

City of Greeley, Colorado
CITY COUNCIL MEETING
April 1, 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

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-Absent (Excused)

4. Approval of the Agenda

No changes.

5. Recognitions and Proclamation

Mayor Pro Tem Hall read the “Days of Remembrance” proclamation at 6:02 p.m.

Holocaust Memorial Observance Committee Members Reverend John Bliss and Ms. Hollis Berendt were present to accept.

Mayor Pro Tem Hall read the “National Mayor's Challenge for Water Conservation” proclamation at 6:07 p.m. Water Conservation Manager Dena Egenhoff was present to accept.

Mayor Pro Tem Hall read the “Fair Housing Month” proclamation at 6:11 p.m. Present accept the proclamation was Housing Director Deb Callies.

Councilmember Olson presented “What’s Great about Greeley?” report at 6:15 p.m.

6. Citizen Input

1. Richard Werner spoke in support of the West Greeley project.
2. Jay Bouton spoke in support of the West Greeley project.
3. Eric Knudsen spoke in support of the West Greeley project.
4. Jeremy Heberer spoke in support of the West Greeley project.
5. Michael Willis spoke in opposition of the West Greeley project.
6. Suzie Muttel spoke in opposition of the West Greeley project.
7. Cynthia Bullard, spoke in support for the downtown civic campus.
8. Thomas Donkle spoke in support of the West Greeley project.
9. Bernie Kendall spoke in opposition to the West Greeley project.
10. Kathy Ensz spoke in opposition to the West Greeley project.
11. Ulli Limpitlaw spoke in opposition to the West Greeley project.
12. Jim Riesberg spoke in opposition to the West Greeley project.
13. Carol Haworth spoke in opposition to the West Greeley project.
14. Marianne Workman-Nesse spoke in opposition to the West Greeley project.
15. William Nesse spoke in opposition to the West Greeley project.
16. Cade Campbell spoke in opposition to the West Greeley project.
17. Dennis Houston spoke in support of the West Greeley project.
18. Peter Derk spoke in opposition to the West Greeley project.
19. Dave Munoz spoke in opposition to the West Greeley project.
20. Dan Ganskow spoke in opposition to the West Greeley project.
21. Victoria Chen spoke in support of the West Greeley project.
22. Brad Inhulsen spoke in support of the West Greeley project.
23. Marshall Clough spoke in opposition to the West Greeley project.
24. Mary Monahan spoke in opposition to the West Greeley project.
25. Pam Bricker spoke in opposition to the West Greeley project.
26. Patrick Bradley spoke in support of the West Greeley project.
27. Jeri Shephard spoke in opposition to the West Greeley project.
28. Mark Houte spoke about the West Greeley project.
29. Marissa Hurley-Hail spoke in opposition to the West Greeley project.
30. Mike Dickerson spoke in opposition to the West Greeley project.
31. Jay Hardy spoke in support of the West Greeley project.
32. Nicole Christopherson spoke in opposition to the West Greeley project.

7. Reports from Mayor and Councilmembers

Councilmember McDonald congratulated City of Greeley employee Jerry Picket as he was inducted into the Greeley Stampede Hall of Fame. She attended the Life Stories Gala for their fundraising event.

Councilmember DeBoutez thanked staff for the Clean, Safe, and Beautiful program and complimented the city on hosting the Colorado Downtown Conference.

Councilmember Butler attended the Greeley Dream Team dinner last Thursday, where 41 Greeley students were awarded scholarships, and stood in for Mayor Gates at the ribbon cutting ceremony for Luna's Taco's.

8. Initiatives from Mayor and Councilmembers

None.

Consent Agenda

- 9. A motion to approve the City Council Proceedings of March 4, 2025, and City Council Work Session Proceedings of March 11, 2025**
- 10. Resolution authorizing the City Attorney's Office to institute legal action against the Town of Windsor for material breaches of an Intergovernmental Agreement**
- 11. Resolution appointing Allena Portis to the position of Finance Officer and Ex-Officio City Treasurer**
- 12. Introduction and first reading of an ordinance authorizing a salary and certain benefits for the City Attorney**
- 13. Introduction and first reading of an ordinance authorizing a salary and certain benefits for the City Manager**
- 14. Introduction and first reading of an ordinance authorizing a salary and certain benefits for the Municipal Judge**

End of Consent Agenda

Mayor Pro Tem Hall requested Item 10 be pulled from the consent agenda.

