

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
August 17, 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

Cheryl Aragon, Deputy City Clerk, called the roll.

PRESENT

Mayor Gates

Council Member Tommy Butler

Council Member Brett Payton (participating remotely)

Council Member Dale Hall

Council Member Michael Fitzsimmons

Council Member Kristin Zasada

EXCUSED

Council Member Ed Clark

4. Approval of the Agenda

The agenda was approved as presented.

5. Recognitions and Proclamations

Mayor Gates presented the *What's Great about Greeley* report.

Mayor Gates also presented outgoing City Manager Roy Otto with a street sign to commemorate his 22 years of service to the City as both Assistant City Manager and City Manager.

Mayor Gates noted that Interim City Manager Raymond Lee will be welcomed as Greeley's Acting City Manager at 5:00 p.m. on Wednesday, August 18, 2021.

6. Citizen Input

Steve Teets, Greeley resident, was present and thanked City Manager Otto for his hospitality at City Hall over the years and wished him well in his retirement.

He also expressed his concerns about the Terry Ranch project.

Mr. Teets was encouraged to visit the City's website where a lot of information can be obtained about this project.

7. Reports from Mayor and Councilmembers

Council Member Butler reminded the community that Monster Day will be held Downtown on Saturday, August 21, 2021.

8. Initiatives from Mayor and Councilmembers

There were no new Initiatives offered from Council Members.

Consent Agenda

Council Member Hall moved, seconded by Council Member Fitzsimmons to approve the items on the Consent Agenda and their recommended actions for Item Nos. 9 through 15.

The motion carried 6-0.

Excused: Council Member Clark.

9. Acceptance of the Report of the City Council Work Session of August 10, 2021

The Council action recommended and approved was to accept the Report of August 10, 2021.

10. Approval of the City Council Proceedings of August 3, 2021

The Council action recommended and approved was to approve the City Council Proceedings of August 3, 2021.

11. Introduction and first reading of an ordinance Adopting the 2021 Sanitary Sewer Master Plan and the 2021 Water Transmission and Distribution Master Plan and Amending the 2018 Comprehensive Plan to include the same by reference.

The Council action recommended and approved was to introduce the ordinance and schedule the public hearing and final reading for September 7, 2021.

12. Introduction and first reading of an Ordinance recognizing Robert Ruyle's service to the Greeley Community through decades of continuous service and appointment as an emeritus board member to the Greeley Water and Sewer Board

The Council action recommended and approved was to introduce the ordinance and schedule the public hearing and final reading for September 7, 2021.

13. 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 3 – Subdivision Standards, Chapter 4 – Zoning

Districts and Uses, Chapter 5 – Residential Development Standards, Chapter 6 – Nonresidential Development Standards, and Chapter 13 – Definitions and Terms

The Council action recommended and approved was to introduce the ordinance and schedule a public hearing for September 7, 2021, and final reading for September 21, 2021.

14. Introduction and first reading of an ordinance repealing Sections 12-626 – 12-628 and amending portions of Chapter 10 of Title 12 and Chapter 5 of Title 18 of the City of Greeley Municipal Code, all regarding forestry requirements in the City of Greeley

The Council action recommended and approved was to introduce the ordinance and schedule the public hearing and final reading for September 7, 2021.

15. Introduction and first reading of an ordinance amending portions of Chapter 1 of Title 16 of the city of Greeley Municipal Code, all regarding the traffic code in the city of Greeley

The Council action recommended and approved was to introduce the ordinance and schedule the public hearing and final reading for September 7, 2021.

End of Consent Agenda

16. Pulled Consent Agenda Items

No items were pulled from the Consent Agenda.

17. Public hearing and final reading of an ordinance to consider a petition to annex to the City of Greeley, Colorado certain unincorporated territory located in Weld County, Colorado, known as The Cache Annexation, located at 12351 County Road 62 and 12644 County Road 62 ½, including an unaddressed parcel (No. 080736400039) located east and west of 95th Avenue and north of County Road 62

Brittany Hathaway, Planner, provided one report for item nos. 17, 18, 19, and 20 as all relate to The Cache Annexation and Preliminary Planned Unit Development (PUD) Plan for this parcel. She noted that a total 450.477 acres of unincorporated property is proposed for annexation, and, subsequently, application has been made to establish PUD zoning. She provided a presentation on these requests as laid out in the materials published in the agenda packet.

