



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. In accordance with the ADA, anyone requiring an auxiliary aid to participate in this meeting should make the request as soon as possible but no later than 48 hours before the scheduled event.

Tuesday, March 26, 2019

1:00 PM

Council Chambers

1. Call to Order

Present: 9 - Councilmember Yolanda Avila, Councilmember Merv Bennett, President Pro Tem Jill Gaebler, Councilmember David Geislinger, Councilmember Don Knight, Councilmember Bill Murray, Councilmember Andy Pico, President Richard Skorman, and Councilmember Tom Strand

2. Invocation and Pledge of Allegiance

The Invocation was made by Reverend Norm Bouchard from The Center for Spiritual Living.

President Skorman 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. [19-085](#)

Ordinance No. 19-19 including certain property into the Creekwalk Marketplace Business Improvement District

(Legislative)

Presenter:
Carl Schueler, Comprehensive Planning Manager, Planning & Community Development

Attachments: [Ordinance-2019CreekwalkBIDInclusions](#)
[Exhibit A Petition for Inclusion Creekwalk Marketplace](#)
[BID_CreekwalkLLC](#)
[Exhibit B CMBID NoticeofInclusion CreekwalkLLC](#)
[Exhibit A Petition for Inclusion Creekwalk Marketplace](#)
[BID_PikesPeakEquitiesLLC](#)
[Exhibit B CMBID NoticeofInclusion PikesPeakEquitiesLLC](#)
[Attachment 1 Proposed Inclusions Map](#)
[Signed Ordinance 19-19](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.B. [19-122](#)** Ordinance No. 19-20 Amending Section 104 (Words and Phrases Defined) Of Part 1 (General Provisions) 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 and Use Tax Definitions

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [Ordinance-SalesTaxDEFINITIONS-Ch2Art7Part1-2019-01-31 \(19-122\)](#)
[CML Letter of Support and SJR 14-038](#)
[Signed Ordinance 19-20](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.C. [19-129](#)** Ordinance No. 19-21 Amending Sections Within Part 3 (Taxable Transactions, Commodities and Services) and Part 4 (Exempt Transactions, Commodities and Persons; Deductions) 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 and Use Tax Definitions

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [Ordinance-SalesTaxDefintions-Ch2Art7-OtherPartsAffected2019-01-31](#)
[Signed Ordinance 19-21](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.D. [19-153](#)** Ordinance No. 19-22 amending Section 101 (Mayor and Council; Departments) of Part 1 (Elective Officers) of Article 2 (Officers of the City) of Chapter 1 (Administration, Personnel, and Finance) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Council submission of its Strategic Plan and Annual Report to the Citizens to the Mayor

Presenter:
Emily Evans, City Council Administrator

Attachments: [CouncilStratPlanORD-2019-01-22](#)
[Signed Ordinance 19-22](#)

This Ordinance was finally passed on the Consent Calendar.

4B. First Presentation:

4B.A. [19-181](#) City Council Regular Meeting Minutes March 12, 2019

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [3-12-2019 City Council Meeting Minutes Final.pdf](#)

The Minutes were approved on the Consent Calendar.

4B.B. [19-178](#) Appointments to Boards and Commissions

Presenter:
Jacquelyn Puett, Assistant to Council

Attachments: [032619 Boards and Commissions](#)

This Item was approved on the Consent Calendar.

4B.C. [19-154](#) Resolution adopting the 2018 City Council Annual Report

Presenter:
Emily Evans, City Council Administrator
Ted Skroback, City Council Communications Specialist

Attachments: [Resolution 2018 City Council Annual Report](#)
[City Council Report to the Citizens](#)
[Council Annual Report 2018 DRAFT](#)
[Signed Resolution 38-19](#)

This Resolution was adopted on the Consent Calendar.

4B.D. [19-152](#) A resolution authorizing the acquisition of properties pursuant to the Federal Emergency Management Agency's Hazard Mitigation Grant Program

Presenter:
Gordon Brenner, City Office of Emergency Management Recovery Coordinator

Darlene Kennedy, City Real Estate Services Manager
Jennifer Vance, City Finance Grants Program Manager

Attachments: [Resolution for Acquisition 2013-2015 FEMA Landslides 20190213](#)
[EXHIBIT-A_904 ZODIAC DR](#)
[EXHIBIT-B_1002 ZODIAC DR](#)
[EXHIBIT-C_315 HAVERSHAM DR](#)
[Signed Resolution 39-19](#)

This Resolution was adopted on the Consent Calendar.

