



Remote Meeting Instructions for the September 8, 2020, Special City Council Meeting:

In order to comply with all health orders and State guidelines to stop the spread of the COVID-19 Coronavirus, **no physical location, including the City Council Chambers, will be set up for viewing or participating in this Council Meeting.**

You can view this Council Meeting by following the instructions below to watch the YouTube live stream. By utilizing this option to view the meeting, you will not be able to provide live input during the meeting. To provide live input, see the "In real time" instructions near the bottom of this page.

- From your laptop or computer, click the following link or enter it manually into your Web Browser: (www.youtube.com/CityofGreeley)
- Clicking the link above will take you to the City of Greeley's YouTube Channel.
- Once there, you will be able to view the meeting!

Citizen input and public comment for items appearing on this agenda as public hearings/quasi-judicial are valuable and welcome!

Anyone interested in participating and sharing public comments have a few of options:

Via email? – Submit to cityclerks@greeleygov.com

All comments submitted this way will be read into the record at the appropriate points during this meeting in real time. Comments can be submitted up to and throughout this meeting.

Via traditional Mail? - Address to the Greeley City Clerk's Office, 1000 10th Street, Greeley, CO 80631

All written comments must be received no later than the day of the meeting. Again, written comments received by mail will also be read into the record in real time.

In real time? – <https://greeleygov.zoom.us/j/93148588956>

Clicking the link above will give you access to the live meeting where you will become a virtual audience member and be able to speak during a scheduled public hearing.

Please visit the City's website at <https://greeleygov.com/government/council> to view and download the contents of the September 8, 2020, Special City Council Meeting. You are also welcome to call the City Clerk's Office at 970-350-9740 with any special needs or questions that you may have.



Mayor
John Gates

Councilmembers

Tommy Butler
Ward I

Brett Payton
Ward II

Michael Fitzsimmons
Ward III

Dale Hall
Ward IV

Kristin Zasada
At-Large

Ed Clark
At-Large

**A City Achieving
Community Excellence**

Greeley promotes a healthy, diverse economy and high quality of life responsive to all its residents and neighborhoods, thoughtfully managing its human and natural resources in a manner that creates and sustains a safe, unique, vibrant and rewarding community in which to live, work, and play.

City Council Special Meeting Agenda

September 08, 2020 at 6:00 PM

This meeting will be conducted remotely. (See previous page for participation instructions and/or to view the YouTube live stream.)

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
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"
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
6. Adjournment

Council Agenda Summary

September 8, 2020

Agenda Item Number 1

Title

Call to Order

Council Agenda Summary

September 8, 2020

Agenda Item Number 2

Title

Pledge of Allegiance

Council Agenda Summary

September 8, 2020

Agenda Item Number 3

Title

Roll Call

Summary

Mayor Gates

Councilmember Butler

Councilmember Payton

Councilmember Hall

Councilmember Fitzsimmons

Councilmember Clark

Councilmember Zasada

Council Agenda Summary

September 8, 2020

Agenda Item Number 4

Key Staff Contact: Cheryl Aragon, 970-350-9743

Title:

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"

Summary:

In response to an effort to limit the spread of the COVID-19 virus, the State issued orders that closed or limited the operation of nearly every form of gathering of persons, including retail stores and restaurants. As the spread of the virus slowed and health care providers were able to manage patient care at less than capacity levels, the State relaxed its orders on physical distancing to allow a staged and measured reintroduction of the movement of its residents by allowing the limited reopening of stores, offices, restaurants, and certain public spaces. Re-opening guidance was provided to limit interactions between persons, promote cleaning and disinfection of touch points, and requiring face coverings, taking temperatures of employees and patrons and other measures.

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. Among its provisions, the ordinance included an automatic revocation date of September 12, 2020, in line with the then State Orders.

As the State's management of the COVID virus has met some success in limited its spread, there are indications the Governor may extend its permissions for outdoor gatherings beyond the earlier September date. Wishing to continue its efforts to provide a flexible outdoor dining and drinking space, downtown businesses have requested that the City likewise extend the effective period for the allowance of the Downtown Open Container area.

Council has expressed a willingness to consider such an extension, but has also asked for some feedback from downtown businesses and residents concerning the experience with the Open Container provisions since it was enacted in June. Staff reached out to the Downtown Development Authority to lead the effort to get area feedback for this review. As summary of the comments received as of the date of this report is attached.

Comments received include:

1. Objection to the Open Container permission in the designated area, expressing dissatisfaction and inconvenience related to residents, customers and patrons due to the street closures (particularly 8th Street), greater presence of transients, loitering, nuisance behaviors, and waste;
2. Support to allow the Open Container permission to continue as a way to support restaurant and beverage establishments with one of four street closure options:
 - a. As is, with the continued closure of the 8th and 9th Street plazas during the period that open container consumption of alcohol is allowed (*preference of the majority of the downtown businesses polled by the DDA*);
 - b. Open the 8th Street Plaza, keep the 9th Street Plaza closed during this period (*would necessitate moving 1 picnic table from a parking stall space*);
 - c. Open the 8th and 9th Street Plazas from Monday – Thursday; close both streets from Friday midday to Monday morning (*these hours would allow the gates to be closed by staff during regular work hours. One picnic table on 8th Street and 7 tables on the 9th Street plaza would need to be removed by the Downtown Promotional Association. Any cars parked in the area would still be able to exit from the open egress*).
 - d. Keep 9th Street closed 24 hours a day/ seven days a week, and only close 8th Street all day Fridays, Saturdays, and Sundays.

