



# 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.*

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Tuesday, November 25, 2014

1:00 PM

Council Chambers

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### 1. Call to Order

**Present:** 7 - President Pro Tem Merv Bennett, Councilmember Helen Collins, President Keith King, Councilmember Don Knight, Councilmember Jan Martin, Councilmember Andy Pico, and Councilmember Val Snider

**Excused:** 1 - Councilmember Jill Gaebler

### 2. Invocation and Pledge of Allegiance

The Invocation was led by Reverend Nori Rost from All Souls Unitarian Church.

The Pledge of allegiance was led by President King.

### 3. Changes to Agenda/Postponements

Steve Cox, Chief of Staff, related a request from the Planning Staff to pull agenda items 5.B.H through 5.B.L. off the Consent Calendar and postpone them to a date certain, the December 9, 2014 City Council meeting to fulfill notice requirements.

Eileen Gonzalez, City Council Administrator stated agenda items 13.A. and 13.B. will be postponed and requested that they be addressed immediately following Items Pulled Off the Consent Calendar.

Councilmember Bennett requested agenda item 5.B.A. be pulled off the Consent Calendar to allow Council to make a change to Boards and Commissions appointments as a result of Councilmember Miller's resignation

Consensus of council agreed to these changes to the agenda.

### 4. Councilmember Comments

Councilmember Collins mentioned an article in the Gazette regarding the Jones Park Property and read a statement about TABOR laws, encouraging citizens to get involved.

Councilmember Knight expressed concern about a citizen in his district that is having problems with a building permit to replace a home destroyed in the Waldo Canyon fire. Councilmember Knight questioned the appeal process and asked if City Council can hear the item in January. David Andrews, Legislative Counsel, will meet with Councilmember Knight and report back to the work session on December 8, 2014.

## 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:

5B. First Presentation:

**5B.B.** [14-0741](#) City Council Regular Meeting Minutes November 10, 2014

**This item was approved on the Consent Calendar.**

**5B.C.** [14-0691](#) The City Clerk reports that on October 20, 2014 there was filed with her a petition for the annexation of Tutt Corners Addition. She states that she has examined or caused to be examined the above mentioned petition and has determined that the petition is in substantial compliance with Section 31-12-107(1), C.R.S. The City Clerk herewith communicates such to City Council and recommends that the petition be referred to the City Administration for review and recommendation.

**This Informational Report was received on the Consent Calendar.**

**5B.D.** [14-0707](#) A resolution finding a petition for annexation of the area known as Dublin North 1D Annexation consisting of 5 acres to be in substantial compliance with Section 31-12-107(1), C.R.S. and setting a hearing date of January 13, 2015 for the Colorado Springs City Council to consider the annexation of the area (Legislative Matter)

**This resolution was adopted in the Consent Calendar.**

**5B.E.** [14-0713](#) Pub Dog Restaurant - Master Plan Amendment (Quasi-Judicial Matter)

**This item was approved on the Consent Calendar.**

**5B.F.** [14-0716](#) Ordinance No. 14-102 amending the Zoning Map of the City of

Colorado Springs relating to .41 acres located at 2207 and 2213 Bott Avenue  
(Quasi-Judicial Matter)

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

**5B.G.** [14-0717](#) Pub Dog Restaurant - Concept Plan  
(Quasi-Judicial Matter)

**This item was approved on the Consent Calendar.**

**5B.M.** [14-0718](#) Ordinance No. 14-103 amending the Zoning Map of the City of Colorado Springs relating to 12.98 acres located northeast of the Manitou Boulevard and West Monument Street intersection  
(Quasi-Judicial Matter)

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

**5B.N.** [14-0719](#) Uintah Bluffs - 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 Pico, 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 7-0-1.**

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

**Excused:** 1 - Gaebler

### 6. Recognitions

**13.A.** [14-0711](#) Calvary Worship Center Appeal of Zone Change - Postponement  
(Quasi-Judicial Matter)

This agenda item was postponed to date certain as permitted under city code section 77.906.B. 3.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the Planning Case be postponed to a date certain, the December 9, 2014 City Council meeting as permitted under City Code Section 7.5.906.B.3.. The motion passed by a vote of 7-0-1.**

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

**Excused:** 1 - Gaebler

**13.B.** [14-0712](#) Calvary Worship Center Appeal of Development Plan - Postponement  
(Quasi-Judicial Matter)

This agenda item was postponed to date certain as permitted under city code section 77.906.B. 3.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the Planning Case be postponed to a date certain, the December 9, 2014 City Council meeting as permitted under City Code Section 7.5.906.B.3.. The motion passed by a vote of 7-0-1.**

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

**Excused:** 1 - Gaebler

## 7. Citizen Discussion

Citizen Lynn Telford, President and CEO of Care and Share, provided an overview of the work being done by Care and Share.

