

City of Greeley, Colorado  
**CITY COUNCIL PROCEEDINGS**  
May 7, 2019

**1. Call to Order**

Mayor John Gates called the meeting to order at 6:30 p.m., in the Council's Chambers at the City Center South Campus, 1001 11<sup>th</sup> Avenue.

**2. Pledge of Allegiance**

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

**3. Roll Call**

Jessica Diagana, Assistant City Clerk, called the roll. Those present were Mayor John Gates and Councilmembers Robb Casseday, Michael Fitzsimmons, Dale Hall, and Stacy Suniga. Councilmembers Brett Payton and Jon Smail were excused.

**4. Recognitions and Proclamations**

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

Mayor Gates presented proclamations for National Travel & Tourism Week, National Kids to Parks Day, Historic Preservation Month and Mental Health Month.

**5. Citizen Input**

Jim Ells, Greeley resident, reported that he is the owner of two properties at the corner of 65<sup>th</sup> Avenue and Highway 34 and expressed several concerns about the upcoming improvement project including that he feels it is being fast tracked and there are drainage issues. He asked for a delay in the project since the plans have changed to review and get some more input from property owners. Joel Hemesath, Public Works Director, reported that any approvals relative to this project will not need to be presented to the Council and there are additional meetings planned with residents to keep them informed. Mayor Gates asked Mr. Ells to continue to reach out with his questions and concerns.

**6. Approval of Agenda**

The agenda was approved as presented.

**7. Reports from Mayor and Councilmembers**

Councilmember Hall spoke of his attendance at a Poudre River Trail Board meeting in which plans were discussed for construction of a trailhead at 11<sup>th</sup> Avenue and noted that the trail is up and running for use.

Councilmember Suniga spoke of her attendance at several Cinco de Mayo festivities and thanked those entities for their efforts on such great events.

Councilmember Casseday spoke of his attendance at the Downtown Development Authority meeting, the Airport Authority Board meeting where a new Airport Manager was installed and a retirement

celebration was held for Gary Cyr, the Stampede Hall of Fame Induction Ceremony, the North Front Range Planning Organization meeting, and the funeral for Greeley Firefighter Steve Kuzik.

Mayor Gates introduced and welcomed Greeley's new Assistant City Manager, Paul Fetherston, and spoke of his attendance at the 2020 Census Launch rally, the Frontier House Breakfast event and the Cinco de Mayo festivities.

#### **8. Petitions from Mayor and Councilmembers**

There were no petitions offered from Mayor and Councilmembers.

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

#### **9. Approval of the City Council Proceedings of April 16, 2019**

The Council action recommended was to approve the Proceedings.

#### **10. Acceptance of the Report of the April 23, 2019, City Council Worksession**

The Council action recommended was to accept the Report.

#### **11. Consideration of a resolution of the Greeley City Council authorizing the City to enter into a Memorandum of Understanding with the Weld County Sheriff's Office regarding Greeley-Weld Bomb Squad Operations**

The Council action recommended was to adopt the resolution. **(Resolution No. 18, 2019)**

#### **12. Consideration of a resolution authorizing the City of Greeley's participation in the Metro Mortgage Assistance Plus Program, and authorizing the execution of the delegation and participation agreement and other documents in connection therewith**

The Council action recommended was to adopt the resolution. **(Resolution No. 19, 2019)**

#### **13. Consideration of a resolution authorizing the City to enter into a Memorandum of Understanding with the City of Fort Collins, the Town of Windsor, Carestream Health, Inc., Boxelder Sanitation District, South Fort Collins Sanitation District, and Leprino Foods Company regarding water Quality monitoring on the Lower Cache la Poudre River**

The Council action recommended was to adopt the resolution. **(Resolution No. 20, 2019)**

#### **14. Consideration of a resolution authorizing the City of Greeley to enter into a Bilateral Non-Disclosure Agreement between the City of Greeley and the City of Thornton**

The Council action recommended was to adopt the resolution. **(Resolution No. 21, 2019)**

#### **15. Consideration of the Fifth Amendment to the Development Agreement between Leprino Foods and the City of Greeley concerning continuation of a sales and use tax waiver**

The Council action recommended was to approve the amendment as presented.

