



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, May 26, 2015

1:00 PM

Council Chambers

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 Edward Cantu from the Family Worship Center.

The Pledge of Allegiance was led by Council President Bennett.

3. Changes to Agenda/Postponements

Councilmember Strand stated he intends to make a motion to bifurcate agenda item 11.B.

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. [15-00233](#) Ordinance No. 15-32 amending Ordinance No. 14-101 (2015 Appropriation Ordinance) for a Supplemental Appropriation to the Pikes Peak - America's Mountain Fund in the amount of \$10,000 for the Noxious Weed Control Grant Project

Res/Ord Number: 15-32

This Ordinance was finally passed on the Consent Calendar.

4A.B. [15-00172](#) Ordinance No. 15-33 amending Sections 102 (Purpose), 103 (Definitions) and 111 (Contractual Authority) of Article 9 (Lodgers, Campgrounds, and Automobile Rental Taxation) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Lodgers, Campgrounds and Automobile Rental Tax

Res/Ord Number: 15-33

This Ordinance was finally passed on the Consent Calendar.

- 4A.C.** [14-0720](#) Ordinance No. 15-34 amending Part 2 (Private Security Services) of Article 3 (Sales of Goods and Services) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, pertaining to private security

Res/Ord Number: 15-34

This Ordinance was finally passed on the Consent Calendar.

- 4A.D.** [15-00268](#) Ordinance No. 15-35 amending the Zoning Map of the City of Colorado Springs relating to 2.145 acres, located at 6, 8 and 10 Cragmor Village Road.
(Quasi-Judicial Matter)

Res/Ord Number: 15-35

This Ordinance was finally passed on the Consent Calendar.

4B. First Presentation:

- 4B.A.** [15-00307](#) City Council Meeting Minutes May 12, 2015

The Meeting Minutes were approved on the Consent Calendar.

- 4B.B.** [15-00316](#) Boards and Commissions

This item was approved on the Consent Calendar.

- 4B.C.** [15-00281](#) A Resolution Authorizing the Acceptance of a Donation to the City of Colorado Springs of a 9.46 Acre Parcel of Property from FirstBank

Res/Ord Number: 51-15

This resolution was adopted on the Consent Calendar.

- 4B.D.** [15-00276](#) A resolution authorizing the acquisition of a portion of property owned by The Springs Community Church, a Colorado non-profit corporation to be used for the Woodmen Road Corridor Improvements Project (Phase 2).

Res/Ord Number: 52-15

This resolution was adopted on the Consent Calendar.

- 4B.E.** [15-00257](#) A resolution approving amendments to the rules of the Colorado Springs Civil Service Commission for the Municipal Police and Fire Forces.

Res/Ord Number: 53-15

This resolution was adopted on the Consent Calendar.

- 4B.F.** [15-00174](#) A Resolution Supporting the Acceptance of a Grant from the Colorado Department of Transportation for the Sand Creek Trail from Palmer Park Boulevard to Constitution Avenue Project
Res/Ord Number: 54-15

This resolution was adopted on the Consent Calendar.

- 4B.G.** [15-00175](#) A Resolution Supporting the Acceptance of a Grant from the Colorado Department of Transportation for the Rock Island Trail from Sand Creek Trail to Constitution Avenue Project
Res/Ord Number: 55-15

This resolution was adopted on the Consent Calendar.

- 4B.H.** [15-00279](#) A resolution endorsing and supporting the nomination of Colorado Springs City Council President Pro Tem Jill Gaebler to the Colorado Municipal League Executive Board
Res/Ord Number: 56-15

This resolution was adopted on the Consent Calendar.

- 4B.I.** [15-00207](#) A resolution amending Resolution No. 4-14, with respect to the terms of an intergovernmental agreement between the City of Colorado Springs and the Colorado Department of Transportation for the Van Buren safe routes to school project
Res/Ord Number: 57-15

This resolution was adopted on the Consent Calendar.

- 4B.J.** [15-00292](#) A Resolution approving an Agreement to Annex and to Provide Wastewater Service outside the City Limits to 7409 Tudor Road, Lot 35 Block 2 Pine Creek Estates
Res/Ord Number: 58-15

This resolution was adopted on the Consent Calendar.

- 4B.K.** [15-00293](#) A Resolution approving an Agreement to Annex and to Provide Water and Wastewater Service outside the City Limits to 3616 W High Street and 225 Bellvue Avenue
Res/Ord Number: 59-15

This resolution was adopted on the Consent Calendar.

