



City of Colorado Springs

City Hall
107 N. Nevada Avenue
Colorado Springs, CO
80903

Meeting Minutes City Council

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Tuesday, February 28, 2023

10:00 AM

Council Chambers

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1. Call to Order and Roll Call

Present: 9 - Councilmember Yolanda Avila, Councilmember Dave Donelson, Councilmember Stephannie Fortune, President Pro Tem Randy Helms, Councilmember Nancy Henjum, Councilmember Bill Murray, Councilmember Mike O'Malley, President Tom Strand, and Councilmember Wayne Williams

Councilmember Fortune attended the meeting virtually.

2. Invocation and Pledge of Allegiance

The Invocation was made by Reverend Jennifer Williamson from Grace and Saint Stephen's Church.

President Strand led the Pledge of Allegiance.

3. Changes to Agenda/Postponements

President Strand stated item 11.G. will be taken after 1:00 PM. Sarah B. Johnson, City Clerk, stated Councilmember Williams requested item 4B.E.

be removed from the Consent Calendar.

Consensus of Council agreed to these changes on the Agenda.

4. Consent Calendar

These items will be acted upon as a whole, unless a specific item is called for discussion by a Councilmember or a citizen wishing to address the City Council. (Any items called up for separate consideration shall be acted upon following the Mayor's Business.)

4A. Second Presentation:

- 4A.A. [ZONE-22-0007](#) Ordinance No. 23-04 amending the zoning map of the City of Colorado Springs relating to 1.273 acres located at the northeast corner of North El Paso Street and East Fillmore Street from C-5/M1 (Intermediate Business and Light Industrial) to C-5 (Intermediate Business).

Related Files: DEPN-22-0074

Presenter:

Tamara Baxter, Senior Planner, Planning & Community Development
Peter Wysocki, Director of Planning and Community Development

Attachments: [ORD_ZC_Burgerworks](#)
[Exhibit A_Legal Description](#)
[Exhibit B - Zone Change](#)
[Staff_CC_BurgerworksPresentation](#)
[Applicant_Burgerworks_Presentation](#)
[CPC Staff Report_Burgerworks E Fillmore TPB](#)
[Project Statement](#)
[Zone Change Exhibit](#)
[Development Plan-updated](#)
[CONTEXT MAP](#)
[Public Comment](#)
[Public Comment Response](#)
[7.5.603.B Findings - ZC](#)
[Signed Ordinance No. 23-04.pdf](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.B. [PUDZ-22-0009](#) Ordinance No. 23-05 amending the zoning map of the City of Colorado Springs relating to 2.33 acres located at the southeast corner of East Cheyenne Mountain Boulevard and Quail Lake Loop from PIP-1 (Planned Industrial Park) to PUD (Planned Unit Development;

Multi-family Residential with condominium garages, maximum of 11.6 dwelling units per acre, maximum building height of 45 feet)

(Quasi-Judicial)

Related Files: PUDD-22-0037

Presenter:

Matthew Alcuran, Planner II, Planning and Community Development
Peter Wysocki, Planning Director, Planning and Community Development

Attachments: [ORD_ZC_QuailLakeCondos](#)

[Exhibit A - Legal Desc](#)

[Exhibit B - Zone Change](#)

[CPC Staff Report_Quail Lake Loop Condos_PUD_ZC_PUD_DP](#)

[Project Statement](#)

[PUD Development Plan](#)

[Floor Plans](#)

[Public Comment Karen Lawson Support](#)

[Quail Lake responses](#)

[7.3.603 Establishment & Development of a PUD Zone](#)

[7.5.603.B Findings - ZC](#)

[Signed Ordinance No. 23-05.pdf](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.C.** [PUDZ-22-0006](#) Ordinance No. 23-06 amending the zoning map of the City of Colorado Springs relating to 5.5 acres located northeast of Federal Drive and Old Ranch Road from PIP-1 (Planned Industrial Park) to PUD (Planned Unit Development: Multi-family residential, 46.5 dwelling units per acres, and a maximum building height of 50 feet).

