

City of Woodland Park City Council

October 21, 2021 at 7:00 PM

MINUTES

1. CALL TO ORDER AND ROLL CALL

Prior to the regularly scheduled Council Meeting, the City Council held a work session. City Manager Lawson presented the proposed Budget Message for the 2022 budget year for the City of Woodland Park.

Mayor Pro-tem LaBarre called the regularly scheduled council meeting to order at 7:00 PM.

Interim Police Chief Steve Hassler introduced newly hired Interim Deputy Chief Rodney Gerhett. Deputy Chief Gerhett shared his experience with the Council and Council welcomed him to the City.

Deputy City Manager/City Clerk Leclercq called roll with the following members of City Council present: Mayor Pro-tem LaBarre, Councilmember Alfieri, Councilmember Case, Councilmember Nakai, Councilmember Neal and Councilmember Zuluaga..

The following staff members appeared in person: City Manager Michael Lawson, City Attorney Geoff Wilson, Deputy City Manager/City Clerk Suzanne Leclercq, Assistant to the City Manager Rob Felts, Planning Director Sally Riley, Deputy City Manager/Director of Operations Kip Wiley and, Marketing and Communications Coordinator Grace Johnson.

2. PLEDGE OF ALLEGIANCE

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS

- A. Proclamation declaring Harold Ahrendt Day in celebration of Harold Ahrendt's 100th birthday.

Mayor Pro-tem LaBarre invited Harold Ahrendt to the podium to say a few words. Harold shared some stories of his time serving during World War II. Mayor Pro-tem LaBarre presented Harold with a city coin and read a proclamation into the record declaring October 21, 2021 as Harold Ahrendt Day. [\(:11\)](#)

- B. Consider appointment of George Jones to the Charter Review Committee.

City Clerk Leclercq reviewed with Council that there are currently two openings on the Charter Review Committee. Leclercq shared with the Council that she had received an application from George Jones interested in becoming a member of the Charter Review Committee. Leclercq also noted that George Jones had attended the last two Charter Review Committee meetings as an observer. Leclercq shared with the Council that Jones was in the audience and available for questions. [\(19:16\)](#)

MOTION: To appoint George Jones to the Charter Review Committee. Case/Nakai. Motion carried 6-0.

- C.** Proposal to host the Salute to Veterans Rally 2022 in the City of Woodland Park.
(Presenter, Event Organizer Jim Wear)

Jim and Pam Wear shared a presentation with the Council regarding the Salute to American Veterans Rally for 2022. [\(24:50\)](#)

4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA

5. CONSENT CALENDAR

- A.** Approval of the October 7, 2021, Regular City Council Meeting Minutes. **(A)**
(Presenter, Deputy City Manager/City Clerk Suzanne Leclercq)

City Clerk Leclercq shared the Consent Calendar with the Council.

MOTION: Approval of the October 7, 2021 Regular City Council Meeting Minutes. Nakai/Case. Motion carried 6-0. [\(49:37\)](#)

6. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

DeAnn Bettemann shared that she was a member of the Citizens Academy. Bettemann shared that she was considering volunteering for a committee and wanted to encourage the Council to practice teamwork and listen to each other. [\(51:09\)](#)

7. UNFINISHED BUSINESS

None

8. ORDINANCES ON INITIAL POSTING

(Public comment may be heard (1))

9. PUBLIC HEARINGS

(Public comment may be heard (1))

- A.** Consider Ordinance No. 1404 a request by Woodland Park Community Church (Applicant & Property Owner) to rezone from Suburban Residential (SR) to Community Commercial (CC) to continue a preschool use on Lot 2, Park View Estates Filing 2 (800 Valley View Drive) in the Suburban Residential (SR) zone.
(QJ)
(Presenter, Planning Director Sally Riley)

Planning Director Sally Riley reviewed her Staff Report with the City Council. Riley shared that this 5.41 acre site is currently zoned Suburban Residential (SR). The applicant would like to rezone to Community Commercial (CC) in order to continue the preschool (daycare) use. In 1994, the Church purchased the property and received permission to build the existing building when the property was zoned C-2. In 1997, the property's zone district was changed to SR during the zoning overhaul of the entire city. Staff believes this was an oversight and the property should have remained zoned commercial. Recently, the staff learned that the church's daycare center was planning to remodel their interior classrooms. The request for a building permit triggered staff's discovery that the underlying SR zone does not support a commercial daycare use, thus the need to rezone to CC.

