



# City of Colorado Springs

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

## Meeting Minutes - Draft City Council

*City Council meetings are broadcast live on Channel 18,  
beginning at 1:00 p.m.*

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Tuesday, July 22, 2014

1:00 PM

Council Chambers

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### 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 Paul Darrow, Chaplain VFW Post 4051.  
The Pledge of Allegiance was led by Crystal Lane, representing Big Brothers, Big Sisters.

### 3. Changes to Agenda/Postponements

There were no Changes to the Agenda.

### 4. Councilmember Comments

Councilmember Collins spoke about immigration to the United States, she believes amnesty must stop.

Councilmember Miller addressed concerns about additional expenditures associated with City for Champions not approved by Council and the lack of transparency by the organization. This includes the expense of retaining outside council to work on the agreement.

### 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. 14-0357** Ordinance No. 14-49 amending the zoning map of the City of Colorado Springs relating to 0.827 acre located at 330 West Uintah Street

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

5B. First Presentation:

- 5B.D. 14-0394** Swan House Manor Wedding and Event Center

**Motion by President Pro Tem Bennett, seconded by Councilmember Collins, 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.**

**Approval of the Consent Agenda**

Councilmember Collins requested agenda item 5.B.B. be pulled off the Consent Calendar.

Councilmember Miller requested agenda items 5.B.A. and 5.B.C. be pulled off the Consent Calendar.

**Motion by President Pro Tem Bennett, seconded by Councilmember Collins, 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

6. Recognitions

Councilmember Bennett read a proclamation recognizing the work done by the Big Brothers, Big Sisters organization in Colorado Springs and proclaiming July 20-26, 2014 to be Big Brothers, Big Sisters week.

This proclamation was approved unanimously by a voice vote of Council.

Danielle Somerville, Executive Director of the Big Brothers, Big Sisters program in Colorado Springs accepted the proclamation and thanked Council for their support and acknowledgement.

7. Citizen Discussion

Deborah Stout-Meninger, spoke about concerns with the CSFD report on the Drake Power Plant fire, stating she believes it was an act of arson. Councilmember Pico responded that the reports indicate the fire was accidental, caused by human error. Councilmember Knight pointed out that there is an independent review being conducted.

John Kilbury requested that the City remove the flower pots on Tejon Street, he also wants to know where to find the email address for the Pikes Peak Library District, and he expressed concern about terms used in the judicial system.

William Murray referred to a letter he sent to the attorney general, and provided copies to Council, about the City for Champions agreement.

Carl Strow spoke about corrupt government officials in this City.

Sally Davis invited everyone to the Everybody Welcome festival planned in August. Shirley Martinez added additional details on the planned activities. Phil Martinez from the USO expounded on the plans for the event which include entertainment by Daniel Rodriguez.

## 8. Mayor's Business

There is a City for Champions meeting Tuesday August 19, 2014 from 5-6:30 pm at the 21C Library.

## 9. Items Called Off Consent Calendar

### **5B.A. 14-0414** City Council Regular Meeting Minutes July 8, 2014

Councilmember Miller requested verbiage he provided be added to agenda item 4. Councilmember Comments, in the Regular City Council Meeting Minutes for July 8, 2014.

Consensus of Council agreed to approve the July 8, 2014 Regular City Council Minutes as amended.

**Motion by President Pro Tem Bennett, seconded by Councilmember Knight, that the City Council Regular Meeting Minutes July 8, 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

**5B.B. 14-0356** Ordinance No. 14-51 amending Ordinance No. 13-77 (2014 Appropriation Ordinance) for a supplemental appropriation to the Development Review Enterprise in the amount of \$119,665 for the purpose of adding two additional full-time Fire Inspector positions

Councilmember Collins explained she had this item pulled from the consent agenda because she believes this is a violation of TABOR. She believes the enterprise should be self-supporting.

Per Councilmember Pico's request, Mr. Wysocki confirmed the enterprise is self-supporting and the funds are coming from the enterprise's reserve fund.

Councilmember Miller asked a question about the departments' reserve funds, and if there is a fund level set to indicate the City is collecting too much. Mr. Wysocki stated there is currently not a policy governing this fund level. He added that the DRE committee reviews fees periodically and can make adjustments as necessary. He also clarified that this is not related to the Land Use Review Department.

