COLORADO SPRINGS, COLORADO
CITY COUNCIL CHAMBERS
CITY HALL - 107 N. NEVADA AVENUE
SEPTEMBER 28, 2010 – 1:00 P.M.

Council met in Regular Session.

There were present: Mayor Rivera, Councilmembers Gallagher, Glenn, Hente, Herpin, Martin, Paige, Purvis and Small. Also present, Assistant City Manager Johnson and City Attorney/Chief Legal Advisor Kelly.

----------0----------

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

The meeting was opened with an invocation by Dawud Salaam, President Islamic Society of Colorado Springs.

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

Councilmember Paige called up Item No. 3-B-5 for separate consideration.

The Assistant City Manager called up Item No. 3-B-6 for separate consideration.

CONSENT CALENDAR

3. The following items were acted upon by unanimous consent of the members present, with the exception of Item Nos. 3-B-5 and 3-B-6 which were acted upon separately:

SECOND PRESENTATION:

A-1. Ordinance No. 10-67 entitled "AN ORDINANCE AMENDING ORDINANCE NO. 09-148 (2010 APPROPRIATION ORDINANCE) IN THE AMOUNT OF $950,000 FOR THE SECURITY CHECKPOINT EXPANSION PROJECT AT THE COLORADO SPRINGS AIRPORT" was brought up on second presentation.

A-2. Ordinance No. 10-68 entitled "AN ORDINANCE AMENDING ORDINANCE NO. 09-148 (2010 APPROPRIATION ORDINANCE) IN THE AMOUNT OF $2,200,000 FOR CAPITAL PROJECTS AT THE COLORADO SPRINGS AIRPORT" was brought up on second presentation.

A-3. Ordinance No. 10-69 entitled "AN ORDINANCE AMENDING ORDINANCE NO. 09-148 (2010 APPROPRIATION ORDINANCE) FOR THE CITY-FUNDED CIP FUND IN THE AMOUNT OF $98,264" was brought up on second presentation.

A-4. CPC ZC 09-00119: (Quasi-Judicial Matter) Ordinance No. 10-70 entitled "AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 2.8 ACRES LOCATED AT 1620 WEST BIJOU STREET" was brought up on second presentation. (R-2/CU to PF)

A-5. CPC ZC 10-00059: (Quasi-Judicial Matter) Ordinance No. 10-71 entitled "AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 6.53 ACRES LOCATED AT 6140 CORPORATE DRIVE" was brought up on second presentation. (PBC/HS/SS and PIP-1/HS/SS to PBC/SS)

A-6. CPC ZC 10-00065: (Quasi-Judicial Matter) Ordinance No. 10-72 entitled "AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 0.5 ACRE LOCATED AT 555 EAST COSTILLA STREET" was brought up on second presentation. (PIP-1/cr to C-6)

A-7. CPC ZC 10-00068: (Quasi-Judicial Matter) Ordinance No. 10-73 entitled "AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 10.9 ACRES LOCATED NORTHWEST OF DRENNAN BOULEVARD AND BOYCHUK ROAD" was brought up on second presentation. (PIP-1/AO/CU to C-6/AO/cr)

A-8. Ordinance No. 10-74 entitled "AN ORDINANCE AMENDING SECTION 204 (EMPLOYEE INSURANCE BENEFITS) OF PART 2 (SALARIES AND BENEFITS) OF ARTICLE 4, (CITY EMPLOYEES) OF CHAPTER 1 (ADMINISTRATION, PERSONNEL AND FINANCE) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO GROUP MEDICAL PLANS" was brought up on second presentation.

FIRST PRESENTATION:

B-1. Resolution No. 160-10 was presented: "A RESOLUTION AUTHORIZING THE ACQUISITION OF SEVEN PROPERTIES FOR SOUTHERN DELIVERY SYSTEM PROJECT IMPROVEMENTS".

B-2. Resolution No. 161-10 was presented: "A RESOLUTION TO ADOPT THE 2010 PRE-DISASTER MITIGATION (PDM) PLAN FOR THE CITY OF COLORADO SPRINGS".

