



# City of Colorado Springs

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

## Meeting Minutes - Draft City Council

*City Council meetings are broadcast live on Channel 18. In accordance with the ADA, anyone requiring an auxiliary aid to participate in this meeting should make the request as soon as possible but no later than 48 hours before the scheduled event.*

---

Tuesday, November 8, 2016

1:00 PM

Council Chambers

---

### **1. Call to Order**

**Present:** 9 - Councilmember Larry Bagley, President Merv Bennett, Councilmember Helen Collins, President Pro Tem Jill Gaebler, Councilmember Keith King, Councilmember Don Knight, Councilmember Bill Murray, Councilmember Andy Pico, and Councilmember Tom Strand

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

The Invocation was led by Pastor Ken Davis, Church for All Nations.

The Pledge of Allegiance was led by Council President Bennett.

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

Council President Bennett stated he would like to add a recognition to the meeting today and stated there have been Councilmember requests to pull agenda items 4.B.C., 4.B.E., 4.B.F., 4.B.G., 4.B.I. and 4.B.J. from the Consent Calendar. There has also been an item added to the agenda, a request to add a reconsideration of agenda item 12.A. from the October 25, 2016 meeting.

Consensus of Council agreed with these changes to 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  
16-00084](#)

Ordinance No. 16-106 amending the zoning map of the City of Colorado Springs pertaining to 10.34 acres located east of Old North Gate Road at the extension of Pride Mountain Drive from A (Agriculture) to PUD (Planned Unit Development; single-family

detached residential, .86 dwelling units per acre, 35-foot maximum building height).

(Quasi-Judicial)

Related File: CPC PUD 16-00085

Presenter:  
Katie Carleo, Principal Planner, Planning & Community Development  
Peter Wysocki, Director Planning and Community Development  
Res/Ord Number: 16-106

**This ordinance was finally passed on the Consent Calendar.**

**4A.B.** [16-619](#) Ordinance No. 16-107 Approving Inclusion of a Portion of the City of Colorado Springs, Colorado within the Lower Fountain Metropolitan Sewage Disposal District upon the Terms and Conditions Set Forth by the Board of Directors of the Lower Fountain Metropolitan Sewage Disposal District.

Presenter:  
Brian Whitehead, System Extensions Manager  
Jerry Forte, P.E., CEO, Colorado Springs Utilities  
Res/Ord Number: 16-107

**This ordinance was finally passed on the Consent Calendar.**

**4A.C.** [CPC PUZ 16-00092](#) Ordinance No. 16-110 amending the zoning map of the City of Colorado Springs pertaining to 38.22 acres located to the east of Black Forest Road between Forest Meadow Avenue and Woodmen Road from PUD/AO-CAD (Planned Unit Development with Airport Overlay - Commercial Airport District) to PUD/AO (Planned Unit Development with Airport Overlay: Townhouse and Two-Family Attached Dwellings, 7.99 dwelling units per acre, and 30-foot height maximum).

(Quasi-Judicial)

Related Files: CPC MPA 06-00206-A8MN16

Presenter:  
Daniel Sexton, Senior Planner, Planning and Community Development  
Peter Wysocki, Planning and Community Development Director  
Res/Ord Number: 16-110

This ordinance was finally passed on the Consent Calendar.

**4B. First Presentation:**

**4B.A.** [16-669](#) City Council Meeting Minutes October 25, 2016

Presenter:  
Sarah Johnson, City Clerk

The Meeting Minutes were approved on the Consent Calendar.

**4B.B.** [16-664](#) Appointments to Boards and Commissions

Presenter:  
Jacquelyn Puett, Assistant to Council

This item was approved on the Consent Calendar.

**4B.D.** [16-620](#) A Resolution Supporting an Application to Great Outdoors Colorado for the John Venezia Community Park Universally Accessible Playgrounds

Presenter:  
Karen Palus, Director - Parks, Recreation and Cultural Services  
Tilah Larson, Senior Grants Analyst - Parks, Recreation and Cultural Services

This resolution was adopted on the Consent Calendar.

**4B.H.** [CPC PUZ](#)  
[16-00089](#) Ordinance No. 16-111 amending the zoning map of the City of Colorado Springs pertaining to 15.169 acres located southwest of Woodruff Drive and Wattle Creek Road from A (Agriculture) to PUD (Planned Unit Development; single-family detached residential, 3.49 dwelling units per acre, 35-foot maximum building height).

