

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
June 6, 2023

1. Call to Order

Mayor Pro Tem Payton called the meeting to order at 6:00 p.m. in the City Council Chambers at 1001 11th Ave, Greeley, Colorado, with hybrid participation available via the City's Zoom platform.

2. Pledge of Allegiance

Mayor Pro Tem led the Pledge of Allegiance.

3. Roll Call

Heidi Leatherwood, City Clerk called the roll.

Present:

Councilmember Tommy Butler
Councilmember Deb DeBoutez
Councilmember Dale Hall
Mayor Pro Tem Brett Payton
Councilmember Johnny Olson

Absent:

Mayor John Gates-Excused
Councilmember Ed Clark -Excused

4. Approval of the Agenda

City Manager Lee had no changes to the agenda.

5. Recognitions and Proclamations

Mayor Pro Tem Payton read the Juneteenth Proclamation. UNC Cultural Center Manager, Marcus Garvey and Director, Francisco Logan were present to accept at 6:02 p.m.

Councilmember Butler read the Pride Month Proclamation and Ila Leavy and Valerie Whitney from PFLAG were present to accept at 6:04 p.m.

Councilmember DeBoutez presented *What's Great about Greeley?*

6. Citizen Input

1. Steve Teets spoke about 25th Anniversary Celebration for Life Care and noted that public restrooms in local businesses are trending to be available only to paying customers.
2. David Meek spoke about Father's Day and thanked veterans for their service.

7. Reports from Mayor and Councilmembers

Councilmember Olson reported that North Front Range Metropolitan Planning Organization met this last week and are scheduling transit meetings with the Colorado Department of Transportation.

Councilmember DeBoutez attended at the Greeley Blues Jam at Island Grove and thanked staff for transitioning the event indoors due to the rainy weather.

Councilmember Butler reported that he attended the legislative wrap up session at University of Northern Colorado.

8. Initiatives from Mayor and Councilmembers

None.

Consent Agenda

9. **Approval of the City Council Work Session Proceedings of May 9, 2023, and May 23, 2023, and approval of the City Council Proceedings of May 16, 2023**
10. **Consideration of a Resolution finding substantial compliance with State Annexation laws for the properties collectively known as Seeley Lake annexation**
11. **Consideration of a Resolution to adopt the 2023 Water & Sewer Department Integrated Water Resource Plan**
12. **Consideration of a Resolution authorizing the City to enter into an intergovernmental agreement with the Colorado Department of Transportation for the Maintenance and Management of signs, markings, and traffic signals within the City of Greeley**
13. **Introduction and first reading of an Ordinance ratifying and adopting the Collective Bargaining Agreement between the Greeley Fire Fighters Union, International Association of Fire Fighters Local 888 and the City of Greeley, which agreement by its terms is for a period commencing January 1, 2024, through December 31, 2026**
14. **Consideration of a motion for an Appointment to the Greeley/Weld Housing Authority**
15. **Consideration of a Resolution appointing Tammy Hitchens to position of Interim Finance Director and Interim Ex-Officio City Treasurer**

Councilmember Butler moved to approve the Consent Agenda Items 9 through 15. Councilmember Olson seconded the motion. The motion passed 5-0 at 6:26 p.m. with Councilmember Clark and Mayor Gates absent.

End of Consent Agenda

16. **Pulled Consent Agenda Items**

- 17. Public hearing and second reading of an Ordinance amending Title 6, Chapter 2 of the Greeley municipal code relating to Vendor Responsible for Tax**
Director of Finance, John Karner introduced the item at 6:27 p.m.

This item was presented at a work session on May 9, 2023.

Under the current municipal code all tax returns and payments must be submitted to the Director of Finance. By amending Title 6, Chapter 2, Section 6-281, the City will allow a designee to collect tax returns for out-of-state market facilitators and businesses that have created economic nexus. This change allows the city to use the new sales and use tax system (SUTS) from the Colorado Department of Revenue to collect tax returns.

The City will also enter into an intergovernmental agreement with the State of Colorado for the purposes of permitting access to the SUTS System and its related tax information search capabilities.

There were no questions from Council.

The public hearing opened at 6:29 p.m.
With no speakers, the public hearing closed at 6:29 p.m.

Councilmember Olson moved to adopt the ordinance and publish by title only. Councilmember DeBoutez seconded the motion. The motion passed 5-0 at 6:30 p.m. with Councilmember Clark and Mayor Gates absent.

- 18. Consideration of a Resolution to approve entering into an agreement with the State of Colorado Department of Revenue, and use of Sales and Use Tax System (SUTS)**
Director of Finance, John Karner, gave a presentation on the SUTS during Item 17.

There were no questions from Council.

Councilmember Butler moved to adopt the resolution. Councilmember Hall seconded the motion. The motion passed 5-0 at 6:31 p.m. with Councilmember Clark and Mayor Gates absent.

