommended conditions.

Public Input:

Kathy McIntyre, 17509 104th Way
Kristi Douglas, 10970 Unity Parkway
Guillermo Serna, 14122 E. 102nd Place

Councilman McEldowney moved to continue the public hearing on CU-97-12 for the purpose of gaining additional alignment analysis.

The motion died for a lack of a second and Mayor Ford closed the public hearing.

Council members Douglas and Bullock moved and seconded to deny the findings and recommendations of the Planning Commission.

ROLL CALL VOTE: 5 aye, 3 nay (Carson, Moreno, Teter)

Council members Bullock and Douglas moved and seconded to approve the conditions outlined in CU-97-12, with the exception of the alignment which they proposed to go along the south side of 96th Avenue.

ROLL CALL VOTE: 4 aye, 4 nay (Carson, Teter, Moreno, McEldowney)

Motion fails.

Council members McEldowney and Benson moved and seconded to re-open the public hearing and continue it to October 15, 2012.

ROLL CALL VOTE: 7 aye, 1 nay (Douglas)

Mayor Ford called a brief recess. The meeting reconvened at 11:25 p.m.

9. Ordinances on 1st Reading

[Ord 1934](#)

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF COMMERCE CITY BY ADDING SECTION 2-3005 ENTITLED YOUTH COMMISSION TO ARTICLE III OF CHAPTER 2.

A motion was made by Mayor Pro-Tem Moreno, seconded by Council Member Carson, that this Ordinance be introduced by council as seated and approved on first reading. VOTE:

Aye: 8 - Mayor Ford, Mayor Pro-Tem Moreno, Council Member Benson, Council Member Carson, Council Member Teter, Council Member Bullock, Council Member McEldowney and Council Member Douglas

[Ord 1936](#)

AN ORDINANCE AMENDING THE 2012 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO, BY APPROPRIATING A PORTION OF THE UNENCUMBERED FUND BALANCE OF THE PARK IMPACT FEE FUND IN THE AMOUNT OF \$947,745, FOR THE VAUGHN PROPERTY PURCHASE AND AUTHORIZATION THE EXPENDITURE THEREOF.

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

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

Nay: 1 - Council Member Douglas

[Ord 1937](#)

An Ordinance Amending Section 10-3002 of the Commerce City Revised Municipal Code Relating to Illegal Discharges

Interim Public Works Director Daren Sterling responded to Council questions by stating that the word emergency was added to the ordinance language to address the fire department's training water going into the sewers.

Council members McEldowney and Moreno moved and seconded to reconsider Ordinance 1937 on first reading.

VOICE VOTE: Unanimous; all present affirmed.

Council members McEldowney and Bullock moved and seconded to direct staff to present Ordinance 1937 at a future study session and subsequent regular meeting.

VOICE VOTE: Unanimous; all present affirmed.

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

Aye: 1 - Council Member Benson

Nay: 7 - Mayor Ford, Mayor Pro-Tem Moreno, Council Member Carson, Council Member Teter, Council Member Bullock, Council Member McEldowney and Council Member Douglas

10. Administrative Council Business

Councilman Benson asked staff to provide information on how to improve notification of the public hearing process.

Council members Bullock and McEldowney moved and seconded to purchase a table to the Alternative to Family Violence Gala for \$400 using discretionary funds.

VOICE VOTE: Unanimous, all present affirmed.

Councilman Douglas requested a study session on truck routes throughout the city. Councilman Douglas also requested information on parking restrictions for home-based schools (daycares) based on resident concerns about access. Councilman Douglas asked for information on the lack of School Resource Officers (SROs) at Prairie View High School and Middle School. Councilman Douglas asked for cost information on building a neighborhood park within an area bonded by the following streets: Fairplay, Fraser, 101st Place and 101st Drive.

11. Reports

City Manager McBroom provided his weekly update, noting the date for the IGA discussion on October 15, 2012.

Mayor Ford and Council reported on attending meetings and events from the previous week.

12. Adjourn

The meeting adjourned at 12:45 a.m.