

A Regular Meeting of the Manitou Springs City Council was held in the City Council Chambers, 606 Manitou Avenue, Manitou Springs, Colorado, on July 19, 2011. Mayor Pro Tem Cox called the meeting to order at 7:03 pm.

COUNCILMEMBERS PRESENT FOR ROLL CALL:

Mayor Pro Tem Aimee Cox
Councilman Ed Klingman
Councilman Rick Barry
Councilman Michael Gerbig, Jr.
Councilwoman Coreen Toll
Councilman Matt Carpenter

COUNCILMEMBERS NOT PRESENT FOR ROLL CALL:

Mayor Marc A. Snyder

STAFF PRESENT:

City Administrator Jack Benson
Deputy City Administrator/Finance Director Mike Leslie
Planning Director Dan Folke
City Clerk Donna Kast

A. CALL TO ORDER

The meeting was called to order at 7:03 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 Snyder who was excused.

D. APPROVAL OF AGENDA

Mayor Pro Tem Cox pulled Item F.3 and Councilman Barry pulled Item F.4 from the Consent Calendar for separate consideration.

Upon a motion by Councilman Barry and a second by Councilman Klingman, the agenda was approved as amended. Motion carried 6-0.

E. PUBLIC COMMENT ON NON-AGENDA ITEMS

Benjamin Hatfield, a Manitou Springs resident, spoke of concerns he and his friends have regarding trash left in the parks after events. He promoted participation in the "Ring for Love" movement that places bells around town that people can ring to bring awareness to community problems. He also suggested replacing flower gardens with vegetable and fruit gardens and placing compost bins next to trash bins. Another concern he raised was what he perceived to be unfriendly police procedures whereby street performers are issued tickets when they continue to perform in the downtown area outside of the permitted time allowed by ordinance. He stated that he believed the police should issue friendly reminders instead of tickets.

Stephen Goodall, a Manitou Springs resident, informed the City Council that he was playing music in a park after 11:00 pm when he was approached by a police officer who told him to stop because a complaint had been filed. He said it was his belief that the police were only trying to control the community, doing so with force and intimidation.

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

Note: Items F.3 and F.4 were pulled from the Consent Calendar for separate consideration during the discussion of Agenda Item D (Approval of Agenda).

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

1. Warrants (Payables)
2. Approval of the July 5, 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.

G. NEW BUSINESS**1. Proclamation No. 0711, Colorado Masonic Month – August 2011**

Many members of the Mason Lodge were in attendance for the presentation of the proclamation. Mayor Pro Tem Cox read the proclamation and presented it to James Woods, a representative of the members.

James Woods thanked the City Council for the proclamation and invited them to come to dinner at the lodge at 455 El Paso Boulevard on August 2, 2011 at 5:30 pm.

2. Resolution No. 1211, a Resolution Appointing Council Members as Liaisons to the Various Departments and Other Boards and Committees

During discussion, it was noted that two corrections needed to be made to the resolution as follows: (1) The Department Liaison for the Library is Councilwoman Aimee Cox and (2) the Liaison to the Library Board of Trustees is Michael Gerbig.

Upon a motion by Councilman Barry and a second by Councilman Gerbig, Resolution No. 1211 was unanimously approved as amended. Motion carried 6-0.

**CONSIDERATION OF ITEM F.3 OF THE
CONSENT CALENDAR****F.3 Approval of Request to Hang Banner over CDOT Right-of-Way between August 8 and August 14, 2011 – Craft Lager Festival being held August 13 and 14, 2011**

The City Clerk informed the City Council that another organization had already received approval to hang a banner over the CDOT right-of-way during the same dates that this applicant was requesting.

Upon a motion by Councilwoman Toll and a second by Councilman Gerbig, the request by the Craft Lager Festival to hang a banner over CDOT right-of-way between August 8 and August 14, 2011 was declined. Motion carried unanimously, 6-0.

