

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
October 19, 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, with hybrid participation available via the City's Zoom platform.

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

Mayor Gates noted the agenda order would be altered to accommodate the schedule of a council member needing to leave early, and item 19 would be moved before item 15. The agenda was approved with that change.

5. Recognitions and Proclamations

Mayor Gates read a proclamation declaring Greeley Philharmonic Day on October 23, 2021. Nick Kenny, Executive Director of the Greeley Philharmonic Orchestra, and Brian Larson, President of the Board of Directors of the Greeley Philharmonic Orchestra, accepted the proclamation on behalf of Orchestra and its new music director, Greeley native Lowell Graham.

Council Member Payton presented the *What's Great About Greeley* report.

6. Citizen Input

Steve Teets, Greeley resident, first thanked Council Member Butler for his participation in the recent Weld Project Connect Day, and then commented on problems with Lamar, the company contracted to take care of bus stops in the city.

Matt Rebeck came forward and shared his concerns with issues around homelessness downtown as someone who owns properties in downtown Greeley, and who has lived downtown off and on for the last 30 years while also having a business downtown.

There was no one in the virtual meeting audience requesting to be heard.

7. Reports from Mayor and Councilmembers

Council Member Butler shared he was able to serve as the Council representative on the Uptown Tree Selection Committee, and the work of that group to select a new art tree for placement on 8th Avenue. He also shared regarding his experience as the Council's designated representative participating in Weld Project Connect the previous Friday.

8. Initiatives from Mayor and Councilmembers

There were no new initiatives brought forward.

Consent Agenda

Council Member Butler requested that item 12 be removed from the consent agenda.

Council Member Payton moved, seconded by Council Member Butler, to approve the recommended actions on items 9-11.

The motion carried 7-0 by roll call vote.

9. Consideration of a Resolution to support an application for grant funding from the State of Colorado Department of Natural Resources Land & Water Conservation Fund program for the acquisition and development of the ShurView property for open space and outdoor recreation

The action recommended and approved was to adopt the resolution.

Resolution 36, 2021 supporting the application for grant funding was adopted.

10. Consideration of a Resolution of the City of Greeley Council authorizing the City to enter into a Memorandum of Understanding between the City of Greeley and the State of Colorado Department of Public Safety, Division of Fire Prevention and Control, prequalifying the City of Greeley Building Inspection Division to perform public school construction related inspection services

The action recommended and approved was to adopt the resolution.

Resolution 37, 2021 authorizing entering into the memorandum of understanding was adopted.

11. Consideration of a Resolution establishing the 2021 tax levy and directing the certification of the same to the Board of County Commissioners

The action recommended and approved was to adopt the resolution.

Resolution 38, 2021 establishing the 2021 tax levy and directing its certification was adopted.

12. Consideration of a Resolution of the Greeley City Council urging voters to vote “No” on ballot questions 2G and 2H

This item was pulled from the consent agenda to allow for discussion.

End of Consent Agenda

13. Pulled Consent Agenda Items

12. Consideration of a Resolution of the Greeley City Council urging voters to vote “No” on ballot questions 2G and 2H

This item was pulled from the consent agenda to allow for discussion.

Members of Council spoke in support of the Resolution.

Resolution 39, 2021 urging voters to vote “no” on ballot questions 2G and 2H was adopted.

14. Public hearing and second reading of an Ordinance adopting the budget for 2022

John Karner, Finance Director, came forward to present as set forth in the presentation deck in the agenda packet.

Mayor Gates opened the public hearing at 6:33 p.m.

Steve Teets, Greeley resident, came forward to share questions he had regarding funding for transportation mobility and housing, and for more information on what housing spending entails. Director Karner provided some additional information in these areas, as did Economic Health & Housing Director Ben Snow.

There being no one else wishing to be heard in the meeting room or virtually, the hearing was closed at 6:36 p.m.

Council Member Butler 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. 39, 2021, adopting the budget and making appropriations for 2022, was adopted.

19. Public Hearing to consider adoption of the Annual Action Plan for Program Year 2022 for Community Development Block Grant and HOME Investment Partnership Program Grant with Recommended Budgets

As noted when the agenda was approved, Item 19 was heard next.

Ben Snow, Director of Economic Health & Housing, came forward and presented as set forth in the presentation deck in the agenda packet.

Mayor Gates opened the public hearing at 6:40 p.m.

Steve Teets, Greeley resident, came forward to ask for a synopsis regarding this planned spending. Mayor Gates noted the materials in the agenda packet provide those specific details. Director Snow also provided specific details about the type of housing the allocated funds could be used for in response to a specific follow up inquiry from the resident.

There being no one else wishing to be heard in the meeting room or virtually, the hearing was closed at 6:43 p.m.

Council Member Clark moved, seconded by Council Member Fitzsimmons, to approve the 2022 Annual Action Plan and associated budgets, as presented.
The motion carried 7-0 by roll call vote.

Council Member Clark left the meeting at 6:44 p.m.

15. Public hearing and second reading to consider a change of zone from I-H (Industrial High Intensity), I-M (Industrial Medium Intensity) and C-D (Conservation District) to I-M (Industrial Medium Intensity) for approximately 25.759 acres of property located at 300 E. 8th Street known as the City of Greeley Wastewater Treatment Facility Rezone, and final reading of an ordinance changing the official zoning map to reflect the same

Darrell Gesick, Planner II, came forward to present as set forth in the PowerPoint in the agenda packet.

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

There being no one wishing to be heard in the meeting room or the virtual audience, the hearing was closed.

