

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
July 06, 2021

1. Call to Order

Mayor John Gates called the meeting to order at 6:00 p.m. in the City Council Chambers at 1001 11th Ave, Greeley, Colorado.

2. Pledge of Allegiance

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

3. Roll Call

Anissa Hollingshead, City Clerk, called the roll.

PRESENT

Mayor John Gates

Council Member Tommy Butler

Council Member Brett Payton

Council Member Dale Hall

Council Member Michael Fitzsimmons

Council Member Ed Clark

Council Member Kristin Zasada

4. Approval of the Agenda

The agenda was approved as presented.

5. Recognitions and Proclamations

Mayor Gates recognized Council Member Kristin Zasada to present the *What's Great About Greeley* report.

6. Citizen Input

Randy Sparkman, Greeley, spoke in the Council Chambers on behalf of collective bargaining unit Greeley Local 88 representing members of the Greeley Fire Department in support of a new collective bargaining agreement.

Shana Cordova, a Greeley fire fighter, spoke in the Council Chambers in support of a new collective bargaining agreement.

Mike Medhurst, president of Greeley Fire Fighters Local 888, spoke in the Council Chambers in support of a new collective bargaining agreement. Medhurst presented a hand out with wage comparisons to the Council, which was placed in the public record.

Yanna Curry, Greeley, spoke regarding the recent flooding following last week's torrential rain storm and impacts to her home in the downtown area.

At the request of Mayor Gates, City Manager Roy Otto provided information about the plans the City already has underway to take steps to address drainage issues downtown.

Ashley Rodriguez, Greeley, spoke regarding the damage to her downtown home due to the recent flooding.

7. Reports from Mayor and Council Members

Council Member Hall commended City staff for getting out and working with impacted neighborhoods after last week's storm.

Mayor Gates commented on the response of City staff as well, and noted that by the parade in the following days the downtown streets were fully cleaned. He also noted his appreciation to the Stampede committee, and their excellent work on a wonderful event.

8. Initiatives from Mayor and Council Members

Council Member Butler requested a presentation to Council at a future work session about the infrastructure improvements that will be underway over the next year.

Consensus was obtained to move forward with this initiative.

Mayor Gates commented on fireworks in the community being out of control. He noted this is not a problem exclusive to Greeley, but he also noted the volume of calls he received this year is about three times what it has been previously. He requested the following statistics from the Greeley Police Department: Number of calls GPD received; and amount of enforcement for GPD.

Council Member Clark commented regarding his concern with placing police officers in a potentially adversarial situation in some instances when responding to fireworks complaints. There was discussion about tolerating fireworks on the actual 4th of July holiday, while recognizing the growing time period around the holiday this is presenting an issue. There was consensus for this initiative to proceed.

Consent Agenda

Council Member Butler moved, seconded by Council Member Payton, to approve the recommended actions on items 9-13.

The motion carried 7-0 on a roll call vote.

9. Acceptance of the Report of the City Council Work Session

The Council action recommended and approved was to accept the report as presented.

10. Approval of the City Council Proceedings

The Council action recommended and approved was to approve the proceedings as presented.

11. Introduction and first reading of an ordinance establishing Local Improvement District No. 343795 for the construction of regional Ashcroft lift station infrastructure.

The Council action recommended and approved was to introduce the ordinance and schedule the public hearing and final reading for July 20, 2021.

12. Introduction and first reading of an ordinance amending Title 24 of the Greeley Municipal Code relating to the Development Code by deleting the current Title in its entirety and adding a new Chapter 7 relating to Access and Parking, a new Chapter 8 relating to Landscape Standards, a new Chapter 9 relating to Sign Standards, a new Chapter 10 relating to Special Districts and Areas, a new Chapter 11 relating to Supplemental Standards, and a new Chapter 12 Reserved for Metropolitan Districts.

The Council action recommended and approved was to introduce the ordinance and schedule the public hearing for July 20, 2021, and the final reading for September 21, 2021.

13. Consideration of a resolution finding substantial compliance with state annexation laws for property known as The Cache Annexation located at 12351 County Road 62 and 12644 County Road 62 1/4, including an unaddressed parcel (no. 080736400039) located east of 95th Avenue and north of County Road 62. The subject site is comprised of 450.477 acres.

The Council action recommended was to adopt the resolution.

Resolution No. 21, 2021, finding substantial compliance with state annexation laws for the property known as The Cache Annexation, was adopted.

End of Consent Agenda

14. Pulled Consent Agenda Items

No items were pulled from the Consent Agenda.

15. Public hearing and final reading of an ordinance authorizing the sale of city-owned property located in Section 22, Township 8 North, Range 65 West Of The 6th P.M., Weld County, Colorado, containing 282.00 acres of land, more or less, commonly referred to as the Hasbrouck Farm and city-owned property located in Section 28, Township 8 North, Range 65 West Of The 6th P.M., Weld County, Colorado, containing 156 acres of land, more or less, commonly referred to as the Varra Farm.

Sean Chambers, Water and Sewer Director, came forward to introduce this item and Adam Jokerst, Deputy Director of Water Resources, to present as set forth in the PowerPoint in the agenda packet.

Mayor Gates opened the public hearing at 6:38 p.m.

There being no one wishing to be heard in the Council Chambers or virtually, the hearing was closed.

