

City of Greeley, Colorado  
**CITY COUNCIL PROCEEDINGS**  
 October 20, 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.

**5. Citizen Input**

Mr. Harvey read two emails into the record. One was from Vanessa Gossett regarding recycling, and the other was from Pat Malavasic regarding the potential Terry Ranch water project.

**6. Approval of Agenda**

The agenda was approved as presented.

**7. Reports from Mayor and Councilmembers**

There were no reports from the Mayor or Councilmembers.

**8. Initiatives from Mayor and Councilmembers**

Councilmember Clark requested that Council be briefed regarding the on-going negotiations with the Fire Union.

Consensus was reached by Council regarding this initiative.

**\* \* \* \* Consent Agenda \* \* \* \***

**9. Acceptance of the Report of the October 6, 2020, Performance Review Committee meeting**

The Council action recommended was to accept the Report.

**10. Approval of the City Council Proceedings of October 6, 2020**

The Council action recommended was to approve the Proceedings.

11. **Consideration of a resolution of the Greeley City Council authorizing the City to enter into an Intergovernmental Agreement with Colorado Department of Transportation, Division of Transit and Rail, entitled “2020 – 5339 SU: Two (2) 40’CNG Bus Expansions”**

The Council action recommended was to adopt the resolution. **(Resolution No. 52, 2020)**

12. **Consideration of a resolution amending the Capital Funding and Pledge Agreement by and among the City of Greeley, Greeley Downtown Development Authority, and Lincoln Park Hotel, LLC**

This item was pulled from the Consent Agenda.

13. **Consideration of a resolution establishing the 2020 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. 54, 2020)**

14. **Consideration of a resolution of the City of Greeley Council authorizing the City to enter into an Intergovernmental Agreement with the State of Colorado and to serve as the fiscal agent for the Northeast All Hazard Region Homeland Security Grant Program for the 2020 grant award**

The Council action recommended was to adopt the resolution. **(Resolution No. 55, 2020)**

15. **Consideration of a resolution authorizing an Intergovernmental Agreement between the City of Loveland, the City of Fort Collins, and the City of Greeley for sharing of judicial services**

The Council action recommended was to adopt the resolution. **(Resolution No. 56, 2020)**

16. **Consideration of a resolution authorizing the City of Greeley to enter into a Grant Agreement between the City of Greeley and the State of Colorado, Division of Local Affairs, regarding receipt of grant funding provided by the Peace Officers Mental Health Support Grant Program**

The Council action recommended was to adopt the resolution. **(Resolution No. 57, 2020)**

17. **Introduction and first reading of an ordinance adopting amendments to the Greeley Municipal Code, Appendix 18-B and Table 18.42-1 of Section 18.30.070, adding short-term rentals as an allowed land use**

The Council action recommended was to introduce the ordinance and schedule the public hearing and final reading for November 17, 2020.

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



Councilmember Payton moved, seconded by Councilmember Zasada to approve the items 9-11 and items 13-17 on the Consent Agenda and their recommended actions. The motion carried: 7-0

## **18. Pulled consent agenda items**

Councilmember Fitzsimmons recused himself and left the meeting at 6:16 p.m.

### **12. Consideration of a resolution amending the Capital Funding and Pledge Agreement by and among the City of Greeley, Greeley Downtown Development Authority, and Lincoln Park Hotel, LLC**

Ben Snow, Economic Health and Housing Director, provided a brief history of the agreement and the request related to this item to amend the Capital Funding and Pledge Agreement.

In response to a question from Councilmember Butler, Mr. Snow reiterated that this action is not a property tax deferral.

Roy Otto, City Manager, added that this action will not have any impacts on the City's 2021 or 2022 budgets, and he explained why this item has come before Council instead of being an administrative action.

The Mayor and other Councilmembers expressed their disappointment with the BizWest article regarding this topic because of its inaccuracies and expressed their support for this item.

Councilmember Butler moved, seconded by Councilmember Payton to adopt the resolution. The motion carried: 6-0 (Councilmember Fitzsimmons Recused) **(Resolution No. 53, 2020)**

## **19. Public hearing and final reading of an ordinance adopting the Budget for 2021**

Councilmember Fitzsimmons returned to the meeting at 6:29 p.m.

Robert Miller, Interim Finance Director, highlighted the 2021 Budget Schedule and Council's priorities. He continued by describing the 2021 resources; provided overviews of the 2021 budget, expenditures by department, operational and position savings and reductions, and investments; and described the 2021 major capital funds highlights, 2021 capital project highlights, 2021 utility rate changes, and available general fund reserves. Mr. Miller concluded by providing a brief summary of the 2021 budget.

Trent Howell, Chair of the Citizen Budget Advisory Committee (CBAC), provided the prospective of CBAC regarding the budget noting it was approved unanimously by the Committee.

