

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
September 06, 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
Mayor Pro Tem Brett Payton
Councilmember Tommy Butler
Councilmember Deb DeBoutez
Councilmember Dale Hall
Councilmember Ed Clark
Councilmember Johnny Olson
4. Approval of the Agenda
There were no changes to the agenda.
5. Recognitions and Proclamations
Mayor Gates presented the "Hispanic Heritage Month" Proclamation. Betzy Valdez accepted the proclamation and spoke about the importance of recognizing and celebrating the heritage and culture of the Hispanic and Latino community and Dia De Los Muertos Day.

Mayor Gates presented the Suicide Awareness and Prevention Month Proclamation. Bradley Crokston, Rick Jenkins and Jim Riesberg, members of North Range Behavioral Health were present to accept the proclamation.

Mayor Pro Tem Payton shared "What's Great About Greeley" report

Mayor Gates introduced John Dargle, Culture, Parks and Recreation Department Director.
6. Citizen Input opened at 6:13 pm.
 1. Steve Wells spoke about homelessness and its effect on businesses.

2. David Meeker spoke on History Fest and wanting to continue to participate. He provided a letter for the record.
3. Mazzheu Revizze spoke on homelessness and frustration with sanitation, feeling unsafe and asked about a police substation.
4. Tom Donkle spoke on homelessness and business issues in the downtown area.
5. Raquel Jandreceel spoke about homelessness and a possible police substation.
6. Achilles Bardos spoke about the issue of homelessness asserting that safety as well as sanitation are concerns.
7. Bill Kurtz spoke on homelessness, Lincoln Park crime and availability of drugs.
8. William Chavis spoke about homelessness and safety in the downtown asserting that arrests need to happen.
9. George Talamantes spoke on renting an apartment downtown and homeless population experiences, asserting that he was assaulted and has had several incidents and that protection is needed.
10. Tommy Dyes spoke on homelessness, drug use, vandalism, crime, and that sanitation is a daily issue, and asserting he is losing business from this issue.
11. Linda Davis spoke about the experiences of the Christian Science Church's downtown location with homelessness and crime. The Church provides domestic violence service and has installed security cameras. People are blocking their door and patrons are feeling threatened. There is banging on the door, graffiti, and damage.
12. Mike Ketterling, a downtown business owner, spoke about crime, substance abuse and loitering. He asserted that the problems are not just in the downtown but reflect on the city's image. He offered some solutions and encouraged better funding for the police.
13. Mary Roberts is a newcomer and thanked the council. This is not a social service problem; government needs to do something about this problem.
14. Linda Winter thanked the DDA and City Council for changing the downtown over the years. She asserted that both homelessness and safety are issues.

15. Charlotte Creneete shared how homelessness is a problem with littering, trespassing, drug use, verbal threats, and needles.
16. Ryan Gentry spoke about the homelessness issue indicating that things are getting more violent and unsafe.
17. Charles Kinsey spoke about the problem with homelessness and shared about how a vehicle was vandalized and that employees are scared and witness drugs, thefts, knife assaults, and sanitation problems.
18. Theresa Andrews read a letter from her husband and spoke about homelessness. She asserted that they have personally visited homeless people and shared opportunities for them to get shelter and resources.
19. Steve Teets spoke about homeless getting worse and that the cost of housing is a contributing factor. He asserted the need to distinguish criminal activity from homelessness.
20. Ernesto Rubio spoke on the homelessness issue and that protective measures are needed asserting that Lincoln Park is dangerous, and drugs are accessible.
21. Roberta Elfante spoke on homelessness, drug accessibility and unsafe conditions with weapons in the middle of the park.
22. Pastor Grant spoke on homelessness and suggested that a coalition between the communities might be a long-term solution.
23. Ashley Fusco spoke on criminal activity while property taxes increase expressing frustration with the lack of services to correct unsafe conditions.

No virtual participants wished to speak.

Citizen Input closed at 7:23 p.m.

Mayor Gates commented about his concern of the safety of residents. This is a complex issue and is the topic of discussion among neighboring municipalities. A community systemic approach will need to be implemented.

Councilmember Butler, who offered his phone number (970 319 0423) to anyone that wished to speak with him., asserted that the Budget is a moral document, and that funding should be focused on the issues that are important.

