

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
October 15, 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 Michael Fitzsimmons, Dale Hall, Brett Payton, Jon Smail and Stacy Suniga.

Councilmember Robb Casseday was excused.

4. Recognitions and Proclamations

Mayor Gates presented a proclamation for Nurse Practitioner's Week.

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

5. Citizen Input

Eddie Mirick, Greeley resident, thanked Council, staff, Boards and Commissions, and the public for their hard work on a number of City art projects and the opening of the new skate park.

Mark Pugatch, Chair of the Union Colony Civic Center (UCCC) Advisory Board, spoke about the importance of diversity on the UCCC and generally. He also spoke of the recent creation of a Diversity & Inclusion Committee consisting of members of the UCCC and the public.

Sherri Peif, Evans resident, thanked all of the Councilmembers and Council candidates who attended the Republican Women's Forum.

6. Approval of Agenda

The agenda was approved upon noting replacement documentation for Item Nos. 15 and 22.

7. Reports from Mayor and Councilmembers

Councilmember Fitzsimmons recognized Joel Hemesath, Public Works Director, and Brad Mueller, Community Development Director, for their great work recently helping him with a number of constituent questions/concerns.

Councilmember Hall spoke about his attendance at the skate park opening and the fire department's open house.

Mayor Gates spoke about his attendance at the Winograd K-8 School heroes and helpers lunch and welcomed the boy scouts in the audience and thanked them for their attendance.

8. Petitions from Mayor and Councilmembers

There were no petitions from Council.

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

9. Acceptance of the Report of the September 24, 2019, City Council Worksession

The Council action recommended was to accept the Report.

10. Approval of the City Council Proceedings of October 1, 2019

The Council action recommended was to approve the Proceedings.

11. Consideration of a resolution supporting a grant application for a Local Parks and Outdoor Recreation Grant from the State Board of the Great Outdoors Colorado Trust Fund for Park Improvements in Balsam Park

The Council action recommended was to adopt the resolution. **(Resolution No. 41, 2019)**

12. Consideration of a resolution of the City of Greeley Council authorizing the City to enter into an Intergovernmental Agreement with the Colorado Department of Transportation, Division of Transit and Rail, entitled "2019-5339a: One BOC replacement and one 40' CNG regional bus expansion"

The Council action recommended was to adopt the resolution. **(Resolution No. 42, 2019)**

13. Consideration of a resolution concerning the proposed Certificates of Participation, Series 2019; authorizing the receipt of competitive bids for the Series 2019 Certificates, including the use of an electronic bidding system therefor; and prescribing certain details concerning such public sale of the Series 2019 Certificates

The Council action recommended was to adopt the resolution. **(Resolution No. 43, 2019)**

14. Consideration of a resolution of the City Council of the City of Greeley, Colorado, authorizing City staff to enter into settlement agreements with Greeley Gymnastics Center, Inc., Adventure Child Center, Inc., Adventure Management, Inc., and Theo Digerness

This item was pulled from the Consent Agenda.

15. 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 (Poudre Trunk Line)

The Council action recommended was to introduce the ordinance and schedule the public hearing and final reading for November 19, 2019.

16. **Introduction and first reading of an Ordinance changing the official zoning map of the City of Greeley, Colorado, from C-L (Commercial Low Intensity) to C-H (Commercial High Intensity) zoning for approximately 8.82 acres of property located north of 13th Street and west of 59th Avenue, known as the Shops at Sunset Ridge Rezone**

The Council action recommended was to introduce the ordinance and schedule the public hearing and final reading for November 19, 2019.

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

Councilmember Payton moved, seconded by Councilmember Suniga to approve the items on the Consent Agenda, except Item No. 14, and their recommended actions. The motion carried: 6-0 (Councilmember Casseday Excused)

17. **Pulled consent agenda items**

14. **Consideration of a resolution of the City Council of the City of Greeley, Colorado, authorizing City staff to enter into settlement agreements with Greeley Gymnastics Center, Inc., Adventure Child Center, Inc., Adventure Management, Inc., and Theo Digerness**

Councilmember Payton recused himself at 6:54 p.m.

Councilmember Suniga moved, seconded by Councilmember Hall to adopt the resolution. The motion carried: 5-0 (Councilmember Casseday Excused; Councilmember Payton Recused) (**Resolution No. 44, 2019**)

Councilmember Payton returned to the Council Chambers at 6:55 p.m.

18. **Public hearing and final reading of an ordinance adopting the Budget for 2020**

Robert Miller, Budget Manager, highlighted 2020 resources, total 2020 budget, and 2020 expenditures by department. He continued by discussing funding requests by Council Goal: Image, Safety, Economic Health & Development, and Infrastructure & Growth. Mr. Miller then highlighted the 2020 major capital project fund, utility rate changes, projected ending reserves, and projected utility ending reserves. He concluded with a summary of the 2020 budget.

Mayor Gates opened the public hearing at 7:06 p.m., and no comments were offered.

Councilmember Payton moved, seconded by Councilmember Hall to adopt the ordinance and publish with reference to title only. The motion carried: 6-0 (Councilmember Casseday Excused) (**Ordinance No. 45, 2019**)

19. **Public hearing and final reading of an ordinance adopting the General and Seasonal/Hourly Employee Pay Plans for 2020**

Sharon McCabe, Human Resources Director, briefly explained the changes and updates to the 2020 pay plans.

Mayor Gates opened the public hearing at 7:08 p.m., and no comments were offered.