At its August 25th Special meeting, the Council introduced the ordinance extending the open consumption ordinance to October 13, 2020. The action to close the plazas is handled administratively, so no language is necessary in the ordinance regarding this aspect of the use of the plazas. Instead, following public comment, staff can take general direction from the Council concerning preferences for the opening or closing of the area in the Downtown within the area within which open consumption is allowed.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	N/A
If yes, what is the initial, or, onetime impact?	N/A
What is the annual impact?	N/A
What fund of the City will provide Funding?	N/A
What is the source of revenue within the fund?	N/A
Is there grant funding for this item?	N/A
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	

Legal Issues:

Due to the pending automatic sunset of the existing ordinance on September 12th, the ordinance amending the deadline has been drafted to be effective immediately upon publication, rather than the customary "5 days following publication".

Other Issues and Considerations:

To extend the open consumption deadline as directed by Council and also provide for a more responsive way of terminating the ordinance if State orders are issued that limits the consumption of alcohol in the public rights-of-way, staff suggests an additional amendment. Specifically, the amendment would cause the termination of the Open Container provision if the State Executive Order terminating permission for the consumption of alcohol in rights-of-way occurs earlier.

Applicable Council Priority and Goal:

Infrastructure & Growth: Establish the capital and human infrastructure to support and maintain a safe, competitive, appealing and successful community.

Decision Options:

1. Adopt the ordinance as presented;
2. Amend the ordinance and adopt as amended;
3. Deny the ordinance;
4. Continue consideration of the ordinance to a date certain

Council's Recommended Action:

1. A motion to amend Section 6.16.271 (d) of the ordinance to read:
This section shall be automatically repealed upon expiration of Section II. Q of the State of Colorado Executive Order D 2020 011, or at 12:01 a.m. on October 13, 2020, whichever is earlier, unless extended by Council;

Once the amendments are adopted: A motion to adopt the amended ordinance and publish in full.

2. Separately, advise staff of any preference for the full or partial opening of the 8th and 9th Street plaza streets for the duration of the Open Consumption period.

Attachments:

Ordinance (version introduced by Council)

Ordinance (version recommended by Staff)

Map of Downtown Open Container Area

Public Comment received prior to introduction of ordinance (nothing else received yet)

CITY OF GREELEY, COLORADO
ORDINANCE NO. ____, 2020

AN ORDINANCE AMENDING SECTION 6.16.271 OF THE GREELEY MUNICIPAL CODE
REGARDING OPEN CONTAINERS OF ALCOHOL IN CERTAIN AREAS

WHEREAS, Section §44-3-901(1)(i)(I)(VII) of the Colorado Revised Statutes authorizes a person who is at least twenty-one years of age to consume alcohol beverages in any public place, other than a public right of way, when specifically authorized by a municipal ordinance; and

WHEREAS, on June 5, 2020 Governor Polis temporarily suspended the prohibition on public right of ways being included in authorized public consumption areas; and

WHEREAS, on June 23, 2020 the Greeley City Council enacted Ordinance No. 14, 2020 which, among other things, authorized open containers of alcohol in designated areas until September 12, 2020; and

WHEREAS, the use of public property downtown to allow expanded restaurant seating combined with the ordinance allowing open containers of alcohol to be possessed and consumed in designated areas downtown has had a positive effect on downtown businesses and City Council believes that continuing this ordinance for an additional period of time will assist businesses in the downtown area to recover from economic losses suffered due to the COVID-19 pandemic; and

WHEREAS, the City Council believes that a sunset provision on the ordinance allowing open containers of alcohol beverages on public property in a designated downtown area is important since this ordinance has been determined by City Council to be necessary due to the COVID-19 pandemic and the related state restrictions on service inside restaurants; and

WHEREAS, the City Council has determined that this ordinance is in the best interests of the citizens of the City of Greeley, Colorado.

NOW THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL FOR THE CITY OF GREELEY, COLORADO, AS FOLLOWS:

Section 1. Section 6.16.271(d) of the Greeley Municipal Code is amended as set forth below:

6.16.271 – Authorizing Open Containers of alcohol in certain areas.

- (d) This section shall be automatically repealed at 12:01 a.m. on October 13, 2020, unless otherwise extended by City Council.

Section 2. This ordinance, being deemed of immediate importance, shall become effective upon its final publication as provided by the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED THIS _____ DAY OF
SEPTEMBER, 2020.

ATTEST:

CITY OF GREELEY, COLORADO

City Clerk

Mayor

CITY OF GREELEY, COLORADO
ORDINANCE NO. ____, 2020

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Section 2. This ordinance, being deemed of immediate importance, shall become effective upon its final publication as provided by the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED THIS _____ DAY OF SEPTEMBER, 2020.

ATTEST:

CITY OF GREELEY, COLORADO

City Clerk

Mayor

DOWNTOWN OPEN CONSUMPTION AREA DESCRIPTION:



“Downtown Open Consumption Area” is that area beginning and including the sidewalk right-of-way extending from the west curb line of 8th Avenue to and including the sidewalk right-of-way to the east curb line of 9th Avenue, and between and including the sidewalk right-of-way and from the north edge of the sidewalk right-of-way of 8th Street to and including the sidewalk right-of-way to the south edge of the sidewalk right-of-way on 9th Street, also including the area known as the Chase Plaza, and, including that portion of sidewalk on the west side of 8th Avenue from the 9th Street Plaza south 200 feet.

The following are
correspondence received
prior to the introduction
of the ordinance on
August 25th. This
material was provided to
Council and the media
prior to the August 25th
meeting via a handout.

