

City of Greeley, Colorado
CITY COUNCIL MEETING
May 6, 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 Heidi 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

There were no changes to the agenda.

5. Recognitions and Proclamation

Mayor Gates read the Historic Preservation Month Proclamation at 6:02 p.m. City of Greeley Planner III, Betsy Kellums and Historic Preservation Commission board members Doran Azari, Marshall Clough, Gabe Llanas, Melissa Martinez, and Dan Podell were present to accept.

Mayor Gates read the National Travel and Tourism Week Proclamation at 6:05 p.m. City of Greeley External Communications, Jaqueline Villegas, City of Greeley Culture, Megan Weiler, Greeley Downtown Development Authority Director Bianca Fisher, Greeley Blues Jam Coordinators Al and Pam Bricke, and Double Tree Hotel representative, Wendy Peterson were all present to accept.

Mayor Gates read the Small Business Week Proclamation at 6:05 p.m. Present to accept the proclamation were Greeley Chamber of Commerce Jaime Henning, City of Greeley Economic Development employees Michelle Claymore, Melissa Marmitt, Allison Trembly, East SBDC Lisa Hudson, Greeley Downtown Development Authority Bianca Fisher, Grant & Associates Law Firm, P.C. Tom Grant, Aunt Helen's Coffee House &

Café's Aimee Hutson, The Garage Automotive Solutions Roger Ramirez, and Yeater & Associates, Lindsay Yeater.

Mayor Gates read the 56th Annual Professional Municipal Clerk's Week Proclamation at 6:16 p.m. Greeley City Clerk Heidi Leatherwood accepted the proclamation along with clerks from her office.

Mayor Gates read the National Police Week Proclamation at 6:20 p.m. Deputy Chief Jason Edwards was present to accept the proclamation.

Councilmember DeBoutez presented What's Great about Greeley report at 6:23 p.m.

Mayor Gates welcomed and introduced the new Chief Public Safety Officer Rick Ruggieri.

6. Citizen Input

1. Pam Bricker spoke about Denver considering an arena and an article stating they are never profitable.
2. Christie Miller spoke about trees being removed in their neighborhood and nothing being put back up due to no sprinkler system. Mayor Gates directed them to contact forestry.

7. Reports from Mayor and Councilmembers

Councilmember McDonald announced today was National Teacher Day. She thanked Public Works Department for facilitating "clean-up" weekend. She attended Arbor Day ceremony with Mayor Gates and Councilmember Butler and read books to students at Salida del Sol Academy, attended Commercial Crime Collaborative meeting at GPD.

Councilmember DeBoutez attended the Jazz Festival and a concert by the Greeley Philharmonic Orchestra. She went on a private tour of Cottonwood Bends with staff from natural resources and thanked staff and volunteers who planted 47 trees and 75 bushes.

Councilmember Butler attended the literacy night and read to the students. He attended Meals on Wheels Open House and the first farmers market of the season. He also attended a Cinco de Mayo celebration and a Greeley Fire Department promotion ceremony.

Mayor Gates thanked Housing Solutions Director Deb Callies and her team for hosting the recent Housing Summit.

8. Initiatives from Mayor and Councilmembers

Councilmember Butler asked for a work session discussing updates on the 12th Street Outfall. Council reached consensus to move forward with this initiative.

Councilmember Butler also asked for a work session discussing updates on quiet zones. Council reached consensus to move forward on this initiative.

Consent Agenda

- 9. Motion to approve Motion to approve the City Council Meeting Proceedings of April 1, 2025, and City Council Work Session Meeting Proceedings of April 8, 2025**
- 10. Resolution adopting the Mobility Development Plan, Strategies, and Recommendations**
- 11. Resolution authorizing an IGA with the Greeley Urban Renewal Authority for funding of Ironwood Business Park Improvements**
- 12. Introduction and first reading of a corrected ordinance 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)**
- 13. Introduction and first reading of a corrected ordinance to establish zoning on a total of 300.672 acres of land in 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 ZON2023-0002, L&T Zoning)**

End of Consent Agenda

Councilmember DeBoutez requested that Item 11 be pulled from the consent agenda for discussion.

Councilmember Butler moved to approve the Consent Agenda Items 9-10 and 12-13. Councilmember DeBoutez seconded the motion. The motion passed 7-0 at 6:47 p.m.

