City of Greeley, Colorado

City Council Regular Meeting

October 15, 2024

1. **Call to Order**
   Mayor Gates 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 Gates led the Pledge of Allegiance.

3. **Roll Call**
   City Clerk, Heid Leatherwood called the roll.
   The following were present:

   Councilmember Tommy Butler
   Councilmember Deb DeBoutez
   Mayor Pro Tem Dale Hall
   Councilmember Brett Payton
   Councilmember Johnny Olson
   Councilmember Melissa McDonald
   Mayor John Gates

4. **Approval of the Agenda**
   City Manager Raymond Lee advised the Council that Item 11 was being removed from the consent agenda until a future date.

5. **Recognitions and Proclamation**
   Councilmember Payton presented What's Great about Greeley? report at 6:01 p.m.

6. **Citizen Input**
   None.

7. **Reports from Mayor and Councilmembers**
   Councilmember Olson attended the Affordable Housing Summit. He thanked Deb Callies for speaking during the conference.

   Councilmember McDonald spoke about Fire Prevention Week. She assisted Brian Eisen, Fire Department Outreach Officer, with educating 2nd graders on fire safety. She commented on the Citizens Fire Academy and their live fire presentation. She attended a ride along with the Homeless Outreach team and thanked the team for building trust in the community. She spoke about her experience riding the bus, attended the groundbreaking for Northern Colorado Disposal, joined the State of UNC address and

District 6 School Board meeting honoring the Greeley Police Department School Resource Officers.

Councilmember Butler attended the Frontier House Open House and invited citizens to attend upcoming office hours with him and Councilmember DeBoutez, where they will discuss the ballot initiatives.

8. **Initiatives from Mayor and Councilmembers**
Mayor Pro Tem Hall noted a concern about charter powers regarding Planning and Zoning as it relates to state law. He requested a work session and asked the City Attorney's office for a legal opinion on the cost of challenging the state law. The council reached consensus to move forward on the initiative.

Councilmember Butler proposed an initiative to look at traffic problems and parking issues in the HP rezone area. Mayor Pro Tem Hall noted that Public Works had reported improvements such as speed bumps and stop signs. Councilmember DeBoutez suggested a report instead and Councilmember Butler agreed. Councilmember Olson requested that a design status on those streets be included as he was concerned about the impact new state laws would have regarding reduced parking. The council reached consensus to receive a report, and no work session was requested.

9. **University of Northern Colorado Fall Update**
President Andy Feinstein presented the report at 6:20 p.m.

He noted that the university has seen increased enrollment in the Fall and retention rates and diversity in the student body. He also provided an update on the new College of Osteopathic Medicine, including the existing facilities that were beginning to be torn down, and what funding was being received.

Councilmember DeBoutez commented on the partnership between the city and university, Mr. Feinstein noted that programs were expanding, and considerations could include building a hotel and expanding housing. Lastly, he mentioned there were 6 new restaurants on campus and encouraged the public to engage with the Performing Arts programs.

Consent Agenda

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10. **A motion to approve the City Council Work Session Proceedings of September 10, 2024, and City Council Meeting Proceedings of September 17, 2024**

11. **Motion to call a Special Meeting for October 22, 2024**
Item 11 was removed.

12. **A Resolution in support of the November 5, 2024, City of Greeley Ballot Issue No. 2L concerning extension of the Sales Tax on food for the purpose of financing City Capital Improvement Projects**
13. **Resolution in support of the November 5, 2024, City of Greeley Ballot Issue No. 2M concerning approval of Low Interest Federal Financing**

14. **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**

15. **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 Peace Officer Behavioral Health Support and Community Partnership Grant Program**

16. **Resolution establishing the 2024 Tax Levy and directing the certificate of the same to the Board of County Commissioners**

17. **Resolution approving the amended 2020-2024 Citizen Participation Plan for the Community Development Block Grant Program**

End of Consent Agenda

Councilmember Butler highlighted the importance of the resolutions supporting the ballot initiatives. He also disclosed he was a member of the Habitat for Humanity Board related to Item 17.

<u>Councilmember Olson moved to approve the Consent Agenda Items 10 and 12-17. Councilmember Payton seconded the motion. The motion passed 7-0 at 6:31 p.m.</u>

18. **Pulled Consent Agenda Items**
None.

