



# City of Colorado Springs

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

## Meeting Minutes City Council

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Tuesday, March 28, 2017

1:00 PM

Council Chambers

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### **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 John Sanchez of Victory World Outreach.

Council President Bennett led the Pledge of Allegiance.

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

Councilmember Pico called item 4.B.D. off of the Consent Calendar.

President Pro Tem Jill Gaebler called item 4.B.B. off the Consent Calendar.

There was a request from staff to postpone item 11.E. until the April 11 City Council Meeting.

### **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. [17-852](#)**

Ordinance No. 17-17 amending Section 102 (Regular Council Meetings; Utility Board) of Part 1 (Elective Officers) 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, Pertaining to Utility Board

Presenter:  
Councilmember Don Knight  
Wynetta Massey, City Attorney

**Attachments:** [031417 CS-Ch1-UtilityBoardORD](#)  
[Ordinance 17-17](#)

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

- 4A.B. [17-853](#)** Ordinance No. 17-18 amending Section 202 (Bonds) 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, Pertaining to Bonds and Oaths

Presenter:  
Councilmember Don Knight  
Wynetta Massey, City Attorney

**Attachments:** [031417 CS-Ch1-BondsOathORD](#)  
[Ordinance 17-18](#)

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

- 4A.C. [17-854](#)** Ordinance No. 17-19 amending Section 204 (Assistants) 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, Pertaining to Assistants

Presenter:  
Councilmember Don Knight  
Wynetta Massey, City Attorney

**Attachments:** [031417 CS-Ch1-AssistantsORD](#)  
[Ordinance 17-19](#)

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

- 4A.D. [17-855](#)** Ordinance No. 17-20 amending Section 303 (Appoint to Acting Capacity) of Part 3 (Powers and Duties of the Mayor) 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, Pertaining to Acting Appointments

Presenter:  
Councilmember Don Knight  
Wynetta Massey, City Attorney

**Attachments:** [031417 CS-Ch1-InterimActingORD](#)  
[Ordinance 17-20](#)

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

- 4A.E.** [17-856](#) Ordinance No. 17-21 amending Section 105 (Candidates for Election) of Part 1 (Employee Rules and Regulations) of Article 4 (City Employees) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Candidates for Election

Presenter:  
Councilmember Don Knight  
Wynetta Massey, City Attorney

**Attachments:** [031417 CS-Ch1-CandidatesElectionORD](#)  
[Ordinance 17-21](#)

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

- 4A.F.** [17-857](#) Ordinance No. 17-22 amending Section 103 (Presiding Judge; Powers and Duties) of Article 2 (Judges) of Chapter 11 (Municipal Court) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Judges

Presenter:  
Councilmember Don Knight  
Wynetta Massey, City Attorney

**Attachments:** [031417 CS-Ch11-JudgesORD](#)  
[Ordinance 17-22](#)

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

- 4A.G.** [CPC PUZ](#)  
[16-00144](#) Ordinance No. 17-23 amending the zoning map of the City of Colorado Springs pertaining to 13.32 acres located at the northwest corner of Centennial Boulevard and Van Buren Street, from PUD (Planned Unit Development; attached townhomes, 35' maximum building height, 6.68 dwelling units per acre) to PUD (Planned Unit Development; general and medical office, retail, personal improvement services, financial institutions, child care facilities, sit down restaurants, light industrial and private open space, maximum building height 35').

(Quasi-Judicial)

Presenter:  
Lonna Thelen, Principal Planner, Planning & Community Development

Peter Wysocki, Planning and Community Development Director

**Attachments:** [ZC ORD Indian Hills Business Park](#)

[Exhibit A - Legal Description](#)

[Exhibit B - Vicinity Map](#)

[Ordinance 17-23](#)

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

**4A.H.** [CPC ZC  
16-00134](#)

Ordinance No. 17-24 amending the zoning map of the City of Colorado Springs pertaining to 2.5 acres located at 2020, 2021 and 2030 West Colorado, from C5 (General Business), C5 P (General Business with Planned Provisional Overlay) and R2 (Two-Family Residential) to C5/CR (General Business with Conditions of Record)

