

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 June 7, 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.  
Councilman Matt Carpenter

**COUNCILMEMBERS NOT PRESENT FOR ROLL CALL:**

Mayor Pro Tem Aimee Cox (arrived at 7:23 pm)  
Councilman Ed Klingman

**STAFF PRESENT:**

City Administrator Jack Benson  
City Attorney Jeff Parker  
Planning Director Dan Folke  
Public Services Director Bruno Pothier  
Parks Employee Mary Ellen Montgomery  
City Clerk Donna Kast

**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 Councilman Klingman who was excused and Mayor Pro Tem Cox who arrived at 7:23 pm.

Note: Mayor Snyder informed all in the audience that Councilwoman Ingrid Richter resigned from City Council effective May 25, 2011.

**D. APPROVAL OF AGENDA**

Upon a motion by Councilman Barry and a second by Councilman Gerbig, the agenda was approved as presented. Motion passed unanimously, 4-0.

**E. PUBLIC COMMENT ON NON-AGENDA ITEMS**

L'aura Montgomery, a resident of 104 Oak Place, updated the City Council on the restoration work being done at Rainbow Falls.

Ron Ilgen, President of Pikes Peak Marathon, announced a new event that will be coming to Manitou Springs on August 28, 2011 called the Pikes Peak Road Ascent. Mr. Ilgen explained that this event will be an 11.6 mile running race up the Pikes Peak Highway, which will be held in conjunction with the Assault on the Peak bike race.

**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 May 17, 2011 Regular City Council Meeting Minutes
3. Approval of the May 24, 2011 Special City Council Meeting Minutes
4. Request Approval of a Noise Variance in Soda Springs Park for setup, music rehearsal and a wedding from 9:00 am Friday, June 17 – 9:00 pm Saturday June 18, 2011 – Peter Wolfe, Applicant
5. Request Approval to Hang a Banner May 23 - June 4, 2011 for the Manitou Springs Wine Festival – Chamber of Commerce & Visitors Bureau (Leslie Lewis), Applicant
6. Request Approval of a Special Event in Memorial Park and Memorial Hall for the Buddy Walk on Friday and Saturday, August 26-27, 2011 from 6:00 am – 5:00 pm; and a Noise Variance in Memorial Park on Friday, August 26, 2011 from 6:00 pm – 10:00 pm and on Saturday, August 27, 2011 from 9:00 am – 1:00 pm – Colorado Springs Down Syndrome Association (Larry Mitchell), Applicant

Councilman Carpenter requested to strike Item F.5 from the Consent Calendar since the event has already past. It was the consensus of the City Council to remove this item from the Consent Calendar.

Upon a motion by Councilman Carpenter and a second by Councilman Gerbig, Items F.1 through F.4 and Item F.6 were unanimously approved as presented. Motion carried 4-0.

#### G. NEW BUSINESS

1. **Resolution No. 0711, a Resolution Declaring a Vacancy on the City Council of the City of Manitou Springs**

Mayor Snyder announced again that on May 25, 2011, Councilwoman Richter resigned her seat on the City Council.

Upon a motion by Councilman Gerbig and a second by Councilman Barry, Resolution No. 0711, a resolution declaring a vacancy on the City Council was unanimously approved as presented. Motion carried unanimously, 4-0.

2. **Approval of Appointment of Marjorie V. White to the Parking Authority Board**

Mayor Pro Tem Cox arrived at 7:23 pm at the start of the discussion of this item.

Upon a motion by Councilman Gerbig and a second by Councilman Barry, Marjorie V. White was appointed to the Parking Authority Board. Motion carried unanimously, 5-0.

3. **Nomination of Marcy Morrison as a Liaison to the Fountain Creek Watershed Advisory Committee**

Mayor Snyder explained that cities are allowed to nominate people to serve on the Fountain Creek Watershed Advisory Committee, but the County Commissioners are ultimately responsible for deciding on the appointment.

Upon a motion by Mayor Pro Tem Cox and a second by Councilman Barry, Marcy Morrison was nominated to serve as a City liaison to the Fountain Creek Watershed Advisory Committee. Motion carried unanimously, 5-0.

4. **Presentation of a Streetscape Sculpture – Jack Elder (Manitou Springs Arts Council)**

Jack Elder, representing the Manitou Springs Arts Council, presented a picture of the “Stickman” sculpture that is to be placed in the garden area in front of City Hall.

Following discussion, it was the consensus of the City Council that there was no objection to the placement of this sculpture.