Council Member Hall moved, seconded by Council Member Fitzsimmons, to adopt the ordinance and publish by reference to title only.

The motion carried 7-0 by roll call vote.

Ordinance No. 18, 2021, authorizing the sale of City-owned property, was adopted.

16. Public hearing to consider a change of zone from PUD (Planned Unit Development - Promontory Preliminary PUD) to PUD (Planned Unit Development - Promontory Preliminary PUD, Areas F, L & M, 2nd Amendment) zoning for approximately 99.233 acres, located east of Promontory Parkway, south of 16th Street and north of future 20th Street, known as Promontory PUD, Areas F, L & M, 2nd Amendment, and final reading of an ordinance changing the official zoning map to reflect the same.

Mayor Gates noted Council Member Payton has reported a conflict of interest on this and the next item and has been recused. Council Member Payton stepped out of the chambers for the duration of the consideration of items 16 and 17.

Mayor Gates also read item 17 into the public record to hear both items together.

Mike Garrott, Planning Manager, came forward to present on these items as set forth in the PowerPoint in the agenda packet. He noted the applicants were also present for any questions.

Mayor Gates opened the public hearing at 6:48 p.m.

There being no one wishing to be heard, the hearing was closed.

Council Member Fitzsimmons moved, seconded by Council Member Hall, that based on the application received and the project summary and accompanying analysis, the proposed amendment to the Promontory Preliminary PUD, Areas F, L & M meets the applicable Development Code criteria, Section 24-625 (c)(3) a. b. f. g. and h., and Section 24-663 (b)1 and 2; and therefore, the rezoning be approved.

The motion carried 6-0 by roll call vote.

Recused: Council Member Payton.

Council Member Fitzsimmons moved, seconded by Council Member Butler, to adopt the ordinance and publish by reference to title only.

The motion carried 6-0 by roll call vote.

Recused: Council Member Payton.

Ordinance No. 19, 2021, changing the official zoning map for the City of Greeley, was adopted.

17. Public hearing to consider establishment of a Preliminary PUD (Planned Unit Development) of 99.233 acres of land for the development of 362 residential lots, a

2.077 mixed use lot, a 9.40 acre future park site, open space and drainage outlots. The PUD is known as Promontory Imagine School, Third Filing Preliminary PUD. The property is located east of Promontory Parkway, south of 16th Street and north of future 20th Street.

Council Member Payton also recused himself on this item.

There were no additional questions from Council on this item.

Mayor Gates opened the public hearing at 6:51 p.m.

There being no one wishing to be heard, the hearing was closed.

Council Member Zasada moved, seconded by Council Member Clark, that, based on the project summary and accompanying analysis, the proposed Preliminary PUD Plan is consistent with Section 24-663 of the Development, and therefore is approved.

The motion carried 6-0 by roll call vote.

Recused: Council Member Payton.

18. Public hearing and final reading of an ordinance amending portions of the Greeley Municipal Code, Title 22, Chapter 11 (Electrical Code) as it relates to adopting the 2020 edition of the National Electrical Code, one- and two-family dwellings, Type NM cable, central heating equipment, and auxiliary grounding of photovoltaic systems

Brad Mueller, Director of Community Development, came forward to introduce this item and the City's chief building official Tim Swanson to present on this item. Swanson provided a verbal report regarding the requirement for the City to adopt the National Electrical Code on a three year cycle.

Mayor Gates opened the public hearing at 6:55 p.m.

There being no one wishing to be heard, the hearing was closed.

Council Member Fitzsimmons moved, seconded by Council Member Hall, to adopt the ordinance and publish with reference to title only.

The motion carried 7-0 by roll call vote.

Ordinance No. 20, 2021, amending portions of the Greeley Municipal Code Title 22, Chapter 11, relating to the Electrical Code, was adopted.

The motion carried 7-0 by roll call vote.

19. Scheduling of Meetings, Other Events

No other meetings or events were scheduled.

20. 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

Council Member Payton moved, seconded by Council Member Butler, to approve the above authorizations.

The motion carried 7-0.

21. Consideration of an Executive Session to determine positions, develop strategy and instruct negotiators regarding collective bargaining with the Greeley Fire Fighters Union Local 888

Council Member Fitzsimmons moved, seconded by Council Member Payton, that the City Council go into an Executive Session to discuss the following matter as provided under C.R.S. 24-6-402(4) (e)(I) and Greeley Municipal Code 2.04.020(5): to determine positions, develop strategy and instruct negotiators regarding collective bargaining with the Greeley Fire Fighters Union Local 888.

The motion carried 7-0.

22. Consideration of an Executive Session to conference with the City Attorney for the purpose of receiving legal advice regarding potential claims and litigation against the City.

Council Member Payton moved, seconded by Council Member Clark, that the City Council go into an Executive Session to conference with the City Attorney as provided by C.R.S. 24-6-402 (4)(b) and Greeley Municipal Code 2.04.020 (a)(2) for the purpose of receiving legal advice regarding potential claims and litigation against the City

The motion carried 7-0.

23. Adjournment

There being no further business, the meeting adjourned to the executive session at 6:58 p.m. The first executive session began at 7:06 p.m. and concluded at 8:04 p.m. The second executive session began at 8:06 p.m. and concluded at 8:44 p.m.

John D. Gates, Mayor

Anissa N. Hollingshead, City Clerk