

City of Greeley, Colorado  
**CITY COUNCIL PROCEEDINGS**  
June 2, 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**

Cheryl Aragon, Interim City Clerk, called the roll. Those virtually 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 Zasada presented the What's Great About Greeley Report.

**5. Citizen Input**

There was no Citizen Input offered.

**6. Approval of Agenda**

The agenda was approved as presented upon noting a corrected Item #15

**7. Reports from Mayor and Councilmembers**

Councilmember Butler reported that he has been very reflective about George Floyd's death and noted that he stands with peaceful protests and the Black Lives Matter movement. He encouraged members of the public to talk with Police Chief Mark Jones in order to open all lines of communication.

Mayor Gates read a statement into the record about peaceful protests and the condemnation by the City Council of police brutality. He expressed pride in local law enforcement and grief for George Floyd's family. He asked for consensus from Council to post this statement on the City's website.

Councilmember Butler asked that he would like to see a statement added that black lives matter.

Consensus was reached to post this statement on the City's website.

**8. Initiatives from Mayor and Councilmembers**

No Initiatives were offered from Council.

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

**9. Acceptance of the Report of the May 12, 2020, Council Worksession**

The Council action recommended was to accept the Report.

**10. Acceptance of the Report of the May 15, 2020, Council Briefing: COVID-19 Update**

The Council action recommended was to accept the Report.

**11. Approval of the City Council Proceedings of May 19, 2020**

The Council action recommended was to approve the Proceedings.

**12. 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 June 16, 2020.

**13. Introduction and first reading of an ordinance changing the official zoning map of the City of Greeley, Colorado, from PUD (Planned Unit Development) to R-M (Residential Medium Density) zoning for 12.12 acres of property located north of 4th Street, east of 59th Avenue, and west of 57th Avenue, known as the Cottages at Kelly Farm Crosier's Corner Rezone**

The Council action recommended was to introduce the ordinance and schedule the public hearing and final reading for June 16, 2020.

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

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

**14. Pulled consent agenda items**

No items were pulled from the Consent Agenda.

**15. COVID-19 Update**

Dan Frazen, Emergency Manager, provided an update on Colorado and Weld County numbers, and noted that the models are showing a downward pattern of cases.

He stated that he is unsure when the facility at the Ranch will open.

As far as testing, he stated that 390 people were tested at the University of Northern Colorado over the past weekend.

He shared that the C.A.R.E.S. Act is being researched and staff is preparing the online FEMA public assistance application.

He went on to review trends and data relative to cases reported by Weld County Public Health.

In response to a question from Councilmember Zasada, Mr. Frazen advised that staff is keeping a close eye on the personal isolation facility at Bonell since it is not being utilized. He said if it were to be closed, it would be fairly easy to get it back up and operating if needed.

Roy Otto, City Manager, added that there is no general fund money supporting that facility, so having it open is not an operating fund issue right now for the City.

It was confirmed that the lease runs through August 7<sup>th</sup>.

Mr. Otto went on to state that re-opening some of the City's facilities is a moving target with a number of issues to consider including the Governor's Orders, revenue projections, and the public's health. A lot of work is going into what service level resets might look like for the City.

He shared what services will be offered beginning June 3<sup>rd</sup>.

Councilmember Clark inquired about the length of time it would take to get baseball and the pool open for the youth and how many staff members would be needed to do that.

Andy McRoberts, Culture, Parks & Recreation Director, stated that anything is doable, and that it will depend on what the City decides to allow and how many staff would be needed. He stated that some seasonal staff would need to be brought back to get the fields ready and to staff games at the Youth Sports Complex. He added that he would not support tournaments or outside teams coming in to play.

With regard to opening Centennial Pool, Mr. McRoberts stated that staff is looking at reservation software. He also stated that staff is considering reopening the splash parks.

Councilmember Zasada asked for some costs and numbers of staff needed to get these outdoor activities up and running.

With regard to playgrounds, Mr. McRoberts stated that visitors to the playgrounds do their part by using their own sanitizer and wipes, etc. The virus will not be able to survive because of rays of sunshine, but the City would probably clean these areas. It will not include wiping surfacing and wiping anything down.

Mr. Otto advised that it will take a bit of time to get everyone needed back on staff and that some costs will be developed for Council by Fridays' Briefing.

He went on to recommend that City Council return to in-person meetings at Councils' Chambers on June 16<sup>th</sup> and continue conducting Worksessions remotely via the Zoom Meetings tool.

Becky Safarik, Assistant City Manager, reported that a change to the City's open container law has been requested and that it could be brought to Council at a special meeting, if set, for June 9<sup>th</sup>. It could then be set for final reading at another special meeting, if set, on June 23<sup>rd</sup>.

She stated that work is being done already on the language of the ordinance, so it could certainly be ready to introduce on June 9<sup>th</sup>.

Councilmember Payton moved, seconded by Councilmember Clark to set special meeting for June 9<sup>th</sup>, preceding the Council Worksession, for the purpose of discussing and introducing an open container ordinance. The motion carried: 7-0

Councilmember Clark asked if alcohol could then be brought to this area from anywhere, and Ms. Safarik confirmed that it could. He then asked if the common consumption option would be better.

Ms. Safarik advised that activating a common consumption area is not the right mechanism for what the Downtown businesses want to do, and would meet the State's guidelines for discouraging large crowds and social distancing.