Councilmember Fitzsimmons moved, seconded by Councilmember Suniga to adopt the ordinance and publish with reference to title only. The motion carried: 6-0 (Councilmember Casseday Excused) **(Ordinance No. 46, 2019)**

20. Consideration of a resolution establishing the 2019 tax levy and directing the certification of the same to the Board of County Commissioners

Mr. Miller noted that there was no presentation for this item.

Councilmember Hall moved, seconded by Councilmember Fitzsimmons to adopt the resolution. The motion carried: 6-0 (Councilmember Casseday Excused) **(Resolution No. 45, 2019)**

21. Consideration of a resolution adopting Stormwater Utility Fees for 2020

Mr. Hemesath explained the need for the proposed 8% rate increase and described the Stormwater Operating Fund (411), Stormwater Construction Fund (412), and Stormwater Replacement Fund (413).

Councilmember Hall moved, seconded by Councilmember Fitzsimmons to adopt the resolution. The motion carried: 6-0 (Councilmember Casseday Excused) **(Resolution No. 46, 2019)**

22. Public hearing and final reading of an ordinance amending portions of the Greeley Municipal Code, Chapter 11.01, Part 8 (Traffic Code), as it relates to pedestrians

Doug Marek, City Attorney, briefly explained the need for the ordinance and clarified what the ordinance would do.

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

Councilmember Suniga moved, seconded by Councilmember Fitzsimmons to adopt the ordinance and publish with reference to title only. The motion carried: 6-0 (Councilmember Casseday Excused) **(Ordinance No. 47, 2019)**

23. Public hearing and final reading of an ordinance of the City of Greeley repealing and replacing Chapter 11.01.1420 of the Greeley Municipal Code regarding misuse of a wireless telephone

Mr. Marek briefly explained the need for the ordinance and clarified that the ordinance will make the City's Code the same as the State Statute.

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

Councilmember Payton moved, seconded by Councilmember Fitzsimmons to adopt the ordinance and publish with reference to title only. The motion carried: 6-0 (Councilmember Casseday Excused) **(Ordinance No. 48, 2019)**

24. Public hearing to consider a resolution adopting the Energy Action Plan, an Element of the Imagine Greeley Comprehensive Plan

Mr. Mueller introduced Caleb Jackson, City Planner, to present. Mr. Jackson briefly explained what the Energy Action Plan is, provided a background/timeline of this plan, and explained that the City does not currently have an Energy Action Plan. He also explained how this plan will be beneficial for the City.

A consultant with the Brendal Group explained the scope of the Partners in Energy collaboration with Xcel Energy. She also explained the development of the Energy Action Plan, the Energy Vision, the four Focus Areas (Residential, Commercial, Educational Institutions, and Municipal) and their related goals along with strategies to achieve the goals for each of the four focus areas. She also explained the implementation logistics and next steps.

Mr. Jackson concluded by explaining a few key considerations and the recommendation to Council by the Planning Commission.

Councilmember Suniga thanked all involved in creating this plan and inquired about residential outreach campaigns targeted to under-resourced neighborhoods.

Mr. Jackson explained that east Greeley is a targeted area and explained that there will be stakeholder sessions in the future. He added that they will also be reaching out to community as a whole.

In response to a questions from Councilmember Suniga, Becky Safarik, Assistant City Manager, explained that a collaboration with the Greeley Urban Renewal Authority would be a great idea moving forward.

Mayor Gates opened the public hearing at 7:37 p.m., and no comments were offered.

Louisa Anderson, Greeley resident, expressed thanks to those involved in the creation of this plan but explained that this is not a truly comprehensive plan. She expressed her concern that Xcel Energy does not currently meet the needs of the community and is not a reliable utility. She also added that there are no measurable goals within this plan adding that this is an Energy Conservation Plan not an Energy Master Plan.

The public hearing was closed at 7:40 p.m.

Councilmember Payton moved, seconded by Councilmember Fitzsimmons to adopt the resolution. The motion carried: 6-0 (Councilmember Casseday Excused) **(Resolution No. 47, 2019)**

25. Appointment of applicants to the Construction Trades Advisory & Appeals Board, Greeley Art Commission, and Union Colony Civic Center Advisory Board

Construction Trades Advisory & Appeals Board – Recruit for Additional Applicants
Greeley Art Commission – Michelle Booren, Danyelle Butler, and Richard Munson
Union Colony Civic Center Advisory Board – Debra Brilla

26. Scheduling of Meetings, Other Events

Councilmember Hall moved, seconded by Councilmember Fitzsimmons to cancel October 22nd Worksession. The motion carried: 6-0. (Councilmember Casseday Excused)

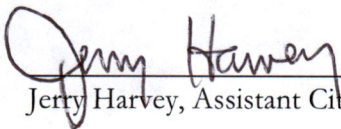
Mayor Gates thanked Councilmembers Smail and Casseday for their service as this was their last Council meeting.

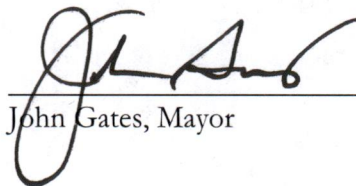
27. Consideration of a motion authorizing the City Attorney to prepare any required resolutions, agreements, and ordinances to reflect action taken by the City Council at this meeting and at any previous meetings, and authorizing the Mayor and City Clerk to sign all such resolutions, agreements, and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

Councilmember Payton moved, seconded by Councilmember Hall to approve the above authorizations, and the motion carried: 6-0 (Councilmember Casseday Excused)

28. Adjournment

There being no further business to come before the Council, Mayor Gates adjourned the meeting at 7:44 p.m.



Jerry Harvey, Assistant City Clerk

John Gates, Mayor