



City of Colorado Springs

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

Meeting Minutes City Council

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Tuesday, January 23, 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 10:00 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

2. Invocation and Pledge of Allegiance

The Invocation was made by Pastor Bobby Jackson from the Journey Bible Based Church.

Citizen Devonne Bumpus led the Pledge of Allegiance.

3. Changes to Agenda/Postponements

There were no changes to the Agenda.

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.** [ANEX-23-00](#)
[02](#) Ordinance No. 24-04 annexing to the City of Colorado Springs that area known as Capital Drive Addition No. 2 annexation consisting of 6.63-acres located north of Constitution Avenue and east of Marksheffel Road.
(Legislative)

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Neighborhood Services

Peter Wysocki, Director, Planning and Neighborhood Services

Attachments: [ORD Capital Drive Addition No 2](#)
[Exhibit A - Legal Capital Drive Addition No 2](#)
[Exhibit B - Plat Capital Drive Addition No 2-11X17](#)
[PlanningCommissionStaffReport_CapitalDrive](#)
[Aerial Location Map](#)
[Capital Drive Addition No 2 - Petition](#)
[Signed Resolution No. 181-23.pdf](#)
[Aerial Location Map](#)
[CaptitalDrive2-3_RGS](#)
[Vicinity Map](#)
[7.6.203-Annexation Conditions](#)
[Capital Drive consent minutes](#)
[Signed Ordinance No. 24-04.pdf](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.B.** [ANEX-23-00](#)
[03](#) Ordinance No. 24-05 annexing to the City of Colorado Springs that area known as Capital Drive Addition No. 3 annexation consisting of 1.01-acres located north of Constitution Avenue and east of Marksheffel Road.
(Legislative)

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Neighborhood Services

Peter Wysocki, Director, Planning and Neighborhood Services

Attachments: [ORD Capital Drive Addition No 3](#)
[PlanningCommissionStaffReport CapitalDrive](#)
[Aerial Location Map](#)
[Capital Drive Addition No 3 - Petition](#)
[Exhibit A - Legal Capital Drive Addition 3](#)
[Exhibit B - Plat Capital Drive Addition No 3-11X17](#)
[Resolution-Hearing Setting-Capital Drive Addition No 3](#)
[Signed Resolution No. 182-23.pdf](#)
[CaptitalDrive2-3_RGS](#)
[Vicinity Map](#)
[7.6.203-Annexation Conditions](#)
[Capital Drive consent minutes](#)
[Signed Ordinance No. 24-05.pdf](#)

This Ordinance was finally passed on the Consent Calendar.

4B. First Presentation:

4B.A. [24-047](#) City Council Regular Meeting Minutes January 9, 2024

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [1-9-2024 City Council Meeting Minutes Final](#)

The Minutes were approved on the Consent Calendar.

4B.B. [24-007](#) A Resolution Authorizing the Use of Possession and Use and/or Eminent Domain to Acquire Certain Easements Needed for the Academy Boulevard: Fountain to Jet Wing Project

Presenter:
Gayle Sturdivant, PE, PMP Acting Public Works Director/City Engineer
Darlene Kennedy, Real Estate Services Manager

Attachments: [PW-EminentDomainRES-2023-12-28](#)[1 Parcels 56 80 Location Map](#)[3 Resolution - Exhibit A - JH Foods Permanent Easement](#)[4 Resolution - Exhibit B - JH Foods Temporary Easement](#)[5 Resolution - Exhibit C - 5710 South Highway Permanent Easement](#)[6 Resolution - Exhibit D - 5710 South Highway Temporary Easements](#)[7 Academy - 56-80 Presentation 20240108](#)[Signed Resolution No. 05-24.pdf](#)

This Resolution was adopted on the Consent Calendar.