B-3. Resolution No. 162-10 was presented: "A RESOLUTION TO ACCEPT A GRANT FROM THE STATE OF COLORADO, DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, DIVISION OF HEALTH FACILITIES AND EMERGENCY MEDICAL SERVICES IN THE AMOUNT OF $23,793 FOR THE FY 11 EMTS PROVIDER GRANT; AND, AUTHORIZING THE COLORADO SPRINGS FIRE DEPARTMENT, MEDICAL DIVISION, TO EXECUTE THE CONTRACT TO PURCHASE NARCOTICS STORAGE CABINETS".

B-4. Resolution No. 163-10 was presented: "A RESOLUTION APPROVING AMENDMENTS TO THE RULES OF THE COLORADO SPRINGS CIVIL SERVICE COMMISSION FOR THE MUNICIPAL POLICE AND FIRE FORCES".

B-5. **SEE ACTION TAKEN LATER IN THE MEETING.**

B-6. **SEE ACTION TAKEN LATER IN THE MEETING.**

B-7. Ordinance No. 10-77 entitled "AN ORDINANCE AMENDING ORDINANCE NO. 09-148 (2010 APPROPRIATION ORDINANCE) IN THE AMOUNT OF $123,600 FOR THE CITY-FUNDED CIP CONSTRUCTION FUND" was introduced and read.

Motion by Hente, second by Purvis, that all matters on the Consent Calendar, with the exception of Item Nos. 3-B-5 and 3-B-6, be passed, adopted and approved by unanimous consent of the City Council.

Ayes: Gallagher, Glenn, Hente, Herpin, Martin, Paige, Purvis, Rivera, Small
Noes: None
Absent: None

4. **Resolutions of Appreciation**

Resolution No. 164-10 was presented: "A RESOLUTION EXPRESSING APPRECIATION AND GRATITUDE TO STACY L. GATTO FOR ALMOST 27 YEARS OF SERVICE TO THE CITY OF COLORADO SPRINGS".

Motion by Small, second by Gallagher, that the resolution be adopted.

Ayes: Gallagher, Glenn, Hente, Herpin, Martin, Paige, Purvis, Rivera, Small
Noes: None
Absent: None

----------0----------

Tashari Gary, of Harrison High School, Eboni Davis, of Sierra High School, Christine Taylor, of Liberty High School, and Audrey Baker, of Coronado High School, were introduced as representatives of the Mayor's 100 Teens.

CITIZEN DISCUSSION

Deb Barry, Friends of Aquatics President, and Daisy Chun Rhodes thanked City Council for supporting swimming and fitness pools at the Cottonwood Creek Recreation Center, looking for funding to secure the pool programs; reviewed Friends of Aquatics funding efforts; need for one public pool to tend to the special needs of community citizens; wants to see detailed budget for Cottonwood Creek Recreation Center.

Eva Guy expressed concerns with drainage problems on Chelton Road and Marlborough Road, Zend Lane has no sidewalks, curb and gutters; complaints have not been addressed; use SWENT funds to eliminate this problem; petition of over 30 people that want something done; showed pictures.

City Council directed City Administration to review and respond.

Melinda Lawson spoke in support of Community Partners Project (CPP) to save Hillside and Meadows Park Community Centers; community centers played a part in her life growing up; Grant Writer for CPP hopes to raise $75,000.

----------0----------

5. Motion by Purvis, second by Martin, that the Minutes of the Regular Council meeting of September 14, 2010 be approved as written. The motion unanimously carried.

CONSIDERATION OF ITEMS CALLED UP FROM CONSENT CALENDAR SECTION

3-B-5. Resolution No. 165-10 was presented: "A RESOLUTION AUTHORIZING FREE PARKING SATURDAY, NOVEMBER 6, 2010 FOR THE VETERAN'S DAY PARADE".

Councilmember Paige called up this item to see if a policy is in place, may be other occasions to offer the free parking and be flexible in allowing free parking.

Greg Warnke, Parking Administrator, entered his appearance and answered questions.

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

Ayes: Gallagher, Glenn, Hente, Herpin, Martin, Paige, Purvis, Rivera, Small
Noes: None
Absent: None

----------0----------

Councilmember Hente was excused.

----------0----------

3-B-6. Resolution No. 166-10 was presented: "A RESOLUTION ADOPTING THE PROPOSED CEMETERY ENDOWMENT INVESTMENT POLICY".

Terri Velasquez, Chief Financial Officer, stated the policy has been revised as a result of the discussion at the Informal City Council meeting of September 27, 2010.

