

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
June 01, 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 Ed Clark

Council Member Kristin Zasada

EXCUSED

Council Member Dale Hall

4. Approval of the Agenda

The agenda was approved as presented.

5. Recognitions and Proclamations

Mayor Gates presented a proclamation recognizing June as Pride Month.

Mayor Gates also welcomed Jim Riesberg, Jazz Garrison, and Bob Murphy to present the AARP Network of Age Friendly Communities Certificate of Induction for Greeley upon its acceptance to the network. Bob Murphy, the Colorado state president of AARP, offered remarks. Jim Riesberg noted that Jazz Garrison and Shawn Walcott with the United Way would be conducting community surveys to establish benchmarks associated with the induction into the network. Garrison and Walcott also offered brief remarks.

Council Member Fitzsimmons presented the *What's Great About Greeley* Report.

6. Citizen Input

No written comments were received and there was no one in the virtual meeting audience wishing to provide feedback.

7. Reports from Mayor and Council Members

Mayor Gates remarked about his hope that he represented the Council well in participating in the Memorial Day ceremony at Linn Grove Cemetery remembering and honoring those men and women who paid the ultimate sacrifice in service to our country. Despite the expectation of heavy rain, there was no rain and there was a large crowd in attendance for the ceremony.

8. Initiatives from Mayor and Council Members

Council Member Zasada spoke related to the household occupancy question. She noted there has been a lot of citizen input about increasing occupancy standards, and noted a large volume of complaints about current enforcement of the code, including occupancy as well as other issues like trash. She requested consensus for an initiative with two parts:

- 1) A review of what current code compliance looks like – how many code compliance officers does the City have, how many cases do they have, etc.
- 2) Looking at what can be done to beef up or increase the enforcement activities currently done, including taking a hard look at how occupancy and other measures are currently enforced, and then how that enforcement might be made tougher.

In response to questions about what it would mean if the item relating to household occupancy were to come off the agenda tonight, Council Member Zasada noted this initiative is a totally separate issue from what is on the agenda. City Manager Roy Otto sought to further clarify on the second part of the request including discussions had with different council members regarding how to beef up the existing nuisance ordinance to be able to shut down problem properties. There was consensus to move forward on the initiative.

City Manager Otto asked about the whether the Council wished to discuss the information provided in the agenda packet regarding Council Member Butler's initiative around additional polling regarding a potential 2021 ballot question about funding for open space. It was noted this should be part of the next work session with the full Council present to discuss possible next steps.

Consent Agenda

Council Member Zasada requested to pull item 17 from the consent agenda.

Council Member Zasada moved, seconded by Council Member Payton, to approve the recommended actions on items 9-16, and 18.

The motion carried 6-0.

Excused: Council Member Hall.

9. Acceptance of the Report of the April 27, 2021, City Council Worksession Report

The Council action recommended and approved was to accept the report as presented.

10. Approval of the City Council Proceedings of May 4, 2021

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

11. Acceptance of the Report of the May 11, 2021, City Council Worksession Report

The Council action recommended and approved was to accept the report as presented.

12. Consideration of a resolution authorizing the City to enter into an Intergovernmental Agreement with the Colorado Department of Transportation (CDOT) for construction of the 59th Avenue and "O" Street intersection improvements.

The Council action recommended was to adopt the resolution.

Resolution No. 17, 2021 authorizing entering into an IGA with CDOT was adopted.

13. Consideration of a resolution of the City of Greeley City Council authorizing the City to enter into an intergovernmental agreement with the City of Evans for the construction of improvements to the Two Rivers Parkway and 37th Street intersection

The Council action recommended was to adopt the resolution.

Resolution No. 18, 2021 authorizing entering into an IGA with the City of Evans was adopted.

14. 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 2021 and for funds held in reserve for encumbrances at December 31, 2020

The Council action recommended and approved was to introduce the ordinance and schedule the public hearing and final reading for June 15, 2021.

15. Introduction and first reading of an ordinance amending Title 24 of the Greeley Municipal Code relating to the Development Code by deleting the current Title in its entirety and adding a new Chapter 1 relating to General Provisions and a new Chapter 2 relating to Procedures.