14. Pulled Consent Agenda Items

Item 11- Resolution authorizing an IGA with the Greeley Urban Renewal Authority for funding of Ironwood Business Park Improvements

Councilmember DeBoutez expressed concerns regarding the project being over budget. Interim Budget Director Kalen Myers and GURA Director John Hall were available to answer questions. Ms. Myers explained the original budget for the project did not include utilities, and the shortfall was being split with GURA. Councilmember DeBoutez asked

if that was typical. Ms. Myers noted it was a special circumstance, which is why the IGA was necessary. Councilmember DeBoutez said that a project being 100% over budget was problematic.

Councilmember Butler asked about the fund amount coming from stormwater. Ms. Myers said the amount was approximately \$250,000. Councilmember Butler asked if it would impact stormwater rates. Ms. Myers explained it would not, as the funds came from project savings in the 2024 budget. Councilmember Butler had additional concerns about the 12th Street Outfall project and possible delays. Ms. Myers said the funding for the outfall project came from annual drainage improvement funds and would not impact this project.

Councilmember McDonald asked for information from a council meeting in July of 2023 referenced in the agenda materials. Ms. Myers replied that she would provide her with the presentation from that meeting.

Councilmember Olson asked who had prepared the estimate. Ms. Myers believed it was a Public Works department estimate. Councilmember Olson asked if Public Works and Utilities usually collaborated. Ms. Myers said they typically did, but in this case, she thought there could have been better communication. She said there was also an assumption that utilities were covered by enterprise funds.

Councilmember Butler asked if the project had been completed without approval of the additional funds. Ms. Myers stated if GURA had not come to the table, Council would have had to discuss capital funding. Councilmember Butler had additional questions and said he was uncomfortable moving forward. He requested discussion on how this could be prevented in the future.

Councilmember Olson asked how the work was completed without funding. Ms. Myers explained that stop-gap funding was identified in the event GURA did not contribute, but it would have required reprioritizing projects. Ms. Snow added that Council would receive a full report on the situation.

Councilmember DeBoutez moved to adopt the resolution. Councilmember Butler seconded the motion. The motion passed 5-2 at 6:58 p.m. with Councilmembers Payton and Olson voting “nay”.

- 15. Public hearing and second reading of an ordinance of the City Council of the City of Greeley concerning the financing of pre-development services for the design and construction of a new arena, ice center, hotel, and water park, and the supporting public improvements needed in connection therewith, and approving the execution and delivery by the city of a site lease agreement, and amendments thereto, and a**

lease purchase agreement, and amendments thereto, and related documents (West Greeley Certificates of Participation (COP) Series 2025a)

Division Treasurer, Robert Miller, and Budget and Policy Deputy Director, Kalen Myers, introduced the item at 6:59 p.m. (This presentation would include information for Item 15 and Item 16.)

Mr. Miller reminded Council they had viewed a presentation at the first reading on April 15, 2025, and the purpose of the COP's were to provide initial funding for the West Greeley project for predevelopment costs. He stated that bond financing was expected to be issued in the future to pay off the COP's and the issuance would not exceed \$115 million. Additionally, Mr. Miller noted that the Public Works building at 1009 11th Avenue had been removed from the asset list.

Mr. Miller presented a chart with the proposed design phase schedule, which included the major checkpoints and milestones for releasing funds. Additionally, a second appropriation was necessary to support the COP's, with a new West Greeley Fund being established. This fund would allow expenditures to be tracked for the project. Mr. Miller also noted that the water and sewer requests from the first reading had been removed.

Councilmember Butler noted that in the milestones list, the 30% design phase looked to be completed by June, and he thought it would be September based on original estimates. Ms. Snow confirmed the most recent schedule showed late summer to early October.

Mayor Gates stated they had issued COPs for the construction of Council Chambers, and it would not be problematic as long as payments were made.

Councilmember DeBoutez spoke about the capital improvement project summary and funding them in addition to the West Greeley project. She wished they could delay the decision.

Councilmember Olson said he did not disagree with Councilmember DeBoutez but recognized that the COPs would be paid back very quickly, releasing the assets for future financing.

Mayor Gates opened the public hearing at 7:09 p.m.

1. Edwin Grant spoke in opposition to the ordinance.

With no further speakers, the public hearing closed at 7:10 p.m.

Councilmember Payton moved to adopt the ordinance and publish in full (due to the changes made between first and second reading). Councilmember Olson seconded the motion. The motion passed 5-2 at 7:11 p.m. with Councilmembers Butler and DeBoutez voting "nay".

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

Division Treasurer, Robert Miller, and Budget and Policy Deputy Director, Kalen Myers, introduced the item at 7:11 p.m.

Council did not have any questions on this item since information was shared in the presentation for Item 15.

Mayor Gates opened the public hearing at 7:12 p.m.

With no speakers, the hearing closed at 7:12 p.m.