(Quasi-Judicial)

Presenter:  
Katie Carleo, Principal Planner, Planning & Community Development  
Peter Wysocki, Director Planning and Community Development

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

**Approval of the Consent Agenda**

**Motion by Councilmember Murray, seconded by Councilmember Strand, 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**

**Aye:** 9 - Bagley, Bennett, Collins, Gaebler, King, Knight, Murray, Pico, and Strand

## **5. Recognitions**

Council President Pro Tem Gaebler read the proclamation declaring the month of November to be Color the World Orange Month to spread awareness of recognition of Complex Regional Pain Syndrome. Tori Bevan, a CRSP patient, thanked Council for their support and recognition. Ashley Bevan spoke about the disease and the program.

## **6. Citizen Discussion**

Citizen Gary Gagnon voiced concern about “right sizing” streets and the trial bike lanes on Research Parkway causing traffic congestion.

Citizen Jaymen Johnson spoke about cannabis clubs.

## **7. Mayor's Business**

There was no Mayor’s Business.

## **8. Items Called Off Consent Calendar**

**4B.C. [16-552](#)** A Resolution Approving the 2017 Budget for Pikes Peak Regional Building Department

Presenter:

Roger Lovell, Building Official, Pikes Peak Regional Building Department

Councilmember Collins stated she pulled this item off the Consent Calendar because she does not agree with giving \$35,000 to the RBA when the RBA has been funding City Councilmember trips to Washington D.C. and other excursions that she does not believe are ethical.

**Motion by Councilmember Murray, seconded by Councilmember Strand, that the resolution be adopted. The motion passed by a vote of 8-1-0**

**Aye:** 8 - Bagley, Bennett, Gaebler, King, Knight, Murray, Pico, and Strand

**No:** 1 - Collins

**4B.E. [16-637](#)** A Resolution Approving the Issuance of Debt by Banning Lewis Ranch Metropolitan District No. 2 in the Form of Series 2016

Unlimited General Obligation Refunding Bonds (Legislative Item)

(Legislative)

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development

Councilmember Murray stated he pulled this item off the Consent Calendar because he has concerns about allowing an unlimited general obligation debt limit, the district should not have exceeded its debt limit to begin with and he wants to avoid setting a precedence of allowing districts to have unlimited debt limits.

Councilmember Pico stated the development is requesting this opportunity to restructure their debt and lower their interest rate, the unlimited debt limit is in keeping with the Colorado State Statutes.

Councilmember Knight asked if there are other districts in the City that have an unlimited debt issuance similar to this one. Carl Schueler, Comprehensive Planning Manager, stated districts generally have mill levy caps placed on them, so the answer to that question is generally no. Councilmember Knight requested Mr. Schueler research this and provide data regarding districts without mill levy caps. He also stated he shares concerns about setting precedence with this action.

Councilmember Pico stated this measure will not allow the district to issue additional debt; this is a refinance of existing debt on a stable and built out district.

Councilmember Bagley stated this is a residential controlled board of directors requesting this initiative.

Citizens Steve Rubin, Stacy Jensen and Arthur Brado spoke in support of the proposal.

Councilmember Collins stated she will support this, although she is not in favor of these districts, she always supports lowering debt.

Citizen Jaymen Johnson spoke in opposition to the proposal.

**Motion by President Pro Tem Gaebler, seconded by Councilmember Bagley, that the resolution approving the issuance of debt by the Banning Lewis Ranch Metropolitan District No. 2 in the form of Unlimited General Obligation Refunding Bonds, not to exceed \$10,780,000 be adopted. The motion passed by a vote of**

8-1-0

**Aye:** 8 - Bagley, Bennett, Collins, Gaebler, King, Knight, Pico, and Strand

**No:** 1 - Murray

**4B.F.** [16-638](#)

A Resolution approving an amendment to the Amended and Restated Service Plan for Banning Lewis Ranch Metropolitan Districts Nos. 1, 2, 3, 4, 5 and 7 to allow an unlimited maximum debt service mill levy in District No. 2

(Legislative)

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development

Peter Wysocki, Planning and Community Development Director

Councilmember Collins asked how request differs from the previous item. Mr. Schueler stated this is to approve the issuance of debt prior to construction; the previous item was post construction.