From: lanisdad915 [<mailto:redspidermma915@gmail.com>]

Sent: Sunday, August 23, 2020 3:17 PM

To: John Gates <John.Gates@Greeleygov.com>; Thomas Butler <Tommy.Butler@Greeleygov.com>; Brett Payton <Brett.Payton@Greeleygov.com>; Michael Fitzsimmons <Michael.Fitzsimmons@Greeleygov.com>; Dale Hall <Dale.Hall@Greeleygov.com>; Kristin Zasada <Kristin.Zasada@Greeleygov.com>; Edward Clark <Ed.Clark@Greeleygov.com>; Bianca Fisher <bianca@greeleydowntown.com>

Subject: [EXTERNAL] Downtown Open Container

This email is in regards to the Downtown Open Container ordinance in place on the 8th and 9th street plazas. I am a resident of the 8th st plaza, from what I have witnessed since the beginning of the implication is that it has been so far redundant. Not many patron have actually utilized the accommodations set in place. The Greeley Chophouse has its own patio seating in which customers use. Right Coast Pizza does use its own patio seating as well. Brix brewery does have a fair amount of clientele, but also use their own patio and play area. The factor of the street being closed and parking being blocked off is more of a deterrent towards our local businesses than an attraction. As a resident myself, and speaking for many other residents among the plaza, we're the ones that suffer for an ordinance that hasn't faired well at all. I can't speak for the 9th street plaza, because that's where all the bars and nightlife exist, so i imagine those facilities are actually utilized, but the 8th street plaza shut down is only hurting residents, patrons and Downtown business. I don't see the extension of the ordinance as necessary at this point. I would please ask for a reconsideration of the extension solely for the fact that the amenities have not been utilized in any fashion it may have been designed for. Thank you for your time. For any questions regarding this email feel free to contact myself @ 970-405-6766

Gabriel Camacho

From: Ann Day <work4472@gmail.com>

Sent: Monday, August 24, 2020 6:52 PM

To: Kristin Zasada

Subject: [EXTERNAL]

To whom it may concern My name is Ann Day and I live in Downtown Greeley ever since the city has opened up downtown I have had many issues. First and foremost. I am in recovery for addiction. I have been clean and sober for going on 3 years and the increase of the homeless is a huge trigger for me. I have witnessed drug use sales, and violence and have bettered myself to live in a neighborhood that I thought was safe. I have experienced triggers like crazy. I am also handicapped and trying to find parking is hard for me as I have two broken ankles. Please do not extend as it is taking a toll on my family. Ann Day

Cheryl Aragon

From: Matt Estrin <matt@tower56.com>
Sent: Monday, August 24, 2020 9:03 PM
To: John Gates
Cc: Kristin Zasada; Edward Clark; Thomas Butler; Dale Hall; Michael Fitzsimmons; Brett Payton; Roy Otto; Becky Safarik; Cheryl Aragon; Alison Hamling; Bianca Fisher
Subject: [EXTERNAL] Re: Open Consumption Extension Feedback

Mayor Gates, Council Members and City Staff-

I sincerely hope this email finds you well. It has come to my attention that there is some opposition arising towards our request for the open consumption extension. Though I have only heard rumblings of some things that are being said, I don't know the full extent of the criticism. As with the original passing of this ordinance, I would request that you once again pass this ordinance through first reading so we as downtown businesses can address whatever concerns are being presented prior to the final vote. I hope we have shown you over the last few months that we are willing to do whatever it takes to make this a great success for downtown and for the city of Greeley.

As I mentioned in the last email, it seems to me that this concept has really gained some traction over the last several weeks. With nicer weather on the way, the return of college students, and what seems to be a reduction in Covid cases and deaths it would be greatly beneficial to downtown if this ordinance was extended to continue to create a safe space for downtown patrons in the coming months.

Please feel free to reach out to me with any feedback you might have. We want to make this work for everyone.

It is my hope to follow up later in the week with data driven responses from other downtown businesses to help illustrate how this ordinance has been a great benefit to downtown business in these uncertain times.

Thank you all for your leadership!

Cheers,

Matt Estrin
Tower 56 Distilling
Owner
720-880-8131
matt@tower56.com
"Spiriting Great Memories"

On Aug 20, 2020, at 2:31 PM, Matt Estrin <matt@tower56.com> wrote:

Mayor Gates, City Council, and City Staff-

Thank you for once again making a huge effort to support the downtown businesses with the recent consideration of extending the open container ordinance for downtown. In a discussion with Councilmen Butler, he thought it would be helpful for me to reach out and discuss the success that I have seen with the open consumption area.

As with anything, it definitely took some time for the open consumption area to catch on, but once it did, it has really helped to increase our customer numbers while providing more space and a safer environment. Though I cannot say definitively (because of the way we code drinks in our system), my guess would be that 30%-40% of our Friday-Sunday customers are utilizing the outdoor seating and courtyard with 10%-20% on the weekdays. We have had several instances where our room was at capacity (50%) and we were able to give customers the option of outdoor seating.

On the flip side, I have not seen or heard of any issues pertaining to the street closures or the open container. It seems to me the transient community in the park has continued to stay in the park. We (Tower 56) has not seen anyone bringing their own alcohol into the plazas and as far as I know, there have been little issues if any with over intoxication. I have noticed on several occasions that when work or commercial vehicles have needed access to the closed streets... they had access with no problems. From my perspective, it has been nothing but positive.

With several more weeks/months of beautiful Colorado weather, with the return of college students, and the momentum the two plazas have been gaining, I would love to see the ordinance extended.

As always... I would GLADLY discuss this with anyone over the phone or in person. Feel free to reach out with any questions.

Thanks for all you do!!