5. **Request for Council Support of Music Jam Program in Soda Springs Park – Steve Wood, Concrete Couch**

Laurie Wood, Director of Partners for Healthy Choices, described the concept of the music jam program. She explained that it is a music-making program that is provided free of charge to residents and visitors alike. Simple instruments will be provided, as will a light snack. The goal is to involve a broad cross-section of the community in a fun experience within a safe and welcoming environment. The total project cost is estimated to be \$1,500 as there will be 12 sessions that include teachers, snacks, advertising, instrument purchase and maintenance, and project planning. Ms. Wood inquired about a financial contribution from the city to assist with these costs. She explained that PARAB voted to contribute \$500 but it was determined that PARAB funds have been placed in a conservation trust fund which is not available for programs. It was the consensus of City Council that staff should investigate to see if money is available in the general fund that can be contributed. Ms. Wood also requested instrument storage at Soda Springs Park. It was decided that this might be provided, but only with the understanding that the City would not be responsible for any potential damage to the instruments. It was also noted that a park rental fee waiver can be applied for in order to guarantee availability of the park.

6. **Presentation by the Pikes Peak Range Riders**

John Skalla, President of the Pikes Peak Range Riders, invited all in attendance to attend the Pikes Peak or Bust Rodeo events, including the 63<sup>rd</sup> annual street breakfast on June 22, 2011.

Dean Stuart, a member of the Rodeo Board, described the popularity of the event and also invited all to attend. He introduced Dayna Jenkins, Girl of the West and Caitlin Kern, Aide to the Girl of the West, who provided details regarding rodeo events, announcing that Rodeo Days will be July 13-16, 2011.

7. **Request Modification of Premises of a Liquor Licensed Premises – Stagecoach Inn, Symonds Enterprises, Inc., Applicant**

Dave Symonds, President of Symonds Enterprises, Inc. explained that he is requesting a modification of premises to allow alcohol to be served on an outside patio on the west side of the Stagecoach Inn

Upon a motion by Mayor Pro Tem Cox and a second by Councilman Barry, a modification of premises to the Stagecoach Inn was unanimously approved as presented. Motion carried 5-0.

Mayor Snyder called for a break at 8:20 pm. The meeting resumed at 8:27 pm.

8. **Presentation of the Sharrows Program**

Kristen Bennet, Senior Transportation Planner with the City of Colorado Springs presented the program, explaining that it supports shared lane roadway markings to guide bicyclists and enhance motorist awareness of bicyclists. The proposal calls for the markings to be placed along Colorado Avenue from downtown Colorado Springs through Manitou Springs on Manitou Avenue.

Both Dan Folke and Bruno Pothier said they were opposed to the program because installation costs, approximately \$150-\$180 per marking, would be incurred but are not budgeted. They also noted that additional markings on some of our city's narrow one-way streets might be very confusing to motorists. As far as Manitou Avenue is concerned, it is CDOT right-of-way and is not under the City's control.

Following discussion, it was the consensus of the City Council that no action would be taken at this time, but they were open to the consideration of this program during our budget process.

9. **Approve Town of Calhan Request to Join the Pikes Peak RTA**

Upon a motion by Mayor Pro Tem Cox and a second by Councilman Gerbig, the Town of Calhan's request to join the Pikes Peak RTA was unanimously approved. Motion carried 5-0.

10. **Ordinance No. 1111, an Ordinance Amending Title 17, Historic Preservation, of the Municipal Code of the City of Manitou Springs, Colorado – 1<sup>st</sup> reading**

Dan Folke presented the ordinance, explaining that the Historic Preservation Commission unanimously recommended approval. The proposed changes are intended to bring the historic preservation regulations in line with the application and processing requirements already in use by the planning department.

Upon review of the proposed ordinance, City Attorney Jeff Parker suggested significant changes to some of the wording. It was the consensus of the City Council to approve the ordinance as-is at first reading, but to include the attorney's proposed revisions at 2<sup>nd</sup> reading of the ordinance on June 21, 2011.

Upon a motion by Councilman Barry and a second by Mayor Pro Tem Cox, Ordinance No. 1111 was unanimously approved at 1<sup>st</sup> reading. Motion carried 5-0.

