



# City of Colorado Springs

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

## Meeting Minutes City Council

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Tuesday, March 12, 2024

10:00 AM

Council Chambers

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Estimated agenda item times are provided for planning purposes and do not constitute notice of a specific time for any item. Items may take more or less time than estimated. City Council may amend the order of items.

### 1. Call to Order and Roll Call

President Helms called the meeting to order at 10:03 AM.

**Present:** 9 - Councilmember Yolanda Avila, President Pro Tem Lynette Crow-Iverson, Councilmember Dave Donelson, President Randy Helms, Councilmember Nancy Henjum, Councilmember David Leinweber, Councilmember Mike O'Malley, Councilmember Brian Risley, and Councilmember Michelle Talarico  
Councilmember Talarico left the meeting at approximately 1:00 PM.

### 2. Invocation and Pledge of Allegiance

The Invocation was made by President Helms.

President Helms led the Pledge of Allegiance.

### 3. Changes to Agenda/Postponements

Presidents Helms requested items 11.B. through 11.F. be postponed to

the April 9, 2024 City Council meeting.

President Helms requested item 4B.C. and Councilmember Donelson requested item 4B.F. be removed from the Consent Calendar.

Consensus of Council agreed to these changes on the agenda.

- 11.B.** [CODE-24-0001](#) An Ordinance repealing and re-ordaining Section 701 (annexation of land) of Part 7 (Policy Decisions by City Council) of Article 5 (Administration and Enforcement) of Chapter 7 (Unified Development Code) of the Code of the City of Colorado Springs 2001, as amended, pertaining to annexation.

(Legislative)

Presenter:

Peter Wysocki, Director of Planning + Neighborhood Services  
Renee Congdon, Utilities Division Chief, City Attorney's Office

**Attachments:** [Attachment 1 - UDC-AnnexationORD-2024-01-03](#)  
[Attachment 2 - Table with Proposed Changes to the Annexation Section 1-Annexation-Related Code Changes Presentation for Council March 11](#)

**Motion by Councilmember Donelson, seconded by Councilmember Talarico, to postpone the Ordinance repealing and reordaining Section 701 (annexation of land) of Part 7 (Policy Decisions by City Council) of Article 5 (Administration and Enforcement) of Chapter 7 (Unified Development Code) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Annexation to the April 9, 2024 City Council meeting. The motion passed by a vote of 9-0-0-0**

**Aye:** 9 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

- 11.C.** [24-123](#) An Ordinance amending Part 3 (Water Service) of Article 4 (Water Code) of Chapter 12 (Utilities) of the Code of the City Of Colorado Springs 2001, as Amended, Pertaining to Water Service

Presenter:

Renee Congdon, Utilities Division Chief, City Attorney's Office

**Attachments:** [CSU-WaterServiceCh12-ORD 12.4.302-305.docx](#)

**Motion by Councilmember Donelson, seconded by Councilmember Talarico, to postpone the Ordinance amending Part 3 of Article 4 of Chapter 12 of the Code of the City of Colorado Springs 2001, as amended, pertaining to Water Service to the April 9, 2024 City Council meeting. The motion passed by a vote of 9-0-0-0**

**Aye:** 9 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

- 11.D.** [24-125](#) An Ordinance Amending Part 3 (Wastewater Service) 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 Service

Presenter:

Renee Congdon, Utilities Division Chief, City Attorney's Office

**Attachments:** [CSU-outside city wastewater service 12.5.302-304](#)

**Motion by Councilmember Donelson, seconded by Councilmember Talarico, to postpone the Ordinance amending Part 3 (Wastewater Service) 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 Service to the April 9, 2024 City Council meeting. The motion passed by a vote of 9-0-0-0**

**Aye:** 9 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

- 11.E.** [24-126](#) An Ordinance Repealing and Reordaining Section 116 (Special Contract Service) of Article 1 (General Provisions) of Chapter 12 (Utilities) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Outside City Service

Presenter:

Renee Congdon, Utilities Division Chief, City Attorney's Office

**Attachments:** [CSU-OutsideCityService-ORD 12.1.116.docx](#)

**Motion by Councilmember Donelson, seconded by Councilmember Talarico, to postpone the Ordinance repealing and reordaining Section 116 (Special Contract Service) of Article 1 (General Provisions) of Chapter 12 (Utilities) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Outside City Service to the April 9, 2024 City Council meeting. The motion passed by a vote of 9-0-0-0**

**Aye:** 9 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

- 11.F.** [24-133](#) An Ordinance amending Section 111 (Exclusivity) Of Article 1 (General Provisions) of Chapter 12 (Utilities) of the Code of the City Of Colorado Springs 2001, as amended, pertaining to Exclusive Provider Exceptions

Presenter:

Renee Congdon, Utilities Division chief, City Attorney's Office

**Attachments:** [CSU-ExclusiveProviderExceptions-ORD 12.1.111.docx](#)

**Motion by Councilmember Donelson, seconded by Councilmember Talarico, to postpone the Ordinance amending Section 111 (Exclusivity) Of Article 1 (General**

Provisions) of Chapter 12 (Utilities) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Exclusive Provider Exceptions to the April 9, 2024 City Council meeting. The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

#### **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. [SUBD-23-0145](#) Ordinance No. 24-12 vacating Lierman Street public right-of-way that is approximately 0.443 acres and is located between North Cascade Ave and Schafer Heights (Legislative)

Presenter:

Allison Stocker AICP, Planner II, Planning + Neighborhood Services.  
Peter Wysocki, Director, Planning + Neighborhood Services

**Attachments:** [SUBD-23-0145 Updated Ordinance ADS 20230228](#)  
[SUBD-23-0145 Updated Exhibit A ADS 20240228](#)  
[SUBD-23-0145 Ord ExhibitB ADS 20240119](#)  
[SUBD-23-0145 Presentation CC 20240126](#)  
[7.5.703 VACATION OF PUBLIC STREETS OR RIGHTS-OF- WAY](#)  
[SUBD-23-0145 Full Memo ADS 20240119](#)  
[Signed Ordinance No. 24-12.pdf](#)

This Ordinance was finally passed on the Consent Calendar.

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

- 4B.A. [24-127](#) City Council Special Meeting Minutes February 26, 2024

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:** [2-26-2024 Special City Council Meeting Minutes Final](#)

The Minutes were approved on the Consent Calendar.

- 4B.B. [24-129](#) City Council Regular Meeting Minutes February 27, 2024

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:** [2-27-2024 City Council Meeting Minutes Final](#)

The Minutes were approved on the Consent Calendar.

- 4B.D.** [24-074](#) A Resolution approving an Economic Development Agreement between the City Of Colorado Springs and Project TIB

Presenter:

Jessie Kimber, Economic Development Officer

Shawna Lippert, Senior Economic Development Specialist

**Attachments:** [RES ProjectTIB 2024](#)

[EDA Project TIB](#)

[EDA Project TIB Presentation](#)

[Signed Resolution No. 20-24.pdf](#)

This Resolution was adopted on the Consent Calendar.

- 4B.E.** [23-656](#) A Resolution Authorizing the Approval of a Land Exchange of an Easement Located Near the Intersection of Delta Drive Hancock Expressway and a Property Located at the Intersection of Marksheffel Road and Barnes Road to be Used for the Kelker to South Plant Transmission Project

Presenter:

Jessica K. Davis, Land Resource Manager, Colorado Springs Utilities

Travas Deal, Chief Executive Officer, Colorado Springs Utilities

**Attachments:** [2 - FINAL CC Resolution\\_KelkerSouthPlant\\_Edward C Levy](#)

[3 - Edward C. Levy Legal Description 11\\_14\\_22](#)

[4 - Utilities Exchange Property Desc. 1-29-2024.v2](#)

[5 - FINAL CC Presentation\\_Land exchange\\_K-SP\\_Edward C Levy](#)

[Signed Resolution No. 21-24.pdf](#)

This Resolution was adopted on the Consent Calendar.