Citizen Scott Green spoke in support of this ordinance.

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

## 10. Utilities Business

**10.A. 14-0401** A Resolution Regarding Certain Changes to Colorado Springs Utilities Tariff Electric Rate Schedules

Councilmember Miller mentioned, for public awareness, that this resolution was requested by the Air Force Academy, it affects only their property and will be funded by the AFA.

**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

**10.B. 14-0402** A Resolution Regarding Certain Changes to Colorado Springs Utilities Tariff Natural Gas Rate Schedules

There were no questions or comments regarding item 10.B.

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

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

## 11. Unfinished Business

- 11.A. 14-0327** Ordinance No. 14-48 amending the zoning map of the City of Colorado Springs relating to 26.03 acres located east of Interstate 25, west of Voyager Parkway and north of Interquest Parkway

Councilmember Knight recused himself from this issue.

David Andrews, Legislative Council, City Attorney's Office, explained there are concerns about ex parte information that may affect the quasi-judicial nature of this ordinance. Mr. Andrews polled Councilmembers about the ability to make an impartial decision. There was discussion about various pieces of information that have been received by Councilmembers. There was also discussion about providing proper notice to Councilmembers and the public when an agenda item is quasi-judicial.

Doug Quimby, President of LaPlata Communities, the applicant, requested Council move forward with a vote on this matter, as he is confident, based on statements made by various Councilmembers that Council can move forward impartially.

Mr. Quimby stated the applicant has received a letter supporting this development plan from the AFA. Councilmember Miller stated and it was confirmed by Councilmember Pico that the letter in question was not disseminated to City Council.

President King polled Council to see if they wanted to proceed with a vote based on the information received, Councilmembers requested to hear the rest of the information before voting. President King decided to have the applicant and City staff present prior to voting.

Mr. Quimby stated he received a letter from the AFA addressing standard concerns about drainage and flight noise. He is not aware that the AFA has been represented at any City hearing about this development. He read an excerpt from a letter from the AFA (copy of a letter that was provided to Council) supporting the development and stating concerns about drainage damage to AFA property. The plan complies with higher standards of drainage and will improve drainage on

the AFA.

Council asked several questions about drainage concerns in this area of the community which were answered by Tim Mitros, Subdivision Engineering Review Manager with City Planning. Kyle Campbell, Engineer with Classic Consulting, explained the process of researching drainage in a development plan, adding that the plan for this development meets the newest drainage criteria.

Mr. Wysocki presented an overview of the planning departments' process for reviewing development plans and explained there are numerous documents received from multiple agencies throughout the process. He went on to explain the process of selecting documents to be presented with the development plan and how the letter in question may have been omitted from the Council packet.

Councilmember Miller reiterated his concern about fire protection services and flight noise for the development.

**Motion by President Pro Tem Bennett, seconded by Councilmember Gaebler, that the Ordinance be finally passed. The motion passed by a vote of 6-2-1. Councilmember Knight was recused.**

**Yes:** 6 - Bennett, Collins, Gaebler, King, Martin, and Snider

**No:** 2 - Miller, and Pico

**Recused:** 1 - Knight

**5B.C. 14-0393**

An ordinance amending the zoning map of the City of Colorado Springs relating to 6.99 acres located at 5505 and 5515 Palmer Park Boulevard

This item was postponed until after item 11.A. to allow Steve Tuck, Land Use Review, to determine if the Airport Advisory Commission reviewed this item regarding the zoning change.

In response to Councilmember Millers' question about the Airport Advisory Commission having reviewed this zone change, Steve Tuck, stated the City's agreement with the Airport Advisory Commission would not require their review because the facility is existing and there is not a change to the airport overlay.

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

- 11.B. 14-0344** Ordinance No. 14-50 of the City of Colorado Springs, Colorado Approving and Authorizing the Execution and Delivery of the Standby Bond Purchase Agreements Among the City of Colorado Springs, Colorado, Wells Fargo Bank, National Association, as Tender Agent, and Certain Banking Organizations, the Fee Agreements Between the City of Colorado Springs, Colorado and Such Banking Organizations, and the Official Statements for the Utilities System Revenue Bonds Previously Issued by the City to Which the Agreements Relate; Ratifying Certain Action Heretofore Taken

There were no questions or comments regarding this 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

- 11.C. 14-0352** Council consideration of the Mayor's disapproval by veto of Ordinance No. 14-38 amending Section 401 (License Required; Fee) of Part 4 (Private Snow Removal Activities on Public Streets) 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

This agenda item will require a super majority vote to override the Mayor's veto.

