



City of Colorado Springs

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

Meeting Minutes City Council

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Tuesday, April 10, 2018

1:00 PM

Council Chambers

1. Call to Order

Present: 9 - Councilmember Yolanda Avila, Councilmember Merv Bennett, President Pro Tem Jill Gaebler, Councilmember David Geislinger, Councilmember Don Knight, Councilmember Bill Murray, Councilmember Andy Pico, President Richard Skorman, and Councilmember Tom Strand

2. Invocation and Pledge of Allegiance

The Invocation was made by Chaplain Carey Katalin from the Colorado Springs Police Department

President Skorman led the Pledge of Allegiance.

3. Changes to Agenda/Postponements

Eileen Krauth, City Council Administrator, stated Councilmember Knight and President Pro Tem Gaebler requested item 4B.B. related to the public hearing of the Sands annexation agreement be removed from the Consent Calendar and that President Pro Tem Gaebler requested item 4B.D. related to the Pikes Peak Summit House project funding be removed from the Consent Calendar. She also stated that the appellant has withdrawn the appeal for items 12.A., 12.B., and 12.C. regarding The Farm development, but the items will still be presented as a public hearing. Ms. Krauth said that staff has requested the Mayor's Business items 7.A through 7.F. be moved before Citizen Discussion.

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.** [18-0096](#) Ordinance No. 18-19 amending Section 202 (Bonds and Oaths) of Part 2 (Appointive Officers; General Provisions) of Article 2 (Officers of the City) of Chapter 1 (Administration, Personnel, and Finance) of the Code of the City of Colorado Springs 2001, as amended

Presenter:

Victoria McColm, Risk Manager, Risk Management

Attachments: [BondRepealORD-2018-02-07.docx](#)

[Signed Ordinance 18-19](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.B.** [17-979](#) Ordinance No. 18-20 amending Section 203 (Expenditures From Fund) of Part 2 (Conservation Trust Fund) of Article 6 (City Funds) of Chapter 1 (Administration, Personnel, and Finance) of the Code of the City of Colorado Springs 2001, as amended, pertaining to expenditures of Conservation Trust Fund

Presenter:

Karen Palus, Parks, Recreation and Cultural Services Director

Attachments: [P_R-CodeScrubCh1-2018-03-02](#)

[3-12-18 - Parks Recreation and Cultural Services Department Code
Scrub Presentation](#)

[Signed Ordinance 18-20](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.C.** [17-981](#) Ordinance No. 18-21 amending Articles 1 (Administration), 2 (Rules And Regulations), 3 (Permits), and 5 (Colorado Springs Museum Activities) of Chapter 4 (Parks, Recreation and Cultural Services) of the Code of the City Of Colorado Springs 2001, as amended, pertaining to Parks, Recreation and Cultural Services Administration and Regulations

Presenter:

Karen Palus, Parks, Recreation and Cultural Services Director

Attachments: [P_R-CodeScrubCh4-ParkAdminRegs-2018-03-02](#)

[Signed Ordinance 18-21](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.D.** [17-982](#) Ordinance No. 18-22 amending Article 7 (Regulation of Animals - General Provisions) of Chapter 6 (Neighborhood Vitality / Community Health) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Animals

Presenter:

Karen Palus, Parks, Recreation and Cultural Services Director

Attachments: [P R-CodeScrubCh6-Animals-2018-03-02](#)

[Signed Ordinance 18-22](#)

This Ordinance was finally passed on the Consent Calendar.

4A.E. [18-0040](#)

Ordinance No. 18-23 amending Section 402 (Purpose and Specific Requirements of the Special Purpose Zone Districts) of Part 4 (Special Purpose Districts), Section 717 (Mixed Use Pedestrian and Bicycle Access and Circulation) of Part 7 (Mixed Use Zone Districts) and Section 903 (Definitions) of Part 9 (Traditional Neighborhood Development) All of Article 3 (Land Use Zoning Districts) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended pertaining to Parks

Presenter:

Karen Palus, Parks, Recreation and Cultural Services Director
Meggan Herington, Planning & Community Development Assistant Director

Attachments: [P R-CodeScrubCh7-PlanDev-2018-03-02](#)

[Signed Ordinance 18-23](#)

This Ordinance was finally passed on the Consent Calendar.

4A.F. [17-984](#)

Ordinance No. 18-24 amending Section 104 (Discharge of Weapon) of Part 1 (Dangerous and Deadly Weapons), of Article 7 (Dangerous Weapons and Substances) and multiple sections of Article 9 (Parks Offenses) of Chapter 9 (Public Offenses) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Park Offenses

Presenter:

Karen Palus, Parks, Recreation and Cultural Services Director

Attachments: [Edits - 3-26-18 - P R-CodeScrubCh9-ParkOffenses-2018-03-21](#)

[Signed Ordinance 18-24](#)

This Ordinance was finally passed on the Consent Calendar.

4A.G. [17-985](#)

Ordinance No. 18-25 amending Article 12 (Stopping, Standing or Parking Regulations) and Article 27 (Park Traffic Offenses) of Chapter 10 (Motor Vehicle and Traffic) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Motor Vehicle and Traffic

Presenter:

Karen Palus, Parks, Recreation and Cultural Services Director

Attachments: [P R-CodeScrubCh10-MV-2018-03-02v2](#)

[Signed Ordinance 18-25](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.H.** [18-0045](#) Ordinance No. 18-29 amending Ordinance No. 17-116 (2018 Appropriation Ordinance) for a supplemental appropriation to the General Fund in the amount of \$346,506 for The Tutt and Cowpoke Stormwater Project

Presenter:

Richard Mulledy, P.E., Water Resources Engineering Division Manager

Attachments: [Exhibit A](#)

[Exhibit B](#)

[Exhibit C](#)

[Appropriation Ordinance for Tutt Cowpoke](#)

[Signed Ordinance 18-29](#)

This Ordinance was finally passed on the Consent Calendar.

