SYNOPSIS:

The official Minutes of the April 11, 2017 Regular City Council meeting have been prepared by the City Clerk's Office and are hereby submitted for Council's approval.

RECOMMENDATION:

Staff recommends approval of Minutes as requested.

BUDGET/STAFF IMPLICATIONS:

None

ALTERNATIVES:

1. Approve the minutes as submitted.
2. Approve the minutes with corrections requested by Council.

BACKGROUND (ANALYSIS/NEXT STEPS/HISTORY): (includes previous City Council action)

None
MINUTES
THORNTON CITY COUNCIL
1441ST REGULAR MEETING
APRIL 11, 2017

1. CALL TO ORDER — By Mayor Williams at 7:01 p.m. in the Council Chambers of the Thornton City Hall.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL OF COUNCIL - Those Present were: Mayor Heidi K. Williams, Mayor Pro Tem Eric Montoya, and Councilmembers, Jan Kulmann, Adam Matkowsky, Sam Nizam, Jacqueline Phillips, and Val Vigil. Absent - Mack Goodman Joshua Zygielbaum

   STAFF MEMBERS PRESENT – Jeff Coder, Acting City Manager; Joyce Hunt, Assistant City Manager; Robb Kolstad, Assistant City Manager; Luis Corchado, City Attorney; Charles Long, Deputy City Manager for Management Services; Brett Henry, Executive Director for Infrastructure; Mike Soderberg, Executive Director for Community Services; Randy Nelson, Executive Director - Police Chief; Gordi Olson, Executive Director - Fire Chief; Maria Ostrom, Finance Director; Chris Molison, Executive Director for Management Services; John Cody, Economic Development Director; Nicole Jeffers, Neighborhood Services Manager; Buz Hedglin, Arts and Culture Manager; Grant Penland, Acting Development Director; Jason O’Shea, Acting Executive Director for City Development; Jay Ruchti, Senior Planner; Lori Hight, Senior Planner; Mark Koleber, Water Supply Director; Kristen Rosenbaum, City Clerk; and Nancy Vincent, Senior Deputy City Clerk.

4. APPROVAL OF THE AGENDA

   The Acting City Manager requested an Executive Session prior to the adjournment of the Council Meeting.

   The City Attorney stated that the Executive Session is being called pursuant to C.R.S. 24-6-402(4)(e) for matters that relate to negotiations, possible strategy negotiations relating to the outlet mall.

   MOTION WAS MADE BY COUNCILMEMBER VIGIL AND SECONDED BY COUNCILMEMBER NIZAM TO APPROVE THE AGENDA AS AMENDED WITH THE ADDITION OF AN EXECUTIVE SESSION. MOTION PASSED UNANIMOUSLY.

5. AUDIENCE PARTICIPATION

   A. Presentations

      1) A resolution conveying the City Council’s gratitude and appreciation to Karen Salazar for her many contributions during the past twenty years of dedicated service to the City of Thornton.

      COUNCILMEMBER KULMANN INTRODUCED, READ IN ITS ENTIRETY, AND MOVED TO APPROVE A RESOLUTION CONVEYING THE CITY COUNCIL’S GRATITUDE AND APPRECIATION TO KAREN SALAZAR FOR HER MANY CONTRIBUTIONS DURING THE PAST TWENTY YEARS OF DEDICATED SERVICE TO THE CITY OF THORNTON.
MOTION WAS SECONDED BY MAYOR PRO TEM MONTOYA AND PASSED UNANIMOUSLY.

Mayor Williams asked Chief Nelson, Karen Salazar and her family to come forward. She thanked Mr. Salazar for her dedication and years of service to the City of Thornton.

2) A resolution conveying the City Council’s gratitude and appreciation to Scott Twombly for his many contributions during the past twenty years of dedicated service to the City of Thornton.

COUNCILMEMBER KULMANN INTRODUCED, READ IN ITS ENTIRETY, AND MOVED TO APPROVE A RESOLUTION CONVEYING THE CITY COUNCIL’S GRATITUDE AND APPRECIATION TO SCOTT TWOMBLY FOR HIS MANY CONTRIBUTIONS DURING THE PAST TWENTY YEARS OF DEDICATED SERVICE TO THE CITY OF THORNTON. MOTION WAS SECONDED BY COUNCILMEMBER PHILLIPS AND PASSED UNANIMOUSLY.

Mayor Williams asked Brett Henry, Executive Director for Infrastructure, Scott Twombly and his family to come forward. She thanked Mr. Twombly for his contributions and dedicated service to the City of Thornton.

