WOODLAND PARK CITY COUNCIL
COUNCIL CHAMBERS - CITY HALL
MEETING MINUTES
May 18 – 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: Mayor Pro-tem Harvey, Val Carr, Ken Matthews, Paul Saunier, John Schafer and Noel Sawyer.

2. PLEDGE OF ALLEGIANCE: Mayor Levy led the audience in the Pledge of Allegiance. The following Staff Members were also in attendance for this meeting:

City Manager David Buttery
Planning Director Sally Riley
Finance Director Mike Farina
Utilities Director Kip Wiley
Deputy City Clerk Chrissy Stapleford
City Planner Lor Pellegrino
Police Chief Miles DeYoung
City Attorney Erin Smith
Special Projects Director Jane Mannon
Main Street Coordinator Darlene Jensen

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS:

A. Recognition of three citizens who assisted police officers with arresting a violent person. Chief of Police DeYoung shared with the Council that on March 16, 2017 at the Rampart Regional Library in Woodland Park that three citizens assisted two officers that were attempting to arrest and control an individual. This individual was fighting with officers and had attempted to take the weapon from the officers. Two bystanders and two officers subdued the individual. DeYoung was presenting the individuals with a Police Commendation for their actions in helping to insure that no one was hurt or injured during this incident. The individuals presented with awards were Jennie Dariah and Bob Lovejoy. Citizen Michael Tanner was not present. Mayor Levy presented them with a Mayor's Pin.

B. Bear Aware Presentation. Patricia Hyslop presented Columbine Elementary students Bella, Angel, Alaina and Hannah with certificates for their drawings entered into the Bear Aware contest. Hyslop noted that the drawings will be on display at the library for the next two weeks.

C. Main Street Vision Statement. Main Street Coordinator Darlene Jensen introduced Sheryl Trent of SBrand Consulting who facilitated the meetings with Main Street and the Public to create a vision statement. Ms.Trent shared the process of creating a vision statement with the Main street group. The vision statement that has been created is *"Downtown Woodland Park is a vibrant, artistic center of the community where all generations gather, walk, play, shop, dine and live in an historic and majestic mountain western setting." "Near Nature, Near Perfect"*

D. Teen Advisory Board Update. Build a Generation Coordinator Karen Casey introduced the Teen Advisory Board (TAB) for the Woodland Park Teen Center. The teens present were Abby, Ashley, Alyssa, Sareyna and Shailyn. TAB presented to the Council their goals for the year and the different projects they are working on. The Council voiced their appreciation to the teens and commented on what a great resource they were. Council encouraged them to keep up the great work and Mayor Levy presented them with Mayor's pins.

4. **ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA:**

A. None

5. **CONSENT CALENDAR:**

A. Approve minutes of the May 4, 2017 Regular Meeting.
B. Approve April 2017 Statement of Expenditures and authorize the Mayor to sign Warrants in payment thereof.

City Clerk Leclercq introduced the Consent Calendar to the Council.

MOTION: To approve the Consent Calendar as presented. Schafer/Matthews. 7-0. Motion carried.

6. **UNFINISHED BUSINESS:**

A. None

7. **ORDINANCES ON INITIAL POSTING:**

A. None

8. **PUBLIC HEARINGS:**

A. Approve Ordinance No.1306 on initial posting for a Conditional Use Permit and Site Plan Review for "Automobile Wash Service" use (18.09.090.F.8) for a 4,400 SF tunnel car wash at 235/255/275 E. US 24 (Lots 1-3, Pikes Peak Subdivision) in the Central Business District as requested by Taylor Mountain Enterprises, LLC.

At this time Councilmember Sawyer recused himself. City Planner Lor Pellegrino reviewed this staff report and ordinance with the Council.

Pellegrino reviewed that the applicant Mr. Dan Taylor proposes to develop three currently vacant lots in the downtown area into a 4,400 square foot car and pet wash. Pellegrino noted that this site is currently vacant. The three lots combine to produce a .78 acre site. Access to the proposed car wash will be from the proposed extension of Pikes Peak Avenue as the main entrance with a secondary entrance/exit from Willow Street via the easement to the west. The site is located with the Central Business District zone. Pellegrino reviewed the eleven conditional use permit review and criteria findings with the Council and that this project complies with the eleven criteria.