## Approval of the Consent Agenda

**Motion by Councilmember Leinweber, seconded by Councilmember Henjum, 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, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

## 5. Recognitions

**5.A.    [24-114](#)            A Joint Proclamation in Remembrance of Keith King**

Presenter:

Lynette Crow-Iverson, Council President Pro Tem and Councilmember  
At Large  
Mayor Yemi Mobolade

**Attachments:**    [Joint Proclamation Keith King](#)

President Pro Tem Crow-Iverson and Mayor Yemi read the Joint Proclamation in Remembrance of Keith King and honored former Councilmember and State Senator Keith King by acknowledging many of his contributions to the community.

Sandy King, Senator King's wife, expressed appreciation for the recognition and read Psalm 71 14-18.

Welling Clark, Jill Gaebler, Councilmember Avila, and Wayne Williams shared their experiences with Senator King and expressed gratitude for all his incredible achievements.

**5.B.    [24-116](#)            A Resolution recognizing MATHCOUNTS 2024**

Presenter:

Dave Donelson, Councilmember District 1

**Attachments:**    [MATHCOUNTS 2024](#)  
                          [Signed Resolution No. 23-24.pdf](#)

Councilmember Donelson read the Resolution in recognition of MATHCOUNTS.

Mike Bartusek, Pikes Peak Regional Coordinator, MATHCOUNTS, provided an overview of the MATHCOUNTS 2024 program and recognized the coaches and students who took part in the competition.

Councilmember Risley, Councilmember Donelson, Travas Deal, Chief Executive Officer, Colorado Springs Utilities, and Councilmember O'Malley spoke about the importance of science, math, and engineering for the City and the world.

Councilmember O'Malley asked how City Council can assist the program. Mr. Bartusek stated they can assist by spreading the word about the program to all the schools in the area.

**Motion by Councilmember Henjum, seconded by President Pro Tem**

**Crow-Iverson, that the Resolution recognizing MATHCOUNTS 2024 be adopted.  
The motion passed by a vote of 9-0-0-0**

**Aye:** 9 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

**5.C. [24-112](#) City Council Appointments to Boards, Commissions, and Committees**

Presenter:

Randy Helms, Council President and Councilmember District 2

**Attachments:** [03122024 Boards Commissions and Committee Appointments](#)

President Helms presented the City Council Appointments to Boards, Commissions, and Committees.

Councilmember O'Malley provided a brief overview of Matthew Giovanni and stated the City is fortunate to have him as a volunteer for the Audit Committee.

Councilmember Donelson provided a brief over of James Godfrey and expressed appreciation for his willingness to serve the City.

President Pro Tem Crow Iverson expressed appreciation for those who will be serving on the City County Drainage Board.

President Helms and Councilmember Avila expressed gratitude for those volunteering for the Law Enforcement Transparency and Advisory Commission.

**Motion by Councilmember Henjum, seconded by Councilmember Talarico, that the Appointments to City Council Boards, Commissions, and Committees be approved. The motion passed by a vote of 9-0-0-0**

**Aye:** 9 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

## **6. Mayor's Business**

There was no Mayor's Business.

## **7. Citizen Discussion For Items Not On Today's Agenda**

Citizens Debra Cain and Candy Lewis spoke about the need for assistance for people experiencing homelessness.

Citizen Will Lopez spoke about the construction on Academy Boulevard which is creating difficulties for people to get to his business.

Citizen Christian Romansky spoke about the issues with bicycle traffic, traffic lights, and bad drivers within the City.

Citizen William Romansky spoke about the incidents he has encountered between the police and people who have dementia and the need for additional police training.

Citizen Jaymen Johnson expressed appreciation for the recognition given by City Council for Keith King at today's meeting and spoke for Janice Moglen requesting City Council recognize March 21, 2024 as Single Parent's Day.