4B.C. [24-001](#)

Ordinance No. 24-06 amending Ordinance No. 23-65 (2024 Budget Appropriation Ordinance) for a supplemental appropriation to the General Fund in the amount of \$3,919,650 and to the Lodgers and Auto Rental Tax (LART) Fund in the amount of \$828,478 for the refund of 2022 fiscal year revenue above the 2022 fiscal year revenue and spending limitations (TABOR cap)

Presenter:

Charae McDaniel, Chief Financial Officer

Chris Fiandaca, City Budget Manager

Attachments: [LARTaborRefund2024ORD-2023-12-4_clean copy CAO review](#)[Signed Ordinance No. 24-06.pdf](#)

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

4B.D. [24-017](#)

Ordinance No. 24-07 to repeal and reordain Article 25 (Removal and Impoundment of Vehicles) of Chapter 10 (Motor Vehicles and Traffic) of the Code of the City of Colorado Springs 2001, as amended, Pertaining to Impoundment Of Vehicles

Presenter:

Commander John Koch, Colorado Springs Police Department

Jennifer Underwood, CSPD Evidence/Impound Manager

Frederick Stein, Public Safety City Attorney

Attachments: [CSPD-ImpoundmentVehiclesORD-2023-10-09](#)[2024 Impound Ordinance City Council Powerpoint - UPDATED 12062023 - JEU](#)[Signed Ordinance No. 24-07.pdf](#)

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

4B.E. [24-020](#)

A Resolution Approving an Agreement to Annex and to Provide Wastewater Service Outside the City Limits to 7508 Tudor Road in Unincorporated El Paso County.

Presenter:

Bryan English, PMP, Development Projects Manager, Customer
Utilities Connections

Travas Deal, Chief Executive Officer, Colorado Springs Utilities

Attachments: [2 - CSU-WW 7508 Tudor Rd Resolution 20231228](#)

[3 - FINAL REV - 7508 Tudor Rd Agreement to Annex WW \(Walters
2023\) OWNER ENDORSED FULL 20240109](#)

[4 - City Council PPT \(1-23-24\) 7508 Tudor Rd 2023\) 20231228](#)

This Resolution was adopted on the Consent Calendar.

4B.F. [24-016](#)

The City Clerk reports that on December 28, 2023 there was filed with her a petition for the annexation of Park Vista Addition No. 10 Annexation. The City Clerk herewith communicates such to City Council and recommends that the petition and map be referred to the City Administration for review and recommendation regarding whether the petition is in substantial compliance with Section 31-12-107(1).

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [Memo to Clerk Annexation PetitionPark Vista Addition 10.doc](#)

[Vicinity MapPark Vista 10 docx.docx](#)

[Petition_updated_11-7-23](#)

[Exhibit 1 - Legal Description](#)

[Annexation Plat_Park Vista Addition No 10.pdf](#)

This Item was approved on the Consent Calendar.

4B.G. [24-044](#)

The City Clerk reports that on January 3, 2024 there was filed with her a petition for the annexation of Summit View Addition No 1 Annexation. The City Clerk herewith communicates such to City Council and recommends that the petition and map be referred to the City Administration for review and recommendation regarding whether the petition is in substantial compliance with Section 31-12-107(1).

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [Memo to Clerk Annexation Petition-Summit View Addition No. 1 - ANEX-23-0021.doc summit view.doc](#)
[2445-00 Annex Doc.pdf summit view.pdf](#)
[Annexation Legal.docx summit view.docx](#)
[Church annexation petition.pdf summit view.pdf](#)
[General Owner Consultant and Developer Authorization Form - fillable.pdf summit view.pdf](#)
[ROI Petition.pdf summit view.pdf](#)
[Vicinity Map.docx summit view.docx](#)

This Item was approved on the Consent Calendar.

4B.H. [24-054](#) Annual Designation of the City Clerk’s Office as the public place for posting of public notices for public meetings.

Presenter:
Sarah B. Johnson, City Clerk

This Item was approved on the Consent Calendar.

Approval of the Consent Agenda

Motion by Councilmember Leinweber, seconded by Councilmember Talarico, 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

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

5. Recognitions

5.A. [24-048](#) A Resolution recognizing February 2024 as Black History Month

Presenter:
Nancy Henjum, Councilmember District 5

Attachments: [Black History Month](#)
[Signed Resolution No. 07-24.pdf](#)

Councilmember Henjum read the Resolution recognizing February 2024 as Black History Month.