(Quasi-Judicial)

Related Files: PUDC-22-0007

Presenter:

Peter Lange, Planner II, Planning and Community Development
Peter Wysocki, Director, Planning and Community Development

- Attachments:** [ORD_ZC_SaxonMultifamily](#)
[Exhibit A - Legal](#)
[Exhibit B - Zone Change](#)
[CPC Report Federal Drive Zone Change and Concept Plan](#)
[Project Statement](#)
[PUD Concept Plan](#)
[Context Map](#)
[7.3.603 Establishment & Development of a PUD Zone](#)
[7.5.603 Findings - ZC](#)
[Signed Ordinance No. 23-06.pdf](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.D. [22-778](#)** Ordinance No. 23-07 Repealing Section 105 (Customer Advisory Committee) Of Article 6 (Development Review Enterprise) Of Chapter 14 (Municipal Enterprises) Of The Code Of The City Of Colorado Springs 2001, As Amended, Pertaining To The Development Review Enterprise Customer Advisory Committee

Presenter:
Tom Strand, Council President and Councilmember At Large

- Attachments:** [DRE Transition Ordinance - Final](#)

This Ordinance was finally passed on the Consent Calendar.

4B. First Presentation:

- 4B.A. [23-125](#)** City Council Regular Meeting Minutes February 14, 2023

Presenter:
Sarah B. Johnson, City Clerk

- Attachments:** [2-14-2023 City Council Meeting Minutes Final](#)

The Minutes were approved on the Consent Calendar.

- 4B.B. [22-792](#)** A Resolution approving the City's Investment Policy

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [Resolution Update Investment Policy 01-09-23](#)
[Colorado Springs Investment Policy - remove IAC - 01-09-23 - clean](#)
[Colorado Springs Investment Policy - remove IAC - 01-09-23 - redline](#)
[Investment Policy overview - 2023-02-13](#)
[Signed Resolution No. 23-23.pdf](#)

This Resolution was adopted on the Consent Calendar.

4B.C. [22-793](#) A Resolution approving the Cemetery Endowment Fund Investment Policy

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [Resolution approving the Cemetery Endowment Fund Investment Policy-01-09-23](#)
[Cemetery Investment Policy update - 01-09-23 - clean](#)
[Cemetery Investment Policy update - 01-09-23 - redline](#)
[Investment Policy overview - 2023-02-13](#)
[Signed Resolution No. 24-23.pdf](#)

This Resolution was adopted on the Consent Calendar.

4B.D. [23-101](#) Ordinance No. 23-08 amending section 106 (animals kept on premises; sanitary requirements) and 110 (specific animals prohibited; exception) of article 7 (regulation of animals - general provisions) and section 102 (hoofed animals kept on premises; zoning requirements) of article 9 (regulation of animals - hoofed animals) of Chapter 6 (neighborhood vitality / community health) of the Code of the City of Colorado Springs 2001, as amended, pertaining to regulation of animals.

Presenter:
Morgan Hester, Planning Supervisor
Randy Helms, Councilmember
Ben Bolinger, Assistant City Attorney

Attachments: [NeighborhoodVitality-RegulationAnimalsHoofedORD-2023-2-17](#)

This Ordinance was approved on first reading on the Consent Calendar.

4B.F. [23-147](#) Notice of Public Hearing before the City Council of the City of Colorado Springs concerning the adoption of the 2021 Edition of the International Fire Code with Amendments and the Penalty provisions

Presenter:
Brett T. Lacey, Fire Marshal
Frederick Stein, Public Safety Attorney

Attachments: [Fire-2021_IFC_Adoption-NOTICE-PublicHearing-2023-02-21](#)
[Fire-2021_IFC_AdoptionRD-2023-02-21](#)

This Item was approved on the Consent Calendar.

- 4B.G.** [23-062](#) Resolution Directing the Chief Executive Officer of Colorado Springs Utilities to Execute the Wastewater Service Agreement between Colorado Springs Utilities and the City of Manitou Springs

Presenter:

Travas Deal, Acting Chief Executive Officer, Colorado Springs Utilities

Attachments: [2023 MANITOU SPRINGS -- City Council Resolution for WasteWater Agreement Approval -- 1-24-23v.2 MG](#)
[2023 MANITOU SPRINGS -- WasteWater Service Agreement \(S9C\) with Exhibits A & B -- Partially Executed w Rev Eff Year 2-13-2023 Signed Resolution No. 31-23.pdf](#)

This Resolution was adopted on the Consent Calendar.

Approval of the Consent Agenda

Motion by Councilmember Williams, seconded by Councilmember Murray, that all matters on the Consent Calendar be passed, adopted, and approved by unanimous consent of the members present. The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Donelson, Fortune, Helms, Henjum, Murray, O'Malley, Strand, and Williams

5. Recognitions

- 5.A.** [23-130](#) A Resolution recognizing March 2023 as Women's History Month

Presenter:

Bill Murray, Councilmember At Large

Attachments: [Women's History Month Signed Resolution No. 25-23.pdf](#)

Councilmember Murray stated he does not know why there is only a Women's History Month because women make contributions to the community every single day, he asked people to reflect on their accomplishments, and read the Resolution recognizing March 2023 as Women's History Month.