**Motion by President Pro Tem Gaebler, seconded by Councilmember Bagley, that the resolution approving an amendment to the Amended and Restated Service Plan for Banning Lewis Ranch Metropolitan District Nos. 1, 2, 3, 4, 5, and 7 to allow an unlimited maximum debt service mill levy for District No. 2 be adopted. The motion passed by a vote of 8-1-0**

**Aye:** 8 - Bagley, Bennett, Collins, Gaebler, King, Knight, Pico, and Strand

**No:** 1 - Murray

**4B.G.** [16-639](#)

Ordinance No. 16-112 repealing Ordinance No. 15-88 and adopting the City of Colorado Springs - 2017 Salary Structure for Civilian and Sworn Municipal Employees

Presenter:

Mike Sullivan, Human Resources Director

Kara Skinner, Chief Financial Officer

Councilmember Collins stated she pulled this item off the Consent Calendar because the consulting company did not include the cost of living in the comparison between cities.

**Motion by President Pro Tem Gaebler, seconded by Councilmember Strand, that the Ordinance Repealing Ordinance No. 15-88 and Adopting the City of Colorado Springs - 2017 Salary Structure for Civilian and Sworn Municipal Employees be approved on first reading. The motion passed by a vote of 8-1-0**

**Aye:** 8 - Bagley, Bennett, Gaebler, King, Knight, Murray, Pico, and Strand

**No:** 1 - Collins

- 4B.I. [CPC MP 09-00027-A1 MJ16](#) Experience Downtown Land Use Master Plan  
Related File: CPC MP 09-00027-A1MJ16R

Presenter:

Ryan Tefertiller, Urban Planning Manager  
Peter Wysocki, Planning and Community Development Director  
Sarah Humbargar, Downtown Partnership of Colorado Springs

Councilmember Collins stated she feels all parts of the City should be treated equally and this proposal provides special favor to the downtown area.

Councilmember Knight stated he pulled this off the Consent Calendar to request clarification about a questions posed by the Middle Shooks Run neighborhood association. Ryan Tefertiller, Urban Planning Manager, explained there was an error on the masterplan map. This will be corrected. In response to the inquiry about the planned activity center, there are measures in City Code to protect adjacent properties including density restrictions and buffers.

Councilmember Knight also requested additional information about the planned reduction of Cascade Avenue to two lanes. Mr. Tefertiller stated the proposed lane reduction on Cascade Avenue would include the entire downtown segment, adding this is not just to reduce traffic flow, but also to add bike lanes and increase pedestrian traffic. There will be a traffic study done prior to making any changes. Councilmember Knight spoke about the administrative verses legislative control of the changes to be made. If the plan is to reduce Cascade Avenue down to two lanes based on the vote today he cannot support this item.

Jeff Greene, Chief of Staff stated the Staff desire is for Council to approve this proposal today to set the guide for future planning purposes.

Councilmember Knight asked if the TIF included in the plan is a property or sales tax and if it includes a request for an extension of the existing TIF. Mr. Tefertiller stated he believes it is a property tax and a continued use of the TIF that was initialized in 2007. Susan Edmondson with the Downtown Partnership confirmed this is correct.

**Motion by President Pro Tem Gaebler, seconded by Councilmember Strand, to approve the Experience Downtown Colorado Springs Plan based on the findings that the plan complies with the criteria found in Section 7.5.408 of City Code, subject to minor technical and typographical corrections. The motion passed by**

a vote of 8-1-0

**Aye:** 8 - Bagley, Bennett, Gaebler, King, Knight, Murray, Pico, and Strand

**No:** 1 - Collins

**4B.J.** [CPC MP](#) Experience Downtown Plan of Development  
[09-00027-A1](#)  
[MJ16R](#)

Presenter:

Ryan Tefertiller, Urban Planning Manager  
Peter Wysocki, Planning and Community Development Director  
Sarah Humbargar, Downtown Partnership of Colorado Springs

Please see comments in agenda item 4.B.I.

A revised version of the resolution was provided to Council.

**Motion by President Pro Tem Gaebler, seconded by Councilmember Bagley, that the revised resolution adopting the Experience Downtown Colorado Springs Plan of Development based on the findings that the plan complies with the necessary State statutes and based on positive recommendations by the Downtown Review Board, the City Planning Commission and other Council appointed boards and commissions be adopted. The motion passed by a vote of 8-1-0**

**Aye:** 8 - Bagley, Bennett, Gaebler, King, Knight, Murray, Pico, and Strand

**No:** 1 - Collins

## **9. Utilities Business**

**9.A.** [16-575](#) Review and Approval of Decision and Order and Resolution Setting Electric Rates within the Service Area of Colorado Springs Utilities

Presenter:

Chris Bidlack, City Attorney's Office-Utilities Division  
Jerry Forte, P.E., CEO, Colorado Springs Utilities

Chris Bidlack with the City Attorney's Office, Utilities Division, presented the electric rate case.