19. **Public hearing and second 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 2024 and for funds held in reserve for encumbrances through December 31, 2023**
Budget and Policy Director, Caleb Weitz introduced the item at 6:31 p.m. with a presentation.

Mr. Weitz reviewed the final appropriation for 2024, with a total request of $5.5M in expenditure, explaining that most of the items on the appropriation are the result of administrative clean-up alongside the development of the 2025 Budget. He provided a request breakout by funding source and key focus areas, as well as a breakdown of operating and capital requests.

The public hearing opened at 6:34 p.m.
With no speakers, the public hearing closed at 6:35 p.m.

Mayor Pro Tem Hall moved to adopt the ordinance and publish with reference to title only. Councilmember Olson seconded the motion. The motion passed 7-0 at 6:36 p.m.

20. **Public hearing and second reading of an ordinance adopting the Fiscal Year 2025 Budget**
Budget and Policy Director, Caleb Weitz introduced the item at 6:36 p.m.

Mr. Weitz reviewed the timeline of the 2025 budget process, starting from the July Council Budget Retreat through the first public hearing in October. He highlighted the $16.7 million in approved increases, including the $10 million in one-time expenses, $5.6M in ongoing projects, and $1.1M in capital projects. The 2025 Budget took into account compensation and collective bargaining increases, the new customer experience initiative, revenue stabilization, and 16 new net positions. He added that the Lincoln Park redevelopment, transportation development, future water acquisition and lead service line replacement, as well as several more water, sewer, and stormwater projects were included. Mr. Weitz provided a breakdown of expenditures by council priority and reviewed the three addendums.

The public hearing opened at 6:41 p.m.
With no speakers, the public hearing closed at 6:41 p.m.

Mayor Gates thanked Mr. Weitz and his department for doing a stellar job preparing the budget and answering many questions over the past several months.

Councilmember Butler moved to adopt the ordinance and publish with reference to title only. Councilmember DeBoutez seconded the motion. The motion passed 7-0 at 6:43 p.m.

21. **Public hearing and second reading of an ordinance amending Title 2, Chapter 4 and Title 6, Chapter 6, Article III of the Municipal Code of the City of Greeley (signature authority, procurement thresholds, non-competitive procurements and change orders)**
Budget and Policy Director, Caleb Weitz introduced the item at 6:44 p.m.

Mr. Weitz reviewed the proposed changes, which included better clarification and definition of the current practices. Change orders require department director approval when the amount is within the project's approved budget, but will require City Council approval if it is 25% or more and the original contract is $100,000 or more. It will require City Manager approval if it is less than 25% and the original contract is less than $100,000. Changes in discretionary purchase, small purchase, and formal procurements were also reviewed.

The public hearing opened at 6:49 p.m.
With no speakers, the public hearing closed at 6:50 p.m.

Mayor Pro Tem Hall moved to adopt the ordinance and publish with reference to title only. Councilmember Olson seconded the motion. The motion passed 7-0 at 6:50 p.m.

22. **Public hearing and second reading of an ordinance adopting the Classification and Salary Plan for 2025**
Director of Human Resources, Martha Lanaghen presented this item at 6:50 p.m.

Ms. Lanaghen explained the 2025 Pay Plan had minor updates from 2024, including cosmetic changes for improved readability, additional roles included in the 2025 Budget, elimination of roles that were no longer being utilized, as well as administrative updates that included job reclassifications, minor title changes, and mathematical mid-point corrections.

The public hearing opened at 6:54 p.m.
With no speakers, the public hearing closed at 6:54 p.m.

Mayor Pro Tem Hall moved to adopt the ordinance and publish with reference to title only. Councilmember_DeBoutez seconded the motion. The motion passed 7-0 at 6:54 p.m.

23. **Public Hearing and resolution approving the 2025-2029 Consolidated Plan, Citizen Participation Plan and the 2025 Annual Action Plan for the proposed Community Development Block Grant Budget for 2025, as an annual component of the Consolidated Plan**
Housing Director Deb Callies and consultant Chelsea Everett with Answer Firms, presented this item at 6:55 p.m.

Ms. Callies explained that a consolidated plan is a comprehensive planning document required by the U.S. Department of Housing and Urban Development (HUD), addressing issues such an affordable housing, community development, and homelessness over a

5-year period. Ms. Everett continued the presentation with a review of the community surveys and forums that have been conducted. Her firm has concluded that the community needs affordable housing, an emergency shelter, counseling services, and childcare that target low-to-moderate income residents.

