

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
November 01, 2022

1. Call to Order

Mayor Gates called the meeting to order at 6:00 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

Heidi Leatherwood, City Clerk, called the roll.

Present:

Mayor John Gates

Councilmember Tommy Butler

Councilmember Deb DeBoutez

Councilmember Dale Hall

Councilmember Ed Clark

Councilmember Johnny Olson

Excused Absence - Mayor Pro Tem Brett Payton

4. Approval of the Agenda

City Manager Lee announced Item 17 will be removed from the agenda and will be continued to the November 15, 2022, City Council meeting.

5. Recognitions and Proclamations

Mayor Gates read the "Veteran's Day Proclamation." The Proclamation will be read again at the Veteran's Day Ceremony on November 11, 2022.

Mayor Gates presented the "Native American Heritage Month Proclamation". Eryka Charley, Director of Native American Student Services at the University of Northern Colorado received the proclamation accompanied by several other staff and students. Ms. Charley spoke about the Indigenous Peoples Speaker Series event on November 9, 2022.

Councilmember Olson gave the "What's Great About Greeley" presentation.

6. Citizen Input

1. Jim Riesberg spoke about the America Walks program and AARP's Colorado State Walking College. Mr. Riesberg invited Council to join him at the Downtown Walk and a remembrance event November 20th.
2. Jaysen Lopez, with Cargador Company spoke about EVSE, disproportionately impacted grants and intelligent energy storage.

7. Reports from Mayor and Councilmembers

Councilmember Olson asked Mr. Lopez for citizen comment about the CDOT program for Innovative Mobility. Councilmember Olson spoke about the awards and grants the City applied for through CDOT. In response to the question, Mr. Lopez mentioned that he has reached out to Public Works Director, Paul Trombino.

Mayor Gates congratulated the six individuals from the Fire Department who received promotions and individuals who saved a life using the AED device at the Recreation Center.

8. Initiatives from Mayor and Councilmembers

Councilmember Clark brought forth an initiative for staff to study potentially closing the Hillside tunnel that runs under Highway 34 between the hours of 10:00 p.m. and 7:00 a.m. Councilmember Clark was concerned about the suspicious activity that occurs in the evenings.

Consent Agenda

9. Consideration of a motion to call a Special Work Session November 15, 2022 to discuss Development Impact Fees.
10. Approval of the City Council Proceedings of October 4, 2022
11. Acceptance of the Report of the City Council Work Session of October 11, 2022
12. Consideration of a motion to approve a change order, in the amount of \$38,250.00, to the contract with Barnhart Communications for the image campaign
13. Introduction and first reading of an Ordinance amending Title 12, Chapter 3 and Title 20, Chapter 3 and Chapter 4 of the Greeley Municipal Code Relating to the City of Greeley's Municipal Separate Storm Sewer System

Councilmember Butler moved to approve the Consent Agenda Items 9-13. Councilmember Clark seconded the motion. The motion passed 6-0 at 6:27 p.m. with Mayor Pro Tem Payton absent.

End of Consent Agenda

14. Pulled Consent Agenda Items

No pulled items.

15. Public hearing and second reading of an Ordinance repealing and replacing Article V of Title 18 and enacting a new Article V of Title 18 regarding Event and Demonstration Permits; and Making changes to Section 12-357 regarding Amplified Sound Permits

Deputy City Attorney Stacey Aurzada introduced the item with a presentation at 6:28 p.m.

The new ordinance clarifies the permit process, demonstration permits will remain with the Police Department and revocable event permits will be handled by the City Clerk's Office. No fee will be collected for demonstrations permits and a tiered fee schedule will be established for the revocable event permits. The City Manager has the authority to waive or reduce the fees.

Councilmember DeBoutez asked how long it takes to be approved. In response to the question, Ms. Aurzada answered that the deadline for an application is 60 days prior to the event but cannot be submitted earlier than a year in advance. The City Clerk has 45 days to respond to the applicant with approval or denial.

Councilmember DeBoutez asked if individuals camping in the parks need a permit. In response to the question, Ms. Aurzada replied that the permit process does not pertain to events in parks. Parks and Recreation have their own processes.

Councilmember Butler asked about the Downtown Development Authority events and will those be waived. Ms. Aurzada replied, the City Clerk and City Manager will work on the criteria related to possible fee waivers.

The Public Hearing opened at 6:38 p.m.

With no speakers, the Public Hearing closed at 6:38 p.m.

Councilmember Clark moved to adopt the Ordinance and publish with reference to title only. Councilmember Hall seconded the motion. The motion passed 6-0 at 6:39 p.m. with Mayor Tem Payton absent.

16. Public hearing and second reading of an Ordinance amending Article II, Section 2-60 of the Greeley Municipal Code regarding election wards

Interim Community Development Director Becky Safarik introduced the item with a presentation at 6:39 p.m.

