COLORADO SPRINGS, COLORADO
CITY COUNCIL CHAMBERS
CITY HALL – 107 N. NEVADA AVENUE
JUNE 11, 2013 – 1:00 P.M.

Council met in Regular Session.

There were present: President King, President Pro Tem Bennett, Councilmembers Collins, Gaebler, Knight, Martin, Miller, Pico and, Snider.

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1. **Call to Order.**

City Clerk Johnson called the roll. All were present.

2. **Invocation and Pledge of Allegiance.**

The meeting was opened with an invocation by Pastor Mark DeZuba of One Hour Volunteers and CrossRoads USA Ministry.

3 Boy Scouts, Tim Faulkner, Joshua Scholder, Brian Becar, led the pledge of allegiance.

3. **Changes to Agenda/Postponements.**

President King announced there would be two items added to the Agenda:

A. A Resolution creating a Council Budget Committee; and,
B. A Resolution supporting rebranding of Southern Colorado.

4. **Councilmember Comments.**

Councilmember Collins thanked the young boy scouts mentioning that it is important to the future of the community to mentor our youth.

CONSENT CALENDAR

5. The following items were acted upon by unanimous consent of the members present, with the exception of Items A-1, B-1, B-5-A, and B-5-B, which were called up for separate consideration:

SECOND PRESENTATION:

A-1. See action taken later in the meeting.

FIRST PRESENTATION:

B-1. See action taken later in the meeting.

B-2. Appointments to various Boards and Commissions.

B-3. A resolution acknowledging an in-kind land donation of a 0.103-acre parcel from Alinda H. Wikert to the City of Colorado Springs.

B-4. **Morning Star at Bear Creek**

B-4A. CPC PUZ 13-00009: (Quasi-Judicial Matter) Ordinance No. 13-33 entitled: "An Ordinance amending the zoning map of the City of Colorado Springs relating to 4.98 acres located at 2450 Lower Gold Camp Road, from [PUD (Planned Unit Development – eight dwelling units per acre of human service facility with a 30-foot maximum building) to PUD (Planned Unit Development – 10 dwelling units per acre with a 32-foot maximum building height)]" was introduced and read.

B-4B. CPC PUD 13-00010: (Quasi-Judicial Matter) Request by Classic Consulting on behalf of Vodka Valley, LLC for consideration of a PUD development plan consisting of a new 38,935 square foot, one-story structure containing 48 units of human service facility located at 2450 Lower Gold Camp Road.

Motion by Bennett, second by Snider, that all matters on the Consent Calendar with the exception of Items A-1, B-1, B-5-A, B-5-B, be passed, adopted, and approved by unanimous consent of the members present.

Ayes: Bennett, Collins, Gaebler, King, Knight, Martin, Miller, Pico, Snider
Noes: None
Absent: None

The motion passed unanimously on a 9-0 vote.

B-5A. See action taken later in the meeting.

B-5B. See action taken later in the meeting.

6. **Recognitions.**

There were none.

7. **Citizen Discussion.**

Charles Barber spoke on stormwater issues, the infrastructure at North Circle and Palmer Park Boulevard, and fire mitigation needs.

Cyndy Kulp spoke in support of retail sales of marijuana in Colorado Springs.

Kasey Weber spoke to support tennis court improvements as planned by the Parks and Recreation department for Memorial Park.

8. **Mayor's Communications.**

Chief of Staff Neumann provided a brief update on stormwater. She stated the Mayor had written a letter to Pueblo County Commissioner Sal Pace explaining the amount of money the City has to commit to Colorado Springs Utilities towards stormwater projects. She also advised Council that they are in the process of finalizing negotiations on the contract for a third party to vet the near $700 million stormwater project list. She noted that it will be the beginning of September before the findings will be available rather than the end of July, as previously anticipated. She indicated Mayor Bach is looking forward to bringing to Council options for the management and funding of stormwater matters to begin dialogue during the October budget process.

Ms. Neumann assured Council that the process described in Council's Annual Budget Resolution being presented today does not look much different than how it has been managed in prior years.

Councilmember Knight conveyed to Ms. Neumann that when he, Councilmembers Pico and Collins, visited Schriever Air Force Base last Friday, Shriever Command staff expressed their relationship with CSPD has been outstanding.

