

**WOODLAND PARK CITY COUNCIL
COUNCIL CHAMBERS - CITY HALL
MEETING MINUTES
September 21, 2017 – 7:00 P.M.**

1. CALL TO ORDER AND ROLL CALL: Mayor Levy called the meeting to order at 7:00 P.M. with the following members of Council present: Val Carr, Ken Matthews, Paul Saunier, John Schafer and Noel Sawyer. Mayor Pro-tem Harvey was absent.

2. PLEDGE OF ALLEGIANCE:

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

City Manager David Buttery	Public Works Director Ben Sheets
Planning Director Sally Riley	Police Chief Miles DeYoung
Finance Director Mike Farina	Special Projects Jane Mannon
Utilities Director Kip Wiley	Aquatics Manager Karen Valdez
Deputy City Clerk Chrissy Stapleford	City Attorney, Kristen Cisowski

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS:

A. City Manager Buttery shared with the Council and the audience that City Clerk Suzanne Leclercq had received her Master Municipal Clerk designation. The Mayor, Council and audience thanked Leclercq for her hard work.

B. Phil Layton, Cruise Above the Clouds presented Mayor Levy with the annual Cruise Above the Clouds poster. Layton shared that this was a very successful event. Layton shared that the Cruise Above the Clouds distributed \$20,000 the day of the event to local non-profits and that over the course of all the years the Cruise Above the Clouds has taken place they have donated \$320,000 total back to the Community.

C. Parks and Recreation Director Cindy Keating thanked the Woodland Park Hockey Association for their help during the grand opening of Memorial Park. Keating introduced the Woodland Park Hockey Association. Tom Taranto shared a presentation on the plans to build a roof over the hockey rink at Mead wood Sports complex. Taranto shared that this would be much more than just a roof and that this would turn the space into a multi-use space that could be utilized all year round. Taranto shared that they are having a kick-off fundraising event this Saturday, September 23, from 10 to 2 PM. Taranto shared that the facility prospective costs are about 2.9 million dollars and that they would be applying for various grants. Taranto shared that he was hoping the City could help them in some capacity. Mayor Levy thanked Taranto for his presentation and stated that the Council will discuss this as part of their goals and objectives for the upcoming year.

4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA:

A. None

5. CONSENT CALENDAR

- A. Approve minutes of September 7, 2017 Regular Meeting. **(A)**
- B. Approve August 2017 Statement of Expenditures and authorize the Mayor to sign Warrants in payment thereof.

City Clerk Leclercq read the Consent Calendar into the record.

MOTION: To approve Consent Calendar as presented. Sawyer/Matthews. 6-0. Motion carried.

6. UNFINISHED BUSINESS

- A. None

7. ORDINANCES ON INITIAL POSTING:

- A. None

8. PUBLIC HEARINGS:

A. Consider a Subdivision Development Agreement and major subdivision containing 11.87 acres platted into 28 lots ranging from 12.310 SF to 20.865 SF and 2 new 50-foot wide roadway (Firestone Drive and Ridgestone Drive) located within the W1/2 of the NW1/4 of Section 13 and in the SE ¼ of the NE ¼ of Section 14 all in T12S, R69W of the 6th PM in the City of Woodland Park, Teller County.

Riley reviewed the Staff Report with the Council noting that the annexation of Stone Ridge Village was approved by City Council on July 18, 2002. Two years later, a PUD zone district was established with approval of a Preliminary Plat and Final Development Plan. Riley noted that the Preliminary Plan and Final PUD were approved March 18, 2004. Stone Ridge Village Filings No. 1 and No. 2 were approved October 5, 2006 with 71 single-family lots. At this time Stone Ridge Village Filing No. 3 is designed to develop 28 lots on 11.87 acres. Riley noted that this Final Plat is consistent with the approved 2004 Preliminary Plat. Riley reviewed the process, the infrastructure and the surrounding zoning uses.

Riley noted that the application was reviewed under Title 17 Subdivisions of the City of Woodland Park Municipal Code and that it is in compliance with Final Plat Section 17.24 and Design Standards Section 17.40.