- 4B.E. [19-169](#)** The City Clerk reports that on February 21, 2019 there was filed with her a petition for the annexation of Banning Lewis Ranch North 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: [Banning Lewis Ranch North petition.pdf](#)
[Banning Lewis Ranch North map.pdf](#)

This Item was approved on the Consent Calendar.

- 4B.F. [CPC PUZ](#)
[18-00173](#)** Ordinance No. 19-23 amending the zoning map for the City of Colorado Springs pertaining to 8.57 acres located southeast of the terminus of Silversmith Road, changing the zoning from PUD (Planned Unit Development) to PUD (Planned Unit Development: commercial and residential, 16 dwelling units per acre, maximum 120,000 square feet for nonresidential uses, maximum building height of 45 feet).

(QUASI-JUDICIAL)

Related File: CPC PUP 13-00033-A2MJ18

Presenter:
Peter Wysocki, Director of Planning and Community Development
Daniel Sexton, Senior Planner, Planning and Community Development

Attachments: [ZC ORD FlyingHorseParcel22](#)
[Exhibit A - Legal Description](#)
[Exhibit B - Zone Change Exhibit](#)
[Vicinity Map](#)

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

- 4B.G.** [CPC PUP
13-00033-A2
MJ18](#) A Major Amendment of the Flying Horse Parcel 22 PUD Concept Plan illustrating a reconfigured lot layout and adding the Multi-Family Residential land use as a permitted use on proposed Lot 1, located southeast of the terminus of Silversmith Road.

(QUASI-JUDICIAL)

Related File: CPC PUZ 18-00173

Presenter:

Peter Wysocki, Director of Planning and Community Development
Daniel Sexton, Senior Planner, Planning and Community Development

Attachments: [FIGURE 2 - Concept Plan](#)
[7.3.605 PUD Concept Plan](#)
[7.5.501.E Concept Plans](#)

This Item was approved on the Consent Calendar.

- 4B.H.** [CPC ZC
18-00153](#) Ordinance No. 19-24 amending the zoning map of the City of Colorado Springs pertaining to 0.18-acre located at 629 N. Corona Street from R-4/PUD (Multi-Family Residential and Planned Unit Development) to R-4 (Multi-Family Residential).

(Quasi-Judicial)

Related Files: CPC DP 18-00154, CPC R 18-00156

Presenter:

Peter Wysocki, Director, Planning and Community Development
Matthew Fitzsimmons, Planner II, Urban Planning Division

Attachments: [ZC ORD 629NCoronaSt](#)
[CPC Report 629 N. Corona](#)
[Exhibit A - Legal Description](#)
[Exhibit B - Rezone Exhibit](#)

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

- 4B.I.** [CPC DP
18-00154](#) A Development Plan for the construction of a fourplex on a 0.18-acre lot located at 629 N. Corona Street.

(Quasi-Judicial)

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Related Files: CPC ZC 18-00153, CPC R 18-00156

Presenter:

Peter Wysocki, Director, Planning and Community Development
Matthew Fitzsimmons, Planner II, Urban Planning Division

Attachments: [FIGURE 1 - DP Plan](#)

[7.5.502.D](#)

This Item was approved on the Consent Calendar.

- 4B.J.** [CPC R](#)
[18-00156](#) An administrative relief to allow an increase in lot coverage from 35% to 40% for the construction of a fourplex on a 0.18-acre lot located at 629 N. Corona Street.

(Quasi-Judicial)

Related Files: CPC DP 18-00154, CPC ZC 18-00153

Presenter:

Peter Wysocki, Director, Planning and Community Development
Matthew Fitzsimmons, Planner II, Urban Planning Division

Attachments: [7.5.1102 Findings Necessary to Grant Administrative Relief](#)

This Item was approved on the Consent Calendar.

- 4B.K.** [CPC ZC](#)
[18-00128](#) Ordinance No. 19-25 amending the zoning map for City of Colorado Springs from A (Agricultural) to OC (Office Complex) for the property located west of Cordera Crest Avenue and Outlook Ridge Trail on Cordera Crest Avenue consisting of 3.39 acres.

