



City of Colorado Springs

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

Meeting Minutes - Final City Council

City Council meetings are broadcast live on Channel 18.

Tuesday, October 28, 2014

1:00 PM

Council Chambers

1. Call to Order

Present: 9 - President Pro Tem Merv Bennett, Councilmember Helen Collins, Councilmember Jill Gaebler, President Keith King, Councilmember Don Knight, Councilmember Jan Martin, Councilmember Joel Miller, Councilmember Andy Pico, and Councilmember Val Snider

2. Invocation and Pledge of Allegiance

The Invocation was led by Pastor Paul Peel, First Lutheran Church.

The Pledge of Allegiance was led by President King.

3. Changes to Agenda/Postponements

Eileen Gonzalez, City Council Administrator, stated item 12.H. is not an action item and will not be read into the record. Ms. Gonzalez also stated two resolutions have been added to section 14., Added Item Agenda, a Resolution to Oppose Expansion of Federal Control under the Clean Water Act and a resolution supporting advisory ballot question 1B submitted to the registered electors of the proposed PPRDA pursuant to City Code 5.2.304(a).

Councilmember Knight requested to move items 11.C. and 11.D., to immediately follow the Consent Calendar.

Consensus of Council agreed to these changes to the agenda.

4. Councilmember Comments

Councilmember Knight was invited to the Colorado National Guard Readiness Center grand opening and had the honor of accepting a recognition plaque on behalf of the City of Colorado Springs.

Councilmember Knight read the plaque and recommended it be placed in the Office of Emergency Management.

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.** [14-0572](#) Ordinance No. 14-72 amending Article 1 (General Business License Provisions) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, pertaining to general business license provisions

This Ordinance was finally passed on the Consent Calendar.

- 5A.B.** [14-0579](#) Ordinance No. 14-73 amending Part 4 (Alarm Licenses and Registration) 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 alarm licenses

This Ordinance was finally passed on the Consent Calendar.

- 5A.C.** [14-0581](#) Ordinance No. 14-74 amending Part 6 (Escort 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 escort services licenses

This Ordinance was finally passed on the Consent Calendar.

- 5A.D.** [14-0582](#) Ordinance No. 14-75 amending Sections 701 (Definitions) and 702 (License Required; Fee; Term) of Part 7 (Peddler of Food Wares) 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 food peddler licenses

This Ordinance was finally passed on the Consent Calendar.

- 5A.E.** [14-0583](#) Ordinance No. 14-76 amending Sections 803 (License Required; Fee; Term) and 804 (Bonds Required) of Part 8 (Pawnbrokers) 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 pawnbroker licenses

This Ordinance was finally passed on the Consent Calendar.

- 5A.F.** [14-0585](#) Ordinance No. 14-77 amending Part 10 (Taxicabs) 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 taxicab licenses

This Ordinance was finally passed on the Consent Calendar.

- 5A.G.** [14-0586](#) Ordinance No. 14-78 amending sections 1103 (License Required; Expiration; Transferability; Fees), 1104 (Applications; Funeral Escort Service Agency, Funeral Escort Service Agency Officers) and 1105 (Funeral Escort Agency License; Insurance Requirements; Training) of Part 11 (Funeral Escorts) 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 funeral escort licenses

This Ordinance was finally passed on the Consent Calendar.

- 5A.H.** [14-0587](#) Ordinance No. 14-79 amending Article 4 (Sexually Oriented Businesses) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, pertaining to sexually oriented business licenses

This Ordinance was finally passed on the Consent Calendar.

- 5A.I.** [14-0588](#) Ordinance No. 14-80 amending Section 203 (Application for License; Bond and Insurance Requirements; Suspension or Revocation) of Part 2 (Excavations) of Article 3 (Streets and Public Ways) of Chapter 3 (Public Property and Public Works) of the Code of the City of Colorado Springs 2001, as amended, pertaining to excavation licenses

This Ordinance was finally passed on the Consent Calendar.

