

City of Greeley, Colorado  
**CITY COUNCIL PROCEEDINGS**  
September 17, 2024

**1. Call to Order**

Mayor Pro Tem Hall called the meeting to order at 6 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 Pro Tem Hall led the Pledge of Allegiance.

**3. Roll Call**

Heid Leatherwood, City Clerk called the roll.

The following were present:  
Councilmember Tommy Butler  
Councilmember Deb DeBoutez  
Mayor Pro Tem Dale Hall  
Councilmember Brett Payton  
Councilmember Johnny Olson - Excused  
Councilmember Melissa McDonald  
Mayor John Gates– Via Zoom

**4. Approval of the Agenda**

City Manager Raymond Lee made the following requests:

1. Request that Item 15 (Budget Follow-up) be moved after Item 18 (Domestic and Agricultural Wells).
2. Request to remove Item 10 (2025 Meeting Schedule) and return to council later.

**5. Recognitions and Proclamation**

Mayor Pro Tem Hall read the Suicide Awareness and Prevention Month Proclamation at 6:02 p.m. North Range Behavioral Health Program Coordinator for Suicide Education and Support Services Elisa Selby was present in Council Chambers to accept.

Mayor Pro Tem Hall read the Hispanic Heritage Month proclamation at 6:07 p.m. Hispanic Women of Weld County, President Angie Larsen, Hilary Rudisill, Stephanie Lopez, and Yenny Rodriguez were present in Council Chambers to accept.

Councilmember McDonald presented the What's Great about Greeley? at 6:11 p.m.

**6. Citizen Input**

1. Steve Teets spoke against the ballot initiative for the food tax renewal.

2. Bill Gillard thanked Councilmember DeBoutez for hosting the informational meeting regarding upcoming ballot issues. He also stated he was against both the food tax and the debt issuance.
3. Jim Reiseberg shared details about the new Greeley Walks program.
4. Sonia Miller spoke about her dissatisfaction with how meetings are posted on YouTube and asked for an investigation into an incident with the school district.
5. Cain Molart, spoke about how he believed the school district was providing students with inappropriate material.
6. Brandon Wark thanked the City Clerk's Office for assisting with his committee registration and filings.

#### **7. Reports from Mayor and Councilmembers**

Councilmember McDonald attended the Housing and Homeless update meeting last week and was pleased with the community turnout. She rode along with the Greeley Police Department to learn about how they handle homeless situations. She thanked the officers for how kind and understanding they are.

Councilmember Butler wished everyone a happy "National Voter Registration Day" and encouraged everyone to register and vote this year.

#### **8. Initiatives from Mayor and Councilmembers**

Councilmember Butler requested consensus from council on a new initiative to review building permit fees, including a history of the fees over the past few years.

Mayor Pro Tem Hall asked Council for consensus on the review of building permit fees. Council consensus was to move forward with the initiative.

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### **Consent Agenda**

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- 9. A motion to approve the City Council Work Session Proceedings of August 13, 2024, and City Council Proceedings of August 20, 2024**
- 10. A motion to approve the 2025 Council Meeting and Work Session Schedule**
- 11. A resolution authorizing approval of an Airport Improvement Program Grant Agreement and offer from the Federal Aviation Administration (FAA) to the Greeley-Weld County Airport Authority**
- 12. A resolution authorizing approval of an Airport Infrastructure Grant Agreement and offer from the Federal Aviation Administration (FAA) to the Greeley-Weld County Airport Authority**

- 13. Introduction and first reading of an ordinance changing the official zoning map of the City of Greeley, Colorado to consider a request by Avant Civil Group to rezone 8.51 acres located north of 19th Street Road and east of 82nd Avenue from H-A (Holding Agriculture) to R-L (Residential Low Density) zone district (Mountain Vista Rezone)**

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**End of Consent Agenda**

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**Councilmember Payton moved to approve the Consent Agenda Items 9 and 11-13. Councilmember Butler seconded the motion. The motion passed 6-0 at 6:36 p.m. with Councilmember Olson absent.**

**14. Pulled Consent Agenda Items**

**None.**

**15. Work Session information follow-up for the City Manager's Fiscal Year 2025**

**Recommended Budget**

This item was heard after Item 18.

Caleb Weitz, Budget, and Policy Director introduced the item at 9:20 p.m.

Mr. Weitz provided an overview of total expenditures by council priority, as well as budget increases for 2025. Mr. Weitz also explained where council members could find more detailed information on these items and a full list of capital projects. He further provided highlights for each of the council priorities and funding sources for new Full-time Equivalent (FTE) positions. Lastly, he reviewed the timeline for the budget approval process.