Councilmembers Bennett and Martin expressed appreciation for the work done by Ms. Telford and the Care and Share Organization.

Citizen Charles Barber spoke about concerns he has regarding the C4C program.

Citizen Carl Strow voiced his concerns about corruption in the local government.

Citizen Mike Tosier stated his concerns about the downtown stadium and other developments.

## 8. Mayor's Business

Steve Cox, Chief of Staff, urged Council to consider approving the bond repurposing item discussed by City Council in the meeting yesterday and reminded Council and Citizens of the upcoming community forums on December 2 and 4, 2014.

## 9. Items Called Off Consent Calendar

### **5B.A.** [14-0666](#) Boards and Commissions

Councilmember Bennett changed the recommendations to the PPRTA Board to include appointment of the Board of Councilmembers Martin, Bennett, Snider and Knight as an alternate. There were no changes to the Planning Commission appointments.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the Action Item be approved as amended. The motion passed by a vote of 7-0-1.**

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

**Excused:** 1 - Gaebler

- 5B.H.** [14-0708](#) Cumbre Vista Apartments - Powerwood 3-6 Master Plan Amendment (CPC MPA 05-00230-A1MJ13)  
(Quasi-Judicial Matter)

Discussion of this item was postponed to the December 9, 2014 meeting.

**Motion by President Pro Tem Bennett, seconded by Councilmember Pico, that the Planning Case be postponed to a date certain, the December 9, 2014 City Council meeting. The motion passed by a vote of 7-0-1.**

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

**Excused:** 1 - Gaebler

- 5B.I.** [14-0709](#) Cumbre Vista Apartments: Cumbre Vista Zone Change (CPC PUZ 13-00073)  
(Quasi-Judicial Matter)

Discussion of this item was postponed to the December 9, 2014 meeting.

**Motion by President Pro Tem Bennett, seconded by Councilmember Pico, that the Zone Change be postponed to a date certain, the December 9, 2014 City Council meeting. The motion passed by a vote of 7-0-1.**

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

**Excused:** 1 - Gaebler

- 5B.J.** [14-0710](#) Cumbre Vista Apartments: Cumbre Vista PUD Development Plan (CPC PUD 13-00074)  
(Quasi-Judicial Matter)

Discussion of this item was postponed to the December 9, 2014 meeting.

**Motion by President Pro Tem Bennett, seconded by Councilmember Pico, that the Planning Case be postponed to a date certain, the December 9, 2014 City Council meeting. The motion passed by a vote of 7-0-1.**

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

**Excused:** 1 - Gaebler

- 5B.K.** [14-0722](#) An ordinance amending the Zoning Map of the City of Colorado Springs relating to 13.70 acres located south of Cowpoke Road, approximately ¼ mile west of the Cowpoke Road and Black Forest Road intersection  
(Quasi-Judicial Matter)

Discussion of this item was postponed to the December 9, 2014 meeting.

**Motion by President Pro Tem Bennett, seconded by Councilmember Pico, that the discussion be postponed to a date certain, the December 9, 2014 City Council meeting. The motion passed by a vote of 7-0-1.**

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

**Excused:** 1 - Gaebler

- 5B.L.** [14-0723](#) The Ridge at Cumbre Vista: Ridge at Cumbre Vista PUD Development Plan (CPC PUD 13-00014) (Quasi-Judicial Matter)

Discussion of this item was postponed to the December 9, 2014 meeting.

**Motion by President Pro Tem Bennett, seconded by Councilmember Pico, that the discussion be postponed to a date certain, the December 9, 2014 City Council meeting. The motion passed by a vote of 7-0-1.**

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

**Excused:** 1 - Gaebler

## 10. Utilities Business

- 10.A.** [14-0615](#) Public Hearing for the Consideration of Resolutions Regarding Certain Changes to Utilities Rules and Regulations and Setting Electric Rates Within the Service Areas of Colorado Springs Utilities

Kenneth Burgess, Chief Counsel, Rates and Regulatory with the City Attorney's Office, provide a briefing of the public hearing process to follow and explained the City Council's authority to establish rates, charges and regulations for utilities services is contained within the State and City laws.

Sonya Thieme, Rates Manager, CSU, presented a summary of the proposed rate increase and process.