Councilmember Butler moved to approve Consent Agenda Items 9 and 11-14. Councilmember Olson seconded the motion. The motion passed 6-0 at 7:48 p.m. with Mayor Gates absent.

15. Pulled Consent Agenda Items

Item 10 - Resolution authorizing the City Attorney's Office to institute legal action against the Town of Windsor for material breaches of an Intergovernmental Agreement.

Mayor Pro Tem Hall noted that he and Mayor Gates met with the Mayor of Windsor and received information about active work being done on County Road 17.

Mayor Pro Tem Hall moved to amend the resolution, changing the language in Exhibit A to recognize Windsor was working on County Road 17. Councilmember McDonald seconded the motion. The motion passed 6-0 at 7:50 p.m. with Mayor Gates absent.

Mayor Pro Tem Hall moved to adopt the resolution as amended. Councilmember Payton seconded the motion. The motion passed 6-0 at 7:51 p.m. with Mayor Gates absent.

16. 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 2025 and for funds held in reserve for encumbrances through December 31, 2024

Budget and Policy Director, Caleb Weitz, introduced the item at 7:51 p.m.

Mr. Weitz explained that the appropriation for \$98.7 million included approximately 60% of previously approved expenditures. He provided a breakout of the request and showed the sources of funding. He also provided a highlight of capital requests, which included fire apparatus and improvements for the airport. He provided a chart that showed ongoing requests and explained the appropriation was needed to support operational needs and ongoing projects with the assurance that funds would maintain sufficient balances for the 2026 budget year.

Councilmember Butler requested a discussion about a year-round housing for the homeless shelter. Councilmember Payton reminded council that Ms. Shreve was scheduled to speak on the subject in the next few weeks.

Mayor Pro Tem Hall opened the public hearing at 8:00 p.m.

1. Nicole Christopherson spoke in favor of funding a homeless shelter.

With no further comment, the public hearing closed at 8:02 p.m.

Councilmember Payton moved to approve the ordinance and publish with reference to title only. Councilmember DeBoutez seconded the motion. The motion passed 6-0 at 8:02 p.m. with Mayor Gates absent.

17. Public hearing and second reading of an ordinance for Sales of Dogs and Cats in Public Places and Retail Stores

Commander Matt Patella introduced this item at 8:03 p.m.

Commander Patella reviewed that the ordinance was requested by a concerned citizen in June of 2024 as similar legislation was being enacted in other municipalities. The purpose was to improve community health by promoting animal welfare and discouraging the sale of pets from large-scale breeders. The new ordinance would prohibit retail stores from

selling, delivering, or offering dogs and cats for sale or adoption, and would prohibit the sale of dogs and cats in public spaces. The ban would not apply to Pet Animal Care and Facility Act (PACFA) licensed organizations, and retail stores could still collaborate with shelters and rescues to host adoption events. Violations would be misdemeanor offenses under Chapter 9 of Title 1 of the Greeley Municipal Code.

Mayor Pro Tem Hall asked if this would impact retail stores contracted with a PACFA licensed breeder. Ms. Cranston concluded that PACFA licensed breeders would be allowed.

Councilmember McDonald wanted citizens to know that PACFA was specific to the state of Colorado and helped address the problems of out of state breeders.

Mayor Pro Tem Hall opened the public hearing at 8:13 p.m.

1. Cara Thorson spoke in support of the ordinance.
2. Danielle Demateis spoke in support of the ordinance.
3. Cindy Peden spoke in support of the ordinance.
4. Noel Darby spoke in support of the ordinance.
5. Carol Gustafson spoke in support of the ordinance.

With no further speakers, the public hearing closed at 8:29 p.m.

Councilmember Payton moved to amend the ordinance, eliminating the words “such as” in 68B and 69A. Councilmember McDonald seconded the motion. The motion passed 6-0 at 8:30 p.m. with Mayor Gates absent.

Councilmember McDonald moved to adopt the ordinance as amended and publish in full. Councilmember Butler seconded the motion. The motion passed 6-0 at 8:31 p.m. with Mayor Gates absent.

