City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
March 17, 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

Cheryl Aragon, Interim City Clerk, called the roll. Those present were Mayor John Gates and Councilmembers Tommy Butler, Ed Clark, Michael Fitzsimmons, Dale Hall, Brett Payton and Kristin Zasada.

4. Recognitions and Proclamations

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

Mayor Gates presented a Proclamation recognizing the City of Greeley's 150th Anniversary and a Proclamation recognizing April 11, 2020, as Parkinson's Disease Awareness Day.

5. Citizen Input

There was no citizen input offered via email to the City Clerk's Office.

6. Approval of Agenda

The agenda was approved upon noting additional documentation for Item Nos. 4 and 17.

7. Reports from Mayor and Councilmembers

There were no reports offered.

8. Initiatives from Mayor and Councilmembers

There were no initiatives offered from Councilmembers.

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

9. Acceptance of the Report of the February 25, 2020, City Council Worksession

The Council action recommended was to accept the Report.

10. Approval of the City Council Proceedings of March 3, 2020

The Council action recommended was to approve the Proceedings.

11. Introduction and first reading of an ordinance authorizing a salary increase for the City Manager

This item was pulled from the Consent Agenda.

12. Introduction and first reading of an ordinance authorizing a salary increase for the City Attorney

This item was pulled from the Consent Agenda.

13. Introduction and first reading of an ordinance authorizing a salary increase for the Municipal Judge

This item was pulled from the Consent Agenda.

14. Introduction and first 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 2020 and for funds held in reserve for encumbrances at December 31, 2019

The Council action recommended was to introduce the ordinance and schedule the public hearing and final reading for April 7, 2020.

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

Councilmember Clark moved, seconded by Councilmember Fitzsimmons to approve the items on the Consent Agenda and their recommended actions with the exception of Item Nos. 11, 12, and 13. The motion carried: 7-0

15. Pulled consent agenda items

Councilmember Butler moved to table Item Nos. 11, 12, and 13 for 30 days to better assess the City's COVID-19 response. The motion died for the lack of a second.

11. Introduction and first reading of an ordinance authorizing a salary increase for the City Manager

Councilmember Zasada moved, seconded by Councilmember Clark to introduce the ordinance and schedule it for public hearing and final reading for April 7, 2020. The motion carried: 6-1 (Butler opposed)

12. Introduction and first reading of an ordinance authorizing a salary increase for the City Attorney

Councilmember Fitzsimmons moved, seconded by Councilmember Hall to introduce the ordinance and schedule it for public hearing and final reading for April 7, 2020. The motion carried: 6-1 (Butler opposed)

13. Introduction and first reading of an ordinance authorizing a salary increase for the Municipal Judge

Councilmember Clark moved, seconded by Councilmember Hall to introduce the ordinance and schedule it for public hearing and final reading for April 7, 2020. The motion carried: 6-1 (Butler opposed)

16. Public hearing and final reading of an ordinance changing the official zoning map of the City of Greeley, Colorado from C-D (Conservation District) and I-L (Industrial Low Intensity) to I-L for 80 acres of property located at 525 N. 14th Avenue, and known as the Island Grove Rezone, and public hearing and final reading of an ordinance changing the official zoning map to reflect the same

Brad Mueller, Community Development Director, reported that the applicant, the City of Greeley, is requesting a rezone of 80 acres of land from Conservation District (C-D) and Industrial Low Intensity to Industrial Low Intensity. The original C-D zoning was established based on the defined area of the floodway at the time. The limits of the floodway have since changed, so the original premise of the zoning no longer applies. The current C-D zoning limits almost all land uses and development, including expansion of Island Grove facilities, so rezoning the property to a zone district that supports development is in the public interest.

He stated that the Planning Commission considered this request on February 25, 2020, and unanimously recommended approval to City Council.

Mayor Gates opened the public hearing at 6:52 p.m., and no comments were offered via email to the City Clerk's Office.

Councilmember Fitzsimmons moved, seconded by Councilmember Zasada to find that, based on the application received and the preceding analysis, the proposed rezone from C-D (Conservation District) and I-L (Industrial Low Intensity) to I-L meets Development Code Section 18.30.050(c)(3) a, b, d, e, f and g; and, therefore, approve the rezone.

