



City of Colorado Springs

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

Meeting Minutes City Council

City Council meetings are broadcast live on Channel 18.

Tuesday, April 14, 2015

1:00 PM

Council Chambers

1. Call to Order

Present: 8 - Councilmember Larry Bagley, Councilmember Merv Bennett, Councilmember Helen Collins, Councilmember Jill Gaebler, President Keith King, Councilmember Jan Martin, Councilmember Andy Pico, and Councilmember Val Snider

Excused: 1 - Councilmember Don Knight

2. Invocation and Pledge of Allegiance

The Invocation was led by Don Steiger Rocky Mountain Assemblies of God.

The Pledge of Allegiance was led by Adrian Ramirez student from Colorado Springs Early Colleges.

3. Changes to Agenda/Postponements

Eileen Gonzalez, City Council Administrator stated staff has requested agenda item 13.A. be postponed to the April 28, 2015 meeting.

4. Councilmember Comments

Council President King congratulated Councilmembers Bagley, Bennett, Collins and Councilmembers Elect Murray and Strand on their successful campaigns and noted the two Council referred ballot initiatives passed.

Councilmember Gaebler reminded everyone about NeighborUp! Week and the scheduled Infill Steering Committee meeting. Both items are on City Councilmembers' Calendars.

Councilmember Collins commented on the money spent trying to recall her from Council. She also stated several misleading and untrue statements have been published in the media and congratulated Tom Strand and Bill Murray on their successful elections to Council.

5. 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.)

5A. Second Presentation:

- 5A.A.** [15-00163](#) Ordinance No. 15-23 amending the Zoning Map of the City of Colorado Springs from PIP-1 (Planned Industrial Park) to PBC/CR (Planned Business Center with Conditions of Record) relating 2.41 acres addressed as 3325 Meadow Ridge Drive, located north of Lexington Drive and west of Bordeaux Drive.

(Quasi-Judicial Matter)

Res/Ord Number: 15-23

This Ordinance was finally passed on the Consent Calendar.

- 5A.B.** [15-00184](#) Ordinance No. 15-24 amending the Zoning Map of the City of Colorado Springs relating to a 0.143 acre lot from PUD/CR (Planned Unit Development with Conditions of Record) to R-2 (Two-family Residential).
(Quasi-Judicial Matter)

Res/Ord Number: 15-24

This Ordinance was finally passed on the Consent Calendar.

5B. First Presentation:

- 5B.A.** [15-00224](#) City Council Meeting Minutes March 24, 2015

The Meeting Minutes were approved on the Consent Calendar.

- 5B.B.** [14-0700](#) A Resolution Approving an Intergovernmental Agreement between the City of Colorado Springs and the Colorado Department of Transportation to Accept Grant Funding to Conduct a Study Identifying Potential Expansion Options for the South Tejon Street Park-n-Ride Lot.

Res/Ord Number: 31-15

This resolution was adopted on the Consent Calendar.

- 5B.C.** [15-00166](#) An Ordinance amending Ordinance No. 14-101 (2015 Appropriation Ordinance) for a Supplemental Appropriation to the Pikes Peak - America's Mountain Fund in the amount of \$250,000 for the Summit Complex Project and to the General Fund in the amount of \$24,000 for the Acacia Park Ice Rink

Res/Ord Number: 15-25

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

- 5B.D.** [15-00183](#) A resolution authorizing in the Lodgers and Auto Rental Tax (LART) fund the abandonment of the 2015 “Pikes Peak Cycling USA Pro Cycling Challenge” project for \$120,000 and the transfer of \$100,000 to the “Pikes Peak Summit House” project and transfer of \$20,000 to the “Projects to be Determined” project; and the partial abandonment of \$25,000 of the “Transfer to General Fund” project and transfer of the \$25,000 to the “Projects to be Determined” project

Res/Ord Number: 32-15

This resolution was adopted on the Consent Calendar.

- 5B.E.** [15-00209](#) An Ordinance Amending The Zoning Map Of The City Of Colorado Springs Relating To 15.42 Acres, Located Southwest Of Northgate Boulevard And Bass Pro Drive.
(Quasi-Judicial Matter)

Res/Ord Number: 15-26

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

- 5B.F.** [15-00210](#) Polaris Pointe Concept Plan Amendment.
(Quasi-Judicial Matter)

This item was approved on the Consent Calendar.

Approval of the Consent Agenda

Motion by President Pro Tem Bennett, seconded by Councilmember Snider, 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 8-0-1.

Aye: 8 - Bagley, Bennett, Collins, Gaebler, King, Martin, Pico, and Snider

Excused: 1 - Knight

6. Recognitions

- 6.A.** [15-0020](#) A resolution of appreciation for Jan Martin for her eight years of dedicated service to the Colorado Springs City Council and to the citizens of Colorado Springs and the Pikes Peak Region

Res/Ord Number: 33-15

Councilmembers expressed appreciation for Councilmember Martin’s contributions to Council.