- 19. 2022 Annual Financial Report Briefing**
Director of Finance, John Karner, gave an update on the 2022 financial report at 6:31 p.m.

The City of Greeley is currently in a strong financial position due to robust economic activity coming out of the COVID-19 Pandemic and from significant one-time resources in 2022. While the City continues to see sales tax revenue growth in 2023, growth at a reduced rate from the past two years. Higher inflation is also putting additional pressure on consumer spending and the city is having to adjust several capital projects due to significant increases in cost being driven by inflation. Finance staff are focused on

managing one-time revenues wisely and continue to build capabilities to utilize a longer-term approach to forecasting and financial planning.

Councilmember Olson asked about developer fees and when new fees would be in effect. In response to the question, Mr. Karner noted that the new fee took place in March 2023. Councilmember Olson emphasized that he desires to see more single-family homes built in Greeley.

Councilmember DeBoutez asked if the 2022 Audit is on track. In response to the question, Mr. Karner assured Council that the Finance Department is on track with the help of additional resources and will meet the deadline of September 30, 2023.

No action.

20. 2024 Budget Development Process

Treasurer and Interim Budget and Compliance Manager, Robert Miller, gave an update on the 2024 Budget Development Process at 6:41 p.m.

The Fiscal 2024 City Manager's Recommended Budget Process has been built around intentional use of a future-focused lens and the completion of three-year departmental horizons. Staff has forecasted departmental budget needs, and developed plans to budget for programs, services and needs that advance City Council priorities over a three horizon.

Municipal Court Administrator, Krista Bagnall presented on anticipated 2024 budget increase requests for Municipal Court which will be submitted for consideration through the City Manager's Recommended Budget development process. The anticipated budget increase requests – which total \$221,737 - include (1) a new full-time employee - Deputy Court Administrator, (2) court interpreter fee increases, and (3) a new x-ray machine.

City Attorney, Doug Marek presented on anticipated 2024 budget increase requests for the City Attorney's Office which will be submitted for consideration through the City Manager's Recommended Budget development process. The anticipated budget increase requests – which total \$1.14 million - include (a) five new full-time employees, (b) two part-time positions, (c) specialized outside legal counsel, (d) education, (e) training and staff development, (f) recruitment, (g) applicant assessment, (h) professional coaching and (i) team-building.

Councilmember Olson asked how many legal staff members are needed to support the City efficiently. In response, Mr. Marek added that he currently has a staff of twelve attorneys, seven paraprofessionals, and two part-time law clerks. City of Greeley provides its own tort litigation, which is unlike other municipalities within Colorado, and the City also has three dedicated water resource attorneys. Councilmember Olson requested a breakdown of the budget request and how Greeley's City Attorney's Office staffing and budgeting compares to other cities.

Councilmember Butler asked if the three water attorneys included in the current count of staff. In response, Mr. Marek replied that they are included in the total office count of 18, however, there are currently a couple vacancies.

Councilmember Hall asked if money projected for handling our own court cases was a known amount or only an estimate. In response to the question, Mr. Marek replied that this is a ballpark figure for what they will need. Mr. Marek replied believed the City Attorney's office will be more effective with additional staff.

Councilmember DeBoutez spoke about the sales tax revenue and staff's thoughts on setting the budget now. In response to the question, Mr. Miller replied that the Finance Department watches the trends to adjust accordingly. Mr. Lee added that the City historically has been conservative in spending.

Councilmember Olson asked for performance measures and regular reports on how the City is spending money and being successful.

No Action.

22. Scheduling of Meetings, Other Events

None.

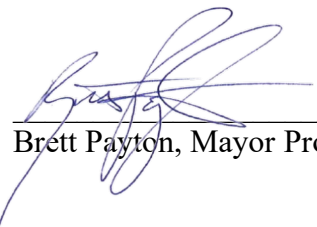
22. Consideration of a motion authorizing the City Attorney to prepare any required resolutions, agreements, and ordinances to reflect action taken by the City Council at this meeting and any previous meetings, and authorizing the Mayor and City Clerk to sign all such resolutions, agreements, and ordinances

Councilmember Olson moved to approve the motion. Councilmember DeBoutez seconded the motion. The motion passed 5-0 at 6:14 p.m. with Councilmember Clark and Mayor Gates absent.

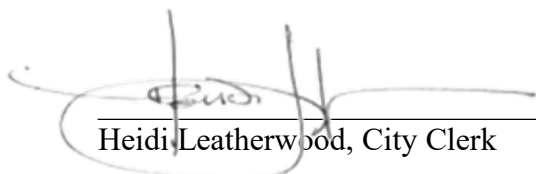
23. Adjournment

Mayor Pro Tem Payton adjourned the meeting at 7:14 p.m.

Approved:


Brett Payton, Mayor Pro Tem

Attest:


Heidi Leatherwood, City Clerk