Councilmember Hall stated that all residents and retail businesses in this area need to be weighing in on this proposal and encouraged a public notification effort.

Mayor Gates shared that this is seasonal and that when things get to 100 percent capacity again, this may not be desired.

With regard to an end date, Ms. Safarik advised that it could have a sunset that coincides with the 120 days currently set in emergency regulations for temporary outdoor seating areas.

Councilmember Payton agreed with a sunset in that it drives home that we are trying to address a current economic situation that only exists right now.

**16. 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) related to COVID-19**

Councilmember Payton expressed the importance of this given that it gives the City better access to FEMA dollars.

Councilmember Hall stressed that this is funding for the emergency not for opening or closing facilities.

Councilmember Zasada asked about the Bonell facility and if this would affect that, and Fire Chief Lyman stated that it will not have any effect on other funding from FEMA.

Councilmember Fitzsimmons moved, seconded by Councilmember Zasada to adopt the resolution. **(Resolution No. 26, 2020)** The motion carried: 7-0

**17. Consideration of a Substantial Amendment to the 2020-2024 Consolidated Plan and 2020 Action Plan, including Amendment 1 to the Citizen Participation Plan, specific to CARES Act Funding**

Ben Snow, Economic Health and Housing Director reported that back on April 2, 2020, Mayor John Gates was notified that the City of Greeley would receive \$493,277 in CARES Act funding through Community Development Block Grant-Coronavirus (CDBG-CV) funds. The grant is specifically to prepare for, prevent, and respond to the COVID-19 pandemic.

He stated that while the Federal Register and regulation guidance have not been finalized by HUD, the CARES Act included the following, which are changes to what is normally required with CDBG funds. Amendment 1 to the Citizen Participation Plan and the Substantial Amendment to the 2020-2024 Consolidated Plan and 2020 Action Plan incorporate the following: Allow for virtual public hearings to comply with national and local social gathering and stay-at-home orders, as long as the public is notified of how to make comment during the hearing.

He noted that the Substantial Amendment adds three priorities to utilize the CDBG-CV funds - a. Support public services that exist specifically for or that are experiencing higher costs specifically attributable to COVID-19 as a response to the COVID-19 pandemic, particularly those that provide a service(s) for homeless, low-moderate-income, underserved, and special needs residents. These activities will meet the Benefit to Low-Moderate-Income National Objective; b. Provide support to public services meeting the Urgent Need National Objective. When implementing a public service activity where income verification is not feasible, it will be conducted as an Urgent Need activity, subject to the HUD-required cap on Urgent Need activities; c. Provide emergency rental assistance as a response to the COVID-19 pandemic.

It also adds the CDBG-CV funds as a resource available in 2020, identifies activities that will/could occur under each priority, and adds goals associated with those activities. While not all of the specific activities that are expected to utilize the funds are identified, three are. Approval of the Substantial Amendment includes approval of those three activities: The Personal Isolation Facility at 622 23rd Street, Greeley, the move and time extension for the Cold Weather Shelter, and an emergency rent assistance activity. Other activities will be identified and approved for funding at a later date.

Mr. Snow went on to state that if the Federal Register and regulatory guidance from HUD is different than what has been provided to date, there may need to be changes to the Substantial Amendment. The decision was made to move forward with the guidance received to date. Approval of the Substantial Amendment will allow the City to formally apply to HUD for the CDBG-CV funds.

Councilmember Payton moved, seconded by Councilmember Hall to accept the Substantial Amendment, including the three specific activities identified and the Amended Citizen Participation Plan. The motion carried: 7-0

## **18. Strategic Housing Plan Progress/Update**

This item was continued to a future meeting.

## **19. Presentation of Water History Book; Confluence, The Story of Greeley Water**

Harold Evans, Water & Sewer Board Chairman, stated that Council had been formally presented with the most recently completed book on the City's 150 year water history. He expressed appreciation for Council's support of this effort, as well as authors and staff.

Councilmember Clark pointed out that Mr. Evans wrote Chapter 12.

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

No additional meetings or events were scheduled, aside from the Special Meeting for June 9<sup>th</sup>.

**21. Executive Session for the purposes of providing advice to negotiators and to receive advice from Legal Counsel regarding a matter related to potential acquisition of water storage**

Councilmember Clark moved, seconded by Councilmember Fitzsimmons to go into an Executive Session to discuss the following matter as provided under C.R.S. 24-6-402(4) (e)(1) and C.R.S. 24-6-402(4)(b); and Greeley Municipal Code 2.04.020(a)(5) and Greeley Municipal Code 2.04.020(a)(2): giving instructions to negotiators and to receive legal advice from the City Attorney regarding potential acquisition of water storage. The motion carried: 7-0

**22. 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 Fitzsimmons to approve the above authorizations, and the motion carried: 7-0

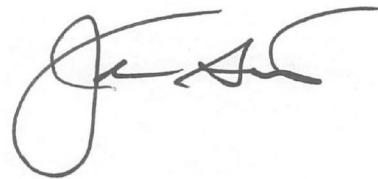
**23. Adjournment**

There being no further business to come before the Council, Mayor Gates adjourned the meeting at 7:32 p.m. and moved into Executive Session. The Executive Session adjourned at p.m.




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Cheryl Aragon, Interim City Clerk




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John Gates, Mayor