City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
April 16, 2019

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, Deputy City Clerk, called the roll. Those present were Mayor Gates and Councilmembers Robb Casseday, Michael Fitzsimmons, Dale Hall, Brett Payton, and Jon Smail. Councilmember Stacy Suniga was excused.

4. Recognitions and Proclamations

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

Mayor Gates presented two Proclamations; one for Education and Sharing Day and the other recognized Arbor Day.

5. Citizen Input

Adrianna Pieren-Medina, Greeley resident, addressed Council about underage smoking at her high school and noted that having a smoker's corner encourages smoking. She stated that there are a lot of students selling cigarettes for $1, and 40 percent of smokers are freshmen, sophomores and juniors. She stressed that this behavior could lead to health issues for these young kids.

Victor Arredando, Greeley resident, expressed concern with street lights in Greeley and noted that they are too quick to turn from green to yellow then red and could cause accidents. He made a special note about the lighted intersection at 10th Avenue and 16th Street, which Mayor Gates indicated he would have staff take a look at.

Lowry Moyer, Faith and Development Director for Greeley Weld Habitat, was present and spoke of the Greeley Urban Renewal Authority's (GURA's) part in local homeownership. She thanked the Greeley City Council for those investments and improvements and shared all the ways that Habitat also contributes to the community. She stated that she values their relationship with GURA and the City of Greeley and looks forward to Workforce Initiatives.

Ifra Hirsi, Greeley Central student, expressed concern that there are not sufficient mosques in this community where people can pray in peace. Mayor Gates encouraged her to reach out to her school principal.

6. Approval of Agenda

The agenda was approved as presented upon noting Replacement Documentation for Item No. 21.

7. Reports from Mayor and Councilmembers

Mayor Gates spoke of Greeley's Sister City program and the visitors who arrived to Greeley that afternoon bearing gifts for the City. He extended a warm welcome to those visitors and the families hosting them.

8. Petitions from Mayor and Councilmembers

There were no petitions offered.

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

9. Approval of the City Council Proceedings of April 2, 2019

The Council action recommended was to approve the Proceedings.

10. Acceptance of the Report of the April 9, 2019, City Council Worksession

The Council action recommended was to accept the Report.

11. Consideration of a resolution authorizing the Chief of Police to enter into a Memorandum of Understanding with the Weld County Department of Human Services regarding protocols for the notification and investigation of child abuse and neglect

The Council action recommended was to adopt the Resolution. **(Resolution No. 14, 2019)**

12. Introduction and first reading of an ordinance annexing to the City of Greeley, Colorado, certain unincorporated territory located in Weld County, Colorado, known as the 2034 Enclave Annexation, generally located north of Highway 34 Bypass and south of 20th Street, between 83rd Avenue and 95th Avenue

The Council action recommended was to introduce the Ordinance and schedule the Public Hearing and final reading for May 7, 2019.

13. Consideration of a change order to the purchase order with J&T Consulting (J&T) for engineering design services for Phase 2 of the Bellvue Intake Structure Maintenance Project (Project), increasing the purchase order from $47,580.00 to $60,850.00 (an increase of approximately 28%)

The Council action recommended was to approve the Change Order. **(Change Order No. 1, 2019)**

14. Consideration of the City of Greeley's Consolidated Annual Performance and Evaluation Report (CAPER) for Program Year 2018 and Analysis of Impediments to Fair Housing report and plan for Submission to the U. S. Department of Housing and Urban Development

The Council action recommended was to approve the recommendations of the Greeley Urban Renewal Authority Board and approve the reports.

15. Consideration of Community Priorities and Recommendation for the HUD-required Five-year Consolidated Plan

The Council action recommended was to adopt the recommendations of the Greeley Urban Renewal Authority for Community Priorities for the HUD-required Five-year Consolidated Plan.

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

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

16. Pulled consent agenda items

No items were pulled from the Consent Agenda.

17. Public hearing and final reading of an ordinance annexing to the City of Greeley, Colorado, certain unincorporated territory located in Weld County, Colorado, known as the Jackson Annexation, located at 245 83rd Avenue

Brad Mueller, Community Development Director, reported that he would provide one report for Item Nos. 17 and 18.

He stated that the applicants propose to annex a 38.41 acre parcel of unincorporated property located at 245 83rd Avenue and that due to the parcel's contiguity to the City of Greeley, annexation is required of the applicants in order to obtain City water service, per City policy.

He went on to report that the applicant's approached Weld County with a proposal to subdivide a parcel of land and construct a single-family home. Through inter-jurisdictional review and coordination, the applicants were allowed to complete the recorded exemption process through the County to divide their property, and receive a building permit for the construction of the single-family home with the agreement that the residence would not be able to connect to City water until annexed.

Mr. Mueller went on to report on the criteria to be considered with this type of request. He also spoke of the City's public notice efforts and the Planning Commission's conversations about this request.

Mayor Gates inquired about the concerns about getting a water tap, and Mr. Mueller advised that the house would get a water tap. He stated that the other properties do have a loop system on City water which was part of a long-standing agreement as the City acquired water rights. Water pressure is low so this would increase that, and other properties would not be required to annex in.

