

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
June 15, 2021

1. Call to Order

Mayor John Gates called the remote meeting to order at 6:00 p.m. via the City's Zoom platform.

2. Pledge of Allegiance

Mayor Gates led the Pledge of Allegiance to the American Flag.

3. Roll Call

Anissa Hollingshead, City Clerk, called the roll.

PRESENT

Mayor John Gates

Council Member Tommy Butler

Council Member Brett Payton

Council Member Dale Hall

Council Member Michael Fitzsimmons

Council Member Ed Clark

Council Member Kristin Zasada

4. Approval of the Agenda

The agenda was approved with a revised agenda summary for item 27.

5. Recognitions and Proclamations

Proclamation for Alzheimer's and Brain Awareness Month – read by Mayor Gates, accepted by Dawn Simmons of the Alzheimer's Association.

Council Member Hall presented the *What's Great About Greeley* report.

Mayor Gates provided a special recognition of George Hall in honor of his 90th birthday, and acknowledging his history of service to the City of Greeley, including his service as mayor and as a council member, and on multiple Charter review committees.

6. Citizen Input

No written comments were received.

Bill Garcia, Greeley resident, shared information about the Greeley Fencing Club, and the challenges the group has had during COVID due to not being able to use space in the Greeley Active Adult Center.

Mike Miskowski, president of the fencing group, also offered comments noting the problem they are still encountering is with the limited hours of the facility, and lack of ability to access the space.

Messina and Mike Corolina spoke as well about the experience of their children in the fencing program. Their son Nick also spoke about his experience with the fencing club.

Bill Gillard, Greeley resident, spoke about his participation as a senior in the fencing program.

Rachael Diebold, Greeley resident, spoke about the concerns she and her husband share about the Council's decision not to increase household occupancy limits at this point, noting they were able to afford to buy a house last year because they are renting out their basement.

7. Reports from Mayor and Council Members

There were no reports from the Mayor or Council Members.

8. Initiatives from Mayor and Council Members

There were no initiatives from the Mayor or Council Members.

Consent Agenda

Council Member Payton moved, seconded by Council Member Butler, to approve the recommended actions on items 9-17.
The motion carried 7-0.

9. Acceptance of the Report of the May 25, 2021 City Council Worksession

The Council action recommended and approved was to accept the report as presented.

10. Approval of the June 1, 2021 City Council Proceedings

The Council action recommended and approved was to approve the proceedings as presented.

11. Consideration of a resolution of the City Council of the City of Greeley, Colorado, extending the City of Greeley Local Disaster Declaration of March 16, 2020 (updated on April 21, 2020, June 2, 2020, August 11, 2020, November 17, 2020, January 19, 2021) related to the COVID-19 Pandemic

The Council action recommended was to adopt the resolution.

Resolution No. 19, 2021 extending the local disaster declaration until July 20, 2021, was adopted.

12. Consideration of a resolution adopting amendments to City Council's Policies and Protocol

The Council action recommended was to adopt the resolution.

Resolution No. 20, 2021 adopting amendments to the Council's Policies and Protocol was adopted.

13. Introduction and first reading of an ordinance changing the official zoning map of the City of Greeley, Colorado, from PUD (Planned Unit Development - Promontory Preliminary PUD) to PUD (Planned Unit Development - Promontory Preliminary PUD, Areas F, L & M, 2nd Amendment) zoning for approximately 99.233 acres, located east of Promontory Parkway, south of 16th Street and north of future 20th Street

The Council action recommended and approved was to introduce the ordinance and schedule the public hearing and final reading for July 6, 2021.

14. Introduction and first reading of an ordinance amending portions of the Greeley Municipal Code, Title 22, Chapter 11 (Electrical Code) as it relates to adopting the 2020 edition of the National Electrical Code, one- and two-family dwellings, Type NM cable, central heating equipment, and auxiliary grounding of photovoltaic systems

The Council action recommended and approved was to introduce the ordinance and schedule the public hearing and final reading for July 6, 2021.

15. Introduction and first reading of an ordinance authorizing the sale of city-owned property located in Section 22, Township 8 North, Range 65 West Of The 6th P.M., Weld County, Colorado, containing 282.00 acres of land, more or less, commonly referred to as the Hasbrouck Farm and city-owned property located in Section 28, Township 8 North, Range 65 West Of The 6th P.M., Weld County, Colorado, containing 156 acres of land, more or less, commonly referred to as the Varra Farm.