ITEMS CALLED OFF CONSENT CALENDAR

A-1. Ordinance No. 13-32 entitled: "An Ordinance creating the Audit Committee" was presented for final passage.

Mr. Douglas Bruce explained his perspective that there is no need for an Audit Committee and expressed that it is a waste of taxpayer's money.

Motion by Bennett, second by Gaebler, that the Ordinance be passed.

Ayes: Bennett, Gaebler, King, Knight, Martin, Miller, Pico, Snider
Noes: Collins
Absent: None

The motion passed on an 8-1 vote.

B-1: Approval of the Minutes of the Regular Council meeting of May 28, 2013.

Councilmember Knight requested three corrections to the Minutes of the May 28, 2013, Council meeting: 1) change the minutes to indicate that he had voted yes to go into the Executive Session; 2) restate the reference that correct figures were provided to Council regarding the Short-Term Water Service Agreement with Cherokee Metropolitan District at the prior CSU Board Meeting; and, 3) revise his statement on Added Item 11 regarding the extension of transportation services for the Fountain Valley Senior Center through 2013 to reflect more specifically that Council gave direction at the May 13 Work

Session that no further extensions would be granted for the IGA without conducting an RFP process.

Motion by Bennett , second by Gaebler, that the Minutes of the Regular Council meeting of May 28, 2013, be approved with the requested changes.

Ayes: Bennett, Collins, Gaebler, King, Knight, Martin, Miller, Pico, Snider
Noes: None
Absent: None

The motion passed unanimously on a 9-0 vote.

B-5. **Southern Delivery System Bradley Pump Station**

B-5A. CPC MP 87-00381-A11MJ13: Request by Colorado Springs Utilities for consideration of a major amendment to the approved Banning Lewis Ranch Master Plan to change the land use designation from Low Density Residential to Public Facility Utility – Water to allow the Southern Delivery System Bradley Pump Station facility consisting of 24.68 acres located south of Bradley Road between Marksheffel Road and Meridian Road.

Mr. Bruce had requested items B-5A and B-5B be pulled off the Consent Calendar to provide his perspective that the Southern Delivery System is a waste of money.

Motion by Bennett , second by Pico, to approve the request of Item B-5A.

Ayes: Bennett, Gaebler, King, Knight, Martin, Miller, Pico, Snider
Noes: Collins
Absent: None

The motion passed on an 8-1 vote.

B-5B. CPC ZC 13-00026: (Quasi-Judicial Matter) Ordinance No. 13-34 entitled: “An Ordinance amending the zoning map of the City of Colorado Springs relating to 24.68 acres located south of Bradley Road between Marksheffel Road and Meridian Road” was introduced and read. [From R-1-6000 (Single-Family Residential) to PF (Public Facility)].

Motion by Bennett, second by Gaebler, that the Ordinance be passed as introduced.

Ayes: Bennett, Gaebler, King, Knight, Martin, Miller, Pico, Snider
Noes: Collins
Absent: None

The motion passed on an 8-1 vote.

UNFINISHED BUSINESS

9. Ordinance No. 13-35 entitled: "An ordinance amending Ordinance No. 12-108 (2013 Appropriation Ordinance) for a supplemental appropriation to the General Fund in the amount of $455,000 for the purpose of Legislative Management Software and security measures" was introduced and read.

Councilmember Miller asked to clarify how the concealed carry issue relates to the security component of the Ordinance.

Councilmember Collins described her lack of support for either component of the Ordinance.

Councilmember Martin thanked those who went the extra mile to demonstrate the software and provide a walk-through of the security measures.

Mr. Bruce spoke in opposition to the security measures.

Motion by Bennett, second by Gaebler, that the Ordinance be passed as introduced.

Ayes: Bennett, Gaebler, King, Knight, Martin, Snider
Noes: Collins, Miller, Pico
Absent: None

The motion passed on a 6-3 vote.