**CONSIDERATION OF ITEM F.4 OF THE
CONSENT CALENDAR****F.4 Approval of the Assault on the Peak Special Event to be held Sunday, August 28, 2011 from 7:00 am – 5:00 pm and Approval of a Noise Variance in Memorial Park on Sunday, August 28, 2011 from 7:30 am – 6:00 pm – Manitou Springs Chamber for Tejon Community Events, Inc (Leslie Lewis), Applicant**

Councilman Barry said he pulled this item for separate consideration mainly because he had concerns about crowds and parking issues. He inquired about how events such as this one affect the merchants and sales tax collections, noting that if city streets are closed, people will be unable to visit downtown merchants.

Discussion ensued.

Following discussion, Councilman Carpenter made a motion seconded by Councilman Klingman, to approve the special event and noise variance contingent upon receipt of a comprehensive parking plan and an explanation as to which streets will be blocked and with the understanding that street closures will not be allowed after 10:00 am. The deadline for submitting this information will be August 2, 2011 at 5:00 pm. It was also requested that consumables at the event be recyclable and recycling efforts be made. Motion carried 5-1 with Mayor Pro Tem Cox, Councilman Klingman, Councilman Gerbig, Councilwoman Toll and Councilman Carpenter voting for; and Councilman Barry voting against.

H. HEARINGS

1. **CU 1107 – Conditional Use (Allow Residential Use in the Commercial Zoning District) – 115 Beckers Lane & 110 El Paso Boulevard – Bill Shirley on behalf of Beckers Lane Lodge LLC, Applicant (45 minutes)****

Note: This request was withdrawn by the applicant.

I. MAYOR'S REPORT

Mayor Pro Tem Cox reported on:

- Pikes Peak Area Council of Governments Funding
- Upcoming Pikes Peak Cycling Society Event

J. RECEIVE OR ACT ON COUNCIL CORRESPONDENCE

1. July 11, 2011 Memorandum from Kendra L. Carberry, Esq.- RE: House Bill 11-1115- Construction Contract Retainage

Jack Benson reminded the City Council to review the Memo from the City Attorney regarding House Bill 11-1115.

Mayor Pro Tem Cox spoke about inquiries she received regarding the public easement and walkways from Cherokee Road to Delaware Road.

K. CITY COUNCIL LIAISON REPORTS

Councilman Carpenter updated the City Council on:

- The July 13, 2011 Community Development Block Grant meeting
- The COO Search for the Chamber of Commerce, Visitors Bureau & Office of Economic Development

Councilman Gerbig spoke regarding:

- The library book sale
- His participation in the Pride Fest Parade in Colorado Springs

Councilwoman Toll spoke regarding:

- The Barr Trail Parking Lot kiosk
- The possible establishment of an enterprise fund for parking revenue
- A suggestion received for a user fee to be paid by event organizers
- The climate protection campaign and the environmental survey posted on the City's website

L. PLANNING DIRECTOR’S REPORT

Dan Folke reported on:

- Transportation planning for the US 24 Business Loop Project
- Rainbow Falls Restoration Project
- Manitou Springs Forward Visioning Project

M. FINANCE DIRECTOR’S REPORT

Mike Leslie reported on:

- May sales tax report
- RFP for a lease purchase program
- RFP for a software program
- Mid-year amended budget
- Financial audit

N. CITY ADMINISTRATOR’S REPORT

Jack Benson reported on:

- Budget strategy to be discussed at the July 26, 2011 City Council Work Session
- Priority based budgeting
- Canon Parking Lot ingress and egress issues and pedestrian right-of-way signs

O. FUTURE AGENDAS

- August 2, 2011 – Regular Meeting
- August 9, 2011 – Work Session
- August 16, 2011 – Regular Meeting
- September 6, 2011 – Regular Meeting
- September 13, 2011 – Work Session
- September 20, 2011 – Regular Meeting

ADJOURNMENT

With no further business to conduct, Mayor Pro Tem Cox concluded the Regular Meeting at 9:00 p.m.

MAYOR AND CITY COUNCIL

CITY CLERK