Citizens Charles Guy and John Cassiani, expressed appreciation for

Councilmember Martin's service.

Councilmember Martin voiced her gratitude for the recognition.

Motion by President Pro Tem Bennett, seconded by Councilmember Gaebler, that the resolution be adopted. The motion passed by a vote of 8-0-1.

Aye: 8 - Bagley, Bennett, Collins, Gaebler, King, Martin, Pico, and Snider

Excused: 1 - Knight

- 6.B.** [15-00230](#) A resolution of appreciation for Val Snider for his dedicated service to the Colorado Springs City Council and the citizens of Colorado Springs and the Pikes Peak Region

Res/Ord Number: 34-15

Councilmembers expressed appreciation for the work done by Councilmember Snider.

Citizens Charles Guy, John Cassiani and Charles Barber expressed appreciation for Councilmember Snider's service.

Councilmember Snider summarized his experience on Council and thanked his fellow Councilmembers for their support.

Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the resolution be adopted. The motion passed by a vote of 8-0-1.

Aye: 8 - Bagley, Bennett, Collins, Gaebler, King, Martin, Pico, and Snider

Excused: 1 - Knight

- 13.A.** [15-00217](#) An ordinance vacating a portion of First Street public right-of-way consisting of 4,356 square feet (.1 acres) located between Beech Avenue and Broadmoor Avenue.
(Legislative Matter)

City Planning staff requested this item be postponed due to notice requirements.

Motion by President Pro Tem Bennett, seconded by Councilmember Pico, that the Ordinance be postponed to a date certain, the April 28, 2015 City Council meeting. The motion passed by a vote of 8-0-1.

Aye: 8 - Bagley, Bennett, Collins, Gaebler, King, Martin, Pico, and Snider

Excused: 1 - Knight

7. Citizen Discussion

Citizen Rick Orthwein spoke about the transportation needs of the community.

Citizen Charles Barber spoke about community leadership.

Citizen James Schmidt addressed campaign finance concerns with Councilmember Bagley's campaign. Councilmember Gaebler stated Councilmember Bagley ran a positive campaign and is a very ethical person. She also stated the speaker is under a misconception on who is responsible for a third party group's communication and pointed out that being a City Councilmember is a non-partisan role.

Citizen Deborah Stout-Meininger expressed appreciation to existing Councilmembers and congratulations to newly elected City Councilmembers and spoke about local politics.

Citizen Carl Strow spoke about corruption in the local government.

Citizen Janice Moglen spoke about the City bus system.

8. Mayor's Business

Peter Wysocki, Planning and Development Director, announced the Venezia Park Ground Breaking ceremony will be postponed until April 30, 2015 at 10:00 am due to predicted inclement weather conditions.

9. Items Called Off Consent Calendar

There were no items Called Off the Consent Calendar.

10. Utilities Business

There was no Utilities Business.

11. Unfinished Business

There was no Unfinished business.

12. New Business

12.A. [15-00165](#)

A resolution of the City Council of the City of Colorado Springs, Colorado approving the issuance of limited tax general obligation bonds and public improvements fee revenue bonds by the First and Main No. 2 Business Improvement District.
(Legislative Matter)

Res/Ord Number: 35-15

Council President King asked for clarification on the two different types of revenue sources for this bond issue. Carl Schueler, Planning

Manager, Comprehensive Planning, explained the general obligation bonds will be repaid through the existing debt service mill levy and the public improvement bonds will be repaid through the existing PIF.

Councilmember Collins stated she does not support BIDs because she sees them as problematic for this Country.

Motion by President Pro Tem Bennett, seconded by Councilmember Pico, that the Resolution approving the issuance by the First and Main Business Improvement District No. 2 to Issue debt not to exceed \$1,725,000 in the form of Public Improvement Fee Revenue Bonds and debt in the principal amount not to exceed \$1,750,000 in Limited Tax General Obligation Bonds be adopted. The motion passed by a vote of 7-1-1.

Aye: 7 - Bagley, Bennett, Gaebler, King, Martin, Pico, and Snider

No: 1 - Collins

Excused: 1 - Knight

- 12.B. [15-00137](#)** A Resolution of the City of Colorado Springs City Council in support of legislation concerning regional stormwater management and post-fire mitigation activities

Res/Ord Number: 36-15

Tim Mitros, Development Review and Stormwater Manager, provided a brief summary of the resolution which works in conjunction with a State Senate Bill to restructure stormwater management without infringing on water rights. Councilmember Pico added the area Council of Governments also supports this.

Motion by President Pro Tem Bennett, seconded by Councilmember Pico, that the Resolution in support of legislation concerning regional stormwater management and post-fire mitigation activities be adopted. The motion passed by a vote of 8-0-1.