Mayor Gates stated that Chad Sanger and Justin Watada, passed along through the Mayor, that they are excited about this and the collaboration on this.

A vote on the motion was taken and it carried: 7-0

Councilmember Ftizsimmons moved, seconded by Councilmember Zasada to adopt the ordinance and publish it by reference to title only.

A vote on the motion was taken and it carried: 7-0 **(Ordinance No. 5, 2020)**

17. COVID-19 Update

Dan Frazen, Emergency Manager, provided a brief presentation regarding COVID-19 and response efforts on the part of the City and collaboration with other agencies.

Doug Marek, City Attorney, referenced various handouts for Council's consideration, the first being a Resolution distributed to Council that would extend the original Emergency Disaster Declaration through April 21, 2020.

Councilmember Hall moved, seconded by Councilmember Payton to adopt the resolution, and the motion carried: 7-0 **(Resolution No. 11, 2020)**

Councilmember Payton moved, seconded by Councilmember Hall to cancel the March 24, 2020, Worksession in light of the City's response to COVID-19. The motion carried: 7-

Councilmember Butler moved, seconded by Councilmember Payton to adopt a Resolution amending Council's Policies and Protocol to allow for remote Council Meetings and Worksessions in light of the current COVID-19 situation. The motion carried: 7-0 **(Resolution No. 12, 2020)**

In response to a question from Councilmember Butler, Police Chief Mark Jones stated that officers will be asked to use common sense when it comes to encountering people with expired drivers' licenses since the Department of Motor Vehicles is closed. He added that he would talk more about this with the Deputy Chiefs.

Councilmember Butler also inquired about the ability for the City to halt evictions, and Mr. Marek advised that actions for eviction are filed in the State court system so the City does not have the authority to halt them. He added that he would look at measures that could be taken and report back.

Councilmember Butler also stated that he had been in conversation with the Downtown Development Authority, and there are several things they are wanting to discuss in terms of Downtown businesses, such as sales tax payment relief.

Mayor Gates offered Godspeed to all first responders quarantined and noted that the Emergency Operations Center is doing great work. He stated that Staff is much appreciated, and he asked that everyone work together to get through this challenging time.

18. 2019 End of Year Financial Report

Robert Miller, Budget Manager, reported that this is the 2019 End of Year Financial Report that provides the revenue and expenditure information for each major fund. The summary included many of the trends and other highlights that have been discussed throughout the year and during the 2020 budget process.

He went on to highlight key areas of the report including General fund carry over which is driven by higher collections of sales tax, use tax, oil royalties, severance and mineral taxes, permits and licenses, and interest earnings.

He went on to summarize various components of new construction including new residential construction permits and the adjustments to the anticipated amount of development impact fees that

were received in 2019 as a lower fee is applied to multifamily units. This shift in permits has been identified for future resource projections.

Mr. Miller concluded by stating that overall, fund balances are at or above anticipated levels as was presented during 2019 and that available fund balances will be allocated through additional appropriations and the 2021-2022 budget process. He added that the City currently has sufficient reserves to meet reserve requirements and has the ability to adjust for unforeseen circumstances or events.

19. Appointment of applicants to the Citizen Budget Advisory Committee, Citizen Transportation Advisory Board, Museum Board, and Union Colony Civic Center Advisory Board

Citizen Budget Advisory Committee – John Shull

Citizen Transportation Advisory Board – Lavonna Longwell, Steve Teets, and Directed staff to recruit for additional applicants)

Museum Board – Directed staff to recruit for additional applicants

Union Colony Civic Center Advisory Board – Perry Bell, Craig Montgomery, and Mark Pugatch

20. Scheduling of meetings, other events

There were no additional meetings or events scheduled.

21. 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 Clark moved, seconded by Councilmember Payton to approve the above authorizations, and the motion carried: 7-0

22. Adjournment

There being no further business to come before the Council, Mayor Gates adjourned the meeting at 7:51 p.m.

John Gates, Mayor

Cheryl Aragon, Interim City Clerk