Citizen Savannah Jackson expressed appreciation for the Resolution because women were not always recognized for their contributions in history.

Councilmember O'Malley and President Pro Tem Helms, Councilmember Murray honored Stephannie Finley Fortune's perseverance and service to the community.

Citizen Wanda Tisby-Cousar, Delta Sigma Theta Sorority, honored Ruth Holley and her contributions to the Pikes Peak Library District and making books available to all citizens of the community.

Motion by Councilmember Henjum, seconded by President Pro Tem Helms, that the Resolution recognizing March 2023 as Women's History Month be adopted. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Donelson, Fortune, Helms, Henjum, Murray, O'Malley, Strand, and Williams

5.B. [23-146](#) Appointments to City Council Appointed Boards, Commissions, and Committees

Presenter:

Tom Strand, Council President and Councilmember At Large

Attachments: [022823 Boards Commissions and Committee Appointments](#)

President Strand presented the Appointments to City Council Appointed Boards, Commissions, and Committees.

President Pro Tem Helms provided an overview of the Briargate General Improvement District 2021 Advisory Committee who worked on the ballot issue 6B which was passed by voters approximately a year and a half ago.

Carlos Perez, expressed appreciation for being able to previously work on the Briargate General Improvement District 2021 Advisory Committee and for the appointment to the Citizens Transportation Advisory Board (CTAB).

Councilmember Avila expressed gratitude to the appointees to the Law Enforcement Transparency and Advisory Commission (LETAC) for their service to the City.

Councilmember Henjum stated President Pro Tem Helms served on the interview panels for all three boards and thanked Council staff for the reception they held for all the members of the Boards, Commissions, and Committees.

Chris Burns, nominee appointee to the LETAC, provided an overview of

his qualifications and expressed gratitude for the opportunity to serve.

Motion by Councilmember Murray, seconded by Councilmember Williams, that the City Council Appointed Boards, Commissions, and Committees be approved. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Donelson, Fortune, Helms, Henjum, Murray, O'Malley, Strand, and Williams

6. Mayor's Business

There was no Mayor's Business.

7. Citizen Discussion For Items Not On Today's Agenda

Citizen Tim Hoiles spoke about the influence of Nor'Wood in the City.

Citizen Lisa Bigelow spoke against the Mayor's op-ed in the Gazette regarding the water Ordinance.

Citizen Vincent Capozzella spoke about the lack of the Colorado Springs Police Department enforcement regarding a vehicle which has been parked in front of his house for over three weeks.

Citizen Rob Bourgeois spoke about the City's lack of infrastructure for transportation by bike or walking on Nevada Avenue north of Constitution Avenue.

Citizen Mary Galusha expressed the need for a senior center on the east side of the City.

Citizen Dallas Gardner discussed the different elements of energy and its effects on people.

Citizen Angela Gilpin spoke against the stealing of candidate campaign signs.

Jaymen Johnson expressed appreciation for the recognitions given by City Council and the Citizens who commented at today's meeting.

8. Items Called Off Consent Calendar

- 4B.E.** [CODE-23-00](#) Ordinance No. 23-09 amending the Unified Development Code of the City of Colorado Springs establishing standards for urban agriculture (goats)
[01](#)

Presenter:
Morgan Hester, Planning Supervisor
Ben Bolinger, City Attorney

Attachments: [UDC-GoatORD-2023-02-27](#)
[Ord. UDC Amendment](#)
[ATTACHMENT 1 - Mayor's Disapproval by Veto of Ordinance 22-86](#)
[ATTACHMENT 2 - CO Jurisdiction Research](#)
[Goat Ordinance Presentation](#)
[CPC Staff Report Goats](#)
[Public Comment](#)
[CPC Minutes 2.8.23 Goat Ordinance DRAFT](#)

Councilmember Williams identified the proposed amendment for Section 2.A.2 in the Ordinance amending the Unified Development Code of the City establishing standards for urban agriculture (goats) which states the housing structure shall be at least twenty-feet from any abutting property line.

President Pro Tem Helms stated the reason the distance from the residential dwelling unit was originally added to the Ordinance was to increase the size of the lots but he supports the proposed amendment.

