

A Regular Meeting of the Manitou Springs City Council and Liquor Licensing Authority was held in the City Council Chambers, 606 Manitou Avenue, Manitou Springs, Colorado, on March 1, 2011. Mayor Snyder called the meeting to order at 7:04 pm.

COUNCILMEMBERS PRESENT FOR ROLL CALL:

Mayor Marc A. Snyder
Councilman Ed Klingman
Councilman Rick Barry
Councilman Michael Gerbig, Jr.
Councilwoman Ingrid Richter
Councilman Matt Carpenter

COUNCILMEMBERS NOT PRESENT FOR ROLL CALL:

Mayor Pro Tem Aimee Cox

STAFF PRESENT:

Deputy City Administrator Michael A. Leslie
Planning Director Dan Folke
Library Director Margaret Morris
City Clerk Donna Kast

A. CALL TO ORDER

The meeting was called to order at 7:04 pm.

B. PLEDGE OF ALLEGIANCE

The meeting was opened with a reciting of the Pledge of Allegiance.

C. ROLL CALL

All Members of City Council were present for roll call with the exception of Mayor Pro Tem Cox who arrived at 7:30 pm.

D. APPROVAL OF AGENDA

Mayor Snyder requested an adjustment to the agenda as follows: move Agenda Item G.5 to the end of the agenda, renaming it Item G.9.

Upon a motion by Councilman Carpenter and a second by Councilwoman Richter, the agenda was approved as amended. Motion passed unanimously, 6-0.

E. PUBLIC COMMENT ON NON-AGENDA ITEMS

L' Aura Montgomery of 104 Oak Place thanked everyone who attended the Rainbow Falls benefit for their support, noting that the event raised over \$6,500.

F. CONSENT CALENDAR

Councilman Carpenter called up Item No. F.3 and Councilman Barry called up Item No. F.4 for separate consideration.

The following items were acted upon by unanimous consent of the members present:

1. Warrants (Payables)
2. Approval of February 15, 2011 Regular City Council Meeting Minutes
3. **SEE ACTION TAKEN LATER IN MEETING**
4. **SEE ACTION TAKEN LATER IN MEETING**

Upon a motion by Councilman Carpenter and a second by Councilman Gerbig, all matters on the Consent Calendar, with the exception of Items No. F.3 and F.4, were passed, adopted and approved. Motion passed unanimously, 6-0.

**CONSIDERATION OF ITEM F.3. OF THE
CONSENT CALENDAR**

**F.3. Request Approval for a Noise Variance for a Wedding Ceremony at Seven Minute Spring on
Sunday, October 2, 2011 at 1:00 pm – L’Aura Montgomery, Applicant**

Councilman Carpenter said he pulled this item because the wrong receipt for payment was attached to the application. Mike Leslie said he was confident this was just a clerical error and that the correct fee had been paid by the applicant. He said he would verify this tomorrow with the city’s finance department.

Upon a motion by Councilman Carpenter and a second by Councilman Gerbig, the request for a noise variance was unanimously approved as presented. Motion carried 6-0.

**CONSIDERATION OF ITEM F.3. OF THE
CONSENT CALENDAR**

**F.4. Request Approval of a Noise Variance for Live Music Inside a Residence at 208 Oak Place for a Mardi
Gras Festival Party on March 5-6, 2011 from 8:00 pm – 1:00 am, Emanuel (Joe) Micciulla, Applicant**

Before discussion began on this item, Councilman Gerbig recused himself and left the room.

Joe Micciulla presented his request, stating that police were called to his party last year and he wanted to avoid that type of situation from occurring again.

Mayor Snyder explained that the City Council received a letter from one of Mr. Micciulla’s neighbors opposing this request. Councilman Carpenter proposed approving a noise variance only until 11:00 pm.

Upon a motion by Councilman Carpenter and a second by Councilwoman Richter, a noise variance was approved until 11:00 pm. Motion carried 4-1 with Mayor Snyder, Councilman Klingman, Councilwoman Richter, and Councilman Carpenter voting for and Councilman Barry voting against.

Following the vote, Councilman Gerbig rejoined the meeting.

