

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
July 2, 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

Jessica Diagana, Assistant City Clerk, called the roll. Those present were Mayor John Gates and Councilmembers Robb Casseday, Michael Fitzsimmons, Dale Hall, Brett Payton, Jon Smail and Stacy Suniga.

4. Recognitions and Proclamations

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

5. Citizen Input

Steve Teets, Greeley resident, spoke of the need for a noise ordinance in light of the recent 4th of July holiday fireworks. He also stated that he does not think that people are thinking of their neighbors when they are doing fireworks.

6. Approval of Agenda

The agenda was approved as amended upon noting replacement documentation for Item Nos. 9, 14 and 15.

7. Reports from Mayor and Councilmembers

Councilmember Suniga reported on her attendance at a recent Human Relations Commission meeting which is busy making plans for several upcoming events.

Councilmember Hall spoke of the Poudre River noting it is full and running fast. He indicated that the Trail Manager stated that the river has reached its peak and there should be no problems on the trail.

Councilmember Casseday made mention of his recent trip to Sister City, Moriya, Japan and spoke of the dedication of the Culture, Parks and Recreation staff for a trip such as this.

8. Petitions from Mayor and Councilmembers

Councilmember Suniga spoke of the affordable housing issues that were discussed at the Colorado Municipal League Conference that she attended and asked that she begin working with City staff to

engage discussions regarding affordable housing opportunities through the Department of Local Affairs. It was the consensus of Council for her to do so.

Councilmember Suniga also made mention of the condition of the sidewalks on 5th Avenue that have several trip hazards and asked that staff look into it.

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

9. Approval of the City Council Proceedings of June 4, 2019

The Council action recommended was to approve the Proceedings.

10. Acceptance of the Report of the June 25, 2019, City Council Worksession

The Council action recommended was to accept the Report.

11. Introduction and first reading of an ordinance concerning the acquisition of interests in real property located in Weld County, Colorado for sanitary sewer infrastructure, by purchase or exercise of the 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 Colo. Rev. Stat. § 38-1-101, et seq. (Ashcroft Lift Station)

The Council action recommended was to introduce the ordinance and schedule the public hearing and final reading for July 16, 2019.

12. Introduction and first Reading of an ordinance amending sections of Chapter 9 of the Greeley Municipal Code to require mandatory trash service and to make technical corrections to Code sections regarding refuse

This item was pulled from the Consent Agenda.

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

Councilmember Payton moved, seconded by Councilmember Hall to approve the items on the Consent Agenda and their recommended actions with the exception of Item No. 12. The motion carried: 7-0

13. Pulled consent agenda items

12. Introduction and first Reading of an ordinance amending sections of Chapter 9 of the Greeley Municipal Code to require mandatory trash service and to make technical corrections to Code sections regarding refuse

Councilmember Hall expressed that he feels that there is still something that needs to be done about refuse but that he cannot imagine that this ordinance will help. He stated that he would like staff to further investigate other options.

Mayor Gates thanked staff for their work on this issue noting that he does not feel that this ordinance is

the solution to the problem.

Councilmember Hall moved, seconded by Councilmember Payton to deny the ordinance. The motion carried: 7-0

14. Public hearing and final reading of an ordinance amending Sections 2.07.040 and 4.20.160 of the Greeley Municipal Code regarding Intergovernmental Agreements and Change Orders

Renee Wheeler, Finance Director, reported that the intent of this ordinance is to add more specificity around when intergovernmental agreements should be submitted to City Council for consideration and more specificity for change orders to designate City Council consideration for cumulative change orders that would add 25% or more to the original contract cost of \$100,000 or greater. She noted that these changes are consistent with code revisions from last year related to purchasing.

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

Councilmember Fitzsimmons moved, seconded by Councilmember Casseday to amend the ordinance introduced on May 7, 2019 entitled "An ordinance amending Sections 2.07.040, 4.20.160, and 4.20.190 of the Greeley Municipal Code regarding Intergovernmental Agreements, Change Orders, and Contract Types" by removal of the proposed changes to 4.20.190 related to Types of Contracts. The motion carried: 7-0

Councilmember Fitzsimmons moved, seconded by Councilmember Suniga to adopt the ordinance as amended and publish in full. The motion carried: 7-0 **(Ordinance No. 27, 2019)**

15. 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 2019 and for funds held in reserve for encumbrances at December 31, 2018

Robert Miller, Budget and Compliance Manager, reviewed the requests for the third additional appropriation of the year including fund budget balances, appropriation funding sources, General Fund requests, special revenue funds, capital funds, enterprise funds, internal service fund, and provided a summary of the appropriation requests.

