



City of Colorado Springs

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

Meeting Minutes City Council

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Tuesday, May 10, 2022

10:00 AM

Council Chambers

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Estimated agenda item times are provided for planning purposes and do not constitute notice of a specific time for any item. Items may take more or less time than estimated. City Council may amend the order of items.

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

2. Invocation and Pledge of Allegiance

The Invocation was made by Reverend Dr. Jacque Franklin from First Congregational United Church of Christ.

President Strand led the Pledge of Allegiance.

3. Changes to Agenda/Postponements

Councilmember Donelson requested item 4A.H. be removed from the Consent Calendar.

Councilmember Henjum requested item 4B.B. 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.** [CPC PUZ 21-00175](#) Ordinance No. 22-22 amending the zoning map of the City of Colorado Springs relating to 38.5 acres generally located south of Woodmen Road and east of the Adventure Way and Nevada Lane intersection from PUD/SS/AO (Planned Unit Development: 45-foot maximum height; PBC land uses and residential; 9.14 dwelling units per acre with Streamside and Airport Overlays) to PUD/SS/AO (Planned Unit Development: 38-foot maximum height; PBC land uses and residential; 8.8 dwelling units per acre with Streamside and Airport Overlays).

(Quasi-Judicial)

Presenter:

Katelynn Wintz, Planning Supervisor, Planning & Community Development

Peter Wysocki, Planning & Community Development Director

Attachments: [ORD_ZC_CottagesAtWoodmenHeights](#)

[Exhibit A - Legal Desc](#)

[Exhibit B - PUD Zone Change](#)

This Ordinance was finally passed on the Consent Calendar

- 4A.B.** [CPC PUZ 20-00084](#) Ordinance No. 22-23 amending the zoning map of the City of Colorado Springs relating to 29.375 acres located at 777 Vondelpark Drive from C6 (General Business) to PUD (Planned Unit Development: Single-Family Attached and Detached, 3.0-6.0 dwelling units per acre, and maximum building height of 35 feet).

(Quasi-Judicial)

Related File: CPC PUP 21-00186

Presenter:

Daniel Sexton, Planning Supervisor, Planning & Community

Development
Peter Wysocki, Director, Planning & Community Development

Attachments: [ORD ZC EllstonPark](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.C.** [CPC ZC 21-00177](#) Ordinance No. 22-24 amending the zoning map of the City of Colorado Springs from OC/cr/AO (Office Complex with conditions of record and Airport Overlay) and R5/cr/AO (Multi-family Residential with conditions of record and Airport Overlay) to PBC/AO (Planned Business Center with Airport Overlay) on 1.279 acres located at 3611 Rio Vista Drive.

Related File: AR CP 11-00482-A3MN21

Presenter:

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

Attachments: [ORD ZC 3611RioVistaDr](#)

[Exhibit A - Legal Desc](#)

[Exhibit B - Zone Change](#)

This Ordinance was finally passed on the Consent Calendar

- 4A.D.** [CPC PUZ 21-00081](#) Ordinance No. 22-25 amending the zoning map of the City of Colorado Springs relating to 2.97 acres located at the northwest corner of South Union Boulevard and Hancock Expressway from PUD (Planned Unit Development: Commercial) to PUD (Planned Unit Development: Residential, 11.79 dwelling units per acre with a maximum building height of 36 feet).

(QUASI-JUDICIAL)

Related Files: CPC PUP 05-00176-A1MJ21, CPC PUD 21-00080, CPC V 21-00213

Presenter:

Tasha Brackin, Senior Planner, Planning & Community Development
Peter Wysocki, Director of Planning and Community Development

Attachments: [ORD ZC OverlookAtSpringCreek](#)

[Exhibit A - Legal Rezone](#)

[Exhibit B Rezone](#)

This Ordinance was finally passed on the Consent Calendar

- 4A.E.** [CPC V 21-00213](#) Ordinance No. 22-26 vacating portions of a public right-of-way along Springs Vista Street consisting of 0.131 acres.