11. **Approval of a Gardner/Landscaping Services Contract**

Bruno Pothier informed the City Council that the Public Works Department reviewed the fulltime Gardner/Landscaper position with the Parks Department and came to the conclusion that a fulltime staff position is not cost effective. The summer months provide for a fulltime workload but the winter months do not. It is therefore his recommendation to allow the City's Gardener to resign as a city employee and enter into contract with the City to provide these services. Although normally the city would go out for bids before entering into this type of agreement, Mr. Pothier requested a waiver of this requirement as it would be his preference to continue to use the services of our existing City Gardener because of her knowledge and experience of the job.

City Gardner Mary Ellen Montgomery informed the City Council that she was in agreement with this proposal and would like to enter into an agreement with the City as the owner of High & Dry Xeriscape.

Upon investigation of the City Code, City Administrator Jack Benson and City Attorney Jeff Parker agreed that it would not be appropriate to waive the bid requirement since this wasn't really allowed for in the City Code.

Following discussion, it was the consensus of the City Council that the City should seek bids from other contractors and bring all bids back for consideration as soon as possible.

Upon recommendation by Dan Folke, Mayor Snyder skipped to the consideration of Item I.1 at this time.

**I. HEARINGS**

1. **Ordinance No. 1011, an Ordinance Vacating the Westerly 5 Feet of the 25 Foot Public Utility and Private Access Easement Along the Eastern Property Line of Lot 9 Keithly Subdivision, City of Manitou Springs, El Paso County, Colorado – 2<sup>nd</sup> reading**

There was no public comment on this item.

Upon a motion by Councilman Barry and a second by Councilman Gerbig, Ordinance No. 1011 was unanimously approved at 2<sup>nd</sup> reading as presented. Motion carried 5-0.

**H. UNFINISHED BUSINESS**

1. **Discussion of the Sustainable Parks Initiative**

Jack Benson presented a Maintenance of Effort cost report in regards to parks and recreation that had been prepared by Finance Director Mike Leslie. The report disclosed that the City budgeted a total of \$384,805 in FY2011.

Bill Koerner with the Trails and Open Space Coalition distributed copies of the Great Parks-Great Communities Initiative Funding Distribution Proposal. The proposal indicated that with a proposed 1.5/10 cent sales tax increase, it is estimated that the City of Manitou Springs would receive approximately \$70,000 annually, plus be eligible to apply for grant money from the Special Project Fund. He also noted that the Maintenance of Effort provision that was included in the first proposal had been removed from the existing proposal.

During discussion, concerns were raised about the fact that the City of Colorado Springs has not yet committed to placing this initiative on the November ballot. It was thought that the City of Colorado Springs should take the lead in promoting this initiative since they would be the ones to receive the greatest benefit. Following discussion, it was the consensus of the City Council to decline the invitation to approve a resolution in support of placing this initiative on the November ballot.

#### **J. MAYOR'S REPORT**

None

#### **K. RECEIVE OR ACT ON COUNCIL CORRESPONDENCE**

None

#### **L. CITY COUNCIL LIAISON REPORTS**

Councilman Gerbig informed the City Council that he received an email from Randy Hodges with a suggestion to use Prospect Lot for parking during major city events.

Councilman Carpenter informed the City Council that iManitou received 47 applications for the advertised COO position. He also informed the City Council that the BID has approved wifi for the downtown corridor.

Mayor Pro Tem Cox asked that a request from the Concrete Couch to build a bench in Fields Park be placed on the June 21, 2011 City Council meeting agenda.

#### **M. PLANNING DIRECTOR'S REPORT**

Dan Folke reviewed his May Building Permits Applications report.

Bruno Pothier reported that information regarding voluntary water restrictions have been posted on the City's website.

#### **N. FINANCE DIRECTOR'S REPORT**

The monthly budget report ending April 30, 2011 and the sales tax report ending March 31, 2011 were included in the meeting packet.

#### **O. CITY ADMINISTRATOR'S REPORT**

Jack Benson reviewed his memo, including information regarding his first 30 days on the job, the BID and downtown community policing program, the Smischny Lot Trust, and personnel issues.

**P. FUTURE AGENDAS**

- June 14, 2011 – Work Session
- June 21, 2011 – Regular Meeting
- July 5, 2011 – Regular Meeting
- July 12, 2011 – Work Session
- July 19, 2011 – Regular Meeting

**ADJOURNMENT**

With no further business to conduct, Mayor Snyder concluded the Regular Meeting at 10:54 p.m.

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MAYOR AND CITY COUNCIL

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CITY CLERK

*Minutes Prepared by: Donna Kast, City Clerk*