Riley reviewed that amendments to Title 18 (including supplements, changes, modifications or repeal of boundaries or regulations) are regulated by MC 18.69.010 and City Charter Section 15.7. This section of the Municipal Code outlines the process for review and the

review bodies involved, but does not provide any specific review criteria. It is staff policy to use the following review criteria when considering rezoning applications:

1. Is the proposed zoning consistent with the Comprehensive plan map? The 2010 Plan Map identifies the subject property as "Residential", which aligned with the site's 1997 zoning. However, this rezoning request will cause the Envision 2030 Comprehensive Plan Map to be updated to commercial use. (55:15)

2. Is the proposed zoning consistent with the Comprehensive Plan Goals and Objectives? Staff believes that the rezoning request meets many Plan Goals and Objectives including: Community Wellbeing Goal #2 As the population demographic in Woodland Park shifts, maintain our reputation as a child-friendly community...." Education Objective #1.1 Ensure that a diverse range of learning opportunities is accessible and available for residents, visitors and business owners of all ages. Envision 2030 DRAFT Comprehensive Plan Education Goal #1: Woodland Park values, supports and invests in the local education systems as essential instruments in community development. Quality child care options are essential for working families.

3. Have changes occurred in the surrounding properties that warrant a change in zoning classification? The tract has been used as a place of worship with preschool program since 2000. The surrounding properties are mostly built-out with high density multifamily units and lower density single family units. The demand for quality daycare for families with young children is a real and pressing change that supports this rezoning application.

4. Is rezoning to MFU zone appropriate at this location? The original C-2 was appropriate when Woodland Park Community Church was developed in 1994. The Church itself is more of a commercial use. The surrounding multifamily and residential uses are and compatible with the church services and child care center. 5

5. Can this commercial rezone be served with planned water resources? The City's planned water resources and Teller County Water and Sanitation District are adequate to service the existing church and daycare facility. The proposed zone change will have no net effect on water usage.

6. Can this commercial rezone be served with wastewater treatment resources? With the recently completed expansion of the City's wastewater treatment plant, the City's wastewater treatment capacity can service this commercial use and a service population of 14,100 people. Wastewater treatment capacity to serve the proposed zoning change is available and adequate for present and future needs.

Riley reported that the adjacent property owners within 150 feet were mailed a letter notifying them of the submittal of the application as well as all meeting dates including the scheduled Planning Commission public hearing. The site was posted with a public notice poster and notice of the public hearing was published in the Pikes Peak Courier in compliance with the Municipal Code. Staff has received no written comments regarding this rezoning proposal. Applications were referred to the City Utilities/Public Works Director, the City Inspector, CORE, NETCO and Teller County.

Riley reported that the Planning Commission recommended approval unanimously at their September 23, 2021 Planning Commission meeting.

Following Riley's report, Mayor Pro-tem LaBarre opened the Public Meeting for Public Comment. There being no Public Comment, Mayor Pro-tem LaBarre closed the Public Hearing and the following motion was made.

MOTION: To approve Ordinance No. 1404, Series 2021, an Ordinance to rezone from Single Family Residential Suburban to Community Commercial to 5.14 Acres with a legal description of Lot 2 Pike View Estates, Filing #2 with a Physical Address of 800 Valley View Drive. Alfieri/Zuluaga. Motion carried 6-0.