Councilmember Butler asked if the cost of \$4.6 million related to High Performance Government and Customer Experience initiative was strictly for the software. Mr. Weitz explained the cost included consultation, software and other items, and there would be additional costs in subsequent years. Councilmember Butler asked about the strategy management director position. Mr. Weitz explained it was a Human Resources position that had not been filled this year but was part of the organizational restructuring.

Councilmember Butler also asked what base operating expenses include. Mr. Weitz said operating expenses covered core business functions for each department. Councilmember Butler inquired about the stabilization and reserve funds, and if they could be used for a year-round shelter. Mr. Weitz stated they would most likely need more stabilization funds and that the reserve funds only covered 2 months for the general fund.

**16. Public hearing and second reading of an ordinance changing the official zoning map of the City of Greeley, Colorado to rezone Tract 3A of the H-P Greeley 6th replat from I-L (Industrial Light), with DCMP (Development Concept Master Plan) zoning district to the R-H (Residential High) zoning district on approximately 16.192 acres of land (H-P Tract 3A Rezone)**

Community Development Director Brian McBroom introduced the item with a presentation at 6:39 p.m. Traffic Engineer Scott Logan was available for questions.

A history of the parcel was provided. The property was annexed in 1981 as Industrial Low Intensity (ILI) and the Hewlett Packard building was constructed. The property was purchased in 2021 and the building was removed. A previous request to rezone this property to Residential High Density (RHD) was denied by Council in 2022 with a 3-3 tie vote. The Planning Commission voted to recommend approval to city council on August 13, 2024.

The location of the property is east of 71<sup>st</sup> Ave., north of 8<sup>th</sup> St., and northeast of 69<sup>th</sup> Ave. Maps of surrounding areas and zoning district permitted uses were provided for council. Mr. McBroom explained that if the rezone was approved, the developer would still need to go through a potential subdivision process or a site plan review process. The purpose was for Council to conduct a public hearing, consider the information during the hearing and in the packet, deliberate the merits of the case and act according to the standards in the City's development code.

Mr. Logan addressed several questions that Mayor Pro Tem Hall had brought up during the September 3, 2024, regular meeting. Mr. Logan explained the anticipated traffic volume and trip generation. He offered various options they might implement depending on the type of development on the parcel.

Councilmember Butler asked if there were traffic improvements implemented last year. In response, Mr. Logan said there were raised crosswalks and speed humps recently installed.

Councilmember Butler asked about the status of a future park that was mentioned. Mr. McBroom responded that as he understood, it would be the City's responsibility to develop that park. Councilmember Butler inquired what the development impact fees would be. Mr. McBroom replied that he could get that information for Council but generally the fees collected would not be enough to fully fund the park.

Mayor Pro Tem Hall wanted to make sure this item was not a request to build multi-family homes. Mr. McBroom confirmed that it was only a zone change. Mayor Pro Tem asked if the current homes were in a Residential High-Density zone. Mr. McBroom also confirmed this was correct.

The applicant, Developer Brian Bartels gave a presentation, including more history on the site when Hewlett Packard vacated it in 2003. In 2017, a minor subdivision application was approved to adjust lot lines around the Hewlett-Packard property, H-P Greeley 5th Replat [Case No. S 32-16] to accommodate Westridge Academy for additional parking to help alleviate traffic.

Curtis Rowe, a traffic engineer for the applicant, conducted a traffic study on the developers' behalf. He explained trip generation for the entire area and the effect of heavy truck traffic condoning to road problems. He believed that residential use creates less traffic than industrial.

The public hearing was opened at 7:22 p.m.

1. Travis Flint spoke about traffic concerns, particularly in front of the school.
2. Christina Key opposed the rezone with concerns that another apartment complex could be built.
3. Trish Thompson spoke about the traffic from the existing apartments and was concerned about more apartments being built.
4. Jim Powers opposed the rezone. His daughter was hit and injured by a car while crossing the road. He did not believe this was a good fit for the neighborhood.
5. Michael Kerr has seen many people speeding in this area. He did not think the speedbumps have helped.
6. Dana Davis said the single-family homes in that area sold out very quickly, and the traffic issues have become increasingly worse. She and her husband oppose the rezone.
7. Alana Koenig spoke about how the traffic is already an issue. She believed people are leaving because of the problem, and the rezoning will make it worse.
8. Uriel Aragon lived near the corner of the 4-way stop. He was concerned about cars running through stop signs.
9. Dakotah Kuntz said there are many vacancies in the apartments, and more apartments are not needed in that area.
10. Sean Thompson lived directly across from Ten West apartments and asked the council to not approve the rezone.
11. Trish Trombino said this rezone has been denied in the past and they should require a site plan before approving a rezone.
12. Peter Boulton believed there was too much crowding in the neighborhood.
13. Laura Taylor opposed the rezone due to the possibility of an influx of residents.
14. Bill Bernard noted that stop signs, apartments, and houses do not go together.
15. Michael Taylor was concerned about an apartment building blocking the daylight for his property.
16. Fernando Rivera thinks more affordable single-family housing should be built.
17. Jordan Walden said the current traffic solutions have not had an effect on how others drive through the neighborhood.