The Council action recommended and approved was to introduce the ordinance and schedule the public hearing and final reading for July 6, 2021.

16. Introduction and first reading of an ordinance making supplemental assessments against the lots and lands in Local Improvement District No. 463 to cover the costs of the maintenance of landscaping around the perimeter of Range View Estates (35th Avenue and 20th Street) in the City of Greeley, Colorado

The Council action recommended and approved was to introduce the ordinance and schedule the public hearing and final reading for July 20, 2021.

17. Consideration of a change order in the amount of \$395,737.00 to the Brown and Caldwell contract for the Concept Design for the Terry Ranch Water Supply Project, bringing the revised contract amount from \$1,411,009.00 to \$1,806,746.00

The Council action recommended and approved was to approve the change order.

End of Consent Agenda

18. Pulled Consent Agenda Items

None.

19. Public hearing and final reading of an ordinance appropriating additional sums to defray the expenses and liabilities of the City of Greeley for the balance of the fiscal year of 2021 and for funds held in reserve for encumbrances at December 31, 2020

John Karner, Finance Director, presented as set forth in the PowerPoint in the agenda packet.

In response to questions from Council about the additional funding proposed for use as part of the Oracle implementation project, Director Karner clarified such expenditures are appropriate as part of such a large project that is the first of such initiatives for the organization.

Mayor Gates opened the public hearing at 6:36 p.m.

There being no written comments and no one wishing to be heard, the hearing was closed.

Council Member Fitzsimmons moved, seconded by Council Member Zasada, to adopted the ordinance and publish with reference to title only.
The motion carried 7-0 on a roll call vote.

Ordinance No. 15, 2021, appropriating additional sums for the balance of fiscal year 2021 was adopted.

20. Public hearing and final reading of an ordinance granting a Non-Exclusive Franchise to Allo Greeley, LLC for the Right to Make Reasonable Use of, and Erect, Construct, Operate, and Maintain through the Public Rights-of-Way, Easements, and Other Public Property and Equipment Necessary and Appurtenant to the Operation and Maintenance of a Cable System and the Provision of Cable Services to Citizens within the City

Raymond Lee, Deputy City Manager, introduced and provided background information on this item. Also assisting in the presentation was Brad Moline, resident of Imperial Nebraska, with Allo. Available for questions was Deputy City Attorney Stacey Aurzada.

Mayor Gates opened the public hearing at 6:43 p.m.

There being no written comments and no one wishing to be heard, the public hearing was closed.

Council Member Fitzsimmons moved, seconded by Hall, to adopt the ordinance and publish with reference to title only.
The motion carried 7-0 on a roll call vote.

Ordinance No. 16, 2021, granting a Non-Exclusive Franchise to Allo Greeley, LLC, was adopted.

Mayor Gates took a break in the meeting to recognize and welcome Paul Trombino, the City's new Public Works Director, to the Greeley team.

21. Public hearing to consider a change of zone from PUD (Planned Unit Development - Promontory Preliminary PUD) to PUD (Planned Unit Development - Promontory Preliminary PUD, Areas M & N, 1st Amendment) zoning within Tract B, Promontory Imagine School, Second Filing only for approximately 40.91 acres of property, located north of Highway 34 Bypass, east of Promontory Parkway and south of future 20th Street, known as Promontory PUD, Areas M & N, 1st Amendment, and final reading of an ordinance changing the official zoning map to reflect the same

Brad Mueller, Community Development Director, introduced Planning Manager Mike Garrott who presented as set forth in the PowerPoint in the agenda packet.

In response to questions from the Council about the title including Imagine School, Manager Garrott noted the name carried over from the nomenclature used for naming such projects based on the efforts underway at one time to propose a charter school of that name.

Mayor Gates opened the public hearing at 6:50 p.m.

There being no written comments and no one wishing to be heard, the hearing was closed.

Council Member Clark moved, seconded by Council Member Fitzsimmons, that, based on the application received and the Project Summary and accompanying analysis, the proposed amendment to the Promontory Preliminary PUD, Areas M & N, within Tract B, Promontory Imagine School Second Filing, meets the applicable Development Code criteria, Sections 24-625 (c)(3) a. b. f. g. and h. and Section 24-663 (b) 1 and 2; and, therefore, the rezoning be approved.