Councilmember Payton moved to adopt the ordinance and publish in full (due to changes made between first and second reading). Councilmember Olson seconded the motion. The motion passed 5-2 at 7:13 p.m. with Councilmembers Butler and DeBoutez voting “nay”.

17. Continued public hearing and second reading ordinance changing the official zoning map of the City of Greeley, Colorado, to establish a Planned Unit Development (PUD) for approximately 49.056 acres located at the Northwest corner of 71st Avenue and 25th Street (Village at Greeley)

Deputy Director of Community Development, Don Threewitt, presented this item at 7:13 p.m.

Mr. Threewitt provided an overview and description of the location of the property, explaining that it would allow single-family and duplex residential uses as a “for-lease” or “build to rent” (BTR), with several amenities, and 1–3-bedroom units ranging in size from 600-1300 square feet.

Mr. Threewitt explained the approval criteria and notification process, stating all criteria had been met, and a neighborhood meeting had seen a mix of concerns and support.

Mayor Gates asked why the Planning Commission minutes were not available. Mr. Threewitt explained that the staff member had been out on leave, and therefore they had included a memo in the packet instead. Mayor Gates questioned the data provided in the memo and stated that the Planning Commission had not passed the item unanimously. Mr. Threewitt acknowledged the memo was inaccurate. The Planning Commission had recommended approval with a 3-2 vote.

Council had several more questions for staff and the applicant, primarily focused on the possibility of developing the community to be able to convert from “for rent” to “for sale” in the future. There were concerns about the development being maintained properly and Code Enforcement’s ability to enforce violations. Additional questions

regarding insurance for the property and examples of other communities that had proven to be successful were posed to applicant, Bryan Freel.

There was discussion with City Attorney Stacey Aurzada and Mr. Freel on how and when Council could request a continuance if more information was needed.

Mayor Gates opened the public hearing at 8:18 p.m.

1. Jim Ellis spoke in support for the project.
2. Skip Curry said he appreciated Council's questions and trusted that they would make an appropriate decision.

With no further speakers, the public hearing closed at 8:22 p.m.

Ms. Aurzada advised Council they would need Mr. Freel's consent to continue the matter past 60 days. Mr. Freel gave his consent to continue to a later date.

Councilmember Olson motioned to continue the item to the July 15, 2025, Council meeting. Mayor Pro Tem Hall seconded the motion. The motion passed 7-0 at 8:24 p.m.

18. Public hearing and second reading of an ordinance changing the official zoning map of the City of Greeley, Colorado, from H-A (Holding Agriculture) to R-E (Residential Estate) zoning for 14.41 acres of property located north of County Road 56 and east of 95th Avenue, known as the Two Rivers Garden Rezone

Deputy Director of Community Development, Don Threewitt, presented this item at 8:25 p.m.

He opened the presentation with an overview of the request, and background of the property dating back to 2001. The request to rezone from Holding Agricultural (HA) to Residential Estate (RE) resulted from the applicant's desire to construct a solar array. This falls under "use by special review." The property is located north of County Road 56 and east of 95th Avenue. Mr. Threewitt stated that the zoning would be compatible with existing development and zoning.

Councilmember Butler asked why the rezone was requested to be residential. Mr. Threewitt said that was the most compatible use for solar.

Mayor Pro Tem Hall thought solar would be an industrial zoning and wanted to know if any screening was planned. Mr. Threewitt explained there were no renewable energy standards in the code. Currently no screening was required, but conditions could be applied for the special use.

Mayor Pro Tem Hall had additional questions about the setbacks. Mr. Threewitt said this was a newer use within city limits, and in this case, it would be next to a substation on

undeveloped property. Mayor Pro Tem Hall asked if the “special use” request would come before Council. Mr. Threewitt answered that it would be administratively reviewed and approved by the Planning Commission.

Councilmember Olson expressed concerns about having no standards in place and said he would like to get those on paper, as it was difficult to understand what they were approving.

The applicant, Troy Spraker, discussed some screening options with Council.

Mayor Gates opened the public hearing at 8:35 p.m.
With no speakers, the hearing closed at 8:35 p.m.

Councilmember DeBoutez moved to adopt the ordinance and publish with reference to title only. Councilmember Butler seconded the motion. The motion passed 7-0 at 8:41 p.m.

- 19. 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 8:41 p.m. by voice vote.

20. Scheduling of Meetings, Other Events

None.

21. Adjournment

With no further business to come before the Council, Mayor Gates adjourned the meeting at 8:42 p.m.

Approved

X

John Gates
Mayor

Attest

X

Heidi Leatherwood
City Clerk