



City of Woodland Park

November 6, 2025 at 6:00 PM

MINUTES

1. CALL TO ORDER AND ROLL CALL

Mayor Case called the regularly scheduled City Council meeting to order with the following members of Council present: Mayor Case, Mayor Pro-tem Nakai, Councilmember Bryant, Councilmember Geer, Councilmember Jones and Councilmember Smith.

The following staff members were present: City Manager Vassalotti, Deputy City Manager Leclercq, City Attorney Williams, City Clerk Mendoza, Deputy City Clerk Sauer, Planning Director Schminke, Senior Planner Gates, Police Chief Deisler, Utilities Director Wiley, Assistant City Manager Felts.

PLEDGE OF ALLEGIANCE

- A. Pledge of Allegiance by Woodland Park Cub Scout Pack 20
(Presenter Cub Master Jeremy Lyons)

The Pledge of Allegiance was led by the Woodland Park Cub Scout Pack 20.

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS

- A. Proclamation declaring November 3 to November 7, 2025, as National Veterans Small Business Week. (A)
(Presenter Enrique Camcho of Model Citizen Coffee)
- B. Proclamation declaring November 29, 2025, as Small Business Saturday. (A)
(Presenter Enrique Camcho of Model Citizen Coffee)

The two proclamations on National Veterans Small Business Week and Small Business Saturday were presented by Enrique Camcho of Model Citizen Coffee. Mayor Case read the two proclamations into the record

- C. Sales Tax Update for the month of August 2025. (A)
(Presenter City Manager Vassalotti)

City Manager Vassalotti presented the Sales Tax update for the month of August 2025.

4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA

None.

5. CONSENT CALENDAR

Motion to approve the consent calendar. Geer/Jones. Motion carried 6-0.

- A. Approval of the October 16, 2025, City Council Meeting Minutes. (A)
(Presenter Deputy City Manager/City Clerk Leclercq)

The City Council approved all of the items on the consent calendar with one motion.

Motion: To approve the October 16, 2025 City Council Minutes. Geer/Jones. Motion carried 6-0.

- B.** Approval of Gold Hill Water Tank Construction Contract between the City of Woodland Park and Bonham Construction LLC in the amount of \$1,528,257. (A) (Presenter Utilities Director Wiley)
- C.** Approval of the 1 - Year Holiday Lighting Contract between the City of Woodland Park and Timberline Landscaping for \$55,541.34. (A) (Presenter Assistant City Manager Felts)

6. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA (1)

Public comments were made by Austin Clark regarding speeding in his neighborhood.

7. UNFINISHED BUSINESS

(Public Comment may be heard)

None.

8. ORDINANCES ON INITIAL POSTING

(Public comment may be heard)

None.

9. PUBLIC HEARINGS

(Public comment may be heard)

- A.** Approval of Ordinance No. 1510, Series 2025, an Ordinance of the City Council for the City of Woodland Park, Colorado Approving Vacating that Portion of South Fairview Street Right-of-Way Lying Between Chester Avenue and Foster Avenue, East of Block 15 and West of Block 16, Foster's Addition to Manitou Park, City of Woodland Park, Teller County, Colorado, as requested by Andre Brewington (Applicant and adjacent Property Owner). (QJ) (Presenter Senior Planner CJ Gates & Planning Director Karen Schminke, AICP)

Planning Director Karen Schminke and Senior Planner CJ Gates reviewed their Staff Report with Council sharing the following info:

BACKGROUND

The subject property is located south of Highway 24 in one of the original sections of Woodland Park within the Plat of Fosters Addition to Manitou Park which was surveyed in 1889. As seen in Figure 2a, the site and surrounding properties were platted in a traditional grid pattern of rectangle shaped lots (150' x 50') that are 7,500 SF in area, 60'-wide streets, and 20'-wide alleys. This staff report will focus primarily on Block 16 of this subdivision, which is outlined in yellow, and the portion of South Fairview Street in question that is outlined in red. There is also some reference to Block 25 which is immediately south of Block 16.

