

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
December 1, 2020

1. Call to Order

Mayor John Gates called the remote meeting to order at 6:00 p.m. via Zoom Meetings.

2. Pledge of Allegiance

Mayor Gates led the Pledge of Allegiance to the American Flag.

3. Roll Call

Jerry Harvey, Assistant City Clerk, called the roll. Those present were Mayor John Gates and Councilmembers Tommy Butler, Ed Clark, Michael Fitzsimmons, Dale Hall, Brett Payton and Kristin Zasada.

4. Recognitions and Proclamations

Councilmember Hall presented the What's Great About Greeley Report.

Harold Evans, Chair of the Water & Sewer Board, recognized former Water & Sewer Board member Norm Dean for his many accomplishments and service throughout his life and wished him a happy 100th birthday.

5. Citizen Input

Mr. Harvey read two emails into the record relating to mask wearing and mask mandates. The first was from Bennett Edgerly who expressed concern about the lack of a mask mandate, and the other was from Karen Beers who expressed concern that there is currently too much regulation surrounding the COVID-19 pandemic and mask wearing.

No other citizen input was received.

6. Approval of Agenda

The agenda was approved as presented.

7. Reports from Mayor and Councilmembers

Councilmember Hall spoke about his attendance at the Chamber of Commerce meeting which contained discussion about the many impacts of the COVID-19 pandemic on businesses.

Mayor Gates spoke about his and Council's recent attendance at Diversity and Inclusion trainings and spoke about an upcoming training occurring this Saturday. He also reminded everyone that today it is Colorado Gives Day today and spoke about passing out pre-Thanksgiving meals with the Food Bank and encouraged everyone to give all they can to non-profits.

8. Initiatives from Mayor and Councilmembers

There were no initiatives from the Mayor or Councilmembers.

*** * * * Consent Agenda * * * ***

9. Acceptance of the Report of the November 10, 2020, City Council Worksession

The Council action recommended was to accept the Report.

10. Approval of the City Council Proceedings of November 17, 2020

The Council action recommended was to approve the Proceedings.

11. Consideration of a Resolution Establishing the 2020 Downtown Development Authority Tax Levy and Directing the Certification of the same to the Board of County Commissioners

The Council action recommended was to adopt the resolution. **(Resolution No. 65, 2020)**

12. Consideration of a resolution approving the 2021 Budget for the Greeley Downtown Development Authority and appropriating funds for that budget

The Council action recommended was to adopt the resolution. **(Resolution No. 66, 2020)**

13. Consideration of a resolution of the City of Greeley City Council authorizing the City to enter into an Intergovernmental Agreement with Weld County for the completion of 35th Avenue roadway improvements from "O" Street to "F" Street

The Council action recommended was to adopt the resolution. **(Resolution No. 67, 2020)**

14. Consideration of a resolution to authorizing the payment of step increases to Greeley Fire Fighters in 2021

The Council action recommended was to adopt the resolution. **(Resolution No. 68, 2020)**

15. Introduction and first reading of an ordinance re-authorizing various Boards and Commissions for three years

The Council action recommended was to introduce the ordinance and schedule the public hearing and final reading for December 15, 2020.

16. Introduction and first reading of an ordinance authorizing the City of Greeley to enter into an Intergovernmental Agreement concerning water services for seventeen customers with the City of Evans

The Council action recommended was to introduce the ordinance and schedule the public hearing and final reading for December 15, 2020.

- 17. Introduction and first reading of an ordinance authorizing the sale of City-owned property consisting of approximately 40.377 acres and located in the East half of Section 16, Township 7 North, Range 66 West of the 6th P.M. in Weld County (“Danielson II Farm”)**

The Council action recommended was to introduce the ordinance and schedule the public hearing and final reading for December 15, 2020.

- 18. Introduction and first 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 2020 and for funds held in reserve for encumbrances at December 31, 2019**

The Council action recommended was to introduce the ordinance and schedule the public hearing and final reading for December 15, 2020.

- 19. Introduction and first reading of an ordinance amending §2.04.070 of the Greeley Municipal Code establishing the salary for the Mayor and the salary for members of the Greeley City Council**

The Council action recommended was to introduce the ordinance and schedule the public hearing and final reading for December 15, 2020.

- 20. Introduction and first reading of an ordinance changing the official zoning map of the City of Greeley, Colorado, from I-L (Industrial Low Intensity) to R-M (Residential Medium Density) for approximately 0.870 acres located at 134, 140 and 148 14th Avenue, known as the 14th Avenue Rezone**

The Council action recommended was to introduce the ordinance and schedule the public hearing and final reading for December 15, 2020.

***** End of Consent Agenda *****

Councilmember Butler moved, seconded by Councilmember Payton to approve the items on the Consent Agenda and their recommended actions. The motion carried: 7-0

- 21. Pulled consent agenda items**

No items were pulled from the Consent Agenda.

- 22. Public hearing and final reading of an ordinance authorizing the acquisition of interests in real property located in the City of Greeley for road improvements by purchase or exercise of power of eminent domain 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 Statute § 38-1-101, et seq. (O Street and 59th Avenue Intersection Improvement Project)**

Joel Hemesath, Public Works Director, explained the proposed improvements and the history/plan for this project. He noted that staff has reached out to all impacted residents to provide notice and receive feedback.

There were no questions from Council for staff.

Mayor Gates opened the public hearing at 6:25 p.m., and no comments were offered.