4B. First Presentation:

- 4B.A.** [18-0172](#) City Council Regular Meeting Minutes March 27, 2018

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [3-27-2018 City Council Meeting Minutes Final](#)

The Minutes were approved on the Consent Calendar.

- 4B.C.** [17-1196](#) A Resolution Rescinding Resolution No. 73-14 and Establishing Fees and Charges for the Parks, Recreation and Cultural Services Cemetery Enterprise for 2018

Presenter:

Karen Palus, Director of Parks, Recreation and Cultural Services
Kim King, Recreation and Administration Manager

Attachments: [3-26-18 - Resolution - Cemetery Fees \(17-1196\) - cw](#)

[08-21-17 - Exhibit A - Cemetery Fees and Charges 2018](#)

[03-26-18 - 2018 Cemetery Fees and Charges - City Council Presentation](#)

[Signed Resolution 24-18](#)

This Resolution was adopted on the Consent Calendar.

- 4B.E.** [18-0135](#) Ordinance No. 18-30 amending Ordinance No. 16-116 (2017 Appropriation Ordinance) for a supplemental appropriation to the Lodgers & Auto Rental Tax (LART) Fund in the amount of \$757,443 for the final payment to the Colorado Springs Convention & Visitors Bureau relating to the 2017 contract

Presenter:

Charae McDaniel, Chief Financial Officer
Doug Price, President and CEO of the Colorado Springs Convention and Visitors Bureau

Attachments: [Ordinance for LART CVB 2017 final payment](#)
[Signed Ordinance 18-30](#)

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

- 4B.F.** [18-0143](#) Ordinance No. 18-31 amending Ordinance No. 17-116 (2018 Appropriation Ordinance) for a supplemental appropriation to the Lodgers & Auto Rental Tax (LART) Fund in the amount of \$50,000 for events recommended by the LART Citizen Advisory Committee

Presenter:

Charae McDaniel, Chief Financial Officer
Fred Veitch, Chair, LART Citizen Advisory Committee

Attachments: [LART Resolution Exhibit A - 2018.pdf](#)
[Ordinance for LART 2018 Additional Events.docx](#)
[Signed Ordinance 18-31](#)

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

- 4B.G.** [18-0186](#) Notice of public hearing before the City Council of the City of Colorado Springs concerning the adoption of the 2015 edition of the International Fire Code with amendments and the penalty provisions

Presenter:

Brett Lacey, CSFD Fire Marshall

Attachments: [Fire-2015_IFC_Adoption-NOTICE-PublicHearing-2018-04-02.docx](#)

This Item was approved on the Consent Calendar.

Approval of the Consent Agenda

Motion by Councilmember Strand, seconded by President Pro Tem Gaebler, 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, Bennett, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

5. Recognitions

- 5.A. [18-0142](#) A Resolution of Appreciation Designating April 15th Through 21st, 2018 as National Volunteer Week

Presenter:

Karen Palus, Director - Parks, Recreation and Cultural Services
Annette Proctor, Senior Volunteer Coordinator - Parks, Recreation and Cultural Services

Attachments: [VolunteersWeekRES-2018-03-16.doc](#)
[Signed Resolution 25-18](#)

Karen Palus, Director, Parks, Recreation and Cultural Services, stated that National Volunteer Week was established in 1974 and expressed appreciation for the over 7,300 volunteers in the community.

Jean Kraus, Public Safety Volunteer Program, Chief Peter Carey, Colorado Springs Police Department, and Bret Waters, Deputy Chief of Staff, identified the volunteers for Community Advancing Public Safety (CAPS!) program and the many ways they have contributed to the community.

Councilmember Geislinger read the Resolution of appreciation designating April 15th through 21st, 2018 as National Volunteer Week.

Motion by Councilmember Bennett, seconded by President Pro Tem Gaebler, that the Resolution of Appreciation designating April 15th through April 21st as National Volunteer Week be adopted. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Bennett, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

- 5.B. [18-0173](#) A proclamation designating June 1-9, 2018 as Warrior Games Week in Colorado Springs

Presenter:

Lt. Col. Cary Hepp, United States Air Force, 2018 Department of Defense Warrior Games Public Affairs Officer

Attachments: [041018 Warrior Games Proclamation](#)
[2018 Warrior Games Community Brief_c6](#)

Lieutenant Colonel Cary Hepp, United States Air Force, 2018 Department of Defense Warrior Games Public Affairs Officer, gave a brief update and presented a video on the upcoming Warrior Games.

Councilmember Knight read the proclamation designating June 1-9, 2018 as Warrior Games Week in Colorado Springs.

- 5.C. [18-0176](#) A proclamation recognizing April 8-14, 2018 as National Library Week

Presenter:

John Spears, Executive Director, Pikes Peak Library District

Attachments: [National Library Week 2018](#)

John Spears, Executive Director, Pikes Peak Library District, identified the many benefits that libraries offer and introduced Abby Simpson, Lynne Proctor, and Michael Asmar who work in the Pikes Peak Library District.

Councilmember Geislinger asked about the National Safe Place for children aspect of the library system. Mr. Spears presented the details of the program.

