

Woodland Park City Council
Council Chambers – City Hall
February 20, 2020, 7:00 PM
Minutes

If interested in viewing the corresponding video / discussion related to the subject below you can go to the City's YouTube page to view the video.

6:30 PM EXECUTIVE SESSION:

Pursuant to C.R.S. Section 24-6-402(4)(b) for a conference with the, City Manager and City Clerk for the purpose of receiving legal advice.

1. ROLL CALL

- A. The following members of Council present were: Mayor Levy, Mayor Pro-Tem Carr, Kellie Case, Darwin Naccarato and Hilary LaBarre. Paul Saunier was absent. City Manager Tangeman and Assistant City Manager/City Clerk were present.

The Executive Session concluded at 6:58 and Council moved into the open meeting.

2. PLEDGE OF ALLEGIANCE

The following Staff Members were also in attendance for this meeting:

City Manager Darrin Tangeman

Assistant City Manager/City Clerk Suzanne Leclercq

Public Works Director Kip Wiley

Community Engagement Manager Karen Casey

Finance Director Emily Katsimpalis

City Planner Lor Pellegrino

Deputy Public Works Director Robyn Brown

Chief of Police Miles DeYoung

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS:

- A. Appointment to the Keep Woodland Park Beautiful Committee. City Clerk Leclercq reviewed with Council that she had received an application from Rusty Neal to be a member of the Keep Woodland Park Beautiful Committee. Leclercq noted that should Council appoint Mr. Neal that there would still be 8 openings on this committee.

MOTION: To appoint Rusty Neal to the Keep Woodland Park Committee. Naccarato/Carr. Motion carried 6-0.

City Clerk Leclercq administered the oath of office to Mr. Neal.

4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA:

- A. None

At this time City Manager Darrin Tangeman introduced the new Deputy Public Works director Robyn Brown.

5. CONSENT CALENDAR:

- A. Approve minutes of the January 16, 2020 Council Meeting and the January 30, 2020 Special Council Meeting.

Administrative

Presenter: Suzanne Leclercq, Assistant City Manager / City Clerk

MOTION: Motion to approve Consent Calendar as presented. Sawyer/Case. Motion carried 6-0.

6. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA:

- A. Bob Carlsen read the following statement into the record:

Comments to City Council on 20 Feb 2020

In December 2018 the City Council approved the 2019 City Budget, with a goal to “Implement a long-term financial plan and a capital improvement plan. The Staff will begin work on these two plans, which will greatly improve the entire budget process.” I agree that these plans would greatly improve the budget process, yet the City has yet to produce such plans, which are now promised in 2020. The City has made these promises ever since 2014, the last time a multiyear financial plan was used to show Council that there was a sufficient revenue stream to pay the bonds to the Aquatic Center.

In the absence of these plans, within a day I produced my own Financial and Capital Investment Plan spreadsheet, using the 2020 City Budget as the baseline for future years. I wanted to be as accurate as possible, so asked the City to update the Sales and Lodging Tax revenues since October 2019. Normally, October data is provided to the City by 20 November and after Finance Department review, the numbers are published on the City website the first full week of January. So, by mid-January I asked the Finance Director where were the numbers. She advised me that the City Manager had directed her not to post this data on the website, as he intended to present the November data at this meeting and the December data at the second meeting in March. I immediately submitted a CORA request asking the City publish the Sales and Lodging Tax October 2019 revenues on their website. And in early February, I submitted another CORA request for the 31 December numbers. The City Clerk advised that she could only provide published records, and as no records existed, she could not respond. Sales tax data is critical as the projected sales tax revenues for subsequent years are 3.2% more than the previous years. I needed this information to calculate future tax revenues.

Tonight, Council will review the September 2019 Quarterly report, although the December data is already available. Furthermore, this September data was made irrelevant once the City proposed the 2020 City Budget in mid-October 2019, which projected 2019 revenues and expenditures through 31 December. Producing and reviewing the Sep report is a total waste of time!

For the first time, the published 2020 City Budget omits the 2018 audited numbers and the 2019 projected numbers. This is critical financial information, as three years of data shows trends, how much a budget line item varies from year to year, and accounts for expenditures that carry over from one year to the next. I strongly recommend to Council that they direct the City to publish immediately the December 2019 Sales and Lodging Tax revenues, and to maintain the normal City Budget format showing three years of revenues and expenses.

