

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
April 21, 2020

1. Call to Order

Mayor John Gates called the meeting to order at 6:00 p.m. This was a remote meeting conducted via Zoom Meetings and live streamed to the public via the City of Greeley YouTube channel.

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 virtually 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 Clark presented the What's Great About Greeley Report.

5. Citizen Input

An email received from Kendra Villarreal, Evans resident, was read into the record which expressed concerns about the reopening of Greeley golf courses. She noted that the Greeley Country Club seems packed with golfers not practicing social distancing measures. She asked Council to reconsider its' decision.

An email received from Wendy Adams was read into the record which expressed concern with the way the Colorado Department of Public Health and Environment is reporting COVID-19 cases and statistics.

6. Approval of Agenda

The agenda was approved upon noting handouts for Item No. 22.

7. Reports from Mayor and Councilmembers

Councilmember Payton reported that he serves on the Chamber Foundation that is reviewing applications for the Greeley Area Recover Fund grant money, and that money will be sent out soon to qualifying businesses.

Councilmember Clark reported on talks with Comcast about broadband and service concerns.

Councilmember Zasada reported that she had participated in a virtual Downtown Development Authority Meeting where discussions centered around concerns about lost revenue with typical events in and around the community being cancelled.

Mayor Gates expressed appreciation for the COVID-19 communication and information coming from staff.

8. Initiatives from Mayor and Councilmembers

Councilmember Hall reported that he received a ballot from the North Weld Water District and requested some clarity from staff about why that was received.

Roy Otto, City Manager, stated that he would work with the City Attorney's Office and Sean Chambers, Water & Sewer Director, on that situation and will communicate back to Council.

Councilmember Butler, out of concern for people unable to pay rent, requested a discussion on occupancy rates.

Councilmember Payton added that occupancy rates at the University of Northern Colorado should also be discussed.

Councilmembers reached consensus on both initiatives to direct staff to provide information on both topics.

Councilmember Fitzsimmons requested regular briefings on the personal isolation facility at Bonell, and Mr. Otto reiterated that each COVID-19 Briefing on Tuesdays and Fridays will include an update on the personal isolation facility.

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

9. Acceptance of the Report of the April 3, 2020, Council Briefing: COVID-19 Update

The Council action recommended was to accept the Report.

10. Approval of the City Council Proceedings of April 7, 2020

The Council action recommended was to approve the Proceedings.

11. Acceptance of the Report of the April 10, 2020, Council Briefing: COVID-19 Update

The Council action recommended was to accept the Report.

12. Approval of the Special City Council Proceedings of April 14, 2020

The Council action recommended was to approve the Proceedings.

13. Acceptance of the Report of the April 14, 2020, City Council Worksession

The Council action recommended was to accept the Report.

14. Consideration of a resolution adopting the Sharktooth Bluffs Basin Storm Drainage Master Plan

The Council action recommended was to adopt the Resolution. **(Resolution No. 18, 2020)**

15. **Consideration to approve a change order in the amount of \$68,673.24 to the contract with DeFalco Construction Company for the 48" CMP/Replacement on #3 Ditch Project and bringing the revised contract amount from \$257,316.87 to \$325,990.11**

The Council action recommended was to approve the Change Order. **(Change Order No. 2, 2020)**

16. **Consideration to approve a change order in the amount of \$60,193.88 to the contract with YEH & Associates for the 10th Street Access Improvements Phase II Project and bringing the revised contract amount from \$201,911.15 to \$262,105.03**

The Council action recommended was to approve the Change Order. **(Change Order No. 3, 2020)**

17. **Consideration of a change order in the amount of \$147,828.54 to the contract with Olsson Associates for the Turn Lanes on 20th St. Clubhouse Drive to 59th Ave. Project, bringing the revised contract amount from \$209,543.00 to \$357,371.54 and increasing the contract time by 180 days**

The Council action recommended was to approve the Change Order. **(Change Order No. 4, 2020)**

18. **Introduction and first reading of an ordinance adopting amendments to the Greeley Municipal Code, consisting of Chapter 18.54 – Signs, in order to comply with recent Court decisions regarding content neutrality**

The Council action recommended was to introduce the ordinance and schedule the public hearing and final reading for May 5, 2020.