(Quasi-Judicial)

Presenter:

Lonna Thelen, Principal Planner, Planning & Community Development  
Peter Wysocki, Planning and Community Development Director

**Attachments:** [ZC ORD Sacred Heart Catholic Church](#)

[Exhibit A - ZC Legal Description SacredHeart](#)

[Exhibit B - Vicinity Map Sacred Heart](#)

[Ordinance 17-24](#)

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

**4A.I.** [CPC V  
16-00137](#)

Ordinance No. 17-25 vacating .142-acre of City right-of-way located between 20th Street and 21st Street from West Colorado Avenue to West Pikes Peak Avenue.

(Legislative)

Presenter:

Lonna Thelen, Principal Planner, Planning & Community Development  
Peter Wysocki, Planning and Community Development Director

**Attachments:** [ORD VacationROW - Alley](#)

[Exhibit A - Legal Sacred Heart](#)

[Exhibit B - Alley Vacation](#)

[Ordinance 17-25](#)

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

**4A.J.** [CPC CA  
16-00079](#)

Ordinance No. 17-26 amending Part 5 (Geological Hazard Study and Mitigation) of Article 4 (Site Development Standards) of Chapter 7 (Planning, Development and Building) of the Code of the City of

Colorado Springs 2001, as Amended, Pertaining to Geological Hazard Study and Mitigation.  
(Legislative)

Presenter:  
Peter Wysocki, Planning and Community Development Director

**Attachments:** [Plan\\_Dev-GeologicalHazardORD-2017-03-01-Final](#)  
[3.14.17\\_geohazard CC presentation](#)  
[Minutes\\_GeoHazard\\_02.16.17](#)  
[Ordinance 17-26](#)

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

- 4A.K. [17-848](#)** Ordinance No. 17-28 amending Part 1 (Medical Marijuana License Code) of Article 2 (Marijuana) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Medical Marijuana License Code.

Presenter:  
Bret Waters, Deputy Chief of Staff  
Lee McRae, License Enforcement Officer in the City Clerk's Office

**Attachments:** [MJ Working Group Report-2017-02-27 \(Location Cap and Testing Facilities\).pptx](#)  
[Clerk-MMJLicenseCodeORD-2017-02-14-Final](#)  
[Ordinance 17-28](#)

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

- 4A.L. [17-850](#)** Ordinance No. 17-29 creating Section 212 (Unlawful Transfer of Marijuana) of Part 2 (Other Dangerous Weapons and Substances) of Article 7 (Dangerous Weapons and Substances) of Chapter 9 (Public Offenses) of the Code of the city of Colorado Springs 2001, as amended, pertaining to the unlawful transfer of marijuana and providing penalties for the violation thereof.

(Legislative)

Presenter:  
Bret Waters, Deputy Chief of Staff

**Attachments:** [MJ-UnlawfulTransferCh9-ORD-2017-02-28-Final](#)  
[Ordinance 17-29](#)

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

- 4A.M.** [CPC CA 17-00018](#) Ordinance No. 17-30 amending Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to marijuana uses and providing remedies for the violation thereof.

(Legislative)

Presenter:  
Peter Wysocki, Director of Planning and Development

**Attachments:** [Plan Dev-ZoningMJUsesOtherORD-2017-02-28-Final Ordinance 17-30](#)

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

- 4A.N.** [17-858](#) Ordinance No. 17-31 amending Ordinance No. 16-116 (2017 Appropriation Ordinance) for a supplemental appropriation to the General Fund in the amount of \$2,486,100, to the City Funded CIP Fund in the amount of \$1,582,300, to the Patty Jewett Golf Course Fund in the amount of \$41,900, and to the Stetson Hills SIMD Fund in the amount of \$66,780, for repairs related to the 2016 hail storm and the 2017 wind storm