Motion by Councilmember Williams, seconded by Councilmember Murray, that the Ordinance amending the Unified Development Code of the City of Colorado Springs establishing standards for urban agriculture (goats) as amended be approved on first reading. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Donelson, Fortune, Helms, Henjum, Murray, O'Malley, Strand, and Williams

9. Utilities Business

9.A. [23-121](#) A Resolution Setting the Gas Cost Adjustment Effective March 1, 2023

Attachments: [02-28-2023 CC Mtg-GCA Resolution](#)
[G Sheet 2.4 Rate Tbl - 21st Revised - Redline](#)
[G Sheet 2.4 Rate Tbl - 21st Revised - Final](#)
[02-28-2023 GCA Schedule 1](#)
[02-28-2023 CC ECA-GCA](#)
[Signed Resolution No. 26-23.pdf](#)

Tristan Gearhart, Chief Planning and Finance Officer, Colorado Springs Utilities (CSU) presented the Resolutions setting the Gas Cost Adjustment (GCA) and the Electric Cost Adjustment (ECA) effective March 1, 2023 and provided an overview of the decreases, natural gas prices as of February 1, 2023, ECA projections for February 2023, GCA projections for

February 2023, five-year rate history, Front Range bill comparison, and sample residential bill.

President Strand asked what period of time the Front Range bill comparison represented. Mr. Gearhart stated it was for March 1, 2023.

Councilmember O'Malley asked if the other Front Range jurisdictions still owe for the Polar Vortex which occurred. Mr. Gearhart stated each one of those utilities have made some amount progress toward paying those off, but several have put in rates which stretch over three to five years.

Councilmember O'Malley stated he is a huge proponent of the City obtaining its own natural gas source through a natural gas line so these rate changes do not need to keep occurring. Mr. Gearhart stated CSU frequently evaluates storage opportunities and production partners.

Councilmember Donelson announced the appointment of Travas Deal, the new Chief Executive Officer of CSU.

Mr. Deal stated CSU will continue to work on innovative ways to control costs.

Motion by Councilmember Murray, seconded by President Pro Tem Helms, that the Resolution setting the Gas Cost Adjustment effective March 1, 2023 be adopted. The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Donelson, Fortune, Helms, Henjum, Murray, O'Malley, Strand, and Williams

9.B. [23-059](#) A Resolution Setting the Electric Cost Adjustment Effective March 1, 2023

Attachments: [02-28-2023 CC Mtg-ECA Resolution](#)
[E Sheet 2.9 Rate Tbl - 22nd Revised - Redline](#)
[E Sheet 2.9 Rate Tbl - 22nd Revised - Final](#)
[02-28-2023 ECA Schedule 1](#)
[02-28-2023 Green Power Service Schedule 1](#)
[02-28-2023 CC ECA-GCA](#)
[Signed Resolution No. 27-23.pdf](#)

Please see comments in Agenda item 9.A.

Motion by Councilmember Donelson, seconded by Councilmember Murray, that the Resolution setting the Electric Cost Adjustment effective March 1, 2023 be adopted. The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Donelson, Fortune, Helms, Henjum, Murray, O'Malley, Strand, and Williams

10. Unfinished Business

There was no Unfinished Business.

11. New Business

- 11.A. [23-129](#) A Resolution Authorizing a Land Exchange between the City Of Colorado Springs and Tim O. Haas and Terry E. Haas (“Haas”) and Acknowledging Acceptance of a Donation of Approximately \$115,000.00 in Land Value

Presenter:

Britt Haley, Director, Parks, Recreation & Cultural Services Department
David Deitemeyer, Senior Landscape Architect

Attachments: [CC_GardenoftheGodsEncroachmentCorrection](#)
[Exhibit_A_GOG_CityExchangeProperty](#)
[Exhibit_B_GOG_TradingPostExchangeProperty](#)
[Draft Resolution Trading Post Land Exchange and Donation_2.13.23](#)
[Signed Resolution No. 28-23.pdf](#)

David Deitemeyer, Senior Landscape Architect, presented the Resolution authorizing a land exchange between the City and Tim O. Haas and Terry E. Haas and acknowledging acceptance of a donation of approximately \$115,000.00 in land value.

There were no comments on this item.