Actual development patterns in the area deviated from the subdivision plat early and can be seen in aerial photos from 1938 (Figure 2b) and 1979 (Figure 2c). The primary difference from the original plat being the addition of Woodland Avenue which diagonally crosses through the area. Woodland Avenue begins at the intersection of S. Fairview and Chester and then diagonally crosses blocks 16 and 25 until it intersects with Sheridan Avenue. The section of Fairview Street between Chester Avenue and Foster Avenue (identified by the red circle on the aerial photos) has never been fully improved and, except for a small section immediately south of Chester Avenue, has not been used.

ZONING

The properties surrounding the subject ROW are zoned Urban Residential (Figure 3a). Southeast of the intersection of E. Foster Ave and Woodland Avenue is an area zoned Public/Semi-public Land (P/SPL)

which is where Cavalier Park is located. The zone districts and current uses in the area immediately surrounding the subject property are as follows:

USE ZONE

North Single Family Dwellings UR

East Single Family Dwellings UR

South/Southeast Single Family Dwellings & Cavalier Park UR & P/SPL

West/Southwest Single family Dwellings UR

Per Municipal Code Section 18.13, the minimum lot size within the UR district is 7,500 square-feet with a maximum density of two dwelling units (DU) per acre (43,560 SF in area). This subdivision was platted in 1889, well before zoning regulations which were adopted in the 1960's. A total of 104 lots were platted in the 23.14 acres that comprise Blocks 13, 14, 15, 16, 25, and 26 which results in a density of 4.49 DU/acre (reference Figure 3b). As currently developed, 60 dwellings have been constructed and there are three full-size vacant lots available for a total of 63 dwellings which will result in a density of 2.72 DU/acre. This density calculation includes the land area in the eastern half of Block 25 which is now Cavalier Park. The blue triangle identified on the zoning map in Figure 3a was omitted from these calculations.

SITE AND SURROUNDING PROPERTIES

This section of S. Fairview Street has not been fully developed and there is nothing to indicate there is a platted right-of-way (ROW) to anyone driving past. Figure 4a is a photo taken from just south of Chester Avenue at the north end of Woodland Avenue and looks south. (Note: Google Earth mislabeled the street name in this photo). The dirt driveway on the east side of the Woodland Avenue pavement is located within the Fairview Street ROW.

CURRENT PROPOSAL

Andre Brewington, the applicant, submitted an application to the Woodland Park Planning Department on December 24, 2024 requesting a Right-of-Way vacation of the portion of South Fairview Street (a 60-foot-wide undeveloped public right-of-way) located north of Foster Avenue and south of Woodland Avenue. Mr. Brewington had purchased the property identified as Teller County Assessor account number R0022499 in October 2024. Figure 5a depicts the location of the subject ROW (outlined in red) and Mr. Brewington's property (outlined in blue). Via an email dated January 1, 2025, Mr. Brewington requested the application be withdrawn.

After he withdrew the first application, Mr. Brewington had a surveyor stake the corners of his current parcel and engaged in conversations with the City of Woodland Park regarding the potential sale of this parcel to the

City. On August 22, 2025, Mr. Brewington sent an email to City staff stating that he will not be selling his property to the City of Woodland Park and requested that the ROW vacation of South Fairview Street be "resubmitted immediately".

According to the applicant's narrative (attached hereto) this ROW vacation request is "made to facilitate the expansion the property associated with account number R0022499". He further explains that he is "planning to construct a single-family home for myself and my family. However, due to the current size and setback limitations imposed by the City of Woodland Park, I am unable to proceed with this development."

The final paragraph of Mr. Brewington's application narrative contains an additional request regarding how the ROW should be divided. Rather than splitting the ROW equally between the landowners on either side of the ROW as is prescribed in MC §12.08.020, he is requesting 60% of the vacated land be allocated to

his parcel (R0022499). Figure 5b depicts how property lines would change should this vacation request be approved and the land divided as specified in City Code.

