

City of Greeley, Colorado
CITY COUNCIL MEETING
Tuesday, November 19, 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 via Zoom
Councilmember Brett Payton
Councilmember Johnny Olson
Councilmember Melissa McDonald
Mayor John Gates

4. Approval of the Agenda

Acting City Manager Blair Snow requested Item 33 be removed from the agenda.

5. Recognitions and Proclamation

Mayor Gates recognized the “Vote Yes for Greeley Campaign” group at 6:02 p.m. He thanked them for their effort in promoting Ballot Issues 2L and 2M.

Mayor Gates read the Small Business Saturday Proclamation at 6:07 p.m.
Director of Economic Development and Urban Revitalization John Hall, Midnight Oil Bookstore Owner Pablo Guzman, and Mom’s Popcorn Colorado Owner Rebecca Victor were present to receive the proclamation.

Mayor Gates read the Alzheimer’s Awareness Month Proclamation at 6:12 p.m.
Alzheimer's Association Development Manager Jessica Stratton was present to receive the proclamation.

Mayor Gates read the 16 Days of Activism against Gender Violence Proclamation at 6:15 p.m. Zonta Club Foundation Board Member Katherine Swafford and Zonta Club of Greeley members were present to receive the proclamation.

Mayor Gates read the Law Enforcement Records Personnel Week Proclamation at 6:21 p.m. City of Greeley Records Supervisor Lacey Richards, Records Supervisor Olivia Ayotte, and Records Specialist Uriah Little Owl were present to receive the proclamation.

Councilmember DeBoutez presented the What's Great about Greeley? report at 6:24 p.m.

6. Citizen Input

1. David Meek spoke on the cancellation of the Mountain Man History Festival.
2. Stacey Shea spoke on the topic of historical registration nominations by non-owners.
3. Danielle Demateis spoke in support of an upcoming proposed ordinance prohibiting the sale of dogs and cats in public spaces that will be named "Sammy's Law" and presented statistics referencing puppy mills.
4. Cindy Peden spoke in support of "Sammy's Law".
5. Steve Teets spoke on veterans needing better transportation options to get to appointments that are in neighboring cities.

7. Reports from Mayor and Councilmembers

Councilmember Butler announced that the Island Grove Advisory Board is working on updating their master plan. He thanked Public Works, Water & Sewer, and Economic Development Departments for their hard work and the groundbreaking for the 16th Street project. He and Councilmember DeBoutez attended the Hispanic Women of Weld County's annual scholarship and awards breakfast and congratulated Housing Case Manager Maria Hernandez for winning the Community Award.

Councilmember McDonald highlighted the new restaurant Wings Pier, complimenting the menu. She attended a school board meeting last month and was impressed with a video students made on school bus manners. She attended the Veteran's Day Ceremony and thanked Mayor Pro Tem Hall for his service. She complimented the fundraiser corn hole tournament for Life Stories and toured Fire Station 4. She also attended a badge pinning ceremony for firefighters with Mayor Gates and congratulated those who had been promoted. She completed both the Firefighter Citizens Academy and Citizen's Police Academy and thanked Greeley's first responders and their families.

Mayor Pro Tem Hall attended the National League of Cities Conference. He noted it was helpful to understand what other cities were doing, particularly those that had universities or colleges in their cities and were working on downtown dynamics. He was impressed with the technology being used in Safe Streets for All.

8. Initiatives from Mayor and Councilmembers

Councilmember Butler requested a report on what was being spent on consulting services. Council reached consensus to move forward with this initiative.

Mayor Gates asked to pull Item 10 from the consent agenda for discussion.

Consent Agenda

- 9. A motion to approve the City Council Meeting Proceedings of October 1 and October 15, 2024, and the City Council Work Session Proceedings of October 8, 2024**
- 10. Motion for consideration of appointment of City Council members to be liaisons related to the West Greeley project**
- 11. Resolution authorizing the City Manager to execute an Intergovernmental Agreement with Weld County and the Greeley-Weld County Airport Authority**
- 12. Resolution of the Greeley City Council to name the City Natural Area formerly known as the Shurview property as Arroyos Del Sol Natural Area**
- 13. Resolution to support application for grant funding from the State of Colorado Department of Natural Resources State Trails program for planning and construction design for the 59th Ave Trailhead and realignment of the Poudre River Trail in Sheep Draw Natural Area**
- 14. Resolution ratifying the appointment of certain nominees to the Board of Trustees of the High Plains Library District**
- 15. Resolution ratifying the appointment of certain nominees to the Board of Trustees of the Clearview Library District**
- 16. Resolution of the City Council of the City of Greeley, Colorado approving a change order with Tasman-Geo Inc (Amour Hill Drainage Improvements)**
- 17. Resolution of the City Council of the City of Greeley, Colorado approving a change order with Lightfield Enterprises (2023 KGM Sidewalks and Concrete)**
- 18. Resolution to approve an Intergovernmental Agreement with the United States Department of Transportation (USDOT) for the Safe Streets for All (SS4A) Planning and Demonstration Grant funding authorization**
- 19. Introduction and first reading of an ordinance reauthorizing the Greeley Art Commission, Union Colony Civic Center Advisory Board, the Greeley-Weld Housing Authority and the**