Citizen Ed Bircham spoke in opposition to the rate increase.

President King asked about the pollution control systems at the Nixon and Drake Power Plants.

Chris Bidlack, CSU Attorney, provided answers to President King's questions about the pollution control equipment installation staging and phasing.

Councilmember Pico added additional insight to the cost and budget cuts that CSU has achieved over the past several years.

President King asked what the effect would be if there are changes requested to the proposed rate increase today. Mr. Bidlack stated the alternative would be to purchase power which would likely result in even greater rate increases.

Mr. Burgess read the questions from the proposed Colorado Springs Utilities rate filing included in the resolution. City Council and CSU staff discussed questions and concerns about the rate filing. Based on the discussion, CSU and the City Attorney's Office will prepare the Final Decisions and Orders which will be presented to City Council for final approval.

These documents are available at [csu.org](http://csu.org).

- 10.B.** [14-0683](#) A Resolution Setting the Street Lighting Service Revenue Requirement for the Period of January 1, 2015 through December 31, 2015

Sonya Thieme, Rates Manager, CSU, was available to answer questions. Councilmember Collins asked what the amount budgeted for 2014 was, Ms. Thieme stated the 2015 budget is slightly lower than 2014 budget. Councilmember Collins asked if any street lights have been added in 2014. Kathleen Krager, Transportation Manager, stated about 100 street lights have been added around the City in 2014.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the resolution be adopted. The motion passed by a vote of 7-0-1.**

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

**Excused:** 1 - Gaebler

- 10.C.** [14-0684](#) A Resolution Withdrawing Industrial Service - Interruptible Sales (G3D) From the Colorado Springs Utilities Natural Gas Service Tariff

There were no questions or comments on this agenda item.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the Resolution be resolution adopted. The motion passed by a vote of 7-0-1.**

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

**Excused:** 1 - Gaebler

- 10.D.** [14-0685](#) A Resolution Authorizing the Purchase of Fountain Mutual Irrigation Company and Chilcott Ditch Company Stock and Associated Water

Rights owned by Osage Trust; and Authorizing the Execution of Closing Documents

There were no questions or comments on this agenda item.

**Motion by President Pro Tem Bennett, seconded by Councilmember Pico, that Resolution authorizing the purchase of shares in both the FMIC and Chilcott ditch companies be adopted. The motion passed by a vote of 7-0-1.**

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

**Excused:** 1 - Gaebler

- 10.E.** [14-0704](#) Ordinance No. 14-104 submitting Charter Amendments to the Electors of the City for the General Municipal Election to be held April 7, 2015, relating to Colorado Springs Utilities contracts

Councilmember Bennett stated this is measure will improve processes due to the change in governmental structure.

**Motion by President Pro Tem Bennett, seconded by Councilmember Pico, that the Ordinance be approved on first reading. The motion passed by a vote of 7-0-1.**

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

**Excused:** 1 - Gaebler

## 11. Unfinished Business

- 11.A.** [14-0611](#) Ordinance No. 14-98 amending Sections 204 (Employee Insurance Benefits) of Part 2 (Salaries and Benefits) of Article 4 (City Employees) of Chapter 1 (Administration, Personnel, and Finance) of the Code of the City of Colorado Springs 2001, as amended, pertaining to benefits.

Councilmember Collins stated this is a mandate enforced by the Federal government that she does not agree with and will not support.

**Motion by President Pro Tem Bennett, seconded by Councilmember Snider, that the Ordinance be finally passed. The motion passed by a vote of 5-2-1.**

**Yes:** 5 - Bennett, Knight, Martin, Pico, and Snider

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

**Excused:** 1 - Gaebler

- 11.B.** [14-0673](#) Ordinance No. 14-105 approving the salary ranges for City Personnel  
Mike Sullivan, HR Director, explained how an error in the version of the document presented at the previous meeting has been corrected per Councilmember Knight's request and stated the document provided to Council for this meeting is correct, adding the changes are semantic.



President King stated he will not support this or the previous agenda item due to the deception created by the percentage raise in salary ranges creating an inaccurate perception of the increase as compared to inflation.

Councilmember Knight stated the 2% increase is deceptive although there was a methodology which was followed, stating the average firefighter will only get a .9% wage increase.