Citizen Lawrence Martinez spoke about his fundraising efforts to provide a Narcam kit in low-income households.

Citizens Elly Sewell, Bob Krasey, Thea Roland, Brandon Rincon, Mara Fritzsinger, Ariella Lynne, Elliot Fladen, Dikla Leon, Karyna Lemus, and David Beyer spoke about the Israeli-Palestinian conflict.

Citizen Roger Smith spoke about the mobile home park on Circle Drive for older veterans and his concerns with the owner selling it to the hotel next door.

Citizen Hannah Polmer spoke about the home she had resided in located in the Gold Hill Mesa.

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

### **4B.C. [24-131](#)**

Request to approve settlement arising from a police contact and taser deployment on May 14, 2022.

Presenter:

Wynetta Massey, City Attorney/Chief Legal Officer

Councilmember Donelson stated he believes too many of these cases are being settled outside of court and in this case, the City is settling with a convicted felon for \$195,000.

Councilmember O'Malley stated he is not voting against this settlement because he does not think the Plaintiff deserves a penny for the case but also to address that when the City creates Enterprises, which inherently are

high risk, they have to consider the consequences.

**Motion by Councilmember Henjum, seconded by Councilmember Leinweber, to approve the \$195,000.00 settlement amount. The motion passed by a vote of 6-2-1-0**

**Aye:** 6 - Avila, Crow-Iverson, Helms, Henjum, Leinweber, and Risley

**No:** 2 - Donelson, and O'Malley

**Excused:** 1 - Talarico

- 4B.F.** [ANEX-23-00](#) A Resolution finding a petition for annexation of the area known as Black Forest Road Addition No. 2 Annexation consisting of 21.879 acres to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of April 23, 2024, for the Colorado Springs City Council to consider the annexation of the area. (Legislative)

[17](#)

Presenter:

Gabe Sevigny, Planning Supervisor, Planning + Neighborhood Services  
Peter Wysocki, Planning + Neighborhood Services

**Attachments:** [1. Staff Report BF Add2 KAW](#)

[Attachment 1 Annexation Plat Black Forest Rd Add. No. 2](#)

[2. Exhibit A BF Add2](#)

[Attachment 2 Annexation Legal Description Black Forest Rd Add. No. 2](#)

[3. Exhibit B BF Add2](#)

[Attachment 3 Vicinity Map](#)

[4. Project Statement BF Add 2](#)

[Attachment 4 Staff Presentation Black Forest Rd Annexation](#)

[5. Public Comment BF Add 2](#)

[6. Public Comment Response BF Add 2](#)

[Exhibit A Petition for Annexation](#)

[7.5.701 ANNEXATION OF LAND](#)

[Resolution-Hearing Setting-Black Forest Road Addition No 2](#)

[Black Forest CPC Minutes draft](#)

[Signed Resolution No. 22-24.pdf](#)

Gabe Sevigny, Planning Supervisor, Planning and Neighborhood Services, presented the Resolution finding a petition for annexation of the area known as Black Forest Road Addition No. 2 Annexation consisting of 21.879 acres to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of April 23, 2024 for the City Council to consider the annexation of the area.

Councilmember Donelson asked why the City wants to annex this road in. Mr. Sevigny stated it has already been deeded to the City from El Paso County, so it is owned by the City and it is in the best interest to annex City owned property.

**Motion by Councilmember Leinweber, seconded by Councilmember Risley, 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 April 23, 2024, for consideration of the Black Forest Road Addition No. 2 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 8-0-1-0**

**Aye:** 8 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, and Risley

**Excused:** 1 - Talarico

## **9. Utilities Business**

There was no Utilities Business.

## **10. Unfinished Business**

There was no Unfinished Business.