Presenter:  
Kara Skinner, Chief Financial Officer

**Attachments:** [Ordinance for GF, CTF, CIP, PJ, Stetson - 02-27-17.docx Ordinance 17-31](#)

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

- 4A.O.** [17-859](#) Ordinance No. 17-32 amending Ordinance No. 16-116 (2017 Appropriation Ordinance) for a supplemental appropriation to the Conservation Trust Fund (CTF) Fund in the amount of \$570,000 for high-priority projects

Presenter:  
Karen Palus, Director of Parks, Recreation and Cultural Services  
Kurt Schroeder, Parks Operations Manager

**Attachments:** [031317 - Ordinance for CTF projects.docx 3-13-17 - Conservation Trust Fund Supplemental Appropriation - Powerpoint Ordinance 17-32](#)

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

#### **4B. First Presentation:**

- 4B.A.** [17-897](#) City Council Meeting Minutes February 14, 2017

Presenter:  
Sarah B. Johnson

**Attachments:** [Meeting Minutes 14-Feb-2017](#)

**This item was approved on the Consent Calendar.**

**4B.C. [17-902](#)** Appointments to Boards and Commissions

Presenter:  
Jacquelyn Puett, Assistant to Council

**Attachments:** [032817 Boards and Commissions](#)

**This item was approved on the Consent Calendar.**

**4B.E. [17-869](#)** A resolution approving and authorizing the mayor to execute and administer the Intergovernmental Agreement (IGA) with the Colorado Department of Transportation (CDOT) regarding funding of the Cheyenne Cañon Road Bridge Replacements Project.

Presenter:  
Aaron Egbert, P.E. Senior Manager  
Alex Pellegrino, P.E. Civil Engineer

**Attachments:** [Resolution - Cheyenne Canon Bridges](#)  
[EXHIBIT A--R2-IGA-21129 CO Spgs Cheyenne Canyon Bridge](#)  
[IGA Presentation - Cheyenne Canon Bridges](#)  
[Resolution 38-17](#)

**This resolution was adopted on the Consent Calendar.**

**4B.F. [17-821](#)** A resolution reaffirming and clarifying the status of City-sponsored events funded from the Lodgers and Automobile Rental Tax special revenue fund

Presenter:  
Fred Veitch, Chair, LART Citizens Advisory Committee

**Attachments:** [031317 LART-CitySponsoredEventRES DRAFT](#)  
[Resolution 39-17](#)

**This resolution was adopted on the Consent Calendar.**

- 4B.G.** [CPC MP 07-00061-A5 MJ16](#) Major Amendment to the Briargate Master Plan changing 13.11 acres from Residential - Very Low (R-VL 0-1.99 dwelling units per acre) to Residential - Low (R-L 2.0-3.49 dwelling units per acre).

(Legislative)

Presenter:

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

**Attachments:** [BriargateRES-2017-03-21-clean](#)

[Exhibit A Master Plan](#)

[CPC Staff Report Cordera 3I](#)

[FIGURE 1 Site Plan](#)

[FIGURE 2 Project Statement](#)

[FIGURE 3 Public Comment](#)

[FIGURE 4 Response Letter to Public Comment](#)

[FIGURE 6 Cordera 3I Financial Impact Analysis](#)

[FIGURE 7 PUZ Exhibit](#)

[7.5.408 MASTER PLAN REVIEW CRITERIA](#)

[Minutes 02.16.17 Final](#)

**This item was approved on the Consent Calendar.**

- 4B.H.** [CPC PUZ 16-00139](#) Ordinance No. 17-35 amending the zoning map of the City of Colorado Springs pertaining to 13.11 acres located at the southeast intersection of Old Ranch Road and Cordera Crest Avenue from A (Agriculture) to PUD (Planned Unit Development; single-family detached residential, 2.75 dwelling units per acre, 36-foot maximum building height).

(Quasi-Judicial)

Presenter:

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

**Attachments:** [ZC ORD Cordera 3I](#)

[Exhibit A Legal Description Cordera Filing 3I outer boundary](#)

[Vicinity Corder 3I](#)

[FIGURE 7 PUZ Exhibit](#)

**The ordinance was approved on first reading on the Consent Calendar.**



- 4B.I.** [CPC PUD  
16-00140](#) Cordera 3I Development Plan illustrating detailed layout and infrastructure for 13.11 acres to be developed as single-family detached residential, located at the southeast intersection of Old Ranch Road and Cordera Crest Avenue.