- 5A.J.** [14-0590](#) Ordinance No. 14-81 amending Part 5 (Concrete Contractors) of

Article 3 (Streets and Public Ways) of Chapter 3 (Public Property and Public Works) of the Code of the City of Colorado Springs 2001, as amended, pertaining to concrete contractor licenses

This Ordinance was finally passed on the Consent Calendar.

- 5A.K.** [14-0573](#) Ordinance No. 14-82 repealing Part 1 (Circuses, Carnivals and Menageries) of Article 2 (Amusements) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, pertaining to circus, carnival, and menagerie licenses

This Ordinance was finally passed on the Consent Calendar.

- 5A.L.** [14-0574](#) Ordinance No. 14-83 repealing Part 2 (Billiard and Pool Tables) of Article 2 (Amusements) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, pertaining to billiard and pool table licenses

This Ordinance was finally passed on the Consent Calendar.

- 5A.M.** [14-0575](#) Ordinance No. 14-84 repealing Part 3 (Coin-Operated Machines) of Article 2 (Amusements) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, pertaining to coin-operated machine licenses

This Ordinance was finally passed on the Consent Calendar.

- 5A.N.** [14-0576](#) Ordinance No. 14-85 repealing Part 4 (Game Rooms) of Article 2 (Amusements) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, pertaining to game room licenses

This Ordinance was finally passed on the Consent Calendar.

- 5A.O.** [14-0580](#) Ordinance No. 14-86 repealing Part 5 (Ash, Garbage, Refuse, Trash and Rubbish Haulers) 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 ash, garbage, refuse, trash and rubbish hauler licenses

This Ordinance was finally passed on the Consent Calendar.

- 5A.P.** [14-0584](#) Ordinance No. 14-87 repealing Part 9 (Going-Out-of-Business Sales) 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 going-out-of-business sale licenses

This Ordinance was finally passed on the Consent Calendar.

- 5A.Q.** [14-0577](#) Ordinance No. 14-88 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 service licenses

This Ordinance was finally passed on the Consent Calendar.

- 5A.R.** [14-0591](#) Ordinance No. 14-90 reordaining Section 507 (License Fees Enumerated) of Part 5 (License Fees) of Article 1 (General Business License Requirements) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, pertaining to business license fees

This Ordinance was finally passed on the Consent Calendar.

5B. First Presentation:

- 5B.C.** [14-0654](#) Ordinance No. 14-94 amending the zoning map of the City of Colorado Springs relating to 2.2 acres located at 3025 North Hancock.
(Quasi-Judicial Matter)

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

- 5B.D.** [14-0655](#) 3025 Hancock Development Plan
(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 Knight, 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.

Yes: 9 - Bennett, Collins, Gaebler, King, Knight, Martin, Miller, Pico, and Snider

- 11.C.** [14-0618](#) Ordinance No. 14-92 annexing to the City of Colorado Springs that area known as Capital Annexation No. 1 as hereinafter specifically described in Exhibit "A"
(Legislative Matter)

There were no questions or comments regarding this agenda item.

Motion by President Pro Tem Bennett, seconded by Councilmember Knight, that the Ordinance annexing to the City of Colorado Springs that area known as Capital Annexation No. 1 as hereinafter specifically described in Exhibit "A." be finally passed. The motion passed by a vote of 9-0-0.

Yes: 9 - Bennett, Collins, Gaebler, King, Knight, Martin, Miller, Pico, and Snider

- 11.D.** [14-0620](#) Ordinance No. 14-93 amending the zoning map of the City of Colorado Springs relating to 60.606 acres located east of the Industry Road and Capital Drive intersection at 3285 Capital Drive
(Legislative Matter)

Councilmember Miller stated this is illustrative of Council acting as the CSU Board and having one body able to facilitate this type of action in a timely matter and in the best interest of the City.