(LEGISLATIVE)

Related Files: CPC PUZ 21-00081, CPC PUP 05-00176-A1MJ21, CPC PUD 21-00080

Presenter:

Tasha Brackin, Senior Planner, Planning & Community Development
Peter Wysocki, Director of Planning and Community Development

Attachments: [ORD VROW SpringsVistaStreet](#)

[Exhibit A - Legal Description Vacation](#)

[Exhibit B - Vacation Plat](#)

This Ordinance was finally passed on the Consent Calendar

- 4A.F.** [22-193](#) Ordinance No. 22-27 amending Ordinance No. 21-116 and Prescribing the Salary of the City Council Administrator

Presenter:

Tom Strand, City Council President and At-Large City Councilmember

Attachments: [2022 Council Admin Salary Ord Final](#)

This Ordinance was finally passed on the Consent Calendar

- 4A.G.** [22-201](#) Ordinance No. 22-28 Repealing Ordinance Nos. 10-48 and 12-20, Dissolving the Colorado Springs Human Relations Commission

Presenter:

Tom Strand, Council President and Councilmember At Large
Dave Donelson, Councilmember District 1

Attachments: [Establishing Legislation for Human Relations Commission](#)

[ORD-DissolvingHRC-2022-04-06.docx](#)

[ORD_dissolving_HRC_220425](#)

This Ordinance was finally passed on the Consent Calendar

4B. First Presentation:

- 4B.A.** [22-278](#) City Council Regular Meeting Minutes April 26, 2022

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [4-26-2022 City Council Meeting Minutes Final](#)

The Minutes were approved on the Consent Calendar.

- 4B.C.** [22-228](#) A Resolution Approving the Intergovernmental Agreement Between the City of Colorado Springs and El Paso County, Colorado for the Pikes Peak Regional Office of Emergency Management

Presenter:

Ryan Trujillo, Deputy Chief of Staff, Office of the Mayor

Jim Reid, Regional Director, Office of Emergency Management

Attachments: [Resolution-OEM_RegionalOfficeEM-FINAL.docx](#)

[Amended_OEM City-County-IGA Clean](#)

[Consolidated PPROEM Statistics PPT 3112021](#)

This Resolution was adopted on the Consent Calendar.

- 4B.D.** [22-263](#) The City Clerk reports that on April 18, 2022 there was filed with her a petition for the annexation of Woodman Road Addition No. 2 Annexation. The City Clerk herewith communicates such to City Council and recommends that the petition and map be referred to the City Administration for review and recommendation regarding whether the petition is in substantial compliance with Section 31-12-107(1).

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [Petition for Annexation - Woodmen Road Addition No 2](#)

[Woodmen Rd. Add. 2 - Vicinity Image](#)

[Woodmen Road Addition No 2 - Legal](#)

This Item was approved on the Consent Calendar.

Approval of the Consent Agenda

Motion by Councilmember Williams, seconded by Councilmember O'Malley, 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.** [22-273](#) A Resolution honoring May 15, 2022 as Peace Officer Memorial Day

Presenter:

Dave Donelson, Councilmember District 1

Adrian Vasquez, Chief of Police, City of Colorado Springs

Attachments: [Peace Officer Memorial Day Resolution](#)

Councilmember Donelson expressed appreciation for the service of all law enforcement officers and read the Resolution honoring May 15, 2022 as Peace Officers Memorial Day in Colorado Springs.

Councilmember Helms acknowledged the service and sacrifices of Peace Officers and their families.

Adrian Vasquez, Chief, Colorado Springs Police Department, gave a brief history of the designation of Peace Officer Memorial Day in observance of their service, identified the names of the Officers who made the ultimate sacrifice in the line of duty, and gave recognition to those who continue to serve.

Citizen Pat Doyle expressed gratitude for all those who have served.

Councilmember Murray invited officers to notify him of any resources they might need in order to safely do their jobs.

Motion by Councilmember Williams, seconded by President Pro Tem Helms, that the Resolution honoring May 15, 2022 as Peace Officer Memorial Day 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

5.B. [22-252](#) A Resolution recognizing May 11, 2022 as Arbor Day

Presenter:

Nancy Henjum, Councilmember District 5

Dennis Will, City Forester, City of Colorado Springs

Attachments: [Arbor Day](#)

Councilmember Henjum read a poem named "When I Am Among the Trees" by Mary Oliver and read the Resolution recognizing May 11, 2022 as Arbor Day.

Alison Munroe City Forester, spoke about the award the City received from the Arbor Day Foundation, the Arbor Day event scheduled for May 11, 2022 at 1:30 PM at Meadows Park Community Center, and the benefits provided by trees within the City.

Sophia Elisha, Converge, provided a brief history of their organization and

the proposed community orchard.

Motion by President Strand, seconded by Councilmember Henjum, that the Resolution recognizing April 29, 2022 as Arbor Day 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.C.** [22-206](#) A Resolution of Appreciation designating May as Historic Preservation Month.

