

**COLORADO SPRINGS, COLORADO
CITY COUNCIL CHAMBERS
CITY HALL – 107 N. NEVADA AVENUE
FEBRUARY 14, 2012 – 1:00 P.M.**

Council met in Regular Session.

There were present: President Hente, President Pro Tem Martin, Councilmembers Bennett, Czelatdko, Herpin, Leigh, Snider, and Williams. Absent, Councilmember Dougan. Also present, Chief of Staff Neumann and City Attorney/Chief Legal Officer Melcher.

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

The meeting was opened with an invocation by P.J. Horn, Youth Pastor, Eastborough Church of the Nazarene.

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2. **Changes to Agenda/Postponements.**

City Council Liaison, Aimee Cox, requested Item No. 3-B-2 be postponed to the Council Meeting of February 28, 2012, and requested consideration of an Extra Item Agenda to be heard under New Business.

Motion by Herpin, second by Leigh, that Item No. 3-B-2 be postponed to the Council Meeting of February 28, 2012, and that Council give leave for immediate consideration of the Extra Item Agenda to be heard under New Business. The motion unanimously carried. Absent, Councilmember Dougan.

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

CONSENT CALENDAR

3. The following items were acted upon by unanimous consent of the members present, with the exception of Item No. 3-B-3, which was called up for separate consideration:

SECOND PRESENTATION:

- A-1. AR V 11-00104: Ordinance No. 12-3 entitled "AN ORDINANCE VACATING A PORTION OF VINCENT DRIVE PUBLIC RIGHT-OF-WAY CONSISTING OF 8,614 SQUARE FEET LOCATED ON THE EAST SIDE OF VINCENT DRIVE AND APPROXIMATELY 150 FEET SOUTH OF THE INTERSECTION OF VINCENT DRIVE AND DUBLIN BOULEVARD" was presented for final passage.

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- A-2. CPC PUZ 11-00096: (Quasi-Judicial Matter) Ordinance No. 12-4 entitled "AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 52.2 ACRES LOCATED SOUTH OF THE EXISTING TERMINUS OF OLD NORTHGATE ROAD AND NORTH OF THE WESTERN TERMINUS OF VINE CLIFF HEIGHTS" was presented for final passage. (A [Agricultural] to PUD [Planned Unit Development: Residential; 2-3.5 dwelling units per acre; 35-foot maximum height])
- A-3. Ordinance No. 12-5 entitled "AN ORDINANCE AMENDING ORDINANCE NO. 11-95 (2012 APPROPRIATION ORDINANCE) FOR THE TOPS FUND IN THE AMOUNT OF \$60,000 FOR THE ACQUISITION OF APPROXIMATELY FIVE ACRES OF REAL PROPERTY KNOWN AS THE IRON MOUNTAIN PROPERTY WITHIN MANITOU SPRINGS" was presented for final passage.

FIRST PRESENTATION:

- B-1. Resolution No. 19-12 was presented: "A RESOLUTION SUPPORTING A LOCAL GOVERNMENT PARK AND OUTDOOR RECREATION CONSTRUCTION GRANT APPLICATION TO GREAT OUTDOORS COLORADO FOR THE MOUNT MANITOU INCLINE".
- B-2. **SEE ACTION TAKEN EARLIER IN THE MEETING.**
- B-3. **SEE ACTION TAKEN LATER IN THE MEETING.**
- B-4. Resolution No. 20-12 was presented: "A RESOLUTION DETERMINING THE NECESSITY, AND AUTHORIZING THE ACQUISITION OF, AND ENTRY INTO POSSESSION AND USE AGREEMENTS FOR, CERTAIN REAL PROPERTY FOR SOUTHERN DELIVERY SYSTEM PROJECT IMPROVEMENTS".
- B-5. Resolution No. 21-12 was presented: "A RESOLUTION ADOPTING THE 2012 AUDIT PLAN".

Motion by Martin, second by Leigh, that all matters on the Consent Calendar with the exception of Item No. 3-B-3, which was acted upon separately, be passed, adopted, and approved by unanimous consent of the members present.

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

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4. Resolution of Appreciation.

Resolution No. 22-12 was presented: "A RESOLUTION OF APPRECIATION FOR NANCY LEWIS FOR HER LONG-STANDING COMMITMENT TO PARKS AND OPEN SPACES IN COLORADO SPRINGS".

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

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

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Miryssa Woofter – Manitou Springs H.S., Kirstin Vogel – Manitou Springs, H.S., Jacob Smith – Liberty H.S., Steven Lightfoot – Rampart H.S., and Jessica Hedgpeth – Lewis Palmer H.S., were introduced as representatives of the Mayor's 100 Teens.

CITIZEN DISCUSSION

Charles Barber spoke regarding the 2012 Budget.

Raven Martinez spoke regarding the duties and responsibilities of Council and the Mayor.

President Hente stated the roles and responsibilities of the Mayor and City Council, as defined by City Code and City Charter, will be discussed at the Council meeting of February 27, 2012.

Sandra Peragine spoke regarding drilling for natural gas and hydraulic fracturing and requested Council not go forward with this in Colorado Springs, given the potential dangers to the environment and the community.

Mark Slaugh, Colorado Springs Medical Cannabis Council, spoke regarding the State and Federal distance requirements of Medical Marijuana businesses from schools. He requested a Hearing Officer for the Medical Marijuana business license applications be contracted.