Motion by President Pro Tem Bennett, seconded by Councilmember Knight, that the Ordinance to establish the M-1/HR/AO (Light Industrial zone with High Rise and Airport Overlays) zone district, based upon the finding that it complies with the review criteria of City Code Section 7.5.603.B be finally passed. The motion passed by a vote of 9-0-0.

Yes: 9 - Bennett, Collins, Gaebler, King, Knight, Martin, Miller, Pico, and Snider

6. Recognitions

There were no Recognitions.

7. Citizen Discussion

Citizen Charles Barber spoke about rental contracts for City offices and the Colorado Springs real estate dynasty.

Citizen Deborah Stout-Meninger spoke about red slurry fire retardant and the effects on people, animals and the environment.

Citizen Carl Strow spoke about the Manitou Incline restoration.

Citizen Michael Tozier spoke about flooding on Siferd Blvd and the stormwater ballot issue 1.B.

Citizen Jackie Ostrum, currently serving on the EIRP Citizens Advisory Board, voiced concerns she has about budget cuts to the DSM budget.

8. Mayor's Business

Bret Waters, Deputy Chief of Staff, reminded Council and citizens of the Mayor's six community forums scheduled in November and early December.

9. Items Called Off Consent Calendar

5B.A. [14-0664](#) Boards and Commissions

Councilmember Knight requested this item be pulled off the Consent Calendar because Council was not involved in the selection of nominees for the Development Review Enterprise committee and requested Council vote on the Boards and Commission items separately. Consensus of Council agreed to separate the votes.

Motion by President Pro Tem Bennett, seconded by Councilmember Gaebler, that the appointments to the Board of Review be approved. The motion passed by a vote of 9-0-0.

Yes: 9 - Bennett, Collins, Gaebler, King, Knight, Martin, Miller, Pico, and Snider

Motion by President Pro Tem Bennett, seconded by Councilmember Gaebler, to approve the appointments to the Citizens' Transportation Advisory Board.. The motion passed by a vote of 9-0-0.

Yes: 9 - Bennett, Collins, Gaebler, King, Knight, Martin, Miller, Pico, and Snider

Motion by President Pro Tem Bennett, seconded by Councilmember Gaebler, to approve the appointments to the Development Review Enterprise Customer Advisory Committee. The motion passed by a vote of 6-3-0.

Yes: 6 - Bennett, Gaebler, King, Martin, Pico, and Snider

No: 3 - Collins, Knight, and Miller

5B.B. [14-0670](#) City Council Regular Meeting Minutes October 14, 2014

Councilmember Knight requested the discussion on item 5.B.H., Tree Trimming, be changed to reflect that Councilmember Bennett requested information about the 12 foot limit and Councilmember Knight asked the questions about the Fire Department approval.

Motion by Councilmember Knight, seconded by President Pro Tem Bennett, that the City Council Regular Meeting Minutes from October 14, 2014 be approved as amended. The motion passed by a vote of 9-0-0.

Yes: 9 - Bennett, Collins, Gaebler, King, Knight, Martin, Miller, Pico, and Snider

10. Utilities Business**10.A.** [14-0616](#) A Resolution Setting the Gas Cost Adjustment Effective November 1, 2014

Bill Cherrier, Chief Planning and Financial Officer, Colorado Springs Utilities (CSU), provided an overview of the proposal to increase gas prices effective November 1, 2014.

Councilmember Martin commented on the recent decrease in gas prices and asked if this is necessary. Mr. Cherrier stated CSU still expects gas prices to increase during the winter heating season and stated CSU tracks gas prices daily and can request another adjustment if necessary.

President King asked for an explanation of the process of collecting fees to cover under collection loss during the previous year. Mr. Cherrier explained the process of over and under collection to balance charges.

Councilmember Knight expressed disappointment that the presentation was not in the agenda packet and addressed concerns about the fluctuations in the gas prices and the process of under and over collection, adding he will not support this.