Councilmember Collins referred to an article in the Gazette about this topic and pointed out that there has never been any revenue associated with it.

President King clarified the votes on this and the next three items, a yes vote indicates the desire to override the Mayor's veto, a no vote indicates the desire not to override the Mayor's veto.

Councilmember Miller also commented on the Gazette article, pointing out the City has not taken revenue from this and stating this ordinance creates a business community partnership with the City of Colorado Springs.

Councilmember King expressed support of overriding the veto.

**Motion by Councilmember Collins, seconded by Councilmember Pico, to Override Mayor's Disapproval by Veto of Ordinance No. 14-38. The motion failed by a vote of 5-4-0. This action would require a super majority vote to pass.**

**Yes:** 5 - Collins, King, Knight, Miller, and Pico

**No:** 4 - Bennett, Gaebler, Martin, and Snider

- 11.D. 14-0338** Council consideration of the Mayor's disapproval by veto of Ordinance No. 14-39 reinstating and amending Section 507 (License Fees Enumerated) of Part 5 (License Fees) and amending Section 605 (Renewal of License) of Part 6 (Issuance and Conditions of License) of 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 business license fees

This agenda item will require a super majority vote to override the Mayor's veto.

President King clarified the votes on this item, a yes vote indicates the desire to override the Mayor's veto, a no vote indicates the desire not to override the Mayor's veto.

**Motion by Councilmember Collins, seconded by Councilmember Pico, that the Ordinance be accepted Proposed Motion: <br />Override Mayor's Disapproval by Veto of Ordinance No. 14-39. The motion failed by a vote of**

**Yes:** 5 - Collins, King, Knight, Miller, and Pico

**No:** 4 - Bennett, Gaebler, Martin, and Snider

- 11.E. 14-0363** Council consideration of the Mayor's disapproval by veto of Ordinance No. 14-40 amending Section 101 (License Required, Fee) of Part 1 (Circuses, Carnivals and Menageries), Section 201 (License Required) of Part 2 (Billiard and Pool Tables), Section 302 (License Required) of Part 3 (Coin-Operated Machines), and Section 402 (License Required; Fee) of Part 4 (Game Rooms) of Article 2 (Amusements); Section 203 (License Required; Exemptions; Transferability) and Section 216 (Unlawful Acts; Violations; Penalty) of Part 2 (Private Security Services), Section 302 (License Required) and Section 307 (Penalties) of Part 3 (Tree Service), Section 403 (License Required; Exemptions) of Part 4 (Alarm Licenses and Registration), Section 502 (License Required; Exception; Transfer) of Part 5 (Ash, Garbage, Refuse, Trash and Rubbish Haulers), Section 602 (Licenses Required) and Section 610 (Unlawful Acts; Violations) of Part 6 (Escort Services), Section 702 (License Required; Fee; Term) of Part 7 (Peddlers of Food Wares), Section 803 (License Required; Fee; Term) and Section 811 (Penalty) of Part 8 (Pawnbrokers), Section 903 (License Required; Renewal; Fees) of Part 9 (Going-Out-Of-Business-Sales), Section 1003 (License Required; Expiration; Transferability; Fees) of Part 10 (Taxicabs), and Section 1103 (License Required; Expiration; Transferability; Fees) of Part 11 (Funeral Escorts) of Article 3 (Sales of Goods and Services); and Section 104 (License Required) of Article 4 (Sexually Oriented

Businesses) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) and Section 202 (Excavation License Required) of Part 2 (Excavations), Section 401 (License Required; Fee) of Part 4 (Private Snow Removal Activities on Public Streets), and Section 501 (License Required) of 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 penalties for failing to obtain required business licenses

This agenda item will require a super majority vote to override the Mayor's veto.

President King clarified the votes on this item, a yes vote indicates the desire to override the Mayor's veto, a no vote indicates the desire not to override the Mayor's veto.