President Pro Tem Gaebler read the proclamation recognizing April 8-14, 2018 as National Library Week.

6. Citizen Discussion

Citizen Jim Ciletti, owner of Hooked on Books, spoke regarding the needed improvements for the downtown parking garage on Cascade Avenue.

Citizen Gerald Miller said he will be donating \$1,000 to Catholic Charities Marion House Soup Kitchen.

Citizen Bette Kelso requested a crosswalk light on 8th Street at Oxford Lane.

Citizen Kevin Bright stated that she has been fighting for the past ninety days to expose the false charges made against her over the last decade. She also expressed her gratitude for City Council and their efforts to save the honey bees.

Citizen Tom Noonan spoke regarding Post Traumatic Stress Disorder (PTSD) and requested that restrooms be added at the Metro Mountain Transit Citadel Mall Transfer Terminal.

Citizen Janice Moglen, Founder of Single Parent's Day, spoke about the

Pikes Peak Cog Railway as an icon and the need to repair it.

Citizen Tim Hoiles spoke on several topics including special taxing districts, transfers of properties, traffic on Banning Lewis Ranch, and the Transit Mix property being used as a bike park.

Citizen Luther Bonow, Altitude Organic Medicine, requested that City Council put recreational marijuana on the ballot.

Citizen John Edward Hawk spoke against the proposed amended annexation agreement with Banning Lewis Ranch.

Citizen Derek Shetrone spoke about Cambridge Analytica, data breaches, and the need for added security.

Citizen Walter Lawson requested changing the language of the Parks section of the proposed amended Banning Lewis Ranch annexation agreement.

Citizen Mark Rosman spoke regarding the inadequate signage notifying citizens of the use of pesticides on City grass.

7. Mayor's Business

- 7.A. [18-0179](#) Re-appointment of Merv Bennett to a five year term on the Colorado Springs Urban Renewal Authority Board, expiring on April 1, 2023.

Presenter:
Mayor John Suthers

Attachments: [April 2018 CSURA CC Memo.docx](#)

Councilmember Bennett recused himself.

Mayor John Suthers presented the nomination to reappoint Merv Bennett for a five year term on the Colorado Springs Urban Renewal Authority Board.

There were no comments on this item.

Motion by Councilmember Strand, seconded by Councilmember Geislinger, that the re-appointment of Merv Bennett to a five year term on the Colorado Springs Urban Renewal Authority Board, expiring 4/01/2023 be approved. The motion passed by a vote of 8-0-0-1

Aye: 8 - Avila, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

Recused: 1 - Bennett

- 7.B.** [18-0180](#) Re-appointment of Tiffany Colvert to a second five year term on the Colorado Springs Urban Renewal Authority Board, expiring on April 1, 2023.

Presenter:
Mayor John Suthers

Attachments: [Letter of Interest CSURA Tiffany Colvert](#)

Mayor John Suthers presented the nomination to reappoint Tiffany Colvert for a five year term on the Colorado Springs Urban Renewal Authority Board.

There were no comments on this item.

Motion by Councilmember Strand, seconded by Councilmember Bennett, that the re-appointment of Tiffany Colvert to a five year term on the Colorado Springs Urban Renewal Authority Board, expiring 4/01/2023 be approved. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Bennett, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

- 7.C.** [18-0181](#) Re-appointment of Toby Gannett to a five year term on the Colorado Springs Urban Renewal Authority Board, expiring on April 1, 2023.

Presenter:
Mayor John Suthers

Attachments: [2018 Toby Gannett Application_Redacted](#)

Mayor John Suthers presented the nomination to reappoint Toby Gannett for a five year term on the Colorado Springs Urban Renewal Authority Board.

There were no comments on this item.

Motion by Councilmember Bennett, seconded by Councilmember Strand, that the re-appointment of Toby Gannett to a five year term on the Colorado Springs Urban Renewal Authority Board, expiring 4/01/2023 be approved. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Bennett, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

- 7.D.** [18-0182](#) Nomination to reappoint Sharon King to serve a five term on the Colorado Springs Housing Authority Board, expiring on April 1, 2023.

Presenter:
Mayor John Suthers

Attachments: [April 2018 CSHA CC Memo.docx](#)
[2018 Sharon King Application_Redacted](#)

Mayor John Suthers presented the nomination to reappoint Sharon King for a five year term on the Colorado Springs Urban Renewal Authority Board.

There were no comments on this item.

Motion by Councilmember Avila, seconded by Councilmember Bennett, that the re-appointment of Sharon King to a five year term on the Colorado Springs Urban Renewal Authority Board, expiring 4/01/2023 be approved. The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Bennett, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

- 7.E. [18-0183](#) Nomination to appoint Eric Phillips to serve a five term on the Colorado Springs Housing Authority Board, expiring on April 1, 2023.

Presenter:
Mayor John Suthers

Attachments: [2018 Eric Phillips Application_Redacted](#)

Mayor John Suthers presented the nomination to appoint Eric Phillips for a four year term (correction to the term was made during the City Council meeting) on the Colorado Springs Urban Renewal Authority Board.

There were no comments on this item.

Motion by Councilmember Bennett, seconded by Councilmember Strand, that the appointment of Eric Phillips to a four year term on the Colorado Springs Urban Renewal Authority Board, expiring 4/01/2022 be approved. The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Bennett, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

- 7.F. [18-0184](#) Nomination to appoint Donnis Martin to serve a five term on the Colorado Springs Housing Authority Board, expiring on April 1, 2023.