Citizen Walter Lawson voiced his concerns about the ambiguity of the document which does not include exact figures and should be written so the average citizen can understand it.

President King asked how the rates were factored between the three different customer types. Mr. Cherrier explained all customers are charged the same amount per hundred cubic feet of gas. The percentage increase difference is based on the delivery of gas

throughout the year and efficiency of use.

Councilmember Pico requested the suggestions of Mr. Lawson be included in the document. Mr. Cherrier stated he believes the requested changes would make the cost adjustment more confusing to customers; however, he will look for ways to simplify the information for customers.

Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the Resolution be adopted. The motion passed by a vote of 5-4-0.

Yes: 5 - Bennett, Gaebler, Martin, Pico, and Snider

No: 4 - Collins, King, Knight, and Miller

- 10.B.** [14-0634](#) Ordinance No. 14-95 approving the annual budget for Colorado Springs Utilities and appropriating monies for the several purposes named in the annual Colorado Springs Utilities Budget for the year ending December 31, 2015

Mr. Cherrier presented an overview of the proposed CSU budget and source of funds for 2015.

Councilmembers Martin and Gaebler stated they will not support this due to the removal of \$1.9 million in DSM spending.

Citizen Sam Masias read an email sent to Councilmember Miller by Leslie Weise regarding the CSU budget. Councilmember Miller stated he has not had time to research and respond to the extensive amount of information requested in the email received late Sunday evening and explained some of the misunderstandings alluded to in the email. Councilmember Miller also explained how events, including weather and the Drake fire have molded the budget and spending throughout the year and addressed concerns about the financial planning and the CSU Board.

Councilmember Pico emphasized two points; the proposal developed by the finance committee did not intend to eliminate DSM but to schedule spending over several years, and the intent of the wind contract was to sell wind to people who said they wanted it, but the people actually willing to pay is very different.

Councilmember Knight commented on the internal cuts made in 2014 from the DSM on the electric side and provided an overview of the rebate program, questioning the benefit of offering rebates for citizens to buy appliances that are energy efficient when all new appliances are

energy efficient. Councilmember Knight added he feels the CSU actions represent financial planning.

Citizen John Crandall spoke about DSM and using the program to level usage spikes. Mr. Crandall also spoke about the difference between commercial and residential power rates. Councilmember Knight agreed with the need to concentrate on the spike months and mentioned a study is included in the budget to consider ways to level out usage and costs.

Citizen Bonnie Ann Smith spoke about DSM being an industrial standard to help accomplish CSU goals.

Motion by Councilmember Miller, seconded by Councilmember Collins, that the Ordinance as amended to remove all funding for economic development be approved on first reading. The motion failed by a vote of 2-7-0.

Yes: 2 - Collins, and Miller

No: 7 - Bennett, Gaebler, King, Knight, Martin, Pico, and Snider

Motion by President Pro Tem Bennett, seconded by Councilmember Knight, that the Ordinance be approved on first reading. The motion passed by a vote of 5-4-0.

Yes: 5 - Bennett, King, Knight, Pico, and Snider

No: 4 - Collins, Gaebler, Martin, and Miller

- 10.C.** [14-0635](#) Ordinance No. 14-96 identifying and accepting the annual sources of funds for Colorado Springs Utilities for the year ending December 31, 2015

Councilmember Miller stated he will support this because he believes the sources of funds are adequate. He addressed concerns about economic development and City funds being used to endorse political candidates by economic development groups. Councilmember Miller let citizens know there are planned excesses in the utilities budget includes things that have nothing to do with utilities.

Motion by President Pro Tem Bennett, seconded by Councilmember Knight, that the Ordinance be approved on first reading. The motion passed by a vote of 8-1-0.