(Quasi-Judicial)

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

**Attachments:** [FIGURE 1 Site Plan](#)  
[7.3.606 PUD Development Plan](#)  
[7.5.502.E Development Plan Review](#)

**This item was approved on the Consent Calendar.**

- 4B.J.** [CPC V  
17-00017](#) Ordinance No. 17-36 vacating portions of a public right-of-way known as Spectrum Loop, consisting of 0.014 acre

(Legislative)

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

**Attachments:** [V ORD Spectrum Loop](#)  
[Vacation Legal Spectrum Loop](#)  
[Vacation Plat EXHIBIT B Spectrum Loop ROW Vacation](#)  
[Vicinity Map ROW Vacation Spectrum](#)

**The ordinance was approved on first reading on the Consent Calendar.**

- 4B.K.** [17-883](#) A Resolution Directing the Chief Executive Officer of Colorado Springs Utilities to Execute an Agreement for Short-term Water Service with Stratmoor Hills Water District

Presenter:  
Jenny Bishop, P.E., Senior Project Engineer, Water Services Division  
Jerry A. Forte, P.E., Chief Executive Officer, Colorado Spring Utilities

**Attachments:** [Stratmoor Resolution](#)  
[Stratmoor Hills Short Term Water Service Agreement 2-24-17](#)  
[Resolution 40-17](#)

**This resolution was adopted on the Consent Calendar.**

## Approval of the Consent Agenda

**Motion by Councilmember Strand, seconded by Councilmember Bagley, 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**

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

## 5. Recognitions

- 5.A. [17-888](#)** Resolution of Appreciation for Diane Ridderhoff on the occasion of her retirement as Parks Operations Administrator for Parks, Recreation, and Cultural Services, Therapeutic Recreation Department with the City of Colorado Springs

Presenter:  
Merv Bennett, City Council President

**Attachments:** [Retirement Resolution - Ridderhoff\\_SherwoodEdits](#)  
[Resolution 41-17](#)

Council Administrator Eileen Gonzalez read the resolution in appreciation of Diane Ridderhoff on the occasion of her retirement. President Bennett presented Diane with the framed, signed resolution. Mayor John Suthers thanked Ms. Ridderhoff for her work.

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

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

## **Proclamation of Appreciation of Margie Tantanella on the occasion of her retirement**

Council Administrator Eileen Gonzalez read the proclamation of appreciation for Margie Tantanella on the occasion of her retirement. President Bennett, Councilmember Knight and Mayor Suthers presented her with the framed, signed proclamation.

**Motion by Councilmember Knight, seconded by Councilmember Bagley, that the proclamation be approved. The motion passed by a vote of 9-0**

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

## **Proclamation Designating April 2017 as Child Abuse Prevention Month.**

President Pro Tem Gaebler read a proclamation to make April 2017 Child Abuse Prevention Month. Sallie Clark thanked Council for this proclamation and spoke about the Not One More Child group.

Julie Krow, Deputy Executive Director of Community Partnerships at

Colorado Department of Human Services, spoke about prevention of child abuse, and about the blue pinwheels that represent a happy childhood and celebrating prevention.

Dan May, District Attorney, thanked the Council for publicizing child abuse as a preventable crime.

Longinos Gonzalez, County Commissioner, thanked the Council for partnering with those working on behalf of the next generation.

Teri Wise, President of the Women's Club of Colorado Springs, thanked the Council also and advised that pinwheels would be "planted" in front of the building.

## **6. Citizen Discussion**

Citizen Ronald Bier spoke on behalf of the Bear Star Association about a drainage problem. He presented Council with a signed petition asking for help with this issue.

Citizen Charles Barber spoke about high winds problems.