**Motion by President Pro Tem Bennett, seconded by Councilmember Knight, that the Ordinance as amended and presented in the November 25, 2014 City Council Agenda Packet repealing Ordinance No. 13-76 and adopting the City of Colorado Springs 2015 Salary Structure for municipal employees be approved on first reading. The motion passed by a vote of 5-2-1.**

**Yes:** 5 - Bennett, Knight, Martin, Pico, and Snider

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

**Excused:** 1 - Gaebler

- 11.C. [14-0457](#)** Ordinance No. 14-100 making and certifying the 2014 tax levy for taxes payable in 2015 at 4.279 mills upon each dollar of assessed valuation within the corporate limits of the City of Colorado Springs.

Councilmember Collins stated she does not support the improvement districts due to their ability to increase tax payer mill levies, adding she believes this mill levy should decrease based on the excess funds collected in 2014.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the Ordinance making and certifying the 2014 tax levy for taxes payable in 2015 at 4.279 mills upon each dollar of assessed valuation within the corporate limits of the City of Colorado Springs be finally passed. The motion passed by a vote of 6-1-1.**

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

**No:** 1 - Collins

**Excused:** 1 - Gaebler

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

Carl Schueler, Planning Manager- Comprehensive Planning, explained the motion from the previous vote confirmed the correct information although the information Council received had the incorrect attachments.

Councilmember Knight asked why this packet still shows a \$1 million draw from the debt expenditures. Mr. Schueler explained this proposal will allow those funds to be pulled, with Council approval and repayment through the approved mills.

**Motion by President Pro Tem Bennett, seconded by Councilmember Snider, that the attached revised 2015 Budget and Operating Plan for the Briargate Center Business Improvement District be approved. The motion passed by a vote of 6-1-1.**

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

**No:** 1 - Collins

**Excused:** 1 - Gaebler

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

President King explained changes to this version of the proposal due to the appropriations budget including a \$50,000 allocation for outside counsel.

Mr. Andrews explained this version has been approved by the City Attorney's Office requires Council to identify a budget source prior to executing a retention agreement.

Councilmember Knight asked if this document assures Council will receive the requested assistance without intervention by the City Attorney's Office, as the Executive branch has been able to access outside counsel when the legislative branch has been denied that privilege. President King stated this provides the opportunity for Council to work with the City Attorney's office and request outside counsel.

**Motion by President Pro Tem Bennett, seconded by President King, that the resolution be adopted. The motion failed by a vote of 3-4-1.**

**Yes:** 3 - Bennett, King, and Pico

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

**Excused:** 1 - Gaebler

**11.F. [14-0694](#)** Council consideration of Mayor's disapproval by veto of elements of Sections 1 and 3 of Ordinance No. 14-101 entitled "The annual appropriation ordinance adopting the annual budget and appropriating monies for the several purposes named in said budget for the year ending December 31, 2015."

Councilmember Pico stated he has reservations about this budget being

able to meet the City's stormwater needs.

**Motion by Councilmember Knight, seconded by Councilmember Martin, that the attached annual appropriation ordinance adopting the annual budget and appropriating monies for the several purposes named in said budget for the year ending December 31, 2015 be finally passed. The motion passed by a vote of 5-2-1.**

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

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

**Excused:** 1 - Gaebler

## 12. New Business

- 12.A. [14-0471](#)** A resolution fixing and certifying the 2014 tax levy for taxes payable in 2015 at 4.409 mills upon each dollar of assessed valuation within the Briargate Special Improvement Maintenance District

Kara Skinner, CFO, reiterated this request for Council to certify the mill levies for these seven special improvement districts.

Councilmember Pico asked if there have been any changes made to the documents. Ms. Skinner stated there have not been any changes made to any of them.

Councilmember Collins stated she does not support this and encouraged citizens to consider what they are paying for.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the Resolution to fix and certify the 2014 tax levy for taxes payable in 2015 at 4.409 mills upon each dollar of assessed valuation within the Briargate Special Improvement Maintenance District be adopted. The motion passed by a vote of 6-1-1.**

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

**No:** 1 - Collins

**Excused:** 1 - Gaebler

- 12.B. [14-0472](#)** A resolution fixing and certifying the 2014 tax levy for taxes payable in 2015 at 1.009 mills upon each dollar of assessed valuation within the Colorado Avenue Gateway Special Improvement Maintenance District

Please see comments in agenda item 12.A.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the Resolution to fix and certify the 2014 tax levy for taxes payable in 2015 at 1.009 mills upon each dollar of assessed valuation within the Colorado Avenue Gateway Special Improvement Maintenance District be adopted. The motion passed by a vote of 6-1-1.**

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

**No:** 1 - Collins

**Excused:** 1 - Gaebler

- 12.C.** [14-0473](#) A resolution fixing and certifying the 2014 tax levy for taxes payable in 2015 at 3.935 mills upon each dollar of assessed valuation within the Nor'wood Special Improvement Maintenance District