20. Introduction and first reading of an ordinance amending Title 8, Chapter 7 of the Greeley Municipal Code relating to Private Security Services
21. Introduction and first reading of an ordinance to consider a request by LAI Design Group petitioning to annex a total of 300.672 acres of land to the City of Greeley. The properties are bounded by Weld County Road 56 to the north, State Highway 257 to the east, and County Road 54 to the south, (Case number ANX2023-0001, L&T Annexation)
22. Introduction and first reading of an ordinance to consider a request by LAI Design Group proposing establishment of zoning with annexation including a total of 300.672 acres of land to the City of Greeley. The properties bounded by Weld County Road 56 to the north, State Highway 257 to the east, and County Road 54 to the south, (Case number ZON2023-0002, L&T Zoning)
23. Introduction and first reading of an ordinance amending Title 20, Chapter 3, Article III of the Municipal Code of the City of Greeley

End of Consent Agenda

Councilmember Butler moved to approve Consent Agenda Items 9 and 11-23. Councilmember Payton seconded the motion. The motion passed 7-0 at 6:56 p.m.

24. Pulled Consent Agenda Items

Council discussed the West Greeley Project and the need for two councilmembers to be liaisons. Mayor Gates reminded Council that only 2 members could be present at a time. After discussion, he nominated Mayor Pro Tem Hall and Councilmember Payton, based on their ward representation and the project location. Councilmember McDonald and himself could stand in as alternates.

Mayor Gates moved to appoint Dale Hall and Brett Payton as the West Greeley Project Council Liaisons. Councilmember Butler seconded the motion. The motion passed 7-0 at 7:01 p.m.

25. Historic Preservation Non-Owner Nomination Information Presentation

Director of Community Development, Brian McBroom introduced the item at 7:01 p.m. Historic Preservation Planner Betsy Kellums was available for questions.

This item was presented to Council for information only. No action was needed.

Mr. McBroom explained the Historic Preservation Register and its history. He provided a map of existing properties, with a total of 100 properties currently registered. The ordinance implementing the register was passed in 1995 and procedurally anyone could

nominate a property at that time. There was a controversy regarding a property in 2000 that led to code changes in 2002 and 2006, at which time requirements for non-owner nominations were put in place, with advisory guidance to council from the Historic Preservation Commission (HPC). No non-owner applications have been submitted since then until just recently and will be presented to Council on an upcoming meeting.

Mr. McBroom explained the criteria that must be met to approve the application including a qualifying vote of 5 members from the HPC, and informed Council that within 30 days of the HPC decision, a public hearing must be held, and a decision reached.

Councilmember DeBoutez remembered a neighborhood requesting designation of a historic district in 2008.

Councilmember Butler asked when the HPC would be considering the upcoming item. Mr. McBroom answered that the HPC would meet on December 16.

Mayor Gates asked if the item could be heard earlier if needed. Mr. McBroom said Council had 30 days from the HPC decision, so a January meeting would be fine.

Councilmember McDonald asked if similar requirements for updating a property required for historic preservation cost more and what avenues of assistance were available for owners. Mr. McBroom noted that being put on the historic register makes the property eligible for assistance.

Councilmember McDonald stated this could be a burden to owner who did not request it. Mr. McBroom said they have a list of organizations that offer financial assistance.

Councilmember Olson felt this was about personal property rights and reminded him of “eminent domain”. Mr. McBroom added that this process is a quasi-judicial process and the city’s code treats it similarly to a rezone.

Councilmember Payton asked if the Cranford neighborhood designation was approved in 2006. Ms. Kellums explained that after several issues with conflicts of interest on the HPC, eventually the HPC approved it. Then it was appealed to city council, and city council overturned the decision in 2008.

Mayor Pro Tem Hall asked how many votes were needed from HPC for the application to be approved. Ms. Kellums reminded Council that five (5) votes were needed out of the seven (7) members, and currently two (2) members would be recusing themselves due to conflicts of interest. Mayor Pro Tem Hall concluded that if there was not a unanimous vote by the remaining five (5) members, this would not come to Council at all.