There was a total of $900K in CBDG funds and $1.4M in HOME funds available to grant organizations with specific criteria. Once approved by City council, there will be a comment period that closes on November 4, and they anticipate submitting the plan to HUD by November 15. The plan also included removing the delegation authority from the Greeley Urban Renewal Authority and assigning it to the City of Greeley.

Councilmember Olson asked Ms. Callies to explain the process of applying for the awards. She explained that there is a funding cycle, with applications opening in February or early March. They are advertised in the paper, and agencies can apply.

Councilmember DeBoutez asked about the Neighbor-to-Neighbor rent assistance. She wanted to know if the county had funding as well, and if there was collaboration. She was concerned about duplication. Assistant City Manager Juliana Kitten stated there would be collaboration, but duplication was not a concern, the agencies always have more needs than available funding. Councilmember DeBoutez asked if it was possible to move the funds for the deck project to the year-round shelter. Ms. Callies explained that if they had received an application from United Way, the shelter would have taken precedence.

Mayor Gates asked what percentage of items were awarded versus the requests. Ms. Callies said 100% of the requests had been granted or more, particularly for the shelter.

Mayor Pro Tem Hall asked about the housing rehab that has not been designated yet. Ms. Callies said there were a few options under consideration, such as the city creating their own rehab program, or awarding it to agencies that perform that service.

Councilmember McDonald asked about the $50,000 in rental assistance. She was concerned that the non-profits are not centralized, and by the time people apply for these funds, it is usually too late, they are already facing eviction. She thought it should be addressed sooner, and there would be more cost savings. Ms. Callies stated the funding helps those in the most desperate of situations. Ms. Kitten agreed that they need to shift the mindset to intervene earlier.

Councilmember DeBoutez thanked Ms. Callies and her team for doing a great job. She thought it would be difficult to make decisions on allocating the funds.

Mayor Gates said he was very happy that 100% of the requests were funded.

The public hearing opened at 7:16 p.m.

1. Melanie Faure thanked the city for stepping up and approving the grant request for the Upwards Childcare Program.

With no further speakers, the public hearing closed at 7:19 p.m.

Councilmember Butler moved to adopt the resolution. Councilmember McDonald seconded the motion. The motion passed 7-0 at 7:24 p.m.

24. Public hearing and resolution approving a Colorado Revised Statutes Title 32 Special District Consolidated Service Plan Amendment, known as Poudre Heights Metropolitan Districts Nos. 1-5 Consolidated Service Plan Amendment, that would provide Public Facilities financing, operations, and maintenance (Case Number MD2024-0002, Poudre Heights Metropolitan District Nos. 1 – 5)

Director of Community Development, Brian McBroom, presented this item at 7:24 p.m.

Mr. McBroom explained this request was amending an existing Consolidated Service Plan that was approved in 2021 and the preliminary subdivision approved in July of 2024 for the property located North of 10 St., and West of 101st Ave. The applicant requested establishing Special Improvement Districts (SID) within the boundaries of the existing Metropolitan Districts to better finance improvements, providing the ability to fund public improvements through SID Assessment Bonds. All criteria and notification requirements were met.

The applicant Todd Johnson was available for questions.

Councilmember Butler asked about the types of bonds that could be used and if this increased the bond capacity or changed the type of financing. He was concerned this could affect the mill levy for those in the metro district. Mr. Johnson explained this created a lien up front on the developer or homebuilder, and the eventual homeowner would not see it. It helps defer cost over time and traditionally lowers the home price while allowing for additional improvements.

Councilmember Butler was concerned that any rentals in a metro district would have a higher price point. Mr. Johnson said there were a couple of different ways to structure the financing, and the current market does not lean itself to fund long-term costs to renters.

Councilmember DeBoutez asked why this was needed instead of the metro district and wanted some examples of districts in Northern Colorado. Mr. Johnson said the SID's were becoming a trend again. He explained that this was not increasing debt but allowed them to find financing at a lower rate, which allows for more projects and infrastructure.

Councilmember DeBoutez asked who would be on the board of the SID, and Mr. Johnson said it is still the same board as the metro district.

The public hearing opened at 7:43 p.m.
With no speakers, the public hearing closed at 7:44 p.m.

Mayor Pro Tem Hall moved to adopt the resolution. Councilmember Payton seconded the motion. The motion passed 6-1 at 7:45 p.m., with Councilmember Butler voting "nay".