## **11. New Business**

- 11.A. [ZONE-23-00](#) An ordinance amending Ordinance No. 82-95 to revise condition of  
[29](#) record no. 1 as it relates to mini warehouses being a use that is not permitted and delete condition of record no. 2 related to outside storage as an accessory use pertaining only to 6.26 acres located at 6910 Mark Dabling Boulevard  
(Quasi-Judicial)  
(1st Reading only to set the public hearing date for March 26, 2024)

Presenter:

William Gray, Senior Planner, Planning + Neighborhood Services  
Department

Peter Wysocki, Planning Director, Planning + Neighborhood Services  
Department

**Attachments:** [Staff Report](#)  
[Land Use Statement](#)  
[Ordinance No. 82-95](#)  
[Exhibit to Ordinance No. 82-95](#)  
[Mark Dabling UHaul Rezone Ordinance\\_Final](#)  
[Zone Map](#)  
[Context Map](#)  
[Zone Map Amendment Legal Description](#)  
[Zone Map Amendment Exhibit\\_Revised](#)  
[Corporate Centre Filing No 2](#)  
[Conditional Use Development Plan](#)  
[Mineral Estate Owner Notification Certification Affidavit](#)  
[Public Comment\\_Mark Dabling UHaul Rezone\\_Van Doren\\_02132024](#)  
[7.5.704 ZONING MAP AMENDMENT \(REZONING\)](#)  
[Mark Dabling CPC minutes draft](#)  
[CC\\_City Staff Presentation\\_Mark Dabling U-Haul Rezone\\_WEG](#)  
[Signed Ordinance No. 24-14.pdf](#)

Mike Tassi, Assistant Director, Planning and Neighborhood Services Department, presented the Ordinance only to set the public hearing date for March 26, 2024 to revise condition of record no. 1 as it relates to mini warehouses being a use that is not permitted and delete condition of record no. 2 related to outside storage as an accessory use pertaining only to 6.26 acres located at 6910 Mark Dabling Boulevard.

There were no comments on this item.

**Motion by Councilmember Henjum, seconded by Councilmember Risley, that the Ordinance amending Ordinance No. 82-95 to revise condition of record no. 1 as it relates to mini warehouses being a use that is not permitted and delete condition of record no. 2 related to outside storage as an accessory use pertaining only to 6.26 acres located at 6910 Mark Dabling Boulevard for the purpose of providing notice and setting a public hearing date for Tuesday, March 26, 2024, to consider the Mark Dabling U-Haul Rezone to amend conditions of record.) be approved on first reading. The motion passed by a vote of 8-0-1-0**

**Aye:** 8 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, and Risley

**Excused:** 1 - Talarico

## **12. Public Hearing**

- 12.A.** [APPL-24-0002](#) An appeal of the City Planning Commission denial of a conditional use development plan for a multi-family residential development consisting of 1.62 acres located at 4113 Centennial Boulevard.

### Quasi-Judicial

#### Presenter:

Tamara Baxter, Senior Planner, Planning + Neighborhood Services

Peter Wysocki, Director, Planning + Neighborhood Services

**Attachments:** [Staff Report Centennial Blvd Townhomes TPB](#)  
[Appeal Centennial Blvd Townhomes TPB 3.12.24](#)  
[Attachment 1 Appeal of CPC Decision](#)  
[Attachment 2 Draft Planning Commisison minutes](#)  
[Project Statement](#)  
[Public Comments](#)  
[Public Comment Responses](#)  
[Conditional Use Development Plan](#)  
[CONTEXT MAP](#)  
[7.5.704 Conditional Use Review](#)

Tamara Baxter, Senior Planner, Planning and Neighborhood Services, presented the appeal of the City Planning Commission denial of a conditional use development plan for a multi-family residential development consisting of 1.62 acres located at 4113 Centennial Boulevard. She provided an overview of the vicinity map, project summary, site plan, elevation schematic, site location, timeline of review, stakeholder involvement, agency review, PlanCOS compliance, application review criteria, Planning Commission determination, appeal criteria, and proposed motions.