Motion by Councilmember Henjum, seconded by Councilmember Williams, that the Resolution authorizing an encroachment correction land exchange at Garden of the Gods Park for property with the Garden of the Gods Trading Post be adopted. The motion passed by a vote of 8-0-1-0

Aye: 8 - Avila, Fortune, Helms, Henjum, Murray, O'Malley, Strand, and Williams

Absent: 1 - Donelson

- 11.B. [23-076](#) A Resolution Authorizing the Acquisition of Approximately 5.7392 Acres of Property From the Gary L. Anderson and Anita L. Anderson Revocable Trust as an Addition to the Corral Bluffs Open Space Through the Trails, Open Space, and Parks (TOPS) Program

Presenter:

Britt Haley, Director, Parks, Recreation and Cultural Services
Department

Attachments: [Resolution_CorralBluffsInholding](#)
[CityCouncil_CorralBluffsFiveAcreAdditionFEB2023](#)
[Signed Resolution No. 29-23.pdf](#)

Britt Haley, Director, Parks, Recreation and Cultural Services Department, presented the Resolution authorizing the acquisition of approximately 5.7392 acres of property from the Gary L. Anderson and Anita L. Anderson Revocable Trust as an addition to the Corral Bluffs Open Space through the Trails, Open Space, and Parks (TOPS) Program and the Ordinance for a supplemental appropriation to the TOPS Fund in the amount of \$200,000 to complete the acquisition.

There were no comments on this item.

Motion by Councilmember Murray, seconded by Councilmember Williams, that the Resolution authorizing the acquisition of approximately 5.7392 acres of property from the Gary L. Anderson and Anita L. Anderson Revocable Trust as an addition to the Corral Bluffs Open Space through the Trails, Open Space, and Parks (TOPS) Program be adopted. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Donelson, Fortune, Helms, Henjum, Murray, O'Malley, Strand, and Williams

- 11.C. [23-077](#)** Ordinance No. 23-10 amending Budget Ordinance No. 22-90 (2023 Appropriation Ordinance) for a Supplemental Appropriation to the Trails, Open Space and Parks Fund in the Amount of \$200,000 to Complete the Acquisition of up to 5.74 Acres of Property for the Purpose of Public Open Space and Trails

Presenter:

Britt Haley, Director, Parks, Recreation & Cultural Services Department

Attachments: [Appropriation Ordinance.FiveAcreCBAddition](#)

Please see comments in Agenda item 11.B.

Motion by Councilmember Donelson, seconded by Councilmember Murray, that the Ordinance authorizing the acquisition of approximately 5.7392 acres of property from the Gary L. Anderson and Anita L. Anderson Revocable Trust as an addition to the Corral Bluffs Open Space through the Trails, Open Space, and Parks (TOPS) Program be approved on first reading. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Donelson, Fortune, Helms, Henjum, Murray, O'Malley, Strand, and Williams

- 11.D. [23-078](#)** A Resolution Authorizing the Acquisition of Approximately 1,018 Acres of Property, Commonly Referred to as The Wild Horse Ranch Through the Trails, Open Space and Parks Program

Presenter:

Britt Haley, Director, Parks, Recreation and Cultural Services
Department

Attachments: [Resolution Wild Horse RanchLegistar](#)
[CCPresentationWildHorseRanchSlides](#)
[Signed Resolution No. 30-23.pdf](#)

Britt Haley, Director, Parks, Recreation and Cultural Services Department, presented the Resolution authorizing the acquisition of approximately 1,018 acres of property, commonly referred to as The Wild Horse Ranch through the Trails, Open Space and Parks (TOPS) Program and stated this acquisition is only made possible through the partnership with the Conservation Fund, there was a unanimous recommendation from the TOPS Working Committee and the Parks Advisory Board, and this is a wonderful parcel for Open Space.

President Strand asked if this property is located in the Northeast part of the City. Ms. Haley stated she would characterize it as being located in the Southeast part of the City between Corral Bluffs and Blue Stem Prairie Open Space, and is just east of the Colorado Springs Airport.

Councilmember O'Malley expressed appreciation for this property being located on the east side of the City.

Motion by Councilmember Henjum, seconded by Councilmember Murray, that the Resolution authorizing the acquisition of approximately 1,018 acres of real property commonly referred to as the Wild Horse Ranch from The Conservation Fund for the Trails, Open Space and Parks (TOPS) Program from the TOPS Program fund balance be adopted. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Donelson, Fortune, Helms, Henjum, Murray, O'Malley, Strand, and Williams

- 11.E.** [23-079](#) Ordinance No. 23-11 amending Budget Ordinance No. 22-90 (2023 Appropriation Ordinance) For A Supplemental Appropriation To The Trails, Open Space And Parks Fund In The Amount Of \$7,655,000 To Complete The Acquisition Of Approximately 1,021 Acres Of Property For The Purpose Of Public Open Space And Trails

Presenter:

Britt Haley, Director, Parks, Recreation and Cultural Services
Department

Attachments: [Appropriation Ordinance.WildHorseRanch](#)

Britt Haley, Director, Parks, Recreation and Cultural Services Department, presented the Ordinance for a supplemental appropriation to the TOPS

Fund in the amount of \$7,655,000 to complete the acquisition 1,021 acres of property for the purpose of public open space and trails and went over the appraised value of the property, professional services fee for the partnership with the Conservation Fund for their cost of staffing, a two-percent transaction fee, and real estate transaction fees.

