

City of Greeley, Colorado
CITY COUNCIL WORK SESSION
March 11, 2025

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

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

Councilmember Melissa McDonald

Mayor John Gates

4. Reports from Mayor and Councilmembers

Councilmember DeBoutez attended the Biz West Most Influential Business Leaders event. Out of 10 categories, 4 Greeley people won awards, including Mitsy Moran from Sunrise Community Center, Cheri Witt-Brown, Executive Director of Habitat for Humanity, Councilmember Payton in the Professional Services category, as well as City Manager Raymond Lee in the Government and Education category.

Councilmember McDonald returned from Washington D.C. and attended many productive meetings with state representatives. She recognized Water and Sewer Director Sean Chambers for representing Greeley.

Mayor Gates congratulated Mr. Lee and Councilmember Payton for their awards.

5. Five -Year Housing for All Strategic Plan Update

Housing Solutions Director Deb Callies introduced Steven Hanmer with Breakthrough Leadership Consulting, as well as Urban Policy and Innovations, Peter Chapman, who presented the item at 6:03 p.m.

Mr. Hanmer shared an overview highlighting Greeley's progress and strengths, particularly in development. He emphasized the need for a range of housing options,

from starter homes to executive housing. Successful implementation of the housing plan would require collaboration between city departments, developers, financial institutions, and other stakeholders.

Mr. Hanmer explained how key stakeholders were engaged to set the direction for the project and identify additional people to consult. They toured master-developed communities in the North Metro Denver to gather real-world examples of successful concepts that could be applied in Greeley.

The team emphasized the importance of leveraging investments and momentum in areas like West Greeley, the airport, and downtown as focal points for transformation.

Mr. Chapman reiterated the strong interdependency between residential and economic development. The strategy identified three key sites for large-scale development: downtown, West Greeley, and the airport.

To support this, several financing tools were highlighted:

- State-Level Financing;
- Tax Increment Financing (TIF);
- Community Development Block Grants (CDBG);
- Affordable Housing Trust Fund.

The team also focused on ensuring Greeley has the right mechanisms for driving development, particularly for affordable, workforce, and market-rate housing. Based on best practices observed around the country and in Colorado, several types of developers play key roles in driving different housing product types:

- Local Community Development Corporations (CDCs);
- National For-Profit Affordable Housing Developers;
- Public and Quasi-Public Development Authorities;
- For-Profit Real Estate Developers.

The team highlighted best practices from successful projects, one of which is Central Park in Denver—formerly the largest infill project in the U.S. and Lowry Redevelopment and Green Valley Ranch. These case studies demonstrate how successful, large-scale mixed-income and mixed-use developments can be achieved by leveraging a variety of financing tools and strategies.

Mayor Pro Tem Hall asked what feedback they had received from the development community. Ms. Callies said the feedback received was positive, with many showing interest in taking an active role in development. Participants also offered suggestions for how the city can better support their success, and this feedback has been well received by city departments.

Councilmember Olson asked Ms. Callies how the construction defect law was affecting the affordability of housing. She said it was affecting affordable housing state-wide. Councilmember Olson suggested that loosening construction defect laws could lead to more affordable housing options like row houses and condominiums, making it easier for people at lower price points to purchase homes.

Councilmember DeBoutez asked if they would be helping the City come up with strategies to assist home builders in qualifying for low-income credits. Ms. Callies spoke about private activity bond retention and how it factored into these programs and future programs being developed.

Councilmember Butler noted there was currently no land or water banking system in place. He suggested using an affordable housing trust fund. Mr. Chapman discussed the concept of an Affordable Housing Trust Fund and shared that, while having such a fund is a good idea, successful examples around the country (and parts of Colorado) show that the fund should be supported by dedicated revenue sources. In this model, if a developer opted out of building affordable units as required by the zoning ordinance, they would contribute the cost of those units to the trust fund instead.

Ms. Callies stated the importance of further discussing and refining the approach with the next round of engagement, involving stakeholders, developers, and community partners. She highlighted that the structure of the Affordable Housing Trust Fund can vary based on the community's needs—whether it reflects the full cost of affordable housing development or the gap between affordable and market-rate housing costs.

Councilmember McDonald noted a neighborhood featuring a mix of lower-income and executive housing, with amenities like walkable commercial areas, parks for different age groups, and a variety of housing styles. She then asked how the city could shape the design process in a similar way. Mr. Chapman said there isn't a single approach to achieving this. One option is to have a separate entity responsible for creating a design book that would guide development and clarify responsibilities for both the design and execution phases of the project. This approach was seen in developments like Bealer Park.

Mr. Hanmer further elaborated on how Council could establish design policies through the Master Developer plan.

Mayor Gates thanked staff and consultants for the information.