Cheers,

Matt Estrin
Tower 56 Distilling
Owner
720-880-8131
matt@tower56.com
"Spiriting Great Memories"

On Jun 24, 2020, at 10:53 AM, Matt Estrin <matt@tower56.com> wrote:

Mayor Gates and City Council-

I wanted to take a moment to thank you for entrusting us with this crazy idea we had for downtown. I realize that this was not an easy vote and that you all had to put significant thought and energy into coming to the conclusion that you did. I am so very grateful. We are quickly getting to work to make this something that Greeley will be incredibly proud of!

You all have my info if at any time you have concerns or want to provide feedback.

Cheers,

Matt Estrin
Tower 56 Distilling
Owner
720-880-8131

From: Alexandra Hilton [<mailto:hiltonae@gmail.com>]

Sent: Monday, August 24, 2020 12:47 PM

To: Bianca Fisher <bianca@greeleydowntown.com>; Brett Payton <Brett.Payton@Greeleygov.com>; Dale Hall <Dale.Hall@Greeleygov.com>; Edward Clark <Ed.Clark@Greeleygov.com>; John Gates <John.Gates@Greeleygov.com>; Kristin Zasada <Kristin.Zasada@Greeleygov.com>; Michael Fitzsimmons <Michael.Fitzsimmons@Greeleygov.com>; Thomas Butler <Tommy.Butler@Greeleygov.com>

Subject: [EXTERNAL] Downtown Open Container

Hello,

As a Greeley native, and avid supporter of downtown shops and restaurants I must admit I didn't see the need to close the plazas for an "open container area." As the time has passed in which they have been closed my initial opinion on the matter was solidified. I have very rarely seen the picnic tables being used and I'm still not exactly sure of their purpose. With restaurants only being able to serve a max of 50 people, it seems silly that we need all this extra space, when it would clearly be putting them over the limit set by our governor. The restaurants don't serve patrons sitting at these tables; which means they are only to grab food or drinks to go and go sit at? I'm sure you had high hopes for the plaza closures, and even I expected it to be more "happening" than it is; but at this point I think we need to realize this venture does not suite the needs of our community and reopen the plazas for all the other business patrons and residents who have been having to park blocks away due to the street closures.

Sincerely,
Alex Hilton

From: Matt Revitte [<mailto:mjr@ctos.com>]

Sent: Friday, August 21, 2020 5:33 PM

To: Bianca Fisher <bianca@greeleydowntown.com>

Cc: John Gates <John.Gates@Greeleygov.com>; Thomas Butler <Tommy.Butler@Greeleygov.com>;

Brett Payton <Brett.Payton@Greeleygov.com>; Michael Fitzsimmons

<Michael.Fitzsimmons@Greeleygov.com>; Dale Hall <Dale.Hall@Greeleygov.com>; Kristin Zasada

<Kristin.Zasada@Greeleygov.com>; Edward Clark <Ed.Clark@Greeleygov.com>

Subject: [EXTERNAL] FW: Plazas

Good Friday Evening One & All:

First item I need to bring to attention is these pictures taken at 5 today for both the 9th Street & 8th Street Plazas looking East, this time is typically ground zero of FAC (Friday Afternoon Club). As these pictures indicate, Chernobyl like, & not exactly a barn burner.

On that note, I would invite the City Of Greeley City Council to view the 8th & 9th Street plaza, any day of the week, morning, afternoon, & evening, to see just what this "Field Of Dreams" mentality, has produced. Closing off the Plazas, didn't help from 1985-2002(until the Plazas were reopened) & August 21, 2020, the result is still painfully evident. I would also ask that you TALK to the individual business owners, tenants, property owners who reside downtown Greeley, I believe you will find there to be a consensus here.

Here is something I have noticed since the Plazas we closed down, & that is a significant number of "Homeless " individuals residing here .(sorry, in our political correctness on steroids 2020 mindset, I'm not sure the correct terminology we now use in describing homeless individuals)Taking up residence on the plazas, in the tunnel connecting the 8th to 9th street plazas, etc., in business entrances..... This coupled with the public urination/defecation. that is no uncommon in this situation. Still others are truly deranged, & both my tenants/employees, have expressed great concern for their safety. Please check the Police logs, to confirm what I'm telling you here is accurate for this area.

Obviously I expressed my great concerns when this policy to close the Plazas what first enacted nearly 2 mos. ago. Candidly, & I truly hope collectively ,you see firsthand the end result of closing these Plazas has had, & by asking you to talk to residents, property owners, & business owners, is anyone seeing the desired results with this decision was supposed to have???

I really think The City Council needs to think long & hard about this, in extending this an additional 60 days. This decision, if enacted, does not speak for the majority.

I thank-you for you time & attention that you've taken to rent my concerns.

MJR

Pro Realty Old Town

806 8th Street, Unit A

Greeley, CO 80631

888-776-3779 Direct Line

970-346-3997 Direct Fax

970-396-3094 Cell

mjr@mattrevitte.com





Cheryl Aragon

From: Becky Safarik
Sent: Tuesday, August 25, 2020 2:43 PM
To: Cheryl Aragon
Subject: FW: Plazas

From: Kristin Zasada <Kristin.Zasada@Greeleygov.com>
Sent: Monday, August 24, 2020 3:45 PM
To: Matt Revitte <mjr@ctos.com>
Cc: Cheryl Aragon <Cheryl.Aragon@Greeleygov.com>; Becky Safarik <Becky.Safarik@Greeleygov.com>
Subject: Re: Plazas

Hi Matt,

It looks like the final reading and public hearing will take place on September 8th. If you would like comments read into the record please email Becky Safarik (becky.safarik@greeleygov.com). You can also attend the webinar live and virtually speak. Please contact Cheryl in the Clerk and Recorder's office for more information on how to participate virtually (cheryl.aragon@greeleygov.com).