25. **Public hearing and resolution approving a Colorado Revised Statutes Title 32 Special District Consolidated Service Plan Amendment, known as The Cache Development Metropolitan Districts Nos. 1-8 Consolidated Service Plan Amendment, that would provide Public Facilities financing, operations, and maintenance (Case Number MD2024-0003, The Cache Development Metropolitan District Nos. 1 – 8**

Director of Community Development, Brian McBroom presented this item at 7:45 p.m.

Mr. McBroom explained this was a request to amend an existing Consolidated Service Plan (CSP) that was approved in 2020. This was a planned unit development (PUD) approved in 2021, located North of 10th St., West of 83rd Ave., and East of 95th Ave. The applicant was requested to establish special improvement districts (SID) within the boundaries of the existing metro district to better finance improvements through SID assessment bonds. They have met all approval criteria and conducted proper notifications.

Applicant, Todd Johnson was available for questions.

Councilmember Butler asked when Title 32 had changed. Mr. Johnson said it was around 2016. Councilmember Butler asked why they did not request this in the CSP in 2019, and Mr. Johnson replied the market was not conducive at that time.

Councilmember DeBoutez asked if he had any examples in Northern Colorado, and Mr. Johnson said there were none yet, but they had just done one in Arvada. Shelby Nobel, representing Mr. Johnson, explained that they have also done this in Douglas County and in Johnstown recently. She stated it would not be increasing the debt load for residents but helps speed up improvements and development.

Councilmember Olson asked about the previous SID for Poudre Heights, and why it was at 60 mills, and this one was at 70. Mr. Johnson said Poudre Heights has a lower cap, with more industrial and mixed commercial at the City's request, and so 70 made more sense. He also stated they would never impose the maximum on commercial lots.

The public hearing opened at 7:52 p.m.
With no speakers, the public hearing closed at 7:53 p.m.

Councilmember Olson moved to adopt the resolution. Mayor Pro Tem Hall seconded the motion. The motion passed 6-1 at 7:54 p.m., with Councilmember Butler voting "nay".

26. **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.
    - Jessi N Howell-3-year term-Commission on Disabilities
    - Christen Depetro and Sean Jaehn – 3-year term-Historic Preservation Commission
    - Amber M Greene-3-year term-Human Relations Commission
    - William E Parish-3-year term- Parks and Recreation Board
    - Eddie Mirick-3-year term-Greeley Art Commission
    - Joshua Fulenwider, Kim Collins, Kenneth T Howell-3-year term-Housing for All Advisory Board
    - Erika E Wall-3-year term-Judicial Review Board

27. **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 Payton seconded the motion. The motion passed with a voice vote 7-0 at 7:57 p.m.

28. **Scheduling of Meetings, Other Events**
    None.

29. **A motion to go into Executive Session to discuss the potential purchase, acquisition, or lease of property for City services**

    Councilmember Payton moved to approve the motion. Councilmember Butler seconded the motion. The motion passed 7-0 at 7:57 p.m.

    The Mayor added that the Council will not be returning to the meeting after the adjournment of the Executive Session.

30. **Adjournment**
    With no further business to come before the Council, Mayor Gates adjourned the meeting at 7:58.

29. **Executive Session to discuss the potential purchase, acquisition, or lease of property for City services**

The Executive Session was called to discuss the potential purchase, acquisition, or lease of property for City services.

All members of Council were present to participate in the executive session, which was convened at 8:10 p.m. in person in the Colorado Room, located at 1001 11th Avenue.

In addition, the following staff members attended:
City Manager Raymond Lee
City Attorney Stacey Aurzada
Chief Financial Officer Allena Portis
Deputy City Manager Rachel Flynn
Assistant to the City Manager Blair Snow
Economic Development Director John Hall
Public Works Director Paul Trombino

Mayor Gates cautioned each participant to confine the discussion to the stated purpose and provided a reminder that no formal action may occur in the Executive Session. If at any point any participant believed that the discussion was going outside the proper scope of the Executive Session, participants were advised to interrupt the discussion and raise an objection.

The meeting concluded at 9:02 p.m.

The recording of this executive session will be retained as provided in the City's records retention policy and in conformity with the Colorado Open Meetings Law for a period of 90 days.
Approved

X

John Gates
Mayor

Attest

X

Heidi Leatherwood
City Clerk