6. Camping Restrictions Overview

Director of Homeless Solutions, Mandy Shreve, Deputy Public Works Director, Will Jones, Police Chief, Adam Turk, and Senior Attorney, Bobbier Cranston, introduced this item at 6:48 p.m.

Chief Turk introduced the group and said they had first presented information to Council in October of 2023, but since then there have been Supreme Court decisions and new

data. Ms. Shreve said when discussing camping restrictions, it's important to first understand the root causes of homelessness. She presented national data showing there has been an 18% increase in individuals experiencing homelessness in the past year. One of the key factors contributing to homelessness was the affordability crisis, particularly in housing. Ms. Shreve said the goal set by the city and community partners was to reduce the number of chronically homeless individuals by April of this year. As of last week, they had reached 88.5% of that goal, successfully housing 62 individuals. When factoring in the children tied to these individuals, the total number of people housed was 67.

One significant challenge she mentioned is the seasonal nature of shelters. While there are year-round shelters like Catholic Charities, which helps a small number of women and families, the largest shelter in the area is operated by United Way of Weld County. This is a cold-weather shelter, and when it closes for the season, the community feels the impact.

Mr. Jones explained that addressing encampments in Greeley involves coordination among various groups to ensure that people experiencing homelessness are provided with resources before any cleanup actions take place. Over the past two years, nearly 1,400 cubic yards of material have been removed, which equates to about 115 dump trucks of waste. This cleanup has cost the city approximately \$155,000 but does not account for waste or pollutants that have likely entered the waterways, impacting neighboring communities.

Mr. Jones said there were three key considerations, one being safety, as encampments pose significant fire hazards, human waste contamination to waterways, and encampments along roadways pose safety risks. The second consideration was environmental as encampments near waterways and parks contribute to pollution and environmental degradation, harming both the local ecosystem and public health. Lastly, he spoke about infrastructure damage, explaining that unauthorized camping also takes a toll on public infrastructure.

Chief Turk explained the tools currently available to the police department to address camping-related issues in Greeley focus primarily on deterrence rather than direct enforcement. The steps include verbal warnings, education, and citations. The second tool was the trespass ordinance, applied after several postings, outreach efforts, and one-on-one meetings. The goal was to prevent camping before enforcement becomes necessary. Arrests are considered a last resort. The department seeks to resolve the issue with education and outreach, focusing on behavior rather than criminalizing homelessness.

Chief Turk explained what a camping ban would look like if the City Council were to enact one. He said the enforcement approach would largely follow the current model, but it would become more structured and focused on specific rules related to camping. There would continue to be a heavy emphasis on outreach and education to inform the community about the ban and provide resources for those affected.

Chief Turk researched other regions that have enacted camping bans, such as San Diego and surrounding communities. Greeley would implement a scaled approach taking into consideration the availability of resources in the city, including what teams they could send out before ultimately moving to enforcement.

Ms. Cranston offered a legal overview on camping regulations and common legal challenges. Greeley's current regulations on the use of public spaces are shaped by various municipal code sections, which may be relevant when dealing with camping and encampments. These include obstructing highways or pedestrian passageways, loitering, trespassing, and park and natural area hours. She also explained that obstruction of public right of way and median safety can be considerations.

Ms. Cranston explained that camping was the use of a public area for living, which included occupying shelters such as tents or sleeping bags, with the presence of a stove or campfire and keeping or storing personal property. She also provided a definition for public property, that is property that has public access, including streets, highways, medians, alley's, transportation facilities, schools, parks, parking lots, and bridges.

Ms. Cranston researched what other local municipalities have implemented. They found that there were entire city bans or bans for special locations based on identified hazards, and that the jurisdictions had more shelter capacity than currently available in Greeley. Additionally, some cities have a Community Court System and multi-departmental approaches to enforcement and cleanups and focus on connecting individuals to resources before enforcement.

Council was provided with the options of making no changes, implementing camping regulations in public spaces, or implementing camping regulations and identifying areas in the community with higher risk to health and safety. Ms. Cranston concluded by saying that the city does have the ability to regulate public spaces.

Mayor Pro Tem Hall asked if doorways to buildings were considered public or private. Chief Turk said in most cases they would be a public space that could not be obstructed. Mayor Pro Tem Hall wanted to know how it would be addressed if a business was having issues with someone camping in their doorway. Chief Turk said that would be obstructing, trespassing if the owners chose to prosecute.

Councilmember McDonald asked what environmental damage has been done to the river. Mr. Jones said they have seen elevated levels of E. coli as well as people digging caves, which are susceptible to flooding. Councilmember McDonald asked about portable

bathrooms and dumpsters. Mr. Jones said that was an option, but it would still take managing and there were no guarantees people would use them.

Councilmember Butler expressed concern that a camping ban would make the situation worse and asked when the cold-weather shelter would close for the season. Ms. Shreve said April 3, 2025. Councilmember Butler asked if they could implement a ban without having a shelter available. Ms. Cranston said they could.

