

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
November 19, 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

Jessica Diagana, Assistant City Clerk, called the roll. Those present were Mayor John Gates and Councilmembers Robb Casseday, Michael Fitzsimmons, Dale Hall, Brett Payton, Tommy Butler and Stacy Suniga.

4. Recognitions and Proclamations

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

Mayor Gates presented a proclamation recognizing the 16 Days of Activism Against Gender Violence.

5. Citizen Input

No citizen input was offered.

6. Approval of Agenda

The agenda was approved upon noting the removal of Item No. 15.

7. Reports from Mayor and Councilmembers

There were no Reports offered from Councilmembers.

8. Petitions from Mayor and Councilmembers

There were no petitions offered from Councilmembers.

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

9. Acceptance of the Report of the October 8, 2019, City Council Worksession

The Council action recommended was to accept the Report.

10. Approval of the City Council Proceedings of October 15, 2019

The Council action recommended was to approve the Proceedings.

11. **Consideration of a resolution appointing Cheryl Aragon to the position of Interim City Clerk**

The Council action recommended was to adopt the resolution. (Resolution No. 48, 2019)

12. **Consideration of a resolution of the Greeley City Council ratifying the Appointment of certain nominees to the Board of Trustees of the High Plains Library District**

The Council action recommended was to adopt the resolution. (Resolution No. 49, 2019)

13. **Consideration of a resolution the City to enter into the First Amendment to the Intergovernmental Agreement establishing water and sewer plant investment fees, raw water dedication requirements, sanitary sewer lift station cost recovery, and water main oversizing reimbursement with Greeley-Weld county Airport Authority**

The Council action recommended was to adopt the resolution. (Resolution No. 50, 2019)

14. **Consideration of a resolution authorizing the City to enter into the Fifth Amendment to the Fifth Interim Agreement between the Municipal Subdistrict, Northern Colorado Water Conservancy District Windy Gap FIRMING Project Water Activity Enterprise, and the City of Greeley for participation in the Windy Gap FIRMING Project**

The Council action recommended was to adopt the resolution. (Resolution No. 51, 2019)

15. **Introduction and first reading of an ordinance amending Sections 16.36.090 and 16.36.100 of The Greeley Municipal Code amending the International Fire Code, adding Chapter 16.40 of the Greeley Municipal Code regarding fireworks, and amending Section 2.08.035 of the Greeley Municipal Code providing the Municipal Court with jurisdiction over juveniles who violate Chapter 16.40**

This item was removed from the agenda for consideration at a later date.

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

Councilmember Payton moved, seconded by Councilmember Fitzsimmons to approve the items on the Consent Agenda and their recommended actions. The motion carried: 7-0

16. **Pulled consent agenda items**

No items were pulled from the Consent Agenda.

17. **Public hearing and final 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)**

Sean Chamber, Water & Sewer Director, provided an overview of the Poudre Trunk Line acquisition noting that the sewer line would be extended approximately 8,000 feet. He provided an area map for the

easement acquisitions and concluded his report by noting that this item has been approved by the Water & Sewer Board.

Mayor Gates opened the public hearing at 6:48 p.m.

Edwin Grant, Greeley resident, asked about cost associated with this project, and Mr. Chambers reported that under the Greeley Municipal Code, staff is authorized to spend up to \$1 million for the upsizing of the sewer line and that this will get paid back to the ratepayer through plan investment fees.

Mayor Gates closed the public hearing at 6:49 p.m.

Councilmember Casseday moved, seconded by Councilmember Fitzsimmons to adopt the ordinance and publish with reference to title only. The motion carried: 7-0 (**Ordinance No. 49, 2019**)

18. **Public hearing to consider a change of zone 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, and public hearing and final reading of an Ordinance changing the official zoning map to reflect the same**

Brad Mueller, Community Development Director, reviewed the rezone request for the Shops at Sunset Ridge including location, site, request, zoning and vicinity map, background of the property, proposed uses, rezone criteria and the recommendation of approval from the Planning Commission.

Councilmember Suniga mentioned that upon noticing the surrounding area of the proposed development that only one comment was received concerning impacts to traffic. Mr. Mueller reported that there is a negligible amount of traffic that will impact 59th Avenue as it is an arterial road that is designed to carry a significant amount of traffic.

In response to a question from Mayor Gates, Mr. Muller noted that activity center in terms of development refers to more intense uses such as commercial or retail and that activity centers are spaced which is reflective of this proposal.

Mayor Gates opened the public hearing at 7:04 p.m.

Edwin Grant, Greeley resident, expressed concern with naming streets and avenues in this area as the street is curved at it can be confusing. Mr. Mueller assure that there is an addressing protocol with addressing standards that is conjunction with the Post Office and emergency response.

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

Councilmember Fitzsimmons moved, seconded by Councilmember Suniga to find that, based on the application received and subsequent staff analysis, the proposed rezone from C-L (Commercial Low Intensity) to C-H (Commercial high Density) meets Development Code Section 18.30.050(c)(3) a, b, f, g and h; and, therefore approves the rezone. The motion carried: 7-0

Councilmember Fitzsimmons moved, seconded by Councilmember Butler to adopt the ordinance and publish with reference to title only. The motion carried: 7-0 (**Ordinance No. 50, 2019**)

24. Scheduling of meetings, other events

Councilmember Hall moved, seconded by Councilmember Fitzsimmons to cancel the November 26, 2019 Worksession meeting due to a lack of items for consideration. The motion carried: 7-0

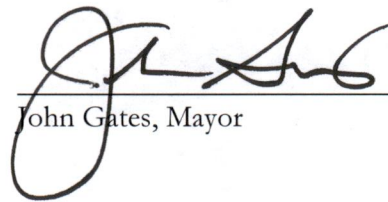
Councilmember Casseday moved, seconded by Councilmember Payton to schedule a Transition Meeting for December 10, 2019 at 5 p.m. The motion carried: 7-0

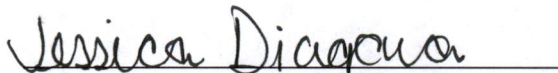
25. Consideration of a motion authorizing the City Attorney to prepare any required resolutions, agreements, and ordinances to reflect action taken by the City Council at this meeting and at any previous meetings, and authorizing the Mayor and City Clerk to sign all such resolutions, agreements, and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

Councilmember Payton moved, seconded by Councilmember Suniga 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 7:12 p.m.



John Gates, Mayor

Jessica Diagana, Assistant City Clerk