Regards,

KRISTIN ZASADA
Councilmember, At-Large
City of Greeley

From: Matt Revitte <mjr@ctos.com>
Sent: Monday, August 24, 2020 10:06 AM
To: Kristin Zasada
Subject: [EXTERNAL] RE: Plazas

Do I receive a notice when this will be on the table, as I plan to attend?

Also Kristin, PLEASE MOSEY down here, & see for yourself what a cluster this has created.

Thank-you.

MJR
Pro Realty Old Town
806 8th Street, Unit A
Greeley, CO 80631
888-776-3779 Direct Line
970-346-3997 Direct Fax
970-396-3094 Cell
mjr@mattrevitte.com



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From: Kristin Zasada <Kristin.Zasada@Greeleygov.com>

Sent: Sunday, August 23, 2020 9:18 PM

To: Matt Revitte <mjr@ctos.com>

Subject: Re: Plazas

Hello again,

We received quite a few emails over the weekend expressing concerns similar to yours. I am checking to see if/when it's coming back to Council for a discussion/vote. Sounds like we might need to address the increased number of transients in the area as well.

Regards,

KRISTIN ZASADA
Councilmember, At-Large
City of Greeley

From: Matt Revitte <mjr@ctos.com>

Sent: Sunday, August 23, 2020 9:14 PM

To: Kristin Zasada

Subject: [EXTERNAL] RE: Plazas

I concur. PLEASE take a look at these Plazas 24/7,.....Lemmie know what I am missing..... PLEASE talk to the "Non Bars /Restaurant " business owners, business tenants, individuals who live down here....., you will get a much different response, on what this move has done to both them individually, & as a business.

Thank-you!

MJR
Pro Realty Old Town
806 8th Street, Unit A
Greeley, CO 80631
888-776-3779 Direct Line
970-346-3997 Direct Fax
970-396-3094 Cell
mjr@mattrevitte.com

-----Original Message-----

From: Felipe Rubio [<mailto:feliperubio@icloud.com>]

Sent: Monday, August 24, 2020 2:20 PM

To: Bianca Fisher <bianca@greeleydowntown.com>

Cc: John Gates <John.Gates@Greeleygov.com>; Thomas Butler

<Tommy.Butler@Greeleygov.com>; Brett Payton <Brett.Payton@Greeleygov.com>; Michael

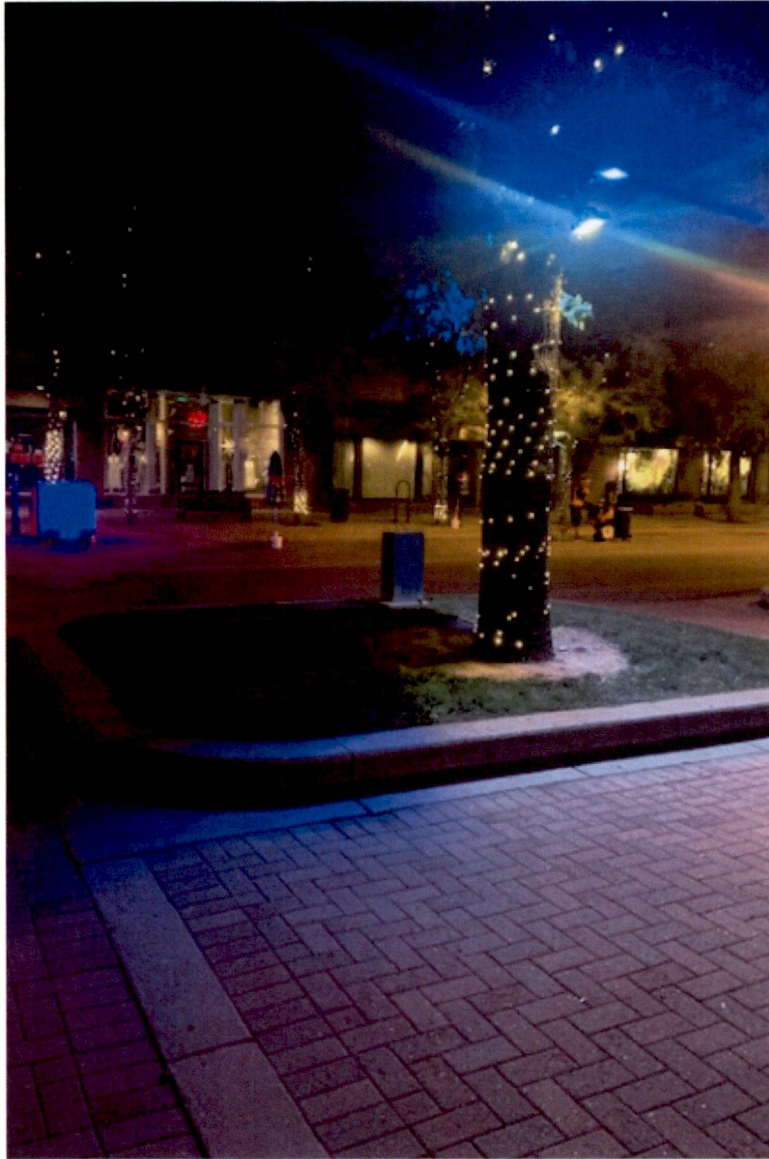
Fitzsimmons <Michael.Fitzsimmons@Greeleygov.com>; Dale Hall <Dale.Hall@Greeleygov.com>;