The City of Greeley Charter and Municipal Code describes the city will be divided into four election wards of, as nearly as possible, and equal number of residents. Ward boundaries can be updated no more than once every four years by ordinance.

Using the 2020 Census information and the 2022 Annual Growth Report and Projections, staff developed amended boundary maps and presented them to Council at the March 22, 2022, City Council meeting.

Mayor Gates asked for confirmation that none of the Councilmembers will be displaced. In response to the question, Ms. Safarik confirmed that no Councilmember would be displaced.

The Public Hearing was opened at 6:49 p.m.

1. Edwin Grant spoke about the growth of the community and elections. The Public Hearing was closed at 6:52 p.m.

Councilmember Hall moved to adopt the Ordinance and publish with reference to title only. Councilmember Olson seconded the motion. The motion passed 6-0 at 6:52 p.m. with Mayor Pro Tem Payton absent.

17. **Public hearing and second reading of an Ordinance changing the official zoning map of the City of Greeley, Colorado, from Holding-Agriculture (H-A) to Residential-High Density (R-H), changing the underlying land use designations for approximately 31.19 acres of property located north of and adjacent to 13th Street and the Fox Run Neighborhood, approximately 500' west of 59th Avenue, and approximately 580' south of 10th Street (ZON2021-0016) (13th Street Apartments Rezone).**

The applicant requested this item be continued to the November 15, 2022, City Council Meeting.

Councilmember Olson moved to continue the item to November 15, 2022. Councilmember Hall seconded the motion. The motion passed 6-0 at 6:54 p.m. with Mayor Pro Tem Payton absent.

18. **Public hearing to establish a Planned Unit Development plan to allow all C-H (Commercial High Intensity) uses and manufacturing food and beverage major use on approximately 19.995 acres of land located West of 23rd Avenue and South of 29th Street (Project No. PUD2022-0002) (Colorado Premium PUD)**

Kristin Cote, City Planner introduced the item with a presentation at 6:55 p.m. She asked that items 18 and 19 be discussed together because both applications are related to the same project and site.

The application requested a rezone to allow for residential development options and incorporate residential density in the area to support existing and future commercial properties. The site is located adjacent to the property to the north along 10th Street and east along 59th Avenue.

Councilmember DeBoutez asked to confirm if another manufacturer wanted to occupy the location. In response to the question, Ms. Cote indicated that if another manufacturer wanted to move into this location with a different type of product, they would have to apply for an amendment to the PUD plan which would require coming before Council again for consideration. Councilmember DeBoutez then asked if staff had toured Colorado Premium Foods and could verify that there are no odors associated with their processes. In response to the question, Ms. Cote indicated they had toured the facility and there are no odors emitted.

Councilmember Butler asked if there have been any reports of noise issues. In response to the question, Ms. Cote indicated there have been no noise or other code compliance complaints.

The Public Hearing opened at 7:00 p.m.

With no speakers, the Public Hearing closed at 7:00 p.m.

Councilmember Olson moved to approve the Colorado Premium Planned Unit Development plan and is in compliance with Title 24-205(c), subject to approval of an ordinance changing the official zoning map of the City of Greeley. Councilmember Hall seconded the motion. The motion passed vote 6-0 at 7:01 p.m. with Mayor Pro Tem Payton absent.

19. **Public hearing and second reading of an Ordinance changing the official zoning map of the City of Greeley, Colorado from Commercial High Intensity (C-H) to Planned Unit Development (PUD) changing the underlying land use designations for approximately 19.995 acres of land located west of 23rd Avenue and south of 29th Street (Colorado Premium PUD)**

This item was presented with Item 18 by City Planner Kristin Cote.

Mayor Gates opened the Public Hearing at 7:02 p.m.

With no speakers, the Public Hearing closed at 7:02 p.m.

Councilmember Hall moved to approve the rezoning from C-H (Commercial High Density) to Planned Unit Development (PUD) and the application is in compliance with Title 24-204(b). Councilmember DeBoutez seconded the motion. The motion passed 6-0 at 7:03 p.m. with Mayor Pro Tem Payton absent.

Councilmember Hall motioned to adopt the ordinance and publish with reference to title only. Councilmember DeBoutez seconded the motion. The motion passed 6-0 at 7:04 p.m. with Mayor Pro Tem Payton absent.

20. Scheduling of Meetings, Other Events

None

21. 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 any previous meetings, and authorizing the Mayor and City Clerk to sign all such resolutions, agreements and ordinances

Councilmember Butler moved to approve the motion. Councilmember Hall seconded the motion. The motion passed 6-0 at 7:05 p.m. with Mayor Pro Tem Payton absent.

22. Adjournment

Mayor Gates adjourned the meeting at 7:06 p.m.

John D. Gates, Mayor

Heidi Leatherwood, City Clerk