**Motion by Councilmember Collins, seconded by Councilmember Pico, to Override Mayor's Disapproval by Veto of Ordinance No. 14-40. The motion failed by a vote of 5-4-0. This action would require a super majority vote to pass.**

**Yes:** 5 - Collins, King, Knight, Miller, and Pico

**No:** 4 - Bennett, Gaebler, Martin, and Snider

**11.F. 14-0339**

Council consideration of the Mayor's disapproval by veto of Ordinance No. 14-41 amending Sections 501 (License Required) and 502 (Application; Renewal; Contents) and Repealing Section 503 (License Fees) of Part 5 (Licenses) of Article 7 (Sales and Use Tax) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, pertaining to sales tax license fees

This agenda item will require a super majority vote to override the Mayor's veto.

President King clarified the votes on this item, a yes vote indicates the desire to override the Mayor's veto, a no vote indicates the desire not to override the Mayor's veto.

Councilmember Collins reiterated the work she has put into this ordinance over the last year on behalf of the small businesses in this City.

Councilmember Miller repeated that this ordinance affects every small business in this City.

**Motion by Councilmember Collins, seconded by Councilmember Pico, to Override Mayor's Disapproval by Veto of Ordinance No. 14-41. The motion failed by a vote of 5-4-0. This action would require a super majority vote to pass.**

**Yes:** 5 - Collins, King, Knight, Miller, and Pico

**No:** 4 - Bennett, Gaebler, Martin, and Snider

## 12. New Business

- 12.A. 14-0389** An ordinance amending Ordinance No. 13-77 (2014 Appropriations Ordinance) to reduce the appropriation to the General Fund in the amount of \$250,000 as that amount budgeted for elections expense is not required

Councilmember Knight stated there is no reason to approve this ordinance since the Mayor's veto on the four previous ordinances was not overridden.

**Motion by Councilmember Knight, seconded by Councilmember Pico, that the Ordinance be postponed indefinitely. The motion passed by a vote of 9-0-0.**

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

- 12.B. 14-0329** A resolution approving the Intergovernmental Agreement between the City of Colorado Springs and the City of Fountain to provide for the processing of defined police records.

Sue Autry, Manager Policy Administration, Management Services Division CSPD, provided a brief history of the partnership between the two cities and the positive benefits of the arrangement.

There were no questions or comments following her presentation.

**Motion by Councilmember Knight, seconded by President Pro Tem Bennett, 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.C. 14-0365** A resolution repealing Resolution No. 190-08 and establishing fees and charges for the Parks, Recreation and Cultural Services Golf Division for 2015

Dal Lockwood, Golf Division Manager, gave an overview of the request to increase green fees on the two City owned golf courses.

Councilmember Knight stated he disagrees with the fee increase because golf course revenue is based on volume and he feels the fee increases are contrary to bringing in more participants.

Mr. Lockwood responded that there are discounted marketing measures in place, and that the trends experienced in Colorado Springs are similar

industry wide.

Councilmember Collins expressed support for this resolution.

Councilmember King requested information about fund balances. Mr. Lockwood responded that both courses are within the required budgetary guidelines.

Councilmember King stated he will support this but encouraged Mr. Lockwood to consider marketing to encourage increased patronage.

Councilmember Knight requested information on the cost of watering the courses. Mr. Lockwood provided the requested information.

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

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

**No:** 1 - Knight

**12.D. 14-0366**

A resolution repealing Resolution No. 272-09 and establishing fees and charges for the Parks, Recreation and Cultural Services Cemetery Division for 2015

Will Deboer, Cemetery Operations Administrator, gave an overview of the request to increase fees at the City owned cemeteries. Mr. Deboer pointed out the changes made to disinterment fees requested by Council.

Vick Fernandez, Chairman, Pikes Peak Veterans Committee, expressed concern on behalf of the veterans in the area about the increased disinterment fees.

Councilmember Knight asked questions about the price difference between burial and disinterment, specific costs and fees, and the potential ability to refund the price of a burial plot or burial vault. Mr. Deboer addressed these questions and explained the process difference justifying the cost difference between internment and disinterment.

Councilmember Bennett made a motion to adopt the resolution with amended fees to adult disinterment of \$1300, and double depth disinterment of \$1400.

Councilmembers Gaebler, Snider and Martin expressed they will not support this due to Council defining the fees.

