

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
January 19, 2021

1. Call to Order

Mayor John Gates called the remote meeting to order at 6:00 p.m. via the City's Zoom platform.

2. Pledge of Allegiance

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

3. Roll Call

Anissa Hollingshead, City Clerk, called the roll.

PRESENT

Mayor John Gates

Council Member Tommy Butler

Council Member Brett Payton

Council Member Michael Fitzsimmons

Council Member Dale Hall

Council Member Ed Clark

Council Member Kristin Zasada

4. Recognitions and Proclamations

Mayor Gates presented a proclamation for School Board Recognition Month, recognizing the dedication and hard work of local school board members.

Mayor Gates invited Jeannine Truswell and Verniece Thomas with the United Way to make a presentation to thank the City for the partnership that exists between the United Way of Weld County and the City of Greeley, particularly in addressing homelessness, and to make a presentation of the Pacesetter Award to past United Way campaign coordinators, Wendy Bethel and Teri Gutierrez.

Council Member Butler presented the *What's Great about Greeley* Report.

Mayor Gates recognized Raymond Lee as the City's new Deputy City Manager for Community Building.

5. Citizen Input

No citizen input was received.

6. Approval of the Agenda

The agenda was approved as presented.

7. Reports from Mayor and Councilmembers

Council Member Fitzsimmons spoke to what United Way has been doing in our community, and shared his experience visiting the non-congregate shelter at the Bonnell facility in the past week.

Council Member Clark acknowledged the passing of Rick Brady, former City Attorney, and offered his condolences.

Mayor Gates echoed sending sympathies to the Brady family. He also shared his enjoyment with the virtual MLK program held the previous day, and offered his thanks to the organizers.

8. Initiatives from Mayor and Councilmembers

Council Member Zasada spoke about the level of use of outside consultants, and proposed an internal audit for the past two years of all outside consulting projects that were hired on, what the scope of those projects were, and the total cost those have been to the City.

Consensus was obtained to move forward with this initiative.

Consent Agenda

Council Member Payton moved, seconded by Council Member Fitzsimmons, to approve item nos. 9-13 as presented.
The motion carried 7-0.

9. Approval of the City Council Proceedings of January 5, 2021

The Council action recommended and approved was to approve the City Council proceedings as presented.

10. Consideration of a resolution of the City Council of the City of Greeley authorizing City staff to enter into a Settlement and Mutual Release Agreement with Roseann Perez

The Council action recommended was to adopt the resolution.

Resolution No. 01, 2021, authorizing City staff to enter into a Settlement and Mutual Release Agreement with Roseann Perez, was adopted.

11. Introduction and first reading of an ordinance establishing Local Improvement District No. 43840 for the construction of sanitary sewer infrastructure

The Council action recommended and approved was to introduce the ordinance and schedule the public hearing and final reading for Feb. 2, 2021.

12. Introduction and first reading of an ordinance amending Chapters 4.04 and 4.08 of the Code of the City of Greeley regarding Economic Nexus and the obligation of remote sellers to collect and remit sales tax

The Council action recommended and approved was to introduce the ordinance and schedule the public hearing and final reading for Feb. 2, 2021.

13. Appointment to Greeley/Weld Housing Authority

The Council action recommended and adopted was to approve the appointment of Dennie Kutcher to the Greeley/Weld Housing Authority.

14. Posting Sites for Notices of City Council Meetings

This item was pulled from the consent agenda to allow for discussion.

End of Consent Agenda

15. Pulled Consent Agenda Items

14. Posting Sites for Notices of City Council Meetings

Council Member Butler requested clarification on whether agendas would always be physically posted in a public location.

City Clerk Anissa Hollingshead responded, noting the proposed action would designate City Hall as a backup posting location in the event the online posting would not be accessible for some reason, such as an internet or power outage. Council Member Butler requested that agendas still always be physically posted as well, to increase public access for individuals without online access. Clerk Hollingshead noted staff would follow up on this request to identify a workable location following the remodeling that has been completed in City Hall.

Council Member Butler moved, seconded by Council Member Fitzsimmons, to designate the City of Greeley's website, www.greeleygov.com, as the official posting site for meeting notices of the City Council, and the public lobby of City Hall, located at 1000 10th St, as the backup location for such postings.

The motion carried 7-0.

16. Public hearing and final reading of an ordinance authorizing a Fiscal Year 2020 salary increase for the City Manager

Human Resources Director Maria Gonzalez Estevez introduced this item.

Mayor Gates provided context regarding this and the next two items, all public hearings, noting that all three direct reports to the City Council elected to defer the salary increases slated for 2020 in light of the uncertainties of COVID-19.

Mayor Gates opened the public hearing at 6:29 p.m.

No written comments were received, and there being no one in the audience wishing to speak, the hearing was closed.

Council Member Fitzsimmons moved, seconded by Council Member Hall, to adopt the ordinance and publish it by reference to title only.
The motion carried 7-0.

Ordinance No. 02, 2021, was adopted authorizing a salary increase and changes to certain benefits for the City Manager.

17. Public hearing and final reading of an ordinance authorizing a Fiscal Year 2020 salary increase for the Municipal Judge

Human Resources Director Maria Gonzalez Estevez introduced this item.

Mayor Gates opened the public hearing at 6:31 p.m.

No written comments were received, and there being no one in the audience wishing to speak, the hearing was closed.