B. Audience Participation

Charles Long, 9500 Civic Center Drive, stated that he is retiring as of next Monday, April 17, 2017. He expressed his gratitude and appreciation for the privilege of serving the community the last 43 years and well wishes to the community, Council and employees into the future.

John Brown, 12647 Jersey Circle, was not present in the Chambers.

Matt Moore, 12532 Glencoe Street, stated he is here with some neighbors and asked for guidance on who to speak with about the retail marijuana store proposed in his neighborhood. Mayor Williams asked that Assistant City Manager Robb Kolstad assist Mr. Moore.

Suzanne Cabral, 13575 Franklin Street, explained she is present this evening in follow-up to an email sent to City Council regarding support for H.B. 17-1256 which addresses setback requirements for wells and fracking sites next to schools across the State of Colorado. She urged Council’s support for the bill.

Mayor Williams recognized the scout troop in attendance.

Terry Sisson, 15155 Washington Street, requested information about the proposed warehouse at 136th Avenue and Washington Street. The Acting City Manager explained that this matter is the subject of the first public hearing.
C. Staff Reports

None

6. COUNCIL COMMENTS/COMMUNICATIONS

Councilmember Phillips said that she and Councilmember Goodman continue to work on neighborhood issues such as iwatch, speed cushions in part of their Ward, parking issues, and crime.

Mayor Pro Tem Montoya noted that the upcoming Ward 2 spring meeting is April 13 at 7:00 p.m. in the multipurpose room at the Margaret W. Carpenter Recreation Center. He announced that this Saturday at 9:30 a.m. is the Easter Eggs scramble at the Community Park.

Councilmember Vigil thanked Ms. Cabral for speaking on H.B. 17-1256. He said that he has been in contact with one of the Bill's sponsors and believes Thornton should support this legislation.

COUNCILMEMBER VIGIL MOVED THAT THE CITY OF THORTON PREPARE AND SEND A LETTER OF SUPPORT TO THE SPONSORS OF HOUSE BILL 17-1256. MOTION WAS SECONDED BY COUNCILMEMBER MATKOWSKY.

Discussion on the motion followed.

MOTION FAILED TO RECEIVE A MAJORITY VOTE AS FOLLOWS:

Ayes: Matkowsky, Montoya, and Vigil
Nays: Kulmann, Montoya, Nizam, Phillips, and Williams

Councilmember Kulmann stated that on Saturday she, Councilmember Goodman and the Mayor attended the final competition of the Young Artists Alliance.

Mayor Williams provided an update on an Urban Drainage and Flood Control District seminar she attended as well as the Adams County Economic Development Forum.

7. CONSENT CALENDAR

MOTION WAS MADE BY COUNCILMEMBER NIZAM AND SECONDED BY COUNCILMEMBER VIGIL TO APPROVE THE CONSENT CALENDAR AS PRESENTED.

The City Clerk read into the record the title of the ordinance contained on the Consent Calendar.

MOTION PASSED UNANIMOUSLY.

THE FOLLOWING COUNCIL DOCUMENTS WERE APPROVED ON THE CONSENT CALENDAR:

A. Approval of Minutes - March 28, 2017 Regular City Council Meeting.

B. An ordinance amending the City Council Policy regarding the Rules of Order and
Procedure for City Council meetings regarding the order of the agenda.

C. A resolution approving an easement to allow Verizon Wireless Services to install improvements under and adjacent to the New Union Ditch at 11980 Claude Court, Northglenn, Colorado.

8. PUBLIC HEARINGS

At this time, individuals wishing to provide testimony during the public hearing were sworn in by the City Clerk.


The public hearing was opened at 7:51 p.m. The Acting City Manager gave the opening remarks.

Grant Penland, Acting Development Director, stated that he was previously sworn. He entered into the record the notice of public hearing published in the Northglenn-Thornton Sentinel for the Annexation, Comprehensive Plan Amendment, Zoning, and Conceptual Site Plan; and the notice mailed to property owners within 1,500 feet which were marked as City's Exhibits 1, 2 and 3, respectively. He also entered into the record the Affidavit of Posting and Posting Log and the Affidavit of Mailing notice to the mineral estate owners which were marked as Applicant's Exhibits A and B, respectively.

Mr. Penland presented slides of a vicinity map showing the location of the property, aerial map, zoning amendment, Rio North Annexation purpose, Annexation Map, criteria for the Comprehensive Plan Amendment, Comprehensive Plan Map Conceptual Site Plan overall components and map, Zoning Criteria and map, and from neighborhood meeting results which were later marked as City's Exhibit 4.

Bill Moshure, Senior Managing Director of Trammell Crow Company, 1225 17th Street, Suite 3125, Denver, stated he was previously sworn. He presented slides of the Company's history which was later marked as Applicant's Exhibit C.