Presenter:

Stephannie Fortune, Councilmember District 3

Bill Gray, Senior Planner, Planning & Community Development Department

Peter Wysocki, Director, Planning & Community Development Department

Attachments: [Resolution_HistoricPreservation2022](#)

Councilmember Fortune read the Resolution of appreciation designating May as Historic Preservation Month.

Bill Gray, Senior Planner, Planning and Development Department, introduced Christine Lowenberg, Chair, Colorado Springs Historic Preservation Board, who spoke about the importance of the HPB to the City and introduced five members of the HPB.

Tim Boddington, Historic Preservation Alliance, presented City Council a plaque of appreciation for their support in historic neighborhood preservation.

Jeff Greene, Chief of Staff, spoke about the value of history, cultural aspects, and the principals instilled by the City's founder General William J. Palmer within the community.

Linda Weise, CEO, Colorado Springs Conservatory, and Dianne Bridges, Historic Neighborhood Partnership, expressed appreciation for the recognition of the significance of historic preservation.

Several Councilmembers expressed gratitude for the work that has gone towards the preservation of the City's historic neighborhoods and buildings.

Motion by Councilmember Fortune, seconded by Councilmember Donelson, that the Resolution designating May as Historic Preservation 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.D. [22-295](#) A Resolution celebrating the sesquicentennial of The Gazette

Presenter:

Wayne Williams, Councilmember At Large

Attachments: [Gazette Sesquicentennial](#)

Councilmember Williams gave a brief history of The Gazette and read the Resolution of celebrating the sesquicentennial of The Gazette.

Vince Bzdek, The Gazette, expressed appreciation for the recognition.

Jeff Greene, Chief of Staff, recognized the importance of The Gazette in the community.

Motion by Councilmember Fortune, seconded by President Pro Tem Helms, that the Resolution celebrating the sesquicentennial of The Gazette 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

6. Mayor's Business

There was no Mayor's Business.

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

Citizens Dana Duggan and Bill Wysong spoke about the proposed Ordinance regarding emergency evacuations.

Citizens Kathy Perry and Chuck Lucas expressed appreciation for the assistance from Councilmember Fortune and Ryan Trujillo, Deputy Chief of Staff, regarding the Westside Community Center, and spoke about Westside Community Center survey and next steps.

Citizen Larry Lamz spoke about the history of Prospect Lake Water Festivals.

Citizen Caroline Lamz spoke against the prohibition of motorized boating at Prospect Lake.

Citizen Tom Noonan requested the ground-breaking date for the new transit center.

Citizens PJ Higgins, Opioid Prevention Project Manager for Community Health Partnership, Jack Briggs, Springs Rescue Mission, and Beth Halstead, Co-Chair, Co-Occuring Disorders Workgroup of the Coalition for the Prevention and Addiction Recovery of Community Health Partners, identified the opioid settlement funding coming to the community and spoke about the impact it will have on the resources within the City.

Citizen Conrad Czajkowski spoke about the need for affordable housing.

Citizen Sam Masias honored The Gazette and spoke about distributed energy resources and Bloom Box energy.

Citizen Jaymen Johnson expressed gratitude for today's recognitions of Peace Officers and Arbor Day and read a review of the book "The Giving Tree".

8. Items Called Off Consent Calendar

- 4A.H.** [22-177](#) Ordinance No. 22-30 Adopting A New Part 1 (Massage Businesses) Of Article 3 (Sales Of Goods And Services) Of Chapter 2 (Business Licensing, Liquor Regulations And Taxation) Of The Code Of The City Of Colorado Springs 2001, As Amended, Pertaining To Massage Business Licenses, And Providing Penalties For The Violation Thereof

Presenter:

Dave Donelson, Councilmember
District 1

Scott Whittington, Commander
Colorado Springs Police Department
Lee McRae, License Enforcement Officer
City Clerk's Office

Attachments: [MassageBusinessLicense-2022-4-19](#)

[IMP City NEW Presentation](#)

Councilmember Donelson stated this Ordinance was drafted to address the illicit massage parlors in town and went over the amendments which had been made based on the input of stakeholders.

Commander Scott Whittington identified the details of the inspection process and the need for probable cause.

Citizens CJ Brazee, Rebecca Lambert, Shelly Cox, Derek Enslow, Brandy

Beisser, Jaymen Johnson, and Kim Randall, spoke in opposition to the proposed Ordinance.

Councilmember Fortune recognized massage therapists as healthcare workers and stated there needs to be a solution to the problem.

Councilmember Williams stated City Council is willing to revisit this Ordinance if there are unintended consequences.