Please see comments in agenda item 12.A.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the Resolution to approve the attached resolution to fix and certify the 2014 tax levy for taxes payable in 2015 at 3.935 mills upon each dollar of assessed valuation within the Nor'wood Special Improvement Maintenance District be adopted. The motion passed by a vote of 6-1-1.**

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

**No:** 1 - Collins

**Excused:** 1 - Gaebler

- 12.D.** [14-0474](#) A resolution fixing and certifying the 2014 tax levy for taxes payable in 2015 at 13.416 mills upon each dollar of assessed valuation within the Old Colorado City Security & Maintenance District

Please see comments in agenda item 12.A.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the Resolution to fix and certify the 2014 tax levy for taxes payable in 2015 at 13.416 mills upon each dollar of assessed valuation within the Old Colorado City Security & Maintenance District be adopted. The motion passed by a vote of 6-1-1.**

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

**No:** 1 - Collins

**Excused:** 1 - Gaebler

- 12.E.** [14-0475](#) A resolution fixing and certifying the 2014 tax levy for taxes payable in 2015 at \$1.10 per front footage of real property of assessed valuation within the Platte Avenue Special Improvement Maintenance District

Please see comments in agenda item 12.A.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the Resolution be adopted as presented. The motion passed by a vote of 6-1-1.**

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

**No:** 1 - Collins

**Excused:** 1 - Gaebler

- 12.F.** [14-0476](#) A resolution fixing and certifying the 2014 tax levy for taxes payable in 2015 at 3.858 mills upon each dollar of assessed valuation within the Stetson Hills Special Improvement Maintenance District

Please see comments in agenda item 12.A.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the Resolution to fix and certify the 2014 tax levy for taxes payable in 2015 at 3.858 mills upon each dollar of assessed valuation within the Stetson Hills Special Improvement Maintenance District be adopted. The motion passed by a vote of 6-1-1.**

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

**No:** 1 - Collins

**Excused:** 1 - Gaebler

- 12.G.** [14-0477](#) A resolution fixing and certifying the 2014 tax levy for taxes payable in 2015 at 3.615 mills upon each dollar of assessed valuation within the Woodstone Special Improvement Maintenance District

Please see comments in agenda item 12.A.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the Resolution to fix and certify the 2014 tax levy for taxes payable in 2015 at 3.615 mills upon each dollar of assessed valuation within the Woodstone Special Improvement Maintenance District be adopted. The motion passed by a vote of 6-1-1.**

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

**No:** 1 - Collins

**Excused:** 1 - Gaebler

- 12.H.** [14-0478](#) A resolution appropriating sums of money to the various funds in the amounts, and for the purposes set forth below for the Colorado Springs Downtown Development Authority in Colorado Springs Colorado, for the 2015 budget year

Please see comments in agenda item 12.A.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the Resolution to appropriate the sums of money for the 2015 budget for the Colorado Springs Downtown Development Authority be adopted. The motion passed by a vote of 6-1-1.**

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

**No:** 1 - Collins

**Excused:** 1 - Gaebler

- 12.I.** [14-0479](#) A resolution setting and certifying the 2014 tax levy for taxes payable

in 2015 at 5.000 mills for the Colorado Springs Downtown Development Authority in Colorado Springs, Colorado

Please see comments in agenda item 12.A.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the Resolution to set and certify the 2014 tax levy for taxes payable in 2015 at 5.000 mills for the Colorado Springs Downtown Development Authority be adopted. The motion passed by a vote of 6-1-1.**

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

**No:** 1 - Collins

**Excused:** 1 - Gaebler

- 12.J.** [14-0638](#) A resolution approving the second amended and restated Intergovernmental Agreement relating to Pikes Peak Rural Transportation Authority-funded projects

Councilmember Bennett stated this is a good agreement that has been refined over the past six months.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the resolution be adopted. The motion passed by a vote of 6-1-1.**

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

**No:** 1 - Collins

**Excused:** 1 - Gaebler

- 12.K.** [14-0671](#) Ordinance No. 14-106 Amending Ordinance No. 13-77 (2014 Appropriation Ordinance) for a Supplemental Appropriation to the Capital Project Fund in the amount of \$104,000 for the Purpose of a Traffic Signal at Voyager and Ridgeline

Councilmember Collins stated Council reviewed this item at the last meeting and she believes this is a good proposal for the City.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the Ordinance be approved on first reading. The motion passed by a vote of 7-0-1.**

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

**Excused:** 1 - Gaebler

- 12.L.** [14-0675](#) A Resolution approving the fifth amendment to the intergovernmental agreement for joint professional firefighter certification.

