

City of Greeley, Colorado  
**SPECIAL CITY COUNCIL PROCEEDINGS**  
June 9, 2020

**1. Call to Order**

Mayor John Gates called the remote meeting to order at 6:00 p.m. via Zoom Meetings.

**2. Pledge of Allegiance**

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

**3. Roll Call**

Jerry Harvey, Assistant City Clerk, called the roll. Those virtually present were Mayor John Gates and Councilmembers Tommy Butler, Ed Clark, Michael Fitzsimmons, Dale Hall, Brett Payton and Kristin Zasada.

**4. Introduction and first reading of an ordinance amending the Greeley Municipal Code by amending Sections 6.16.025, 6.16.270, and 6.16.275; by the addition of Section 6.16.271, creating a “Downtown Open Consumption Area”; by renumbering and amending Section 13.40.065; and by repealing Section 6.16.272 in its entirety**

Becky Safarik, Assistant City Manager, provided a brief history of what it has taken to get this Ordinance to this point. She continued by highlighting the current temporary operational process; discussed the Downtown Businesses proposed plan; described the proposed boundaries of the open container area; highlighted the contents of the draft Ordinance as well as the requirements for revocable permits; and highlighted staff's direction/action for Council to take. Ms. Safarik also clarified that both a revocable permit and approval of the Ordinance is required in order for the open container/consumption area to be opened.

In response to questions from Councilmember Hall, Ms. Safarik explained that the proposed hours of operation include mornings because some restaurants offer breakfast with alcoholic beverages. She further clarified that this Ordinance would allow anyone to bring alcohol into this area, regardless from where it was purchased, as long as it is not in a glass container. She concluded by explaining that the revocable permits are being required because the streets running through the plazas will be closed from approval of the Ordinance through Labor Day.

Councilmember Butler inquired about parking and use of sidewalks, and Ms. Safarik explained that there are at least a couple dozen parking spots that would be lost in this area. She added that the sidewalks on the perimeter of the proposed open consumption/container area would still be usable throughout this timeframe.

In response to a question from Councilmember Fitzsimmons, Ms. Safarik explained again that this Ordinance would allow anyone over 21 years old to bring alcohol into this area, regardless from where it was purchased as long as it is not in a glass container.

Councilmember Clark express his concern with allowing people to bring alcohol into this area. Stacey Aurzada, Deputy City Attorney, explained that the Ordinance is allowing open containers and open

consumption of alcohol which means it cannot mandate that the only open containers must be from Downtown businesses.

Councilmember Zasada echoed the concerns raised by Councilmember Hall regarding the hours of operation.

Mayor Gates inquired about the reasoning behind closing the streets and expressed concerns regarding the street closure and people being able to bring alcohol into the area. Ms. Safarik explained that the Downtown restaurants requested that the streets be closed, but that it is not necessarily required for the open container/consumption area. She also clarified that, if a restaurant has a modified premises, they could not allow people to bring outside alcohol into that specific area around their restaurant.

Councilmember Hall recommended keeping the start time at 8:00 a.m. during the weekend but changing the start time to a later time during the week.

Discussion ensued about potential start times and the differences between open container/consumption and the Friday Fest go-cup.

Council reached consensus to change the hours of operation to 11:00 a.m. to midnight Monday through Friday and 8:00 a.m. to midnight on Saturday and Sunday.

Councilmember Clark moved, seconded by Councilmember Butler to amend the Ordinance to reflect the altered hours of operation described above. The motion carried: 7-0

Councilmember Clark moved, seconded by Councilmember Payton to introduce the Ordinance as amended and schedule the public hearing and final reading for June 23, 2020. The motion carried: 7-0

**5. 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 Hall moved, seconded by Councilmember Payton to approve the above authorizations, and the motion carried: 7-0

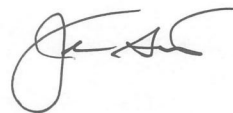
**6. Adjournment**

There being no further business to come before the Council, Mayor Gates adjourned the meeting at 6:55 p.m.




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Jerry Harvey, Assistant City Clerk




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John Gates, Mayor