(QUASI-JUDICIAL)

Related File: CPC DP 18-00129

Presenter:

Catherine Carleo, Principal Planner, Planning and Development
Peter Wysocki, Planning and Community Development Director

Attachments: [ZC ORD CorderaCrestAve](#)

[EXHIBIT A - Legal Description](#)

[EXHIBIT B - Zone Change](#)

[Vicinity](#)

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

- 4B.L.** [CPC DP](#)
[18-00129](#) The Village Cooperative of Briargate Development Plan for the development of a senior housing facility located west of Outlook Ridge Trail on Cordera Crest Avenue consisting of 3.39 acres.

(QUASI-JUDICIAL)

Related File: CPC ZC 18-00128

Presenter:

Catherine Carleo, Principal Planner, Planning and Development
Peter Wysocki, Planning and Community Development Director

Attachments: [FIGURE 4 Village Cooperative of Briargate DP](#)
[7.5.502.E Development Plan Review](#)

This Item was approved on the Consent Calendar.

Approval of the Consent Agenda

Approval of the Consent Agenda

Motion by Councilmember Strand, seconded by Councilmember Bennett, 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

Aye: 9 - Avila, Bennett, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

5. Recognitions

- 5.A.** [19-165](#) A Resolution of Appreciation to Westside Pioneer and their contribution to Colorado Springs Westside community.

Presenter:

Don Knight, Council Member

Attachments: [Westside Resolution 3-12-19](#)
[Signed Resolution 40-19](#)

Councilmember Knight gave a brief history of Westside Pioneer and read a Resolution of appreciation to Westside Pioneer for their contribution to Colorado Springs Westside community.

Motion by Councilmember Knight, seconded by Councilmember Bennett, that the Resolution of appreciation for the Westside Pioneer and their contribution to the Colorado Springs Westside community be adopted. The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Bennett, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

- 5.B.** [19-155](#) A Proclamation recognizing April 2019 as Fair Housing Month

Presenter:

Catherine Duarte, AICP, Senior Analyst, Community Development

Division

Attachments: [Fair Housing Proclamation 2019](#)

Catherine Duarte, AICP, Senior Analyst, Community Development Division, introduced Laura Nelson, Apartment Association of Southern Colorado, who gave a brief overview of community events being held related to Fair Housing Month.

Councilmember Geislinger read the Proclamation recognizing April 2019 as Fair Housing Month.

5.C. [19-170](#) A proclamation celebrating Teen Court Day

Presenter:

Richard Skorman, City Council President

Attachments: [Teen Court Day - 2019 - FINAL](#)

Morgan Mote, Executive Director of Teen Court, expressed appreciation for the support of the City and City Council for Teen Court.

Councilmember Murray read a proclamation recognizing April 11, 2019 as Teen Court Day.

5.D. [19-175](#) A proclamation celebrating National Library Week

Presenter:

Tom Strand, City Council Member

Attachments: [National Library Week 2019](#)

Councilmember Strand read a proclamation recognizing April 7-13, 2019 as National Library Week.

John Spears, Chief Librarian, Pikes Peak Library District, stated they will soon be opening a new library branch in Calhan, CO and identified several other programs offered to the community by the library.

Councilmember Geislinger requested the Safe Place Program be highlighted. Mr. Spears stated the Safe Place Program is a program in partnership with Urban Peak where homeless youth are able to receive support and assistance.

6. Citizen Discussion

Citizen Carl Strow stated the striping of bike lanes in the Old North End is

inconsistent and unsatisfactory. He also spoke about his stolen car.

Citizen Gerald Miller spoke regarding the crime in his neighborhood.

Citizen Michael Sandoval requested assistance to address the criminal activity at 915 N. Yuma Street.

Citizen Albert Gonzalez requested Valley Hi Golf Course be transferred to the City's responsibility instead of an enterprise in order to maintain it. Councilmember Knight stated this is an issue of increasing the volume of sales. Jeff Greene, Chief of Staff, stated he has requested a full financial assessment of the golf course and recommended a Work Session to discuss the issue.

Eileen Brush, The Women's Club of Colorado Springs, stated they are planting pinwheels in front of City Hall in observance of Child Abuse Prevention month.