Councilmember DeBoutez asked Chief Turk how this would improve things operationally. She wanted to know how many cycles of warnings and citations it would take before someone was arrested. Chief Turk said he hoped it wouldn't get to that point and stated this would be a tool to use outside of trespass.

Councilmember DeBoutez said, based on a recent community meeting, she thought it was 50/50 for those opposed and in support of a ban. Ms. Kitten said 47% were opposed when there was not a shelter option available.

Mayor Gates said this would be a tool when there were people who do not want to use available resources and were defiant about moving.
Mayor Gates thanked staff for the information.

7. Property Acquisition and Eminent Domain

Director of Economic Development John Hall, and Real Estate Manager, Kirsten Muncy, presented this item at 8:00 p.m.

Mr. Hall explained the presentation was a follow up on previous discussions related to requests by staff and council regarding eminent domain, which occurred last fall or early winter. The goal was to provide an overview of the property acquisition and eminent domain processes.

Mr. Hall highlighted the two key concepts in the property acquisition process: eminent domain and condemnation. He explained that eminent domain was necessary to raise awareness about projects and their public purpose, comply with state and federal laws, and ensure consistent treatment for all affected property owners. Some prerequisites for eminent domain, such as the city's legal authority, the project having a public purpose, and the acquisition being necessary were also covered.

Mr. Hall presented an overview of the acquisition process, starting with the city staff seeking council approval to consider eminent domain. This then leads to steps like providing notice of intent to acquire, issuing letters, appraisals, and a final offer, with condemnation being the last step if necessary.

Councilmember Olson emphasized when Council authorizes eminent domain, they were authorizing condemnation, but that doesn't mean that is what is going to happen. He also said it was about getting a fair appraisal and price for both parties. He wanted to make sure before anything came before Council, the need has been determined.

Councilmember Payton agreed, but said it was a complicated process, some projects require temporary access and some permanent access. He spoke about the small percentage that went to the condemnation process, but said he would like a documented process for property owners to be able to reference in the code.

Councilmember Olson spoke about flexibility and authorization for negotiations, including limits and incentives that could prevent condemnation.

Councilmember DeBoutez said she has heard it can be difficult to know who to go to and liked the idea of having an established office to direct citizens. Mr. Hall noted that Ms. Muncy will be one of those staff members working on a process.

Mayor Gates thanked staff for the information.

8. Motion to go into an executive session for the purpose of discussing City Appointee Performance Appraisals

A motion to go into an Executive Session to discuss the following matter as provided under C.R.S. Section 24-6-402(4)(f) and Greeley Municipal Code Section 2.151(a)(6): To discuss the personnel matters for appointees reporting to the City Council.

Councilmember Payton moved to approve the motion. Councilmember McDonald seconded the motion. The motion passed 7-0 at 8:22 p.m.

9. Scheduling of Meetings, Other Events

None.

10. Adjournment

With no further business to come before the Council, Mayor Gates adjourned the meeting at 8:22 p.m.

8. Executive Session for Council Appointee Evaluations

At 8:32 p.m. Mayor John Gates, started the executive session, The Session was recorded as required by the Colorado Open Meetings Law.

All members of City Council were present in this executive session in the Executive Session room of Council Chambers with Heidi Brinkman joining via zoom.

This executive session was for the following purposes:
to discuss personnel matters regarding the three appointees who report to Council as provided for under C.R.S. Section 24-6-402(4)(f) and Greeley Municipal Code Section 2-151 (a)(6) including performance appraisals conducted by consultant Heidi Brinkman.

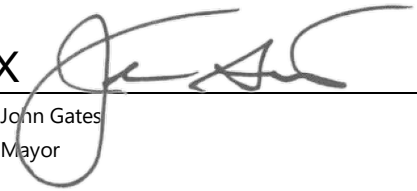
Neither the City Manager, City Attorney nor the Municipal Judge requested that this discussion be held in open session.

Mayor Gates cautioned participants to confine discussion to these stated purposes, and reminded all present that no formal action may occur in an executive session and if at any point in the executive session any participant believed that the discussion is going outside the proper scope of the executive session, to please interrupt the discussion and raise an objection.

At 9:35 p.m. the executive session concluded.

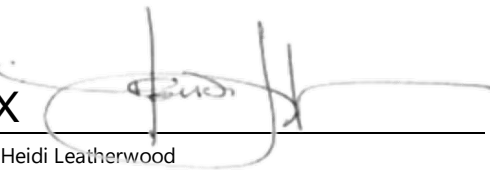
The recording of this executive session will be retained as provided in the City's records retention policy and in conformity with Colorado Open Meetings Law for a period of 90 days.

Approved

X 

John Gates
Mayor

Attest

X 

Heidi Leatherwood
City Clerk