Next, I wanted to analyze the capital budget which is mostly roads. The City Charter Section 9.5 states:
Section 9.5 - Capital Program

(a) The City Manager shall prepare and submit to the City Council, on or before the fifteenth (15 th) day of October of each year, a recommended capital program for the next fiscal year and an accompanying message. The proposal shall be based upon detailed estimates by the departments and other divisions of the City government.

(b) The capital program shall include the following, unless otherwise provided by Council:

(1) A clear general summary of its contents;

(2) A list of all capital improvements which are proposed to be undertaken during the following fiscal years, with appropriate supporting information as to the necessity for the improvements;

(3) Cost estimates, proposed methods of financing and recommended schedules for each such improvement;

(4) The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

(c) This information may be revised or extended each year with regard to capital improvements still pending or in the process of construction or acquisition.

The 2020 City Budget includes the following description:

“Highway 67 improvements and Full-depth reclamation (rebuild) of Baldwin” for \$1,805,122.

As this does not comply with the Charter, I submitted a CORA request asking for the charter required information. In response, the City Attorney

“believes the plain language of the Charter speaks for itself. In short, Mr. Meyers has thoroughly reviewed both sections 9.5 and 9.6 and has determined that nowhere does the charter require the level of detail that you are requesting. To the contrary, Mr. Meyers believes the Charter allows much discretion be given to the Manager and even when supporting documentation is required for the Capital Program it is only to show the necessity for the improvements, not to provide nearly full engineered drawings, maps, etc. Further, the demand for a multi-fiscal year analysis is not required as is clearly stated in the Charter.”

I did not request detailed plans and specifications, just an idea of what the Highway 67 improvements were, and at what cost, and how many miles of Baldwin were to be paved. Knowing the cost of paving the 57 miles of roadway over the next five to ten years is critical to any Capital Investment Plan.

In 2019 the City awarded a contract to pave .9 miles of Evergreen Heights Rd for \$700,000 plus \$300K for sidewalks improvements to comply with ADA. The original 2020 budget called for paving Baldwin, Rampart Range Rd, and Kelley’s Rd; 2.2 miles for \$1.8 million, more than \$800K/mile. For apples to apples comparison purposes, in 2019 Teller County paved with asphaltic concrete overlay 3 miles of roadway for \$600K and plans to pave another 3 miles of RT11 in 2020 for just over \$600K, or \$200K/mile. Getting a handle on street improvement cost is imperative!

It is important that the City produce the Financial and Capital Investment Plans as my estimate is that, if Council constrains City budgets to the 2020 O&M numbers plus 2% inflation until 2025, the City will not only be able to reduce property taxes and other taxes and fees, but will have a reserve of \$9,928,475 from the General Fund and \$6,797,267 from the Street Capital Improvements fund...more than enough to pay off the

\$7,718,000 debt for the Woodland Aquatic Center and Memorial Park Restoration. Later this evening City Council will consider establishing an account to pay down debt. While it is good to have such an account, we can do much better than \$100,000 per year. Let's hope that future Councils will focus on restraining City expenditures until 2025.

Debbie Miller, President of the Greater Woodland Park Chamber of Commerce shared information with the Council regarding the upcoming Town Hall Meeting on Tuesday, March 25, 2020. Miller shared that this was a town hall meeting for the citizens so that the Charter Amendment Questions on this year's ballot could be explained and questions could be answered.

At this time City Manager Tangeman spoke in regards to Mr. Carlsen's statement read into the record. Tangeman stated that he concurred with Mr. Carlsen to create a long term Capital Improvement Plan and that he would be working with the Finance Director and Deputy Public Works Director to do so. Tangeman also stated for the record that he had some issues regarding Mr. Carlsen's spreadsheet and that he disagrees with Mr. Carlsen's analysis of how much revenue is available.

7. UNFINISHED BUSINESS:

- A.** Presentation from the Community Investment Committee to Council for approval of the 2020 allocation of funds. The Community Investment Committee members, Sue Griswold, Bruce Caldwell and Marty McKenna spoke regarding the allocations they were presenting to Council. Allocations recommended by the Committee are listed below.