There were no questions or comments on this agenda item.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the Resolution be adopted. The motion passed by a vote of 7-0-1.**

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

**Excused:** 1 - Gaebler

**12.M.** [14-0690](#) 2015 Audit Plan Approval

Councilmember Bennett praised the work Councilmember Martin and the Audit Committee have done on this important plan and expressed his appreciation to them.

**Motion by Councilmember Martin, seconded by President Pro Tem Bennett, that the 2015 Audit Plan as provided by the City Auditor and recommended by the Audit Committee be approved. The motion passed by a vote of 7-0-1.**

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

**Excused:** 1 - Gaebler

### 13. Public Hearing

Meeting went into Recess

Meeting Reconvened

**13.C.** [14-0736](#) Appeal by Bruce and Ashley Carlson of the Parks and Recreation Advisory Board's Approval of a Disc Golf Course at Rampart Community Park

Kurt Schroeder, Manager, Parks Maintenance, Open Space and Trails, provided an overview of the proposal to install a disc golf course in Rampart Community Park including the events leading to this decision and that the Park and Recreation Advisory Board approved the plan unanimously.

David Dietmeyer, Parks Planning Manager, provided additional insight into the decision to install a Disc Golf course in the Rampart Community Park.

Councilmember Knight referred to City Code, questioning the appeal process and Council's legislative authority to make changes to the Parks Master Plan.

Mr. Andrews stated the opinion of the City Attorney's Office is that this plan can be appealed and that the Park's Master Plan is what is being appealed so Council's decision will be binding.

Bruce Carlson, appellant, neighbor to the park expressed his concerns about additional run-off and potential flooding of his property caused by

installation of the disc golf course.

Catherine Gurganus, appellant, President of the Preserve at Briargate Townhome Association, spoke in opposition of the disc golf course stating her concerns including lack of parking, increased noise, pollution and deterioration of the land due to over use.

Eric Bouchard, Secretary of Pikes Peak Flying Disc Club, spoke in support of the disk golf course reiterating the clubs commitment to provide the necessary amenities and volunteer hours to create and maintain the course.

Citizen Raymond Carr spoke in support of the disc golf course.

Citizens Phyllis Schieriot, Carol Goeson, Vic Schiller and Dianne Reid spoke in opposition of the disc golf course.

Ron Ilgen, Parks and Recreation Advisory Board member, spoke on behalf of the Parks and Recreation Advisory Board, explaining how the Board decided to recommend a disc golf course for this area.

Mr. Schroeder explained the Parks plan considered the best interest of the community including neighbors and sports enthusiasts.

President King asked about the drainage problems associated with the neighborhood. Mr. Schroeder explained how the disc golf course had been reconfigured to alleviate some of the drainage issues.

Mr. Schroeder and Council discussed possible alternative location for the planned disc golf course.

Councilmember Martin asked if the disc golf course could be redesigned to alleviate the drainage concerns, Mr. Bouchard stated the course design can be changed to avoid erosion and drainage problems. Mr. Schroeder stated the Parks department will work with the neighbors and the golf club to develop a better plan to improve drainage, erosion and maintenance in the park.

Councilmember Knight questioned the connection between the drainage issues and the disc golf course. Mr. Dietmeyer provided an overview of the historical and current drainage specification of the area and how the



proposed relocation of the two holes in question will assist with maintaining the current drainage.

**Motion by Councilmember Snider, seconded by Councilmember Martin, that the Item be referred back to the Parks and Recreation Advisory Board to explore moving disc golf holes numbers 11 and 15. The motion passed by a vote of 4-3-1.**

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

**No:** 3 - Collins, Knight, and Pico

**Excused:** 1 - Gaebler

- 13.D.** [14-0735](#) Appeal by Catherine M. Gurganus of the Parks and Recreation Advisory Board's Approval of a Disc Golf Course at Rampart Community Park

Please see comments in agenda item 13.C.