- 18. Public hearing and second reading of an ordinance authorizing the acquisition of interests in real property located in the City of Greeley, Weld County, Colorado, by purchase or exercise of the power of eminent domain, for the construction of potable water infrastructure pursuant to Section 7 of Article XVI, Section 15 of Article II, and Sections 1 and 6 of Article XX of the Colorado Constitution and Colorado Revised Statutes §§ 31-15-101 and 38-1-101, et seq. (Greeley Mall Potable Water Infrastructure)**

Chief Engineer, Adam Prior, presented the item at 8:31 p.m.

Mr. Prior spoke about the Greeley Mall private water and sewer system that is in disrepair, posing a growing public health and safety risk. Issues include inadequate maintenance, lack of certified operators, no backflow protection for Greeley's water system, and leaking fire hydrants that are not being repaired. In response, the City of

Greeley has issued a noncompliance notice, demanding corrective actions, which include the design and construction of a new public water system for the area.

Mr. Prior explained that the owner has been requested to provide a new design. A backflow survey deadline has already passed, and a deadline of May 15th for a 30% design has been set. If they fail to meet the corrective actions outlined in their noncompliance notice, then approval by Council would allow Greeley's Water and Sewer Department to take over by designing a new water line, acquiring easements, and constructing a new water line.

Mr. Prior said a local improvement district (LID) would also be created to cover the costs of the design and construction. He provided a map showing the existing water lines and the proposed new water system. The potential alignment would aim to minimize future impacts, and construction would only proceed if the Mall failed to take the required actions.

Councilmember Payton asked for some clarifications on the map of what would be acquired. Mr. Prior explained that there was currently no easement, and so they would only be acquiring what was needed to establish the easement.

Councilmember Butler asked if private water systems could no longer be built. Mr. Prior confirmed and noted there were currently private systems they were trying to eliminate.

Councilmember Olson expressed concerns about wasting money on property that may not be there in the future. Mr. Prior responded that a new system would need to be in place for future redevelopment and that businesses in the mall were leasing their spaces.

Mayor Pro Tem Hall opened the public hearing at 8:42 p.m.

1. Nicole Christopherson asked if they had considered purchasing the water lines. Mr. Prior said the existing infrastructure needed repair and will require the city to replace it. This was why they were not acquiring the existing system.

With no further speakers, the public hearing closed at 8:42 p.m.

Councilmember Butler moved to adopt the ordinance with reference to title only. Councilmember Payton seconded the motion. The motion passed 6-0 at 8:43 p.m. with Mayor Gates absent.

19. **Public hearing and second reading of an ordinance authorizing the acquisition of interests in real property located in Weld County, Colorado, by purchase or exercise of the power of eminent domain, for the development of the Terry Ranch Potable Water Treatment Plant and Additional Water Transmission Lines and Associated Facilities, pursuant to Section 7 of Article XVI, Section 15 of Article II, and Sections**

1 and 6 of Article XX of the Colorado Constitution and Colorado Revised Statutes §§ 31-15-101 and 38-1-101, et seq. (Terry Ranch Water Supply Project)

Chief Engineer, Adam Prior, presented this item at 8:44 p.m.

Mr. Prior provided background on the Terry Ranch Water Supply Project. Originally authorized in 2021, the project involved building infrastructure to connect to the Terry Ranch wellfield. The initial phase started with a connection to the existing Bellevue pipeline. He explained that last year, 7 miles of pipeline were built north, and 6 more miles are planned for this year. The design of an additional 16 miles of pipeline is being done this year, with construction planned after 2028.

Mr. Prior provided an alignment map that showed the connection to the existing Greeley transmission system and the path heading north to the Terry Ranch Aquifer.

Changes to original route were being proposed after working with property owners. It required for additional authorizations allowing the project to correct a discrepancy on County Road 19 and avoid conflicts and reduce impacts.

Councilmember Butler asked, about the parcels requiring eminent domain and how far along they were in the project. Mr. Prior said more than halfway through.

Mayor Pro Tem Hall opened the public hearing at 8:52 p.m.

With no public comment, the hearing closed at 8:53 p.m.

Councilmember Butler moved to adopt the ordinance and publish with reference to title only. Councilmember Olson seconded the motion. The motion passed 6-0 at 8:53 p.m. with Mayor Gates absent.

20. West Greeley Project Summary (Informational)

City Manager Raymond Lee introduced this item at 8:54 p.m. Economic Development Director John Hall, Public Works Director Paul Trombino, City Attorney Stacey Aurzada, and Sarah Cullen from Side Car Productions also presented.