In response to a question from Councilmember Hall, Mr. Mueller advised that there is one-sixth contiguity along the western border with the Poudre River Ranch development just to the north.

Mayor Gates opened the public hearing at 7:12 p.m.

Floyd Weiderspoon, resident, expressed opposition because this sets on an island off of 83rd Avenue. He added that he does not oppose the water tap and does not desire to come into the city.

There being no other public comments offered, Mayor Gates closed the Public Hearing 7:16 p.m.

In response to questions from Councilmember Casseday, Sean Chambers, Water and Sewer Director, stated that water policy does require annexation into the city limits for those being served. He stated this area is changing and mixed uses will start to happen soon. He added that elevation from Bellevue is really dragging pressure here and that it would not be in the best interest of the City to be serving those outside the city.

Councilmember Payton moved, seconded by Councilmember Hall to direct the City Attorney to prepare a resolution setting forth the Council's findings and conclusions that: 1) the applicable parts of the Colorado Revised Statutes, Sections 31-12-104 and 31-12-1-5 are met; 2) an election is not required; and 3) there are no additional terms and conditions imposed. The motion carried: 6-0 (Suniga excused) **(Resolution No. 17, 2019)**

Councilmember Payton moved, seconded by Councilmember Hall to adopt the findings of the Planning Commission that, based on the project summary and accompanying analysis, the proposed annexation meets the requirements of the Development Code criteria of Section 18.26.050(a) as follows: 1) the annexation is in conformance with the City's Comprehensive Plan policies; 2) adequate services are, or will be, available to support anticipated development; 3) the annexation provides a continual and rational boundary; 4) the annexation is needed to accommodate future land use requirements; 5) the annexation promotes geographic balance of the city's land use pattern; and the proposed annexation meets State statutory requirements; and, therefore, adopt the ordinance and publish it by reference to title only. The motion carried: 6-0 (Suniga excused) **(Ordinance No. 18, 2019)**

18. Public hearing to consider a request to establish R-E (Residential Estate) zoning on approximately 38.41 acres of property located at 245 83rd Avenue, and a public hearing and final reading of an ordinance changing and affirming the official zoning map of the City of Greeley, Colorado

The report for this item was given under Item 17 above.

Mayor Gates opened the public hearing at 7:27 p.m., and no comments were offered.

Councilmember Payton moved, seconded by Councilmember Hall that based on the project summary and accompanying analysis, the proposed establishment of zoning to R-E (Residential Estate) zone district meets Development Code Section 18.30/070(b)(1-2); and therefore approve the establishment of zoning. The motion carried: 6-0 (Suniga excused)

Councilmember Payton moved, seconded by Councilmember Hall to adopt the map change ordinance and publish it by reference to title only. The motion carried: 6-0 (Suniga excused) **(Ordinance No. 19, 2019)**

19. Consideration of a resolution authorizing the Mayor to enter into an Intergovernmental Agreement Regarding Land Use, Growth Boundaries, and Future Annexations Between Kersey, Evans, and Greeley

Mr. Mueller reported that in 2018, the City committed to a work program item to develop an intergovernmental agreement with the Town of Kersey. Throughout the year, and after increasing the scope to include the City of Evans, a proposed agreement has been reached for Council's consideration.

He advised that Evans has approved this agreement, and Kersey is considering it now.

He referenced some minor changes, one of which was to correct the growth area to not include Garden City.

Mayor Gates opened the public hearing at 7:28 p.m., and no comments were offered.

Councilmember Hall moved, seconded by Councilmember Casseday to adopt the resolution. The motion carried: 6-0 (Suniga excused)**(Resolution No. 15, 2019)**

20. Consideration of a resolution of the Greeley City Council endorsing the candidacy of Councilmember Dale Hall for the Executive Board of the Colorado Municipal League

Councilmember Fitzsimmons moved, seconded by Councilmember Casseday to adopt the resolution. The motion carried: 6-0 (Suniga excused) **(Resolution No. 16, 2019)**

21. Appointment of applicants to the Citizen Budget Advisory Committee and Museum Board

See amendment handout for addition of Rodarte Community Center Advisory Board appointment.

Citizen Budget Advisory Committee –	Ron Adams
Museum Board –	Emily Burkhardt
Rodarte Community Center Advisory Board –	Katie Butler and Daniel Reyez

22. Scheduling of meetings, other events

Roy Otto, City Manager, made note of the Council and staff attendance at the Annual Colorado Municipal League Conference in June. Councilmember Hall moved, seconded by Councilmember Casseday to cancel the June 18th Council meeting. The motion carried: 6-0 (Suniga excused)

Councilmembers confirmed that with regard to the trash issue, they want staff to pursue requiring every property to have trash service and clarified that they do not want any additional licensing components.

23. 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 Payton moved, seconded by Councilmember Casseday to approve the above authorizations, and the motion carried: 6-0 (Suniga excused)

24. Adjournment

There being no further business to come before the Council, Mayor Gates adjourned the meeting at 7:43 p.m.

John Gates, Mayor

Cheryl Aragon, Deputy City Clerk