- B.** Consider Ordinance No. 1405 Series 2021 a request by Stuff Food Emporium (Applicant) and High Country Real Estate Holdings, LLC (Property Owner) for a Conditional Use Permit for restaurant use on Lot 2, Morning Sun Business Park (100 Morning Sun Drive) in the Neighborhood Commercial (NC) zone. **(QJ)**
(Presenter, Planning Director Sally Riley)

Prior to the start of this Public Hearing, Mayor Pro-tem LaBarre recused herself from voting on this ordinance. She remained on the dais and facilitated the hearing.

Planning Director Riley presented Ordinance No. 1405 to the Council. Riley reported that Stuff Food Emporium proposes to open a family-style restaurant in the existing 4,860 square foot building located at 100 Morning Sun Drive near the southerly boundary of the City. Riley shared that the site is on the east side of US24 at the southwest corner of Morning Sun Drive and Sun Valley Drive. When originally constructed in 1987 for City Auto (a 5,940 SF auto service shop), the building was the first to be erected in the area. In September 2001, the Morning Sun Business Park plat submitted by Developer Allen Brown was approved by City Council and 2.16 acres was divided into 3 lots. Lot 2 (1.15 acres) was created to contain the existing City Auto building and surrounding site for parking. Upon platting, the City Auto building was renovated to a restaurant (Zak's Tavern and Grill began operation in 2002) and the other two lots proposed as office/medical buildings to be developed at a later date. CUP 01-004/Site Plan SPR 01-011 was approved in 2001 for Zak's restaurant conversion and included the construction of a stormwater detention pond in the southwest corner of Lot 2, improvements to US24, and an improved parking lot offering 66 spaces. Zak's was replaced by Primo's restaurant in 2005. When Primo's left in 2009 the building remained vacant until 2011 when Mr. Pete LaBarre purchased it and received approval for CUP 11-003 for the Denny's restaurant. Denny's closed in mid-2017 and the building has been vacant ever since. Per MC 18.45.010 and City Charter 15.7(c), if a use is discontinued or abandoned for one (1) or more years, future uses shall conform to the provisions of the Code (i.e. a new CUP is required). No exterior changes to the building (other than a new sign) or the site are proposed at this time. Municipal water and sewer service is provided to the building.

Riley reviewed the following CUP criteria with the Council:

1. The proposed development and use shall have a demonstrated direct need to be located at the location proposed and provide adequate mitigation measures to lessen all identified impacts.

Staff Analysis: Complies. The proposed family style restaurant will be located in an existing building and on a site that has accommodated numerous restaurants in the past and satisfies the needs of a restaurant in the future, including but not limited to availability of sufficient parking, good highway visibility, and within a commercial zone. No additional impacts are

identified and mitigation is not required.

2. The proposed development and use shall not endanger the public health and welfare.

Staff Analysis: Complies. The proposed restaurant use is located in an established building and commercial development. The equipment for the new restaurant must comply with all health codes in effect. If renovations are proposed to the building, they must comply with all building codes in effect (as applicable).

3. The proposed development and use shall not substantially injure the value of vicinity properties.

Staff Analysis: Complies. The proposed restaurant use is located in a building that has traditionally housed a restaurant and is in a commercial development and adjacent to US Highway 24. Vicinity commercial property values should increase with the occupancy of a vacant building.

4. The proposed development and use shall be in harmony with the area in which it is to be located.

Staff Analysis: Complies. No changes are being proposed to the exterior of the building or the site.

5. The proposed development and use shall conform to the provisions, objectives and policies of all city plans, adopted and in effect at the time of application, including but not limited to growth management, transportation, utilities, capital improvements and downtown redevelopment.

Staff Analysis: Complies. The proposed development (restaurant use) complies with numerous policies, goals and objectives of the Woodland Park 2010 Comprehensive Plan: it provides job opportunities, adds a complementary business to a commercial cluster, facilitates critical commercial mass and reduces sales tax leakage. The future land use is commercial.

6. The proposed development and use shall conform to the provisions, standards and requirements of all city regulations, adopted and in effect at the time of application, including but not limited to zoning, subdivision, utilities, buildings and construction, business regulations and engineering specifications.