PARCEL HISTORY

Below is a timeline summary of the history of landownership and the establishment of Woodland Avenue as it pertains to Block 16 of the Foster's Addition to Manitou Park subdivision.

1889 - Foster's Addition to Manitou Park subdivision was surveyed.

November 19, 1932 – Via individual Treasurer's Deeds (Reception Numbers 124691 through 124705), Lots 1 through 13 as well as Lots 15 and 16, of Block 16 were conveyed to George L. Wagner. Below is the legal description for Lot 10 as it appeared on the deed. This description is representative of how each lot was described in its respective deed.

Lot 14 Block 16 was under another ownership at this time.

October 16, 1939 – (#140495) Mr. Wagner used a quit claim deed to convey these 15 lots to his daughter, Leah B. Stringham.

January 29, 1941 – A quit claim deed (#143879) was recorded conveying these same 15 lots from Mr. George L. Wagner and his daughter, Leah B. Stringham to Mrs. George L. Wagner

A warranty deed (#143880) was also recorded this same day conveying these same 15 lots from Mr. George L. Wagner to Mrs. George L. Wagner.

June 26, 1942 – (#146660) via a warranty deed, Mrs. George L. Wagner acquired Lot 14, Block 16 and now had ownership of the entire Block 16.

Between June 26, 1942 and September 19, 1958, Lots 1 through 16 of Block 16 were conveyed several times, all with the same legal description:

September 19, 1958 – This was the last time all 16 lots were called out in a conveyance. This was a Warranty Deed from Alfred F. Dust to Alfred F. Dust & Henrietta C. Dust (#174532).

August 5, 1970 – An unnumbered Town of Woodland Park Resolution accepting dedication of Woodland Avenue was recorded (Reception #206529). Per that Resolution:

On this same day five separate dedication deeds were recorded (Reception numbers 206530 through 206534) where property owner adjacent to Woodland Avenue deeded a portion of their property to the Town of Woodland Park for the establishment of a public right-of-way. (Reception number 206534 is from Mr. and Mrs. Dust.)

October 12, 1971 – As identified on the document, this is a property survey of a "Portion of Block 16", which was prepared for Al Dust, and recorded at Reception #212441. Due to the quality of the recorded document, the legal description is difficult to read, but staff has determined it pertains to the area of the survey on the east side of Woodland Avenue.

1976 through 1977 – There are several different documents that were recorded pertaining to the land area on the east side of Woodland Avenue in Block 16 all of which used the legal description from the October 12, 1971, land survey and there is no mention of the land on the west side of Woodland Avenue. These documents were:

Reception #252145 (11/18/1976) – Installment Contract for Deed

Reception #252146 (11/18/1976) – Consent to record installment contract for deed and escrow warranty and quit claim deeds

Reception #252147 (11/18/1976) – Assignment Deed of Trust

Reception #256944 (07/07/1977) – Quit Claim Deed

July 20, 1981 – (#294960) This document is an easement granted by Arlieg Kyzer to the City of Woodland Park for a 60-foot wide temporary construction easement and a permanent 30-foot wide drainage easement described as follows:

July 26, 1984 – While the City of Woodland Park has had subdivision regulation since at least 1974 (Ordinance 14, Series 1974), the current subdivision regulations were adopted by Ordinance 327, Series 1984 on this date.

March 10, 1987 – Rather than adhering to the City's subdivision regulations and replatting the area, Arlie and Barbara Kyzer conveyed only the southern portion of Block 16 that lies east of Woodland Avenue to Timberline Baptist Church via a warranty deed (#352426).