- 4B.L.** [15-00294](#) A Resolution approving an Agreement to Annex and to Provide Water and Wastewater Service Outside the City Limits to 4615 Topaz Drive in Park Vista Estates Addition
Res/Ord Number: 60-15

This resolution was adopted on the Consent Calendar.

- 4B.M.** [15-00300](#) A Resolution Finding A Petition For Annexation Of The Area Known As Tutt Corners Addition Consisting Of 6.331 Acres To Be In Substantial Compliance With Section 31-12-107(1), C.R.S. And Setting A Hearing Date Of July 14, 2015 For The Colorado Springs City Council To Consider The Annexation Of The Area.

(Legislative Matter)

Res/Ord Number: 61-15

This resolution was adopted on the Consent Calendar.

- 4B.N.** [15-00301](#) Ordinance No. 15-37 amending the Zoning Map of the City of Colorado Springs relating to 10.8 acres, located Southwest of Centennial Boulevard and Fillmore Street.

(Quasi-Judicial Matter)

Res/Ord Number: 15-37

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

- 4B.O.** [15-00302](#) Southwest Centennial and Fillmore Concept Plan.
(Quasi-Judicial Matter)

The Concept Plan was approved on the Consent Calendar.

Approval of the Consent Agenda

Motion by President Pro Tem Gaebler, 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 8-0-1.

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

Excused: 1 - King

5. Recognitions

There were no Recognitions.

6. Citizen Discussion

Citizen Charles Barber spoke about the need for citizens to live responsibly.

Citizen Deborah Stout-Meinger voiced her concerns about soil contamination in America the Beautiful Park.

Citizen Chris Wynkoop spoke about tax increase options to pay for road

repairs.

7. Mayor's Business

Bret Waters, Deputy Chief of Staff, reminded everyone the swearing in ceremony for the new Mayor will be Tuesday, June 2, 2015 at 10:00 am on the south lawn of the Pioneer Museum.

8. Items Called Off Consent Calendar

There were no Items Called off the Consent Calendar.

9. Utilities Business

There was no Utilities Business.

10. Unfinished Business

There was no Unfinished Business.

11. New Business

11.A. [15-00317](#)

An emergency ordinance amending Ordinance No. 14-101 (2015 Appropriation Ordinance) for a supplemental appropriation to the General Fund in the amount of \$5,000,000 for the response and repair required after the May 2015 heavy rain storms and flooding

Res/Ord Number: 15-36

Council President Bennett stated this is an emergency ordinance and will be approved with one reading.

Councilmember Knight provided an updated version of the emergency ordinance to Council, reviewed the changes and explained the time-frame for the spending.

Citizen Longinos Gonzalez spoke about the importance of federal disaster relief funds, if received, being used to replenish the emergency reserve fund account.

Motion by Councilmember Knight, seconded by Councilmember Pico, that the emergency ordinance amending Ordinance No. 14-101 (2015 Appropriation Ordinance) for a supplemental appropriation to the General Fund in the amount of \$5,000,000 for the response and repair projects required after the May 2015 heavy rain storms and flooding; with the insertion of "projects" following the word "repair" in the title and after "Public Works" and "Parks" in Section 2 be finally passed. The motion passed by a vote of 9-0-0.

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

- 11.B. [15-00218](#) A Resolution of the City Council of Colorado Springs, Colorado Approving the 2015-2019 Consolidated Plan, 2015 Action Plan and Citizen Participation Plan for the use of Federal Block Grant Funds (CDBG, HOME, ESG) Provided Through the U.S. Department of Housing and Urban Development.

Res/Ord Number: 62-15

Aimee Cox, Manager of Housing and Community Initiatives, provided an overview of the process of bringing these Plans to Council and reviewed the changes made to the Plans based on Council and Citizen feedback.

Councilmember Strand requested the 2015-2019 Consolidated Plan and the 2015 Action Plan be bifurcated from the Citizen Participation Plan. Consensus of Council agreed to the bifurcation.

Councilmember King requested Ms. Cox talk about the changes to the neighborhood leadership development plan funds requested by CONO and the need for affordable housing. Ms. Cox stated CONO has withdrawn their request for funds and discussed efforts to address the affordable housing needs in this community, adding organizations looking to build affordable housing in this community are limited.

