



# City of Colorado Springs

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

## Meeting Minutes - Final Council Work Session

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Monday, February 22, 2016

1:00 PM

Council Chambers

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### 1. Call to Order

- Present** 7 - Councilmember Larry Bagley, President Merv Bennett, President Pro Tem Jill Gaebler, Councilmember Keith King, Councilmember Don Knight, Councilmember Bill Murray, and Councilmember Tom Strand
- Excused** 2 - Councilmember Helen Collins, and Councilmember Andy Pico

### 2. Changes to Agenda

There were no changes to the agenda.

### 3. Regular Meeting Comments

There were no regular meeting comments.

### 4. Review of Previous Meeting Minutes

- 4.A. [16-00154](#) City Council Work Session Minutes February 8, 2016

Presenter:  
Sarah B. Johnson, City Clerk

The Meeting Minutes were approved as presented.

### 5. Executive Session

#### 5A. Open

There was not an Open Executive session.

#### 5B. Closed

There was not a Closed Executive session.

### 6. Staff and Appointee Reports

- 6.A. [15-00783](#) Agenda Planner Review

Presenter:

Eileen Lynch Gonzalez, City Council Administrator

Eileen Gonzalez, City Council Administrator, stated a discussion regarding a substantial amendment to the block grant funds will be added to the March 7, 2016 Work Session. Council President Bennett stated Councilmember Pico has also requested a discussion regarding the Syrian refugees be added to the same meeting.

**6.B.**     [15-00759](#)     Financial Report - City of Colorado Springs

Presenter:

Kara Skinner, Chief Financial Officer

Kara Skinner, CFO, presented the financial update focused on the final information for 2015.

Councilmember Strand asked what the recommended reserve fund balance for the City should be. Ms. Skinner stated the recommended balance is 20 percent due to the City's revenue portfolio being unbalanced. The balance was at 20 percent two to three years ago, prior to the fires and flooding.

Councilmember Strand asked about the balance in the healthcare account. Ms. Skinner stated the balance in this account fluctuates due to the risk pool represented by the City. Jeff Greene, Chief of Staff, stated decisions made regarding employee benefits in recent years have had a positive impact on controlling healthcare costs.

Councilmember Murray asked if other internet retail sites can be contacted regarding the collection of City sales tax. Ms. Skinner stated she can contact some of the larger entities to request this.

Councilmember King requested additional information about on-line sales tax collection. Ms. Skinner explained organizations without a "brick and mortar" location are not required to collect taxes. Amazon is collecting taxes as a courtesy to the City.

**6.C.**     [16-00051](#)     Financial Report - Memorial Health System Enterprise

Presenter:

Kara Skinner, Chief Financial Officer

There were no questions or comments on the Memorial Health System Enterprise financial report.

## **7. Presentations for General Information**

**7.A.**    [15-00697](#)    Colorado Springs Convention & Visitors Bureau (CVB) - Q4 2015 Performance Measure

Presenter:

Jim Cassidy, Chief Financial Officer, Colorado Springs Convention & Visitors Bureau

Ryan Trujillo, Contract Compliance & Sustainability Manager, Finance Department

Jim Cassidy, CFO CVB, reviewed the report with City Council.

Councilmember Murray asked about the planned hotels scheduled to open in the near future. Mr. Cassidy stated they are on schedule to open as planned.

Councilmember Strand asked about the difference between the estimated and actual revenue for 2015 and if factors leading to the increased revenue have been identified. Mr. Cassidy stated the figures are a conservative estimate and added there are numerous influences including advertising, lack of natural disasters, and other factors that may have contributed to the increased tourism. They have estimated a four to five percent increase for 2016.

**7.B.**    [16-00080](#)    Report on Community Health Issues

Presenter:

Carol Bruce-Fritz, CEO of Community Health Partnership

Carol Bruce-Fritz, CEO, Community Health Partnership, provided an overview of the activities and programs of the organization.

Councilmember Strand asked about an increase in mental health providers. Ms. Bruce-Fritz stated there is a shortage of mental health providers nationwide.

Council President Bennett commented on the importance of developing a program to combat the growing childhood obesity rates in our community.