Pellegrino noted that the adjacent property owners within 150 feet of the site were mailed a letter notifying them of the submittal of the application as well as important meeting dates including the neighborhood meeting on March 17, 2017 and the scheduled Planning Commission and City Council public hearing dates. The site was posted with a public notice and the notice of this public hearing was published in the Courier. Staff has received no written comments from the public.

The City Utilities Director, Public Works Director, City inspector, Teller County Environment Health Department, CDOT, IREA and NETCFPD were all notified and their comments have either been addressed by the Applicant or reflected as part of the conditions of approval.

The Planning Commission held a public hearing on March 23 and April 27, 2017. On March 23, Commissioners moved to continue the case to allow the Applicant and CDOT additional time to resolve concerns relating to Highway 24. On April 27, Commissioners recommended approval of the Conditional Use Permit and the Site Plan Review for the proposed car wash use subject to conditions. All conditions prior to review by City Council have been completed by the Applicant and are incorporated into the plans.

Pellegrino noted that the Staff recommends the approval of the CUP and Site Plan subject to the following conditions:

1. Signage shall be reviewed and approved by separate Sign Permit application.
2. Prior to issuance of a Zoning Development Permit for construction and site improvements, the Applicant shall provide the following information for review and approval y the City:
   a. Final Site Plan that includes the property legal description and all CUP?SPR conditions listed in the 4x4 donations box;
   b. Other Final Plans (including but not limited to Utility Plan, Grading Plan, Landscape Plan, Photometric Plan, Architectural Elevations with materials and colors)
   c. Final approval by CDOT for all improvements within the US @$ ROW, and compliance with their requirements;
   d. Final approval by NETCFPD for emergency access and water supply;
   e. Payment of applicable Impact Fees.
3. Prior to issuance of any Certificate of Occupancy for any building, the Applicant shall:
   a. Consolidate the three lots into either one lot or two;
   b. Establish the necessary public utility easements pursuant to IREA and City requirements.

Applicant Dan Taylor and Contractor Joe Butler approached the podium and were available for any questions by Council.

Mayor Pro-tem Harvey asked the Applicant that if he was not able to reach a TIF agreement with the DDA would that impact his project. Mr. Taylor noted that it absolutely would and that the TIF must happen for this development to occur. Questions were asked from the Council regarding the drainage, money invested in the project and how many employees would there be. Mr. Taylor noted that there would be 6 new employees and also noted that 75% of the water would be recycled.

Mayor Levy opened up the Public Comment portion of the Public Hearing and Tanner Coy approached the podium. Coy noted that the DDA is in favor of the project.

There being no other Public Comment Mayor Levy closed the Public Hearing.

MOTION: Approve Ordinance No.1306 on initial posting for a Conditional Use Permit and Site Plan Review for "Automobile Wash Service" use (18.09.090.F.8) for a 4,400 SF tunnel car wash at 235/255/275 E. US 24 (Lots 1-3, Pikes Peak Subdivision) in the Central Business District as requested by Taylor Mountain Enterprises, LLC. Matthews/Saunier. 6-0. Motion carried.

B. Consider a request by Holly Morrell (Event Coordinator) for Special Event Temporary Use Permit #17020031 for movies after 9:00 p.m. on June 9, July 14, and August 11, 2017 on the Midland Pavilion Green (210 East Midland Avenue) in the Central Business District (CBD) Zone.

Nicol Randolph addressed the Council on Ms. Morrell's behalf. There were no questions from the Council or from the Public of Ms. Randolph.

MOTION: Consider a request by Holly Morrell (Event Coordinator) for Special Event Temporary Use Permit #17020031 for movies after 9:00 p.m. on June 9, July 14, and August 11, 2017 on the Midland Pavilion Green (210 East Midland Avenue) in the Central Business District (CBD) Zone. Saunier/Matthews. 7-0. Motion carried.