Planner Hathaway reported that the Planning Commission has recommend approval of both the annexation and zoning requests to the City Council.

Mayor Gates opened the public hearing at 6:28 p.m.

Steve Teets, Greeley resident, recalled the Imagine Greeley meeting where infill and affordable housing was desired, and he expressed concern that this parcel is too far

west to be annexing and providing services to. He also inquired about the ponds in this area being in the flood plain, which Ms. Hathaway confirmed.

There being no further public comment offered, Mayor Gates closed the public hearing at 6:30 p.m.

Council Member Fitzsimmons moved, seconded by Council Member Zasada, to, based on the application received and accompanying analysis, find that the proposed annexation meets the required Development Code Criteria in Section 24-581(a)(1-5) and therefore approve the request.

The motion carried 6-0 by roll call vote.

Excused: Council Member Clark.

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

The motion carried 6-0 by roll call vote.

Excused: Council Member Clark.

Ord. No. 24, 2021, annexing property to the City of Greeley, was adopted.

18. Public hearing and final reading of an ordinance to consider changing the official zoning map of the City of Greeley, Colorado establishing PUD (Planned Unit Development) zoning for property located in Weld County, Colorado, located at 12351 County Road 62 and 12644 County Road 62 ½, including an unaddressed parcel (no. 080736400039) located east and west of 95th Avenue and north of County Road 62, recently annexed and known as The Cache Annexation

Mayor Gates opened the public hearing at 6:34 p.m., and no comments were offered.

Council Member Fitzsimmons moved, seconded by Council Member Zasada, to, based on the application received and the accompanying analysis, find that the proposed PUD (Planned Unit Development) zone district is in compliance with Development Code Criteria in Section 24-625(c)(3)a, b, e, and g and Section 24-663(b) and therefore approve the request, contingent upon approval of the Cache Annexation petition (ANX2020-0002).

The motion carried 6-0 by roll call vote.

Excused: Council Member Clark.

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

The motion carried 6-0 by roll call vote.

Excused: Council Member Clark.

Ord. No. 25, 2021, changing the official zoning map of the City of Greeley, was adopted.

19. Public hearing and second reading of an ordinance to consider a request to rezone from PUD (Planned Unit Development – Lake Bluff) to PUD (Planned Unit Development – The Cache) and from R-L (Residential Low Density) to PUD (Planned Unit Development) zoning, changing the underlying land use designations for approximately 332.199 acres of property located north of U.S. Highway 34 Business, east of 95th Avenue and west of 83rd Avenue, and final reading of an ordinance changing the official zoning map to reflect the same

Mayor Gates opened the public hearing at 6:36 p.m., and no comments were offered.

Council Member Fitzsimmons moved, seconded by Council Member Zasada, to, based on the application received and accompanying analysis, find that the proposed rezoning from Residential Low Density (R-L) and Planned Unit Development (PUD) to Planned Unit Development (PUD) is in compliance with Development Code Section 24-625(c)(3) a, b e, and g and therefore approve the request, contingent upon approval of the Cache Annexation petition (ANX2020-0002)

The motion carried 6-0 by roll call vote.

Excused: Council Member Clark.

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

The motion carried 6-0 by roll call vote.

Excused: Council Member Clark.

Ord. No. 26, 2021, changing the official zoning map of the City of Greeley, was adopted.

20. Public hearing to consider a request for a Preliminary PUD (Planned Unit Development) Plan for approximately 788 acres located north of U.S. Highway 34 Business, east of 95th Avenue and west of 83rd Avenue

Mayor Gates opened the public hearing at 6:39 p.m., and no comments were offered.

