



City of Colorado Springs

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

Meeting Minutes Council Work Session

City Council meetings are broadcast live on Channel 18. In accordance with the ADA, anyone requiring an auxiliary aid to participate in this meeting should make the request as soon as possible but no later than 48 hours before the scheduled event.

Monday, May 8, 2017

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. Changes to Agenda

There were no changes to the Agenda.

3. Regular Meeting Comments

There were no regular meeting comments.

4. Review of Previous Meeting Minutes

4.A. [17-972](#) City Council Work Session Minutes 4-24-2017

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [4-24-2017 Work Session Revised Final.pdf](#)

The minutes of the April 24, 2017 Work Session meeting were approved by Consensus of Council.

5. Executive Session

5A. Open

5B. Closed

5B.A. [17-969](#) In accord with City Charter art. III, § 3-60(d) and its incorporated Colorado Open Meetings Act, C.R.S. § 24-6-402(4)(a), (b) and (e), the City Council, in Open Session, is to determine whether it will hold a Closed Executive Session. The issue to be discussed involves land acquisition related to the Westside Avenue Action Plan Improvement

Project.

Presenter:
Wynetta Massey, City Attorney

Council President Skorman polled Council regarding the desire to proceed with a Closed Session. At least two-thirds of Council agreed to proceed in closed executive session.

6. Staff and Appointee Reports

6.A. [16-689](#) Agenda Planner Review

Presenter:
Eileen Lynch Gonzalez, City Council Administrator

Attachments: [050817 Agenda Planner Review MEMO](#)

Eileen Lynch Gonzalez, City Council Administrator, stated the Bancroft park update information as well as Items for Introduction from the LART Citizen's Advisory Committee supplemental appropriations for additional 2017 projects will be on the City Council Work Session meeting on 5/22/17. Request from Utilities staff that the item on the City Council regular meeting session on 5/23/17 related to Utilities Rules and Regulations be postponed until June.

Councilmember Knight inquired as to why the Bancroft Park information will be presented a month later instead of the two weeks later as directed by Council. Kurt Schroeder, Parks Operations & Development Manager, said they will have more information to provide Council at the City Council Work Session Meeting on 5/22/17. Councilmember Knight asked to be notified of changes to the agenda planner in advance.

Councilmember Knight also questioned why the Resolution to amend the rules of the Civil Service Commission for the City Council Work Session on 6/12/17, is being brought to vote on 6/13/17 when rules are generally not time sensitive. Wynetta Massey, City Attorney, stated that this rule is time sensitive due to it involving police recruits starting with the Academy on 7/17/17. Councilmember Knight asked to have the information presented at the 5/22/17 Work Session meeting. Ms. Massey agreed to have the item presented at that time.

6.B. [17-812](#) Financial Report - City of Colorado Springs

Presenter:

Kara Skinner, Chief Financial Officer

Attachments: [050817 May 2017 Financial Update Presentation w Grant slides](#)

Kara Skinner, Chief Financial Officer, presented general fund activity through March 2017. Ms. Skinner explained that revenue is trending approximately \$3.6 million above budget and that expenditures are trending approximately \$1.6 million under budget which is very close to what was forecast.

Councilmember Strand observed that this is the second year where fines are considerably lower than expected. Bret Waters, Deputy Chief of Staff, stated that it may be a staffing issue and he will request Chief Carey to address in more detail.

Councilmember Knight and Councilmember Strand expressed that Ms. Skinner will be greatly missed and their appreciation for what she has done for the city.

Councilmember Knight inquired if a portion of vacancy money saved in first quarter could be repurposed. Ms. Skinner replied that since budgeting is very tight, it is hard to say the money could be repurposed because of the variables involved, but agreed to look at the savings to see if there is a surplus.

6.C. [17-945](#) Strategic Plan Report

Presenter:

Nina Vetter, Strategic Plan & Business Process Administrator,
Finance

Attachments: [Q1 2017 Update](#)

Nina Vetter, Strategic Plan & Business Process Administrator, presented Quarter 1 2017 Strategic Plan Progress Report update and plan goals. Highlighted that their first goal is job creation which assisted with the creation of 500 new jobs and nearly two thousand square feet of construction. Achieved parking regulation changes to help spur infill. Also has secured funding for Public Art Master Plan. Second goal is investing in infrastructure and facilities. Recognized improved transportation on time performance and 10% increased ridership for Mountain Metro Transit. Third goal is building community and collaborative relationships with their key partner CONO. Fourth goal is excelling in City Services and will report on that goal at a later time.

Councilmember Murray requested details of the 500 new jobs and 177 square feet of construction, promoting job creation thought process and where the 60 unit affordable housing is located. Ms. Vetter will provide the information.