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

Ayes: Gallagher, Glenn, Herpin, Martin, Paige, Purvis, Rivera, Small
Noes: None
Absent: Hente

----------0----------

Councilmember Hente was returned.

----------0----------

UNFINISHED BUSINESS

6. Ordinance No. 10-75 entitled "AN ORDINANCE AMENDING SECTIONS 204 (RIGHTS OF CITY), 205 (ANNEXATION AGREEMENTS FOR CITY SERVICES), AND 210 (SERVICE WITHOUT ANNEXATION), OF PART 2 (ANNEXATIONS) OF ARTICLE 6 (PLANNING COMMISSION AND ANNEXATIONS) OF CHAPTER 7 (PLANNING, DEVELOPMENT AND BUILDING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO ANNEXATION POLICY FOR EXTENSION OF WATER AND WASTEWATER SERVICES OUTSIDE THE CITY" was brought up on second presentation.

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

Ayes: Glenn, Hente, Herpin, Martin, Paige, Rivera, Small
Noes: Gallagher, Purvis
Absent: None

Mayor Rivera declared the motion carried.

----------0----------

7. Ordinance No. 10-76 entitled "AN ORDINANCE ADDING A NEW SECTION 304 (SERVICE; SPECIAL CONTRACT) OF PART 3 (WATER SERVICE) OF ARTICLE 4 (WATER CODE) OF CHAPTER 12 (UTILITIES) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO SPECIAL CONTRACT WATER SERVICE" was brought up on second presentation.

Motion by Small, second by Hente, that the ordinance be finally passed.

Ayes: Glenn, Hente, Herpin, Martin, Paige, Rivera, Small
Noes: Gallagher, Purvis
Absent: None

Mayor Rivera declared the motion carried.

NEW BUSINESS

8. Resolution No. 167-10 was presented: "A RESOLUTION IN OPPOSITION TO AMENDMENTS 60 AND 61 AND PROPOSITION 101 ON THE NOVEMBER 2, 2010 GENERAL ELECTION BALLOT".

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

Ayes: Glenn, Hente, Herpin, Martin, Purvis, Rivera, Small
Noes: Gallagher, Paige
Absent: None

Mayor Rivera declared the motion carried.

----------0----------

9. Resolution No. 168-10 was presented: "A RESOLUTION AUTHORIZING THE PARKS, RECREATION AND CULTURAL SERVICES DEPARTMENT AND REAL ESTATE SERVICES TO ENTER INTO A PURCHASE AGREEMENT FOR THE ACQUISITION OF MANITOU SECTION 16".

Kurt Schroeder, Parks, Trails and Open Space Manager, summarized the item and introduced Amy Cox, Parks, Recreation and Cultural Services Principal Analyst.

Ms. Cox provided background information regarding the property; agreement to go to State Land Board by October 8, 2010 and close by December 31, 2010; provided information regarding why this property is a significant acquisition; 160,000 people visit Section 16 annually; reviewed partners – Great Outdoors Colorado (GOCO), El Paso County, Palmer Land Trust, Manitou Springs, TOPS and Intemann Trail Committee with $1,253,500 appraised fair-market value of $3.8 million; Mineral Estate valued at $321,000; cost to City is $2,927,500; reviewed maintenance.

Doug _____, Bill Kerner, Trails and Open Space Coalition member, Kent Obee, Parks and Recreation Advisory Board Chair, Gail Fernandez, Amanda Hill, Palmer Land Trust, Dan Cleveland and Marc Snyder, Manitou Springs Mayor, spoke in support citing the following comments: reviewed the conservation easement and mining authority; win/win situation for everyone; long struggle; thanked people involved with securing and assisting with the acquisition of the property; very complex purchase; last best chance to make this acquisition; uses trail and supports this purchase; will work with the City for trail heads, restrooms, etc.; incredible resource; in favor of this project.

Motion by Purvis, second by Small, that the resolution be adopted.

Ayes: Gallagher, Glenn, Hente, Herpin, Martin, Paige, Purvis, Rivera, Small
Noes: None
Absent: None

----------0----------

At 2:57 P.M., motion by Hente, second by Purvis, that Council adjourn. The motion unanimously carried, and

COUNCIL ADJOURNED

Kathryn M. Young

Kathryn M. Young, CMC, CERA
City Clerk