Community Investment Recommendation of Funding 2020

Organization	Recommended Allocations
CASA of the Pikes Peak Region	\$300.00
Community Cupboard of Woodland Park	\$1,000.00
Daybreak	\$1,000.00
Habitat for Humanity	\$600.00
Help the Needy	\$1,000.00
Junior Achievement	\$300.00
Mountain Top Cycling	\$100.00
Movie Woodland Park Impact Fund	\$400.00
Rural Community Resource Center	\$0.00
Teller County VITA	\$200.00
Teller Senior Coalition	\$1,000.00
Ute Pass Symphony Guild	\$1,000.00
Ute Trail Stampede Rodeo	\$700.00
Welcome Home Warrior	\$500.00
Woodland Music Series	\$800.00
Woodland Park Community Singers, Inc	\$400.00
Woodland Park Wind Symphony	\$700.00

\$10,000.00

Mayor Levy thanked the Committee for all of their hard work the past years and also noted that this was the final year of the Committee.

Motion: To approve recommended allocation as presented by the Community Investment Committee. Naccarato/Carr. Motion carried 6-0.

8. ORDINANCES ON INITIAL POSTING:

A. Consider first reading of Ordinance No. 1376, Series 2020 to amend Ordinance No. 1164, 2012 (Reception No. 652992) by replacing the legal description in Exhibit B and the illustration in Exhibit C for a 30 foot wide (0.51 acre) public utility easement described with a corrected legal description (Exhibit AA) and corrected illustration (Exhibit BB) for a 30 foot wide (0.61 acre) utility, ingress and egress easement from Thunder Ridge Drive to the Woodland Park High School Tract in the N ½ of Section 19-T12S-R68W6th PM as requested by Thunder Ridge Haven, LLC (Property Owner) and Paradise of Colorado Metropolitan District (Interested Party) and set the public hearing for March 5, 2020. **(A)**

City Planner Lor Pellegrino reviewed Ordinance No. 1376, Series 2020 on initial posting.

MOTION: To approve Ordinance No. 1376, Series 2020 to amend Ordinance No. 1164, 2012 and set the Public Hearing for March 5, 2020. Case/Sawyer. Motion carried 6-0.

9. PUBLIC HEARINGS:

A. Approve Ordinance No. 1377, Series 2020 an Ordinance appropriating the purchasing of certain water shares. **(A)**

Utilities Director Kip Wiley reviewed this Ordinance with Council. No public comment was heard.

MOTION: To approve Ordinance No. 1377, Series 2020 an Ordinance appropriating the purchasing of certain water shares. Case/Sawyer. Motion carried 6-0.

B. Approve Ordinance No. 1375, Series 2020 an Ordinance Establishing a Capital Debt Service Reserve and direct city staff to budget for and earmark monies in a designated account or line item for accountability. **(A)**

No public comment was heard.

After brief Council discussion the following motion was made:

MOTION: To approve Ordinance No. 1375, Series 2020 an Ordinance Establishing a Capital Debt Service Reserve and direct city staff to budget for and earmark monies in a designated account or line item for accountability. Case/Carr. 5-1. Sawyer voting no.

C. Resolution No. 853 (PUD15-001 /#19120314) – A request per Municipal Code §18.30.050 by William L. Page for a two-year extension of the time limit to begin construction of the Best Western Hotel in the Gold Hill Square South Building #6 PUD zone (Lot 2 & 3, Page's Subdivision and Lot 8, Block 27, Highland Additions located at 703, 717 and 719 Gold Hill Place). **(QJ)**

City Planner Lor Pellegrino presented Resolution No. 853 sharing some background with the Council. Pellegrino reviewed that on January 6, 2016, the Planning Commission approved with conditions an amendment to the 1996 Gold Hill Square South PUD that allowed lodging use and a proposed Best Western Hotel with 70 rooms. On February 4, 2016 City Council approved the dimensional standards for this building.

Pursuant to Municipal Code 18.30.050 states that: failure to begin construction within a two year period shall void the plan as approved, unless a request for an extension of time is granted by the planning commission. On January 25, 2018, the Planning Commission recommended granting a two year extension and on February 1, 2018 via Resolution No. 824 City Council approved the request.

Pellegrino shared that as stated by the requestor Mr. Page, he has run into “an impasse with Sherwin Williams on relocating their present store to a new location”. This put an immediate hold on the Best Western process. On January 23, 2020 the Planning Commission granted an extension to Mr. Page. Pellegrino shared that if Council granted an extension to Mr. Page it would expire on February 4, 2020.

At this time Pellegrino invited Mr. Page to the podium who shared some of the obstacles with Council regarding the relocation of Sherwin Williams.

No public comment was heard and there were no questions by Council.