Wayne Williams, representing the appellant/applicant, provided an overview of the general background, appeal from the Planning Commission, 180 degree panorama view from Centennial Boulevard, Tier 1 major trail, adjoining townhomes to the south, aerial view, and view of property from eastern and western corners. He identified the proposed land use - twenty townhomes, front/rear elevations-11 unit north building, west/east elevations-north building, view looking northwest from pond, mobility, parking concerns, ample guest parking, unique east neighbor concerns, application review criteria, and Chapter 7 review of compliance.

Councilmember Henjum asked what ANSI stands for. Councilmember Risley stated American National Standards Institute.

Councilmember Henjum asked if Wisdom Heights uses the same visitor parking. Mr. Williams stated they do not.

Councilmember Risley asked if it is allowable to build a fence on top of a utility easement. Mr. Williams confirmed it is.

Gavin Light, G Light Equity, representing the appellant/applicant, provided a brief overview of the project.

Councilmember Avila asked if the applicant has considered making some of the units affordable housing. Mr. Light stated the requirements for managing tax credit housing is very different from managing conventional housing and the affordable housing restrictions would make it unfinanceable.

Mr. Williams stated the owner of Bird Dog Barbecue was in support of the project but was not able to attend in person.

Citizen Roger Smith spoke in support of the project.

Citizen Marsha Wick spoke in opposition of the project.

Councilmember Avila disclosed that she and Ms. Wick knew each other.

Councilmember Avila asked if the applicant offered some mitigation regarding the stormwater runoff into the Wick's back yard. Ms. Wick confirmed they did, but she is not certain that will correct the flooding issues.

Councilmember Henjum asked Ms. Wick if she had spoken to the City's Stormwater Enterprise. Ms. Wick confirmed she had.

Councilmember Henjum asked if she had spoken to the developer regarding the fence. Ms. Wick confirmed she has requested the fence run the full property line with a security gate on the north end of the easement which she controls.

Councilmember Donelson asked how long Ms. Wick has lived in her house. Ms. Wick stated over thirty years and described how the area has changed as it has developed.

Councilmember O'Malley asked if shortening the fence was amenable to Ms. Wick. Ms. Wick stated it is not because she does not want access to her property open to whoever will be living on the applicant's property.

Mr. Williams stated the applicant does not own the seven-foot gap, it is owned by the Wicks, so if they would like add a security gate, they are welcome to do so, the applicant has a no trespassing sign on the property, adding the shortened fence would allow access to the utility easement, and the applicant is willing to work with the Wicks regarding their requests.

Councilmember Leinweber asked if the utility easement ends before it reaches the applicant's property. Mr. Williams stated a shortened fence would not block the view, light, and noise from the community or provide a buffer, because it is a thirty-foot easement.

Councilmember Leinweber asked if there is a requirement to provide access to their property or provide the fence. Mr. Light stated there is not and he has concerns about the liability aspect of it and potential future issues.

Councilmember Donelson disclosed that he and Mr. Light know each other but have not spoken in approximately a year and a half to two years.

Councilmember Donelson asked if the Planning Commission voted no due to the applicant not being prepared to answer the questions they had. Ms. Baxter explained the process of how items are brought before the Planning Commission and stated the questions which were asked had to do with parking, accessibility, and fencing.

Councilmember Donelson recommended this item be sent back to the Planning Commission to work out a solution between the two property owners. Councilmember Risley stated he felt the same way up until the applicant requested expediency.

President Helms stated he believes this project fits in this area very well and meets the criteria.

Councilmember Henjum stated she will be voting in favor of the project and hopes the applicant and the Wicks are able to find a way to work toward a

resolution.

Councilmember Avila stated she does not feel the applicant is reflecting that they are willing to make accommodations for the Wicks and believes this project should be sent back to the Planning Commission to work out a solution.

Councilmember Donelson stated the property owner bought their property with different surrounding conditions and believes their quality of life will be affected by this project.