President Strand asked if the funds are already in the TOPS Fund. Ms. Haley confirmed it is and the Conservation Fund reduced the City's fee from five percent to two percent based on their long-term partnership.

President Strand asked how much will be remaining in the TOPS Fund. Ms. Haley stated approximately \$1.2 million and they have received a Land Water Conservation Fund reimbursement agreement for the Fisher's Canyon Open Space which will add another \$1.2 million to the account.

Motion by Councilmember Henjum, seconded by Councilmember Williams, that the Ordinance approving a supplemental appropriation of \$7,655,000 to complete the Wild Horse Ranch property acquisition of approximately 1,021 acres to include the purchase price and associated real estate transaction costs from the TOPS Open Space category fund balance be approved on first reading. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Donelson, Fortune, Helms, Henjum, Murray, O'Malley, Strand, and Williams

- 11.F.** [23-064](#) Ordinance No. 23-12 repealing Ordinance Nos. 21-116 and 22-27, and Amending Section 3 of Ordinance No. 14-20 (An Ordinance Confirming the Mayor's Appointment of the City Attorney and Setting the Salary of the City Attorney), and Section 3 of 18-120 (An Ordinance Appointing the City Council Administrator and Setting the Salary of the City Council Administrator), and Prescribing the Salaries of the City Attorney, City Auditor, and City Council Administrator

Presenter:

Mike Sullivan, Chief Human Resources and Risk Officer
Mayor John Suthers

Attachments: [ConsolidatedSalaryORD-2023-01-26](#)

Cameron Martin, Human Resources Manager, Compensation, presented the Ordinance approving the salary of the City Attorney, City Auditor, and City Council Administrator.

Councilmember Murray stated he wanted the public know that although he will be supporting this item, he is always concerned about inflation and prices and in this case, he does not see the same level of contribution through all these positions as the compensations being proposed.

Motion by Councilmember Henjum, seconded by Councilmember Murray, that the Ordinance Repealing Ordinance Nos. 21-116 and 22-27, and Amending Section 3 of Ordinance No. 14-20 (An Ordinance Confirming the Mayor's Appointment of the City Attorney and Setting the Salary of the City Attorney), and Section 3 of 18-120 (An Ordinance Appointing the City Council Administrator and Setting the Salary of the City Council Administrator), and Prescribing the Salaries of the City Attorney, City Auditor, and City Council Administrator be approved on first reading. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Donelson, Fortune, Helms, Henjum, Murray, O'Malley, Strand, and Williams

- 11.G. [MAPN-22-0006](#) Ordinance No. 23-13 adopting the ConnectCOS Master Transportation Plan, the City of Colorado Springs 2023 Intermodal Transportation Plan as amended at the February 28, 2023 City Council meeting.

Presenter:

Ted Ritschard, P.E., Olsson

Todd Frisbie, P.E., PTOE, City Traffic Engineer, Public Works Department

Tim Roberts, Transportation Planning Program Manager, Public Works Department

Travis Easton, P.E., Public Works Director, Public Works Department

Attachments: [1 ConnectCOS ORDINANCE-2023-02-28 \(006\)](#)

[Council COS Connect Public Hearing Presentation 02282023](#)

[CPC Minutes 2.8.23 ConnectCOS DRAFT](#)

[ConnectCOS Disposition](#)

[ConnectCOS Formal Comment Period](#)

[ConnectCOS Post Formal Comment Period](#)

[Ordinance 01-58 Intermodal Transportation Plan](#)

[CPC StaffReport ConnetCOS](#)

[Public Comments CPC](#)

Councilmember Murray requested Project #105 pertaining to the Constitution Avenue extension be removed from the ConnectCOS-Colorado Springs Transportation Master Plan. President Strand polled Council and the results were four in favor of removing it and five opposed.

Travis Easton, Public Works Director, Public Works Department, introduced the ConnectCOS-Colorado Springs Transportation Master Plan and explained how important the public comments are to the project process, why completing the Constitution Avenue extension study will benefit the City, he stated trust is earned, not solicited and people are trusting the City to address their issues which is difficult because there are

so many differences of opinions in what is best for the citizens.