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

- 7.A. [17-898](#) Nomination to reappoint Brian Colvert to serve a five term on the Colorado Springs Housing Authority Board, expiring on April 1, 2022.

Presenter:  
Mayor John Suthers

**Attachments:** [2017 Reappointment CC Memo](#)  
[bio- Brian Colvert\\_Redacted](#)

Mayor Suthers recommended Brian Colvert to be reappointed to the Colorado Springs Housing Authority Board. He is currently Vice Chairman, and will move on to Chairman. His nomination was unanimously recommended by the Board.

**Motion by Councilmember Strand, seconded by Councilmember Bagley, to appoint Brian Colvert to serve a five year term on the Colorado Springs Housing Authority Board, expiring on April 1, 2022. The motion passed by a vote of 9-0**

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

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

- 4B.B. [17-896](#) City Council Meeting Minutes March 14, 2017

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:** [3-14-2017 City Council Minutes Final](#)

President Pro Tem Gaebler requested that the minutes of the March 14 City Council Meeting be amended to include the following information in the third paragraph of Item 12.A., regarding the Renew North Nevada Avenue Master Plan:

"Mr. Wysocki stated that he would do his best to ensure that the traffic study and the zoning overlay are accomplished at the same time."

Councilmember Knight asked that the following information also be added to the notes:

"Councilmember Knight spoke in favor of the Resolution."

**Motion by Councilmember Bagley, seconded by Councilmember Murray, that the City Council Meeting Minutes of March 14, 2017 be approved as amended.. The motion passed by a vote of 9-0**

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

**4B.D. [17-838](#)** Ordinance No. 17-37 creating the Colorado Springs Commission on Aging

Presenter:

Council President Pro Tem Jill Gaebler

**Attachments:** [031317 Ordinance creating commission on aging DRAFT](#)  
[032817 Commission on Aging Ordinance](#)

Councilmember Pico pulled this item off of the Consent Calendar, as he has concerns about creating another commission. There are already several local agencies that do similar work. He made a motion to table the ordinance for one month while we investigate whether this Commission is really necessary.

President Pro Tem Gaebler assured Council that the working group did its due diligence and sought the input of all the local agencies, who agreed that some sore of local body was needed. Colorado Springs has an interested, aging population whose voice should be strategically included in community decisions.

Councilmember Collins spoke against this ordinance as the there are already many resources for the aging.

Teelin Lucero of the Innovations on Aging Collaborative; Bob Murphy, AARP Colorado State Director; Citizens Jan Martin and Jaymen Johnson all spoke in favor of the ordinance.

Councilmember Knight stated the Commission will be comprised of citizens of Colorado Springs only.

**Motion by Councilmember Pico, seconded by Councilmember Knight, that the Ordinance be tabled for one month to the April 25, 2017 City Council Meeting. The motion failed by a vote of 6-3**

**Aye:** 3 - Collins, Knight, and Pico

**No:** 6 - Bagley, Bennett, Gaebler, King, Murray, and Strand

**Motion by President Pro Tem Gaebler, seconded by Councilmember Bagley, that the Ordinance be approved as written on first reading. The motion passed by a vote of 7-2**

**Aye:** 7 - Bagley, Bennett, Gaebler, King, Knight, Murray, and Strand

**No:** 2 - Collins, and Pico

## **9. Utilities Business**

There was no Utilities Business.

## **10. Unfinished Business**

- 10.A.** [16-765](#) Ordinance No. 17-5 Amending Section 703 (Wastewater Discharge; Limitations) of Part 7 (Prohibitions - Limitations on Wastewater Discharge) of Article 5 (Wastewater Treatment Code) of Chapter 12 (Utilities) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Wastewater Discharge

Presenter:

Dave Padgett, Chief Environmental Officer

Jerry Forte, P.E., Chief Executive Officer, Colorado Springs Utilities

**Attachments:** [CSU-WastewaterDischargeORD-2017-1-04](#)

[Ordinance 17-5](#)

**Motion by President Pro Tem Gaebler, seconded by Councilmember Murray, that the Ordinance be finally passed. The motion passed by a vote of 9-0**

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

- 10.B.** [17-809](#) Ordinance No. 17-27 excluding a 13.151-acre parcel from the Interquest North Business Improvement District.