**Motion by Councilmember Snider, seconded by Councilmember Martin, that the Item be referred back to the Parks and Recreation Advisory Board to explore moving disc golf holes numbers 11 and 15. The motion passed by a vote of 4-3-1.**

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

**No:** 3 - Collins, Knight, and Pico

**Excused:** 1 - Gaebler

14. Added Item Agenda

15. Executive Session

16. Adjourn

**Following adjournment of the regular City Council meeting, City Council shall reconvene as the Colorado Springs Board of Directors of the Briargate General Improvement District, for action on the following items:**

- A.** [14-0480](#) A Public Hearing on the budget for the Colorado Springs Briargate General Improvement District, Colorado Springs, Colorado, for the calendar year beginning on the first day of January 2015 and ending on the last day of December 2015

There were no questions or comments regarding this agenda item.

- B.** [14-0483](#) A resolution levying general property taxes to help defray the cost of debt service on the General Obligation Refunding Bonds, Series 2014 of the Colorado Springs Briargate General Improvement District, Colorado Springs, Colorado, for the 2015 budget year

There were no questions or comments regarding this agenda item.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the resolution to set and certify the 2014 mill levy at 12.000 mills on taxes payable in 2015 for the Colorado Springs Briargate General Improvement District be adopted. The motion passed by a vote of 6-1-1.**

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

**No:** 1 - Collins

**Excused:** 1 - Gaebler

- C.**     [14-0481](#)     A resolution summarizing expenditures and revenues for each fund and adopting a budget for the Colorado Springs Briargate General Improvement District, Colorado Springs, Colorado, for the calendar year beginning on the first day of January 2015 and ending on the last day of December 2015

There were no questions or comments regarding this agenda item.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the resolution to adopt the proposed 2015 budget for the Colorado Springs Briargate General Improvement District be adopted. The motion passed by a vote of 6-1-1.**

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

**No:** 1 - Collins

**Excused:** 1 - Gaebler

- D.**     [14-0482](#)     A resolution appropriating sums of money to the various funds in the amounts, and for the purposes as set forth below, for the Colorado Springs Briargate General Improvement District, Colorado Springs, Colorado, for the 2015 budget year

There were no questions or comments regarding this agenda item.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the resolution to appropriate the sums of money for the 2015 budget year for the Colorado Springs Briargate General Improvement District be adopted. The motion passed by a vote of 6-1-1.**

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

**No:** 1 - Collins

**Excused:** 1 - Gaebler

**Following adjournment of the Board of Directors of the Colorado Springs Briargate General Improvement District, City Council shall reconvene as the Board of Directors of the Colorado Springs Cottonwood General Improvement District, for action on the following items:**

- A.**     [14-0484](#)     A Public Hearing on the budget for the Colorado Springs Cottonwood

General Improvement District, Colorado Springs, Colorado, for the calendar year beginning on the first day of January 2015 and ending on the last day of December 2015

Councilmember Knight asked what will happen to this district after the debt service is paid. Ms. Skinner stated the district will be dissolved.

- B.**     [14-0487](#)     A resolution levying general property taxes to help defray the cost of debt service on the General Obligation Refunding Bonds, Series 2010 of the Colorado Springs Cottonwood General Improvement District, Colorado Springs, Colorado, for the 2015 budget year

There were no questions or comments regarding this agenda item.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the resolution to set and certify the 2014 mill levy at zero (0.000) mills on taxes payable in 2015 for the Colorado Springs Cottonwood General Improvement District be adopted. The motion passed by a vote of 7-0-1.**

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

**Excused:** 1 - Gaebler

- C.**     [14-0485](#)     A resolution summarizing expenditures and revenues for each fund and adopting a budget for the Colorado Springs Cottonwood General Improvement District, Colorado Springs, Colorado, for the calendar year beginning on the first day of January 2015 and ending on the last day of December 2015

There were no questions or comments regarding this agenda item.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the resolution to adopt the proposed 2015 budget for the Colorado Springs Cottonwood General Improvement District be adopted. The motion passed by a vote of 6-1-1.**

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

**No:** 1 - Collins

**Excused:** 1 - Gaebler

- D.**     [14-0486](#)     A resolution appropriating sums of money to the various funds in the amounts, and for the purposes as set forth below, for the Colorado Springs Cottonwood General Improvement District, Colorado Springs, Colorado, for the 2015 budget year

There were no questions or comments regarding this agenda item.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the resolution to appropriate the sums of money for 2015 budget for the Colorado Springs Cottonwood General Improvement District be adopted. The motion passed by a vote of 6-1-1.**

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

**No:** 1 - Collins

**Excused:** 1 - Gaebler

**Following adjournment of the Board of Directors of the Colorado Springs Cottonwood General Improvement District, City Council shall reconvene as the Board of Directors of the Colorado Springs Marketplace at Austin Bluffs General Improvement District, for action on the following items:**

- A.**     [14-0492](#)     A Public Hearing on the budget for the Colorado Springs Marketplace at Austin Bluffs General Improvement District, Colorado Springs, Colorado, for the calendar year beginning on the first day of January 2015 and ending on the last day of December 2015

There were no questions or comments regarding this agenda item.