Councilmember Murray asked how many people are in support of the Constitutional Avenue extension. Mr. Easton stated ninety-eight to ninety-nine percent of the people who attended the townhall meetings did not want the study completed. Councilmember Murray asked why this study is still included. Mr. Easton stated in the two to three years of public meetings have asked the City to look at east/west mobility and congestion.

Councilmember Donelson asked if east/west mobility could still be addressed if the Constitution Avenue extension study was taken out of ConnectCOS. Mr. Easton confirmed it could.

Councilmember O'Malley stated he represents District 6 which is pretty much east of Powers Boulevard and the 84,000 people who only have Woodmen Road, Constitution Avenue, and Platte Avenue to get downtown.

Councilmember Williams asked if the Platte Avenue decision was made before or as a course of study as part of the corridor study. Mr. Easton stated it was done as a course of study of the corridor study.

Councilmember Williams asked what the process is for conducting a study. Mr. Easton stated there would be a lot more Townhall meetings, public input, and public engagement which would shape the outcome of the study.

Councilmember Williams asked what the process would be for choosing a consultant. Mr. Easton stated there would be a request for proposal (RFP) process.

Councilmember Williams asked if the two citizen committees will provide an overview of what was discussed during those meeting. Mr. Easton confirmed they will.

Councilmember Donelson asked why the proposal to study the Constitution Avenue extension was pulled of the Pikes Peak Rural Transportation Authority (PPRTA) project list. Mr. Easton stated it was due to a lot of misinformation at the time, and they did not want to confuse people who might end up voting no on the PPRTA ballot item if it was included. Councilmember Donelson stated if it was only a few people who did not support the study, the City would not have pulled it from PPRTA.

Councilmember Murray stated the consultant who presented the Platte Avenue Corridor Study stated removing the interchange did not make sense so it will be difficult to gain the trust of the population after that loss of credibility.

Councilmember Murray asked if the City already has or knows when it will have the money to fund the study. Mr. Easton stated it does not.

Ted Ritschard, Olsson, provided an overview of the elements of the plan, public engagement, technical analysis, system improvements, modal networks, Major Thoroughfare Plan (MTP), Transit Vision Network (TVN), and active transportation network. He identified the Plan outline, comments on the draft plan, quotes from draft plan, key themes, changes from the draft plan, North Nevada corridor changes, central COS east-west mobility study and feedback. Mr. Roberts went over recommendations from Planning Commission, ConnectCOS recommended projects, other programs, Pikes Peak Rural Transportation Authority (PPRTA) versus ConnectCOS, new aspects, expected results, and implementation schedule.

Councilmember Donelson asked if the 2002 east-west mobility study did not really look at the Constitution Avenue extension study. Mr. Ritschard stated the study documents show they discussed the idea of the extension and it is captured in a chapter which states “unresolved issues”.

Councilmember Donelson asked if it was evaluated by looking at the cost and the number of homes impacted. Mr. Ritschard stated it did not.

Councilmember Donelson asked how much was paid to the consultant for this study. Mr. Ritschard stated approximately \$1.25 million.

Councilmember Donelson stated Appendix B of the 2002 east-west mobility study provides various options associated with Constitution Avenue with breakdowns of the cost and number of homes impacted. Mr. Ritschard stated they looked at that study and the fact that it was left as an unresolved issue and did not try to recreate or validate those numbers because they are based on assumptions from over twenty years ago, the needs of the transportation are not the same, and they are not recommending those options.

Councilmember Donelson stated they are being told the Constitution Avenue Extension Study needs to be done so they can put that issue to bed however the 2002 east-west mobility study includes dollar amounts, volume of traffic, and homes which would be impacted, but it is just being ignored.

Tim Roberts, Transportation Planning Program Manager, Public Works Department, stated the 2002 east-west mobility study looked at all the east-west corridors from Woodmen Road down to Martin Luther King Jr. Boulevard and the consultant needed a mechanism of high level estimates to compare those corridors, but when they came before Council in 2001, they recommended to not support any of the recommendations in the east-west mobility study and to not look at anything on Constitution Avenue for twenty years.

Citizens Emily Murawski (who ceded their time to Tom Murawski), Amelia Chavez, Zaid Momani, Veronica Serna-Eberhart, John Hawk, Carl Stanchak, Cody Burket, Steven Markel, Linda Yost, Lance Williams, Paul Malek, Nancy Logan, Katie Hicks who ceded her time to Lisa Mason, Joseph Hammock, Jennifer Day, Amy Henry, Catherine Vana, Mike Ferguson, Viki Smith, Joe Downing, Donald Clarke, Wanda Steininger, Tim Hoiles, Angela Gilpin who ceded her time to Melissa Williams, Jerry White, Marilyn Chambon, Mark Reynolds, and Mary Jo Piccin spoke in opposition of the Constitutional Avenue extension study.