Jennifer Smith, One Body ENT, provided an overview of their Black History Program event being held and introduced Devonne Bumpus a student from Venetucci Elementary School who read a biography of singer/dancer Debbie Allen.

Councilmember Donelson stated he felt the fourth clause of the

Resolution which states, "Whereas, the City of Colorado Springs continues to work toward becoming a more inclusive community in which all citizens, past, present, and future, are respected and recognized for their contributions and potential contributions to our community, state, and country" should be removed because he feels the City is already an inclusive community.

President Pro Tem Iverson quoted Martin Luther King, Jr. and stated she supports Councilmember Donelson's suggested amendment because she believes words matter, the City is making gains regarding inclusiveness, and the Resolution needs to be more positive and honoring of these gains.

Councilmember Avila stated systemic racism continues to exist in the City and to whitewash it is unacceptable while people of color continue to suffer in the community.

President Helms stated he believes the City is an inclusive place but believes they can work towards being even more inclusive.

Councilmember Leinweber stated Council always needs to be working toward improving.

Councilmember Risley stated he supports the Resolution as it was originally presented.

Councilmember Donelson stated he supports the Resolution in recognition of Black History Month and the contributions of African Americans, but not the diversity, equity, and inclusion (DEI) statement, which was added as the fourth clause, but withdrew his request to strike the fourth clause.

Councilmember Avila explained how equality is different from equity.

Motion by Councilmember Henjum, seconded by Councilmember Leinweber, that the Resolution recognizing February 2024 as Black History Month be adopted. The motion passed by a vote of 9-0-0

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

5.B. [24-036](#)

A Resolution of Appreciation of Rhonda Embres, Fire Code Inspector II, Fire Construction Services, for her 25 years of service to the City of Colorado Springs.

Presenter:

Randy Helms, Council President and Councilmember District 2
Brett Lacey, Fire Marshal.

Attachments: [Rhonda Embres Retiree Resolution \(Employee Will Attend\)](#)
[Signed Resolution No. 08-24.pdf](#)

President Helms read the Resolution of Appreciation for Rhonda Embres, Fire Code Inspector II, Fire Construction Services, Colorado Springs Fire Department (CSFD), for her twenty-five years of service with the City of Colorado Springs.

Brett Lacey, Fire Marshal, CSPD, acknowledged Ms. Embres and her achievements.

Councilmember O'Malley and Councilmember Donelson expressed gratitude for Ms. Embres' service and accomplishments during her career with the City.

Ms. Embres expressed appreciation for the opportunities she had been given with the City, for the recognition, and for the CSFD Team.

Motion by Councilmember O'Malley, seconded by Councilmember Donelson, that the Resolution of Appreciation of Rhonda Embres, Fire Code Inspector II, Fire Construction Services, for her 25 years of service to the City of Colorado Springs be adopted. The motion passed by a vote of 9-0-0

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

Citizen Jose Solano stated he is concerned with the future of the Printer's Union home.

Citizen Shannon Johnson spoke against the pornographic images portrayed at Independent Records on Academy Boulevard and is viewable by minors.

Citizen Debra Cain spoke about the two homeless deaths which occurred during the recent subzero temperatures and requested additional assistance for those experiencing homelessness and poverty.

Citizens Shane Hood and Barbera Berry requested free bus service within the City.

Citizen Lon Halley introduced himself and provided a brief overview of Capital Ministries.

Citizen Chauncy Johnson quoted Martin Luther King Jr. regarding helping unhoused people.

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

There was no New Business.