- 16. Introduction and first reading of an ordinance amending Sections 2.07.040, 4.20.160, and 4.20.190 of the Greeley Municipal Code regarding Intergovernmental Agreements, Change Orders, and Contract Types**

The Council action recommended was to introduce the ordinance and schedule the public hearing and final reading for May 21, 2019.

- 17. Introduction and first reading of an Ordinance changing the official zoning map of the City of Greeley, Colorado, from PUD (Planned Unit Development) to C-H (Commercial High Intensity) zoning for approximately 1.62 acres of property known as the 2700 and 2720 35th Avenue Rezone**

The Council action recommended was to introduce the ordinance and schedule the public hearing and final reading for May 21, 2019.

- 18. Introduction and first reading of an ordinance changing the official zoning map of the City of Greeley, Colorado, from PUD (Planned Unit Development) to PUD (Planned Unit Development) to allow for the additional uses within the Promontory PUD, Area B only, of churches, schools and recreational areas, for property located south of Highway 34 Business (10th Street), west of Promontory Parkway, east of Promontory Circle and north of 16th Street**

The Council action recommended was to introduce the ordinance and schedule the public hearing and final reading for May 21, 2019.

- 19. Introduction and first reading of an Ordinance correcting the legal description and annexation title contained in Ordinance No. 47, 2017, regarding the annexation of property known as the Signature Bluffs Natural Area Annexation, No. 3, located east of 83rd Avenue and the Poudre River Learning Center and north of Poudre River Road**

The Council action recommended was to introduce the ordinance and schedule the public hearing and final reading for May 21, 2019.

- 20. Introduction and first reading of an Ordinance correcting the legal description and annexation title contained in Ordinance No. 15, 2017, regarding the annexation of property known as the Cottonwood Bend Natural Area Annexation No. 3, located east of 59th Avenue and north of F Street**

The Council action recommended was to introduce the ordinance and schedule the public hearing and final reading for May 21, 2019.

- 21. Introduction and first reading of an Ordinance correcting the legal description and annexation title contained in Ordinance No. 17, 2017, regarding the annexation of property known as the Cottonwood Bend Natural Area Annexation No. 5, located east of 59th Avenue and north of F Street**

The Council action recommended was to introduce the ordinance and schedule the public hearing and final reading for May 21, 2019.

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

Councilmember Casseday moved, seconded by Councilmember Suniga to approve the items on the Consent Agenda and their recommended actions. The motion carried: 5-0 (Payton and Smail excused)

**22. Pulled consent agenda items**

No items were pulled from the Consent Agenda.

**23. Public hearing and final reading of an ordinance annexing to the City of Greeley, Colorado, certain unincorporated territory located in Weld County, Colorado, known as the 2034 Enclave Annexation, generally located north of Highway 34 Bypass and south of 20th Street, between 83rd Avenue and 95th Avenue**

Brad Mueller, Community Development Director, noted the location for this request, site characteristics, approval criteria, and staff's recommendation of approval.

Mayor Gates opened the public hearing at 7:13 p.m.

Tom Hamblen, Greeley resident, reported that he was assisting the applicants with this annexation and that he was available to answer any questions from Council.

Randy Bernard, Greeley resident, expressed his curiosity about the intentions for the property, and Mayor Gates indicated that this comes at a later point in the process.

Mayor Gates closed the public hearing at 7:16 p.m.

Councilmember Suniga moved, seconded by Councilmember Hall to direct the City Attorney to prepare a resolution setting forth the Council's findings and conclusion that: 1) the applicable parts of the Colorado Revised Statutes are met; 2) an election is not required; and 3) there are no additional terms and conditions imposed. The motion carried: 5-0 (Payton and Smail excused) **(Resolution No. 22, 2019)**

Councilmember Suniga moved, seconded by Councilmember Hall to adopt the ordinance and publish with reference to title only. The motion carried: 5-0 (Payton and Smail excused) **(Ordinance No. 20, 2019)**

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

No additional meetings or events were scheduled.

**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**

Councilmember Casseday moved, seconded by Councilmember Hall to approve the above authorizations, and the motion carried: 5-0 (Payton and Smail excused)

**26. Adjournment**

There being no further business to come before the Council, Mayor Gates adjourned the meeting at 7:18 p.m.

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John Gates, Mayor

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Jessica Diagana, Assistant City Clerk