C. Consider a request by Elijah R. Murphy (Event Coordinator) for Special Event Temporary Use Permit # 17040103 for street dances after 9:00 p.m. on June 17, July 7, and August 19, 2017 on part of the parking lot behind Historic Ute Inn (204 West Midland Avenue) in the Central Business District (CBD) Zone.

MOTION: Consider a request by Elijah R. Murphy (Event Coordinator) for Special Event Temporary Use Permit # 17040103 for street dances after 9:00 p.m. on June 17, July 7, and August 19, 2017 on part of the parking lot behind Historic Ute Inn (204 West Midland Avenue) in the Central Business District (CBD) Zone. Matthews/Carr. 7-0. Motion carried.

At this time the City Council took a brief recess. 8:33 PM.
The Mayor called the meeting back into order at 8:42 PM.

D. Consider a request by Waters Construction Co., Inc. for a minor subdivision of 0.343 acres (Lots 1R and 2R of Foster's Addition Filing No. 1) into three lots (Lots 1-3, Foster's Addition Filing No. 2) in the Community Commercial (CC) District.

City Planner Lor Pellegrino reviewed the Staff Report with the Council. Pellegrino noted that in June 2015, Foster's Addition no. 1 which encompasses .78 acres was platted into four lots by Dean Waters. Waters is now proposing to reconfigure this existing plat to create one additional lot. The site is located in central Woodland Park south of Grace Avenue and east of Boundary Street. The proposed subdivision, Foster's Addition No. 2, reconfigures the two northern lots of Foster's Addition No. 1 into three lots. Pellegrino noted that this property is with the Community Commercial District and is currently undeveloped. Pellegrino noted that this plat complies with Final Plat Chapter 17.24 and Design Standards Chapter 17:40 of Title 17 of the Municipal Code. Pellegrino noted that notices of the Planning Commission hearing was sent to the owners of the property to be subdivided, to adjacent property owners within 150 feet of the site, and to appropriate agencies at least ten days prior to the hearing. A notice of public hearing was published in the Pikes Peak Courier at least seven days prior to the Planning Commission hearing and posted on the proposed site for ten days before the hearings. No written public comment has been submitted to staff. Pellegrino also noted that the plat was referred to various City departments and all responses have been addressed.

Planning Commission held a public hearing on May 11, 2017 and it was approved with some minor recommendations.

The recommendations are as follows:

1. Include as a plat note:

- "Pursuant to Section 18.33.170.A , where new, expanding or remodeled commercial or multi-family development is proposed, sidewalks and curb and gutter along property boundaries adjacent to public streets shall be constructed (or fees-in-lieu submitted) by the proprietor or the business and/or property owner in conformance with construction standards, including dimensional requirements as determined by the city engineer."

- "Where new, expanding or remodeled development is proposed access from Grace Street, then Grace Street shall be improved and constructed by the proprietor or the business and/or property owner in conformance with construction standards, including dimensional requirements as determined by the city engineer."
- Pursuant to Section 17.40.050 of the Municipal Code, each lot shall have a maximum site coverage of between 40% and 50% depending on the lot size, as specified in Table LCS."
- All trees within the Grace Avenue ROW shall be retained and protected until such time as improvements are proposed for Grace Avenue."

In addition to plat notes add a witness block for the owner and an acknowledgement statement for the notary public under the "Dedication" statement (as required by Section 17.24.080.K of the Municipal Code).

Property Owner Dean Waters approached the podium and commented that his plan was to build three small homes on this property.

At this time the Mayor opened up the Public Comment of the Public Hearing. There being none Mayor Levy closed the Public Hearing.

MOTION: Consider a request by Waters Construction Co., Inc. for a minor subdivision of 0.343 acres (Lots 1R and 2R of Foster's Addition Filing No. 1) into three lots (Lots 1-3, Foster's Addition Filing No. 2) in the Community Commercial (CC) District. Saunier/Sawyer. 7-0. Motion carried.

