**COLORADO SPRINGS, COLORADO**
**CITY COUNCIL CHAMBERS**
**CITY HALL - 107 N. NEVADA AVENUE**
**APRIL 26, 2011 – 1:00 P.M.**

Council met in Regular Session.

There were present: President Hente, President Pro tem Martin, Councilmembers Bennett, Czelatdko, Dougan, Herpin, Leigh, Snider and Williams. Also present, Mayor Rivera and City Attorney/Chief Legal Advisor Kelly.

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1. **Invocation and Pledge of Allegiance.**

The meeting was opened with an invocation by Councilmember Bernie Herpin.

2. **Changes to Agenda/Postponement.**

Councilmember Snider called up Item No. 3-A-3 for separate consideration.

Councilmember Hente called up Item No. 3-B-2 for separate consideration.

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**Councilmember Dougan was excused.**

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**CONSENT CALENDAR**

3. The following items were acted upon by unanimous consent of the members present, with the exception of Item Nos. 3-A-3 and 3-B-2, which were acted upon separately:

**SECOND PRESENTATION:**

A-1. Ordinance No. 11-38 entitled "AN ORDINANCE AMENDING ORDINANCE NO. 10-103 (2011 APPROPRIATION ORDINANCE) IN THE AMOUNT OF $12,775 FOR THE VINCENT DRIVE EXTENSION PROJECT" was presented for final passage.

A-2. Ordinance No. 11-39 entitled "AN ORDINANCE AMENDING ORDINANCE NO. 10-103 (2011 APPROPRIATION ORDINANCE) BY INCREASING REVENUE AND EXPENDITURE APPROPRIATIONS IN THE AMOUNT OF $202,262 FOR THE GENERAL FUND" was presented for final passage.

A-3. **SEE ACTION TAKEN LATER IN THE MEETING.**

A-4. Ordinance No. 11-41 entitled "AN ORDINANCE REPEALING AND REORDAINING PART 1 (FIRE PREVENTION CODE) OF ARTICLE 4 (FIRE PREVENTION) OF CHAPTER 8

(PUBLIC SAFETY) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, ADOPTING THE 2009 EDITION OF THE INTERNATIONAL FIRE CODE WITH AMENDMENTS" was presented for final passage.

**FIRST PRESENTATION:**

B-1. Resolution No. 80-11 was presented: "A RESOLUTION APPROVING AN AMENDMENT TO THE PIKES PEAK REGIONAL COMMUNICATIONS NETWORK INTERGOVERNMENTAL AGREEMENT".

B-2. **SEE ACTION TAKEN LATER IN THE MEETING.**

B-3. Resolution No. 81-11 was presented: "A RESOLUTION TO ACCEPT GRANTS FROM THE FEDERAL TRANSIT ADMINISTRATION IN THE AMOUNT OF $164,861 TO FUND OPERATION PROJECTS FOR THE JOB ACCESS/REVERSE COMMUTE AND NEW FREEDOM GRANT PROGRAMS".

B-4. Resolution No. 82-11 was presented: "A RESOLUTION AUTHORIZING THE COLORADO SPRINGS AIRPORT DIRECTOR OF AVIATION TO ACCEPT AND EXECUTE A GRANT IN AN ESTIMATED AMOUNT OF $9,200,000 AND ANY ASSOCIATED FUTURE GRANT AMENDMENTS FROM THE FEDERAL AVIATION ADMINISTRATION TO REHABILITATE A PORTION OF TAXIWAYS E, G AND H (PHASE III) AT THE COLORADO SPRINGS AIRPORT".

B-5. Ordinance No. 11-42 entitled "AN ORDINANCE AMENDING ORDINANCE NO. 10-103 (2011 APPROPRIATION ORDINANCE) IN THE AMOUNT OF $9,700,000 FOR THE CONSTRUCTION PHASE OF THE REHABILITATION OF TAXIWAYS E, G AND H (PHASE III)" was introduced and read.

B-6. Ordinance No. 11-43 entitled "AN ORDINANCE AMENDING ORDINANCE NO. 10-103 (2011 APPROPRIATION ORDINANCE) FOR THE C.D. SMITH TRUST FUND IN THE AMOUNT OF $220,000 AND VARIOUS SENIOR CENTER ACCOUNTS WITHIN THE GIFT TRUST FUND IN THE AMOUNT OF $45,000 TO ALLOW PAYMENT OF FUNDS ASSOCIATED WITH THE TRANSFER OF THE HUMAN SERVICES COMPLEX AND THE COLORADO SPRINGS SENIOR CENTER TO THE HOUSING AUTHORITY OF THE CITY OF COLORADO SPRINGS" was introduced and read.