On this same date, via a separate quit claim deed, Arlie and Barbara Kyzer also conveyed to Timberline Baptist Church, the small light-blue triangle lying within Block 16 on the west side of Woodland Avenue (#352427). **September 13, 1996** – (#452615) via a warranty deed, Timberline Baptist Church conveyed the southern portion of Block 16 that lies east of Woodland Avenue (the area outlined in dark-blue in Figure 6e to Michael and Kathleen Gatt using the same legal description the Kyzer's did in 1987. This area was replatted into four lots as Woodland Creek Subdivision on August 20, 1997 (#480590).

June 2, 2006 – This is the first of three instances where the portion of Block 16 lying west of Woodland Avenue was conveyed via Treasurer's Deed. The Teller County Assessor identifies this piece of land as Account #R0022499. It is important to note that the Assessor's website includes the following disclaimer regarding use of the brief legal description associated with each property record: Brief legal description is not intended for legal documents.

Staff applied a side yard setback of 8-feet to the west property line. The resultant triangular shaped building area of 1,382.60± SF is formed by connecting the three blue dots in Figure 6f. It is also important to remember, this property is not flat but has a definite slope from the north downhill to Foster Avenue.

REFERRALS

The initial application from December 2024, as well as the resubmitted application from August 22, 2025 were referred to City departments including the City Attorney, the City Manager, the City Clerk, Utilities, Public Works, Police Department, Planning and Building Department. It was also referred to external agencies including Northeast Teller County Fire Protection District, Black Hills Energy, Core Electric, Colorado Department of Transportation, Century Link/Lumen, and TDS Telecom.

CORE Electric submitted a comment via email on August 28, 2025, and stated that they will be requesting easements on all three sides of the property (Figure 7a) during the platting process if the ROW vacation is approved by City Council.

Black Hills Energy commented on the initial application and submitted a comment stating, "It appears that we have no gas facilities in the area of construction. I still will need to have a technician go and verify that we have no service lines in the construction area before we can give the ok. This will happen on This coming Monday February 10th and then I can get you that verification letter. Black hills will have similar easement requirements as core."

The City of Woodland Park Utilities Department submitted a comment that, "Utilities does not approve of the ROW vacation for the following reasons:

- Currently, there is no physical water available to serve this lot unless the applicant extends the water main.
- The Woodland Park Utilities Department has not planned to serve this lot (R0022499) with water because it is a leftover piece of land split apart by the construction of Woodland Ave. At the time of construction of Woodland Ave, the ROW split up lots, 9, 10, 11, and 12 within the Fosters Addition

to Manitou Park and Mr. Brewington's parcel was left over. In 1996, the eastern portions of the lots were re-platted and later single-family dwellings were built on them. If the applicant is successful with the ROW vacation and would like to construct a single-family dwelling on the property, Woodland Park City Council will have to make the decision on whether the City will sell him a tap."

ROW VACATION CRITERIA

This request is subject to Municipal Code (MC) chapter 12.08 Vacation of Public Rights-of-Way and the City's right to vacate public rights of way is specified as follows:

§12.08.030 City right to vacate

The City Council, by ordinance, may vacate any street, alley, easement or public right-of-way or part thereof located within the corporate limits of the city, subject to the provisions of the City Charter and the Constitution and statutes of the state.

This vacation request was reviewed and assessed to ensure compliance with the applicable sections of MC Chapter 12.08 as follows:

§12.08.010 Policy declaration – The City declares the following to be its general policy regarding vacation of streets, alleys, easements and public rights-of-way:

The vacation of streets, alleys, easements and public rights-of-way shall be considered based on its effect on utilities located in said rights-of-way, emergency services access, feasibility of road construction, access to lots abutting the vacation, area traffic patterns and adjacent landowners input.

Complies. The vacation complies with this policy. Currently, there are no known utilities within the ROW that is proposed to be vacated. Staff received a referral comment from CORE Electric stating that new easements will be needed to be provided for access and general utilities; their proposed easement widths fall within the required setbacks.