Councilmember McDonald asked if there was a way to designate the property, but not have it put on the list until it changed ownership. Ms. Kellums said there is no provision for a delayed designation, but she could research.

26. Public hearing and second reading

Director of Human Resources, Martha Lanaghen, introduced this item at 7:18 p.m.

Ms. Lanaghen explained that the Greeley City Charter requires Council to review council compensation every four years. The last review was in 2020, therefore the deadline for review was by the end of this year. Ms. Lanaghen noted that some surrounding cities, Ft. Collins, and Boulder, were now moving to compensation based on their Area Medium Income (AMI). The reason for the change was to attract more working-class candidates by providing higher compensation due reflective of the time commitment.

Councilmember Butler noted that he would not vote for an increase. He wasn't sure an increase of 20% AMI would attract more working-class candidates, and for higher percentages he felt that the voters should decide.

Councilmember Payton thought it was an interesting dynamic to serve on council, and that no one had ever told him the pay prevents them from serving. He said it was a service dedication and he was not in favor of moving reimbursement to those levels.

Councilmember McDonald, being the newest member of the council, thought this was a volunteer opportunity and was not aware when she ran that she would be paid. She stated that as a business owner, it does allow her more opportunity to be engaged. She could see how difficult it would be for someone working full-time to meet the necessary time commitments. She said she would support an increase if it would provide more opportunity for people, as the current compensation is not a livable income.

Councilmember Olson noted that being on council was a service to the community.

Mayor Pro Tem Hall agreed.

Councilmember DeBoutez reiterated that being on Council was a full-time job given the hours of research and meeting with people. With the time commitment, she felt that many qualified people would not consider it. She asked if this item could be postponed until they were all termed out. City Attorney Stacey Aurzada answered that research could be conducted if needed.

Mayor Gates asked if there was consensus to raise compensation to either scenario. Consensus was to leave the compensation at its current amount.

27. Appointments to Boards and Commissions - Citizen Transportation Advisory Board, Greeley Urban Renewal Authority, Historic Preservation Commission, Housing For All Advisory Board and Human Relations Commission

City Clerk Heidi Leatherwood announced the following appointments:

- Citizen Transportation Advisory Board – Bart Smith for a 3-year term.
- Greeley Urban Renewal Authority – Jonathan T Mowery for a 5-year term.
- Historic Preservation Commission – Marshall Clough for a 3-year term.
- Housing for All Advisory Board – Jesus Alfredo Esparza Hernandez for a 2-year term.
- Human Relations Commission – Lilly Martin for a 3-year term.

28. 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 7-0 at 7:44 p.m.

29. Scheduling of Meetings, Other Events

30. Motion to go into Executive Session for the purpose of receiving legal advice related to, and determining positions, developing strategy, and instructing negotiators all related to the passage of Ballot Measure 2N to include Police Sergeants in the 2025 Greeley Police Officers' Association collective bargaining agreement

Councilmember Payton moved to approve the motion. Councilmember Butler seconded the motion. The motion passed 7-0 at 7:46 p.m.

31. Motion to go into Executive Session to discuss the potential purchase, acquisition, or lease of a property in unincorporated Weld County for a City service facility

Councilmember Payton moved to approve the motion. Councilmember McDonald seconded the motion. The motion passed 7-0 at 7:47 p.m.

32. Motion to go into Executive Session to discuss the potential purchase, acquisition, or lease of real property in West Greeley

Councilmember McDonald moved to approve the motion. Councilmember Butler seconded the motion. The motion passed 7-0 at 7:48 p.m.

33. Motion to go into Executive Session to discuss the potential purchase, acquisition, or lease of real property to enhance and support transportation improvements and provide for orderly development

This item was removed from the agenda.

34. Adjournment

With no further business to come before the Council, Mayor Gates adjourned the meeting at 7:49 p.m.

Executive Sessions

30. Executive Session for the purpose of receiving legal advice related to, and determining positions, developing strategy, and instructing negotiators all related to the passage of Ballot Measure 2N to include Police Sergeants in the 2025 Greeley Police Officers' Association collective bargaining agreement

The time was 8:12 p.m. on November 19, 2024.

Mayor Gates made the record as required by Open Meetings Law. This session was electronically recorded.