**Motion by President Pro Tem Bennett, seconded by Councilmember Pico, that the Resolution be adopted with an amendment to the adult disinterment fee to \$1300 and the double depth disinterment fee to \$1400. The motion passed by a vote of 5-4-0.**

**Yes:** 5 - Bennett, King, Knight, Miller, and Pico

**No:** 4 - Collins, Gaebler, Martin, and Snider

**12.E. 14-0380**

An Ordinance Creating a New Section 1211 (Temporary Exemption From Park Land Dedication and Fees) of Part 12 (Park and School Site Dedications) of Article 7 (Subdivision Regulations) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to a Park Site Fee Waiver Within the Imagine Downtown Master Plan Area.

Bob Cope provided an overview of the plan which includes a comprehensive approach to encourage development in the downtown area by temporarily waiving all development fees in the downtown area. Mr. Cope highlighted changes made since the July 7, 2014 Work Session presentation. Mr. Cope also provided an analysis of the increased sales and property taxes revenue verses the development fee revenue.

Councilmember Martin asked for clarification on the meaning of "temporary" exemption. Mr. Cope stated the exemption will be for three years per recommendation of the Parks and Recreation Advisory Board.

Citizens Eddie Bishop, Jenny Elliott, and William Murray spoke in opposition to this ordinance.

Citizens Joe Raso, Perry Sanders, Darcy Niklassen, Sarah Harrison and Cathy Loo spoke in support of this ordinance.

Citizen Chuck Murphy spoke in favor of this ordinance and responded to Councilmember questions about historical planning and development decisions and incentives to create in-fill in the downtown area. Mr. Murphy reiterated the importance of infill to communities and the additional costs associated with this type of development and construction. Councilmember Martin asked if he sees the benefits of this infill project as a pilot for infill in other areas of the city. Mr. Murphy responded that is a definite possibility.

Peter Wysocki, addressed questions about ordinances, stating current City Code does not require funds to be spent in the same development they are collected in. Councilmember Miller added he believes keeping fees in the area they were collected in is detrimental to the overall development of the City.

Kara Skinner, CFO, was called to speak about the Public Space and Development Fund. Ms. Skinner gave a review of the revenue coming into this fund over the last few years and addressed additional questions about fee collection and spending.

Specific development and planning fees that would be waived included in item 12.F. were discussed among Council, Citizens, and Mr. Wysocki.

Councilmember Gaebler supports this ordinance as a way to encourage growth in the downtown area.

President King expressed concern about the impact of this ordinance on the School districts. Mr. Cope clarified that the ordinance being voted on today does not include the schools.

Councilmember Martin expressed her support of this initiative as a way to pilot infill in this community.

Councilmember Pico stated he cannot support this at this time.

Councilmember Snider supports this as a good starting point to encourage growth and made a motion to amend to three year term.

President King requested an amendment to the motion to include waiving park fees for all new development in the City.

Mr. Smith from the City Attorney's Office stated that ordinances with the proposed amendment to include the entire City would have a much larger impact than the limited area and should be presented to the Planning Commission and Parks Department for review prior to Council voting on them.

Councilmembers Bennett and Martin believe the city wide removal of park fees would negate the initial purpose of this ordinance which was to

incentivize downtown infill development.

**Motion by President King, seconded by Councilmember Knight, that the Ordinance be approved on first reading with an amendment to be applicable city-wide. The motion failed by a vote of 1-8-0.**

**Yes:** 1 - King

**No:** 8 - Bennett, Collins, Gaebler, Knight, Martin, Miller, Pico, and Snider

**Motion by Councilmember Snider, seconded by President Pro Tem Bennett, that the Ordinance be approved on first reading with an amendment to limit the temporary waiver of fees to three years. The motion failed by a vote of 4-5-0.**

**Yes:** 4 - Bennett, Gaebler, Martin, and Snider

**No:** 5 - Collins, King, Knight, Miller, and Pico

**12.F. 14-0413**

A resolution temporarily exempting from application fees and charges for the land use review division of the Planning and Development Department, development review, development inspection, concrete permit, excavation permit, traffic control permit, and pavement degradation fees for the engineering division, and fire department fee schedule for approved residential development for property located within the Imagine Downtown Master Plan area.

Please see comments in agenda item 12.E.

