

A Regular Meeting of the Manitou Springs City Council was held in the City Council Chambers, 606 Manitou Avenue, Manitou Springs, Colorado, on April 5, 2011. Mayor Snyder called the meeting to order at 7:05 pm.

COUNCILMEMBERS PRESENT FOR ROLL CALL:

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

COUNCILMEMBERS NOT PRESENT FOR ROLL CALL:

Mayor Pro Tem Aimee Cox
Councilman Ed Klingman

STAFF PRESENT:

Deputy City Administrator Mike Leslie
City Clerk Donna Kast
Public Services Director Bruno Pothier

A. CALL TO ORDER

The meeting was called to order at 7:05 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 and Councilman Klingman who were excused.

D. APPROVAL OF AGENDA

Upon a motion by Councilwoman Richter and a second by Councilman Barry, the agenda was approved as presented. Motion passed unanimously, 5-0.

E. PUBLIC COMMENT ON NON-AGENDA ITEMS

Brian and Amy Pieri, residents of 337 Crystal Hills Boulevard, informed the City Council that on March 28, 2011, they returned home from vacation and found their basement full of sewage. Upon investigation, it was determined that the backup was caused by roots in the main line. A claim was filed with CIRSA and was denied as it was determined that there was no negligence on the part of the City. Maintenance had been performed within the City's 3-year maintenance schedule and this schedule was appropriate since there had been no prior history of problems on this section of the line. The Pieris stated that they understood that governmental immunity was rightly invoked by law, but asked to meet with a representative of the City to discuss reimbursement of their expenses on moral grounds. Mayor Snyder agreed to a meeting.

Councilman Barry said that two men knocked on his door asking for money to help pay for their college education. He said that we need to educate the public on solicitation regulations in our city; perhaps with an article in the newspaper. Mayor Snyder said he would speak with the police chief to see how best to provide this type of education.

F. CONSENT CALENDAR (*These Items voted on in one Motion*)

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

1. Warrants (Payables)
2. Approval of the March 8, 2011 Special City Council Meeting Minutes
3. Approval of the March 12, 2011 Special City Council Meeting Minutes
4. Approval of the March 15, 2011 Regular City Council Meeting Minutes
5. Approval of the March 29, 2011 Special City Council Meeting Minutes
6. Request Approval of a Special Event for the Manitou Springs Colorado Wine Festival to be held Saturday, June 4, 2011 from 11:00 am – 7:00 pm in Soda Springs Park & Pavilion - Manitou Springs Chamber of Commerce, Visitors Bureau & Office of Economic Development, Applicant
7. Request Approval of a Noise Variance for a Wedding Reception in Mansions Pavilion from 5:00 pm – 10:00 pm on Friday, September 23, 2011 - Kristina Sharp & Charles Griffin, Applicants

Upon a motion by Councilman Carpenter and a second by Councilman Barry, all matters on the Consent Calendar were passed, adopted and approved. Motion passed unanimously, 5-0.

G. NEW BUSINESS

1. **Approval of Appointment to the Manitou Springs Library Board of Trustees - Andrea Maneen Barry, Applicant**

Andrea Maneen Barry told the Council of her desire to serve at the library and outlined her qualifications.

Upon a motion by Councilman Barry and a second by Councilman Gerbig, Andrea Maneen Barry was unanimously appointed to the Manitou Springs Library Board of Trustees. Motion carried 5-0.

2. **Approval of Re-appointment to the Open Space Advisory Committee – Marc Straub, Applicant**

Upon a motion by Councilman Barry and a second by Councilman Gerbig, Marc Straub was re-appointed to the Open Space Advisory Committee. Motion carried 5-0.

3. **Proclamation No. 0311, a Proclamation Proclaiming April 24-30, 2011 to be Administrative Professionals Week**

Councilman Gerbig read the proclamation and it was presented to Linda Carmona and Lynn Dibben, representatives of the Pikes Peak Chapter of the International Association of Administrative Professionals.

4. **Proclamation No. 0411, a Proclamation Supporting the 2010-2011 Manitou Springs Forward Visioning Process**

Mayor Snyder read the proclamation and presented it to David Chorpenning, Chairman of the Manitou Springs Forward Steering Committee.

Mr. Chorpenning explained that there are currently 24 active steering committee members and they meet every two weeks. Community input is being requested at an upcoming community visioning potluck dinner meeting to be held June 26 at Venue 515. He said the committee would also like to meet with City Council at a worksession in the near future.

5. **Approve an Intergovernmental Agreement Between the Colorado Springs Housing Authority and the Manitou Springs Housing Authority**

Gene Montoya, Executive Director with the Housing Authority of the City of Colorado Springs, reminded the City Council that a decision had previously been made to merge the Manitou Springs Housing Authority with the Housing Authority of the City of Colorado Springs. In order to do so, a resolution by the City Council of Manitou Springs was

required and provided. Now, legal counsel has recommended that it is also necessary for the entities to enter into an Intergovernmental Agreement.

Upon a motion by Councilman Carpenter and a second by Councilwoman Richter, the intergovernmental agreement was unanimously approved. Motion carried 5-0.