Councilmember Olson referenced the phrase "liberty and justice for all" from the pledge of allegiance and indicated that criminal activity is apparent and needs to be addressed, questioning if there is the ability for a "90-day call to order?"

Councilmember DeBoutez thanked the residents and business owners asserting that criminal activity needs to stop, homelessness is complex, and this will take everyone to help.

Councilmember Clark supported all that had been said by council members and asserted that violence should be dealt with.

7. Reports from Mayor and Councilmembers at 7:38 p.m.
None.

8. Initiatives from Mayor and Councilmembers

Councilmember Butler addressed access to boards and commissions openings and requested that staff to review the possibility for new meeting times for boards and commissions.

Councilmember Olson would like to 90-day call to action for the police department for the criminal activity. The City Manager indicated that will be addressed and there is no need to create an initiative.

Consent Agenda

9. Approval of the City Council Proceedings of August 2, 2022, and August 16, 2022
10. Acceptance of the Report of the City Council Work Session of August 23, 2022
11. Consideration of a Resolution for the Gray & Black-Market Marijuana Enforcement Grant Program
12. Consideration of a Resolution to assign the 2022 City of Greeley Private Activity Bond (PAB) Allocation to the Colorado Housing and Finance Authority (CHFA)
13. Consideration of a Resolution authorizing approval of a grant agreement and offer for Airport Improvement Project Runway Rehabilitation design at the Greeley-Weld County Airport
14. Introduction and first reading of an Ordinance changing the official zoning map of the City of Greeley Colorado, from R-E (Residential Estates) to R-H (Residential High Density) for 42.01 acres of property located south and west of US Highway 34 Bypass and west of 71st Avenue. (ZON2022-0004) (Cobblestone Rezone)

End of Consent Agenda

15. Pulled Consent Agenda Items
 13. Consideration of a Resolution authorizing approval of a grant agreement and offer for Airport Improvement Project Runway Rehabilitation design at the Greeley-Weld County Airport

In response to Councilmember Olson's inquiry about if both the City of Greeley and Weld County would be funding this project, Public Works Director Paul Trombino indicated the Airport will fund the project and that funding is not coming from the general fund.

No further questions.

Motion to approve by Councilmember Olson and Councilmember Clark seconds the motion. The motion passed 7-0 at 7:47 p.m.

16. Public hearing and second reading of an Ordinance Amending Title 16, Chapter 1, Article XVIII of the Greeley Municipal Code related to towing.

Deputy Public Works Director Will Jones introduced the item and shared a presentation at 7:48 p.m.

Tow rotation has existed for many years and the amended ordinance clarifies roles, responsibilities and ensures consistency. This will now be in alignment with other communities and recent State Legislature changes. Tow Operators played an active role in the update. This code change is needed to facilitate the updated agreement and best practices.

The Public Hearing opened at 7:50 p.m.

There were no speakers.

The Public Hearing closed at 7:51 p.m.

Mayor Pro Tem Payton moved to adopt the ordinance and publish with reference to title only. Councilmember Butler seconded the motion. The motion passed 7-0 at 7:51 p.m.

17. Public hearing and second reading of an Ordinance Amending Title 1, Chapter 10, Chapter 11, and Chapter 12; Title 2, Chapter 12, and Chapter 8; and Title 16, Chapter 2 of the Greeley Municipal Code related to Code Compliance

Interim Deputy City Manager and Interim Community Development Director Becky Safarik introduced the items with a presentation at 7:51 p.m.

This will improve communication, compliance and City Manager authorized the hire of an additional code enforcement officer to enhance community education and improve the process to address chronic violators. New guidelines have been developed to improve voluntary compliance and increase inspections.

Code compliance extends to numerous departments including Police, Fire, Community Development (Code Compliance and Building Inspection), Culture Parks and Recreation (Forestry), and Public Works. Key amendments to this

ordinance include administrative sanctions and description of penalties and fines to reduce the number of convictions or findings of liability required before a property is eligible to be considered as a public nuisance.

In response to Councilmember Clark's inquiry about if these amendments would help the bus situation, Ms. Safarik indicated that is an intended outcome of the amendments.

Councilmember Butler asked for clarification on individuals that have high lawn weeds and have not yet been cited, if they clean up their yard (become compliant) would this count as one citation? In response to the question Ms. Safarik replied if you ignore the citation, have multiple citations, or are found liable and or taken to court, it will count as one. Property owners need to take care of their property and the City is an alternative measure to help facilitate the payment of fines.