- B.**     [14-0495](#)     A resolution levying general property taxes to help defray the cost of debt service on the General Obligation Bonds of the Colorado Springs Marketplace at Austin Bluffs General Improvement District, Colorado Springs, Colorado, for the 2015 budget year

There were no questions or comments regarding this agenda item.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the resolution to set and certify the 2014 mill levy at 50.000 mills on taxes payable in 2015 for the Colorado Springs Marketplace at Austin Bluffs General Improvement District budget be adopted. The motion passed by a vote of 6-1-1.**

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

**No:** 1 - Collins

**Excused:** 1 - Gaebler

- C.**     [14-0493](#)     A resolution summarizing expenditures and revenues for each fund and adopting a budget for the Colorado Springs Marketplace at Austin Bluffs General Improvement District, Colorado Springs, Colorado, for the calendar year beginning on the first day of January 2015 and ending on the last day of December 2015

There were no questions or comments regarding this agenda item.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the resolution to adopt the proposed 2015 budget for the Colorado Springs Marketplace at Austin Bluffs General Improvement District budget be adopted. The motion passed by a vote of 6-1-1.**

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

**No:** 1 - Collins

**Excused:** 1 - Gaebler

- D. [14-0494](#) A resolution appropriating sums of money to the various funds in the amounts, and for the purposes as set forth below, for the Colorado Springs Marketplace at Austin Bluffs General Improvement District, Colorado Springs, Colorado, for the 2015 budget year

There were no questions or comments regarding this agenda item.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the resolution to appropriate the sums of money for the 2015 budget year for the Colorado Springs Marketplace at Austin Bluffs General Improvement District budget be adopted. The motion passed by a vote of 6-1-1.**

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

**No:** 1 - Collins

**Excused:** 1 - Gaebler

**Following adjournment of the Board of Directors of the Colorado Springs Marketplace at Austin Bluffs General Improvement District, City Council shall reconvene as the Board of Directors of the Colorado Springs Spring Creek General Improvement District, for action on the following items:**

- A. [14-0488](#) A Public Hearing on the budget for the Colorado Springs Spring Creek General Improvement District, Colorado Springs, Colorado, for the calendar year beginning on the first day of January 2015 and ending on the last day of December 2015

There were no questions or comments regarding this agenda item.

- B. [14-0491](#) A resolution levying general property taxes to help defray the cost of debt service on the General Obligation Refunding Bonds, Series 2005 of the Colorado Springs Spring Creek General Improvement District, Colorado Springs, Colorado, for the 2015 budget year

There were no questions or comments regarding this agenda item.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the resolution levying general property taxes to help defray the cost of debt service on the General Obligation Refunding Bonds, Series 2005 of the Colorado Springs Spring Creek General Improvement District for the 2015 budget year be adopted. The motion passed by a vote of 6-1-1.**

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

**No:** 1 - Collins

**Excused:** 1 - Gaebler

- C. [14-0489](#) A resolution summarizing expenditures and revenues for each fund and adopting a budget for the Colorado Springs Spring Creek General Improvement District, Colorado Springs, Colorado, for the calendar year beginning on the first day of January 2015 and ending on the last

day of December 2015

There were no questions or comments regarding this agenda item.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the resolution summarizing expenditures and revenues for each fund and adopting a budget for the Colorado Springs Spring Creek General Improvement District for the calendar year beginning on the first day of January 2015 and ending on the last day of December 2015 be adopted. The motion passed by a vote of 6-1-1.**

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

**No:** 1 - Collins

**Excused:** 1 - Gaebler

- D.**     [14-0490](#)     A resolution appropriating sums of money to the various funds in the amounts, and for the purposes as set forth below, for the Colorado Springs Spring Creek General Improvement District, Colorado Springs, Colorado, for the 2015 budget year

There were no questions or comments regarding this agenda item.

**Motion by President Pro Tem Bennett, seconded by Councilmember Martin, that the resolution appropriating sums of money to the various funds in the amounts, and for the purposes as set forth below, for the Colorado Springs Spring Creek General Improvement District for the 2015 budget year be adopted. The motion passed by a vote of 6-1-1.**

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

**No:** 1 - Collins

**Excused:** 1 - Gaebler

## 16. Adjourn

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

Sarah Johnson  
City Clerk