

City of Greeley, Colorado
SPECIAL CITY COUNCIL PROCEEDINGS
September 8, 2020

1. Call to Order

Mayor John Gates called the remote Special 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

Cheryl Aragon, Interim City Clerk, called the roll. Those present were Mayor John Gates and Councilmembers Tommy Butler, Ed Clark, Michael Fitzsimmons, Dale Hall, Brett Payton and Kristin Zasada.

4. Public hearing and final reading of an ordinance amending the Greeley Municipal Code by extending the effective automatic termination date of the "Downtown Open Consumption Area"

Cheryl Aragon, Interim City Clerk, reported that this item came forward on introduction in late September in response to State orders that closed or limited the operation of nearly every form of gathering of persons, including retail stores and restaurants. She noted that as the spread of the virus slowed, the State relaxed its orders on physical distancing to allow a staged and measured reintroduction of the movement of residents by allowing the limited reopening of stores, offices, restaurants, and certain public spaces.

She went on to state that in June, in response to a request from Downtown restaurants to facilitate the consumption of alcohol in a limited seating area on and near the 8th and 9th Street Downtown Plazas to attract patrons in a manner compliant with State orders, the City Council adopted a limited Open Consumption ordinance for the Downtown set to expire on September 12th, in line with State Orders.

Ms. Aragon advised that as the State's management of the COVID virus has met with some success, there are indications that the Governor may extend its permissions for outdoor gatherings beyond the September 12th date. As such, Downtown businesses have asked that the City also extend the effective period for the allowance of the Downtown Open Container area. She noted that Council has expressed a willingness to consider an extension, and also asked for feedback from Downtown businesses and residents.

She went on to review a summary of the feedback received that included both objection to an extension as well as support for the extension with some ideas and options for doing so. She reminded Council that the ordinance was introduced at the last special meeting extending this area to October 13th and that the action to close the plazas is handled administratively, so council can offer preferences for the opening or closing of the area in the Downtown.

Doug Marek, City Attorney, advised that should the Governor's orders expire sooner than the October 13th date within the ordinance, then the State order would prevail.

In response to questions from the Council about City staff impact for opening and closing the streets, staff noted that it will lean on the Downtown Development Authority for some assistance with this, and it was

noted that City staff is typically used to opening and closing these streets for annual Friday Fest events as well.

The Public Hearing was opened at 6:14 p.m.

Mayor Gates made note of the written comments provided in the handout just distributed today, and it was noted that no additional comments had been received to the City Clerks email account as of 6:14 p.m.

Participating from the virtual audience was Matt Revitte, Downtown property owner. He did have some technical issues and was unable to communicate with Council, but it was noted that he had provided written material with his comments.

LaShonn, a member of the virtual audience and Downtown resident, was present and expressed concern about extending this ordinance in that it is difficult for residents to park far away and walk back and forth to get to vehicles to go to appointments. She expressed that there is no need for this to go beyond the existing term.

Mayor Gates thanked her for her comments and provided some history about how we got here.

There being no other public comments offered, Mayor Gates closed the public hearing at 6:21 p.m.

Councilmember Butler inquired of Police Chief Mark Jones statistics about homeless issues in this area.

Chief Jones stated that an exact count or number is not really kept, but stated that there are areas in the Downtown area that seem to have ticked up a bit, and it is closer to the City Hall facilities. He also shared that he does not have any hard numbers in relation to this ordinance since it has been in place.

Councilmember Clark expressed support for closing the streets on Friday and reopening them on Sunday morning but not all week for these additional 30 days or so.

Councilmember Butler concurred.

Councilmember Hall suggested keeping 8th Street Plaza open and opening 9th Street until the weekends, starting on Fridays.

Councilmember Zasada suggested that the ordinance be approved but not shut down any streets. The residents concern matter too, but can support closure of the streets on the weekends.

Mayor Gates shared that he is concerned about safety in the area. He noted that he would be supportive of street closures on Fridays through Sunday mornings.

Councilmember Clark moved, seconded by Councilmember Butler to amend Section 6.16.271(d) of the ordinance to automatically be repealed upon expiration of the Section II. Q of the State of Colorado Executive Order or at 12:01 a.m. on October 13, 2020, whichever is earlier, unless extended by Council. After a roll call vote, the motion carried: 7-0

Councilmember Hall moved, seconded by Councilmember Fitzsimmons to adopt the amended ordinance and publish it in full. The motion carried: 7-0

Councilmember Fitzsimmons moved, seconded by Councilmember Payton to close the 8th and 9th Street Plazas from Friday afternoons at 3:00 p.m. to Sunday mornings at 9:00 a.m. during the period this ordinance is in effect. Following a roll call vote, the motion carried: 7-0

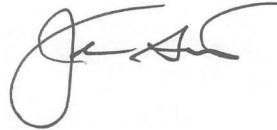
Mayor Gates congratulated and thanked the City staff for their work on this ordinance.

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 6:40 p.m.



John Gates, Mayor



Cheryl Aragon, Interim City Clerk