§12.08.020 Vesting of title upon vacation – Whenever any roadway has been conveyed to, or acquired by, the city for use as a street, alley, easement or public right-of-way, and thereafter is vacated, title to the lands included within such street, alley, easement or public right-of-way or so much thereof as may be vacated shall vest, subject to the same encumbrances, liens, limitations, restrictions, and estates as the land to which it accrues as follows:

- 1. In the event that a street, alley, easement or public right-of-way, which constitutes the exterior boundary of a subdivision or other tract of land, is vacated, title to the street, alley, easement or public right-of-way shall vest in the owners of the land abutting the vacated street, alley, easement or public right-of-way, at the time the street, alley, easement or public right-of-way was acquired for public use, was a part of the subdivided land, or was a part of the adjacent land.*
- 2. In the event that less than the entire width of a street, alley, easement or public right-of-way is vacated, title to the vacated portion shall vest in the owners of the land abutting such vacated portion.*
- 3. In the event that a street, alley, easement or public right-of-way bounded by straight lines is vacated, title to the vacated street, alley, easement or public right-of-way shall vest in the owners of the abutting land, each abutting owner taking to the center of the street, alley, easement or public right-of-way, except as provided in subsections A and B of this section. In the event that the boundary lines of abutting lands do not intersect the roadway at a right angle, the land included within such roadway shall vest as provided in subsection D.*
- 4. In all instances not specifically proved for, title to the vacated roadway shall vest in the owners of the abutting land, each abutting owner taking that portion of the vacated roadway to which his land or any part thereof is nearest in proximity.*
- 5. No portion of a roadway upon vacation, shall accrue to an abutting roadway.*

May comply. The applicant's request to have 60% of the ROW vested to his property does not comply with this Code section 12.08.020. However, if approved subject to this Code Section, the 60-foot wide ROW would be divided down the middle with land area then being vested to the applicant's property as well as the three properties that border the ROW to the west.

§12.08.040 Vacation of roadway on boundary lines. – If a roadway constitutes the boundary lines of the city, it may be vacated only by joint action of the board of county commissioners and the city council.

Not applicable. This vacation is completely contained within the City, so this section does not apply.

§12.08.050 Connecting public road required – No roadway or part thereof shall be vacated so as to leave

any land adjoining the street, alley, easement or public right-of-way without an established public road connecting the land with another established public road.

Complies. If the ROW vacation is approved, all lots that have frontage on Fairview Street will still have frontage on and be connected to a public right-of-way.

§12.08.060 Reservation of land for utility uses – In the event of vacation of rights-of-way or easements may be reserved for the continued use of existing sewer, gas, water or similar pipelines and appurtenances, for ditches, canals, or drainage and appurtenances, and for electric, telephone and similar lines and appurtenances.

Complies. Currently, there are no known utilities within the ROW that is proposed to be vacated. Staff received a referral comment from CORE Electric stating that new easements will be needed to be provided for access and general utilities; their proposed easement widths fall within the required setbacks.

§12.08.070 Procedure for requesting a vacation – Any person desiring the vacation of any street, alley, easement or other public rights-of-way, located within the city, shall file with the city clerk the following at least thirty (30) days prior to the next regular scheduled planning commission meeting:

A completed application form; Plat and legal description of proposed vacation; plat shall be drawn by a registered land surveyor and shall be on eight and one-half inches by eleven-inch paper whenever possible; A processing fee as established by city council;

The names and addresses of all adjacent property owners.

May Comply. A complete application meeting the above criteria has been submitted to and is attached to this staff report. However, the proposed legal description and associated exhibit that would be attached to the required City Ordinance does not accurately reflect the full width of the right-of-way being vacated. Any potential approval of this request would need to include the condition that the legal description and exhibit required for recording be corrected.