Riley noted that this agreement was referred to Public Works, Utilities, Parks and Recreation, Finance, IREA, NETCFPD, Black Hills Energy, Century Link and TDS Cable with no concerns. The Public Notice was properly posted and advertised in the Pikes Peak Courier.

Riley noted after holding a public hearing on August 24, 2017 the Planning Commission recommended approval of the Final Plat with the following conditions:

- Collateral for unfinished improvements: curb & gutter, paving, sidewalks, re-vegetation, and street signs.
- Letter of Credit for 150% = \$426,827.
- Agrees to install; based upon approved Construction Drawings signed December 27, 2016.

- Acceptance and Warranty process.
- ZDP and CO requirements.
- Special conditions: as-builts drawings, loop water to Research Drive, no Trans Cap fees, sidewalks installation deadlines.

Riley recommended that the following two motions be made:

MOTION #1: Move to approve the Subdivision Development Agreement and accept the irrevocable letter of credit as presented (\$426,827).

MOTION #2: Based upon the findings described in the Staff Report, testimony and evidence provided at the public hearing move to approve the Final Plat for Stone Ridge Village Filing No. 3 with a variance to the 25-foot minimum frontage requirement for Lots 4 and 4, subject to the following conditions:

- The Final Plat shall be amended prior to recording with the following notes or corrections:
 1. City of Woodland Park Engineering Specifications allow a maximum of only 12 dwelling units on a dead end water main. Therefore, only 12 building permits will be issued in this subdivision. More will be issued only when the water main connection to Research Drive is completed and accepted by the City.
 2. Prior to recording a Final Plat, the Applicant shall pay a \$1,200 Water Development Fee for each single-family residential lot (a total of \$33,600 for Filing No. 3). Water tap fees in Stone Ridge are not subject to water rights fees.
 3. Developer must provide a Title Insurance Policy within 60 days after Final plat approval. The amount for this Policy is based on 2.234 acres as public right-of-way dedicated to the city at a value of \$24,000 per acre.
 4. Developer shall provide the City a copy of the final "Declaration of Covenants, Conditions and Restrictions," which covenants must be recorded simultaneously with the final plat.
 5. A letter from the Property owner to the City is required prior to recording this plat, giving the City access to platted tracts within this subdivision and access to adjacent properties for the purpose of maintaining and operating the off-site water and sewer mains which serve the residential lots in this subdivision, until such time as additional plats provide easements for those sewer mains.
 6. The proposed sidewalks shall be constructed and completed within one-year after recording the Final Plat by one of the following scenarios: 1) a builder/homeowner of a new single family home is required to complete the sidewalk adjacent to their lot; or 2) the developer shall complete any gaps in the sidewalk within one-year with the option for staff to extend this one-year deadline by six months due to seasonal (i.e., winter) conditions.

After brief Council discussion Mayor Levy opened up the Public Comment portion of the Public Hearing. There being no Public Comments, Mayor Levy closed the Public Hearing and the above motions were made.

MOTION # 1. Saunier/Sawyer. 6-0. Motion carried.

MOTION # 2: Matthews/Schafer. 6-0. Motion carried.

9. NEW BUSINESS:

A. None

10. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA:

A. City Manager Buttery gave an update on the Aquatic Center noting that they had begun to fill the lap pool yesterday afternoon and that everything was coming along!

City Manager Buttery shared a presentation with the Council and Audience regarding the fees for the Aquatic Center. Buttery shared that the feasibility study conducted in 2013 by Ballard and King Associate's primary goal of this study was to explore the community need and feasibility of the aquatic center in the City of Woodland Park through market analysis, review of previous studies, review of previous survey results and review of community meeting notes.

Buttery noted that the operating pro-forma developed represents a conservative approach to estimating expenses and revenues and was completed based on the best information available and a basic understanding of the project. Buttery shared that fees and charges utilized for this study were generated from information gathered during the stakeholder and community input sessions and assessment of market value in the Woodland Park area.

Buttery noted that the Feasibility Study's projected fee schedule was developed as the criteria for estimating revenues and that actual fees are subject to review and approval by the City of Woodland Park.