Councilmember Olson asked how many of the violations are property owners not living in Colorado? Ms. Safarik replied to the question that there is really no way to collect that information at the current time. County information only supplies the owner. Councilmember Olson asked when these violations become more egregious and criminal violations, will code enforcement work? Ms. Safarik responded that the Neighbor Building Blocks team meets twice a month and brings the problem properties forward. Code Enforcement works with the Police and Fire Departments.

Councilmember Clark spoke about a previous violator who had over 100 violations in a year. The City used a lot of resources to try to get compliance from the property. Councilmember Clark believed these amendments will assist in cutting down on these repeat offenders.

The Public Hearing opened at 8:05 p.m.

1. Ed Grant spoke about an experience of public nuisance.
2. Steve Teets asked if the code would include snow on sidewalks, bus stops and variance in the ordinance for campers.

The Public Hearing closed at 8:12 p.m.

Council Open Discussion

Councilmember DeBoutez asked about a building that has been boarded up for about 10 years. Ms. Safarik replied that with the City's requirements, it would need to be boarded up so the building doesn't look vacant (boarding it from the inside), and property care must be maintained. The buildings should not detract from adjacent properties. If the property owners don't comply, they will receive a citation and could ultimately have a lien on their property.

Councilmember Olson moved to adopt the ordinance and publish with reference to title only. Councilmember DeBoutez seconded the motion. The motion passed 7-0 at 8:14 p.m.

18. Public hearing and second reading of an Ordinance Amending Section 20-62 (Standards for Design and Construction) and Adopting Section 20-64 (Adoption of Design Criteria and Construction Specifications), Title 20 of The Greeley Municipal Code for the City of Greeley

The Mayor indicated that this item was pulled.

Councilmember Butler moved to pull the ordinance from consideration. Councilmember Payton seconded the motion. The motion passed with a voice vote 6-0, and Councilmember Clark absent at 8:17 p.m.

19. Appointment of applicants to the Planning Commission.
City Clerk Heidi Leatherwood tallied the ballots and announced that the following persons were appointed to the Planning Commission: Brian Franzen, Erik Briscoe, and Louisa Andersen were appointed for 3-year terms through 2025.
20. Scheduling of Meetings, Other Events
There were 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 Payton moved to approve the motion. Councilmember Butler seconded the motion. The motion passed with a voice vote of 6-0 and Councilmember Clark absent at 8:18 p.m.

22. Executive Session for Mid-Year Check-in with City Manager

Councilmember Hall moved that pursuant to C.R.S. 24-7-402(4)(f) and Greeley Municipal Code 2-151(a)(6), Council would adjourn into executive session to discuss personnel who report directly to City Council. Councilmember Butler seconded the motion. The motion passed 7-0 at 8:19 p.m.

23. Adjournment
Mayor Gates adjourned the meeting at 8:19 p.m.

Executive Session for Mid- Year Check-In with City Manager Raymond Lee, III-
September 6, 2022

Announcement made by mayor as presiding officer at the beginning of executive session, confirming that the meeting is being recorded:

"It is 8:25pm on September 6, 2022. For the record, I am Mayor John Gates, and as required by Open Meetings Law this executive session is being electronically recorded. In addition, present at this executive session are the following persons: (all members of City Council and City Manager Raymond Lee, III)."

"This is an executive session for the following purposes: discussing personnel who report to Council as provided for under C.R.S 24-6-402 (4) (f) and Greeley Municipal Code Section 2-151 (6) (a). This is the Mid- Year Check – In with City Manager Raymond Lee, III."

"I caution each participant to confine discussion to the stated purpose of the executive session, and no formal action may be taken during executive session. If at any point in this executive session any participant believes that the discussion is going outside of the proper scope of the executive session, please interrupt the discussion and make an objection."

Announcement made by the mayor before concluding the executive session and while still recording:

"Before this executive session is concluded, I note that this recording reflects the complete discussion held at the executive session, and the recording is made instead of written minutes to satisfy the requirements of Open Meetings Law. This recording will be retained by the City Clerk for a period of 90 days. This time is 8:58pm, and we now conclude the executive session and adjourn the meeting."

John D. Gates, Mayor

Heidi Leatherwood, City Clerk