(Legislative)

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning &

## Development

**Attachments:** [Exclusion-InterquestNBIDORD-2017-02-21](#)  
[Interquest North Exclusion Transmittal Letter](#)  
[Interquest North Petition for Exclusion](#)  
[Interquest North Draft Notice of Exclusion](#)  
[Powerpoint- Interquest North BID 2017 Exclusion](#)  
[Ordinance 17-27](#)

**Motion by President Pro Tem Gaebler, seconded by Councilmember Bagley, that the Ordinance be finally passed. The motion passed by a vote of 8-1**

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

**No:** 1 - Collins

- 10.C. [17-860](#)** Ordinance No. 17-33 amending Ordinance No. 16-116 (2017 Appropriation Ordinance) for a supplemental appropriation to the Lodgers & Auto Rental Tax (LART) Fund in the amount of \$200,000 for the United States Olympic Museum project recommended by the LART Citizen Advisory Committee

Presenter:

Kara Skinner, Chief Financial Officer

**Attachments:** [2017 Attachment A - List of LART recommended projects.pdf](#)  
[Ordinance for LART USOM project.docx](#)  
[Ordinance 17-33](#)

Councilmember Murray spoke against the ordinance because it uses tax money which is a violation of the commitments made when City for Champions was established.

Councilmember King read a statement about LART funding and the Olympic Museum and in support of this ordinance. The statement in its entirety is a part of the permanent record of this meeting.

Councilmember Murray asked if, as of this time, the funding of the bonds have been secured.

Bob Cope, Economic Development Manager, answered that as of today, the closing date for the bonds is still March 31, 2017, and he sees no major issues that would prevent that from happening.

Councilmember Murray stated his disagreement that the process conditions have been met and that it has been a transparent process.

**Motion by Councilmember King, seconded by Councilmember Strand, that the Ordinance be finally passed. The motion passed by a vote of 5-4**

**Aye:** 5 - Bagley, Bennett, King, Knight, and Strand

**No:** 4 - Collins, Gaebler, Murray, and Pico

## **11. New Business**

- 11.A.** [CPC CA 17-00027](#) Ordinance No. 17-38 amending Section 102 (General Standards) of Part 1 (General Standards) of Article 4 (Site Development Standards of Chapter 7 (Planning Development and Building) of the Code of the City of Colorado Springs 2001, As Amended, Pertaining to ADA Site Accessibility

(Legislative)

Presenter:

Meggan Herington, Assistant Director of Planning  
Peter Wysocki, Director of Planning and Development

**Attachments:** [ADA Accessibility Ordinance\\_Final](#)

Patricia Yeager, CEO of the Independence Center, showed Council a photograph of a recently completed building, the Springs Rescue Mission, that was not built in compliance with ADA Site Accessibility code as an example of why this ordinance is necessary.

**Motion by Councilmember Murray, seconded by Councilmember Bagley, that the Planning Case be approved on first reading. The motion passed by a vote of 9-0**

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

- 11.B.** [17-901](#) A resolution authorizing the disposal of surplus city-property to Setzer Properties, LLC, as the one logical, potential purchaser.

Presenter:

Greg Phillips  
Director of Aviation  
Colorado Springs Airport

**Attachments:** [Vector Project for City Council 3-21-17.pptx](#)  
[ResolutionAuthorizingDisposalSurplusProp X101-CX.X EXHIBIT.pdf](#)  
[Resolution 42-17](#)

Councilmember Murray asked if the operation would put a lot of stress on City roads. Greg Phillips replied that they will be monitoring the situation and would be able to make reasonable recovery of costs if

damage were to occur.

Councilmember Strand asked the size of the property being sold. Mr. Phillips said it is 27.31 acres.

Councilmember Pico said the roads have recently been re-done and are well-engineered.

Councilmember Collins commented that she hoped the buyer would be able to employ some of the people in her District when they open.