Buttery reviewed a draft spread sheet of Facility Use Rates with the Council and Audience. Buttery shared the daily rates, monthly rates, 3 month rates, 6 month rates, annual pass rates and plunge card rates. Buttery also showed how those same rates compared with the Manitou Springs swimming pool and the YMCA. Buttery noted that some of the benefits of purchasing a pass included discounts on lessons, Red Cross Training and water fitness classes.

Buttery reviewed the groups that were eligible for discounts and the definitions of family and adult +1. Buttery reviewed the estimate revenues expected with each of the different passes over the course of the rest of the 2017 year and all of the 2018 year. Buttery also shared the expenses and the total subsidy expected for the pool. For the 2017 year there is no expected subsidy. For the 2018 year the subsidy is expected to be approximately \$127,444.67. Buttery noted that it will take about 3-4 years to project future outcomes of the Aquatic Center.

Buttery also noted that the Woodland Aquatic Project has there 501C3 and that they are looking to create a scholarship fund for those in need of help to pay the Aquatic Center fees. City Manager Buttery concluded his report to the Council.

Councilmember Matthews asked Buttery if the fees could be adjusted as time goes on and Buttery noted that the rates could be adjusted over the course of time. Buttery reminded the Council that most aquatic centers to not make money.

Councilmember Carr asked to make a motion that no Councilmembers take the discount being offered. Mayor Levy noted that all of Council is in agreement with this.

At this time Mayor Levy opened up the Public Comment with Todd Wiseman being the first to present. After the conclusion of Mr. Wiseman's PowerPoint he asked "Why are families being asked to be pay hirer rates?"

Mayor Levy read a letter into the record from Kathy Wight. Ms. Wight believes the pool fees for a family are too high.

Lacy Scott approached the podium to inquire about the discounts being offered to the different groups and if there had been a monetary value figured out for this. City Manager Buttery noted that there had not but he could figure out an estimate of what these discounts would look like. Mr. Scott spoke to the perception of the discounts to the local Elected Officials, School Board, Woodland Aquatic Project and his concern of gifting to governmental agencies. Mr. Scott suggested the City seek advice from their attorney. City Manager Buttery noted that the City had consulted with their attorney and that he does not believe the City has violated any of the gifting laws. Buttery also noted that he did some quick math and it looks like the proposed discounts add up to be about \$35,000 - \$40,000. Mr. Scott concluded by encouraging Council to pass Councilmember Carr's motion regarding not accepting discounted fees for the Council.

Mayor Levy read a letter by Michaela Christianson into the record. Ms. Christianson supported the fees set by the City of Woodland Park for the Aquatic Center.

Gerry Simon, President of the Woodland Aquatic Project stated that he also agreed with Councilmember Carr's motion and that the WAP Board would also not be taking any discounts offered. Mr. Simon thanked City Manager Buttery for all of his hard work and dedication to the project noting that the City Manager's job would be so much easier if he didn't have the pool on his plate. Mr. Simon shared that WAP would continue on as a 501(c)3 and that they have already received \$5,000 for scholarships.

Mayor Levy acknowledged the WAP Board present this evening, Nancy Sells, Gerry Simon and Pete Peters and thanked them for all of their hard work.

Mayor Levy read a letter from Jacques D. Schnierle into the record. Mr. Schnierle noted that he believed the fees for the Aquatic Center were fair and comparable to surrounding facilities. He believed that discounts for City Staff, School Employees and First Responders should be taken off the table.

The following individuals spoke in favor of the fees being too high and not agreeing with the discounts being offered: Karen Francis, Tanner Coy, and Cindy Weiss.

Jon DeVaux and Kristen Vienti spoke in favor of the fees for the Aquatic Center being reasonable. Michael Marcella suggested that the City have a summer punch card for the youth. Colten Montgomery noted that he grew up in Woodland Park and was attending the meeting this evening so that he could have an understanding of what was going on.

After the conclusion of the Public Comment City Manager Buttery asked that he be able to comment on a few concerns. Buttery reminded the Council and the audience that 70% of the voters supported

the ballot question regarding the pool. Mr. Buttery also noted that a lot of research has been done regarding subsidies and discounts offered by other municipalities.

Councilmember Sawyer shared with the audience that Council had not been involved with the fees and that tonight was the first time Council was seeing the fees. Sawyer noted that he felt that the fees to the Aquatic Center were reasonable compared with other forms of entertainment for families.