Yes: 8 - Bennett, Gaebler, King, Knight, Martin, Miller, Pico, and Snider

No: 1 - Collins

11. Unfinished Business

- 11.A. [14-0578](#) Ordinance No. 14-89 amending Part 3 (Tree Service) 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 tree service licenses

Councilmember Miller asked if discussion has taken place about removing the limited license for trees under 12 feet. Sarah Johnson, City Clerk, responded that initial discussion has taken place with Council staff and Council direction was to report back at the November 24, 2014 meeting.

Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the ordinance amending Part 3 (Tree Service) 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 tree service licenses be finally passed. The motion passed by a vote of 7-2-0.

Yes: 7 - Bennett, Gaebler, King, Knight, Martin, Pico, and Snider

No: 2 - Collins, and Miller

- 11.B. [14-0593](#) Ordinance No. 14-91 amending Ordinance 02-101 pertaining to the composition of the Citizens' Transportation Advisory Board

There were no questions or comments on this agenda item.

Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the ordinance be finally passed. The motion passed by a vote of 9-0-0.

Yes: 9 - Bennett, Collins, Gaebler, King, Knight, Martin, Miller, Pico, and Snider

12. New Business

- 12.A. [14-0506](#) A resolution of the City Council of the City of Colorado Springs concerning the retention of outside legal counsel

Councilmember Bennett suggested this item be postponed to the November 25, 2014 meeting.

Councilmember Miller asked if this has budget implications that need to take place prior to final 2015 City budget approval. Councilmember Knight said the money has already been included in the budget by the executive branch.

Motion by President Pro Tem Bennett, seconded by Councilmember Knight, that the resolution be postponed to a date certain, November 25, 2014. The motion passed by a vote of 8-1-0.

Yes: 8 - Bennett, Gaebler, King, Knight, Martin, Miller, Pico, and Snider

No: 1 - Collins

- 12.B.** [14-0567](#) A Resolution Authorizing the Colorado Springs Airport to Apply for a Loan from the Colorado Department of Transportation State Infrastructure Bank ("SIB") in an Amount Not to Exceed \$5,000,000 to Fund Infrastructure and Capital Asset improvements at the Colorado Springs Airport.

There were no questions or comments regarding this agenda item.

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

Yes: 8 - Bennett, Gaebler, King, Knight, Martin, Miller, Pico, and Snider

No: 1 - Collins

- 12.C.** [14-0600](#) A resolution approving the Intergovernmental Agreement and Service-Level Agreement between the City of Colorado Springs and El Paso County for facilities maintenance services

Councilmember Knight stated he will support this as it is a continuation of an existing agreement, however; he would like a full market study and bidding process before Council approves another extension.

Motion by President Pro Tem Bennett, seconded by Councilmember Gaebler, that the Resolution to approve an Intergovernmental Agreement and a Service Level Agreement between the City and El Paso County for facilities building maintenance services be adopted. The motion passed by a vote of 8-1-0.

Yes: 8 - Bennett, Collins, Gaebler, King, Knight, Martin, Pico, and Snider

No: 1 - Miller

- 12.D.** [14-0637](#) A Resolution Authorizing the Mayor to Execute a Contract Between the City of Colorado Springs and the Colorado Department of Transportation for Maintaining Traffic Signals on State Owned Facilities

There were no questions or comments on this agenda item.

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

Yes: 9 - Bennett, Collins, Gaebler, King, Knight, Martin, Miller, Pico, and Snider

- 12.E.** [14-0650](#) 11305 Voyager Master Plan Minor Amendment (Quasi-Judicial Matter)

Meggan Herington, Principal Planner, Land Use and Review, provided an overview of the amendment to the Voyager Master Plan, zone

change and Concept plan.

Councilmember Knight asked how the change from commercial to residential zoning is considered a minor change. Ms. Herrington explained the traffic volume difference between the commercial and residential areas will not have a significant impact on traffic flow in the area.

Councilmember Pico stated he is surprised to see this change from commercial to residential. Ms. Herington explained the types of businesses in the PIP zone and included that City Planning Staff do not support this recommended change.