The motion carried 7-0 on a roll call vote.

Council Member Clark moved, seconded by Council Member Fitzsimmons, to adopt the ordinance and publish by reference to title only.

The motion carried 7-0 on a roll call vote.

Ordinance No. 17, 2021, changing the official zoning map of the City of Greeley to reflect the change of zone for the subject property was adopted.

22. Public hearing for an ordinance amending Title 24 of the Greeley Municipal Code relating to the Development Code by deleting the current Title in its entirety and adding a new Chapter 1 relating to General Provisions and a new Chapter 2 relating to Procedures

Brad Mueller, Community Development Director, introduced this item and the overall efforts underway to overhaul and replace the existing development code. Chief Planner Carol Kuhn, project manager for the development code rewrite, presented as set forth in the PowerPoint in the agenda packet. Available for questions as well was consultant Chris Brewster with Gould Evans.

In response to a request from the Council, Planner Kuhn provided a description of the simplification of the three step PUD process included in these changes.

Mayor Gates opened the public hearing at 7:01 p.m.

There being no written comments and no one wishing to be heard, the hearing was closed.

Council Member Fitzsimmons moved, seconded by Council Member Zasada, to direct staff to bring back the ordinance as presented for a second reading on September 21, 2021.

The motion carried 7-0.

23. Public hearing to consider a request for a combined Preliminary/Final PUD (Planned Unit Development) approval for an auto repair use on property located at 2505 46th Avenue, and a final plat and site plan for the Suffolk Subdivision 4th Filing, 1st Amendment

Brad Mueller, Community Development Director, introduced Planner Kira Stoller as the project manager for this item. Planner Stoller presented as set forth in the PowerPoint in the agenda packet.

In response to a question from the Council, Planner Stoller clarified where the access drive for this location will be.

Mayor Gates asked if the applicant wished to present. Elliott Smith was present and indicated he did not have a presentation but was available for any questions from the Council.

Mayor Gates opened the public hearing at 7:10 p.m.

There being no written comments and no one wishing to be heard, the hearing was closed.

Council Member Fitzsimmons moved, seconded by Council Member Hall, that, based on the project summary and accompanying analysis, the proposed combined Preliminary and Final PUD for an auto repair use, located at 2505 46th Avenue, and a final plat and site plan for the Suffolk Subdivision 4th Filing, 1st Amendment, are in compliance with the Development Code and are therefore approved.

The motion carried 6-1 on a roll call vote.

Ayes: Council Members Butler, Payton, Hall, Fitzsimmons, Clark, and Mayor Gates.

Nays: Council Member Zasada.

24. Appointment of applicants to the Commission on Disabilities, Construction Trades Advisory & Appeals Board, Downtown Development Authority, Historic Preservation Commission, Human Relations Commission, Rodarte Community Center Advisory Board, Water & Sewer Board, and Youth Commission

The following appointments were made by the Council by written ballot:

- Commission on Disabilities – Christopher Dalgarn and Carl Erickson
- Construction Trades Advisory & Appeals Board – Brad Shade and directed staff to recruit for additional applicants
- Downtown Development Authority – Justin Ghofrani and Matthew Hott
- Historic Preservation Commission – Jacob Melish and directed staff to recruit for additional applicants
- Human Relations Commission – Krissy Bhanji
- Rodarte Community Center Advisory Board – Darren Dunn
- Water & Sewer Board – Cheri Witt-Brown
- Youth Commission – Nash Bhanji and directed staff to recruit for additional applicants

25. Scheduling of Meetings, Other Events

No other meetings or events were scheduled.

26. 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 at any previous meetings, and authorizing the Mayor and City Clerk to sign all such resolutions, agreements and ordinances

Council Member Payton moved, seconded by Council Member Butler, to approve the above authorizations.

The motion carried 7-0.

19. Consideration of an Executive Session to determine positions, develop strategy and instruct negotiators regarding collective bargaining with the Greeley Police Officers Union

Council Member Fitzsimmons moved, seconded by Council Member Zasada, to enter an executive session.

The motion carried 7-0.

20. Adjournment

Mayor Gates adjourned the meeting to executive session at 7:15 p.m. The executive session was called to order at 7:23 p.m., and adjourned at 8:12 p.m.

John Gates, Mayor

Anissa N. Hollingshead, City Clerk