

Woodland Park City Council
Council Chambers – City Hall
November 1, 2018, 7:00 PM

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. Time stamp after each item is noted for your convenience and corresponds with recorded video.

AT 5:00 PM A MOTION WAS MADE TO ADJOURN TO EXECUTIVE SESSION *in the upstairs conference room of City Hall, C.R.S. Section 24-6-402(4)(f)(I) for discussion of a personnel matter, specifically hiring process of an in house City Attorney. Case/Harvey. 5-0. Motion carried.*

The following were present for the executive session Mayor Levy, Mayor Pro-tem Carr, Councilmember Case, Councilmember Harvey, Councilmember LaBarre, City Manager Darrin Tangeman and City Clerk Suzanne Leclercq

The executive session concluded at 5:32 PM.

AT 5:32 PM A MOTION WAS MADE TO ADJOURN TO EXECUTIVE SESSION *in the upstairs conference room of City Hall, Pursuant to C.R.S. Section 24-6-402(4)(e) to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators; all with regard to acquisition of property. Case/Harvey. 5-0. Motion carried.*

The following were present for the executive session Mayor Levy, Mayor Pro-tem Carr, Councilmember Case, Councilmember Harvey, Councilmember LaBarre, City Manager Darrin Tangeman, City Clerk Suzanne Leclercq and Planning Director Sally Riley.

The executive session concluded at 5:46 PM.

AT 5:49 PM A MOTION WAS MADE TO ADJOURN TO EXECUTIVE SESSION *in the upstairs conference room of City Hall, Pursuant to C.R.S. Section 24-6-402(4)(e) to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators; all with regard to amending contracts regarding a Disposition and Development agreement. Case/Harvey. 5-0. Motion carried.*

The following were present for the executive session Mayor Levy, Mayor Pro-tem Carr, Councilmember Case, Councilmember Harvey, Councilmember LaBarre, City Manager Darrin Tangeman, City Clerk Suzanne Leclercq, Planning Director Sally Riley and City Attorney Erin Smith.

The executive session concluded at 6:08 PM.

AT 6:12 PM A MOTION WAS MADE TO ADJOURN TO EXECUTIVE SESSION *in the upstairs conference room of City Hall, pursuant to C.R.S. Section 24-6-402(4)(b) for a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions and C.R.S. Section 24-6-402(4)(e) to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators; all with regard to pending litigation. Case/Harvey. 5-0. Motion carried.*

The following were present for the executive session Mayor Levy, Mayor Pro-tem Carr, Councilmember Case, Councilmember Harvey, Councilmember LaBarre, City Manager Darrin Tangeman, City Clerk Suzanne Leclercq, Planning Director Sally Riley, City Attorney Erin Smith, Utilities Director Kip Wiley and Special Council Ashley Schnagel Hernandez.

At this time City Attorney Smith advised that the executive session tape be turned off to discuss negotiation strategy at 6:15 PM.

The executive session concluded at 6:49 PM.

1. ROLL CALL

A. The following members of Council present were: Mayor Levy, Mayor Pro-tem Carr, Kellie Case, Carrol Harvey and Hilary LaBarre.

2. PLEDGE OF ALLEGIANCE: Mayor Levy led the 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

Commander Jim Halloran

Finance Director Mike Farina

Parks and Recreation Director Cindy Keating

Utilities Director Kip Wiley

City Planner Lor Pellegrino

Deputy Public Works Director Ben Schmitt

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS:

A. Appointment to the Historical Preservation Committee (6:53)

Administrative

Presenter: Suzanne Leclercq, Assistant City Manager / City Clerk

MOTION: To appoint Craig Haney to the Historical Preservation Committee. Harvey/LaBarre. 5-0. Motion carried.

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

B. Cluster Development Zoning Change Presentation (11:55)

Presenter: Mike Nakai

Resident Mike Nakai presented in opposition of cluster developments in the Woodland Park Municipal Code. Planning Director Riley commented regarding the presentation. There was Council discussion on cluster development.

(Public Comment)

1. Doug Ball commented in opposition of cluster development.
2. Randy Coburn submitted a letter in opposition of cluster development.
3. Sharon Coburn submitted a letter in opposition of cluster development.
4. Claudia Miller submitted a letter in opposition of cluster development.

C. Visitor Center Presentation (33:28)

Presenter: Debbie Miller, Woodland Park Chamber of Commerce President

Chamber of Commerce President Debbie Miller presented the annual visitor center report for the dates 10/01/2017 through 09/30/2018. Amber Brown from Comcast spoke to advertising on behalf of the City. Tom Miller spoke to Military Cable Advertisements on Fort Carson done on behalf of the City. Linda Jones from KRDO spoke to the advertising done on that station on behalf of the City.

