

A Regular Meeting of the Manitou Springs City Council was held in the City Council Chambers, 606 Manitou Avenue, Manitou Springs, Colorado, on May 21, 2013.

COUNCILMEMBERS PRESENT FOR ROLL CALL:

Mayor Marc A. Snyder
Mayor Pro Tem Matt Carpenter
Councilman Gary L. Smith
Councilwoman Donna Ford
Councilman Randy R. Hodges
Councilman Michael Gerbig, Jr.

COUNCILMEMBERS NOT PRESENT FOR ROLL CALL:

Councilwoman Coreen Toll (arrived at 7:10 pm)

STAFF PRESENT:

City Administrator Jack Benson
City Attorney Kelly Donlon
Planning Director Dan Folke
Public Services Director Bruno Pothier
Finance Director Rebecca Davis
Police Chief Joe Ribeiro
City Clerk Donna Kast

A. CALL TO ORDER

Mayor Snyder called the meeting to order at 7:04 pm.

B. PLEDGE OF ALLEGIANCE

The meeting opened with the Pledge of Allegiance.

C. ROLL CALL

All members of City Council were present for roll call with the exception of Councilwoman Toll who arrived at 7:10 pm.

D. APPROVAL OF AGENDA

Upon a motion by Councilman Hodges and a second by Mayor Pro Tem Carpenter, the agenda was unanimously approved as presented. Motion CARRIED 6-0.

E. PUBLIC COMMENT ON NON-AGENDA ITEMS

None

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 Minutes of the May 7, 2013 Regular City Council Meeting
3. Approval of the Minutes of the May 14, 2013 Special City Council Meeting
4. Approval of a Special Event for the Annual Verne Witham Pancake Breakfast on the Sidewalk in front of Olde Type Photography (903 Manitou Avenue) from 8:00 am – 11:00 am on Saturday, May 25, 2013 – iManitou (Leslie Lewis), Applicant

5. Approval of a Noise Variance for Street Performer Belly Dancing from 5:00 pm – 8:00 pm in Shoshone Spring on Saturday, June 29, 2013, Saturday, July 13, 2013, and Saturday, August 3, 2013 – Mizmar Madness, Applicant
6. Approval of a Noise Variance for the King's Banquet from 12:00 pm – 5:00 pm in Soda Springs Park on Friday, May 31, 2013 – Joshua Hill, Applicant

Upon a motion by Councilman Hodges and a second by Councilman Smith, the Consent Calendar was unanimously approved as presented, with Councilwoman Ford abstaining from the vote on Item F.3 since she was not in attendance at the meeting. Motion carried 6-0.

G. NEW BUSINESS

1. **Approve First Amendment to Agreement for Professional Services between Ensign Engineering and Land Surveying, Inc. and the City of Manitou Springs**

Roger Miller, Project Manager with Ensign Engineering, explained that he spent 22 hours to correct and validate the County Assessor's address list along Ruxton Avenue, which was outside the scope of the original agreement. This amendment provides \$3,300 in additional compensation for this work.

Councilwoman Toll arrived at this time.

Upon a motion by Mayor Pro Tem Carpenter and a second by Councilwoman Toll, the first amendment to the agreement for professional services was approved with the change that Jack Benson will be the one authorized to sign in behalf of the City. Motion carried 6-1 with Councilman Gerbig voting against. Councilman Gerbig stated that he was opposed because the City underpays many city employees.

2. **Ordinance No. 1413, an Ordinance Approving the Lease-purchase of Additional Equipment Pursuant to a Master Agreement with Suntrust Equipment Finance & Leasing Corp – 1st reading**

When introducing the ordinance, Rebecca Davis mentioned that the exhibit shows that the City will be purchasing a 1-ton truck but in actuality, the City will instead be purchasing two smaller trucks.

Upon a motion by Mayor Pro Tem Carpenter and a second by Councilman Smith, Ordinance No. 1413 was unanimously approved at 1st reading with the understanding that the Exhibit will be corrected at 2nd reading to show what is actually being purchased. Motion carried 7-0.

3. **Ordinance No. 1513, an Ordinance Amending Title 5, Chapter 5.20 of the Manitou Springs Municipal Code by the Addition of a New Section 5.20.075 Governing Special Events Permits – 1st reading**

Upon a motion by Councilman Gerbig and a second by Councilwoman Ford, Ordinance No. 1513 was unanimously approved at 1st reading as presented. Motion carried 7-0.