**7.C.**    [16-00104](#)    Southwest Downtown Urban Renewal Briefing

Presenter:

Chris Jenkins, President, Nor'wood Development Group

Chris Jenkins, President, Nor'wood Development Group, introduced a

new strategy to address urban renewal in the southwest downtown area. Carolynne White with Brownstein Hyatt Farber Schreck, LLP, provided additional information about the proposed strategy for this urban renewal area which includes dividing the project into a series of smaller projects to maximize tax increment financing benefits and increase the chances of successful completion.

Councilmember Murray requested additional information about when proposed plans will start and when financing will be collected. Ms. White explained projects will begin in each area when the individual property owners are ready to start redevelopment and financing will begin when each project is approved by City Council. Financing will apply separately to each plan area.

Council President Pro Tem Gaebler asked how this will work without obligating future Councils. Ms. White explained each urban renewal plan will require approval by City Council. The first action by Council will be to amend the existing plan, which will be followed by separate plans for each area.

Councilmember Knight expressed concern about taxes received by the Urban Renewal Authority (URA) for this area since 2001. Ms. White stated property taxes collected during this time frame were appropriately distributed between all of the required entities, tax funds received by the URA and spent on blight remediation since 2001 have been appropriately collected and used. Jim Rees, Executive Director, URA, explained approximately \$4300 in property tax was collected for this area in 2015; the first year property tax has been collected for this area since the renewal plan was approved in 2001. No sales taxes have been collected in this area since 2001. Councilmember Knight requested copies of the financial records of this area.

Councilmember Knight questioned the ability of the URA to use tax funds for improvements on private property. Mr. Rees explained certain improvements on private property may benefit the public and be considered appropriate use of funds.

Councilmember Knight requested developers limit the requested TIF amount to 1.5 mils in keeping with the precedent established by Council for infill and redevelopment projects and asked if this development will require a BID or other forms of public financing. Mr. Rees stated it is too

early in the process to know that information.

Mr. Jenkins stated Nor'wood Development intends to include a BID request in their development plan for the portion of the property they plan to develop.

Councilmember Murray requested a list of City Centers that have successfully followed this type of plan, a breakout of the colored areas demonstrating the differences, what the areas currently receive and what they will receive under this plan, and information about the number of property owners affected by this proposal.

Councilmember King asked if income projections for these areas have been calculated and how the cost of infrastructure needs will be divided between the projects. Ms. White stated income projections have not been calculated in the early stages of this proposal, but will be calculated in the next planning phase. The phased design of this proposal allows subsequent developments to benefit from previous developments. Infrastructure costs for each zone will be separate. Mr. Jenkins added redevelopment is voluntary for each property owner and the sequence of development is dependent on the desires of property owners.

**7.D.**    [16-00157](#)    Olympic City USA Branding Introduction

Presenter:

Jamie Fabos, Chief Communications Officer, Communications Department

Jamie Fabos, CCO, introduced the Olympic City branding concept, mission, vision, brand promise and ideals. Ms. Fabos introduced Olympic athletes training and living in our City.

Bernard Sandoval, Sandia Advertising, provided an overview of the development ideas behind the new City logo.

## **8. Items for Introduction**

- 8.A.**    [16-00048](#)    An Ordinance creating a new infill and redevelopment chapter within the existing City of Colorado Springs Comprehensive Plan in accord with Section 7.1.107.B of the Code of the City of Colorado Springs, 2001, as amended.  
(Legislative)

Presenter:

Peter Wysocki, Director, Planning and Community Development  
Director  
Carl Schueler, Comprehensive Planning Manager, Planning and  
Community Development

Res/Ord Number: 16-31

Carl Schueler, Comprehensive Planning Manager, provided an overview of the proposed addition of a chapter to the Comprehensive Plan to address infill and redevelopment.

Councilmember Murray asked if there is any way to ensure the City stays focused on infill rather than sprawling. Mr. Schuler stated the City does not have control over developers but the City does incentivize infill projects.