Councilmember Saunier also stated that tonight was the first time that Council was seeing the rates. Saunier agreed that the \$35,000 - \$40,000 worth of discounts should be off the table. Saunier felt that there was a good mix of prices and that the process was well thought out. Saunier thanked the citizens for expressing their opinions this evening.

Councilmember Schafer thanked City Manager Buttery for a great summary. Schafer noted that the WAP Board had visited a ½ dozen facilities. Schafer reminded all of the wellness component of the pool and the benefits of swimming a lot. He also agreed that the Council discounts be taken off the table and shared that maybe there could be a threshold put on the size of a family.

Councilmember Matthews noted that he appreciated all of the research that had been done and felt that everyone has done the best they could. Matthews noted that it may not be perfect but it is close and reminded the community that they had decided to build the pool with no tax increase.

Councilmember Carr spoke in support of the pool for the older members of the community and that they are looking at using it as a medical facility. Carr expressed that he felt the punch cards were a great idea and that some of the businesses should think of them as a great silent auction idea. Carr also stated that in today's times that the City must make sure the definition of "family" reflects the many different kinds of families that are out there.

City Manager Buttery thanked the Council for their commentary. Buttery noted that putting a cap on the number of people in a family would have direct impact on staff needs. Buttery explained that the number of people on the deck of the pool have direct implications on the number of staff needed. Buttery noted that he felt that they have reached a reasonable compromise. Buttery also noted that there is no discrimination on gender or types of families.

Mayor Levy noted that Cindy Keating and Karen Valdez would be available to help each customer of the pool to pick out what plan would work best for them. Levy also noted that the City would continue to get everyone's opinions and that he felt something needed to be done with the family rate. Mayor Levy also shared in the sentiments of his fellow Councilmembers that the Council should withdraw from the discounts offered. Mayor Levy thanked everyone for participating this evening and noted that he hoped it was clear that they are all here to do the best they can for our citizens. Levy also encouraged citizens to go and take a tour of the pool.

At this time Jerry Good, Tanner Coy and Elijah Murphy all spoke in regards to the possible termination of Darlene Jensen from the Main Street Program. All three noted how valued she was and asked that the Council please intervene. Jerry good shared a petition with the Council from local business owners and citizens asking for Darlene Jensen not to be terminated from the City of Woodland Park.

Mike Elmont approached the podium to let the Council know that he was a subcontractor for the Memorial Park Project and that he had not been paid by the General Contractor for the work he

performed. Elmont asked City Manager Buttery to give an update as to what was going on with CMS the General Contractor. Buttery noted that CMS had hired numerous contractors and that they have not paid some of their sub-contractors. Buttery noted that it disappoints and hurts him that this has been done. Buttery noted that his hands are tied and this matter will end up going before a judge.

Mayor Levy invited Doctor Jed Bowman up to the podium. Mayor Levy noted that Dr. Bowman had given his resignation to the Woodland Park School District and would be moving at the end of the year due to health reasons. Mayor Levy thanked Dr. Bowman for all he has done for the Woodland Park School District.

11. REPORTS:

A. Mayor's Report: Mayor Levy reviewed the upcoming events for the next two weeks.

B. Council Reports:

Councilmember Carr shared that he had just gotten back in to town and was catching up on all of his emails. Councilmember Matthews shared that Keep Woodland Park Beautiful would be painting Bergstrom on September 30. Councilmember Saunier thanked everyone for coming this evening. Saunier also shared how much he appreciates all of Darlene Jensen's efforts. Saunier thanked the High View Baptist Church for praying for him and that he was humbled and blessed by this.

C. City Attorney's Report: None

D. City Manager's and Department Manager's Report:

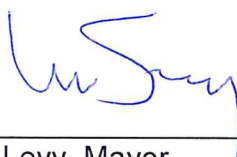
12. WRITTEN CORRESPONDENCE:

13. ADJOURNMENT: The meeting adjourned at 10:25 PM.

Recorded by:


Suzanne Leclercq, City Clerk

APPROVED THIS 5th DAY OF October, 2017


Neil Levy, Mayor