Mr. Lee discussed the ongoing conversation about development in Greeley, with the focus on the community growth and long-term goals.

Mr. Lee emphasized that if the project moves forward, it will be city-owned and not owned by the developer. The revenue generated from the project would be used to pay back the debt issued for the project. One of the key considerations for the City Council was the risk involved in repaying the debt from economic development payments associated with the project.

Mr. Hall continued the presentation, providing an overview of the project elements such as job creation, public transportation options, and increased tax revenue. He emphasized it would transform West Greeley into a destination that would offer a mix of entertainment, amenities, and opportunities for the community.

He also reviewed a high-level summary of the proposed funding and financing plan, as well as the flow of funds and financial modeling. Additionally, a breakdown of the project timeline in conjunction with the financing strategy was presented.

Mr. Trombino discussed necessary transportation and utility infrastructure. The transportation infrastructure would include roads forming a loop around the entertainment district, as well as regional infrastructure on major roadways at US Highway 34 and County Road 17. The water infrastructure would include relocating Boyd water transmission lines, providing potable water and connecting them to the Boyd treatment plant.

Ms. Aurzada concluded the presentation with an overview of the legal documents that the Council will need to consider as part of the project. The pre-development services agreement (PDSA) would be present to Council on April 15th, with a more detailed presentation being provided at the next work session.

If approved, a purchase and sale agreement for acquiring land under the entertainment district would be needed. Certificates of Participation (COP's) were also expected to be considered by Council on April 15th. Ms. Aurzada anticipated bringing a long-term lease agreement in May, and then a coordination agreement.

Additionally, Ms. Aurzada said Council would have to consider approving the general improvement district (GID), and then a business incentive agreement in 2026. She also spoke about the moral obligation pledge, and noted additional documents could come before Council as the project progressed.

Councilmember Butler asked what the timeline would be to form the 501(c)3. Ms. Aurzada confirmed it could be midsummer or fall.

Ms. Cullen presented a summary explaining the community engagement and communications process has been a collaborative effort between the Water Valley Company and the City of Greeley. Since the signing of the memorandum of understanding (MOU), the project has focused on keeping the public informed and engaged. The project website serves as the central hub for information, offering updates, renderings, FAQs, and a sign-up feature for interested individuals. Over 180 people, including residents, business owners, and community members, have signed up to stay informed and participate in meetings.

She said more than 20 local group meetings have been held, including with the Chamber of Commerce, Rotary Clubs, and the Affordable Housing Task Force, along with 4 larger community meetings.

Community engagement also involved surveys during meetings and on social media to gather feedback, with 186 responses and 106 questions submitted. This feedback, along with social media comments, is being used to create comprehensive FAQs. Additionally, 85 media articles, particularly from BizWest and the Greeley Tribune, have covered the project, helping gauge public perception. The outreach will continue as the project progresses.

Councilmembers asked about the cost to get to 30% design phase and if it was possible to extend the COP's and delay the economic development payments until more revenue was generated from the project. Staff and consultants provided in-depth information on those subjects, including the debt issuance.

Additional discussion ensued regarding whether the city could also afford the downtown project at the same time, sensitivity analysis on the cost of hotel rooms, and how far into the project the city could commit to before pulling out, community outreach, resort destination appeal, discount options for Greeley residents, interest rates for the moral obligation and the overall risk to the City.

Councilmember DeBoutez asked about other options for financing and having citizens vote on it. Mr. Lee stated that Council had asked for an option in which the project paid for itself, and so that was the model they used.

Colorado Eagles President Ryan Bach gave a brief presentation about the success of the Eagles and their continued partnership with the Colorado Avalanche Hockey Team. He emphasized the need for additional ice arenas available for youth hockey and provided statistics on growth trends. He also provided an example of a recent hockey tournament in Colorado Springs and generated revenue.

Councilmember Butler asked about the possibility of new ice arenas being built in Larimer County and if that would affect the need for these facilities. Mr. Back said that based on the demand of current programs, he believed the need was there.

Councilmember McDonald asked if there was another youth hockey organization, and Mr. Bach confirmed there was a Junior Bears association in Greeley. He also clarified that they collaborate with one another. Councilmember McDonald said she had also heard concerns about competition with the Ice Haus. Mr. Back said in cases like tournaments, it would be an additional venue for games and attract visitors to restaurants and hotels in downtown.