Councilmember Collins asked if this is an electric rate increase. Mr. Bidlack stated it is.

**Motion by Councilmember Knight, seconded by Councilmember Murray, that the Resolution be adopted. The motion passed by a vote of 8-1-0**

**Aye:** 8 - Bagley, Bennett, Gaebler, King, Knight, Murray, Pico, and Strand

**No:** 1 - Collins

**9.B.** [16-577](#) Review and Approval of Decision and Order and Resolution Setting Water Rates within the Service Area of Colorado Springs Utilities



Presenter:

Chris Bidlack, City Attorney's Office-Utilities Division  
Jerry Forte, P.E., CEO, Colorado Springs Utilities

Councilmember Collins asked if this is an increase in water rates. Mr. Bidlack stated it is.

Councilmember Pico asked if this will be phased in over two years. Mr. Bidlack confirmed it will.

Councilmember King stated the City has been competitive with utility rates and this measure brings the residential rates into a more competitive position with other communities along the Front Range.

**Motion by Councilmember Knight, seconded by Councilmember Strand, that the Resolution be adopted. The motion passed by a vote of 8-1-0**

**Aye:** 8 - Bagley, Bennett, Gaebler, King, Knight, Murray, Pico, and Strand

**No:** 1 - Collins

- 9.C.**    [16-578](#)    Review and Approval of Decision and Order and Resolution Setting Wastewater Rates within the Service Area of Colorado Springs Utilities

Presenter:

Chris Bidlack, City Attorney's Office-Utilities Division  
Jerry Forte, P.E., CEO, Colorado Springs Utilities

Councilmember Collins asked if this is a rate increase on wastewater rates. Mr. Bidlack stated it is a decrease for residential properties and an increase for commercial properties.

Councilmember Collins stated she cannot support this because of the affect it will have on the DPiX plant located in her district.

**Motion by Councilmember Strand, seconded by Councilmember Murray, that the Resolution be adopted. The motion passed by a vote of 8-0-1**

**Aye:** 8 - Bagley, Bennett, Gaebler, King, Knight, Murray, Pico, and Strand

**No:** 1 - Collins

- 9.D.**    [16-579](#)    Review And Approval of Decision and Order and Resolution Regarding Changes to the Utilities Rules and Regulations

Presenter:

Chris Bidlack, City Attorney's Office-Utilities Division

Councilmember Collins stated she cannot support this because of the change in the time allowed for restoration of service from 12 hours to 24 hours.

Councilmember Knight clarified this only applies if the loss of service is due to circumstances within the customers' control and stated this is a cost saving measure for Utilities because it eliminates the need to have staff available 24 hours a day.

**Motion by Councilmember Murray, seconded by Councilmember Strand, that the Resolution be adopted. The motion passed by a vote of 8-1-0**

**Aye:** 8 - Bagley, Bennett, Gaebler, King, Knight, Murray, Pico, and Strand

**No:** 1 - Collins

- 9.E.**     [16-573](#)     Ordinance No. 16-108 Identifying and Accepting the Annual Sources of Funds for Colorado Springs Utilities for the Year Ending December 31, 2017

Presenter:

Bill Cherrier, Chief Planning and Finance Officer, Colorado Springs Utilities

Jerry Forte, P.E., CEO, Colorado Springs Utilities

Res/Ord Number: 16-108

There were no questions or comments on this agenda item.

**Motion by Councilmember Murray, seconded by Councilmember Strand, that the Ordinance be finally passed. The motion passed by a vote of 8-1-0**

**Aye:** 8 - Bagley, Bennett, Gaebler, King, Knight, Murray, Pico, and Strand

**No:** 1 - Collins

- 9.F.**     [16-574](#)     Ordinance No. 16-109 Approving the Annual Budget for Colorado Springs Utilities and Appropriating Monies for the Several Purposes Named in the Annual Colorado Springs Utilities Budget for the Year Ending December 31, 2017

Presenter:

Bill Cherrier, Chief Planning and Finance Officer, Colorado Springs Utilities

Jerry Forte, P.E., CEO, Colorado Springs Utilities

Res/Ord Number: 16-109

There were no questions or comments on this agenda item.

**Motion by Councilmember Murray, seconded by Councilmember Bagley, that the Ordinance be finally passed. The motion passed by a vote of 8-1-0**

**Aye:** 8 - Bagley, Bennett, Gaebler, King, Knight, Murray, Pico, and Strand

**No:** 1 - Collins

- 9.G.** [16-584](#) A Resolution Setting the Street Lighting Service Revenue Requirement for the Period of January 1, 2017 through December 31, 2017

There were no questions or comments on this agenda item.