Taylor Nelson, Development Manager for the project, 1225 17th Street, Suite 3125, Denver, stated he was previously sworn. He referred to a slide showing the proposed annexation and zoning of the property, and the Conceptual Site Plan which was also contained in Applicant's Exhibit C.

Blair Lichtenfels, Legal Counsel for Trammell Crow, 410 17th Street, Denver 80202, submitted a letter dated April 11, 2017 into the record which was marked as Applicant's Exhibit D. She reviewed with Council the components of the applicant's request for annexation of the property and the proposed Comprehensive Plan Amendment, Zoning, and Conceptual Site Plan.

No one signed up nor wished to speak in support of the proposed development.
The following individual spoke in opposition to the proposed project:

Terry Sisson, 5155 Washington Street, said for a number of years this property was supposed to become the North Denver Tech Center and asked whether the proposed use was the best and highest use for the property. He questioned if this will affect the surrounding property values and if staff has gone out in search of developers who are willing to build the North Denver Tech Center.

John Cody, Economic Development Director, stated he was previously sworn. He said at the time the North Washington Subarea Plan was adopted, the vision was for a North Denver Tech Center type of development. He explained why there is no interest from the development community for Business Park in this area.

Mr. Penland responded to the question regarding the zoning of the surrounding property.

Mr. Moshure responded to the question concerning property values based on different uses for this area.

The public hearing was closed 8:12 p.m.

1) An ordinance approving the annexation of approximately 39.136 acres of property situated in the southeast quarter of Section 15, Township 1 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado, generally located west of Washington Street and south of East 148th Avenue and assigning the annexed property to Ward 4 (Rio North Annexation).

2) A resolution adopting certain Findings of Fact for the annexation to the City of Thornton of certain unincorporated territory situated in the southeast quarter of Section 15, Township 1 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado, generally located west of Washington Street and south of East 148th Avenue and assigning the annexed property to Ward 4 (Rio North Annexation).
COLORADO, GENERALLY LOCATED WEST OF WASHINGTON STREET AND SOUTH OF EAST 148TH AVENUE AND ASSIGNING THE ANNEXED PROPERTY TO WARD 4 (RIO NORTH ANNEXATION). MOTION PASSED UNANIMOUSLY.

3) A resolution approving a Comprehensive Plan Amendment for approximately 41.413 acres of property generally located west of Washington Street and south of East 148th Avenue to change the designation of the property from Employment Center to Regional Commercial and amending the Future Land Use Map (Rio North Annexation).

MOTION WAS MADE BY COUNCILMEMBER KULMANN AND SECONDED BY MAYOR PRO TEM MONTOYA TO APPROVE A RESOLUTION APPROVING A COMPREHENSIVE PLAN AMENDMENT FOR APPROXIMATELY 41.413 ACRES OF PROPERTY GENERALLY LOCATED WEST OF WASHINGTON STREET AND SOUTH OF EAST 148TH AVENUE TO CHANGE THE DESIGNATION OF THE PROPERTY FROM EMPLOYMENT CENTER TO REGIONAL COMMERCIAL AND AMENDING THE FUTURE LAND USE MAP (RIO NORTH ANNEXATION). MOTION PASSED UNANIMOUSLY.

4) An ordinance approving the Zoning of approximately 41.413 acres of property to Regional Commercial and amending the Official Zoning Map to allow for the development of a regional commercial land use for property generally located west of Washington Street and south of East 148th Avenue (Rio North Annexation).

COUNCILMEMBER MATKOWSKY INTRODUCED, READ BY TITLE, AND MOVED TO APPROVE AN ORDINANCE, ON FIRST READING, APPROVING THE ZONING OF APPROXIMATELY 41.413 ACRES OF PROPERTY TO REGIONAL COMMERCIAL AND AMENDING THE OFFICIAL ZONING MAP TO ALLOW FOR THE DEVELOPMENT OF A REGIONAL COMMERCIAL LAND USE FOR PROPERTY GENERALLY LOCATED WEST OF WASHINGTON STREET AND SOUTH OF EAST 148TH AVENUE (RIO NORTH ANNEXATION). MOTION WAS SECONDED BY MAYOR PRO TEM MONTOYA AND PASSED UNANIMOUSLY.

5) A resolution approving a Conceptual Site Plan to allow for the development of a future regional commercial land use on the property generally located west of Washington Street and south of East 148th Avenue (Rio North Annexation).