§12.08.080 Hearing – Planning Commission and City Council action. – The planning commission shall hold a public hearing on the vacation request. Notice of the public hearing shall be published in the official city newspaper at least seven days prior to the public hearing. The property proposed to be vacated shall be posted at least ten days prior to the public hearing and notices shall be sent to adjacent property owners at least ten days prior to the public hearing. The planning commission shall recommend approval or disapproval to the council, or table the request until the next regularly scheduled meeting.

The planning commission shall make its written recommendations to the city council.

The city council shall conduct a public hearing concerning the proposed recommendations by the planning commission, which recommendation shall be part of the council records for such hearing. Notice of public hearing shall be published at least seven days prior to the public hearing, the notice for the city council public hearing may be done at the same time as the notice for the planning commission hearings.

Complies. The Planning Commission public hearing is scheduled for September 25, 2025, and the City Council public hearing is scheduled for November 06, 2025. All public hearing notices have been published, mailed, and posted per Municipal Code requirements.

§12.08.090 Vacation to be accomplished by ordinance – After the public hearing, if the council elects to proceed with the vacation, the actual vacation of any property within the street, alley, easement or other public right-of-way within the city shall be accomplished by ordinance.

May comply. A draft ordinance will be created and presented to the City Council prior to the Public Hearing. As noted previously, any potential approval of this request would need to include the condition that the legal description and exhibit required for recording be corrected.

§12.08.100 Recording of vacation ordinance – An ordinance for vacation of any street, alley, easement or public right-of-way, once duly passed and effective, shall be filed with the office of the county clerk and recorder for Teller County.

Complies. If approved, the Ordinance along with a ROW vacation exhibit and legal description will be recorded with Teller County Clerk and Recorder.

§12.08.110 Reimbursement to City – In addition to the processing fee, the applicant shall reimburse the city for all publishing, posting, ordinance drafting and filing costs.

May comply. These are typical costs that all applicants are subject to and are billed upon completion of the hearing process.

ADDITIONAL CONSIDERATIONS

In reviewing the Parcel History information, it is Planning Staff's opinion that Mr. Brewington's property, identified by Teller County Assessor as Account #R0022499, is not a legal buildable parcel. Instead, Staff has determined it is a scrap of land that was forgotten after the 1970 dedication of Woodland Avenue and

the subsequent conveyances of the portions of Lots 9 through 12, Block 16 on both sides of Woodland Avenue.

This is not the only instance where a property owner has a lot bisected by a ROW. Across Foster Avenue from Mr. Brewington's property is another property in Block 25 of Foster's Addition to Manitou Park that consists of four lots that is also bisected by Woodland Avenue. The legal description for this property remains intact and the smaller portion of this property, located on the east side of Woodland Avenue, has not been severed from the main portion of the property. In Figure 8a, this neighboring property is outlined in purple; consistent with prior Figures, Mr. Brewington's property is outlined in blue and the sides of Woodland Avenue are in orange.

It is important to note that the use of Treasure's deeds to convey the property known as Teller County Assessor as Account #R0022499 since 2006 does not support the idea that this is a legal parcel with development rights. The County Assessor is charged with the responsibility of identifying and ensuring all property within the County is accounted for and taxed accordingly. Additionally, given the information included on Mr. Brewington's deed, "the property is being sold as-is, where-is with no usage or building capability guarantees" it is reasonable to conclude that Mr. Brewington was aware of this property's limitations when he purchased it.

As identified previously, the existing density of 2.72 DU/acre exceeds the 2 DU/acre established in City Code. Adding this property as a lot will further increase the number of dwelling units per acre beyond what is allowed. Additionally, the existing sloped topography and the application of the required setbacks further limits the potential for building a house or any other structure at this location.

It should also be noted that this northwest corner of the intersection of Foster Avenue and Woodland Avenue has remained open and undeveloped for over 100-years. This undeveloped condition adds to the overall open feeling in the area. Establishing an additional lot and developing at this location will detract from this current open feeling.

