

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
September 3, 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

Jerry Harvey, 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 Suniga presented the What's Great About Greeley Report.

5. Citizen Input

Kevin Ross, Mayor of Eaton, announced his candidacy for Weld County Commissioner At-Large.

Steve Teets, Greeley resident, voiced his concern about the City's ability to keep snow cleared on sidewalks in the winter, especially near bus stops. He also expressed his concerns about trash removal at bus stops along with his belief that the bus route to Ft. Collins has fares and pass rates that are too high.

6. Approval of Agenda

The agenda was approved as presented.

7. Reports from Mayor and Councilmembers

Mayor Gates congratulated Councilmember Suniga on her appointment by Governor Jared Polis to the Regional Air Quality Council.

8. Petitions from Mayor and Councilmembers

There were no petitions from the Mayor or Councilmembers.

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

9. Acceptance of the Report of the August 13, 2019, City Council Worksession

The Council action recommended was to accept the Report.

10. Approval of the City Council Proceedings of August 20, 2019

The Council action recommended was to approve the Proceedings.

11. Consideration of a resolution confirming support for a City of Greeley Grant Application for State of Colorado Funding Assistance to Support the 2020 Census Count

The Council action recommended was to adopt the resolution. **(Resolution No. 36, 2019)**

12. Introduction and first reading of an Ordinance amending Title 14 of the Greeley Municipal Code (Concerning the Dedication of Water Rights for City Water Service, Cash in Lieu of Raw Water, and Associated Development Fees)

This item was pulled from the Consent Agenda.

13. Introduction and first reading of an ordinance authorizing the disposition of City Property Located at 1215 16th Avenue

The Council action recommended was to introduce the ordinance and schedule the public hearing and final reading for September 17, 2019.

14. Introduction and first 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

The Council action recommended was to introduce the ordinance and schedule the public hearing and final reading for September 17, 2019.

15. Introduction and first reading of an ordinance changing the official zoning map of the City of Greeley, Colorado from R-L (Residential Low Density), C-D (Conservation District), and C-L (Commercial Low Intensity) to I-M (Industrial Medium Intensity) zoning for approximately 39.18 acres of property located at 145 North 35th Avenue, known as the Best Way Rezone

The Council action recommended was to introduce the ordinance and schedule the public hearing and final reading for September 17, 2019.

16. Introduction and first reading of an ordinance regarding a 1st Amendment to the Preliminary Plan of the Promontory PUD, Areas F, L and M, located south of 16th Street, east of Promontory Parkway, and north of Highway 34 Bypass to add churches, schools and recreational area uses on a 144.67acre parcel

The Council action recommended was to introduce the ordinance and schedule the public hearing and final reading for September 17, 2019.

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

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

17. Pulled consent agenda items

12. Introduction and first reading of an Ordinance amending Title 14 of the Greeley Municipal Code (Concerning the Dedication of Water Rights for City Water Service, Cash in Lieu of Raw Water, and Associated Development Fees)

In response to questions from Councilmember Suniga, Sean Chambers, Water and Sewer Director, clarified that the proposed changes are to ensure precision and efficiency in water delivery in the future. He added that these changes will not impact the City's ability to serve a growing population in the future.

Councilmember Payton moved, seconded by Councilmember Casseday to introduce the ordinance and schedule the public hearing and final reading for September 17, 2019. The motion carried: 7-0

18. Public Hearing and Final Reading of an Ordinance amending portions of the Greeley Municipal Code Chapters 16.04 (Building Code), 16.06 (Residential Code), 16.08 (Mechanical Code), 16.10 (Property Maintenance Code), 16.12 (Existing Building Code), 16.16 (Energy Conservation Code), 16.28 (Plumbing Code), 16.30 (Fuel Gas Code) and 16.36 (Fire Code)

Brad Mueller, Community Development Director, highlighted the process for the re-adopting of the code and discussed the history of these proposed changes. He also discussed the amendments made during first reading on August 20, 2019. Mr. Mueller noted that the blower tests are mandated by State law.

Mayor Gates opened the public hearing at 6:52 p.m., and no comments were offered.

Councilmember Casseday moved, seconded by Councilmember Payton to adopt the ordinance and publish in full. The motion carried: 7-0 (**Ordinance No. 34, 2019**)

19. Public hearing and final reading of an ordinance to consider a change of zone from I-M (Industrial Medium Intensity) to C-H (Commercial High Intensity) zoning for approximately .66 acres of property located at 3529 4th Street known as the 354 Business Park Rezone #2, and changing the official zoning map to reflect the same

Mr. Mueller provided background for this rezone and described the location map and development plans associated with it. He concluded by discussing the approval criteria and the recommendation from the Planning Commission.

Robert Malloy, the applicant, discussed the reasoning for the request to rezone.

Mayor Gates opened the public hearing at 6:57 p.m.

Steve Teets expressed his concern about current traffic issues in that area and the potential impacts to traffic with this change and future development.

Mayor Gates closed the public hearing at 6:59 p.m.

Councilmember Suniga moved, seconded Councilmember Hall to find that, based on the application received and subsequent staff analysis, the proposed rezone from I-M (Industrial Medium Intensity) to C-H (Commercial High Intensity) meets Development Code Section 18.30.050(c)(3) f, g and h and 18.30.055; and, therefore, approves the rezone. The motion carried: 7-0

Councilmember Suniga moved, seconded by Councilmember Payton to adopt the ordinance and publish with reference to title only. The motion carried: 7-0 (**Ordinance No. 35, 2019**)

20. Public hearing and final reading of an ordinance vacating a portion of the alley right-of-way between 1530 and 1528 3rd Avenue, located east of 3rd Avenue and west of 2nd Avenue

Mr. Mueller described the zoning vicinity map and discussed the background of this property and reason for this vacation. He concluded by discussing the Planning Commission's recommendation.