Marla Novak, Housing and Building Association of Colorado Springs, spoke in favor of the Constitutional Avenue extension study.

Councilmember Murray stated the railroad track is being actively used which includes coal that still goes to Ray Nixon Power Plant and other items that go through the City which is an integral part of another transportation plan which will be disrupted if they continue with the Constitution Avenue extension.

Councilmember Murray stated Councilmember O'Malley has made a motion to approve, seconded by Councilmember Williams even though protocol is to wait until everyone speaks first. Councilmember Williams stated they do not know what the motion is actually going to be yet because could have various amendments made to it.

Councilmember Williams stated taking the Constitution Avenue extension study out of the plan does not resolve anything and does nothing for the future of the City and he provided an overview of potential restriction which could be included in the Resolution.

Councilmember Donelson proposed an amendment removing Project # 105, the east-west mobility study to explicitly remove a study of Constitution Avenue extension from the proposed ConnectCOS Transportation Master Plan and encourage the development of a process to turn that right of way into a permanent part of the Parks system and a greenway.

Councilmember Murray stated he supports Councilmember Donelson's solution because it supports the citizens of the communities and the City should consider a ring around the outside of the City to get to I-25 which make a lot more sense than forcing people through the center of the City.

Councilmember Henjum stated one of the guardrails accepted by City staff is that no homes would be removed with any action taken today. Councilmember Donelson clarified that the study will not consider the forced acquisition of residential, school, or park property which is very different than saying no homes will be impacted.

Councilmember Fortune stated common sense says they need to plan for the growth coming to the City, understands the needs of the community, is concerned with the greenway concept setting a precedent, and would like to see a better compromise.

Councilmember Henjum stated she believes Councilmember Donelson's proposed amendment is a compromise because it would address other ways of transportation through the City other than in a vehicle.

President Pro Tem Helms stated he would like a study completed to determine what to do and gives them the opportunity to do the right thing.

Councilmember Donelson stated he does not believe a comprehensive study will provide a definitive answer and City Council needs to stand with the neighborhoods.

Councilmember Avila stated she has tried to serve to the best of her ability

to do what is right for her district and the City and believes the trust has been building, does not to see her colleagues and City staff disrespected, is inclined to support Councilmember Donelson's proposed amendment, and asked for more of a commitment to other forms of transit in the future.

Councilmember Williams stated his concern with the proposed amendment only proposes one option for the land and he cannot support that without further study.

Councilmember Henjum stated the amendment could be that this section of land could be made to be anything other than a road for vehicles. Councilmember Donelson stated he would like to stick with his proposed amendment of a permanent greenway because of it being located near a railroad track and the desires of the community.

Councilmember Murray stated he supports Councilmember Donelson's original amendment.

President Strand stated he does not feel the Constitutional Avenue extension plan meets the goals of ConnectCOS so he will be supporting the proposed amendment.

Motion by Councilmember Donelson, seconded by Councilmember Murray, to amend Project # 105 (the east-west mobility study) from the proposed Ordinance approving the ConnectCOS Transportation Master Plan, the City of Colorado Springs 2023 Intermodal Transportation Plan, to explicitly remove the study of the Constitution Avenue extension and encourage the evaluation of the right of way for inclusion into our Parks system as a permanent greenway. The motion passed by a vote of 7-2-0-0

Aye: 7 - Avila, Donelson, Fortune, Helms, Henjum, Murray, and Strand

No: 2 - O'Malley, and Williams

Councilmember O'Malley withdrew his original motion.

Councilmember Williams stated he will support the motion as amended.

Motion by Councilmember Murray, seconded by Councilmember Williams, that the Ordinance adopting the ConnectCOS Master Transportation Plan, the City of Colorado Springs 2023 Intermodal Transportation Plan as amended be approved on first reading. The motion passed by a vote of 8-1-0-0

Aye: 8 - Avila, Donelson, Fortune, Helms, Henjum, Murray, Strand, and Williams

No: 1 - O'Malley

12. Public Hearing

There was no Public Hearing.

13. Added Item Agenda

There were no items added to the Agenda.

14. Executive Session

There was no Executive Session.

15. Adjourn

There being no further business to come before City Council, Council adjourned.

Sarah B. Johnson, City Clerk