10. Ordinance 13-36 entitled: "An ordinance amending Ordinance No. 12-108 (2013 Appropriation Ordinance) for a supplemental appropriation to the Trails, Open Space and Parks (TOPS) Fund (Parks Category) in the amount of $4,242,000; to the Parkland Dedication Ordinance (PLDO) fund in the amount of $250,000; and to the Conservation Trust Fund (CTF) in the amount of $1,442,000 for multiple projects and services associated with the Parks, Recreation and Cultural Services Department" was introduced and read.

Karen Palus, Director of Parks, Recreation and Cultural Services, summarized the funding sources and the projects to be funded by the supplemental appropriation.

Mr. Bruce explained his reasoning to not support the Ordinance.

Ms. Cheryl McCullough, Sr. Sales Manager of Sports and Special Events at the Colorado Springs Convention and Visitor's Bureau, provided data on how much is spent on tourism and stated that sports tournaments are embraced by many, even during an economic downturn.

Susan Becar, mother of one of the boy scouts in attendance, as well as Mr. Bill Kerner, and Mr. Neuman McAlister spoke in support of the supplemental appropriation to benefit Colorado Springs Parks, Recreation, and Cultural Services.

Councilmembers Gaebler and Pico acknowledged their support for the supplemental appropriation.

Councilmember Collins expressed her lack of support for the supplemental appropriation.

Motion by Bennett, second by Pico, that the Ordinance be passed as introduced.

Ayes: Bennett, Gaebler, King, Knight, Martin, Miller, Pico, Snider
Noes: Collins
Absent: None

The motion passed on an 8-1 vote.

11. Resolution No. 61-13 was presented: "A Resolution of the City Council of the City of Colorado Springs, Colorado, approving the issuance of tax-exempt bonds by the Flying Horse Metropolitan District No. 2."

Carl Schueller provided clarification for Council's consideration.

Councilmember Miller asked questions about the Series B-Bonds. Zach Bishop, Sr. Vice President, Public Finance for D.A. Davidson & Company, responded to Councilmember Miller's questions.

Pete Susemihl, Attorney, and two principals from Classic Homes, were available to answer any additional questions. Doug Stemple, CEO of Classic Homes, briefly summarized the purposes of the districts for the Flying Horse development.

Mr. Bruce spoke against the Resolution.

Motion by Bennett, second by Snider, to adopt the Resolution.

Ayes: Bennett, Collins, Gaebler, King, Martin, Pico, Snider
Noes: Knight, Miller
Absent: None

The motion passed on a 7-2 vote.

12. **<u>Added Items.</u>**

A. Resolution No. 62-13 was presented: "A Resolution creating a City Council Budget Committee and establishing a policy of the preparation of the Annual Budget."

President Knight described how it provides an opportunity for Council to take a more active role in the budgetary process and in performing their fiduciary responsibilities and do good things for the City of Colorado Springs.

Mr. Bruce spoke against the Resolution, but then recommended a couple of minor grammatical changes. Councilmember Knight wanted to confirm the Resolution language was in line with the Charter language.

Mr. Charles Guy spoke in support of Council's decision.

Motion by Gaebler, second by Knight, to adopt the resolution as amended with the recommended changes.

Ayes: Bennett, Gaebler, King, Knight, Martin, Miller, Pico, Snider
Noes: Collins
Absent: None

The motion passed on an 8-1 vote.

B. Resolution No. 63-13 was presented: "A Resolution of the City Council of Colorado Springs, Colorado, supporting rebranding of Southern Colorado as an economic development tool."

President Pro Tem Bennett described his support for the resolution and identified the 10 I-25 exists that will be featured in the campaign to market the Front Range corridor connecting Trinidad, Walsenburg, Pueblo, and Colorado Springs.

Councilmember Miller applauded the effort but expressed he was not in support of conglomerate rebranding of Colorado Springs.

Motion by Bennett, second by Snider, to adopt the Resolution.

Ayes: Bennett, Gaebler, King, Knight, Martin, Pico, Snider
Noes: Collins, Miller
Absent: None

The motion passed on a 7-2 vote.

13. **Executive Session.**

There was none.

14. **Adjourn.**

Prior to adjourning, Councilmember Snider acknowledged this as being Aimee Cox' last day of service on Council and stated that she will be missed.

At 2:53 p.m., there being no further business to come before City Council,

COUNCIL ADJOURNED

Sarah B. Johnson

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City Clerk