Councilmember Henjum asked how this Ordinance will assist in enforcing illegitimate massage parlors. Commander Whittington stated there is nothing in state law which allows CSPD to take action against illicit massage parlors based on state massage therapist certification and this Ordinance will allow enforcement of in a much more efficient way.

Councilmember Henjum requested this Ordinance be revisited by City Council in approximately six months or when appropriate.

Motion by Councilmember Donelson, seconded by Councilmember Murray, that the Ordinance adopting a new Part 1 (Massage Businesses) Of Article 3 (Sales of Goods and Services) of Chapter 2 (Business Licensing, Liquor Regulations and Taxation) of the Code of the City of Colorado Springs 2001, as amended, pertaining to massage business licenses, and providing penalties for the violation thereof be finally passed. The motion passed by a vote of 9-0-0

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

4B.B. [22-167](#)

Ordinance No. 22-31 by the City of Colorado Springs, Colorado, authorizing the issuance and delivery of its Multifamily Housing Revenue Note (Copper Rose Apartments Project) Series 2022, in an aggregate amount not to exceed \$24,000,000, for the purpose of financing the acquisition, construction, improvement and equipping of a multifamily housing facility in the City of Colorado Springs, Colorado and to pay certain issuance expenses of such Note; approving and authorizing execution of a loan agreement with the funding lender, a loan agreement with the borrower, and a tax regulatory agreement with respect to the Note; making findings and determinations with respect to the Project and the Note; authorizing the execution and delivery of related documents; and repealing all action heretofore taken in conflict herewith

Presenter:

Katie Sunderlin, Senior Affordable Housing Coordinator
Steve Posey, Community Development Division Manager
John Bales, Fred Marienthal, Kutak Rock LLP
Peter Wysocki, Director of Planning and Community Development

Attachments: [Copper Rose - 2022 Ordinance](#)

Councilmember Henjum stated she pulled this item due to her and Councilmember Avila's discussion with two Colorado College students regarding the City's affordable housing projects.

Katie Sunderlin, Senior Affordable Housing Coordinator, presented the Ordinance authorizing the issuance and delivery of its Multifamily Housing Revenue Note Series 2022, in an aggregate amount not to exceed \$24,000,000, for the purpose of financing the acquisition, construction, improvement and equipping of an affordable multi-family rental housing facility ((Copper Rose Apartments Project) of 182 units. She stated the maximum rent for a two-bedroom unit is \$1,210 and these units are renting to households with sixty percent Average Median Income (AMI). Ms. Sunderlin provided an overview of the site location, project proposal, alignment with HomeCOS, and available private activity bonds (PAB).

President Strand requested additional information regarding PAB. Ms. Sunderlin stated PAB is issued by the state and is based on population and most of it is used for affordable housing.

Motion by Councilmember Williams, seconded by Councilmember Murray, that the Ordinance authorizing the issuance and delivery of its Multifamily Housing Revenue Note (Copper Rose Apartments Project) Series 2022, in an aggregate amount not to exceed \$24,000,000, for the purpose of financing the acquisition, construction, improvement and equipping of a multifamily housing facility in the City of Colorado Springs, Colorado and to pay certain issuance expenses of such Note; approving and authorizing execution of a loan agreement with the funding lender, a loan agreement with the borrower, and a tax regulatory agreement with respect to the Note; making findings and determinations with respect to the Project and the Note; authorizing the execution and delivery of related documents; and repealing all action heretofore taken in conflict herewith 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

There was no Utilities Business.

10. Unfinished Business

- 10.A.** [22-200](#) Ordinance No. 22-29 amending Ordinance No. 21-112 (2022 Appropriation Ordinance) for a supplemental appropriation to the Lodgers & Auto Rental Tax (LART) Fund in the amount of \$3,485,333 for additional projects and events recommended by the LART Citizen Advisory Committee; and to the Capital Improvements Program (CIP)

Fund in the amount of \$900,000 for LART-funded capital projects that will be administered by the City of Colorado Springs Parks, Recreation and Cultural Services Department

Presenter:

Chris Wheeler, City Budget Manager

PK McPherson, Chair, LART Citizen Advisory Committee

Attachments: [Ordinance for LART 2022 Additional Events-Apr 2022 with Ex A landscape](#)

There were no comments on this item.

Motion by Councilmember Williams, seconded by President Pro Tem Helms, that the Ordinance approving a supplemental appropriation to the Lodgers & Auto Rental Tax (LART) Fund and the Capital Improvements Program (CIP) Fund be finally passed. The motion passed by a vote of 7-2-0-0

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

No: 2 - Donelson, and O'Malley

11. New Business

There was no New Business.

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