Mayor Gates opened the public hearing at 7:09 p.m.

Edwin Grant, Greeley resident, made mention of the supplemental request for LED outside light replacements at the FunPlex questioning why staff should choose LED over fluorescent lights due to concerns of hail and other damage. Joel Hemesath, Public Works Director, reported that the lights are covered and protected.

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

Councilmember Casseday moved, seconded by Councilmember Hall to adopt the ordinance and publish with reference to title only. The motion carried: 7-0 **(Ordinance No. 28, 2019)**

16. Public hearing and final reading of an ordinance repealing Section 14.04.100 of the Greeley Municipal Code regarding the water and sewer budget setting process

Erik Dial, Utility Finance Manager, reported that the process for water and sewer budget development as provided for in 14.04.100 is no longer the most effective means of developing meaningful water and sewer budget recommendations, because the established deadlines are too early to know significant factors that influence prudent fiscal planning. He stated that it is more workable for the Water and Sewer budget development to align with the overall City budget development process to ensure a unified and equitable organizational strategy for personnel, equipment, services and capital projects.

Mayor Gates opened the public hearing at 7:14 p.m., and no comments were offered.

Councilmember Suniga moved, seconded by Councilmember Casseday to adopt the ordinance and publish with reference to title only. The motion carried: 7-0 (**Ordinance No. 29, 2019**)

17. Public hearing and final reading of an ordinance adopting amendments to the Greeley Municipal Code, including Chapter 18.04 and Appendix 18-A, regarding reassignment of City Engineer certification on plats and other development review documents to the Engineering Development Review and Civil Inspection Manager

Mike Garrott, Planning Manager, reported that this is a clean-up item of a process that has been in place for years that require multiple signatures from departments. He reported that this change will assist in streamlining the land use processes for applicants. The Planning and Engineering Development Review Departments will continue to coordinate with ancillary reviewers within the other departments of the City government, primarily Public Works and Water/Sewer Departments, by providing referrals during the land use process.

Mayor Gates opened the public hearing at 7:16 p.m., and no comments were offered.

Councilmember Casseday moved, seconded by Councilmember Payton to adopt the ordinance and publish with reference to title only. The motion carried: 7-0 (**Ordinance No. 30, 2019**)

18. Public hearing and final reading of an ordinance of the Greeley Municipal Code amending Chapter 9.18; amending Chapter 14.15; and amending Chapter 14.16 all related to the City of Greeley's Municipal Separate Storm Sewer System

Joel Hemesath, Public Works Director, spoke of the City's Municipal Separate Storm Sewer Systems (MS4) Permits and Stormwater's Water Quality Unit that was completed in 2018. He reviewed the proposed code revisions for MS4 permit requirements, illicit discharge detection and elimination, construction sites, post-construction stormwater management in new development and redevelopment, and noted that this is an opportunity to modernize a dated process.

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

Councilmember Hall moved, seconded by Councilmember Suniga to adopt the ordinance and publish with reference to title only. The motion carried: 7-0 (**Ordinance No. 31, 2019**)

19. Appointment of applicants to the Citizen Budget Advisory Committee, Construction Trades Advisory & Appeals Board, Downtown Development Authority, Rodarte Community Center Advisory Board, Water & Sewer Board, Youth Commission

Citizen Budget Advisory Committee
Construction Trades Advisory & Appeals Board

Laura Fischer
Wendell Heyen

James Morris
Brian Persons

Downtown Development Authority

Matthew Anderson
T. Drew Notestine

Rodarte Community Center Advisory Board
Water & Sewer Board

Ken Schultz
Emma Pena-McCleave

Youth Commission

Fred Otis
Manuel Sisneros
Jakob Crowell

20. Scheduling of meetings, other events

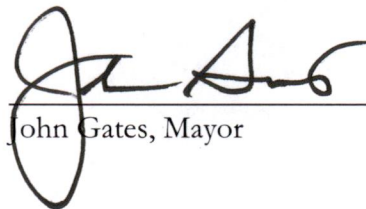
No additional meetings, or other events were scheduled.

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 Casseday 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 7:31 p.m.



John Gates, Mayor



Jessica Diagana, Assistant City Clerk