Mayor Gates opened the public hearing at 7:02 p.m., and no comments were offered.

Councilmember Fitzsimmons moved, seconded by Councilmember Casseday to adopt the ordinance and publish with reference to title only. The motion carried: 7-0 (**Ordinance No. 36, 2019**)

21. Public hearing and final reading of an ordinance to consider a change of zone from I-L (Industrial Low Intensity) to R-H (Residential High Density) zoning for approximately .210 acres of property located at 1530 3rd Avenue known as the 1530 3rd Avenue Rezone, and changing the official zoning map to reflect the same

Mr. Mueller described the zoning vicinity map of the property and provided background of the property and the proposed rezone. He concluded by discussing the rezone criteria and noted Planning Commission's recommendation.

In response to a question from Councilmember Casseday, Mr. Mueller explained that the property is being rezoned as R-H instead of R-L for consistency because the adjoining property to the north is currently zoned as R-H.

Joshua Teegle, the applicant, explained that the reason for the request to rezone is so they can add an addition on to their home.

Mayor Gates opened the public hearing at 7:07 p.m.

Steve Teets expressed his approval of the rezone.

Mayor Gates closed the public hearing at 7:08 p.m.

Councilmember Hall moved, seconded Councilmember Suniga to find that, based on the application received and subsequent staff analysis, the proposed rezone from I-L (Industrial Low Intensity) to R-H (Residential High Density) meets Development Code Section 18.30.050(c)(3) a, b, e, f and g; and, therefore, approves the rezone. The motion carried: 7-0

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. 37, 2019**)

- 22. Public hearing and final reading of an ordinance authorizing the acquisition of additional property interests in real property located in Weld County, Colorado for water lines 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. (Gold Hill Segment Pipeline Project)**

Sean Chambers described the map of the Bellvue 60" pipeline, provided an overview of the project that is requiring the acquisition of this property, and described the alignment of the pipeline for this final leg of this project.

Mayor Gates opened the public hearing at 7:14 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. 38, 2019**)

23. Overview: 16th Street Corridor Plan

Becky Safarik, Assistant City Manager, discussed the 2005 and 2012 urban design concepts for this corridor, highlighted the many ways the City prepared for work in the corridor, and discussed the progress made in the corridor for the last decade and future projects to continue improvements along the corridor. She continued by discussing specific projects currently going on along the corridor and the partnerships associated with these projects, described the 2019 project boundary and 16th Street corridor project goals, and discussed the study process for these projects. Ms. Safarik also highlighted key corridor goals and design concepts – ease of access and safety, increase area parking, pedestrian amenities, attractive corridor elements, and enhanced area image. She concluded by discussing next steps and phasing of future projects.

In response to questions from Councilmember Smail, Ms. Safarik explained that the City will work with engineers to add bike lanes along this corridor. She added that all of the parking in this area is in the City's right-of-way and not, in any way, in private control.

In response to a question from Councilmember Casseday, Ms. Safarik confirmed that the City has received great participation and input from the business community in this area.

Roy Otto, City Manager, added that this project is a high priority and cost estimates will be coming by the end of the year. He explained that most universities have a vibrant area near campus where students and faculty can go, and this is the perfect area for that sort of development.

Councilmember Hall expressed his concerns about what the City will do about utilities (electric, trash, etc.) in this area to ensure that they do not take away from the aesthetics. Ms. Safarik explained that the hope is to eventually have underground utilities where possible in this area and to centralize or enclose dumpsters.

Councilmember Suniga inquired as to whether the City is looking to beautify Canal #3 outside of this corridor. Ms. Safarik explained that this project is being viewed as a pilot project to see what could be possible elsewhere.

In response to a question from Councilmember Smail, Ms. Safarik clarified that one of the biggest pushbacks so far from the business community in the area is their concern about decreased parking and a hit to their business traffic. She also explained that the proposed plans for this area would actually increase parking by up to 50 spots.

Mayor Gates expressed his excitement and approval for the proposed changes in this area.

24. Scheduling of meetings, other events

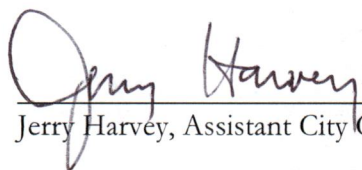
There were no additional meetings or other events scheduled.

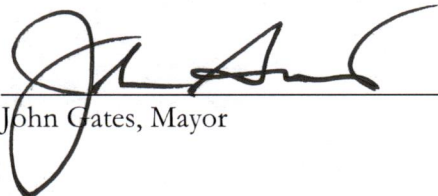
25. Consideration of a motion authorizing the City Attorney to prepare any required resolutions, agreements, and ordinances to reflect action taken by the City Council at this meeting and at any previous meetings, and authorizing the Mayor and City Clerk to sign all such resolutions, agreements, and ordinances

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

26. Adjournment

There being no further business to come before the Council, Mayor Gates adjourned the meeting at 7:50 p.m.


Jerry Harvey, Assistant City Clerk


John Gates, Mayor