Aye: 8 - Bagley, Bennett, Collins, Gaebler, King, Martin, Pico, and Snider

Excused: 1 - Knight

13. Public Hearing

- 13.B. [15-00211](#)** An ordinance amending the Zoning Map of the City of Colorado Springs relating 14.4 acres, located North of Barnes Road and West of Powers Boulevard.
(Quasi-Judicial Matter)

Res/Ord Number: 15-27

Lonna Thelan, Principal Planner, Land Use and Review, provided an

overview of the zone change, concept plan and development plan for this area and addressed the issues and concerns presented by owners of neighboring property.

Councilmember Collins stated she believes two members of the Planning Commission abstained from voting on this item and asked why this was done. Ms. Thelan explained the concerns were about the proposed traffic signals on Barnes Road.

Councilmember Pico asked if there are examples of multi-family developments adjacent to five acres lots in the City. Ms. Thelan reviewed the buffers provided between the large lots and the apartment complex and explained the zoning requirements.

Councilmember Collins asked if there are plans to do anything with the "horse road" located on the property. Ms. Thelan stated the road would be developed as development proceeds.

Kyle Campbell with Classic Consulting Engineers & Surveyors, provided a summary of the development plan and the stakeholder response to the plan.

Citizens Cheryl Glasgow, Lynn Fries, and Terry Klein spoke in opposition of the development.

Councilmember Gaebler asked how people living in the apartments will have access to the open space to the north of the property. Mr. Campbell stated there are social trails to the space now and that, per homeowner request, the development plan includes the placement of borders to prevent trespassing onto private property to access that space. Mr. Campbell added that they are working with property owners to include a path to the open space.

Council President King asked about the drainage plan for the property. Mr. Campbell explained the current plan accommodates the present conditions of the property and that future development and/or annexation of the adjacent County Property will require additional drainage provisions.

Councilmember Gaebler asked about the original master plan. Ms. Thelan stated the master plan has been before Council several times

and outlined the changes and amendments to the master plan. Councilmember Gaebler reiterated her concern that apartment residents will try to gain access to the open space, Ms. Thelan stated they are working with Parks, Recreation and Cultural Services to provide access to the open space.

Council President King asked about the drainage system and working with the County to connect the drainage systems. Stephen Kuehster with Engineering-Development Review & Stormwater, explained the requirements for handling stormwater and how future County developments will be incorporated into the drainage plan.

Councilmember Pico expressed appreciation for the work done on this development plan and stated his concern about large lots being located next to a multifamily development.

Councilmember Collins stated she does not think the access roads to this area are safe and cannot support this.

Motion by President Pro Tem Bennett, seconded by Councilmember Gaebler, that the Ordinance to approve the zone change from A/AO (Agriculture with Airport Overlay) to R-5/AO (Multi-family Residential with Airport Overlay) for the Barnes Center Apartments Filing No. 1 Plan, based upon the finding that the zone change complies with the review criteria in City Code Section 7.5.603.B be approved on first reading. The motion passed by a vote of 6-2-1.

Aye: 6 - Bagley, Bennett, Gaebler, King, Martin, and Snider

No: 2 - Collins, and Pico

Excused: 1 - Knight

13.C. [15-00212](#) Barnes Center Apartments Concept Plan Amendment.
(Quasi-Judicial Matter)

Please see comments in agenda item 13.B.

Motion by President Pro Tem Bennett, seconded by Councilmember Gaebler, that the Planning Case to approve the concept plan for the Barnes Center Apartments Filing No. 1 Plan, based upon the finding that the concept plan complies with the review criteria in City Code Section 7.5.501.E be approved. The motion passed by a vote of 6-2-1.

Aye: 6 - Bagley, Bennett, Gaebler, King, Martin, and Snider

No: 2 - Collins, and Pico

Excused: 1 - Knight

13.D. [15-00213](#) Barnes Center Apartments Development Plan

(Quasi-Judicial Matter)

Please see comments in agenda item 13.B.

Motion by President Pro Tem Bennett, seconded by Councilmember Gaebler, that the Planning Case to approve the development plan for the Barnes Center Apartments Filing No. 1 Plan, based upon the finding that the development plan complies with the review criteria in City Code Section 7.5.502.E, subject to compliance with the following conditions and/or significant design, technical and/or informational plan modifications listed in the Planning Commission Record of Decision be approved. The motion passed by a vote of 6-2-1.

Aye: 6 - Bagley, Bennett, Gaebler, King, Martin, and Snider

No: 2 - Collins, and Pico

Excused: 1 - Knight

14. Added Item Agenda

There were no Added Agenda Items.

15. Executive Session

There was not an Executive Session.

16. Adjourn

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

Sarah Johnson
City Clerk