Council Member Fitzsimmons moved, seconded by Council Member Zasada, that based on the application received and the analysis presented by staff, the proposed rezone from C-D (Conservation District), I-M (Industrial Medium District), and I-H (Industrial High Intensity) to I-M (Industrial Medium Intensity) meets Development Code Section 24-624(c)(3) a, b, d, e, f, g, and h, and therefore to approve the rezoning.
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.

Ordinance No. 40, 2021, changing the official zoning map of the City of Greeley for approximately 25.759 acres of property, was adopted.

16. Public hearing to consider a request for approval of a combined Preliminary/Final PUD (Planned Unit Development) for the Westgate First Filing, Westgate Preliminary PUD 2nd Amendment and Final PUD, for approximately 84.436 acres located north of US 34, west of 71st Avenue, and east of 83rd Avenue for a mixed-use community

Brittany Hathaway, Planner III, came forward to present as set forth in the presentation deck in the agenda packet. Planner Hathaway noted the applicant was also in attendance for any questions, and to provide a brief presentation as well. Mark Savola with WRD4 in Denver presented as well. His slide deck was added to the public record.

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

Steve Teets, Greeley resident, spoke about whether these houses would be affordable, and posed questions what would happen if the state decides to widen 34. He also noted the terrible traffic already on 34 and 71st Ave.

Jim Els, Greeley resident, noted his interest in the property to the north of the subject property, and referenced the information he sent to the Council regarding the Boomerang Ditch and also the Boomerang Lateral. He also spoke regarding the notice provided when the preliminary PUD was initially approved without indication of the new street being added on the north side of the development. He reviewed the traffic study from 2015. Staff then clarified there is a more recent traffic study, and the applicant indicated the traffic study has been updated multiple times throughout the process, most recently 3 months ago.

No one in the virtual audience wished to be heard as part of the public hearing. There was a question in the chat of the Zoom webinar regarding start dates for the project, to which the applicant provided a response.

There being no one further wishing to be heard in the meeting room or the virtual audience, the hearing was closed at 7:08 p.m.

Council Member Fitzsimmons moved, seconded by Council Member Payton, to find that, based on the project summary and accompanying analysis, the proposed combined Preliminary and Final PUD for Westgate First Filing, Westgate Preliminary PUD 2nd Amendment and Final PUD, are in compliance with the Development Code and are therefore approved.

The motion carried 6-0 by roll call vote.

Excused: Council Member Clark.

17. Public hearing and second reading of an Ordinance amending Article VI, Chapter 3, Title 20 of the Greeley Municipal Code, relating to Industrial Pretreatment

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

Mayor Gates opened the public hearing at 7:13 p.m.

There being no one wishing to be heard in the meeting room or the virtual audience, 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 6-0 by roll call vote.

Excused: Council Member Clark.

Ordinance No. 41, 2021, amending Chapter 3 relating to Industrial Pretreatment of Title 20, Article VI, of the Greeley Municipal Code, was adopted.

18. Public hearing and second reading of an Ordinance adopting the 2021 Non-Potable Water Master Plan and amending the 2018 Comprehensive Plan to include the same by reference

Sean Chambers, Water and Sewer Director, came forward to begin the presentation. He introduced Adam Prior to present as set forth in the presentation deck in the agenda packet.

Mayor Gates opened the public hearing at 7:24 p.m.

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

Council Member Zasada moved, seconded by Council Member Payton, to adopt the Ordinance to accept and adopt the Non-Potable Water Master Plan and amend the City of Greeley 2018 Comprehensive Plan to include by reference the 2021 Non-Potable Water Master Plan, publish the ordinance with reference to title only.

The motion carried 6-0 by roll call vote.

Excused: Council Member Clark.

Ordinance No. 42, 2021, accepting and adopting the Non-Potable Water Master Plan and amending the City of Greeley 2018 Comprehensive Plan to include by reference the 2021 Non-Potable Water Master Plan, was adopted.

20. Appointment of applicants to the Greeley Art Commission, Historic Preservation Commission, and Human Relations Commission

City Clerk Anissa Hollingshead reported the following appointments were made by the Council by written ballot:

- Greeley Art Commission – Eddie Mirick.
- Human Relations Commission – Jerry Harvey.

- Historic Preservation Commission – Sean Jaehn and directed staff to recruit for additional applicants.

21. Scheduling of Meetings, Other Events

Acting City Manager Raymond Lee recommended the scheduling of a special meeting for November 9 in lieu of the work session on that date to seat the new Council, and cancelling the November 23, 2021 work session the week of the Thanksgiving holidays.

Council Member Payton moved, seconded by Council Member Hall, to schedule a special meeting in place of the work session for November 9, 2021 for the purpose of swearing in newly elected members of the City Council.

The motion carried 6-0.

Excused: Council Member Clark.

Council Member Hall moved, seconded by Council Member Butler, to cancel the work session for November 23, 2021.

The motion carried 6-0.

Excused: Council Member Clark

22. 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 Hall moved, seconded by Council Member Fitzsimmons, to approve the above authorizations.

The motion carried 6-0.

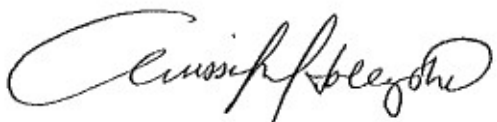
Excused: Council Member Clark.

23. Adjournment

There being no further business before the Council, Mayor Gates adjourned the meeting at 7:28 p.m.



John D. Gates, Mayor



Anissa N. Hollingshead, City Clerk