Staff Analysis: Complies as conditioned. Per MC 18.39.050.H, the parking lot shall be upgraded to be free of potholes and trash, and re-stripped so that parking space lines are clearly visible and distinct.

7. The proposed development and use shall be designed, constructed and maintained to accommodate the on-site and off-site traffic generated.

Staff Analysis: Complies. The applicant submitted, and staff accepted, the trip generation letter prepared by LSC Transportation Consultants, Inc. for the Denny's restaurant (dated May 4, 2011). This letter indicated that the proposed Denny's restaurant should not generate any additional traffic over and above what the previous restaurant use created. Staff believes

the same to be true for Stuft Foods – that traffic generated should be similar to the traffic generated with the Denny's restaurant – and mitigation is not required.

8. The proposed development and use shall be designed, constructed and maintained with appropriate regard to topography, surface drainage, soil potentials, natural and man-made hazards, streams and environmentally significant features.

Staff Analysis: Complies. The proposed expansion will utilize existing buildings and parking areas, so no changes are being made that will impact topography and other site features. The existing detention pond in the southwest corner of the site is privately held by the land owner and the land owner is responsible for regular maintenance.

9. The proposed development and use shall be designed, constructed and maintained with adequate water supply, wastewater disposal, solid waste disposal, air quality protection methods and surface water drainage.

Staff Analysis: Complies as conditioned. The proposed development complies with this provision. Water and wastewater billing has been reactivated. The backflow prevention device has been tested and found satisfactory. Prior to opening, a fixture unit count shall be submitted to the Utility Department. It is the responsibility of the land owner/tenant to ensure that the lift station and grease interceptors are regularly maintained and functioning properly.

10. The proposed development and use shall be designed, constructed and maintained to not unduly increase the public danger of fire, explosion and other safety hazards upon the public, and persons residing or working on the site and vicinity.

Staff Analysis: Complies. No significant safety hazards are created by reintroducing a restaurant to this site.

11. The development and use may be required to provide architectural design schemes and may also require amenities such as, but not limited to, fencing, landscaping, buffer areas and other aesthetic enhancement measures, as required by the city council. (Ord. 589- 1993 § 6(part), 1993)

Staff Analysis: Complies. No exterior changes are being proposed apart from a new sign which will be processed by separate permit. No additional amenities are required.

At this time, Mayor Pro-tem LaBarre opened the Public Comment portion of the Public Hearing. There being no Public Comment, Mayor Pro-tem LaBarre closed the Public Hearing.

MOTION: An Ordinance Granting a Conditional Use Permit for "18.09.090.P.2 Traditional Family Restaurant Use" Description at 100 Morning Sun Drive with a Legal Description of Lot 2, Morning Sun Business Park within the Neighborhood Commercial Zone District. Nakai/Zuluaga. Motion carried 5-0. with Mayor Pro-tem recused from the vote. (1:10:54)

- C. Consider Ordinance No. 1406 Series 2021 a request by Anthony Longman and Derin Wester (Applicants & Property Owners) to vacate a 90-foot long part of the alley (public right-of-way) between Lot 4, Block 6, Elm Heights (640 W. Gunnison

Avenue) and Lots 6-7, Block 6, Lake Addition (605 N. Walnut Street) in the Urban Residential (UR) zone. **(QJ)**

(Presenter, Planning Director Sally Riley)

Planning Director Sally Riley reviewed Ordinance No. 1406, Series 2021 with the Council. The Applicant (Longman) is requesting vacation of Parcel A – that part of the alley in Block 6 between Gunnison Avenue and County Road located between his lot and his neighbor to the west (Wester). Parcel A is 15 feet wide by 90 feet long for a total of 1,350 square feet. Mr. Longman wishes, and with Mr. Wester's concurrence, to own the entire vacated alley to facilitate and guarantee continued access to his garage. The 15' wide alley was originally platted in 1890 through all of Block 6 in the Lake Addition to the Town of Woodland Park.