Citizen Jaymen Johnson requested the City Clerk's Office work with law enforcement to address cannabis consumption taking place in licensed liquor establishments.

7. Mayor's Business

There was no Mayor's Business.

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

10.A. [18-0610](#)

An Ordinance No. 18-131 amending Section 101 (Authority to Impound Vehicles) of 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 the authority to impound recreational vehicles and providing penalties for the violation thereof.

Presenter:
Commander Sean Mandel, Colorado Springs Police Department

Richard Skorman, City Council President
Tom Strand, City Councilmember

Attachments: [Council Reconsideration Letter - Skorman 1.11.19 \(002\).pdf](#)
[Recreational Vehicles Tow 2018 11 14.docx](#)
[Signed Ordinance 18-131](#)

Commander Sean Mandel, Colorado Springs Police Department (CSPD), presented the amendment to the Ordinance, pertaining to the authority to impound recreational vehicles (RVs) and providing penalties for vehicles parked for extended periods of time in any public right of way.

Citizen Gerald Miller recommended churches and charities purchase a campground to support these citizens.

Ann Steiner Lantz, Ecumenical Social Ministries, identified the results of their research regarding the living conditions of the population living in RVs.

Dr. Leigh Allen proposed Ecumenical Social Ministries rent eight RV spaces in an already established RV park for the identified population.

Citizen Scott Anderson stated the RV parks will not allow older RVs in the parks and residents are required to use the RV park's utilities.

Mr. Greene stated a warning period will be in effect until June 1, 2019.

Councilmember Murray asked how much reserving the eight RV spaces will cost. Ms. Steiner-Lance stated it will be approximately \$46,000 for eight spots.

Councilmember Murray recommended the City offer a tax break for facilities willing to provide these types of RV spots.

Councilmember Geislinger stated there will be a long-term solution presented in the near future as well.

Councilmember Pico stated he believes this is an excellent solution to the issue.

Councilmember Avila asked if President Skorman co-authored this Ordinance. President Skorman stated he and Councilmember Strand

co-sponsored it, but did not co-author it. Councilmember Avila stated she does not support this Ordinance because she believes this population is one of the most vulnerable populations in the community and there will be consequence for them in the future.

Councilmember Murray stated he supports this Ordinance.

Motion by Councilmember Strand, seconded by Councilmember Bennett, that the Ordinance amending Section 101 (Authority to Impound Vehicles) of 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 the authority to impound recreational vehicles and providing penalties for the violation thereof be finally passed. The motion passed by a vote of 8-1-0-0

Aye: 8 - Bennett, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

No: 1 - Avila

11. New Business

11.A. [19-166](#)

A Resolution Approving the “Third Amended and Restated Intergovernmental Agreement Among El Paso County, Colorado, the City of Colorado Springs, the City of Manitou Springs, the Town of Green Mountain Falls, and the Town of Ramah Regarding the Pikes Peak Rural Transportation Authority”

Presenter:

David Geislinger, Councilmember, City Council

Marc Smith, Corporate Division Chief, Office of the City Attorney

Attachments: [PPRTA_IGA_RES-2019-03-04](#)

[Exhibit A - Establishing IGA 3rd Amend and Restate \(02-13-2019 CLEAN Draft\)](#)

[Establishing IGA 3rd Amend and Restate \(02-13-2019 REDLINE Draft\)](#)

[2017-09-14 Ballot Proof from County](#)

Marc Smith, Corporate Division Chief, Office of the City Attorney, presented the Resolution approving the Intergovernmental Agreement (IGA) regarding the Pikes Peak Rural Transportation Authority (PPRTA). He stated all the other jurisdictions involved have passed this IGA.

Councilmember Knight stated PPRTA will need to pay the \$10M regardless if it is over five years or two years so he will be supporting this item.

Motion by Councilmember Murray, seconded by Councilmember Strand, that the Resolution authorizing the Council President to execute the “Third Amended and Restated Establishing Intergovernmental Agreement among El Paso County, Colorado, The City of Colorado Springs, The City of Manitou Springs, The Town

of Green Mountain Falls, and the Town of Ramah regarding the Pikes Peak Rural Transportation Authority be adopted. The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Bennett, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

12. Public Hearing

There was no Public Hearing.

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, Council adjourned.

Sarah B. Johnson, City Clerk