12. Public Hearing

**12.A. [CPC ZC
21-00140](#)**

Ordinance No. 24-01 amending the zoning map of the City of Colorado Springs pertaining to 8 acres northeast of the Thunder Mountain Avenue and Daydreamer Drive intersection from A (Agricultural) to PK (Public Park) zone district. (Quasi-Judicial) (Second Reading and Public Hearing)

Presenter:
Katelynn Wintz, Planning + Neighborhood Services.
Peter Wysocki, Director, Planning + Neighborhood Services

Attachments: [ORD_NorthForkZC](#)
[Exhibit A](#)
[Exhibit B](#)
[NorthForkPark Presentation KW](#)
[CPC Report_North Fork Park](#)
[CPC ConsentCalendar12.16.21 draft](#)
[Context Map](#)
[North fork minutes dec 2021](#)
[7.5.603.B Findings - ZC](#)
[Signed Ordinance No. 24-01.pdf](#)

Katelynn Wintz, Planning and Neighborhood Services, presented the Ordinance amending the zoning map of the City relating to eight acres located northeast of the Thunder Mountain Avenue and Daydreamer Drive intersection from A (Agricultural) to PK (Public Park) zone district. She provided an overview of the North Fork Park zone change, vicinity map, timeline of review, stakeholder involvement, application review criteria, and optional motions.

Cody Humphries, La Plata Communities, representing the applicant, provided an overview of the Briargate Master Plan, North Fork Park site, and park land dedication.

Councilmember Leinweber asked if residents of El Paso County will have access to this park. Connie Schmeisser, Landscape Architect, Parks, Recreation, and Cultural Services, stated there are no plans to put up a fencing at this time, but they will be doing an evaluation next week regarding any potential safety concerns.

Citizen Sarah Knowley expressed appreciation for her questions regarding access to Howells Road being answered.

Motion by Councilmember Avila, seconded by Councilmember Donelson, that the Ordinance No. 24-01 establishing 8 acres as a PK (Public Park zone district based upon the findings that the request complies with the criteria for establishing a zone district as set forth in City Code Section 7.5.603.B be finally passed. 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

- 12.B.** [ZONE-23-00](#) Ordinance No. 24-02 amending the zoning map of the City of Colorado Springs relating to 45.33 acres located southeast of N Carefree Circle and Tutt Blvd from PDZ/AP-O/SS-O (Planned Development Zone with Airport and Streamside Overlays) to
[16](#)

PK/AP-O/SS-O (Public Park with Airport and Streamside Overlays).
(Quasi-Judicial) (Second Reading and Public Hearing)

Presenter:

Ann Odom, Planner II, Planning + Neighborhood Services.

Peter Wysocki, Director, Planning + Neighborhood Services

Attachments: [Greenways - Ordinance](#)
[Greenways - Context Map](#)
[Project Statement Land Use Statement](#)
[Greenways - Staff Report](#)
[Exhibit A](#)
[Exhibit B](#)
[7.5.704 ZONING MAP AMENDMENT \(REZONING\)](#)
[Greenways consent minutes](#)
[Applicant Presentation - Greenways Neighborhood Park](#)
[CC Ready - All Public Comments](#)
[Greenways - CC Staff Presentation](#)

Ann Odom, Planner II, Planning and Neighborhood Services, presented the Ordinance amending the zoning map of the City relating to 45.33 acres located southeast of N Carefree Circle and Tutt Blvd from PDZ/AP-O/SS-O (Planned Development Zone with Airport and Streamside Overlays) to PK/AP-O/SS-O (Public Park with Airport and Streamside Overlays). She provided an overview of the Greenways Neighborhood Park zone change, vicinity map, stakeholder involvement, agency review, application review criteria, and proposed motions.

Kyle Campbell, Classic Consulting, representing the applicant, provided an overview of the site location and the Greenways at Sand Creek PUD (Planned Unit Development) Concept Plan.

There were no comments on this item.

Motion by Councilmember Avila, seconded by Councilmember Donelson, that the Ordinance No. 24-02 establishing 45.33 acres as a PK/AP-O/SS-O (Public Park with Airport and Streamside Overlays) zone district based upon the findings that the request complies with the criteria for establishing a zone district as set forth in City Code Section 7.5.704 be finally passed. The motion passed by a vote of 9-0-0

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

13. Added Item Agenda

There were no items added to the Agenda.

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 11:50 AM.

Sarah B. Johnson, City Clerk