John Olson with the applicant explained the plan to rezone this to PUD and how the planned land uses in the area complement each other. Mr. Olson also explained the natural grade change on the property provides a buffer between the zones.

Mr. Olson added that this property is owned by New Life Church and is currently tax exempt, if the zone change is approved the property will become taxable.

Councilmember Miller asked about access to the property. Mr. Olson stated both access roads are from New Life Drive, additional access may be included in the development plan.

Councilmember Miller commented on the ratio of residential to commercial properties and expressed appreciation for the multifamily housing increase to the area meeting the needs.

Citizens Elizabeth Dapper, Kevin Butcher, and Tina Luck spoke in favor of the zone change and development of a multifamily residential community.

Citizen Brady Boyd, Pastor of New Life Church spoke in favor of the development. Stated the church intends to invest the proceeds from the sale of this property back into the City.

Councilmember Miller asked about fire department coverage for the area, Ms. Herington stated the fire department reviewed the plan and had no comment.

Councilmember Knight asked if Planning Staff is still in opposition to this zone change. Ms. Herington stated Planning staff recommended denial while the Planning Commission approved the plan. Ms. Herington provided a summary of the opposition presented by Planning staff.

Motion by President Pro Tem Bennett, seconded by Councilmember Snider, that the Planning Case to approve the amendment to the Northgate Master Plan, based upon the finding that the amendment meets the review criteria for master plan amendments as set forth in City Code Section 7.5.408 be approved. The motion passed by a vote of 8-1-0.

Yes: 8 - Bennett, Gaebler, King, Knight, Martin, Miller, Pico, and Snider

No: 1 - Collins

- 12.F.** [14-0651](#) Ordinance No. 14-97 amending the zoning map of the City of Colorado Springs relating to 17.05 acres located at the northeast corner of Voyager Parkway and New Life Drive, north of New Life Church at 11305 Voyager Parkway.
(Quasi-Judicial Matter)

Please see comments in agenda item 12.E.

Motion by President Pro Tem Bennett, seconded by Councilmember Snider, that the Ordinance to approve the zone change of 17.05 acres from PIP-1 (Planned Industrial Park) to PUD (Planned Unit Development: Multi-family residential, 30 dwelling units per acre maximum, uses as permitted in the PBC zone district excluding Medical/Recreational Marijuana Center, Motor Vehicle Service Station and Sexually Oriented Businesses, 45-foot maximum building height), based upon the findings that the change of zoning request complies with the three (3) criteria for granting of zone changes as set forth in City Code Section 7.5.603 and the criteria for the establishment and development of a PUD zone as set forth in City Code Section 7.3.603 be approved on first reading. The motion passed by a vote of 8-1-0.

Yes: 8 - Bennett, Gaebler, King, Knight, Martin, Miller, Pico, and Snider

No: 1 - Collins

- 12.G.** [14-0652](#) 11305 Voyager PUD Concept Plan
(Quasi-Judicial Matter)

Please see comments in agenda item 12.E.

Motion by President Pro Tem Bennett, seconded by Councilmember Snider, that the Planning Case be to approve the 11305 Voyager PUD Concept Plan based upon the findings that the PUD concept plan meets the review criteria for PUD concept plans as set forth in City Code Section 7.3.605 be approved. The motion passed by a vote of 8-1-0.

Yes: 8 - Bennett, Gaebler, King, Knight, Martin, Miller, Pico, and Snider

No: 1 - Collins

- 12.H.** [14-0500](#) Introduction of the Downtown Development Authority (DDA) Budget, and Business Improvement District (BID) Operating Plans and Budgets for 2015

This was not an action item and was not read into the record.

- 12.I.** [14-0459](#) Approval of the Proposed 2015 Budget for the Colorado Springs Downtown Development Authority

Councilmember Knight voiced his concerns about allocation of some of the funds but will support this budget item.