Presenter:
Mayor John Suthers

Attachments: [2018 Donnis Martin Application_Redacted](#)

Mayor John Suthers presented the nomination to appoint Donnis Martin for a four year term (correction to the term was made during the City Council meeting) on the Colorado Springs Urban Renewal Authority Board.

There were no comments on this item.

Motion by Councilmember Strand, seconded by Councilmember Murray, that the appointment of Donnis Martin to a four year term on the Colorado Springs Urban

Renewal Authority Board, expiring 4/01/2022 be approved. The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Bennett, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

8. Items Called Off Consent Calendar

4B.B. [18-0073](#)

A Resolution finding a petition for annexation of the area known as The Sands Addition Nos. 1-4 Annexation consisting of 140.61 acres to be in substantial compliance with Section 31-12-107(1), C.R.S. and setting a hearing date of May 22, 2018 for the Colorado Springs City Council to consider the annexation of the area.

(Legislative)

Presenter:

Catherine Carleo, Principal Planner, Planning & Community Development

Peter Wysocki, Planning and Community Development Director

Attachments: [Exhibit A -The Sands Petitions Nos. 1-4](#)

[Vicinity Map The Sands](#)

[Public Notice Newspaper The Sands](#)

[AX-SandsAdditionPublicHearingRES-2018-04-02](#)

[31-12-104 Eligibility for annexation](#)

[31-12-105 Limitations](#)

[31-12-107 Petitions for annexation and for annexation elections](#)

[Signed Resolution 26-18](#)

Councilmember Knight stated he called this item off the Consent Calendar because he does not support the eminent domain clause in The Sands annexation agreement and is concerned with El Paso County continuing to have approving authority over the districts and not the City if the districts are annexed in.

President Pro Tem Gaebler said that she also does not support keeping the metropolitan district with El Paso County or even moving forward with this annexation agreement.

Councilmember Geislinger stated that he does support accommodating the hearing process, but does not support moving forward with the annexation agreement as it is currently constructed.

Councilmember Pico stated that he supports setting the date for the public

hearing and that in regards to the eminent domain authority, most of the property is vacant.

Councilmember Knight asked for the procedural implications. Wynetta Massey, City Attorney, stated that under municipal annexation statutes, once a hearing date is set, there needs to be at least thirty days public notice and the governing body may continue the hearing at a later date without additional notice if the volume of material to be received cannot be presented within the available time and that no session of a hearing shall be continued unless one hour of testimony has been heard or the annexation would have to be voted upon on that day.

Councilmember Murray stated that he would like to discuss with El Paso County their concerns with the access points and the annexation of Marksheffel Road.

Jeff Mark, The Landhuis Co., representing the petitioner, stated that they would like to move forward with the hearing date and that they will provide City Council additional information regarding the annexation.

Ms. Massey asked if a draft Intergovernmental Agreement (IGA) would be required from staff at the public hearing that addresses the two items that Councilmember Knight identified. Consensus of Council agreed.

Motion by Councilmember Bennett, seconded by Councilmember Geislinger, that the Resolution finding the petition for annexation to be in substantial compliance with C.R.S. Section 31-12-107(1), setting the hearing date of May 22, 2018 for consideration of The Sands Addition Nos. 1-4 Annexation, and directing the Clerk to provide notice in accord with C.R.S. Section 31-12-108 be adopted. The motion passed by a vote of 7-2-0-0

Aye: 7 - Avila, Bennett, Geislinger, Knight, Pico, Skorman, and Strand

No: 2 - Gaebler, and Murray

4B.D. [18-0124](#)

Ordinance No. 18-32 amending Ordinance No. 17-116 (2018 Appropriation Ordinance) for a Supplemental Appropriation to the Pikes Peak - America's Mountain Fund in the Amount of \$13,500,000 for the Pikes Peak Summit Complex Project

Presenter:

Karen Palus, Director - Parks, Recreation and Cultural Services
Jack Glavan, Pikes Peak - America's Mountain Manager - Parks,
Recreation and Cultural Services

Attachments: [3-26-18 - ORDINANCE - PPAM Summit Complex Supplemental Signed Ordinance 18-32](#)

President Pro Tem Gaebler stated she called this item off from the Consent Calendar due to there not being adequate access to the Pike National Forest from the Pikes Peak Highway. She also asked where the funding will be allocated.

Jack Glavan, Manager, Pikes Peak America's Mountain, stated the \$13.5M funding will be used for the construction of the new Summit House. He stated the three gates on Pikes Peak Highway will be opening at 7:30 AM and three more Rangers will be assisting at the gates to decrease the amount of time it takes visitors to get through the gates. Mr. Glavan also explained the proposed shuttle service that will be offered during construction.

President Pro Tem Gaebler asked to receive updates as the project commences. Mr. Glavan agreed to provide that information.

Councilmember Knight stated that he is concerned with the project starting prior to receiving all the funding and asked what the contingency plan is. Mr. Glavan stated that the current funding will cover the cost of building the new structure and then the demolition of the existing summit house will occur as additional funding is received.

Citizen Tom Noonan asked how a visitor would get to the shuttle. Mr. Glavan explained how the shuttle will be accessed. Mr. Noonan requested that the shuttle be connected to Metro Mountain Transit.

Motion by Councilmember Bennett, seconded by Councilmember Strand, that the Ordinance approving the supplemental appropriation to the Pikes Peak - America's Mountain Fund in the Amount of \$13,500,000 for the Pikes Peak Summit Complex Project be approved on first reading. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Bennett, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

9. Utilities Business

There was no Utilities Business.