Citizen Roger McCarville, Ed Yost and Deborah Stout-Meiningering spoke in opposition of the Plan.

Citizens Anne Beer, Zack Andrews, Mike DeGrant, Henry Allen, Langinos Gonzalez and Shawna Kemppainen spoke in support of the Plan.

Citizens Jan Doran and Rick Hoover, Representing CONO, spoke about the importance of funding CONO initiatives.

Councilmember Strand asked for a summary of the data used to determine the areas of need in the community. Ms. Cox provided an overview of the data and index used to determine census tracts and areas of greatest need.

Councilmember Knight expressed concern about the paradigm shift represented by the proposed Plan from the previous Plan and stated he will support the Plan as it provides the opportunity to incorporate changes.

Motion by President Pro Tem Gaebler, seconded by Councilmember Bagley, that the 2015-2019 Consolidated Plan and 2015 Action Plan for the use of Federal Block Grant Funds (CDBG, HOME, ESG) Provided Through the U.S. Department of Housing and Urban Development be approved. The motion passed by a vote of 6-3-0.

Aye: 6 - Bagley, Bennett, Gaebler, Knight, Murray, and Strand

No: 3 - Collins, King, and Pico

Res/Ord Number: 62-15

Councilmember Strand explained he requested the bifurcation because he does not think citizens were given enough opportunity to contribute to the Citizen Participation Plan and the City could do a better job of soliciting citizen participation.

Councilmember Knight asked if failure to approve the Plan would prevent receipt of funding. Ms. Cox stated the funding would still be available, but that the time to make changes to the Plan is now. Ms. Cox stated the Plan, as presented, meets the HUD citizen input requirements.

Councilmembers stressed the importance of soliciting citizen input and including citizen ideas and responses in the Plan. Ms. Cox agreed to continue her efforts to solicit citizen input and update the Plan accordingly.

Motion by Councilmember Murray, seconded by Councilmember Bagley, that the 2015 Citizen Participation Plan for the use of Federal Block Grant Funds (CDBG, HOME, ESG) Provided Through the U.S. Department of Housing and Urban Development be approved. The motion passed by a vote of 6-3-0.

Aye: 6 - Bagley, Bennett, Gaebler, Knight, Murray, and Pico

No: 3 - Collins, King, and Strand

Res/Ord Number: 62-15

Motion by President Pro Tem Gaebler, seconded by Councilmember Bagley, that the Resolution to approve the 2015-2019 Consolidated Plan, 2015 Action Plan and Citizen Participation Plan for the use of Federal Block Grant Funds (CDBG, HOME, ESG) Provided Through the U.S. Department of Housing and Urban Development be adopted. The motion passed by a vote of 6-3-0.

Aye: 6 - Bagley, Bennett, Gaebler, Knight, Murray, and Strand

No: 3 - Collins, King, and Pico

11.C. [15-00305](#)

Ordinance No. 15-38 amending Ordinance No. 14-101 (2015 Appropriation Ordinance) for a Supplemental Appropriation to the following Federal Entitlement Grants: CDBG (increase by \$220,268), Emergency Solutions Grant (increase by \$58,195), and HOME

Investment Partnership Grant (increase by \$173,094)

Res/Ord Number: 15-38

Ms. Cox explained this is the appropriation of the funds that will be received in July.

Councilmember Knight clarified this is the allocation of the funds. Ms Cox explained previous action was based on estimated funds, this reflects allocation of the actual amount to be received. Ms. Cox also explained her department is working to find programs that may benefit from unused funds, which will be lost if not used.

Motion by President Pro Tem Gaebler, seconded by Councilmember Strand, that the Ordinance amending Ordinance No. 14-101 (2015 Appropriation Ordinance) for a Supplemental Appropriation to the following Federal Entitlement Grants: CDBG (increase by \$220,268), Emergency Solutions Grant (increase by \$58,195), and HOME Investment Partnership (increase by \$173,094) be approved on first reading. The motion passed by a vote of 6-3-0.

Aye: 6 - Bagley, Bennett, Gaebler, Knight, Murray, and Strand

No: 3 - Collins, King, and Pico

12. Public Hearing

There was not a Public Hearing.

13. Added Item Agenda

There were no Added Agenda Items.

14. Executive Session

There was not an Executive Session.

15. Adjourn

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

Sarah Johnson
City Clerk