Since Mr. Brewington acquired this property, the City of Woodland Park adopted Ordinance 1495, Series 2025 on April 17, 2025. The purpose of this Ordinance is to require development applications to address connection and availability of water several times throughout the entitlement process (zone changes, subdivision, as well as conditional and special use permits). It is Code Section 18.72.021 – Zoning development permit – Water availability, that directly pertains to this situation.

Additionally, as noted in the Referrals section of this report, the Woodland Park Utilities department does not approve of the ROW vacation for reasons previously stated.

NOTIFICATIONS AND PUBLIC COMMENT

Adjacent property owners within 150 feet of the subject right-of-way were mailed a letter notifying them of the application as well as all meeting dates including the scheduled Planning Commission and City Council public hearings. The site was posted with public notice posters and notice of the public hearings was published in the Pikes Peak Courier in compliance with the Municipal Code. To date, Staff has received no public comments on the proposal.

STAFF RECOMMENDATION to PLANNING COMMISSION

While there may not be a compelling reason related to utilities or access for the City to keep this section of Fairview Street right-of-way, there are several reasons for City to retain ownership of it. Based on the following points, the City of Woodland Park should retain ownership of the subject right-of-way:

1. The applicant's parcel is not a legally established lot and should not be allowed to increase in size.
2. The density of dwelling units in this area should not be further increased.
3. The sloped topography and the application of required setbacks severely restricts the potential for building on this property.
4. Establishing and developing an additional lot at this location will detract from this current open feeling in the neighborhood.

5. The City Utilities Department does not consider this a lot and has not planned to serve water to this property.

The recommendation is that, the Planning Commission recommend City Council deny the request to vacate a portion of South Fairview Street (a 60-foot wide undeveloped public right-of-way) located north of Foster Avenue and south of Woodland Avenue (112 Foster Avenue is adjacent to the west side of the subject right-of-way area) all in the City of Woodland Park, Teller County, Colorado in the Urban Residential (UR) zone.

PLANNING COMMISSION RECOMMENDATION

At the conclusion of their public hearing on September 25, 2025, Commissioner Hoying moved and Commissioner Newcome seconded the Planning Commission approve recommending to the City Council to approve the request by Andre Brewington (Applicant and Adjacent Property Owner) to vacate a portion of South Fairview Street (a 60-foot wide undeveloped public right-of-way) located north of Foster Avenue and south of Woodland Avenue (112 Foster Avenue is adjacent to the west side of the subject right-of-way area) all in the City of Woodland Park, Teller County, Colorado in the Urban Residential (UR) zone with the following conditions:

1. A legal description of the exhibit is required for recording be corrected.
2. A legal staff review be made to determine whether Municipal Code Section 12.08.020 provision C or D applies.
3. To ultimately present to City Council a final map of how the right-of-way would be divided up.

Additionally, as recommended by the Commission during the Planning Commission meeting, Planning Staff met with the Parks and Recreation Board (PRAB) at their October 8, 2025, meeting regarding this ROW vacation request. The PRAB Board's discussion concluded with a 5-2 vote recommending that "the proposed ROW vacation does not serve any park related purpose".

RECOMMENDATION

If City Council agrees with the Planning Commission recommendation, they should move to approve Ordinance 1510, Series 2025, an Ordinance vacating that portion of South Fairview Street right-of-way lying between Chester Avenue and Foster Avenue, East of Block 15 and West of Block 16, Foster's Addition to Manitou Park, City of Woodland Park, Teller County, Colorado.

The public notice was re-posted to reflect the 6:00pm City Council Meeting time change.

Following the presentation by Planning Director Schminke and Senior Planner CJ Gates and their being no further Council questions Mayor Case opened the Public Comment portion of the public hearing and the following individual spoke.

Josh Smith commented he lives in Frederick but has owned the property on Foster for 20 years. He said he maintains the property and is concerned about this from a safety perspective. He is concerned about another driveway being there.