Councilmember Geislinger asked what contributes to the increase in Transit ridership as well as the status of savings due to the effect of the CARES system. Ms. Vetter will follow up on the reason why Transit ridership increased. Ted Collas, Fire Chief, stated that it is difficult to estimate overall savings, but will provide the information later.

7. Presentations for General Information

7.A. [17-973](#) Entertainment Districts and Common Consumption Areas Presentation

Presenter:

Jill Gaebler, City Council President Pro-Tem

Sarah B. Johnson, City Clerk

Pete Carey, CSPD Chief

Ted Collas, CSFD Chief

Bob Cope, City Economic Development

Susan Edmonson, Downtown Partnership

Attachments: [Entertainment Districts and Common Consumption Areas 2017-05-01](#)

Councilmember Gaebler explained she was approached by a representative from Ivywild about creating an Entertainment District to make their business more appealing. Others in the downtown area have also expressed interest in this concept. She supports this idea and encourages City Council members to give direction to City staff to pursue local enabling legislation to create the concept of Entertainment Districts within the city limits of Colorado Springs.

Sarah Johnson, City Clerk, provided an overview of an Entertainment District concept including the difference between a District and Special Event permit. An Entertainment District is a defined territory in which Promotional Associations may form to oversee a specified Common Consumption Area. State law sets forth the basic requirements of an Entertainment District, but the City would be responsible for the details and certification of the Districts. Costs associated with hosting events in the Common Consumption Area would be paid by the Promotional

Association.

Pursuant to state law, a municipality may opt-in to establishing an Entertainment District to allow public consumption of alcohol in a defined Common Consumption Area. City Council would need to approve an ordinance to create the concept of an Entertainment District in the City Liquor Code, which would include topics such as public safety, zoning/planning consideration, parking needs, and other requirements. City Council would also need to adopt resolutions amending the City Liquor rules and a resolution to establish fees for the certification. In the future, City Council would approve by resolution defining and creating the territory for each Entertainment District. Formation of a Promotional Association and Common Consumption Area within a District would be processed through the City Clerk's office. The City Clerk is the designated local licensing authority for the City. We have 819 liquor licenses in the City at this time,

Lieutenant Mike Lux, Police Department indicated that Police Chief Carey asked him to research the impact of an Entertainment District in regards to public safety. In a comparison to Scottsdale, he found they may be paying more for public safety than revenue received from sales tax. There could be approximately \$940,000 in public safety cost which includes underage drinking, public urination, increase in panhandling, greater noise level, parking issues/towing. The most common complaints from citizens include road closures, towed vehicles, noise, and trash. Lt. Lux stated that six more police officers plus a supervisor would be needed to oversee these Districts.

Councilmember Gaebler commented that any cost of an Entertainment District Promotional Association Common Consumption Area would be incurred by the entity that creates it, not the City. If the business creates any of these issues, their permit could be revoked. The first Entertainment District formed might be Ivywild.

Ted Collas, Fire Chief, presented three potential issues with an Entertainment District: 1. Access problems either for first responders getting in or people getting out in an evacuation, an indoor model such as Ivywild would not create that problem, but outdoors would create different issues. 2. Increase in calls due to large gathering of people such as medical incidents. 3. Increase in soft targets, indoors does not create such a situation, but with outdoor situations, the portable

barricades could create soft targets for terrorism.

Susan Edmonson, CEO of Downtown Partnership, stated that they are open to the concept, but wish to take proper time to ensure the adopted code would address all elements needed for the downtown area. In an Entertainment District, participating local liquor licensed businesses would be able to partake in sales of liquor. We would all have to carefully consider hours of operation, security, cleanliness and other associated issues when drafting the local law. Ms. Edmonson believes that a District created in the downtown area would be more complex to implement than in an enclosed area like Ivywild.

Councilmember Pico expressed skepticism as to why Council would want to adopt the concept of Entertainment Districts in the downtown area. A District inside a building like Ivywild would be very different from downtown. Blocking off streets to vehicles strikes him as very difficult to implement.

Council President Skorman asked if the City could limit a District to an indoor model only and put regulations in place to keep it safe. Ms. Johnson said the City could research limiting it to an indoor only model.

Councilmember Knight inquired if Ivywild qualifies and has the minimum required twenty thousand square feet to become an Entertainment District. Ms. Johnson stated that the applicant would have to prove that they meet the qualifications of the territory and explained that the Common Consumption Area would be an area that is not already covered by an already established licensed area. Councilmember Knight questioned if a family with children that would want to go to the bakery in Ivywild if they had to walk, through the Common Consumption Area. Ms. Johnson stated it would depend on how the Common Consumption Area is established.

Councilmember Knight also expressed his understanding for the one million dollars in cost for extra police officers for safety would be paid by the entity, but the concern is finding the seven extra officers, not the cost. Does not think it is worth pursuing.