**Motion by Councilmember Donelson, seconded by Councilmember Avila, to refer the matter back to the City Planning Commission for further consideration of the Centennial Blvd Townhome Conditional Use Development Plan to the applicable review criteria for deciding on a conditional use and development plan set forth in City Code (Chapter 7) Section 7.5.704 and City Code (Chapter 7) Section 7.5.502.E. The motion failed by a vote of 2-6-1-0**

**Aye:** 2 - Avila, and Donelson

**No:** 6 - Crow-Iverson, Helms, Henjum, Leinweber, O'Malley, and Risley

**Excused:** 1 - Talarico

Mr. Williams asked if the Wicks and the applicant agreed in a written document about the fence, that the Planning Department could approve it as part of the Development Plan. Ben Bolinger, Assistant City Attorney, stated that he believes the City Code allows for minor amendments to the Development Plan.

Councilmember Avila stated based on the applicant's willingness to work with the Wicks, she will be supporting this project.

**Motion by Councilmember O'Malley, seconded by Councilmember Risley, to approve the appeal and approve the Centennial Blvd Townhomes Conditional Use Development Plan, based upon the finding that the appeal criteria found in City Code Section 7.5.415.A.2 have been met, and the application meets the review criteria for granting a Conditional Use Development Plan as set forth in City Code (Chapter 7) Section 7.5.704 and City Code (Chapter 7) Section 7.5.502.E. The motion passed by a vote of 7-1-1-0**

**Aye:** 7 - Avila, Crow-Iverson, Helms, Henjum, Leinweber, O'Malley, and Risley

**No:** 1 - Donelson

**Excused:** 1 - Talarico

### **13. Added Item Agenda**

Councilmember Reports and Open Discussion

Councilmember Leinweber stated he attended the University of Colorado, Colorado Springs (UCCS) first Greater Resilience Information Toolkit (GRIT) summit on March 11, 2024

Councilmember Donelson stated approximately two weeks ago he held a District 1 town hall meeting which was very well attended, he went out to the water treatment facility, and expressed gratitude to Alex Ryden and Sam Friedman who work on facilitating the town hall meetings.

Councilmember Avila stated she met with Jordan from Colorado College regarding their 150-year celebration to see if there was a way that the City Administration and City Council could participate in it for some of the projects and the Deaf and Blind school is also having their 150-year anniversary. She stated she attended the International Woman's Session, this Wednesday, March 13, 2024, she will be part of a panel of all women at the Latina Luncheon, and Councilmember Henjum will be celebrated as a heroine for the Pikes Peak Women at the Wine, Women and Chocolate event.

Councilmember Risley stated on February 29, 2024, he and several other Councilmembers attended the Care and Share luncheon, he, Mayor Yemi, and other concerned citizens from the Chamber and EDC testified in favor of Senate Bill 106 on Tuesday, March 5, 2024, and he and Councilmember Leinweber are hosting the first of three in a series of town halls called the State of Community on March 13, 2024 at FH Beerworks at 5:30 PM.

Councilmember Henjum acknowledged The Gazette Telegraph and KOAA for sponsoring an hour long community town hall during their news hour to hear from a panel talking about crime and safety in the City, she stated she, President Pro Tem Crow-Iverson, and Councilmember Donelson listened to approximately twenty-four applications for opioid settlement dollars, she welcomed Nga Vuong-Sandoval at the lecture, Refugee Women are Changemakers, presented by the Pioneer's Museum, and she will be on a panel hosted by Palmer Land Conservancy at the Pinery on Women In Conservation.

President Pro Tem Crow-Iverson stated on March 6, 2024, she presented a Proclamation for Chuck Asay Day at Library 21C.

President Helms stated he attended the Care and Share event and he and Mayor Yemi attended the State of the Base at Peterson Space Force Base on March 8, 2024.

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

There was no Executive Session.

#### **15. Adjourn**

There being no further business to come before City Council, President Helms adjourned the meeting at 3:12 PM.

Sarah B. Johnson, City Clerk