10. Unfinished Business

- 10.A.** [18-0074](#) Ordinance No. 18-26 amending Sections 102 (Definitions) of Article 1 (Public Health and Sanitation - General Provisions) of Chapter 6

(Neighborhood Vitality/Community Health) of the Code of the City of Colorado Springs 2001, as amended, relating to the definition of administrator (Legislative)

Presenter:

Peter Wysocki, Director of Planning and Community Development
Mitchel Hammes, Neighborhood Services Manager

Attachments: [Housing-AdministratorDefORD-2017-09-18](#)

[022618 Housing Analysis](#)

[031218 Housing Code DRAFT Revisions - Redline](#)

[Housing Standards in City Code](#)

[Signed Ordinance 18-26](#)

Mitchel Hammes, Neighborhood Services Manager, presented the proposed City Code revisions for Chapters 6 as it relates to the definition of the Code Enforcement Administrator, the appeal process, and the regulation regarding repeat chronic offenders.

Councilmember Geislinger introduced Laura Nelson, representing the Apartment Association of Southern Colorado, and said that she expressed support of this amendment to City Code and suggested that a modification also be made to City Code to protect landlords against resident caused issues. Ms. Nelson stated there has never been an affirmative defense for landlords in City Code and requested that language be added if an issue is caused by a resident.

Motion by Councilmember Murray, seconded by Councilmember Bennett, that the Ordinance amending amending Sections 102 (Definitions) of Article 1 (Public Health and Sanitation - General Provisions) of Chapter 6 (Neighborhood Vitality/Community Health) of the Code of the City of Colorado Springs 2001, as amended, relating to the definition of administrator be finally passed . The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Bennett, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

10.B. [18-0076](#)

Ordinance No. 18-27 amending Section 106 (Notice and Order Appeal Hearings), 107 (Appeal Hearing Decision), and repealing section 108 (Appeal to City Council; Notice and Order Appeal Hearing) all of Article 5 (Municipal Court Referee) of Chapter 11 (Municipal court) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Municipal Court Appeal Hearings (Legislative)

Presenter:

Peter Wysocki, Director of Planning and Community Development
Mitchel Hammes, Neighborhood Services Manager

Attachments: [Housing-MuniCtAppealHearingsORD-2017-09-18](#)
[Signed Ordinance 18-27](#)

Please see comments in Agenda item 10.A.

Motion by Councilmember Murray, seconded by Councilmember Strand, that the Ordinance amending Section 106 (Notice and Order Appeal Hearings), 107 (Appeal Hearing Decision), and repealing section 108 (Appeal to City Council; Notice and Order Appeal Hearing) all of Article 5 (Municipal Court Referee) of Chapter 11 (Municipal court) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Municipal Court Appeal Hearings be finally passed . The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Bennett, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

- 10.C. [18-0075](#)** Ordinance No. 18-28 amending Sections 102 (Right of Entry), 105 (Appeal of Notice and Order; Hearing), 106 (Failure to Comply with Order to Abate) and 108 (Abatement; Emergency Order); creating Section 110 (Adoption of Rules and Regulations) of Article 5 (Public Health and Sanitation - Enforcement); and repealing Part 2 (Inspections and Enforcement) of Article 12 (Housing Code) of Chapter 6 (Neighborhood Vitality/Community Health) of the Code of the City of Colorado Springs 2001, as amended, pertaining to enforcement of the Housing Code (Legislative)

Presenter:

Peter Wysocki, Director of Planning and Community Development
 Mitchel Hammes, Neighborhood Services Manager

Attachments: [Housing-HousingCodeEnforcementORD-2017-09-18](#)
[Signed Ordinance 18-28](#)

Please see comments in Agenda item 10.A.

Motion by Councilmember Murray , seconded by Councilmember Strand, that the Ordinance amending Sections 102 (Right of Entry), 105 (Appeal of Notice and Order; Hearing), 106 (Failure to Comply with Order to Abate) and 108 (Abatement; Emergency Order); creating Section 110 (Adoption of Rules and Regulations) of Article 5 (Public Health and Sanitation - Enforcement); and repealing Part 2 (Inspections and Enforcement) of Article 12 (Housing Code) of Chapter 6 (Neighborhood Vitality/Community Health) of the Code of the City of Colorado Springs 2001, as amended, pertaining to enforcement of the Housing Code be finally passed . The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Bennett, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

11. New Business

- 11.A. [CPC MPA](#)** Ordinance No. 18-33 adopting a Major Master Plan amendment to the
[02-00101-A9](#) Intermodal Transportation Plan by approving and incorporating
[MJ18](#) BikeCOS! A Citywide Bicycle Master Plan

Presenter:

Kathleen Krager, Transportation Manager

Kate Brady, Senior Bicycle Planner

Attachments: [ORD PlanDev-BikeMasterPlan-2018-01-31](#)
[ExhibitA-ColoradoSpringsPlan_final](#)
[Appendix A - State of Bicycling in Colorado Springs Report](#)
[Appendix B - Bicycle Facility Toolbox](#)
[Appendix C-Public Engagement Summary](#)
[Appendix D - Summary of Public Comments](#)
[BikeCOS 2018_03_26_Council](#)
[CPC Staff Rep - Bicycle Master Plan](#)
[Colorado Springs Plan_finalv2_lowres.pdf](#)
[Signed Ordinance 18-33](#)

Kate Brady, Senior Bicycle Planner, presented the 2018 BikeCOS! bicycle master plan and said the requested language change to the corridors identified in the bicycle vision network to remain subject to the City's processes for public education and involvement had been added to the vision network map.