Councilmember Geislinger asked Lt. Lux and Chief Collas regarding the Downtown response team and what opportunities are available for regulating safety in an Entertainment District. Chief Collas stated that

he is not against it and that there are opportunities to face the challenge. The enforcement issue has some complications, but will work their way around them. Lt. Lux said he is not for or against it, but feels the need to state what areas would be affected and why more police officers would be needed to oversee these Districts.

Councilmember Bennett believes there is a greater potential for collateral damage rather than the value of an Entertainment District with common public consumption areas.

Jeff Greene, Chief of Staff, asked Council to consider the economic development prospects possible in the creation of Entertainment Districts. He explained Bob Cope, Economic Development Manager, had been approached by several downtown businesses owners interested in the Entertainment District concept. The City needs to determine the costs associated with Police, Fire, and sanitation requirements among other pertinent items.

Councilmember Gaebler stated that this would be a pro-business concept and supports directing staff to draft enabling legislation.

Laura Long, representative from Ivywild, was asked to speak and has assisted with establishing Common Consumption Areas with the Cripple Creek Casino Association due to interest in twenty four hour liquor sales. Common Consumption Areas in Cripple Creek Casinos are all indoors. Municipalities like adding Entertainment Districts which add their own unique flavor to the city. At Ivywild, making the hallway the Common Consumption Area would allow patrons of Bristol Beer and the Principal's Office liquor licensed areas in the building to meet in a common area and enjoy their time together.

Councilmember Geislinger commented that he does not see it as just pro-business, but potentially pro-tourism and pro-community as well.

Councilmember Geislinger asked about the immediate impact to the City Clerk's office. Ms. Johnson stated that they would continue to work with the City Attorney as well as the research time involved with other cities with Entertainment Districts as well as with Councilmember Gaebler, Police, Fire, and other stakeholders to draft the enable legislation should Council wish to proceed.

Councilmember Murray stated he believes it is good to get people outside and is for the idea of shared consumption areas. He does not think it will be much different than what we have right now with special events and would like to see more of it downtown.

A consensus of council members requested City staff move forward with drafting enabling legislation to create the Entertainment District concept in our City Code.

8. Items for Introduction

- 8.A. [17-963](#) An Ordinance amending Ordinance No. 16-116 (2017 Appropriation Ordinance) for a Supplemental Appropriation to the General Fund in the amount of \$75,000 for tree cleanup from the April 2017 snowstorm

Presenter:

Karen Palus, Parks, Recreation and Cultural Services Director
Jay Hein, City Forester

Attachments: [050817 - Ordinance for Parks Forestry Div Tree Cleanup \(17-963\).docx](#)
[5-8-17 - Forestry Emergency Supplemental Request - Powerpoint](#)

Kurt Schroeder, Parks Operations & Development Manager provided an overview of the request for supplemental appropriation of \$75,000 to assist in cleanup from the spring snowstorm in April.

Jay Hein, City Forester, presented a series of photos showing the map of service calls of approximately 1,200 calls as well as photos of damaged trees that could prove to be dangerous to the public such as hanging branches. Would like to expedite due to the increase in citizen brush piles on sidewalks and streets. Expressed that it was less dramatic than the cost of the January windstorm and that crews are currently focusing on highest priorities.

Councilmember Knight stated the item did not come before the budget committee and questioned why the Parks and Recreation department cannot find the money in their budget. In particular, using money from staff vacancies. This is very early in the fiscal year to dip into the budget reserves.

Mr. Schroeder stated that the vacancies are for seasonal hourly staff

which are being hired now. The department just signed a \$47,000 contract for fertilizer application with more to come. He also stated that every penny of the General Fund and Operation budget will be spent.

Councilmember Knight expressed it is too early in the year to determine these costs can not be covered in the 2017 budget and require dipping in the Reserve, all other options needs to addressed to the Budget Committee first.

Mr. Schroeder asserted that the longer we wait, the more the debris piles are going to grow and create additional problems.

9. Items Under Study

There were no items under study.

10. Councilmember Reports and Open Discussion

Councilmember Strand indicated that the Transit Center Relocation committee meeting will make a recommendation soon. He also stated that the joint Denver Chamber reception was a success and that the Bicycle Master Plan open house was a great event.

Councilmember Bennett mentioned that Dr. Venkat Reddy has been named as permanent chancellor of UCCS.

Councilmember Geislinger suggested that he would like to see what was requested in previous Council Meetings to be presented at each Meeting as tasks similar to the board meetings for Utilities. Ms. Gonzalez will work on this request.

Councilmember Murray thanked Council staff for their assistance and support over the past couple weeks.

11. Adjourn

The meeting was adjourned.

Sarah B. Johnson, City Clerk