**Motion by President Pro Tem Gaebler, seconded by Councilmember Strand, that the Resolution be adopted. The motion passed by a vote of 9-0**

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

**11.C.** [17-900](#)

Ordinance No. 17-39 amending Ordinance No. 16-116 (2017 Appropriation Ordinance) for a supplemental appropriation to the General Fund in the amount of \$100,000, and to the Conservation Trust Fund (CTF) in the amount of \$150,000, for repair of the Bancroft Park Band Shell

Presenter:

Keith King, City Council Member  
Kara Skinner, Chief Financial Officer

**Attachments:** [Ordinance for Bancroft - GF and CTF.docx](#)

Councilmember Pico asked Kara Skinner for clarification of where the money will be coming from. Ms. Skinner answered it would be appropriated from the general fund, but then insurance payments will go right back in and the CTF will pick up the rest, so we will only have to pay the deductible.

Councilmember Knight added that we will only be paying \$19,000 of the deductible, not the full \$25,000.

County Commissioner Longinos Gonzalez voiced his concern as a citizen of Colorado Springs that there is a perception that there have been back door dealings and negotiations with regard to this ordinance.

Welling Clark, former president of the Organization for Westside Neighbors and former board member, spoke in favor of making Bancroft Park the epicenter of the Westside's tourism corridor.

Councilmember Murray spoke in favor a more comprehensive plan to protect the asset we're about to rebuild.

Julie Fabrizio, OCCF President, said that the absence of bathrooms in the park was a 22 year old issue, and that her organization started a



foundation to raise money for them in 2013.

Councilmember King asked if they had done a study on what the cost of the bathrooms would be.

Ms. Fabrizio said that as of several years ago, they were given the figure of \$180,000; this figure was given them without knowledge of what was underground.

Jayna Cotton, of the OCCA, spoke about the importance of safety and accessibility, and pointed out that in the summer, there is a police presence in the park.

Councilmember Knight asked that community members be sure to submit a request for LART funds that will be identified after their April 4 meeting.

Councilmember King read a statement about his votes for the repair of the Bancroft Park band shell. The full text of his statement is included in the permanent record of this meeting.

**Motion by Councilmember King, seconded by Councilmember Strand to approve the attached ordinance on first reading. The motion passed by a vote of 9-0**

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

**11.D. [17-906](#)**

Ordinance No. 17-40 amending Ordinance No. 16-116 (2017 Appropriation Ordinance) for a supplemental appropriation to the Lodgers & Auto Rental Tax (LART) Fund in the amount of \$900,278 for the final payment to the Colorado Springs Convention & Visitors Bureau relating to the 2016 contract and for the Pikes Peak Summit House project, as recommended by the LART Citizen Advisory Committee, and to the Pikes Peak - America's Mountain Fund in the amount of \$250,000 for the Summit House project

Presenter:

Kara Skinner, Chief Financial Officer

**Attachments:** [Ordinance for LART CVB+PPAM.docx](#)

Councilmember King cautioned Council about automatic funding increases when projects are over budget.

**Motion by Councilmember Strand, seconded by Councilmember Bagley, that the Ordinance be approved on first reading. The motion passed by a vote of 9-0**

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

**11.E. [17-880](#)**

A resolution authorizing the use of eminent domain to acquire real property owned by Amerco Real Estate Company needed for the Tejon Roundabout Project

Presenter:  
Mike Chaves, Engineering Manager

**Attachments:** [Uhaul eminent domain resolution](#)  
[Exhibit A Legal Description](#)  
[AMERCO Parcel Vicinity Map](#)

**Motion by Councilmember Strand, seconded by Councilmember Murray, that the Resolution be postponed for two weeks. The motion passed by a vote of 9-0**

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

## **12. Public Hearing**

There were no items for Public Hearing.

## **13. Added Item Agenda**

There were no items added to the agenda.

## **14. Executive Session**

There was no Executive Session.

## **15. Adjourn**

The meeting was adjourned.

Sarah B. Johnson