**Motion by Councilmember Snider, seconded by Councilmember Gaebler, that the Resolution be postponed indefinitely. 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

**12.G. 14-0422**

A resolution expressing support for an Intergovernmental Agreement to address regional stormwater concerns

Dave Munger, Co-Chair of the Stormwater Task Force, and Kevin Walker, Walker Strategies, responded to questions Councilmembers presented in the July 21, 2014 Planning Session. Mr Walker stated he will have a final copy of the IGA to Council by August 5, 2014.

Councilmember Miller voiced concerns with the IGA including the necessity to provide an easy way for residents to know what their fee will be. Mr. Munger stated they will develop a solution to this before the August 12, 2014 Council meeting.

Councilmember Knight stated he cannot support this today.

Councilmember King affirmed support for this agreement with some

amendments. He requested an amended motion to include a joint meeting with the County and clarification on the maintenance of effort and contract agreements. This will ensure adherence to the principles Council agreed on.

A joint session to finalize the IGA prior to the next Regular City Council meeting will be scheduled.

Councilmember Collins stated she will not support a storm water fee as she believes this should be included in taxes.

**Motion by President King, seconded by Councilmember Knight, that the Resolution be amended to include a joint meeting with the County and clarification in the IGA regarding maintenance of effort and contractual agreements. The motion passed by a vote of 6-3-0.**

**Yes:** 6 - Bennett, King, Knight, Miller, Pico, and Snider

**No:** 3 - Collins, Gaebler, and Martin

**Motion by Councilmember Gaebler, seconded by Councilmember Snider, that the Resolution be adopted as amended. The motion passed by a vote of 7-2-0.**

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

**No:** 2 - Collins, and Knight

### 13. Public Hearing

#### 13.A. 14-0400 Saddletree Village Annexation

Meggan Herington, Principal Planner, Land Use Review, presented an overview of the proposed development plan and stated the applicant was present to answer questions.

Councilmember Miller brought up concerns about fire protection services and what appear to be inconsistent fees between this and other annexations. Ms. Herington explained the process of how properties are assessed and fees are determined, adding that the fees are very property specific and fire protection fees are determined by the fire department.

**Motion by President Pro Tem Bennett, seconded by Councilmember Snider, that the Planning Case be approved. 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.B. 14-0386** A Resolution Setting Forth Findings of Fact and Conclusions of Law Based Thereon and Determining the Status of the Territory Known as Saddletree Village Annexation Hereinafter More Specifically Described in Exhibit "A"

Councilmember Miller requested clarification on this resolution; Ms. Herington replied that the resolution confirms the Findings of Fact are required by State law.

**Motion by President Pro Tem Bennett, seconded by Councilmember Snider, that the Resolution be adopted. 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.C. 14-0385** Ordinance No. 14-53 annexing to the City of Colorado Springs that area known as Saddletree Village Annexation as hereinafter specifically described in Exhibit "A"

There were no questions or discussion regarding item 13.C.

**Motion by President Pro Tem Bennett, seconded by Councilmember Snider, that the Ordinance 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

- 13.D. 14-0387** The Ridge at Cumbre Vista Master Plan

There were no questions or discussion regarding item 13.D.

**Motion by President Pro Tem Bennett, seconded by Councilmember Snider, that the Planning Case be approved. 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.E. 14-0388** Ordinance No. 14-54 amending the zoning map of the City of Colorado Springs relating to 14.18 acres located south of Cowpoke Road, approximately ¼ mile west of the Cowpoke Road and Black Forest Road intersection

There were no questions or discussion regarding item 13.E.

**Motion by Councilmember Snider, seconded by President Pro Tem Bennett, that the Ordinance 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

#### 14. Added Item Agenda

There were no Added Agenda items.

#### 15. Executive Session

There was no Executive Session requested.

### **Councilmember Comments and Discussion**

Councilmember Knight requested clarification on legislative items verses quasi-judicial items. He also questioned why some items are added to the consent calendar and other go to a public hearing. David Andrews, Legislative Council, provided an explanation of the process, which depends on the nature of the item to be discussed.

Council requested a process to inform them about quasi-judicial items on the agenda. President King made a commitment to Council to have procedures put in place to make this happen.

#### 16. Adjourn

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

Sarah B. Johnson, City Clerk