G. NEW BUSINESS

1. **Proclamation No. 0111, Women in Construction Week March 6-12, 2011**

Councilwoman Richter read the proclamation, proclaiming March 6-12, 2011 as Women in Construction Week.

2. **Library Centennial Wrap-up**

Library Director Margaret Morrison introduced the Board of Trustees and members of the Friends of the Library that were in the audience.

Laura Ettinger, Friends of the Library president, briefly reviewed some of the accomplishments of the previous year.

Mayor Snyder commended all in the audience who were associated with the library for the outstanding work they do at the library in behalf of our community.

Margaret Morris presented a slide show containing photos of 2010 events that were sponsored by the library.

Mayor Pro Tem Cox arrived at 7:30 pm during the power point presentation.

Following the slide show, Ms. Morris played a DVD that was prepared by the construction company that oversaw the library restoration in 2010. It featured the restoration project at progressive stages through completion.

3. **Discussion of Free Bike Program- Tim Chase**

Tim Chase, owner of the Manitou Bike Shop, wasn't in attendance so Natalie Johnson spoke in his behalf. She outlined the program, explaining that bikes would be parked at existing bike racks throughout town for free use by the public.

4. **Presentation of 2011 Urban Renewal Authority Budget**

Ann Nichols, Chair of the Urban Renewal Authority, presented the 2011 URA budget explaining that this presentation is an annual requirement to disclose how taxes are being used.

5. **Update and Approval of Letter of Support on Sustainable Parks Initiative – Bill Koerner**

This item was moved to the end of the agenda.

6. **Presentation and Approval of New City Website**

Councilman Carpenter, a member of the website committee, opened the presentation by explaining that the idea for a new website began when Clint Lewis came up with an idea to create a city listserv. Councilman Carpenter offered to help set up the listserv and the project eventually blossomed to include creation of a completely new website. The new site came at no cost to the City as private funding was used to cover all expenses.

Mr. Carpenter introduced each member of the website committee and presented each with a photo of the new website home page. Mayor Snyder also accepted a website photo in behalf of the City Council in appreciation for their support.

Clint Lewis explained the goals of the website committee and outlined how those goals were accomplished. He distributed a list of domain names that will be linked to the website and asked the Council to choose the one to be used as the root domain. It was the consensus to use manitouspringsgov.com as the root domain.

Mr. Carpenter got online and showed a live presentation of the website to all in attendance, noting its many features. Following the presentation, the City Council congratulated the committee on a job well done with some describing the new website as “awesome” and “extraordinary.”

Mayor Pro Tem Cox made a motion, seconded by Councilman Klingman, to approve the new city website. Upon a call for the vote, the motion was unanimously approved. Motion carried 7-0.

7. **Ordinance No. 0611, an Ordinance Outlining the City’s Procedures for the Handling of Applications to Change, Alter or Modify a Liquor Licensed Premises – 1st reading**

City Clerk Donna Kast presented the ordinance explaining that it establishes laws and guidelines to be followed when an existing liquor licensee applies for a modification of premises. She reviewed the ordinance along with an informational packet that was designed to walk an applicant through the application process. Ms. Kast explained that processing these types of applications can be time consuming, so she recommended establishing a \$150 city fee. She said that should the City Council be inclined to agree, she would prepare a resolution establishing the fee and present it for approval at the next Regular City Council Meeting.

During discussion, it was the consensus that a resolution to establish a \$150 application fee for a modification of premises should be brought back for approval at the next meeting.

Upon a motion by Councilwoman Richter and a second by Mayor Pro Tem Cox, Ordinance No. 0611 was unanimously approved at 1st reading. Motion carried 7-0.

8. **Approval of an Application for a Modification of Premises for a Liquor Licensed Establishment - Coquette Creperie (Michelle Marx), Applicant**

Michelle and Turu Marx, applicants, presented the request explaining that they desired to extend table service to an outside patio to serve alcohol beverages. The entire patio is on private property and the servers would access it from inside the applicants' restaurant and not from the public sidewalk.

Upon a motion by Mayor Pro Tem Cox and a second by Councilman Carpenter, the application for a modification of premises was unanimously approved as presented. Motion carried 7-0.