President Pro Tem Gaebler asked how this language will change the vision network. Kathleen Krager, Traffic Engineering Division Manager, stated that it addresses that there are other infrastructures that could be utilized on certain streets rather than just the addition of bike lanes.

Councilmember Pico commented that the bicycle master plan may not work well in all situations in regards to vehicle traffic conditions.

Citizens Lucy Adams, Gerald Miller, Molly Laldron, Heather Briggs, Rita Fitzpatrick, Scott Anderson, Kristen Fuller, and Tom Noonan spoke in favor of the bicycle master plan.

Citizen Cory Sutela, stated that Bike Colorado Springs does not support the additional language in regards to the corridors identified in the bicycle vision network.

Motion by Councilmember Murray, seconded by Councilmember Geislinger, that the Ordinance adopting a Major Master Plan Amendment to the Intermodal Transportation Plan by approving and incorporating BikeCOS! A Citywide Bicycle Master Plan as amended to include the language "Changes to corridors identified in the Bicycle Vision Network remain subject to the City's processes for public education and involvement." be approved on first reading. The motion

passed by a vote of 9-0-0

Aye: 9 - Avila, Bennett, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

- 11.B.** [18-0099](#) Ordinance No. 18-34 Including Certain Property into the First and Main Business Improvement District No. 2

(Legislative)

Presenter:

Conrad Olmedo, Comprehensive Planner II, Planning & Community Development
Carl Schueler, Comprehensive Planning Manager, Planning & Community Development

Attachments: [ORD_First&MainBIDNo.2](#)
[Figure 1 - Transmittal Letter to City](#)
[Figure 2 - Petition for Inclusion of Property](#)
[Figure 3 - Notice of Inclusion](#)
[Figure 4 - Boundary Map](#)
[Signed Ordinance 18-34](#)

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development, presented the Ordinance Including Certain Property into the First and Main Business Improvement District No. 2

There were no comments on this item.

Motion by Councilmember Murray, seconded by Councilmember Bennett, that the Ordinance including certain property into the boundaries of the First and Main Business Improvement District No. 2 be approved on first reading. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Bennett, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

- 11.C.** [18-0069](#) A Resolution approving the issuance of debt in the form of Limited Tax General Obligation Bonds not to exceed \$7,800,000 for the Upper Cottonwood Creek Metropolitan District No. 2

Presenter:

Conrad Olmedo, Comprehensive Planner II, Planning and Community Development
Carl Schueler, Comprehensive Planning Manager, Planning and Community Development

Attachments: [RES_UpperCottonwoodCreekMDBond](#)
[Figure 1 - UCCMD No. 2 Bond Resolution 2017 v1](#)
[Figure 2 - Old Ranch MD Eligible Public Improvement Costs 9-10](#)
[Figure 3 - Letter to Carl Schueler for Bond Submittal](#)
[Figure 4 - 1.22.18 - Upper Cottonwood Creek MD LT GO Fairness Letter by RBC](#)
[Figure 5 - 2018 General Counsel Opinion](#)
[Figure 6 - 10.9.17 - Upper Cottonwood Creek MD 2018 Bond Details](#)
[Figure 7 - 10.9.17 - Upper Cottonwood Creek MD 2018 Bond - Preliminary Numbers](#)
[CWS Presentation_03.12.18](#)
[Signed Resolution 27-18](#)

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development, presented the Resolution approving the issuance of debt in the form of limited tax general obligation bonds for the Upper Cottonwood Creek Metropolitan District No. 2

There were no comments on this item.

Motion by Councilmember Strand, seconded by Councilmember Bennett, that the Resolution approving the issuance of debt in the form of Limited Tax General Obligation Bonds not to exceed \$7,800,000 for the Upper Cottonwood Creek Metropolitan District No. 2 be adopted. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Bennett, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

11.D. [18-0095](#) A Resolution approving a service plan allowing for the creation of the Patriot Park Nos. 1 and 2 Metropolitan Districts

(Legislative)

Presenter:

Conrad Olmedo, Comprehensive Planner II, Planning and Community Development Department

Carl Schueler, Planning Manager- Comprehensive Planning, Planning and Community Development Department

Attachments: [RES_PatriotParkServicePlanNos1&2](#)
[Exhibit A to CCResolution_PPMD1-2 Service Plan with Exhibits-cleaned](#)
[Figure 1 - PPMD Service Plan Compare to Model Service Plan](#)
[Figure 2 - PPMD 1 Improvement Costs](#)
[Figure 3 - PPMD 2 Improvement Costs](#)
[Figure 4 - Forecast Surplus Cash Balance](#)
[Figure 5 - PPMD 1 and 2 Facilities and Improvements Map](#)
[Figure 6 - Transmittal Letter to City](#)
[Figure 7 - Patriot Park Service Plan - Inclusion Area Owner E-mail](#)
[Signed Resolution 28-18](#)

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development, presented the Resolution approving a service plan allowing for the creation of the Patriot Park Nos. 1 and 2 Metropolitan Districts. He stated the service plan was amended to split the debt authorization to \$4M for each district instead of \$8M for both of the districts combined.

Councilmember Knight said that he does not support the request for 15 mills. Russ Dykstra from Spencer Fane, LLP, representing the districts, said that the district will not have a Homeowner's Association (HOA) which is why they are requesting 15 mills.