H. HEARINGS

1. **Ordinance No. 1213, an Ordinance Amending Chapter 13.12.004 of the Manitou Springs Municipal Code Concerning the Installation of Water Meters – 2nd reading**

Upon a motion by Councilwoman Toll and a second by Councilman Hodges, Ordinance No. 1213 was unanimously approved at 2nd reading as presented. Motion carried 7-0.

2. **Ordinance No. 1313, an Ordinance Amending Chapter 13.08.130 of the Manitou Springs Municipal Code Concerning the Replacement of Water Service Lines – 2nd reading**

Upon a motion by Councilman Hodges and a second by Councilwoman Toll, Ordinance No. 1313 was unanimously approved at 2nd reading as presented. Motion carried 7-0.

Before moving to the next item, Mayor Snyder asked City Attorney Kelly Donlon a question regarding whether the City would have the authority to revoke a business license if an owner of a massage parlor is convicted of prostitution. Attorney Donlon said she would research the City Code and provide an answer at a later date.

I. MAYOR'S REPORT

Mayor Snyder presented a video about the creation of a brochure by the 8th grade honors language arts class that highlights and promotes Manitou Springs businesses. Following the video, the Mayor announced that a copy of the brochure would be available in the City Clerk's office to any who desired to see it.

Mayor Snyder reminded everyone that the HPC Honors Reception will be held at the BAC on Thursday, May 23, from 6:30 pm - 8:30 pm. He announced that the City of Manitou Springs has been selected to receive an award, and he invited everyone to attend.

On another subject, Mayor Snyder presented an article that recently appeared in the Gazette about the challenges being faced by small cities to keep their police departments fully staffed.

J. RECEIVE OR ACT ON COUNCIL CORRESPONDENCE

Councilwoman Toll said she received an email from Steve Sinn inquiring as to whether the City will be approving retail marijuana establishments in Manitou Springs, noting that he would be opposed to this idea.

Councilman Hodges said he was asked by a resident if the city pool is going to be closed every time the City receives a flood advisory. Jack Benson advised that it would not; however, there may be times when closing the pool would be deemed necessary in the interests of safety.

CITY COUNCIL LIAISON REPORTS

Councilman Gerbig announced that the Library Concert Series begins June 4 and will be held throughout the summer on Tuesday nights.

Councilman Smith stated that he recently attended the Manitou Fire Department volunteer banquet where volunteers were recognized for their contributions.

Councilman Hodges said that he attended the Manitou Springs Collaborative Potluck and stated it was a very successful event.

Councilwoman Toll informed the City Council that GOCO grant funding was not awarded for Phase 2 of the Soda Springs Park Project but an application will be resubmitted in the fall. On another subject, Councilwoman Toll announced that the Regional Building Flood Plain Study has been completed and an accurate mapping of the area is now available. Councilwoman Toll also stated that the Avenue Task Force will hold a press conference on June 6. She said that iManitou ordered a supply of the panhandling posters produced by the Task Force and stated that they will soon begin distributing them to the public.

Mayor Pro Tem Carpenter announced that OSAC has approved a connection to the Intemann Trail that will extend access to the City's open space.

K. FINANCE DIRECTOR REPORT

Rebecca Davis reported that she has been busy gathering documentation for the city auditors. On another subject, she said that Casselle has been provided with all the data they need in order to complete the software conversion.

L. PLANNING DIRECTOR REPORT

Dan Folke reported on a Wildland-Urban Interface Land Use Policy Conference that he attended. On another subject, he reported on the Safe Routes to School Project, noting that the bridge will be replaced on Friday. Finally, he reviewed a memo he prepared regarding the El Paso County Noxious Weed Project.

M. CITY ADMINISTRATOR REPORT

Jack Benson stated that, in an attempt to keep City Council informed, he has been sending out informational emails regarding ongoing projects. One of those projects is a “No Smoking in Public Parks” ordinance that he intends to bring before Council for consideration. On another subject, he reported that CDBG awarded a \$97,000 grant to the City to be used for the ADA bathroom remodel project.

N. FUTURE AGENDAS

- June 4, 2013 – Regular Meeting
- June 11, 2013 – Worksession
- June 18, 2013 – Regular Meeting
- July 2, 2013 – Regular Meeting
- July 9, 2013 – Worksession
- July 16, 2013 – Regular Meeting

ADJOURN

With no further business to conduct, Mayor Snyder concluded the meeting at 8:56 pm.

MAYOR AND CITY COUNCIL

CITY CLERK

Additional Packet Items:

Pool Report

Weed Mitigation Memo

Minutes prepared by City Clerk Donna Kast