B-7. Resolution No. 83-11 was presented: "A RESOLUTION AUTHORIZING THE ACQUISITION OF PROPERTIES FOR SOUTHERN DELIVERY SYSTEM PROJECT IMPROVEMENTS".

Motion by Herpin, second by Bennett, that all matters on the Consent Calendar, with the exception of Item Nos. 3-A-3 and 3-B-2, which were acted upon separately, be passed, adopted and approved by unanimous consent of the City Council.

Ayes: Bennett, Czelatdko, Hente, Herpin, Leigh, Martin, Snider, Williams
Noes: None
Absent: Dougan

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**Councilmember Dougan returned.**

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4. **Resolutions of Appreciation**

Resolution No. 84-11 was presented: "A RESOLUTION TO SUPPORT MAY 2011 AS NATIONAL PRESERVATION MONTH IN THE CITY OF COLORADO SPRINGS".

Motion by Martin, second by Herpin, that the resolution be adopted.

Ayes: Bennett, Czelatdko, Dougan, Hente, Herpin, Leigh, Martin, Snider, Williams
Noes: None
Absent: None

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Resolution No. 85-11 was presented: "A RESOLUTION OF APPRECIATION FOR ST. PATRICK'S DAY PARADE AND RACES 2011".

Motion by Martin, second by Herpin, that the resolution be adopted.

Ayes: Bennett, Czelatdko, Dougan, Hente, Herpin, Leigh, Martin, Snider, Williams
Noes: None
Absent: None

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Oneisha Hayes, of Sierra High School, was introduced as a representative of the Mayor's 100 Teens.

**CITIZEN DISCUSSION**

Ali Hillery requested to rename medical marijuana infused products facility rooms at her establishment.

City Council referred Ms. Hillery to the City Clerk's office --- provide a 24-hour response.

Stephen Christopher expressed interest to move the location of his medical marijuana facility.

City Council referred Mr. Christopher to the City Clerk's office --- provide a 24-hour response.

Dave Munger, Council of Neighborhoods and Organizations (CONO) President, only had a preliminary briefing on "sharrows" on when or where they are appropriate; need community input, no discussions on concept of sharrows; questioned how use of sharrows fits into the Citizens Transportation Advisory Board (CTAB) Strategic Plan, how will money be spent to put in and maintain sharrows; May 9th is not an achievable deadline for implementation; CONO meets first Tuesday of the month and willing to be part of education and information process

for sharrows, received no response from City Staff; need more people and neighborhoods involved in the process.

City Council gave direction to have open discussion at the Formal City Council meeting scheduled for May 10, 2011 and CTAB and CONO agendas; referred copy of Informal Agenda item to be presented to the CTAB and CONO organizations.

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5. Motion by Herpin, second by Martin, that the Minutes of the Regular Council meeting of April 12, 2011 be approved as written. The motion unanimously carried.

**CONSIDERATION OF ITEMS CALLED UP FROM CONSENT CALENDAR SECTION**

3-A-3. CPC ZC 11-00099: (Quasi-Judicial Matter) Ordinance No. 11-40 entitled "AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 0.88 ACRE LOCATED AT 228 AND 232 WEST SAN MIGUEL STREET" was presented for final passage. (R-2/SS to SU/SS)

Ryan Tefertiller, Senior Planner, explained a use variance and answered questions.

Motion by Martin, second by Snider, that the ordinance be finally passed.

Ayes: Bennett, Czelatdko, Dougan, Hente, Herpin, Leigh, Martin, Snider, Williams
Noes: None
Absent: None

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**President Hente was excused.**
**In the absence of President Hente, President pro tem Martin presided.**

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3-B-2. Resolution No. 86-11 was presented: "A RESOLUTION TO APPROVE AND ESTABLISH THE REVISED 2011 FIRE DEPARTMENT FEE SCHEDULE".

Motion by Herpin, second by Snider, that the resolution be adopted.

Ayes: Bennett, Czelatdko, Dougan, Herpin, Leigh, Martin, Snider, Williams
Noes: None
Absent: Hente

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At 1:46 P.M., motion by Czelatdko, second by Bennett, that Council adjourn. The motion unanimously carried, and

COUNCIL ADJOURNED

**Kathryn M. Young, CMC, CERA**
**City Clerk**