Present for participation in this executive session, which was convened in person in the Colorado Room of City Center South, were all members of City Council plus the following persons:

- Acting City Manager Blair Snow
- City Attorney Stacey Aurzada
- Assistant City Attorney II Ned Chapin
- Chief Human Capital Officer Kimberly Southern-Weber
- Police Chief Adam Turk
- Deputy City Manager Rachel Flynn

The executive session was for the following purposes:

- to receive legal advice related to passage of Ballot Measure 2N to include Police Sergeants in the Police collective bargaining unit as provided for under C.R.S. Section 24-6-402(4)(b) and Greeley Municipal Code Section 2-151 (a)(2), and
- to determine positions, develop strategy, and instruct negotiators regarding including of Police Sergeants in collective bargaining with GPOA as provided for under C.R.S. Section 24-5-402(4)(e)(1) and Greeley Municipal Code Section 2-151(a)(5) caution each participant in this executive session to confine discussion to these stated purposes, and remind you that informal action may occur in executive session. If at any point in the executive session any participant believes that the discussion is going outside the proper scope of the executive session, please interrupt the discussion and raise an objection.

The mayor cautioned each participant in the executive session to confine discussion to these stated purposes and reminded that no formal action may occur in executive session. If at any point in the executive session any participant believed that the discussion was

going outside the proper scope of the executive session, he ordered that they interrupt the discussion and raise an objection.

The time was 8:21 p.m. and the executive session concluded.

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

31. Executive Session to discuss the potential purchase, acquisition, or lease of a property in unincorporated Weld County for a City service facility

The time was 8:23 p.m. on November 19, 2024.

Mayor Gates made the record as required by Open Meetings Law. This session was electronically recorded.

Present for participation in the executive session, which was convened in person in the Colorado Room of City Center South, were all members of City Council plus the following persons:

- Acting City Manager Blair Snow
- City Attorney Stacey Aurzada
- Assistant City Attorney II Ned Chapin
- Senior Environmental and Water Resources Attorney Dan Biwer
- Deputy City Manager Rachel Flynn
- Public Works Director Paul Trombino
- Economic Development and Urban Revitalization Director John Hall
- Deputy City Manager and Chief Financial Officer Allena Portis
- Water and Sewer Director Sean Chambers
- Community Development Director Brian McBroom
- Assistant City Manager Kelli Johnson

The executive session was for the following purposes:

- to determine positions, develop strategy, and instruct negotiators regarding to discuss the potential purchase, acquisition, or lease of property for City services as provided for under C.R.S. Section 24-5-402(4)(e)(I) and Greeley Municipal Code Section 2-151(a)(S); and
- to receive legal advice related the potential purchase, acquisition, or lease of property for City services as provided for under C.R.S. Section 24-6-402(4)(b) and Greeley Municipal Code Section 2-151(a)(2).

The mayor cautioned each participant in the executive session to confine discussion to these stated purposes and reminded that no formal action may occur in executive session. If at any point in the executive session any participant believed that the

discussion was going outside the proper scope of the executive session, he ordered that they interrupt the discussion and raise an objection.

The time was 9:18 p.m. and the executive session concluded.

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

32. Executive Session to discuss the potential purchase, acquisition, or lease of real property in West Greeley

The time was 9:20 p.m. on November 19, 2024. Mayor Gates made the record as required by Open Meetings Law. This session was electronically recorded.

Present for participation in the executive session, which was convened in person in the Colorado Room, were all members of City Council plus the following persons:

- Acting City Manager Blair Snow
- City Attorney Stacey Aurzada
- Assistant City Attorney II Ned Chapin
- Deputy City Manager Rachel Flynn
- Public Works Director Paul Trombino
- Economic Development and Urban Revitalization Director John Hall
- Deputy City Manager and Chief Financial Officer Allena Portis
- Senior Environmental and Water Resources Attorney Dan Biwer

The executive session was for the following purposes:

- to determine positions, develop strategy, and instruct negotiators regarding to discuss the potential purchase, acquisition, or lease of property for City services as provided for under C.R.S. Section 24-5-402(4)(e)(I) and Greeley Municipal Code Section 2-151(a)(5); and
- to receive legal advice related the potential purchase, acquisition, or lease of property for City services as provided for under C.R.S. Section 24-6-402(4)(b) and Greeley Municipal Code Section 2-151(a)(2).

The mayor cautioned each participant in the executive session to confine discussion to these stated purposes and reminded that no formal action may occur in executive session. If at any point in the executive session any participant believed that the discussion was going outside the proper scope of the executive session, he ordered that they interrupt the discussion and raise an objection.

The time was 9:48 p.m. and the executive session concluded.

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

Approved

X

John Gates
Mayor

Attest

X

Heidi Leatherwood
City Clerk