MOTION: To approve Resolution No. 853 (PUD15-001 /#19120314) – A request per Municipal Code §18.30.050 by William L. Page for a two-year extension of the time limit to begin construction of the Best Western Hotel in the Gold Hill Square South Building #6 PUD zone (Lot 2 & 3, Page’s Subdivision and Lot 8, Block 27, Highland Additions located at 703, 717 and 719 Gold Hill Place). Naccarato/Sawyer. Motion carried 6-0.

10. NEW BUSINESS:

A. None

11. REPORTS:

(Public comment not necessary)

A. Mayor’s Report.

i. Mayor Levy reported the events for the next two weeks.

B. Council Reports.

Mayor Pro-tem Carr read the following into the record: On January 22, 2020 I was invited to attend the Transportation Improvement Program open house at PPACG in Colorado Springs.

I went and talked with the Transportation Planner, Jason O’Brien about their presentation, among others.

Andy Gunning who is the Executive Director of PPACG, discussed the Highway 24 bypass concept with me. I told him that it was my impression that Mayor Levy, Sally Riley, and Paul Saunier had been on top of this situation, but my interest has been constant since I was elected to Council in 2016.

I asked what steps were needed to get it on the radar of CDOT via PPACG.

Andy stated that the WP City Council could move it to a quicker consideration at CDOT and PPACG if we pass a Resolution stating our interest in the manner of a “sense of the Council” Resolution to approve moving forward with a Bypass of Highway 24 around downtown Woodland Park. He stated that a Resolution would hold great weight with those concerned.

I understand Director Riley may already have some of the draft agreements necessary, but crafting a Resolution for Council to pass will need to be created if it is Council’s desire to do such. I have an

appointment with Andy Gunning & John Liosatos to gain their assistance in crafting language that will serve to convince those at PPACG and CDOT.

I ask for Council's consensus to create such a Resolution with PPACG, our City Attorney, and Director Riley, which I believe is the proper method to propose any Resolution (at Council).`

Council gave consensus to the Staff to prepare a Resolution with PPACG.

- C. City Attorney's Report.
- D. City Manager's Report.
 - i. Third Quarter Financial update for 2019.
 - ii. Sales Tax Update for November 2019.

Finance Director Emily Katsimpalis discussed the Third Quarter Financial update for 2019 and the Sales Tax update from November 2019.

A. EXECUTIVE SESSION:

Pursuant to C.R.S. Section 24-6-402(4)(f)(i) for discussion of a personnel matter, specifically the City Manager's contract.

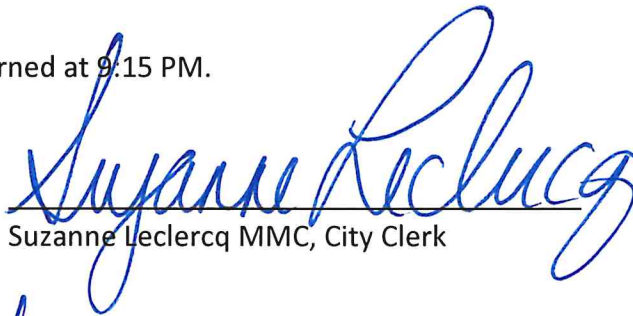
A motion was made to move into Executive Session. The Executive Session began at 8:50 PM and concluded at 9:10 PM. Present at the Executive Session were the following: Mayor Levy, Mayor pro-tem Carr, Councilmember Case, Councilmember LaBarre, Councilmember Naccarato and Councilmember Sawyer. Councilmember Saunier was absent. City Manager Tangeman was also present.

At the conclusion of the Executive Session the Council reconvened to take a vote of the proposals given to them. Council chose option #2 If needing/wanting more information: A report that Council met in executive session for the stated purpose above and that no action is necessary at this time. If needed Council could schedule a follow up Executive Session. Motion Levy/Carr. 6-0 motion carried.

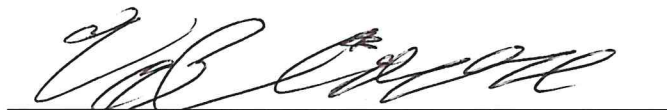
12. COMMENTS ON WRITTEN CORRESPONDENCE:

A. None.

13. ADJOURNMENT: The meeting adjourned at 9:15 PM.


Suzanne Leclercq MMC, City Clerk

APPROVED THIS 5th DAY OF March, 2020


Val Carr, Mayor Pro-tem