

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
September 07, 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 Gates

Council Member Tommy Butler

Council Member Brett Payton (participating remotely)

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

Council Member Fitzsimmons presented the *What's Great about Greeley* report.

6. Citizen Input

Vernon Morgan, Greeley resident, came forward to offer remarks about the annexation of his property into the city, resulting in a change in zoning, and brought up questions regarding increased traffic due to the recent change in zoning of other neighboring properties near 10th St and 83rd Ave.

Acting City Manager Raymond Lee indicated City staff would follow up with Mr. Morgan regarding his concerns.

7. Reports from Mayor and Council Members

Mayor Gates noted it was his pleasure to take a ride the previous day on the world's largest steam engine, Big Boy, from Denver to Greeley, and thanked Union Pacific for the opportunity.

Council Member Clark recognized outgoing police chief Mark Jones for his 35 years of service to the City. Mayor Gates echoed his appreciation on behalf of the organization and the community.

8. Initiatives from Mayor and Council Members

Council Member Clark offered an initiative regarding the City's ERP software, asking for an update on plans for resolving issues involved in its implementation. Discussion amongst the Council centered on the need for expediency in having something come forward, and the appropriate format for doing so.

There was consensus to proceed.

Consent Agenda

Council Member Clark requested that item 14 be removed from the Consent Agenda.

Council Member Butler moved, seconded by Council Member Fitzsimmons, to approve the items on the Consent Agenda and their recommended actions for Item Nos. 9-13 and 15-16.

The motion carried 7-0 by roll call vote.

9. Acceptance of the Report of the City Council Work Session of August 24, 2021

The Council action recommended and approved was to accept the report of August 24, 2021.

10. Approval of the City Council Proceedings of August 17, 2021

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

11. Consideration of a Resolution authorizing a Second Amendment to the IGA for Treated Water Service with the Town of Windsor

The Council action recommended and approved was to adopt the resolution.

Resolution No. 28, 2021, authorizing a second amendment to an existing intergovernmental agreement for treated water service with the Town of Windsor, was adopted.

12. Consideration of a resolution authorizing the Mayor to execute an agreement with the State Board of the Great Outdoors Colorado Trust Fund for the construction of improvements in the east Greeley natural area

The Council action recommended and approved was to adopt the resolution.

Resolution No. 29, 2021, authorizing the mayor to execute an agreement with the State Board of the Great Outdoors Colorado (GOCO) Trust Fund, was adopted.

13. Consideration of a Resolution Authorizing the City of Greeley to Enter into a Grant Agreement between the City of Greeley and the State of Colorado, Division of Local Affairs, Regarding Receipt of Grant Funding Provided by the Gray and Black Market Marijuana Enforcement Grant Program

The Council action recommended and approved was to adopt the resolution.

Resolution No. 30, 2021, authorizing entering into a grant agreement with the State of Colorado, Division of Local Affairs (DOLA) regarding receipt of funding provided by the Gray and Black Market Marijuana Enforcement Grant Program, was adopted.

14. Consideration of a resolution appointing Jerry Manzer as an Assistant Municipal Judge and Assistant Liquor Licensing Hearing Officer for the City of Greeley, Colorado

Pulled from the consent agenda.

15. Introduction and first reading of an Ordinance Amending Article VI, Chapter 3, Title 20 of the Greeley Municipal Code(Industrial Pretreatment Chapter)

The Council action recommended and approved was to introduce the ordinance and schedule the public hearing and final reading for October 19, 2021.

16. 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 2021 and for funds held in reserve for encumbrances at December 31, 2020

The Council action recommended and approved was to introduce the ordinance and schedule the public hearing and final reading for September 17, 2021.

End of Consent Agenda

17. Pulled Consent Agenda Items

14. Consideration of a resolution appointing Jerry Manzer as an Assistant Municipal Judge and Assistant Liquor Licensing Hearing Officer for the City of Greeley, Colorado

Mayor Gates moved, seconded by Council Member Clark, to correct the spelling of Jerry Manzer's name, from Mazer to Manzer, on the agenda and to approve the adoption of the resolution.

The motion carried 7-0 by roll call vote.

Resolution No. 31, 2021, appointing Jerry Manzer as an Assistant Municipal Judge and Assistant Liquor Licensing Hearing Officer for the City of Greeley, was adopted.

18. Public hearing for 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

Carol Kuhn, Chief Planner with Community Development, came forward to present as set forth in the PowerPoint in the agenda packet. This action is part of case number CU2021-0005. Planner Kuhn noted interest groups were in attendance and would be offering remarks as well.

Council Member Butler expressed his appreciation to Planner Kuhn and all planning staff for the excellent work in the full rework of the development code.

Sherry Witt-Brown with Habitat for Humanity came forward to offer her appreciation for the excellent visionary work done that will make Habitat's ongoing development work easier to accomplish.

Julie Jensen, CEO of the Greeley Area Realtor Association, shared her perspective via remote participation as part of the team that was able to provide input throughout the process of working on the development code, and offered her appreciation and support for the end result.

Amanda Meek, vice president of purchasing for Hartford Homes, offered her appreciation via remote participation for the opportunity to participate and provide feedback in the development code process, and recognized the flexibility and openness of staff to new ways of doing.

