

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
February 4, 2020

1. Call to Order

Mayor John Gates called the meeting to order at 6:30 p.m., in the Council's Chambers at the City Center South Campus, 1001 11th Avenue.

2. Pledge of Allegiance

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

3. Roll Call

Jerry Harvey, Assistant City Clerk, called the roll. Those present were Mayor John Gates and Councilmembers Tommy Butler, Ed Clark, Michael Fitzsimmons, Dale Hall, and Kristin Zasada.

Councilmember Brett Payton was excused due to illness.

4. Recognitions and Proclamations

Mayor Gates presented a proclamation celebrating the 100th Anniversary of the League of Women Voters.

Councilmember Fitzsimmons presented the What's Great About Greeley Report.

5. Citizen Input

Pastor David Meek, Greeley resident, thanked Council and staff for all that they do.

6. Approval of Agenda

The agenda was approved as presented.

7. Reports from Mayor and Councilmembers

Councilmember Fitzsimmons discussed his attendance at the Farm Show and the Future Farmers of America (FFA) scholarship winners' dinner. He congratulated the winners of that scholarship for their accomplishment.

Councilmember Hall echoed the sentiments expressed by Councilmember Fitzsimmons regarding the Farm Show, invited Councilmembers to Colorado Municipal League (CML) workshops, and explained that the Poudre River Trail Corridor Board is discussing the future/vision for the board.

Councilmember Butler also echoed the sentiments related to the Farm Show and promoted the suicide education/awareness programs at North Range Behavior Health Center.

Mayor Gates discussed the Futurist session Council took part in and expressed his gratitude for how great of a session it was. He also discussed the BizWest Economic Forecast which showed that the

Northern Colorado economy is looking good. He concluded by thanking the City Clerk staff for organizing another terrific Boards and Commissions Appreciation Reception.

8. Petitions from Mayor and Councilmembers

Councilmember Clark expressed his concerns about the current meeting times for Council meetings and Worksessions. He proposed moving all Council meetings and Worksessions to a 6:00 p.m. start time.

Councilmember Butler expressed his support for this initiative.

Councilmember Clark also expressed his desire to see interviews for all Boards and Commissions vacancies be held after normal business hours or on the weekends.

Council reached consensus on the first initiative and directed staff to study the time change of Council meetings and Worksessions and to bring an action item to Council's next regular meeting.

Council also reached consensus on the second initiative and directed the City Clerk's Office staff to determine a day and time for interviews that works best for each of the interview teams.

****** Consent Agenda ******

9. Acceptance of the Report of the January 14, 2020, City Council Worksession

The Council action recommended was to accept the Report.

10. Approval of the City Council Proceedings of January 21, 2020

The Council action recommended was to approve the Proceedings.

11. Consideration of a resolution authorizing the City of Greeley to provide fire protection service to the Jackson Annexation and the 2034 Enclave Annexation, as set forth in Exhibits A-1 and A-2 of the Petition to Exclude Territory from Windsor Severance Fire Protection District

The Council action recommended was to adopt the resolution. **(Resolution No. 5, 2020)**

****** End of Consent Agenda ******

Councilmember Hall moved, seconded by Councilmember Fitzsimmons to approve the items on the Consent Agenda and their recommended actions. The motion carried: 6-0 (Councilmember Payton excused)

12. Pulled consent agenda items

No items were pulled from the Consent Agenda.

13. Public hearing and final reading of an ordinance amending Section 14.08.160 of the Greeley Municipal Code (Concerning Watering Restrictions for Inside the City Single-Family Residential Customers on Water Budget Rates)

Sean Chambers, Water and Sewer Director, provided a brief description of the ordinance, background for the reasoning behind the need for the ordinance, and highlighted the recommendation to Council.

Mayor Gates asked if timeframes for watering are enforceable. Mr. Chambers explained that the watering timeframes proposed in the ordinance are not going to be enforced but are strongly recommended.

In response to a question from Councilmember Fitzsimmons, Mr. Chambers explained that the penalty for violating the provisions on this ordinance would be education instead of a traditional penalty.

Mayor Gates opened the public hearing at 6:57 p.m., and no comments were offered.

Councilmember Fitzsimmons moved, seconded by Councilmember Hall to adopt the Ordinance and publish with reference to title only. The motion carried: 6-0 (Councilmember Payton excused) **(Ordinance No. 1, 2020)**

14. **Public hearing and final reading of an ordinance to consider a change of zone from R-L (Residential Low Density) to R-M (Residential Medium Density) for 1.87 acres of property and from R-M (Residential Medium Density) to R-H (Residential High Density) with an associated Development Concept Master Plan for 4.22 acres of property, located west of 47th Avenue, east of 49th Avenue Court, north of 25th Street, and south of 24th Street, known as the Park Crossing Rezone, and changing the official zoning map to reflect the same**

Brad Mueller, Community Development Director, introduced Brittany Hathaway, Planner III, to present this item. Ms. Hathaway briefly highlighted the proposed rezone, the Development Concept Master Plan, the surrounding land uses, the proposed townhome development for the property, and the rezone criteria. She concluded with the recommendation to Council from the Planning Commission.

In response to a question from Councilmember Hall, Ms. Hathaway explained that the empty lots surrounding the proposed rezone are zoned commercial.

In response to a question from Councilmember Fitzsimmons regarding traffic in the area after development, Ms. Hathaway explained that a traffic study has been conducted and no adjustments were needed.