The Water Valley Company CEO Martin Lind shared a presentation. He stressed that the project was the City's and would pay for itself in addition to providing necessary infrastructure. He emphasized the success of the Eagles and the in-depth risk mitigation

staff and consultants conducted. Mr. Lind touched on hotel rates, demand in the area, and the GID mechanism. He showed schematic drawings and discussed the various elements of the project.

Councilmembers, Mr. Lind, and staff discussed what elements were scaled back for Phase I. Mr. Lind showed renderings of restaurants and amenities and how it could draw people to Greeley.

Councilmember Olson said some risks could be mitigated with the assurance of future development in the GID, and he felt the developer had some responsibility. Conversation continued regarding members joining the GID and needed infrastructure for the area.

Council asked about the possibility of increased water bills. Director of Water and Sewer Sean Chambers addressed his question, explaining the three types of water and wastewater infrastructure needed for the west region. He said there would be a small portion of infrastructure that would be beneficial citywide and impact city ratepayers.

Mayor Pro Tem Hall thanked everyone for the information.

- 21. 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 Butler moved to approve the motion. Councilmember Payton seconded the motion. The motion passed 6-0 at 10:48 p.m. with Mayor Gates absent.

- 22. Motion to go into Executive Session to receive legal advice and to instruct negotiators regarding development terms outlined in the Pre-Development Services Agreement for the West Greeley Project**

A motion to go into an Executive Session to discuss the following matter as provided under C.R.S. Section 24-6-402(4)(b) and 24-6-402(4)(e)(I), Greeley Municipal Code Sections 2-151(a)(2) and 2-151(a)(5): To receive legal advice related to and determine positions, develop strategy, and instruct negotiators about the Pre-Development Services Agreement with The Water Valley Company.

Councilmember Mc Donald moved to approve the motion. Councilmember Butler seconded the motion. The motion passed 6-0 at 10:49 p.m. with Mayor Gates absent.

- 23. Scheduling of Meetings, Other Events**

None.

24. Adjournment

With no further business to come before the Council, Mayor Pro Tem Hall adjourned the meeting at 10:49 p.m.

22. Motion to go into Executive Session to receive legal advice and to instruct negotiators regarding development terms outlined in the Pre-Development Services Agreement for the West Greeley Project

Mayor Pro Tem Dale Hall started the Executive Session at 10:59 p.m. in the Colorado Room. The meeting was electronically recorded as required by Colorado Open Meetings Law.

All Councilmembers, except Mayor Gates were present along with City Attorney, Stacey Aurzada, City Manager, Raymond Lee, CFO Allena Portis, and Butler Snow attorneys Dalton Kelley, Dawn Bookhardt, Ashley Stiles and Dan Biwer.

The executive session was for the purpose of conferral with. City Attorney to receive legal advice and to determine positions, develop strategies, and provide instructions to negotiators regarding the Pre-Development Agreement with The Water Valley Company as provided in C.R.S. 24-6-402(4)(b) and 24-6-402(4)(e)(I), and Greeley Municipal Code 2-151(a)(2) and 2-151(a)(S).

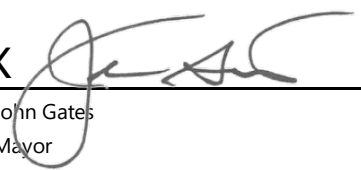
Mayor Pro Tem Hall cautioned each participant in the executive session to confine discussion to the stated purpose, and reminded everyone that no formal action may occur in executive session. He asked if at any point in the executive session any participant believes that the discussion was going outside the proper scope of the executive session, to please interrupt the discussion and raise an objection.

The City Attorney made an announcement regarding privileged communication. The recorder was turned off during the confidential attorney-client privileged conversation.

The Executive Session concluded at 11:40 p.m.

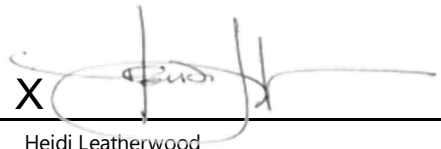
The recording of this executive session will be retained as provided in the City's records retention policy and in conformity with Colorado Open Meetings Law for a period of 90 days.

Approved

X 

John Gates
Mayor

Attest

X 

Heidi Leatherwood
City Clerk