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

Councilmember Payton moved, seconded by Councilmember Hall to approve the items on the Consent Agenda and their recommended actions. The motion carried: 7-0

19. Pulled consent agenda items

No items were pulled from the Consent Agenda.

20. **Public hearing and final reading of an ordinance authorizing the acquisition of interests in real property located in the City of Greeley for road improvements by purchase or exercise of power of eminent domain pursuant to Section 7 of Article XVI, Section 15 of Article II, and Sections 1 and 6 of Article XX of the Colorado Constitution and Colorado Revised Statute § 38-1-101, et seq. (35th Avenue, 4th Street to F Street Road Improvement Project)**

Joel Hemesath, Public Works Director, reported that this ordinance authorizes the acquisition of property interests by purchase or by exercise of power of eminent domain, if deemed necessary, required to construct the 35th Avenue, 4th Street to F Street Road Improvement Project.

The stated that the 2019-2023 City of Greeley Capital Improvement Plan identifies the necessity for improvements of 35th Avenue between 4th Street to F Street Road to improve traffic flow and enhance bike and pedestrian safety. Key elements of the project include the addition of travel lanes and roundabouts, curb and gutter improvements, and detached sidewalks and bike lanes.

Mr. Hemesath specified that the Project will require the acquisition of tracts of fee simple right of way, permanent easements, and temporary construction easements along 35th Avenue. City staff have begun discussions with owners within the project area. As the Project progresses, staff will continue to work with owners to meet the goals of the project, address site considerations, and acquire the property interests necessary for the project. Staff fully intend to negotiate in good faith and follow a uniform acquisition process for all affected owners; however, if an agreement cannot be reached, and in order to meet the schedule and budget requirements of the project, the City may consider the use of eminent domain. This ordinance was introduced at the April 7, 2020, Council meeting.

Mayor Gates opened the public hearing at 6:47 p.m. It was noted that no comments or questions were filed with the City Clerk's Office about this agenda item.

Councilmember Fitzsimmons moved, seconded by Councilmember Zasada to adopt the ordinance and publish it by reference to title only. The motion carried: 7-0 (**Ordinance No. 10, 2020**)

21. University of Northern Colorado Update

Dr. Andy Feinstein, University of Northern Colorado President, was virtually present and spoke about the University's COVID-19 response efforts on campus for faculty and students. He stated that efforts have focused on health and safety and offering some things like dining services, refunded parking fees, and addressing a number of other needs that have been requested.

In terms of going forward, Dr. Feinstein stated that they are trying to address concerns about employment, housing, financial stresses, etc.

He stated that it is still unclear what will happen with classes in the fall and that it is very likely that they will be conducted virtually.

He reported that the Board will be meeting on April 22nd to focus on the budget and students and faculty have been invited to participate virtually in that discussion.

He made note of his appreciation to the City for its efforts and offered support from the University.

22. COVID-19 Update

Dan Frazen, Emergency Manager, provided an update of State and local confirmed cases, and noted hospitalization numbers in Greeley.

He spoke again of the additional masks provided for City employees, as well as the Homeless Shelter at Island Grove Event Center which will remain open through April 30th.

He updated the Council on the alternative care facility at The Ranch and stated that it is projected to be operational on May 15th with 195 beds.

With regard to the personal isolation facility at Bonell, Mr. Frazen stated that the intergovernmental agreement was signed and work is set to begin on April 22nd so that it can be operation the following week.

He went on to reference Governor Polis' briefing of April 20th. He stated that the Safer at Home campaign is being reviewed and more clarity is expected soon.

Mr. Frazen advised that the City's existing emergency declaration is expiring as of April 21st, so a resolution extending that is to be considered at this meeting.

Councilmember Payton wondered if it would be a good idea to extend the emergency declaration through a date that is also a regular Council Meeting, and staff and Council concurred.

Doug Marek, City Attorney, reminded the Council that it could end sooner as well based on cases and statistics.

Councilmember Payton moved, seconded by Councilmember Fitzsimmons to adopt the resolution extending the emergency declaration through June 2, 2020. The motion carried: 7-0 (**Resolution No. 19, 2020**)

Ben Snow, Economic Health and Housing Director, provided a review of the Greeley Area Recovery Fund Program highlighting that 62 applications have been received and that approximately \$380,000 has been received in other donations, including the City of Evans, private, and grass roots contributions in addition to the City's \$250,000. He stated that this has really cemented this effort as a true public/private partnership.