Councilmember Fitzsimmons moved, seconded by Council Member Zasada, to, based on the application received and the accompanying analysis, find that The Cache Preliminary PUD Plan meets Development Code Criteria found in Section 24-625(c)(3) a, b, e, and g and Section 24-663(b) and therefore approve the request, contingent upon approval of The Cache Annexation Petition (ANX2020-0002).

The motion carried 6-0 by roll call vote.

Excused: Council Member Clark.

21. Public hearing and second reading of an ordinance submitting to the registered electors of the City of Greeley, at the coordinated election to be held November 2, 2021, the question of authorizing the City Council to extend the .65% component of retail sales and use tax currently scheduled to expire on December 31, 2022 to

December 31, 2029, for to fund capital projects for street-related infrastructure improvements and repairs

Raymond Lee, Deputy City Manager, reported that in March, the City Council was presented with information regarding potential ballot measures related to the reauthorization of the existing Keep Greeley Moving (KGM) sales tax as a part of the November 2021 ballot. Council's recommendation was to move forward with the steps to place the KGM sales tax reauthorization on the 2021 general election ballot and to conduct polling on voter support of the reauthorization of the KGM sales tax at its current rate and at an increased rate.

Deputy Manager Lee went on to state that additional polling was done and presented to Council, and at that time, Council reached consensus to move forward with the steps toward placing the KGM renewal on the November 2021 ballot via ordinance at its current rate noting that this item is the final reading and public hearing to do so.

Council Member Butler expressed that it is important to spend these dollars equitably across the city, and he inquired about the roads that are proposed for expansion.

Deputy Public Works Director Joel Hemesath reported that they include the 23rd Avenue corridor and improvements; 83rd Avenue between 10th and 20th Streets; and 5th Street between 14th and 23rd Avenues.

Mayor Gates opened the public hearing at 6:50 p.m.

Steve Teets, Greeley resident, stated that occasionally once streets are redone they are not tempered right and do not hold up adding that the crack and seal process is not effective. He mentioned areas on 10th Street near the Boomerang Golf course where sidewalks are buckling even though the work is relatively new. He added that residential streets need repaving too.

There being no further public comment offered, Mayor Gates closed the public hearing at 7:53 p.m.

Council Member Fitzsimmons moved, seconded by Council Member Hall, to adopt the ordinance and publish with reference to title only.
The motion carried 6-0 by roll call vote.
Excused: Council Member Clark.

Ord. No. 27, 2021, submitting a question to the registered electors of the City of Greeley, was adopted.

22. Public hearing and second reading of an ordinance ratifying and adopting the Collective Bargaining Agreement between the Greeley Police Officers' Association and the City of Greeley, which agreement by its terms is for a period commencing January 1, 2022 through December 31, 2024

Maria Gonzales-Estevez, Human Resources Director, was present and reported that the City and the Greeley Police Officers Association have negotiated a tentative agreement for a three-year contract for the period of January 1, 2022, to December 31, 2024, and provided the highlights of the tentative agreement.

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

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

The motion carried 6-0 by roll call vote.

Excused: Council Member Clark.

Ord. No. 28, 2021, ratifying and adopting the collective bargaining agreement, was adopted.

23. Appointment of applicants to the Construction Trades Advisory & Appeals Board, Judicial Review Board, Museum Board, Planning Commission, and Youth Commission.

Assistant City Clerk Jerry Harvey reported the following appointments were made by Council by written ballot:

- Construction Trades Advisory & Appeals Board – Brian Horning and Council directed staff to recruit for additional applicants.
- Judicial Review Board – Angie McDowell and Nicholas Nakamura.
- Museum Board – Gary Alexander, Joseph Lesko, and Adrian Sdano.
- Planning Commission – Jeff Carlson, Larry Modlin, and Christian Schulte.
- Youth Commission – Diana Calhoun, Mya Hollingshead, and Council directed staff to recruit for additional applicants.

24. Scheduling of Meetings, Other Events

No additional meetings or events were scheduled.

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

The motion carried 6-0.

Excused: Council Member Clark.

26. Adjournment

There being no further business to come before the City Council, Mayor Gates adjourned the meeting at 7:02 p.m.

John D. Gates, Mayor

Cheryl Aragon, Deputy City Clerk