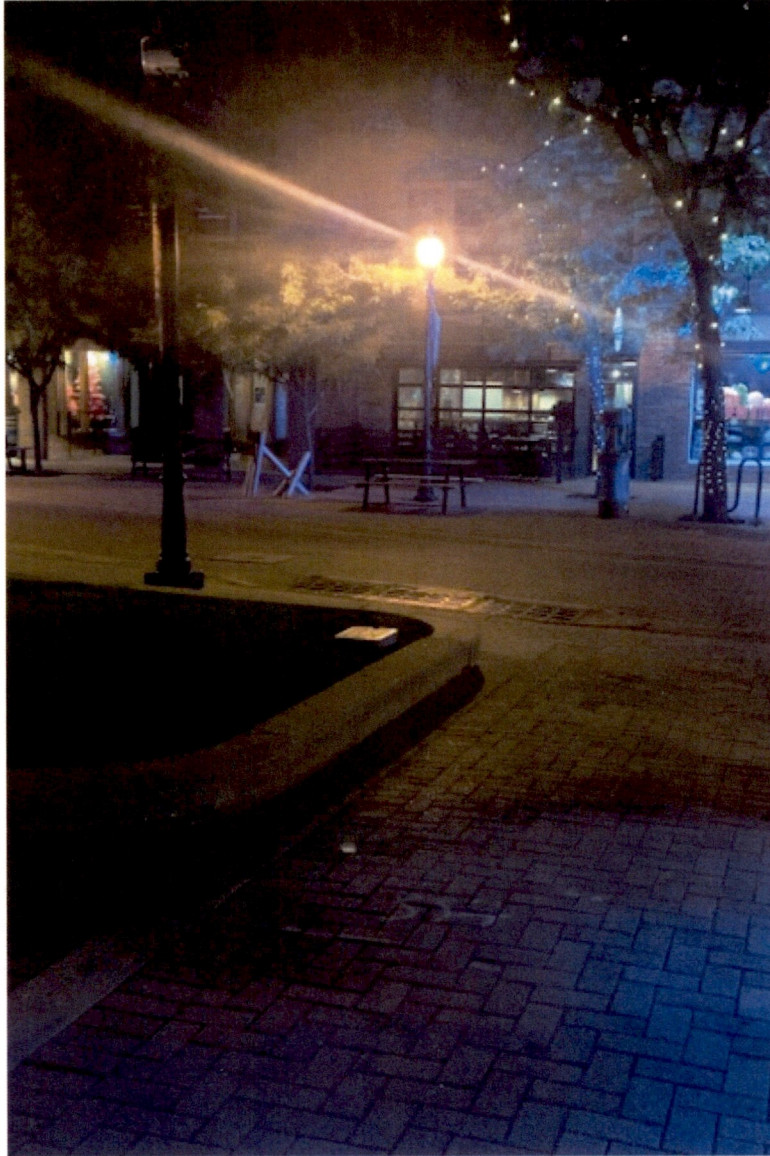
Kristin Zasada <Kristin.Zasada@Greeleygov.com>; Edward Clark <Ed.Clark@Greeleygov.com>

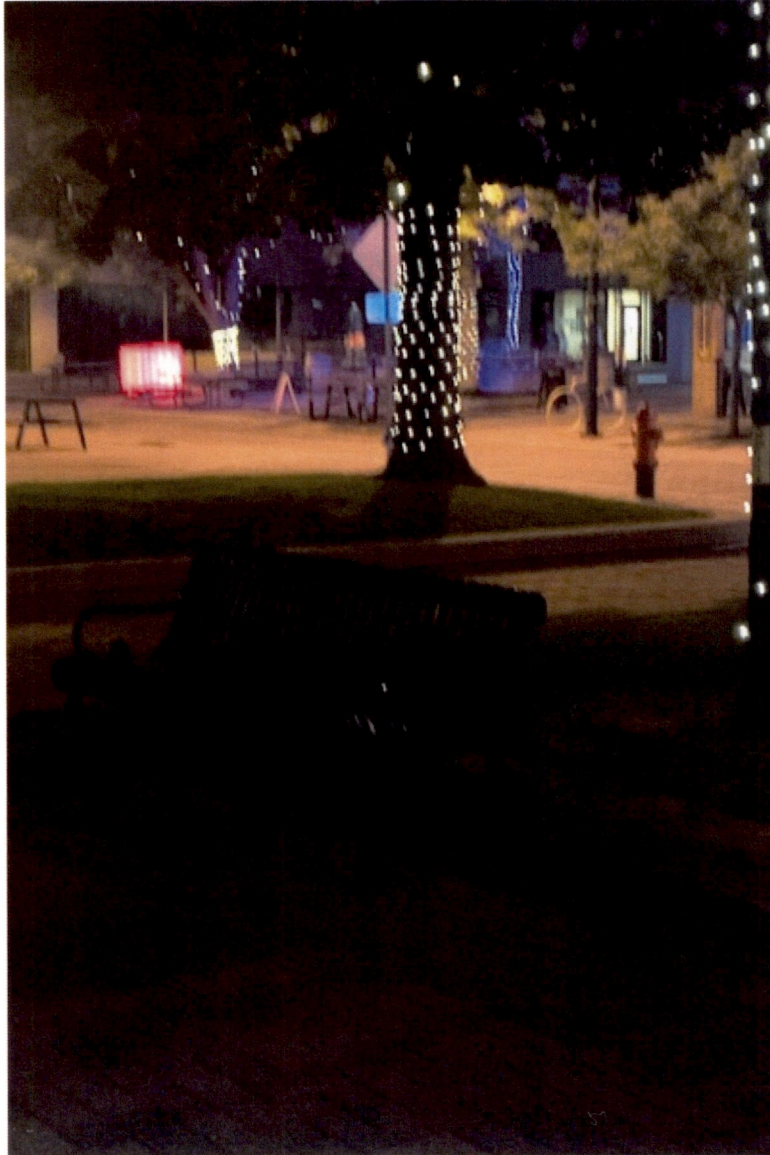
Subject: [EXTERNAL] Downtown Open Container

I am writing this email in regards of extending the open container on 8th and 9th st plaza! I am a resident living in the area and for the most part it's been okay, I don't see extending it would make a difference! Even now, fridays and sometimes Saturdays the plazas see most people but during the week it makes it very inconvenient for me as a resident to find parking! Not only that with out the streets being open we are seeing more and more homeless people wandering around, and with the recent shooting that happened not to far i would hate to see it come downtown! I have provided pictures of Saturday night around 10pm on August 22nd 2020.