Councilmember Zasada stated that there has been a very strong commitment from larger business donors and that this has been included as an enterprise zone effort which provides tax benefits for those who contributed.

She also stated that she has confirmed that none of the dollars contributed to this fund will go toward administrative costs. Those will all be absorbed by the Chamber and the City of Greeley.

With regard to what the average grant might be, Councilmember Payton stated that the applications received so far are at varying levels. Businesses seem to be asking for only what they need, not the maximum grant amount. He noted that the Task Force is under strict non-disclosure agreements and all applications are residing on a secure server that is password protected.

Mr. Snow stated that updates on this fund will continue to be provided at all Council COVID-19 Briefings and Meetings. He added that he will be able to provide statistics on Greeley versus the total number of applicants.

23. Historic Preservation Program Overview

Brad Mueller, Community Development Director, reported that this is the Greeley's Historic Preservation Programs 25th anniversary of the adoption of the Historic Preservation Chapter into the Greeley Municipal Code.

He introduced Elizabeth Kellums, Historic Preservation Specialist, who reported that during the 150 years of Greeley's history, many buildings have been lost and replaced, with only a few buildings remaining from the early years. Some of these include the Greeley Historic Register- and National Register- designated Meeker Home at 1324 9th Avenue and the Nettleton-Mead House at 1303 9th Avenue, which are some of Greeley's most historically and architecturally valuable resources reflecting Greeley's history.

She spoke of Richard Moe, as president of the National Trust for Historic Preservation, and his description of preservation - "Preservation is simply having the good sense to hold on to things that are well designed, that link us with our past in a meaningful way, and that have plenty of good use left in them." She emphasized that Greeley has a large stock of buildings that are well-designed and link us to the past and have good use left.

Ms. Kellums stated that building losses such as these mentioned led to public efforts to save buildings important to Greeley residents, and ultimately to the 1995 adoption of the historic preservation chapter of the Greeley Municipal Code. The Historic Preservation chapter gives the City and Greeley residents the chance to preserve buildings that tell the story of Greeley and provide context for Greeley's historical and cultural identity. Those buildings connect us with and teach us about Greeley's 150 years of history as we move forward as a community. She provided a review of various historically designated properties.

She went on to report that Greeley's historic preservation program includes the Greeley Historic Register, financial incentives, and educational outreach. The Greeley Historic Preservation Commission has designated 93 individual properties and 2 historic districts on the Greeley Historic Register between 1996 and the present, reviews new designation applications, and reviews applications for major alterations to those properties. Greeley offers a City-funded Historic Preservation Low Interest Loan for exterior rehabilitation work on Greeley Historic Register properties, a refund of the building portion of permit fees, and the State Historic Preservation Tax Credits for rehabilitation work. Walking tours, a History Brown Bag series, and the Historic Preservation Month events and poster contribute to educating the public about Greeley's history. These historic resources and sharing the stories of places that matter help show what makes Greeley great.

Councilmember Zasada stated that this is something that is near and dear to her heart and shared that she lives in an historic home and been through this process. She emphasized that it is a dagger to her heart seeing what has been lost. She expressed appreciation for this great presentation on a very important subject.

Mayor Gates also expressed appreciation for Ms. Kellums' passion for historic preservation.

24. Appointment to Greeley/Weld Housing Authority

Councilmember Fitzsimmons moved, seconded by Councilmember Zasada to approve the appointment of Karen Crandall to the Greeley/Weld Housing Authority. The motion carried: 7-0

25. Scheduling of meetings, other events

There were no additional meetings or events 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**

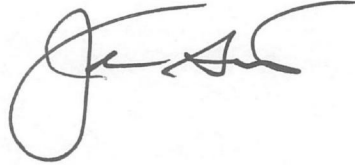
Councilmember Clark moved, seconded by Councilmember Hall to approve the above authorizations, and the motion carried: 7-0

27. **Adjournment**

There being no further business to come before the Council, Mayor Gates adjourned the meeting at 7:21 p.m.



Cheryl Aragon, Interim City Clerk



John Gates, Mayor