**Motion by Councilmember Strand, seconded by Councilmember Murray, that the proposed resolution be adopted. The motion passed by a vote of 9-0-0**

**Aye:** 9 - Bagley, Bennett, Collins, Gaebler, King, Knight, Murray, Pico, and Strand

## **10. Unfinished Business**

- 10.A.** [16-379](#) Approval of the Proposed 2017 Operating Plan and Budget for the Briargate Center Business Improvement District

Presenter:

Carl Schueler, Planning Manager - Comprehensive Planning

Kara Skinner, Chief Financial Officer

Peter Wysocki, Planning and Development Director

There were no questions or comments on this agenda item.

**Motion by Councilmember Murray, seconded by Councilmember Bagley, to approve the proposed 2017 Budget and Operating Plan for the Briargate Center Business Improvement District. The motion passed by a vote of 8-1-0**

**Aye:** 8 - Bagley, Bennett, Gaebler, King, Knight, Murray, Pico, and Strand

**No:** 1 - Collins

- 10.B.** [CPC A 15-00099R](#) A resolution adopting findings of fact and conclusions of law based thereon and determining the eligibility for annexation of property known as the Reserve at Northcreek Annexation.

(Legislative)

Related Files: CPC A 15-00099, CPC ZC 16-00016, CPC CP 16-00017

Presenter:

Mike Schultz, Principal Planner, Land Use Review

Peter Wysocki, Planning and Development Director, Planning and Development Department

Councilmember Collins stated she supports this annexation as it is an enclave and presents no additional cost to tax payers.

**Motion by Councilmember Murray, seconded by Councilmember Bagley, that the resolution finding that the Reserve at Northcreek annexation meets the requirements of and fully complies with Part 1 of Article 12 of Title 31 C.R.S., the Municipal Annexation Act of 1965, as amended, and Section 30 of Article II of the Colorado Constitution and that the property is eligible for annexation be adopted. The motion passed by a vote of 9-0-0**

**Aye:** 9 - Bagley, Bennett, Collins, Gaebler, King, Knight, Murray, Pico, and Strand

**10.C.** [CPC A  
15-00099](#)

Ordinance No. 16-113 for annexation of the Reserve at Northcreek addition pertaining to 17.023 acres; 9.998 acres consists of the subject property and 7.025 acres consists of New Life Drive right-of-way.

(Legislative)

Related Files: CPC A 15-00099R, CPC ZC 16-00016, CPC CP 16-00017

Presenter:

Mike Schultz, Principal Planner, Land Use Review  
Peter Wysocki, Planning and Development Director, Planning and Development Department

Please see comments in agenda item 10.B.

**Motion by Councilmember Murray, seconded by Councilmember Bagley, that the ordinance annexing the Reserve at Northcreek Addition Annexation, based upon the findings that the annexation complies with all of the Conditions for Annexation Criteria as set forth in City Code Section 7.6.203 be approved on first reading. The motion passed by a vote of 9-0-0**

**Aye:** 9 - Bagley, Bennett, Collins, Gaebler, King, Knight, Murray, Pico, and Strand

**10.D.** [CPC ZC  
16-00016](#)

Ordinance No. 16-114 establishing the PUD (Planned Unit Development) pertaining to 9.998 acres located at the northeast of the corner of New Life Drive and Jet Stream Drive..

(Legislative)

Related Files: CPC A 15-00099R, CPC A 15-00099, CPC CP 16-00017

Presenter:

Mike Schultz, Principal Planner, Land Use Review  
Peter Wysocki, Planning and Development Director, Planning and Development Department

Please see comments in agenda item 10.B.

**Motion by Councilmember Murray, seconded by Councilmember Strand, that the ordinance to approve the establishment of zone district to PUD (Planned Unit**

Development) pertaining to 9.998 acres associated with the Reserve at Northcreek annexation based upon the findings that the request complies with the criteria for establishing a zone district set forth in City Code Section 7.5.603 be approved on first reading. The motion passed by a vote of 9-0-0

**Aye:** 9 - Bagley, Bennett, Collins, Gaebler, King, Knight, Murray, Pico, and Strand

**10.E.** [CPC CP  
16-00017](#)

A concept plan and concept plan illustrating attached single-family homes comprising of a gross maximum density of 8 dwelling units per acre and a maximum building height of 35 feet.