From: Secrest, Maria (Gardner) <Maria_Secrest@gardner.senate.gov>
Sent: Monday, August 24, 2020 11:10 AM
To: John Gates <John.Gates@Greeleygov.com>; Edward Clark <Ed.Clark@Greeleygov.com>
Subject: [EXTERNAL] DDA Restaurant Expansion/Closing 8th Street and 9th Street

Dear Sirs:

I am strongly affected by the closing of 8th Street, due to constituents unable to come into the office. Many of the constituents have difficulties with their disabilities, due to the heat and distance to walk into the office.

I have one veteran who is a paralyzed from the neck down. Yes he is in a wheel chair, but is unable to be in high heat due to exposure of Agent orange.

The tables to be used for outside enjoyment can be removed from the streets and placed in areas on the sidewalks in a more orderly fashion, still 6 feet apart. There is an area to the east of me that can handle two tables, but that area remains vacant.

I know of other businesses that need that parking area open for clients, warehouse deliveries, mail deliveries and clients bringing in items to the business itself. Let our businesses thrive and not put another obstacle on them.

Maria Secrest
Regional Director
Office of U.S. Senator Cory Gardner
801 8th Street, Suite 140A
Greeley, CO 80631
970-352-5546
Maria_Secrest@gardner.senate.gov

www.gardner.senate.gov



From: Cathy Vigil <cathyvigil08@gmail.com>

Sent: Monday, August 24, 2020 8:24 PM

To: Kristin Zasada

Subject: [EXTERNAL]

My name is Cathy Vigil and I do work in buildings on 8th and 9th street Plaza. I feel that having these streets blocked off is an i inconvenience when I have to park by the Court House and carry all my things that I need for work back and forth each time! Why can't these streets just open back up? Thank You, Cathy

From: Dan Vigil <danvigil11@gmail.com>

Sent: Monday, August 24, 2020 8:54 PM

To: Kristin Zasada

Subject: [EXTERNAL] Streets Downtown

To whom it may concern, My name is Dan Vigil and I work downtown doing maintenance and remodeling. I find it an inconvenience when I have to park by the Court House and unload my equipment needed to perform my daily jobs! It takes me longer going back and forth doing this when I could very easily park in front of the buildings I'm working at! I just don't understand why the streets on 8th and 9th street have to be closed and empty seats everywhere. Please take into consideration opening these streets back up!
Thank you, Dan Vigil

From: 123tildozer [<mailto:antwon189@gmail.com>]
Sent: Saturday, August 22, 2020 4:02 PM
To: Dale Hall <Dale.Hall@Greeleygov.com>
Subject: [EXTERNAL] The extension of the open container area

Dear Dale Hall,

I as a tenet of 9th street am absolutely not happy with the fact that 9th and 8th are closed of for public gatherings. It has made getting deliveries and groceries at my apartment alot harder, the sanitation has not been up to par, and no one is listening to any of the social distancing acts in place. I have personally come along human vomit, feces which was not cleaned but rather ignored, and spaghetti that was left under one of the tables you set up for 3 days. I do not approve of you guys extending it, and would rather have it shut down sooner rather than later.

No one is listening to the mask mandate here in greeley. You're cops included. I walked into Aunt Helens coffee shop the other day and no one, including five cops were wearing mask. You guys have given as a returning citizen to the greeley area a bad look on how this town is going.

From a disappointed citizen,
Anthony

From: skylar curnutte [<mailto:charskypan@gmail.com>]
Sent: Saturday, August 22, 2020 4:11 PM
To: Dale Hall <Dale.Hall@Greeleygov.com>
Subject: [EXTERNAL] Extension of Open Container Area

Hello Dale Hall,

I am a resident on 9th St, one of the streets that is closed off for the Open Container Area, and it has been brought to my attention that the event may be extended. I am writing to discourage the event from continuing, as it has not only had a negative impact on my life, but it has not been conducted how we were first told it would be.

My first grievance with the event is how it has impacted my ability to get food and groceries delivered to my place of residence. Due to the road being continually shut off, delivery is no longer a viable option and it is something I had been reliant on before the event started. I have no transportation on my own, so I must make a 4 mile walk with groceries until the road opens back up.

The second reason is the fact that statements made on the original posted paper, the one that was on the front of my apartment door, were not upheld. It was said that there would be no live music, yet I have witnessed live music outside since. There is a mask mandate, yet I see more people without them, than I do with them. It was told that tables were going to be regularly cleaned, and I saw old spaghetti get left out under a table for three days. All hand cleaning stations were wrapped up and covered for almost a week. There was human vomit and feces in the connection between 8th st (where the jazz music plays) that had just been left to decay. It gives the impression that sanitation and the safety of those who attend or live here are not a concern.

I understand that the event was created to draw in a crowd and bring money into local business, but it has had more of a negative impact on the cleanliness of the area and the lives of those who live here.