There being no further public comment, Mayor Case closed the public hearing and the following motion was made.

Motion: to approve Ordinance No. 1510, Series 2025, an Ordinance of the City Council of the City of Woodland Park, Colorado, Approving Vacating that Portion of South Fairview Street Right-of-Way Lying Between Chester Avenue and Foster Avenue, East of Block 16, Foster's Addition to Manitou Park, Teller County, Colorado, as requested by Andre Brewington (Applicant and adjacent property owner. Case/Jones.

Motion failed 5-1 with Jones voting yes.

- B.** Approve Ordinance No. 1509, Series 2025, an Ordinance of the City of Woodland Park amending various sections of Chapter 10.08 Regarding the

Removal and Disposal of Nuisance Vehicles. (L) (Presenter Police Chief Chris Deisler)

Police Chief Deisler presented the Nuisance Vehicles Ordinance to Council and asked them for any questions.

Following the presentation and there being no further Council questions, Mayor Case opened the public comment portion of the public hearing. There being no public comment, Mayor Case closed the public hearing. The following motion was made:

Motion: to approve Ordinance No. 1509, Series 2025, an Ordinance of the City of Woodland Park amending various sections of Chapter 10.08 Regarding the Removal and Disposal of Nuisance Vehicles. Geer/Smith. Motion carried 6-0.

10. NEW BUSINESS

(Public comment may be heard)

- A.** Approve Resolution No. 936, Series 2025, a Resolution Amending the Council Rules of Procedure Regarding the Start Time of Regular Meetings. (A)
(Presenter City Attorney Williams)

Motion: to approve Resolution No. 936, Series 2025, a Resolution Amending the Council Rules of Procedure Regarding the Start Time of Regular Meetings. Geer/Jones. Motion carried 5-2 with Nakai and Bryant voting no.

11. REPORTS

(Public comment not necessary)

- A.** Mayor's Report

Mayor Case shared information on the 2026 Citizen's Academy, Teller County Cares Food Initiative and commented on the upcoming events.

- B.** Council Reports

Councilmember Nakai thanked the Charter Review Committee and Deb Miller for putting the blue book together.

Councilmember Bryant also thanked the Charter Review Committee and congratulated the Woodland Park High School Cross Country team. He expressed the pride he had in leaders in this community and commented on local schools Veterans events.

Councilmember Geer also thanked the Charter Review Committee and the voters for approving.

Councilmember Jones commented on the Main Street Strategic Plan consulting session and noted that DDA approved five new grants. He stated Coach Jordan Hicks is doing a Turkey Trot on Thanksgiving morning.

Councilmember Smith commented what an outstanding community we live in. He commented on upcoming events: live music on New Years Eve, Aquazumba, Babysitter bootcamp, youth basketball and the Winter Day in the park.

- C.** City Attorney's Report

None.

- D.** City Manager's Report

Deputy City Manager Suzanne Leclercq introduced new incoming City Clerk Monica Mendoza to City Council. She presented the election results on all three Charter amendments. She advised of the Candidate Open House on December 3, 2025 at 5:30pm in Council Chambers. She noted the CML Policy Committee opening and consensus from Council was to appoint Mayor Case. She noted the openings on Boards and Committees coming up.

Chief Deisler recognized the local Tractor Supply Store, commented on the recent copper theft and thanked Suzanne and city staff for Chief Larson's memorial.

City Manager Vassalotti thanked Council for approving the Christmas lights contracts and reminded that Budget ordinances will be brought to the next meeting.

1. November 4, 2025 Election Results for the City of Woodland Park. (A)
(Presenter Deputy City Manager/City Clerk)

12. ADJOURNMENT

The time being 7:49 pm and there being no further City business, Mayor Case adjourned the City Council Meeting.

Respectfully submitted:



Monica Mendoza CMC, Incoming City Clerk

APPROVED THIS 20th DAY OF November 2025



Kellie Case, Mayor