(Quasi-Judicial)

Related Files: CPC A 15-00099R, CPC A 15-00099, CPC ZC 16-00016

Presenter:

Mike Schultz, Principal Planner, Land Use Review  
Peter Wysocki, Planning and Development Director, Planning and Development Department

Please see comments in agenda item 10.B.

**Motion by Councilmember Strand, seconded by Councilmember Murray, to approve the Reserve at Northcreek Concept Plan, based upon the finding that the concept plan complies with the PUD concept plan review criteria as set forth in City Code Section 7.3.605 and meets the eight (8) review criteria for granting a concept plan as set forth in City Code Section 7.5.501(E). The motion passed by a vote of 9-0-0**

**Aye:** 9 - Bagley, Bennett, Collins, Gaebler, King, Knight, Murray, Pico, and Strand

## **11. New Business**

**11.A.** [16-358](#)

Ordinance No. 16-115 Making and Certifying the 2016 Tax Levy for Taxes Payable in 2017 at 4.279 Mills Upon Each Dollar of Assessed Valuation of All Taxable Property and a Tax Credit of 4.279 Mills Upon Each Dollar of Assessed Valuation of All Taxable Business Personal Property Within the Corporate Limits of the City of Colorado Springs

Presenter:

Kara Skinner, Chief Financial Officer

There were no questions or comments on this agenda item.

**Motion by Councilmember Knight, seconded by Councilmember Murray, that the ordinance making and certifying the 2016 tax levy for taxes payable in 2017 at 4.279 mills upon each dollar of assessed valuation of all taxable property and a tax credit of 4.279 mills upon each dollar of assessed valuation of all taxable business personal property within the corporate limits of the City of Colorado Springs be approved on first reading. The motion passed by a vote of 9-0-0**

**Aye:** 9 - Bagley, Bennett, Collins, Gaebler, King, Knight, Murray, Pico, and Strand

- 11.B.** [16-359](#) Ordinance No. 16-116 approving the Annual Appropriation Ordinance Adopting the Annual Budget and Appropriating Monies for the Several Purposes Named in Said Budget for the Year Ending December 31, 2017

Presenter:

Kara Skinner, Chief Financial Officer

There were no questions or comments on this agenda item.

**Motion by Councilmember Murray, seconded by Councilmember Bagley, that the revised annual appropriation ordinance adopting the annual budget and appropriating monies for the several purposes named in said budget for the year ending December 31, 2017 be approved on first reading. The motion passed by a vote of 8-1-0**

**Aye:** 8 - Bagley, Bennett, Gaebler, King, Knight, Murray, Pico, and Strand

**No:** 1 - Collins

## **12. Public Hearing**

## **13. Added Item Agenda**

- 13.A.** [16-706](#) Request for Suspension of Council Rule 3-17(I) to permit the consideration of a motion for reconsideration of Item 12A from Council's Oct 25, 2016 meeting regarding an appeal of the CPC August 18, 2016 approval of a subdivision waiver from design standards to provide primary legal access via a public alley to 543 Robbins Place.

Presenter:

Councilmember Don Knight

Councilmember Jill Gaebler

Councilmember Knight explained the item to be reconsidered failed due to a four to four Council vote. There was not a motion made to uphold the appeal. He and Council President Pro Tem Gaebler have requested this item be reconsidered through the suspension of Council Rule 3-17(I).

Ms. Massey explained this will set the reconsideration for the November 22, 2016 Council meeting and erase the previous Council decision. The Public Hearing has been completed. Ms. Massey suggested the Councilmember who was absent from the public hearing review the meeting video and minutes prior to the meeting. Councilmember Murray

stated he has viewed the material from that meeting.

**Motion by Councilmember Knight, seconded by Councilmember Murray, to Suspend Council Rule 3-17(I) to permit any Councilmember to make a motion to reconsider an agenda item. The motion passed by a vote of 5-4-0**

**Aye:** 5 - Bagley, Gaebler, Knight, Murray, and Strand

**No:** 4 - Bennett, Collins, King, and Pico

**Motion by Councilmember Strand, seconded by Councilmember Murray, to Reconsider Agenda Item 12A from the October 25, 2016 City Council Meeting. The motion passed by a vote of 5-4-0**

**Aye:** 5 - Bagley, Gaebler, Knight, Murray, and Strand

**No:** 4 - Bennett, Collins, King, and Pico

#### **14. Executive Session**

There was not an Executive Session.

#### **15. Adjourn**

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

Sarah Johnson, City Clerk