9. **Update and Approval of Letter of Support on Sustainable Parks Initiative – Bill Koerner**

Bill Koerner, representing the Trails and Open Space Coalition, introduced a PowerPoint presentation that described a sustainable parks initiative that would raise funds for park maintenance throughout El Paso County. He explained that the group is considering placement of a countywide sales tax of up to 0.3 percent on the November ballot. Revenue would be passed to cities based upon a population-based formula. He requested a letter of support from the City, stating our willingness to participate in this process.

During discussion the City Council raised concerns that, based upon the formula presented, Manitou Springs would not receive a dollar-for-dollar return and our citizens would end up funding projects for the county and other cities.

Andrea Marko, a resident living at 4 Kreg Lane, said she recommended waiting until more concrete numbers were provided regarding the money that would be returned to Manitou Springs before deciding whether or not to participate in this program.

Mayor Pro Tem Cox made a motion, seconded by Councilman Klingman, to postpone indefinitely the approval of a letter of support on the sustainable parks initiative. Upon a call for the vote, the motion was unanimously approved as presented. Motion carried 7-0.

H. MAYOR'S REPORT

Mayor Snyder informed the City Council that he received an email from School Superintendent Ed Longfield requesting a member of City Council to attend a school board meeting on March 14. Following discussion, Mayor Pro Tem Cox and Councilman Barry both indicated they might be available to attend.

Mayor Snyder announced that the City would be hosting a volunteer appreciation luncheon on March 11 at the Cliff House.

I. RECEIVE OR ACT ON COUNCIL CORRESPONDENCE

Mayor Pro Tem Cox announced that she has been invited to participate as an elected official on the Colorado State of Mind program on PBS. The program will feature a discussion regarding public sector employees in light of the labor relation issues currently making news in Wisconsin.

Councilman Gerbig said he met with a representative of the Business of Art Center who expressed the desire that the community recognize them as a vibrant promoter of the arts in Manitou Springs. He stated that he also met with the Library Board of Trustees whose focus continues to be the future direction of the library.

J. CITY COUNCIL LIAISON REPORTS

Councilman Carpenter announced that Chamber of Commerce members voted and overwhelming approved the consolidation, including all the required legal documentation. The new entity is now officially formed.

Councilman Barry reminded everyone that the Historic Preservation Committee Board still desires to meet with the City Council in a worksession to discuss their re-visioning. Mayor Snyder said the worksession has been scheduled in April.

Mayor Snyder requested a Special City Council meeting on March 8 to approve the Ennovate proposal, another Special Meeting on March 12 for the purpose of interviewing candidates for City Administrator, and another Special Meeting on March 29 to receive the incline plan. It was the consensus of City Council to hold all three Special City Council Meetings. Mayor Pro Tem Cox said we also needed to post an agenda for a meeting on March 11 for the open house that will be hosted to allow the public to meet the City Administrator candidates. It was the consensus that this meeting would be posted as a Council Worksession.

K. PLANNING DIRECTOR’S REPORT

Dan Folke presented and reviewed a monthly Building Permit Applications report.

He also updated the Council on the status of the Nature of Things Conditional Use, noting that sound decibel testing indicates he is now in compliance.

He informed the City Council that the City applied for two grants. The first was for almost \$4,000 from GOCO that would provide assistance with the Iron Mountain Acquisition and the second was a \$25,000 Hillsdale Fund grant.

L. DEPUTY CITY ADMINISTRATOR’S REPORT

Mike Leslie asked everyone to RSVP to Joyce Jones in the finance department regarding the volunteer luncheon on March 11. He also said that Clifton Gunderson should have a financial checkup report to us by mid-May.

Mr. Leslie informed City Council that Tracy Jonas has been promoted to Administrative Assistant to the new City Administrator.

FUTURE AGENDAS

- March 8, 2011 – Worksession
- March 15, 2011 – Regular Meeting
- April 5, 2011 – Regular Meeting
- April 12, 2011 – Worksession
- April 19, 2011 – Regular Meeting

ADJOURNMENT

With no further business to conduct, Mayor Snyder concluded the Regular Meeting at 10:26 p.m.

MAYOR AND CITY COUNCIL

CITY CLERK