

CITY COUNCIL WORK SESSION MEETING  
CITY OF COLORADO SPRINGS  
FEBRUARY 24, 2014

1. **CALL TO ORDER**

City Clerk Johnson called the roll. All Councilmembers were present.

2. **CHANGES TO THE AGENDA**

There were no changes requested.

3. **FEBRUARY 25, 2014 REGULAR MEETING COMMENTS**

Councilmember Gaebler stated she will be pulling Item 5-B-3, A Resolution regarding Paths to Parks Trail Grant, from the Consent Calendar.

Councilmember Knight stated he will request postponement of Item 11, Civil Service Commission Ordinance Changes, for two weeks.

Bruce McCormick, Utilities Project Engineer, stated they will request to postpone Item 9, Water Shortage Ordinance.

4. **REVIEW OF FEBRUARY 10, 2014 WORK SESSION MINUTES**

Councilmember Knight requested to please change the reference in the Minutes from "No Man's Land" to "West Colorado Avenue" or to "The Avenue" to respect those who own property, businesses, or otherwise live in the area. Consensus of Council agreed.

5. **EXECUTIVE SESSION**

- A. Interim City Attorney Massey read the request to enter into Closed Executive Session. Consensus of Council approved entering into a Closed Executive Session.

**Councilmember Collins was excused.**

6. **STAFF AND APPOINTEE REPORTS**

A. Agenda Planner

Councilmember Knight requested that for the Work Session on March 10<sup>th</sup> both the South Academy and North Academy Opportunity Zone items be addressed at the same time. He also requested that the North Nevada Urban Renewal Design Overlay be moved from March 11<sup>th</sup> to March 25<sup>th</sup>. Consensus of Council approved both requests.

Councilmember Snider asked about the eminent domain draft ordinance scheduled for introduction on March 11<sup>th</sup>. Councilmember Miller responded that he was coordinating the drafting of the ordinance with help from the City Attorney's office and

with input from the Planning Department. Ms. Massey stated attorneys will be present at the March 11<sup>th</sup> meeting to answer any of Council's questions relative to the draft ordinance.

B. Memorial Health System Enterprise Update

Kara Skinner, CFO, responded to questions presented by Councilmember Knight relative to line item entries for: 1) RBA payments were based on annual calculations provided by PERA each January for obligations to recipients; and, 2) the \$5,000 allocation to the Colorado Springs Health Foundation was to cover the costs for establishing the Foundation.

C. Update on the "No Smoking" Ordinance

Kurt Schroeder, Parks Maintenance, Open Space and Trails Manager, provided an update on the implementation of their "*No Smoking in Parks*" program. He noted significant discussions with the El Paso County Department of Health and described an award presented to the City recognizing the program and their efforts for getting the word out. Mr. Schroeder clarified that there was an updated memo from the one provided in Council's packet and stated no designated smoking areas are specified for smaller park areas and, when a park includes part of a public right-of-way, smoking is allowed in those right-of-ways.

Councilmember Miller expressed concern and requested redefinition of the general penalty which appears to be quite serious as it currently exists. Ms. Massey stated she will get back to him relative to this concern.

D. *City for Champions* Update on Legal Issues and Questions

Council President King described the February 19<sup>th</sup> legal memo that included a list of questions presented by Council to the City Attorney's office with the responding legal review to each question.

Ms. Massey stated that since the legal memos proposed for discussion are "*Attorney-Client Privileged*," Council needed to consider whether they wanted to waive the privilege of confidentiality to discuss openly. Consensus of Council was to waive their confidentiality privilege and discuss openly.

President King presented and Council deliberated on each of the questions and the corresponding City Attorney's office response. Councilmembers asked multiple questions and expressed a variety of concerns. Council Administrator Gonzalez agreed to prepare a list of the questions posed by Council to present to the Advisory Committee.

**7. PRESENTATIONS FOR GENERAL INFORMATION**

A. Quality of Life Indicators Briefing

Dave Munger, Carrie Cramm, and Lisa Bachman, representing the Executive Committee of the Quality of Life Indicators (“QLI”) Project for the Pikes Peak Region, provided a briefing on the key findings included in the QLI report released in October 2013. A copy of the report was distributed to Councilmembers and is available on United Way’s website at: <http://www.ppunitedway.org/ourimpact/qli>.

**Collins was excused.**

B. Military Affairs Council (“MAC”) Briefing on Base Realignment and Closure (“BRAC”) Activity

Steve Dant, Chairman of the MAC and President of Fox 21, and Andy Merritt, Chief Defense Industry Officer at Colorado Springs Regional Business Alliance (“RBA”), provided a presentation and briefed Council on the background of MAC and described the potential for sequestration, the subsequent impacts to the area should this occur, and best case scenarios. They encouraged Council to become involved emphasizing that action is needed to avoid BRAC closures that are anticipated to be enacted in 2017. Council requested they receive notices of the meetings so that they may plan to attend.

**8. ITEMS FOR INTRODUCTION**

A. Resolution Approving the Fourth Amendment to the Employment Agreement for Appointment as Chief Executive Officer for Utilities

Councilmember Martin overviewed the background and compensation study results and the recommendation for an increase to the Utilities’ CEO’s salary. Melissa Kellione, Utilities Human Resource General Manager, provided further clarification on the details of the scope and methodology of the study.

**9. ITEMS UNDER STUDY**

There were no items presented.

**10. COUNCILMEMBER REPORTS AND OPEN DISCUSSION**

A. Councilmember Knight requested the Downtown Partnership attend a Council Work Session to brief Council on 2013 major accomplishments and plans for 2014. Councilmember Gaebler stated she will connect with the Downtown Partnership.

B. Councilmember Miller, in follow-up to discussion of Item 6C, noted that City Code 6.6.103 “Smoking Prohibited” needs revision relative to the general penalty which he

described as a \$2,500 maximum with up to 189 days in prison as it is currently written.

- C. President King stated he would like Council to be proactive in creating a commercial aeronautical zone to encourage job opportunities and competitiveness at the airport.

Chief of Staff Neumann responded that the Executive Branch is supportive of the zone. She described that Mayor Bach, Bob Cope, and Dan Gallagher have been working on such an opportunity over the course of the past year. She indicated that Kara Skinner, CFO, has also been reviewing financial details and working with the City Attorney's office relative to TABOR implications of the proposal. She respectfully requested Council hold on the item until their review is complete.

- D. Councilmember Pico gave an update on the potential "Sister City" relationship with Olympia, Greece.
- E. President King announced he would be hosting a Town Hall meeting this evening at 7:00 p.m. at the Westside Community Center to discuss West Colorado Avenue and *City for Champions* in an open discussion format. He encouraged all those who were interested to attend.

## 11. **ADJOURN**

Council adjourned at 5:13 p.m.