4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA:

A. None.

5. CONSENT CALENDAR: (01:10:05)

A. Approve minutes of October 4, 2018 Council Meeting.
Approve minutes of October 18, 2018 Council Meeting.

Administrative

Presenter: Suzanne Leclercq, Assistant City Manager / City Clerk

B. Approve September 2018 Statement of Expenditures and authorize the Mayor to sign Warrants in payment thereof and freeze the Council expenditure line item.

Administrative

Presenter: Mike Farina, Finance Director

C. Consider an Inter-Governmental Agreement between the City of Woodland Park and Pikes Peak Regional Department to provide building services.

Administrative Presenter: Sally Riley, Planning Director

Planning Director Sally Riley reviewed the an Inter-Governmental Agreement between the City of Woodland Park and Pikes Peak Regional Department. Councilmember Case suggested the City Council expense line item be frozen. City Clerk Leclercq read the Consent Calendar into the record.

MOTION: To approve Consent Calendar. Case/LaBarre. 5-0. Motion carried.

6. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA:

A. (1:16:22)

B. Patricia Stinner apologized for a letter she wrote regarding the dog park.

C. Scott Pivonka spoke regarding the deer population issue.

7. UNFINISHED BUSINESS:

A. None.

8. ORDINANCES ON INITIAL POSTING:

A. Ordinance No. 1338 amending the Woodland Park Municipal Code by adding section 6.04.027 feeding wildlife and associated definition and set the Public Hearing for November 15, 2018.
(1:28:20)

Planning Director Riley briefed the Council on the suggested change in the Municipal Code.

MOTION: To approve Ordinance No. 1338 amending the Woodland Park Municipal Code by adding section 6.04.027 feeding wildlife and associated definition and set the Public Hearing for November 15, 2018.

Harvey/Case. 5-0. Motion carried.

9. PUBLIC HEARINGS:

- A. Approve liquor application from Pester Marketing Company, LLC, DBA Alta #6107 to grant a transfer of a Retail Liquor Store Liquor License located at 20421 E US HWY 24, Woodland Park, Colorado. (1:32:26)

Quasi-Judicial

Presenter: Suzanne Leclercq, Assistant City Manager / City Clerk

Mayor Levy read the Quasi-Judicial announcement into the record.

Dennis Dirkse, VP of Operations of Pester Marketing was present to answer any questions.

MOTION: Approve liquor application from Pester Marketing Company, LLC, DBA Alta #6107 to grant a transfer of a Retail Liquor Store Liquor License located at 20421 E US HWY 24, Woodland Park, Colorado. Case/Harvey. 5-0. Motion carried.

- B. Consider a request to develop a 31,871 SF Dog Park on Lot 8, Woodland Park Plaza (a.k.a. Fountain Creek Greenway) generally located north of Aspen Garden Way and east of Woodland Avenue (CR 21) as proposed Bianca Bryant (applicant) and the City of Woodland Park (property owner)." (1:36:44)

Administrative

Presenter: Bianca Bryant

Parks and Recreation Director Keating introduced Bianca Bryant. Ms. Bryant presented regarding Golden Meadows Dog Park. Sean Nielsen with Focus on the Forest stated the leash laws for the national forest.

Mayor Levy opened the public hearing up to public comment. The following residents commented.

1. Joe Whitka – support of the dog park
2. Lisa Lima – support of the dog park
3. Pat Hyslop – support of the dog park
4. Kris Hall – support of the dog park

At 9:04 PM Mayor Levy took a 10 minute break.

5. Larry Sneider - support of the dog park
6. Kerry Kilgore - support of the dog park
7. Sue Battig - support of the dog park
8. Dave Smally - concerned about parking area
9. Cindy Ilel - support of the dog park
10. Bobby Jacobson - wants the dog park in a different location
11. Lori Naples - support of the dog park
12. Kent Markley - wants the dog park in a different location
13. Kerri DeBok - support of the dog park
14. Lynn Harrison - support of the dog park
15. Becky Darrell - support of the dog park
16. Al Born - wants the dog park in a different location
17. Michael Dalton - support of the dog park

18. Linda Murray - support of the dog park

19. Claudia Miller - wants the dog park in a different location

Councilmember Carr stated that he believes the dog park is a good idea but thinks it should be in a different location. Councilmember Harvey is in favor of the dog park but thinks this is the wrong location and the wrong time for the project. Councilmember LaBarre likes the idea of a dog park but is not in favor of the location. Councilmember Case likes the idea of a dog park but is not in favor of the location. Mayor Levy thanked Ms. Bryant for her hard work. The Council will wait on further discussion to hear from Ms. Bryant on other possible locations.