6. **Approve an Intergovernmental Agreement Between the City of Manitou Springs and the Crystal Park Metropolitan District**

Mike Doughty of the Crystal Park Metropolitan District presented the IGA, explaining that the District is requesting re-approval of the existing agreement. No changes are proposed.

Upon a motion by Councilwoman Richter and a second by Councilman Barry, the intergovernmental agreement was unanimously approved as presented. Motion carried 5-0.

7. **Approve PARAB Proposal for Tree Replacement in Memorial Park**

Dave Aldridge, Chair of the Park and Recreation Advisory Board, provided a drawing that illustrated the tree replacement proposal for Memorial Park. The proposal includes the planting of seven trees. He explained that PARAB would like to put three trees in the center of the park which would beautify the park, but may create issues for some as it will take away from the large open-space area. The reason for placement of trees in the center of the park would be to help keep the grass from dying out due to excessive summer heat.

Councilman Barry expressed the opinion that these types of decisions should be decided by city staff instead of City Council. The City Council is only supposed to decide on policy and procedure and city staff is more than qualified to make these types of decisions. He suggested that PARAB work with Bruno Pothier, Public Services Director, on this issue.

Not everyone on City Council agreed with Councilman Barry and discussion ensued, with some Council Members presenting ideas regarding placement of trees in the park. Many expressed a desire to ensure sufficient room for tents used at special events as well as a desire to maintain a large open area for park users.

Coreen Toll, a resident of 457 Crystal Hills Boulevard, said winter watering is essential to keep grass from dying out and shade alone is insufficient.

Councilwoman Richter made a motion, seconded by Councilman Gerbig, to approval the tree proposal with the understanding that PARAB is required to contact the Pikes Peak Ascent & Marathon about how to accommodate their special event and also that PARAB should take into consideration the feedback provided by City Council. Upon a call for the vote, the motion was approved 4-0 with Mayor Snyder, Councilman Carpenter, Councilman Gerbig, and Councilwoman Richter voting for and Councilman Barry abstaining from the vote.

H. HEARINGS

1. **Ordinance No. 0811, an Ordinance Vacating a Portion of the Cedar Path Right-of-Way Adjacent Lot 8, Block 5, Busby's Subdivision of a Part of Block C, Town of Manitou – 2nd reading**

Todd Elworthy, applicant, thanked the City Council for helping resolve his problems by granting this vacation.

Upon a motion by Councilman Barry and a second by Councilwoman Richter, Ordinance No. 0811 was unanimously approved at 2nd reading as presented. Motion carried 5-0.

I. MAYOR'S REPORT

Mayor Snyder said he would like to welcome Jack Benson, the new city administrator who is scheduled to begin employment on May 2, 2011. He said that shortly after his start date, the City Council will be meeting with Jack at a worksession to discuss future goals.

J. RECEIVE OR ACT ON COUNCIL CORRESPONDENCE

Councilman Gerbig said the drainage ditch at the bottom of Lafayette Street is a safety hazard as cars can slide into it during bad weather. Bruno Pothier said he would look into mitigating the danger.

Councilman Barry said he recently received phone call complaints from his neighbors when water was turned off in the neighborhood at 7:30 a.m. Bruno Pothier replied by informing the Council that door hangers were hung in advance to notify the neighborhood that water would be shut off. In addition, the water was off only a short period of time.

K. CITY COUNCIL LIAISON REPORTS

Councilman Gerbig distributed copies of a handout he received at a Great Parks - Great Communities Initiative meeting he attended. He informed City Council that financial estimates have been updated since the group originally presented their proposal. New estimates show the City of Manitou Springs would receive approximately \$140,000 in funding, up from the previous estimate of \$120,000

L. PLANNING DIRECTOR'S REPORT

None

M. DEPUTY CITY ADMINISTRATOR'S REPORT

Mike Leslie informed the City Council that Jack Benson, the newly appointed City Administrator, has requested staff input regarding concerns they have within their respective departments. Department heads will be preparing reports that Jack will review prior to beginning work.

Mr. Leslie also informed the City Council of the possibility of the need for water restrictions in the near future and the need to develop a tiered rate structure should that occur. Due to the continued dry weather, he will also be speaking to the Fire Chief regarding the advisability of declaring a fire ban.

Bruno Pothier informed the City Council that he spoke with Water Consultant Ann Nichols regarding a significant drop in the water level at the reservoir. It was determined that the City should begin discussions regarding how much lower the water level will be allowed to drop before water restrictions are enacted.

Mayor Snyder asked staff to be prepared to present a water report in two weeks at the next Regular City Council Meeting.

N. FUTURE AGENDAS

- April 12, 2011 – Worksession
- April 19, 2011 – Regular Meeting
- May 3, 2011 – Regular Meeting
- May 10, 2011 – Worksession
- May 17, 2011 – Regular Meeting

ADJOURNMENT

With no further business to conduct, Mayor Snyder concluded the Regular Meeting at 8:50 p.m.

MAYOR AND CITY COUNCIL

CITY CLERK