9. NEW BUSINESS:

A. Resolution No. 816 to dissolve the Council's Advisory Committee known as the Vehicle Usage Review Committee.

City Manager Buttery read Resolution No. 816 into the record. Councilmember Carr and Schafer shared a memo and power points with the Council. Carr reviewed with the Council why this process of collecting data was started and what did the VURC require of City staff cooperation. Councilmember Schafer shared the preliminary results from VURC that they had compiled and collected.

Following the Councilmembers' presentations discussion was held by the Council regarding the data shown and the need for VURC.

Mayor Levy opened up discussion for Public Comment from the audience. Tanner Coy approached the podium and shared his opinion in favor of the VURC continuing.

After lengthy Council discussion Councilmember Carr made the following motion:

MOTION: Amendment to Resolution 816 to dissolve the Council's Advisory Committee known as the Vehicle Usage Review Committee. Vote on Motion to amend Resolution No. 816. Carr/Schafer. 4-3. Motion carried. Harvey, Levy and Matthews voting no.

The following amendments to the Resolution would read:

Section 1. June 30, 2017 shall be the last day for any and all data collection being performed by and for the Vehicle Usage Review Committee and no more data collection shall be done after June 30, 2017.

Add: Section 2. Resolution No. 813 is hereby rescinded and the Vehicle Usage Review Committee is hereby dissolved, disbanded and terminated effective July 31, 2017.

Section 3. Effective as of July 31, 2017, the Vehicle Usage Review Committee shall cease to exist. There shall be no further work performed by it or by any City personnel related to the Committee or the purposes for which it was created after July 31, 2017.

MOTION: Approve Resolution No. 816 rescinding Resolution No. 813 and dissolving the Vehicle Usage Review Committee as amended. Harvey/Matthews. 6-1. Matthews voting no.

B. Resolution No. 817.

City Clerk Leclercq read the title of this Resolution into the Record. "A Resolution extending the policy regarding reimbursing certain expenses resulting from water main breaks and sewer backup affecting residences to a certain non-residential situation. Leclercq reminded Council that this was originally placed under the Consent Calendar and that is where they would find the information regarding this Resolution.

There being no questions regarding this Resolution by council the following motion was made:

MOTION: Approve Resolution No. 817 extending the policy regarding reimbursing certain expenses resulting from water main breaks and sewer backup affecting residences to a certain non-residential situation. Harvey/Saunier. Motion carried 7-0.

10. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA:

A. None

11. REPORTS:

A. Mayor's Report:

Mayor Levy reviewed the upcoming events with the Council and audience. Mayor Levy commented on the Broncos 7K and what a wonderful event it was for the Woodland Park Community.

B. Council Reports:

Mayor Pro-tem Harvey passed out a poster created by the Historical Society with the help of David Langley called the Cabins of Woodland Park. Councilmember Carr shared that the Parks &

Recreation Board are currently working on a few items. Carr also publically thanked Mayor Levy for his time served as the High School Baseball Coach. Councilmember Matthews reminded the Council that the KWPB Cleanup was rescheduled and being held on June 17. Councilmember Saunier commented on his disappointment of the bickering that goes on and feels the Downtown should be cleaned up. Saunier expressed that perhaps CDOT could help in some way. Councilmember Sawyer thanked everyone for being at the meeting this evening. Councilmember Schafer expressed that he was happy with the outcome of Resolution 816.

C. City Attorney's Report: None

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

1. Special Project Coordinator Jane Mannon gave an update on the various projects and events going on in the Community.

2. Utilities Director Kip Wiley gave an update on the Wastewater Treatment Expansion project and noted that it was moving along very timely.

3. City Manager Buttery gave an update on the Aquatic Center and Memorial Park.

4. Finance Director Mike Farina presented the 2017 Quarterly financial Report for the City for the time period of January to March 31, 2017. Farina noted that the report would be posted on the website.

12. WRITTEN CORRESPONDENCE: None.

13. ADJOURNMENT: The meeting adjourned at 10:29 P.M.

Recorded by:

Suzanne Leclercq

Suzanne Leclercq, City Clerk

APPROVED THIS 1st DAY OF June, 2017

Neil Levy, Mayor