In response to a question from Mayor Gates regarding parking, Mark Bowman, applicant and developer from Colson Development, explained that each townhome will have a two car garage and space for two more cars to park in driveway.

Mayor Gates opened the public hearing at 7:07 p.m.

Betty Carwin, Greeley Resident, thanked Ms. Hathaway for her hard work but voiced concern about increased traffic and congestion as well as increased parking issues. She asked for Council to deny rezone.

Gary Carwin, Greeley Resident, voiced his concern and asked that the new road being proposed with the development not be a narrow, one-lane road.

Sueann Swetzig, Greeley Resident, voiced concern about the rezone including a potential loss of quality of life for those living near the proposed development.

Mayor Gates closed the public hearing at 7:17 p.m.

In response to a question from Councilmember Zasada regarding guest parking at the proposed development, Ms. Hathaway explained that this is only a request for a rezone but parking would be up to the developer and would come up in the next phase of the process.

Mr. Bowman explained that guest parking has been added to the development plan, but the issue is that it typically turns into resident parking and then guests do not have spaces to park. He added that they also plan on building in such a way to block the light and the view of the Subaru dealership.

Councilmember Hall recommended to the developer that they put the requirement that guests park in the guest parking lot in the Home Owners Association covenants.

In response to a question from Councilmember Butler regarding affordability of the housing units, Mr. Bowman explained that the cost will be between \$285,000 and \$300,000 for a 1,300 to 1,500 square foot unit.

Councilmember Zasada explained that she appreciates the residents coming to speak and she respects their concerns. She added that there will always be a challenge like this in a growing City.

Mayor Gates expressed his support for this item because a concept plan will be coming in the future.

Councilmember Fitzsimmons also noted his appreciation for the residents' concerns, but expressed his support for this item as well.

Councilmember Fitzsimmons moved, seconded by Councilmember Zasada to find that, based on the application received and the preceding analysis, the proposed rezone from R-L (Residential Low Density) to R-M (Residential Medium Density) for a 1.87-acre tract, and from R-M (Residential Medium Density) to R-H (Residential High Density) with a DCMP (Development Concept Master Plan) for a 4.22-acre tract meets Development Code Section 18.30.050(c)(3) f, g and h; and, therefore, the rezone is approved. The motion carried: 6-0 (Councilmember Payton excused)

Councilmember Fitzsimmons moved, seconded by Councilmember Butler to adopt the ordinance and publish with reference to title only. The motion carried: 6-0 (Councilmember Payton excused) **(Ordinance No. 2, 2020)**

15. School Land Dedication Fee-in-Lieu Discussion

Mr. Mueller briefly highlighted the background of the proposal and what it would take to make the change to the process; described the school district boundaries that would be involved as well as potential sites for development; and concluded by describing the proposal.

Representatives from the three school districts within Greeley (Eaton School District RE-2, Windsor School District RE-4, and Greeley/Evans School District 6) explained how these types of intergovernmental agreements are currently working in their districts and how the proposed intergovernmental agreement would impact their districts and the City of Greeley.

Shannon Bingham, a consultant in school district funding, discussed why this sort of agreement is a good idea and explained that they created the proposed fee structure based on current Greeley statistics.

Councilmember Zasada expressed that she is hesitant to adding additional development fees, and Mr. Mueller explained that this is not an issue to be taken lightly but surrounding communities are currently taking advantage of this sort of agreement and structure.

In response to questions from Councilmember Butler, Mr. Mueller explained that the additional cost a developer would have to pay for a development similar to the one proposed in the previous item, 220 units, would be approximately \$1,200 per unit. He added that it is hard to forecast how many additional schools will be needed based on the amount of proposed future development of the City.

Mr. Mueller added that this proposal would be a win-win for both the school districts. He further explained that the City's development fees are independent and would not increase, but the cost to the developer would go up because they would be charged by the school district, similar to the requirements for some developments to build a new road or park along with their development.

In response to a question from Councilmember Zasada, Mr. Mueller explained that, if the City does not form an enter into an intergovernmental agreement for development fees, taxpayer revenues and bonds will continue to be required to build the necessary schools in the future.

Council directed staff to continue discussions with the relevant parties and to bring a proposal back to Council when appropriate in the future.

16. Executive Session for Annual Review of the City Manager

Councilmember Fitzsimmons moved, seconded by Councilmember Hall to go into Executive Session to discuss personnel who report to Council as provided under C.R.S. 24-6-402(4) and Greeley Municipal Code Section 2.04.020 (6) a. The motion carried: 6-0 (Councilmember Payton excused)

17. Scheduling of meetings, other events

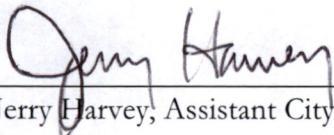
There were no additional meeting or events scheduled.

18. 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

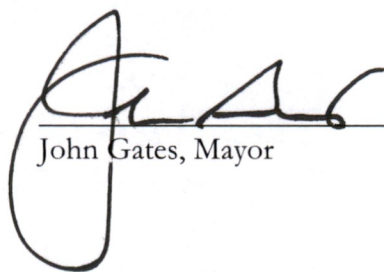
Councilmember Hall moved, seconded by Councilmember Fitzsimmons to approve the above authorizations, and the motion carried: 6-0 (Councilmember Payton excused)

19. Adjournment

There being no further business to come before the Council, Mayor Gates adjourned the meeting and moved into Executive Session at 8:04 p.m. The Executive Session adjourned at 9:07 p.m.



Jerry Harvey, Assistant City Clerk



John Gates, Mayor