The Council action recommended and approved was to introduce the ordinance and schedule the public hearing and final reading for June 15, 2021, and second reading for September 21, 2021.

16. Introduction and First Reading of an Ordinance Granting a Non-Exclusive Franchise to ALLO Greeley, LLC for the Right to Make Reasonable Use of, and Erect, Construct, Operate, and Maintain through the Public Rights-of-Way, Easements, and

Other Public Property and Equipment Necessary and Appurtenant to the Operation and Maintenance of a Cable System and the Provision of Cable Services to Citizens within the City

The Council action recommended and approved was to introduce the ordinance and schedule the public hearing and final reading for June 15, 2021.

17. Introduction and first reading of an ordinance amending Title 24 of the Greeley Municipal Code regarding household occupancy standards by amending the definition of “family” in Section 24-5

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

18. Introduction and first reading of an ordinance changing the official zoning map of the City of Greeley, Colorado, from PUD (Planned Unit Development - Promontory Preliminary PUD) to PUD (Planned Unit Development - Promontory Preliminary PUD, Areas M & N, 1st Amendment) zoning within Tract B, Promontory Imagine School, Second Filing only for approximately 40.91 acres of property, located north of Highway 34 Bypass, east of Promontory Parkway and south of future 20th Street.

The Council action recommended and approved was to introduce the ordinance and schedule the public hearing and final reading for June 15, 2021.

End of Consent Agenda

19. Pulled Consent Agenda Items

17. Introduction and first reading of an ordinance amending Title 24 of the Greeley Municipal Code regarding household occupancy standards by amending the definition of “family” in Section 24-5

Council Member Zasada requested a clarification about the new definition of family being proposed. Brad Mueller, Community Development Director, offered clarifying comments, including directing Council to pages 367 and 370 of the packet for further points of clarification. He noted there is also a short PowerPoint that has been prepared for the public hearing on this item that could be presented. Mayor Gates read the title of this item into the record and then invited Director Mueller to proceed. Planner Caleb Jackson walked through the PowerPoint slides available in the agenda packet on this item.

Discussion on the topic by Council members included:

- Clarification regarding the addition of marriage as a component of the family definition, which would then count a married couple as a family unit and would allow an additional unrelated adult to live in a household with them, whereas currently two adults married to each other are considered two unrelated adults living together.

- Issues with allowing people to have additional renters move into their single family homes, and a desire to not see that occur and keep the intent of single family neighborhoods being for single families.
- Confusion about the current definition not aligning with what most people think constitutes a family.

Council Member Zasada moved, seconded by Council Member Clark, to pull this initiative and kill it, and leave the occupancy as it is to protect the integrity of Greeley's neighborhoods.

Additional discussion by the Council included:

- The challenging nature of struggling with this proposal and some of the confusion, and a hope that it comes back again at another time with more work.
- Feedback from residents to Council members ranging from mostly negative for most Council members to almost all positive for others.
- The role of enforcement in this issue.
- The impact of supply on prices in housing.
- Expressing a desire for this to come back to a work session in the future to sit down face to face and work together on.

The motion carried 5-1 to deny the ordinance.

Ayes: Council Members Payton, Fitzsimmons, Clark, Zasada, and Mayor Gates.

Nays: Council Member Butler.

Excused: Council Member Hall.

20. Appointment of applicants to the Citizen Transportation Advisory Board, Human Relations Commission, and Youth Commission

The following appointments were made by the Council by written ballot:

- Citizen Transportation Advisory Board – Thomas Donkle and directed staff to recruit for additional applicants.
- Human Relations Commission – Julie Lewis and directed staff to recruit for additional applicants.
- Youth Commission – David Andersen, Amelia Benavidez, Brookelynn Hernandez, Claire Willard, and directed staff to recruit for additional applicants.

21. Scheduling of Meetings, Other Events

No other meetings or events were scheduled.

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

Council Member Payton moved, seconded by Council Member Zasada, to approve the above authorizations.

Excused: Council Member Hall.

23. Adjournment

There being no further business before the Council, Mayor Gates adjourned the meeting at 6:57 p.m.

John Gates, Mayor

Anissa N. Hollingshead, City Clerk