Charlotte

9th St Resident

-----Original Message-----

From: chicodw@yahoo.com [mailto:chicodw@yahoo.com]

Sent: Sunday, August 23, 2020 3:58 PM

To: Dale Hall <Dale.Hall@Greeleygov.com>

Subject: [EXTERNAL] Downtown extension

Dear Dale Hall

I was wanting to write a letter to let u know how much harm the closure of downtown area is affecting its residents and businesses.

Having the downtown area closed has affected how we return home. We are confronted daily with distance from parking (caring a car full of grocery's) and being ticketed due to outsiders taking closest parking spots. The closure is not nearly as patrolled as when it was open causing homeless and drug users(from clarion) to squat on the table, against building and pretty much post u new living area. I myself have children that also encounter these homeless. The homeless and drug addict treat a once beautiful area into there own trash dump. Being a resident in a basement apartment we have unwanted guest on our patio. Even though it's clearly marked as private residence.

Resident and business owners were under the assumption that the consumption Area was a weekend event. And it is effecting normal business. The area is starting to look worse during the day. During the night time events do not last as long due to states alcohol time limit and in turn makes downtown empty leaving homeless and drug users to squat sooner. We have come to a point where we no longer can stand the squatters and crazies To the point we are doing what we must in order to protect our family and living area. Please reconsider your extension for a complete closure. I understand It was to bring a community together but has failed as to which community members are taking care of this city's togetherness.

Downtown has become an eye sore during the day. With no use of the public it has become a burden.

Reconsider to having during the weekend when most people can enjoy

Thank you for your time

Resident of 8th st



Cheryl Aragon

From: Becky Safarik
Sent: Tuesday, August 25, 2020 2:44 PM
To: Cheryl Aragon
Subject: FW: [EXTERNAL] Downtown Open Container Feedback

From: Bianca Fisher <bianca@greeleydowntown.com>
Sent: Monday, August 24, 2020 2:55 PM
To: John Gates <John.Gates@Greeleygov.com>; Thomas Butler <Tommy.Butler@Greeleygov.com>; Brett Payton <Brett.Payton@Greeleygov.com>; Michael Fitzsimmons <Michael.Fitzsimmons@Greeleygov.com>; Dale Hall <Dale.Hall@Greeleygov.com>; Kristin Zasada <Kristin.Zasada@Greeleygov.com>; Edward Clark <Ed.Clark@Greeleygov.com>
Cc: Becky Safarik <Becky.Safarik@Greeleygov.com>; Roy Otto <Roy.Otto@Greeleygov.com>
Subject: [EXTERNAL] Downtown Open Container Feedback

Hello Mayor Gates & Council,

As requested, we have gathered as much feedback as possible for your upcoming decision on the Open Container 60-day extension on the plazas in downtown. Because your email boxes are no doubt filling up, I will spare forwarding all of the individual emails and instead summate the information as concisely as possible. For each street I have indicated the number of total businesses or properties owners. Residents are difficult to contact/track as we often do not have contact information for them. Please let me know if you have any questions.

31- 8th Street Businesses:

- 12 supportive
- 2 against

23- 9th Street Businesses:

- 13 supportive
- 0 against

10- Adjacent 8th/9th Avenue Businesses:

- 5 supportive
- 1 against

Approx. 23 Property Owners (representing 35 properties):

- 11 supportive (representing 20 properties)
- 2 against (representing 5 properties)

Residents (est. 15-20?)

- 3 supportive
- 3 against

A few quotes from these businesses and property owners:

- "If it is helping at all then we should keep doing it"
- "The open consumption zone seems to be working OK now with minimal disruption to downtown business and residents and I am in favor of a 60-day extension as a way to support our downtown restaurants."

- “I am all in. If this is helping the restaurants and bars, lets continue. It isn't hurting me in any way, and might be helping (no way to really know).”
- “We need to draw people back to downtown Greeley. We need more sales tax revenues since Covid has hurt things so badly. I favor the open container extension, provided people act like responsible adults.”
- “Closure of the plazas has not impacted our business. We have no concerns with the extension and want to support restaurants and bars as much as they can.”
- “If it helps the restaurants and bars, it’s what we need to do.”
- “We are totally supportive and this may encourage us to open our business again sooner.”

One suggestion for compromise that a resident wanted me to share for 8th Street:

- “We wondered if a good compromise for those residents and businesses who are concerned about weekday parking would be to keep the picnic tables out (not on the street) but reopen the street without open container during the weekdays. Then from Friday through Sunday close the streets and reimplement open container. To be honest we have not seen a ton of people availing themselves of the open container during the week (with the exception of Brix on Weds trivia but I think Tommy could accommodate everyone on the extended patio). But if the only choice is to extend the full street closures we wouldn’t be opposed to that.”

It is the position of the DDA to fully support the extension as the negative impacts have been minimal and the benefit has been meaningful to our restaurants and bars, even with quieter daytime usage. Please let me know if you would like me to send pictures and videos that show the outdoor seating being well utilized (pictures really do tell different stories depending on who is taking them!). Our hope too is that with temperatures (hopefully) cooling in the next couple months that the public will be even more inclined to take advantage of this outdoor seating opportunity.

Good luck with the decision tomorrow and thanks for all you do for downtown!

Thanks,
Bianca

Bianca Fisher, Executive Director
[pronounced: B-YANK-UH]
Greeley Downtown Development Authority
802 9th Street, Ste. 100
Greeley, CO 80631
(970) 356-6775

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Council Agenda Summary

September 8, 2020

Agenda Item Number 5

Title

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's Recommended Action

A motion to approve the above authorizations.

Council Agenda Summary

September 8, 2020

Agenda Item Number 6

[Title](#)

Adjournment