Council Member Fitzsimmons moved, seconded by Council Member Clark, to adopt the ordinance and publish it by reference to title only.
The motion carried 7-0.

Ordinance No. 03, 2021, was adopted authorizing a salary increase for the Municipal Judge.

18. Public hearing and final reading of an ordinance authorizing a Fiscal Year 2020 salary increase for the City Attorney

Human Resources Director Maria Gonzalez Estevez introduced this item.

Mayor Gates opened the public hearing at 6:32 p.m.

No written comments were received, and there being no one in the audience wishing to speak, the hearing was closed.

Council Member Fitzsimmons moved, seconded by Council Member Zasada, to adopt the ordinance and publish it by reference to title only.
Motion carried 7-0.

Ordinance No. 04, 2021, was adopted authorizing a salary increase for the City Attorney.

Mayor Gates extended the thanks of the City Council to all three Council direct reports for their prior and ongoing efforts, and their leadership.

19. Public hearing and final reading of an ordinance adopting various amendments to Title 18 of the Municipal Code regarding updating and clarifying the notice requirements for amendments to Final Planned Unit Developments (PUDs) and major

amendments to Development Concept Master Plan (DCMP) (Chapters 18.18 and 18.30), changing the words public meeting to public hearing (Chapter 18.18.040), and clarification as it relates to freestanding sign calculations (Chapter 18.54)

Mayor Gates introduced Community Development Director Brad Mueller. Director Mueller noted this item was coming forward separate from the overall Development Code update due to their timeliness and importance to developers. He then turned the presentation over to Mike Garrott, Planning Manager.

Planning Manager Garrott presented as set forth in the PowerPoint in the agenda packet with background information regarding the proposed code changes. Garrott also responded to questions from the Council regarding the timing for sending out notices to surrounding property owners regarding major changes to an approved Development Concept Master Plan.

Mayor Gates opened the public hearing at 6:46 p.m.

No written comments were received, and there being no one in the audience wishing to speak, the hearing was closed.

Council Member Fitzsimmons moved, seconded by Council Member Zasada, to adopt the proposed amendments to Chapter 18 of the Greeley Municipal Code as presented to meet the intent of the Comprehensive Plan and clarify administration of the Development Code.

The motion carried 7-0.

Ordinance No. 05, 2021, was adopted amending Title 18 of the municipal code regarding updating and clarifying the notice of requirements for amendments to final planned unit developments (PUDs) and major amendments to Development Concept Master Plan (DCMP) (Chapters 18.18 and 18360), changing the words public meeting to public hearing (Chapter 18.18.040), and clarification as it relates to freestanding sign calculations (Chapter 18.54).

20. COVID-19 Update

City Emergency Manager Dan Frazen provided an update to the Council relating to COVID-19, including providing information about indicators being monitored, as well as updates about vaccinations and the need to extend the City's emergency declaration. In response to a question from Council, Frazen noted he would follow up with additional information about vaccinations.

City Clerk Anissa Hollingshead provided an update regarding the City's 5 Star Program application, noting approval from the state is expected very shortly for the City-led program that also now includes the participation of the City of Evans and the Town of Windsor. Clerk Hollingshead shared that training of City inspectors from Greeley, as well as Windsor staff, started today. In response to a question from the Council, it was also shared that consent has been obtained from the State for the City program to allow businesses with prior public health citations to also participate in the program if desired.

21. Consideration of a resolution of the City Council of the City of Greeley, Colorado, extending the City of Greeley Local Disaster Declaration of March 16, 2020 (updated on April 21, 2020, June 2, 2020, August 11, 2020, November 17, 2020) related to the COVID-19 Pandemic

Interim Fire Chief Brian Kuznik introduced the item, explaining the need to consider a resolution extending the City's local disaster declaration.

Council Member Payton moved, seconded by Council Member Hall, to adopt the resolution.

The motion carried 7-0.

Resolution No. 02-2021, extending the City of Greeley Local Disaster Declaration of March 16, 2020, related to the COVID-19 pandemic until June 2021 was adopted.

22. Review of correspondence regarding the Johnstown Comprehensive Plan update

Community Development Director Brad Mueller introduced this item, explaining it is not an action item, but rather an opportunity to offer comments regarding Johnstown's Comprehensive Plan update.

City Manager Otto noted this item was coming before the Council in light of an earlier rezoning along U.S. 34 that brought questions from the Council, and a desire for more information as such actions along the 34 corridor move forward.

In response to questions from the Council about the overlap between Greeley and neighboring communities, Director Mueller showed a map of the overlap of the comprehensive plans for Greeley and Johnstown and provided further context.

23. Appointment of applicants to the Citizen Transportation Advisory Board, Greeley Art Commission, and Museum Board

Mayor Gates asked the City Clerk to announce the Council's appointments, done by ballot prior to the meeting.

Clerk Hollingshead noted for both the Citizen Transportation Advisory Board and the Greeley Art Commission, Council has directed staff to recruit for additional applicants, and Council has appointed George Junne to the Museum Board.

24. Scheduling of Meetings, Other Events

City Manager Otto noted there were no changes.

25. 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

Council Member Payton moved, seconded by Council Member Butler, to approve the above authorizations.
The motion carried 7-0.

26. Adjournment

There being no further business before the Council, the meeting was adjourned at 7:07 p.m.

John Gates, Mayor

Anissa N. Hollingshead, City Clerk