Motion by Councilmember Murray, seconded by Councilmember Strand, that the Resolution of the City of Colorado Springs approving a service plan for the Patriot Park Nos. 1 and 2 Metropolitan Districts be adopted. The motion passed by a vote of 7-2-0-0

Aye: 7 - Avila, Bennett, Gaebler, Geislinger, Murray, Skorman, and Strand

No: 2 - Knight, and Pico

- 11.E. [18-0119](#)** A Resolution authorizing issuance of debt by the Dublin North Metropolitan District No. 2 in the form of limited tax general obligation refunding and improvement bonds, Series 2018A, 2018B, and 2018C Notes with a multiple fiscal year pledge of ad valorem tax from Dublin North Metropolitan District No. 3 the combination of which will use an amount not to exceed \$4,000,000 in service plan authorization. (Legislative Item)

Presenter:

Conrad Olmedo, Comprehensive Planner II, Planning and Community Development

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development

Attachments: [RES_DublinNorthMetroDistNo.2](#)[Figure 1 - Dublin North MD - Transmittal Letter](#)[Figure 2 - Dublin North MD No. 2 - 2018 Senior Indenture of Trust](#)[Figure 3 - Dublin North MD No. 2 - 2018 Subordinate Pledge](#)[Agreement](#)[Figure 4 - Dublin North MD No. 2 - 2018 Senior Pledge Agreement](#)[Figure 5 - Dublin North MD No. 2 - 2018 Subordinate Indenture of](#)[Trust](#)[Figure 6 - Subordinate Note](#)[Figure 7 - Dublin North MD No. 2 - Development Projection](#)[Figure 8 - Dublin North MD No. 1 - 2017 Map](#)[Figure 9 - Dublin North MD No. 2 - 2017 Map](#)[Figure 10 - Dublin North MD No. 3 - 2017 Map](#)[Figure 11 - Dublin North MD - General Council Opinion](#)[Figure 12 - Dublin North MD No. 2 - External Financial Advisor](#)[Certificate - Series 2018C](#)[Figure 13 - Dublin North MD No. 1 Public Improvement Cost Summary](#)[CC-Presentation-Dublin North](#)[Signed Resolution 29-18](#)

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development, presented the Resolution authorizing the three debt issuances by the Dublin North Metropolitan District No. 2 and District No. 3.

There were no comments on this item.

Motion by Councilmember Murray, seconded by Councilmember Strand, that the Resolution authorizing issuance of debt by the Dublin North Metropolitan District No. 2 in the form of limited tax general obligation refunding and improvement bonds, Series 2018A, 2018B, and 2018C Notes with a multiple fiscal year pledge of ad valorem tax from Dublin North Metropolitan District No. 3 the combination of which will use an amount not to exceed \$4,000,000 in service plan authorization be adopted. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Bennett, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

- 11.F.** [17-1245](#) A Resolution adopting City Council's annual Report to the Citizens for 2017, pursuant to City Charter Section 3-10(d).

Presenter:

Eileen Krauth, City Council Administrator

Attachments: [RES ANNRPT 2017](#)[Council Annual Report 2017](#)[Signed Resolution 30-18](#)

Eileen Krauth, City Council Administrator, presented the Resolution adopting City Council's annual Report to the Citizens for 2017.

There were no comments on this item.

Motion by Councilmember Murray, seconded by Councilmember Bennett, that the Resolution adopting City Council's annual Report to the Citizens for 2017, pursuant to City Charter Section 3-10(d) be adopted. The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Bennett, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

- 11.G. [17-1413](#)** A Resolution approving the City Council's 2019 strategic plan pursuant to City Charter §3-10(C) to provide for the future of the City and for the Mayor's consideration in the development of the 2019 municipal administrative budget

Presenter:

Council President Pro Tem Jill Gaebler, Chair, City Council Strategic Planning Committee

Attachments: [041018 Resolution Council 2019 Strategic Plan](#)

[Exhibit A 041018 Council Stratplan2019](#)

[Signed Resolution 31-18](#)

President Pro Tem Gaebler presented the Resolution approving the City Council's 2019 strategic plan.

There were no comments on this item.

Motion by Councilmember Murray, seconded by Councilmember Strand, that the Resolution approving the City Council's 2019 strategic plan pursuant to City Charter §3-10(C) to provide for the future of the City and for the Mayor's consideration in the development of the 2019 municipal administrative budget be adopted. The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Bennett, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

12. Public Hearing

- 12.A. [CPC MP 04-00254-A6 MN17](#)** An appeal of the City Planning Commission's decision to recommend approval to the City Council of a minor master plan amendment of the Farm Master Plan that updates the street network and locations and sizes of park sites, located west of Voyager Parkway off Ridgeline Drive.

(QUASI-JUDICIAL)

Related Files: CPC ZC 16-00152, CPC CP 16-00153

Presenter:

Peter Wysocki, Director Planning and Community Development
Daniel Sexton, Senior Planner, Planning and Community Development

Attachments: [Notice of Appeal](#)

[La Plata Letter_3262018](#)

[Vicinity Map](#)

[CPC Report_TheFarmFiling5_DJS](#)

[FIGURE 1 - MASTER PLAN](#)

[FIGURE 2 - ZONE CHANGE EXHIBIT](#)

[FIGURE 3 - PUD DEVELOPMENT PLAN](#)

[FIGURE 4 - PROJECT STATEMENT](#)

[FIGURE 5 - USAFA COMMENT LTR](#)

[FIGURE 6 - PARKS BOARD MEETING MINUTES](#)

[7.5.408 MASTER PLAN REVIEW CRITERIA](#)

[The Farm minutes](#)

[7.5.906 \(B\) Planning Commission Appeal](#)

Colonel Pat Carley from the U.S. Air Force Academy, representing the appellant, requested the appeal be withdrawn because they are satisfied the issues are being addressed appropriately.