18. Matthew Casey believed the current zoning has several uses that would complement the neighborhood, and right of way issues need to be addressed.
  19. Steve Teets spoke about how buses have trouble driving through this area because of the narrow streets and the traffic.
  20. Michael Schluter noted that his commute is now half the distance but double the time due to traffic in this area.
  21. David Cisneros noted that the number of apartments going up is concerning, and he desires lower density zoning.
  22. Chantel Petrosan agreed with previous speakers.
  23. Amber Pleasant thanked community members for speaking out and agreed traffic is a big concern.
  24. Jasmine Trujillo Martinez echoed previous speakers.
- With no further speakers, the public hearing closed at 8:20 p.m.

Councilmember Butler thanked the public for their comments and noted that he will be addressing traffic concerns in the neighborhood on a future initiative.

Councilmember Payton added that it was Council's obligation to review the code in a quasi-judicial manner, and public testimony is valuable. He mentioned that applicant must submit a site plan to use the property, and staff will work with the neighborhood.

Councilmember DeBoutez shared some examples of industrial light uses that would fit the zoning right now and how those uses would not be appropriate for the area. She believed that changing the zoning from Industrial Light to Residential is needed.

Councilmember McDonald thanked everyone for voicing their concerns. She stated that it is difficult to build condos since the Construction Defect Law passed in 2001. She offered information on young professionals and that rentals are useful in the journey of purchasing a future home.

Mayor Gates said he supported the rezone and wanted the speakers to know that Council heard their comments. He agreed with Councilmember DeBoutez that there were several uses under the current zoning that would be even worse, and they can only decide on what is before them right now.

Mayor Pro Tem Hall restated that this was not a request to build a multi-family project, but to change zoning. All the current single-family homes are zoned Residential High, and even a mid-density zoning would allow for multi-family homes. He was happy about the five acres sold to the school and said the current traffic conditions are noted and will be addressed.

**Councilmember Payton moved to approve the ordinance. Councilmember Butler seconded the motion. The motion passed at 6-0 at 8:31 p.m. with Councilmember Olson absent.**

**Council adjourned for a recess at 8:32 p.m.**

**Council reconvened at 8:39 p.m.**

**17. Public hearing and second reading of an ordinance amending Title 20, Chapter 3 of the Greeley Municipal Code relating to the Prohibition of Lead Pipes**

Adam Prior, Water and Sewer Chief Engineer introduced the item with a presentation at 8:39 p.m.

The state Lead and Copper Rule Revision requires the City to develop and take inventory on every water service line in the city and dictate a mandatory rate of replacement by the end of 2026. Investigation requires customer cooperation including basement inspections and potholing.

This ordinance supports a program that supports timely replacement and enforcement tools of water lines. If a property owner fails to comply the City may record a notice against the property, withhold financial support for replacement if authorization is not granted, charge an administrative fee, or as a last resort, utilize water service termination. This ordinance seeks a middle ground approach to achieve compliance in a timely manner and protect residents.

Councilmember Butler was concerned with water services being terminated due to non-responsive owners and the tenants not being informed. In response, Mr. Prior said this was only a last resort after significant outreach. The program would supply options and resources including paying for the replacements. The owner also has 2 years to comply. They need the consent of the owner and are communicating with the resident (tenant) as well to conduct inspections and replacements.

Councilmember DeBoutez asked if the notices are being sent out in multiple languages and whether they are sent to both tenant and owner. Mr. Prior said that in the current phase of visual inspections, they have provided 3 notices in English and Spanish. So far, 75% of the notices sent out have had no response. More notices will be sent out during the replacement phase. If this is unproductive, then the next step is to reach out individually going from house-to-house.

Councilmember Payton said his biggest concern was there were two competing interests, trying to remove lead for health and safety and the presumption of trying to enter the property. The latter could result in water being shut off.