Councilmember Zasada inquired regarding the reasoning for water rates increasing as well as the impacts of the ongoing wildfires on Greeley's water supply. Sean Chambers, Water and Sewer Director, explained that rate adjustments are driven by capital projects and regulations from the State and Federal level as well as investments into the water & sewer infrastructure. He added, regarding the impacts of wildfires, that the City is not sure what the watershed impacts are going to be yet, but overall the water treatment will likely be more expensive in the future because of the water quality issues.

Mayor Gates opened the public hearing at 6:45 p.m., and none was provided.

Councilmember Clark moved, seconded by Councilmember Zasada to adopt the ordinance and publish with reference to title only. The motion carried: 7-0 (**Ordinance No. 23, 2020**)

Mayor Gates thanked staff for hard work creating this budget.

**20. Public hearing and final reading of an ordinance adopting the General and Seasonal/Hourly Employee Pay Plans for 2021**

Maria Gonzalez Estevez, Human Resources Director, explained that there would be no presentation for this item but would be happy to answer any questions. No questions were asked.

Mayor Gates opened the public hearing at 6:47 p.m., and none was provided.

Councilmember Fitzsimmons moved, seconded by Councilmember Butler to adopt the ordinance and publish with reference to title only. The motion carried: 7-0 (**Ordinance No. 24, 2020**)

**21. Public hearing and final reading of an ordinance to consider a change of zone from I-L (Industrial Low Intensity) to R-H (Residential High Density) zoning for .29 acres of property located at 1530 4th Avenue, known as the 1530 4th Avenue Rezone, and changing the official zoning map to reflect the same**

Caleb Jackson, Planner, provided a background of the request. He continued by describing the properties and uses surrounding this property; discussed the notice and feedback process used for this item; and highlighted the rezone criteria and the recommendation from Planning Commission.

In response to a question from Councilmember Butler, Mr. Jackson explained that the applicant plans on building two or three units on the property.

Thomas Canzona, the applicant, explained that this rezone will allow him to build affordable housing on this lot.

Mayor Gates opened the public hearing at 6:55 p.m., and none was provided.

Councilmember Zasada moved, seconded by Councilmember Hall to find that, based on the application received and the preceding analysis, the proposed rezone from I-L (Industrial Low Intensity) to R-H (Residential High Density) meets Development Code Sections 18.30.050(c)(3) a, b, e, f, g and h; and, therefore, the rezoning is approved. The motion carried: 7-0

Councilmember Zasada moved, seconded by Councilmember Hall to adopt the ordinance and publish with reference to title only. The motion carried: 7-0 (**Ordinance No. 25, 2020**)

**22. Public hearing to consider the 2021 Community Development Block Grant budget**

Mr. Snow explained that a public hearing is required for this item by the Department of Housing and Urban Development before it can be approved. No other presentation was provided.

Mayor Gates opened the public hearing at 6:58 p.m., and none was provided.

Councilmember Fitzsimmons moved, seconded by Councilmember Zasada to accept the recommendation



of the Greeley Urban Renewal Authority and approve the Community Development Block Grant Budget as presented. The motion carried: 7-0

**23. Consideration of a resolution authorizing the City to enter into an Allotment Contract between The Windy Gap Firming Project Water Activity Enterprise, Municipal Subdistrict, Northern Colorado Water Conservancy District, and The City of Greeley, acting by and through its Water Enterprise, for capacity in The Windy Gap Firming Project**

Mr. Chambers provided a Windy Gap firming project (WGFP) overview and background of the project. He also described the WGFP Chimney Hallow construction project; discussed the fiscal impacts to Greeley; highlighted the terms of the allotment contract; and concluded by providing staff recommendations.

In response to a question from Councilmember Fitzsimmons, Mr. Chambers explained that the construction timeline depends in part on the resolution of a court case but construction will last about 4.5 years once it begins.

Councilmember Hall moved, seconded by Councilmember Fitzsimmons to adopt the resolution. The motion carried: 7-0. **(Resolution No. 58, 2020)**

**24. Appointment of applicants to the Downtown Development Authority, Greeley Art Commission, and Historic Preservation Commission**

Downtown Development Authority – Andy Feinstein

Greeley Art Commission – Robb Casseday, Thomas DeVore, and Sandy Magnuson

Historic Preservation Commission – Doran Azari

**25. Scheduling of meetings, other events**

There were no additional meetings or events scheduled.

**26. 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 Clark moved, seconded by Councilmember Zasada to approve the above authorizations, and the motion carried: 7-0

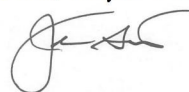
**27. Adjournment**

There being no further business to come before the Council, Mayor Gates adjourned the meeting at 7:14 p.m.




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Jerry Harvey, Assistant City Clerk




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John Gates, Mayor