MOTION WAS MADE BY COUNCILMEMBER KULMANN AND SECONDED BY MAYOR PRO TEM MONTOYA TO APPROVE A RESOLUTION APPROVING A CONCEPTUAL SITE PLAN TO ALLOW FOR THE DEVELOPMENT OF A FUTURE REGIONAL COMMERCIAL LAND USE ON THE PROPERTY GENERALLY LOCATED WEST OF WASHINGTON STREET AND SOUTH OF EAST 148TH AVENUE (RIO NORTH ANNEXATION). MOTION PASSED UNANIMOUSLY.

The meeting was recessed at 8:16 p.m. and reconvened at 8:19 p.m.
9. **ACTION ITEMS**

A. A resolution adopting the 2017 Thornton, Federal Heights, and Northglenn Natural Hazard Mitigation Plan.

Martin Postma, Senior Policy Analyst, presented slides describing the proposed Hazard Mitigation Plan.

**MOTION WAS MADE BY MAYOR PRO TEM MONTOYA AND SECONDED BY COUNCILMEMBER KULMANN TO APPROVE A RESOLUTION ADOPTING THE 2017 THORNTON, FEDERAL HEIGHTS, AND NORTHLLENN NATURAL HAZARD MITIGATION PLAN. MOTION PASSED UNANIMOUSLY.**

B. An ordinance approving a Rezoning of approximately 11.83 acres from Single-Family Attached to Planned Development, an Overall Development Plan/Conceptual Site Plan to develop the site as a Single-Family Detached development, and amending the Zoning Map to allow for the development of property located north of East 128th Avenue and east of Tamarac Street (Villages at Riverdale Carriage House).

COUNCILMEMBER KULMANN INTRODUCED, READ BY TITLE, AND MOVED TO APPROVE AN ORDINANCE, ON SECOND READING, APPROVING A REZONING OF APPROXIMATELY 11.83 ACRES FROM SINGLE-FAMILY ATTACHED TO PLANNED DEVELOPMENT, AN OVERALL DEVELOPMENT PLAN/CONCEPTUAL SITE PLAN TO DEVELOP THE SITE AS A SINGLE-FAMILY DETACHED DEVELOPMENT, AND AMENDING THE ZONING MAP TO ALLOW FOR THE DEVELOPMENT OF PROPERTY LOCATED NORTH OF EAST 128TH AVENUE AND EAST OF TAMARAC STREET (VILLAGES AT RIVERDALE CARRIAGE HOUSE). **MOTION WAS SECONDED BY COUNCILMEMBER PHILLIPS.**

Discussion on the motion followed.

**MOTION PASSED BY A MAJORITY VOTE OF COUNCIL AS FOLLOWS:**

Ayes: Kulmann, Nizam, Montoya, Phillips and Williams  
Nays: Matkowsky and Vigil

C. A resolution conditionally approving an Infrastructure Reimbursement Agreement between the City of Thornton and 144 Bull Crossing Associates, LLC.

Adam Krueger, Assistant Economic Development Director, presented slides illustrating the components of the reimbursement agreement.

**MOTION WAS MADE BY COUNCILMEMBER NIZAM AND SECONDED BY COUNCILMEMBER KULMANN TO APPROVE A RESOLUTION CONDITIONALLY APPROVING AN INFRASTRUCTURE REIMBURSEMENT AGREEMENT BETWEEN THE CITY OF THORNTON AND 144 BULL CROSSING ASSOCIATES, LLC. MOTION PASSED UNANIMOUSLY.**
The City Attorney explained the Executive Session is being called pursuant to C.R.S. 24-6-402(4)(e) for matters that relate to negotiations, possible strategy negotiations relating to the Simon outlet mall.

MOTION WAS MADE BY COUNCILMEMBER NIZAM AND SECONDED BY MAYOR PRO TEM MONTOYA TO RECESS THE COUNCIL MEETING. MOTION PASSED UNANIMOUSLY.

The meeting was recessed at 8:41 p.m. and reconvened at 8:44 p.m.

MOTION WAS MADE BY COUNCILMEMBER VIGIL AND SECONDED BY MAYOR PRO TEM MONTOYA TO RECESS THE MEETING INTO EXECUTIVE SESSION. MOTION PASSED UNANIMOUSLY.

The meeting was recessed at 8:44 and reconvened at 9:20 p.m.

10. ADJOURNMENT

MOTION WAS MADE BY COUNCILMEMBER VIGIL AND SECONDED BY COUNCILMEMBER KULMANN TO ADJOURN THE MEETING AT 8:44 P.M. MOTION PASSED UNANIMOUSLY.

Respectfully submitted,

[Signature]
Nancy Vincent, Senior Deputy City Clerk

ATTEST:

Mayor at time of approval

Approved at the April 25, 2017, City Council meeting.