

City of Greeley, Colorado
CITY COUNCIL WORK SESSION REPORT
May 9, 2023

1. Call to Order

Mayor John Gates called the meeting to order at 6 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

City Clerk Heidi Leatherwood called the roll.

The following members of Council were present:

Councilmember Tommy Butler

Councilmember Deb DeBoutez

Councilmember Dale Hall

Mayor Pro Tem Brett Payton

Councilmember Ed Clark

Councilmember Johnny Olson

Mayor John Gates

4. Reports from Mayor and Council Members

Councilmember Olson reported that the National League of Cities Transportation and Infrastructure Services Committee is working on projects in Greeley. He requested feedback from Council on upcoming projects as needed. The consensus from Council was for Councilmember Olson to provide quarterly updates and other updates when needed.

Councilmember Butler reported that he is offering Council Office Hours from 5-7 p.m., Wednesday, May 10, 2023, at Midnight Oil Bookstore for residents with questions or concerns.

Councilmember DeBoutez asked to introduce a Council initiative to research stronger public nuisance ordinances addressing criminal activity, SWAT response and other problematic behavioral issues. She requested a draft ordinance to strengthen enforcement. Councilmember Clark agreed and added that more enforcement or Neighborhood Enforcement Officers may be needed. Council consensus was to have the City Attorney's Office report back in the middle of June with findings and a draft ordinance.

5. Sales and Use Tax Software Collection System

John Karner, Finance Director and Sales Tax Manager, Michael Kibbee introduced the item at 6:08 p.m.

The City of Greeley is a Home Rule jurisdiction that can establish its own tax base, requiring businesses to file and remit tax directly to the municipality. In 2019, the State of Colorado Department of Revenue (DOR) and the Governor's Office of Information Technology (OIT) collaborated to deliver a Sales & Use Tax System (SUTS) that could be a single web portal where businesses could both look up sales and use tax information and file and remit to all jurisdictions at once. Current sale tax collections are remitted directly to the City of Greeley (City).

Two important items to consider in potentially utilizing SUTS include:

- Participating in SUTS opens the possibility for remote sellers & marketplace facilitators to remit tax returns in one online location. City staff believe now is the appropriate time to participate in the SUTS system.
- Staff recommendation is to modify the City's municipal code to facilitate the ability for SUTS to collect sales and use tax for the City with an ordinance for consideration by Council. The City would also enter into an intergovernmental agreement (IGA) with the State of Colorado for the purposes of permitting access to the SUTS System.

Councilmember DeBoutez asked if the SUTS system had adequate fire walls and cybersecurity. In response to the question, Mr. Kibbee assured Council that it did.

Councilmember Olson asked about the cost for the City. In response, Mr. Kibbee replied that the cost is minimal with a fee of \$260 for municipalities to participate. This will go into a fund where fees (\$1.00 per day to receive the transaction bundle) will be extracted until empty. The fund will then be replenished again and so forth. The reason this is so inexpensive is to provide an incentive for businesses and municipalities to participate.

Councilmember Clark asked for an example of a transaction. In response to the question, Mr. Kibbee stated that pulling a report would allow him to see specific line items and individual amounts coming from a particular business as a result of an item sold.

Mayor Gates added that he feels the level of compliance regarding these internet transactions is improving overall.

Council consensus was to bring the ordinance to a regular meeting for consideration.

6. Scheduling of Meetings, Other Events

None.

7. Consideration of a motion to go into Executive Session to conference with the City Attorney for the purpose of receiving legal advice regarding collective bargaining for Greeley Police Sergeants and Commanders

Councilmember Olson moved to go into an Executive Session with the City Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S.

§24-6-402(4)(b) and Greeley Municipal Code 2.04.020(2) for matters related to options available for Greeley police sergeants and commanders. Councilmember Butler seconded the motion. The motion passed 7-0 at 6:21 p.m.

8. Adjournment

With no further business before Council, Mayor Gates adjourned the meeting at 6:22 p.m.

7. Executive Session

The Executive Session was called to order at 6:26 p.m.

Present for participation in the Executive Session were all members of City Council, plus the following:

Doug Marek, City Attorney
Noel Mink, Human Resources Director
Raymond Lee, City Manager
Paul Fetherston, Deputy City Manager
Adam Turk, Police Chief

Mayor Gates cautioned each participant to confine discussion to the stated purpose and reminded that no formal action may occur in Executive Session. If at any point any participant believed that the discussion was going outside the proper scope of the Executive Session, participants were advised to interrupt the discussion and raise an objection.

The meeting concluded at 7:06 p.m. and the Executive Session was adjourned.

The recording will be retained as provided in the City's records retention policy and in conformity with the Colorado Open Meetings Law for a period of 90 days.

Approved:

John D. Gates, Mayor

Attest:

Heidi Leatherwood, City Clerk