Councilmember Knight expressed concern about the lack of supporting data for this proposal and the possibility of projects being inappropriately labeled as "infill". Mr. Schuler stated there is a plethora of information about this proposal available on the website. Council President Pro Tem Gaebler spoke about the importance of infill to the community and stated each development plan will be considered based on its own merits.

Jeff Greene, Chief of Staff, commented on the work that has been put into this project and stated the Mayor's key initiatives are focused on infill and redevelopment adding policies are necessary to encourage redevelopment.

Councilmember Knight stated he is reluctant to support something lacking the details this is. Mr. Wysocki stated this item can be delayed if necessary to gain Council understanding and support. Council President Pro Tem Gaebler suggested a meeting with Planning Staff to further discuss and gain understanding about this proposal. Ms. Gonzalez will schedule this meeting.

- 8.B.**     [16-00105](#)     A Resolution endorsing the use and maintenance of an Infill Action Plan- (Legislative).

Presenters:

Peter Wysocki, Planning and Community Development Director  
Carl Schueler, Comprehensive Planning Manager, Planning and  
Community Development

Please see comments in agenda item 8.A.

- 8.C.**     [16-00098](#)     An ordinance amending Section 103 (Parking Privilege For The Disabled) and creating a new Section 108 (Disabled Parking Plate Or Placard Required) of Article 13 (Stopping, Standing or Parking Regulations Sign Required) of Chapter 10 (Motor Vehicles and Traffic) of the Code of the City of Colorado Springs 2001, as amended, pertaining to disabled parking

Presenter:

Cmdr. Pat Rigdon and Lt. Scott Schwall, Colorado Springs Police Department

Res/Ord Number: 16-29

Lieutenant Scott Schwall, CSPD, provided an overview of this proposal intended to prevent abuse of the handicap parking privilege and responded to Councilmember questions regarding handicap parking citations.

- 8.D.**     [16-00164](#)     An ordinance prohibiting the establishment of new marijuana consumption club facilities

Presenter:

Peter Wysocki, Planning and Community Development Director

Res/Ord Number: 16-33

Councilmember Knight presented an overview and brief history of this proposal regarding Marijuana Consumption Clubs. Three zoning options were presented to Planning Commission regarding these facilities. Planning Commission recommended Council ban Marijuana Consumption Clubs, with an amortization period of five years. Two licensing options will be presented to Council in conjunction with the zoning ordinance. Mr. Knight stated this will come to Council as a recommendation to ban consumption clubs with the option to make amendments to the proposal.

Councilmember Murray asked if consumption clubs can be legally banned and expressed concern about being able to legally enforce a ban. Marc Smith with the City Attorney's Office stated the City has the authority to establish land uses and define what constitutes a consumption club. The City also has the ability to ban clubs and the responsibility to provide an amortization period for organizations to recoup their investments.

Council President Bennett suggested this return to Council during the

March 7, 2016 Work Session to allow for additional discussion prior to the vote on March 8, 2016. Consensus of Council agreed with this recommendation.

Fire Marshal Brett Lacey spoke about the Building and Fire Code and the occupancy permit for the clubs stating the code dictates the inspection frequency of the establishment based on the capacity of the building. This could be a cause for concern as annual inspections are not required for smaller buildings. Councilmember Strand asked how many of the existing clubs have a larger capacity requiring annual inspections. Fire Marshal Lacey stated there is one he is aware of.

Police Chief Pete Carey provided information about the concerns and problems the police department has with the existing clubs in the City. Chief Carey stated there are at least fifteen consumption clubs operating within City limits at this time.

- 8.E.**     [16-00132](#)     A resolution specifying a time period for the submission of written objections to an Initial Decision for City Council consideration concerning a hearing regarding ethics complaints under the City Code of Ethics

Presenter:

Council President Merv Bennett

Res/Ord Number: 22-16

Council President Bennett explained Council needs to formally adopt a timeline for submitting a written objection to the hearing officer's decision and to schedule a special City Council meeting for Council to take final action in the ethics case involving a Councilmember.

## **9. Items Under Study**

There were no items under study.

## **10. Councilmember Reports and Open Discussion**

There were no Councilmember reports or open discussion items.

## **11. Adjourn**

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

Sarah Johnson  
City Clerk