Motion by President Pro Tem Bennett, seconded by Councilmember Gaebler, to approve the proposed 2015 budget for the Colorado Springs Downtown Development Authority. The motion passed by a vote of 7-2-0.

Yes: 7 - Bennett, Gaebler, King, Knight, Martin, Pico, and Snider

No: 2 - Collins, and Miller

- 12.J.** [14-0460](#) Approval of the Proposed 2015 Operating Plan and Budget for the Greater Downtown Colorado Springs Business Improvement District

There were no questions or comments regarding agenda item 12.J.

Motion by President Pro Tem Bennett, seconded by Councilmember Snider, to approve the proposed 2015 Operating Plan and Budget for the Greater Downtown Colorado Springs Business Improvement District. The motion passed by a vote of 7-2-0.

Yes: 7 - Bennett, Gaebler, King, Knight, Martin, Pico, and Snider

No: 2 - Collins, and Miller

- 12.K.** [14-0461](#) Approval of the Proposed 2015 Operating Plan and Budget for the Barnes & Powers North Business Improvement District

Councilmember Knight asked if this budget needs to include an increase to 46 mils. Carl Schueler, Planning department, provided hard copies of the corrected budget being voted on today. Ralph Braden with Nor'wood Development clarified that the request is for the 46 mil rate.

Motion by President Pro Tem Bennett, seconded by Councilmember Snider, to approve the proposed 2015 Operating Plan and Budget for the Barnes & Powers North Business Improvement District which increases the mill levy from 44 mils to 46 mils. The motion passed by a vote of 7-2-0.

Yes: 7 - Bennett, Gaebler, King, Knight, Martin, Pico, and Snider

No: 2 - Collins, and Miller

- 12.L.** [14-0462](#) Approval of the Proposed 2015 Operating Plan and Budget for the Barnes & Powers South Business Improvement District

There were no questions or comments regarding agenda item 12.L.

Motion by President Pro Tem Bennett, seconded by Councilmember Snider, to approve the proposed 2015 Operating Plan and Budget for the Barnes & Powers South Business Improvement District. The motion passed by a vote of 7-2-0.

Yes: 7 - Bennett, Gaebler, King, Knight, Martin, Pico, and Snider

No: 2 - Collins, and Miller

- 12.M.** [14-0463](#) Approval of a Revised 2015 Operating Plan and Budget for the Briargate Center Business Improvement District

Councilmember Knight asked Carl Schueler to clarify the changes made to this budget as the documents included in the Council packet did not include the same draft budget presented and being voted on. Mr. Schueler explained the budget request is for a debt service mill levy of 37 and an operational mill levy of eight, the same as last year. Mr. Schueler explained the debt service and operational mill levy funds may be reallocated based on the completion of planned projects.

Motion by President Pro Tem Bennett, seconded by Councilmember Gaebler, to approve the proposed 2015 Budget and Operating Plan for the Briargate Center Business Improvement District up to a total of 45 mills with 37 mills for debt service and 8 mills for general. The motion passed by a vote of 7-2-0.

Yes: 7 - Bennett, Gaebler, King, Knight, Martin, Pico, and Snider

No: 2 - Collins, and Miller

- 12.N.** [14-0464](#) Approval of the Proposed 2015 Operating Plan and Budget for the First and Main Business Improvement District

There were no questions or comments regarding agenda item 12.N.

Motion by President Pro Tem Bennett, seconded by Councilmember Gaebler, to approve the proposed 2015 Operating Plan and Budget for the First and Main Business Improvement District. The motion passed by a vote of 7-2-0.

Yes: 7 - Bennett, Gaebler, King, Knight, Martin, Pico, and Snider

No: 2 - Collins, and Miller

- 12.O.** [14-0465](#) Approval of the Proposed 2015 Operating Plan and Budget for the First and Main Business Improvement District No. 2

There were no questions or comments regarding agenda item 12.O.