Mayor Pro Tem Hall asked if they were focused on homes built in a certain era. Mr. Prior explained that they inspect anything built from 1930s-1960s as this is the high-risk area.

Councilmember DeBoutez asked about the fees and if the program was paying for the replacement. Mr. Prior advised that the City pays up to \$10,000 for the replacement. The

negative consequences are health concerns. The City has received a \$20 million loan incentive with a \$10 million grant forgiveness, so there is a benefit for the City to do this as well as financial assistance to the owner.

Councilmember McDonald asked if they inspectors were paired up going to the homes and recommended, they show sample vials of water to the residents. She also mentioned that there could be possible home-owners insurance coverage. Mr. Prior said they were bringing examples of different types of pipes, and insurance coverage would depend on the situation and each specific policy.

Councilmember Butler asked about the timeline of grant funding and would the replacement be completed by the end of 2026. Mr. Prior explained this is the purpose of the program to have all phases completed by 2026.

The public hearing opened at 9:05 p.m.

1. Steve Teets wanted to know what kind of pipes were replacing the lead pipes and did not agree with shutting water off for anyone.

With no further speakers, the hearing closed at 9:07 p.m.

**Councilmember DeBoutez moved to approve the ordinance. Councilmember Butler seconded the motion. The motion passed 5-1 at 9:09 p.m. with Councilmember Payton voting nay and Councilmember Olson absent.**

**18. Public hearing and second reading of an ordinance amending Title 20, Chapter 3, Article III, Division 1, and Article V of the Greeley Municipal Code relating to the use and construction of Domestic and Agricultural Wells**

Adam Prior, Chief Engineer introduced the item with a presentation at 9:10 p.m.

A background on the Regulatory Classification of the Poudre River was provided. Regulations set by Water Quality Control Division (WQCD) require a review of uses and standards every 3 years. In 2020-2021 Regulation 38 rule making, WQCD considered groundwater wells near the lower Poudre to be connected and recommended “water supply” as a protected use. A total of 152 wells in Segment 12 were determined to “not be in current use” or not expected for future use.

Municipal water service is available in all areas where the wells exist, and for any future development. Staff has proposed this ordinance to protect the city and its rate payers from new wells being drilled inside the city that could change the River’s classification. Existing wells may continue use with valid state permits but may not be used for domestic purposes.



Councilmember Payton asked if current wells could be cleaned up and recase. Mr. Prior explained that maintenance and rehab of existing wells would most likely be allowed by state engineers.

The public hearing opened at 9:19 p.m.

With no speakers, the hearing closed at 9:19 p.m.

**Councilmember Payton moved to approve the ordinance. Councilmember DeBoutez seconded the motion. The motion passed 6-0 at 9:20 p.m. with Councilmember Olson absent.**

**19. Appointments to Boards and Commissions - Youth Commission, Parks and Recreation Advisory Board, Human Relations Commission, Museum Board, and Citizen Budget Advisory Committee**

City Clerk Heidi Leatherwood announced the appointments.

Jonathan Mowery was appointed for a 3-year term to the Citizen Budget Advisory Committee.

Laney Jasso was appointed for a 3-year term to the Human Relations Commission.

Omar Munoz was appointed for a 3-year term to the Museum Board.

Bethany Kleiber as appointed for a 3-year term to the Parks and Recreation Advisory Board.

Alexandre Reyes, Ashlyn Craig, Alexandria Tacoronte, Phaedra Gonzalez, and Sofia Vasquez were appointed for 2-year terms to the Youth Commission.

**20. 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 any previous meetings and authorizing the Mayor and City Clerk to sign all such resolutions, agreements, and ordinances.**

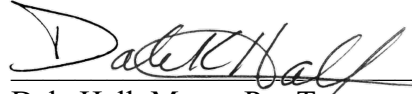
**Councilmember Payton moved to approve the motion. Councilmember Butler seconded the motion. The motion passed 6-0 at 9:38 p.m. with Councilmember Olson absent.**

**21. Scheduling of Meetings, Other Events**

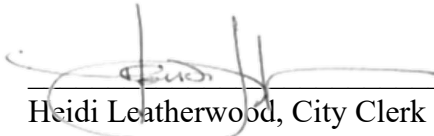
## 22. Adjournment

With no further business to come before the Council, Mayor Pro Tem Hall adjourned the meeting at 9:38 p.m.

Approved:

  
Dale Hall, Mayor Pro Tem

Attest:

  
Heidi Leatherwood, City Clerk