10. NEW BUSINESS:

A. Resolution No. 836 Approval of Community Investment Fund (CIF) Bylaws. (2:56:55)

Administrative

Presenter: Darwin Naccarato, Chair of Community Investment Fund Committee

Darwin Naccarato Chair of the Community Investment Fund Committee outlined the proposed changes to the committee's bylaws.

Gail Guerig commented on Teller County's aging community and the community's need for financial assistance.

MOTION: To Approve Resolution No. 836 Approval of Community Investment Fund (CIF) Bylaws Carr/LaBarre. 5-0. Motion carried.

11. REPORTS:

(Public comment not necessary)

A. Mayor's Report. (3:18:26)

1. Mayor Levy asked Chamber President Debbie Miller to review the upcoming events for the next two weeks.

B. Council Reports. (3:20:50)

1. Councilmember Carr read the following letter into the record.

"Mayor, fellow Councilmembers, and Woodland Park citizens,

This is the first regular meeting of the Council since October 4, 2018 when an inflammatory citizen letter was read into the record by the Mayor. That letter was addressed to all Councilmembers, but only the Mayor, City Clerk, and City Manager had seen it before being read that night. The letter was an ad hominem attack on another citizen and was filled with personal accusations that challenge truth and real history. The letter itself was read with elevated volume and emotion, instead of a matter-of-fact manner letters have always been read previously, prompting much discomfort by the rest of Council.

The City and Council are preparing certain modifications to our procedures and protocol to eliminate citizen attacks, by Council or other citizens, being brought into the record by Council or the City. There are plenty of other 1st Amendment venues available for citizens to address the public in person, including "Public Comment on Items Not on the Agenda". The Council members must be prohibited from participating in any kind of attacks on anybody, including other citizens, in the future; behavior as is expected by Woodland Park citizens. All of Council will have any letters of a controversial nature in their advance packet, and no last minute letters

will be accepted or read by anybody on Council or the City without point-of-order and sanction jeopardy, except event announcements of a time-critical nature.

This Council member puts on notice those who would attempt to use this Council or their other social media collaborators that we will no longer tolerate any backdoor and uncivilized manipulations and untruths in this public forum. We are here to do the citizens' business and not any individual citizen's private issue promotion or corruption of our deliberative body via any backdoor method. If a citizen has an issue they may personally read it to the Council as a body during "Public Comment on Items not on the Agenda", but will be required to be civil and no ad hominem attacks or assaults will be tolerated from that podium either, ignoring of which may leave the speaker subject to removal from the chambers.

Thank you for your consideration,

Val Carr"

2. Councilmember Case reminded the Council that tickets are on sale for the Holiday Home Tour.
3. Councilmember Harvey read a memo from NORAD regarding border protection.
4. Councilmember LaBarre stated her frustrations regarding the written correspondence read into the record during the October 4, 2018 City Council meeting.

C. City Attorney's Report.

D. City Manager's Report. (1:40:00)

1. Public Works Director Kip Wiley discussed the draft pavement management plan.

12. ADDED ITEM AGENDA:

A. None.

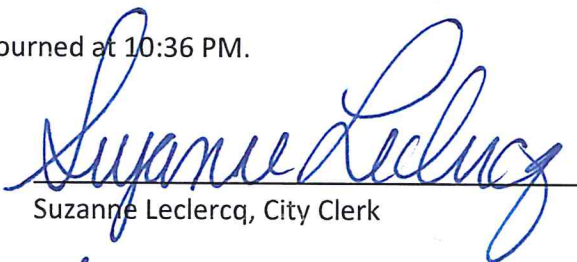
13. EXECUTIVE SESSION:

A. None.

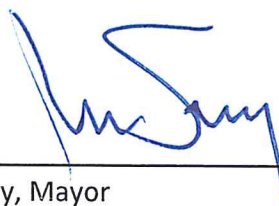
14. COMMENTS ON WRITTEN CORRESPONDENCE:

A. None.

15. ADJOURNMENT: The meeting adjourned at 10:36 PM.


Suzanne Leclercq, City Clerk

APPROVED THIS 15th DAY OF November, 2018


Neil Levy, Mayor