Motion by Councilmember Gaebler, seconded by President Pro Tem Bennett, to

approve the proposed 2015 Operating Plan and Budget for the First and Main Business Improvement District No. 2. The motion passed by a vote of 7-2-0.

Yes: 7 - Bennett, Gaebler, King, Knight, Martin, Pico, and Snider

No: 2 - Collins, and Miller

12.P. [14-0466](#) Approval of the Proposed 2015 Operating Plan and Budget for the First and Main North Business Improvement District

There were no questions or comments regarding agenda item 12.P.

Motion by Councilmember Gaebler, seconded by President Pro Tem Bennett, to approve the proposed 2015 Operating Plan and Budget for the First and Main North Business Improvement District. The motion passed by a vote of 7-2-0.

Yes: 7 - Bennett, Gaebler, King, Knight, Martin, Pico, and Snider

No: 2 - Collins, and Miller

12.Q. [14-0467](#) Approval of the Proposed 2015 Operating Plan and Budget for the Interquest North Business Improvement District

There were no questions or comments regarding agenda item 12.Q.

Motion by Councilmember Gaebler, seconded by President Pro Tem Bennett, to approve the proposed 2015 Operating Plan and Budget for the Interquest North Business Improvement District. The motion passed by a vote of 7-2-0.

Yes: 7 - Bennett, Gaebler, King, Knight, Martin, Pico, and Snider

No: 2 - Collins, and Miller

12.R. [14-0468](#) Approval of the Proposed 2015 Operating Plan and Budget for the Interquest South Business Improvement District

There were no questions or comments regarding agenda item 12.R.

Motion by Councilmember Gaebler, seconded by President Pro Tem Bennett, to approve the proposed 2015 Operating Plan and Budget for the Interquest South Business Improvement District. The motion passed by a vote of 7-2-0.

Yes: 7 - Bennett, Gaebler, King, Knight, Martin, Pico, and Snider

No: 2 - Collins, and Miller

12.S. [14-0469](#) Approval of the Proposed 2015 Operating Plan and Budget for the Powers & Woodmen Commercial Business Improvement District

There were no questions or comments regarding agenda item 12.S.

Motion by Councilmember Gaebler, seconded by President Pro Tem Bennett, to approve the proposed 2015 Operating Plan and Budget for the Powers &

Woodmen Commercial Business Improvement District. The motion passed by a vote of 7-2-0.

Yes: 7 - Bennett, Gaebler, King, Knight, Martin, Pico, and Snider

No: 2 - Collins, and Miller

13. Public Hearing

There was not a Public Hearing.

14. Added Item Agenda

[14-0653](#)

Resolution to Oppose Expansion of Federal Control under the Clean Water Act

Councilmember Knight clarified the record will reflect the revised version of the resolution that incorporates Councilmember Gaebler's suggested changes. Ms. Gonzalez confirmed the final version does incorporate the changes.

Motion by President Pro Tem Bennett, seconded by Councilmember Pico, that the Resolution be adopted . The motion passed by a vote of

Yes: 9 - Bennett, Collins, Gaebler, King, Knight, Martin, Miller, Pico, and Snider

[14-0677](#)

A resolution supporting advisory ballot question 1B submitted to the registered electors of the proposed PPRDA pursuant to City Code 5.2.304(a).

Kevin Walker, Stormwater Task Force member, addressed Councilmember Miller's concerns about detailed information regarding impervious surface stating the task force did not go to that amount of detail. Mr. Walker also explained the problems with the calculator on the website are associated with different browsers and stated they are working to resolve the issues.

Motion by President Pro Tem Bennett, seconded by Councilmember Snider, that the resolution be adopted. The motion passed by a vote of 6-3-0.

Yes: 6 - Bennett, Gaebler, King, Martin, Pico, and Snider

No: 3 - Collins, Knight, and Miller

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