Mayor Gates opened the public hearing at 6:35 p.m.

There being no one to speak, the hearing was closed.

Council Member Fitzsimmons moved, seconded by Council Member Butler, to direct staff to bring back the revised ordinance as presented for a final reading on September 21, 2021.

The motion carried 7-0.

19. Public hearing to consider a resolution for approval of a Colorado Revised Statutes Title 32 Special District Consolidated Service Plan precedent to formation of five interrelated metropolitan districts known as Poudre Heights Metropolitan Districts Nos. 1-5 that would provide public facilities financing, operations, and maintenance

Brittany Hathaway, Planner, came forward to present as set forth in the PowerPoint in the agenda packet. At the conclusion of her presentation, Planner Hathaway noted the applicant was present and prepared to provide a presentation as well if desired.

In response to a question from Council, Planner Hathaway noted state statute has now changed to prohibit the use of oil and gas revenues towards the costs of development in a metropolitan district.

The developer, Todd Johnson, came forward to advise his presentation was in the meeting materials packet and he was available for any questions. In response to a question from Council, Mr. Johnson noted the metro district addresses the addition of affordable housing through the addition of more housing, including a greater portfolio of attainable housing in the area with a range of uses.

Mayor Gates opened the public hearing at 6:46 p.m.

There being no one to speak, the hearing was closed.

Council Member Payton moved, seconded by Council Member Hall, that based on the application received and the analysis in the staff report, that the City Council finds the request for the approval of a Colorado Revised Statutes Title 32, Special District service Plan for Poudre Heights Metropolitan Districts Nos. 1-5 is in conformance with the City of Greeley's Municipal Code Chapter 9, and therefore approves the request and adopts the resolution.

The motion carried 6-1 by roll call vote.

Ayes: Council Members Payton, Hall, Fitzsimmons, Clark, Zasada, and Mayor Gates.

Nays: Council Member Butler.

Council Member Payton moved, seconded by Council Member Hall, to adopt the Resolution approving the Intergovernmental Agreement between the City of Greeley and Poudre Heights Metropolitan District Nos. 1-5, regarding the service plan for the districts.

The motion carried 6-1 by roll call vote.

Ayes: Council Members Payton, Hall, Fitzsimmons, Clark, Zasada, and Mayor Gates.

Nays: Council Member Butler.

Resolution No. 32, 2021, approving a Colorado Revised Statutes Title 32 Special District Consolidated Service Plan precedent to formation of five interrelated metropolitan districts known as Poudre Heights Metropolitan Districts Nos. 1-5 that would provide public facilities financing, operations, and maintenance, was adopted.

20. Public hearing and final reading of an ordinance of appreciation and appointment of Mr. Robert A. Ruyle as a member emeritus of the Water and Sewer Board

Water and Sewer Director Sean Chambers, came forward to present as set forth in the PowerPoint in the agenda packet.

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

There being no one to speak, the hearing was closed.

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

The motion carried 7-0 by roll call vote.

Ordinance No. 29, 2021, expressing appreciation to Robert A Ruyle and appointing him as a member emeritus of the Water and Sewer Board, was adopted.

21. Public hearing and final 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

Sean Chambers, Water and Sewer Director, came forward to present as set forth in the PowerPoint in the agenda packet. He was joined by Adam Prior to assist in the presentation.

Mayor Gates opened the public hearing at 7:06 p.m.

There being no one to speak, the public hearing was closed.

Council Member Clark 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. 30, 2021, adopting the 2021 Sanitary Sewer Master Plan and the 2021 Water Transmission and Distribution Master Plan and amending the 2018 Comprehensive Plan to include both these plans, was adopted.

22. Public hearing and final 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

Andy McRoberts, Culture Parks and Recreation Director, came forward and presented as set forth in the PowerPoint in the agenda packet. In response to questions from Council, City Forrester Shiloh Hatcher came forward to provide information about the spread of the Emerald Ash Borer.

Mayor Gates opened the public hearing at 7:12 p.m.

There being no one to speak, 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. 31, 2021, repealing and amending sections of Title 12, Chapter 10, and Title 18, Chapter 5 of the Greeley Municipal Code relating to forestry requirements, was adopted.

23. Public hearing and final 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 relating to golf cars

Andy McRoberts, Culture Parks and Recreation Director, came forward and presented as set forth in the PowerPoint in the agenda packet. In response to questions from Council, Director McRoberts provided more information about the intention to develop a permit system by the City Manager for the allowance of the use of golf carts as part of community events.

Mayor Gates opened the public hearing at 7:18 p.m.

There being no one to speak, the hearing was closed.

Council Member Hall moved, seconded by Council Member Fitzsimmons, to adopt the ordinance and publish with reference to title only.
The motion carried 7-0 by roll call vote.

Ordinance No. 32, 2021, amending portions of Title 16, Chapter 1 of the Traffic Code relating to golf cars, was adopted.

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 Payton moved, seconded by Council Member Clark, to approve the above authorizations.
The motion carried 7-0.

26. Adjournment

There being no further business to come before the City Council, Mayor Gates adjourned the meeting at 7:19 p.m.



John D. Gates, Mayor



Anissa N. Hollingshead, City Clerk