Councilmember Payton moved, seconded by Councilmember Clark to adopt the ordinance and publish with reference to title only. The motion carried: 7-0 (**Ordinance No. 27, 2020**)

- 23. Public hearing to consider a change of zone from Gateway Park and Centerplace PUDs (Planned Unit Developments) to the Greeley West Multifamily PUD (Planned Unit Development), changing the underlying land use designations for approximately 13.31 acres of land located west of 38th Avenue, east of 42nd Avenue, and directly south of Greeley West Park, known as the Greeley West Multifamily Rezone, and final reading of an ordinance changing the official zoning map to reflect the same**

Brad Mueller, Community Development Director, explained that Item Nos. 23 & 24 would be presented together.

Kira Stoller, Planner, described the location of the proposed rezone as well as site photos; discussed the two requests and site background; described the existing PUD's at this location as well as the property boundary map and site analysis; highlighted the proposed Preliminary PUD Plan as well as the Illustrative Site Plan and Illustrative Landscape Plan; described the approval criteria; discussed the results of a neighborhood meeting and noticing to the public; and highlighted the recommendation including notation of unanimous approval of the rezone and Preliminary PUD by the Planning Commission.

In response to a question from Councilmember Clark, Ms. Stoller explained that 30 property owners in the Virginia Hills neighborhood received notice of this project.

In response to questions from Councilmember Zasada, Ms. Stoller explained that there have been no inquiries regarding single-family developments in this area, only multi-family residences.

Councilmember Butler expressed his concern about the development being on property with an abandoned oil and gas well on it and raised concern about the proposed 50 feet setback around the abandoned well. Ms. Stoller explained that there is currently no requirement by the City regarding setbacks from abandoned oil and gas wells.

Councilmember Fitzsimmons inquired whether the applicant has done any work to deal with potential increases in traffic in the area. Thomas Gilbert, Civil Engineer, explained that the applicant did submit a traffic study and continued by summarizing the results of the traffic study and the potential impacts of this development.

Sam Coutts, Designer with Ripley Design, and Natalie Dustman, Developer with McWhinney Developments, represented the applicant and provided a presentation. Their presentation described who McWhinney Developments is and why they are wanting to build in Greeley; described the site location and why there is a need for this rezone; described the master plan and conceptual site plan for this property; explained the traffic analysis they conducted; and reiterated all of the criteria had been met to establish a PUD.

Mayor Gates opened the public hearing at 6:56 p.m., and no comments were offered.

Councilmember Payton moved, seconded by Councilmember Hall that, based on the application received and the preceding analysis, the proposed rezone from Planned Unit Development (PUD) (Gateway Park & Centerplace) to Planned Unit Development (PUD) (Greeley West Multifamily) meets Development Code Sections 18.30.050(c)(3) a, b, e, f and g; and, therefore, the rezoning is approved. The motion carried: 7-0.

Councilmember Payton moved, seconded by Councilmember Hall to adopt the ordinance and publish with reference to title only. The motion carried: 7-0 (**Ordinance No. 28, 2020**)

24. A public hearing to consider establishment of the Greeley West Multifamily Preliminary PUD (Planned Unit Development) on 12.44 acres of land located west of 38th Avenue, east of 42nd Avenue, and directly south of Greeley West Park

The Mayor reiterated that there would be no presentation for this item as it was presented with Item No. 23.

There were no questions from Council for staff.

Mayor Gates opened the public hearing at 6:59 p.m., and no comments were offered.

Councilmember Payton moved, seconded by Councilmember Hall to approve the PUD. The motion carried: 7-0

25. COVID-19 Update

Dan Frazen, Emergency Manager, discussed the data in the situation report provided to Council before this meeting; reported that Colorado will begin receiving vaccines by mid- to late December; noted that a new, free drive-thru testing center has been opened at the Youth Sports Complex adding that no prescription is required to receive a test; and highlighted the new City of Greeley COVID Dashboard and its functionality.

In response to a question from Mayor Gates, Mr. Frazen explained that this was the first full day the new testing center has been open and the crowds were relatively small.

Roy Otto, City Manager, explained that the City is looking into a model that Fort Collins has implemented for decreasing costs for delivery of foods from restaurants to try to ease the burden of COVID-19 on businesses. He added that he will report back to Council on this within the upcoming written Friday COVID Update.

In response to a question from Councilmember Payton, Mr. Otto explained that the application period for the Weld County COVID business recovery program has closed. He added that Greeley businesses have received roughly double what the City provided into the fund.

Councilmember Butler expressed his desire to be updated about what comes from Special Session of the Colorado Legislature.

26. Appointment of applicants to the Citizen Budget Advisory Committee, Greeley Urban Renewal Authority, and Rodarte Community Center Advisory Board

Citizen Budget Advisory Committee – Ron Adams, Laura Fischer, and Antonio Garcia

Greeley Urban Renewal Authority – Jediah Cummins and Stephanie Lucero

Rodarte Community Center Advisory Board – Yvette Flores

27. Scheduling of Meetings, Other Events

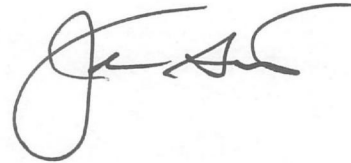
Mr. Otto explained that a finalist for the Deputy City Manager position will be in town in the coming week adding that he will be setting up times for Councilmembers to meet with the finalist as they would like.

28. Consideration of 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 at any previous meetings, and authorizing the Mayor and City Clerk to sign all such resolutions, agreements, and ordinances

Councilmember Payton moved, seconded by Councilmember Clark to approve the above authorizations, and the motion carried: 7-0

29. Adjournment

There being no further business to come before the Council, Mayor Gates adjourned the meeting at 7:13 p.m.



John Gates, Mayor



Jerry Harvey, Assistant City Clerk