Councilmember Pico asked if the appellant was satisfied with the airfield encroachment of the development. Colonel Carley said the developer will be addressing the emergency landing area and the stormwater mitigation concerns.

Motion by Councilmember Strand, seconded by Councilmember Knight, to accept the withdrawal of the appeal. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Bennett, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

Daniel Sexton, Senior Planner, Planning and Community Development, presented a vicinity map, the site details, the public notification and involvement process, and the proposed changes to the master plan. He identified the area zoning and the Planned Unit Development (PUD) development plan. Mr. Sexton stated that the applicant and City staff have been working with the U.S. Air Force Academy (USAFA) in regards to their concerns.

Councilmember Geislinger asked how the USAFA concerns were addressed. Cody Humphrey from La Plata Communities, representing the applicant, stated the excessive noise concern has been addressed by the

recording of a note with both the development plan and plat that notifies homeowners of the potential impact of noise and other sensory effects due to aircraft used by the USAFA. He also said that the Avigation Easement Reception No. 217053156 is identified within the general notes of both the final development plan and plat as recorded with El Paso County. Mr. Humphrey stated the flight operation concerns were addressed by providing an emergency landing area and the stormwater drainage concerns were addressed by the major drainage work completed in Black Squirrel Creek and Middle Tributary.

Colonel Carley stated that they are in agreement with what was presented and clarified that the details of the emergency landing area and the future stormwater mitigation efforts do still need to be agreed upon between the USAFA and La Plata Communities.

Councilmember Knight requested a Memorandum of Understanding (MOU) on this subject be placed on the master plan as a condition of approval in regards to the emergency landing area. All parties agreed to that condition.

Councilmember Knight stated the enforcement of the Drainage Control Manual (DCM) should be addressed prior to the excavation and development taking place. Jeff Greene, Chief of Staff, stated that the administration staff agrees and will ensure compliance with the DCM

Councilmember Pico asked if the emergency landing procedure included pulling the parachute as opposed to trying to land the plane. Colonel Carley stated that it would depend on the pilot's flight plan and if the plane was too low.

Motion by Councilmember Murray, seconded by Councilmember Strand, that the minor master plan amendment of the Farm Master Plan that updates the street network and locations and sizes of park sites, located west of Voyager Parkway off Ridgeline based on the finding that the application meets the criteria of City Code Section 7.5.408 (Review Criteria of Minor Master Plan Amendments) be approved as amended that prior to recordation of the Farm Filing No. 5 subdivision plat, the developer shall provide copies of the executed Memorandums of Understanding between the developer and USAFA concerning the siting of an emergency landing area and stormwater improvements within the Farm Master Planned Area. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Bennett, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

- 12.B.** [CPC PUZ](#) Ordinance No. 18-35 amending the zoning map of the City of Colorado
[17-00132](#) Springs pertaining to 28 acres of land from A (Agricultural) to PUD

(Planned Unit Development: Single-Family Detached Residential; Maximum Density of 3.29 Dwelling Units per acre; and Maximum Building Height of 35 feet), located west of the future alignment of Secretariat Drive.

(QUASI-JUDICIAL)

Presenter:

Peter Wysocki, Director Planning and Community Development
Daniel Sexton, Senior Planner, Planning and Community Development

Attachments: [ZC ORD FarmFiling](#)
[Exhibit A - LegalDescription](#)
[Exhibit B - Zone Change Exhibit](#)
[Signed Ordinance 18-35](#)

Please see comments in Agenda item 12.A.

Motion by Councilmember Murray, seconded by Councilmember Strand, that the Ordinance amending the zoning map of the City of Colorado Springs pertaining to 28 acres from A (Agricultural) to PUD (Planned Unit Development: Single-Family Detached Residential; Maximum Density of 3.29 dwelling units per acre; and Maximum Building Height of 35 feet) located west of the future alignment of Secretariat Drive based on the findings that the change of zone request complies with the three (3) review criteria for granting a zone change as set forth in City Code Section 7.5.603 and the development of a PUD zone as set forth in City Code Section 7.3.603 be approved on first reading. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Bennett, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

12.C. [CPC PUD
17-00133](#)

An appeal of the City Planning Commission's decision to recommend approval to the City Council of the Farm Filing 5 PUD development plan for 28 acres of land to be developed with a single-family residential development consisting of 93 single-family detached lots, located west of the future alignment of Secretariat Drive.

(QUASI-JUDICIAL)

Related Files: CPC MP 04-00254-A6MN17, CPC PUZ 17-00132

Presenter:

Peter Wysocki, Director Planning and Community Development
Daniel Sexton, Senior Planner, Planning and Community Development

Attachments: [FIGURE 3 - PUD DEVELOPMENT PLAN](#)
[7.3.606 PUD Development Plan](#)
[7.5.502.E Development Plan Review](#)

Please see comments in Agenda item 12.A.

Motion by Councilmember Murray, seconded by Councilmember Strand, that the PUD development plan for the Farm Filing 5 project, based upon the findings that the PUD development plan meets the review criteria for granting a PUD development plan as set forth in City Code Section 7.3.606 and meets the review criteria for granting a development plan as set forth in City Code Section 7.5.502(E) be approved on first reading. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Bennett, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

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