Bonnie Lapora, Grand View Neighborhood Watch Group, Mary Gallivan, and Welling Clark, spoke regarding the excessive amount of crime and aggressive pan-handling occurring on the west side of Colorado Springs; that there has been difficulty in reaching the Police Department dispatch as well as the 911 operator; concerned for the citizens, as it creates a public safety issue; while the neighborhood appreciates the response to their request for increased police presence and additional street lights in the area, there is still a significant problem.

Councilmember Czelatdko stated the County Commissioners unanimously voted to support a grant to assist this area; that she is in contact with the Police Department and working to find a solution to this problem.

Councilmember Bennett stated this is a serious problem; that he appreciates the CSPD's added presence, but as soon they leave, the pan-handlers are back and it does not feel safe.

Colin Mullaney, Principal and Executive Director of Cheyenne Mtn. Charter Academy and the Vanguard School, Audrey Mathieu, John Kim, Southern Cross Shopping Center, and Susan Luu, spoke regarding the violent crimes occurring in the neighborhood area of the schools; that they have taken steps to increase safety and security; that a Safety Forum was held last month for families, businesses, and organizations, to discuss how to work together to create a safer

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neighborhood; that increased law enforcement presence in the area was discussed, and CSPD Officer Santos attended the meeting to hear the concerns and indicated the department would work on a solution to get more law enforcement in that area, particularly during student-release time; that while there are severe limitations on resources, they are thankful for the CSPD's help and ask for Council's support of ongoing, law enforcement presence in that area; that they would like to be involved in any revitalization efforts in that area; that they understand Colorado Springs has less police officers than is budgeted, and requested the City look at increasing the number of police officers.

Colorado Springs Police Chief, Pete Carey, stated CSPD has been working on these issues and will continue to do so; that it will require a sustained effort on all parts.

President Hente requested Chief Carey report back to Council in the near future to give an update on both neighborhood areas and investigate the concerns regarding the dispatch and emergency contact phone numbers.

Councilmember Czelatdko inquired if there was a communication system in place, or if one could be put in place to instantaneously alert citizens and business owners if, for example, there was any criminal activity taking place in the area, so they would know to take precautions, and Chief Carey replied he will discuss the issues with Crime Prevention Department.

Mark Earle, Director of Aviation, announced that beginning May 18th, 2012, Frontier Airlines is flying four new, non-stop flights to Las Angeles, Phoenix, Seattle, and Portland; that Frontier has indicated if the community supports the service, additional cities may be added.

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- 5. Motion by Herpin, second by Martin, that the Minutes of the regular Council Meeting of January 24, 2012, be approved as written. The motion unanimously carried. Absent, Councilmember Dougan.

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6. **Mayor's Communications.**

Chief of Staff, Laura Neumann, stated the Mayor's Office will begin another search for a Chief Financial Officer; that the City Attorney's Office is proceeding to obtain outside legal counsel to investigate the allegation of mishandling grant funds intended for the United States Olympic Committee.

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

- 3-B-3. Resolution No. 23-12 was presented: "A RESOLUTION SUPPORTING A RIVER CORRIDOR INITIATIVE GRANT TO GREAT OUTDOORS COLORADO FOR PROJECTS WITHIN THE FOUNTAIN CREEK WATERSHED".

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Councilmember Williams thanked Carol Baker, Colorado Springs Utilities, for her hard work with El Paso County, Pueblo County, the City of Pueblo, the City of Colorado Springs, and the City of Fountain, to secure grant funding for projects in the area; that the Great Outdoors Colorado (GOCO) staff informed her that because of the collaboration, the grant application received priority consideration.

Motion by Williams, second by Bennett, that the resolution be adopted.

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

NEW BUSINESS

7. Resolution No. 24-12 was presented: "A RESOLUTION ESTABLISHING A COLORADO SPRINGS CITY COUNCIL LIAISON TO THE COLORADO COLLEGE STUDENT GOVERNMENT ASSOCIATION".

President Pro Tem Martin stated the resolution creates a Council Liaison with the student body of Colorado College.

Jack Ragenbogen, Colorado College, thanked City Council for its collaboration.

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

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

EXTRA ITEM AGENDA

Extra Item
No. 1

Resolution No. 25-12 was presented: "A RESOLUTION OPPOSING COLORADO SENATE BILL SB 12-088 TO 'PREEMPT LOCAL REGULATION OF OIL AND GAS OPERATIONS'".

Tim Burke, Intergovernmental Affairs, stated at City Council's direction, the proposed resolution was drafted in opposition to Senate Bill 12-088; that the Colorado Municipal League is also opposing the Bill.

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

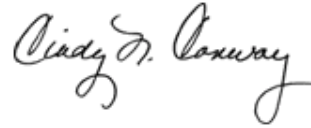
Ayes: Bennett, Czelatdko, Hente, Herpin, Leigh, Martin, Snider, Williams
Noes: None
Absent: Dougan

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At 2:35 P.M., there being no further business to come before City Council,

COUNCIL ADJOURNED

A handwritten signature in cursive script that reads "Cindy N. Conway". The signature is written in black ink and is positioned above the printed name.

Cindy N. Conway, CMC
Interim City Clerk