Riley reviewed the Vacation Criteria with the Council reviewing that 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.

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.

Staff Analysis: Complies.

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: A. 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. B. 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. C. 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. In all instances not specifically provided 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. E. No portion of a roadway, upon vacation, shall accrue to an abutting roadway.

Staff Analysis: Complies. If vacated, half of the 15 foot alley should vest with Mr. Wester and the other half should vest with Mr. Longman. However, Mr. Wester does not want his half and has agreed to give his half to Mr. Longman so that Mr. Longman will take ownership of the entire 1,350 SF Parcel A.

12.08.060 Reservation of land for utility uses. In the event of vacation, 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.

Staff Analysis: Complies. The draft ordinance attached reserves the entire 1,350 SF Parcel A as a public utility and access easement.

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 days prior to the next regular scheduled planning commission meeting: A. A completed application form; B. 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; C. A processing fee as established by city council; D. The names and addresses of all adjacent property owners.

Staff Analysis: Complies. The complete application has been accepted by staff and is attached to this staff report.

12.08.080 - Hearing—Planning commission and city council action. A. 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 notice 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. B. The planning commission shall make its written recommendations to the city council. C. 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 and posted 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.

Staff Analysis: Complies. The Planning Commission public hearing is scheduled for September 23, 2021 and the City Council public hearing is scheduled for October 21, 2021. 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.

Staff Analysis: Complies. A draft ordinance has been created and is attached to this staff report.

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.

Staff Analysis: Complies. If passed, the ordinance will be recorded by Teller County.

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.

Staff Analysis: Complies. These are typical costs that all applicants are subject to and are billed upon closing the file.

Mayor Pro-tem LaBarre opened up the Public Comment portion of the Public Hearing. There being no public comment, Mayor Pro-tem LaBarre closed the Public Hearing. [\(1:22:58\)](#)

MOTION: Approve Ordinance No. 1406, Series 2021 an Ordinance Vacating that Portion of the Alley Between Lots 6-7, Block 6, Lake Addition to the Town of Woodland Park and Lot 4, Block 6, Elm Heights. Case/Alfieri. Motion carried 6-0.

- D. Consider Ordinance No. 1407 Series 2021, Adjusting Expenditure Appropriations to the various funds for the City of Woodland Park, Colorado for the 2021 Budget Year, and amending Ordinances No. 1386 and 1387, Series 2020. **(A)**
(Presenter, Finance Director Aaron Vassalotti)

Finance Director Aaron Vassalotti reviewed Ordinance No. 1407, Series 2021. Councilmember Neal stated that he would be voting no regarding this ordinance because incentives for the COVID vaccine were removed. Councilmember Neal shared some information rebutting Councilmember Zuluaga's vaccine statements from the last council meeting and asked the City Clerk to put them in the record. (They are attached to the minutes).

Mayor Pro-tem LaBarre opened the Public Comment portion of the Public Hearing. There being no Public Comment, Mayor Pro-tem LaBarre closed the Public Hearing. [\(1:31:06\)](#)

MOTION: To approve Ordinance no. 1407, Series 2021 to amend 2021 Budget expenditure and revenue appropriations (Budget Supplemental Ordinance). Zuluaga/Case. Motion carried 5-1 with Neal voting no.

10. NEW BUSINESS

(Public comment may be heard (1))

- A. Approve Multimodal Transportation Options Funding (MMOF) Intergovernmental Agreement (IGA) with CDOT Region 2 in the amount of \$1,048,614 with 50% local match (\$524,307) for pedestrian improvements including 4,284 linear feet of sidewalk repair or new; 34 ADA compliant pedestrian ramps; and 0.8 mile asphalt overlay for Centennial Trail.
(Presenter, Planning Director Sally Riley)

After brief discussion, the Council decided to table this item to the November 4, 2021 Council Meeting. [\(1:55:06\)](#)

MOTION: Table the approval of the Multimodal Transportation Options Funding (MMOF) Intergovernmental Agreement (IGA) with CDOT Region 2 in the amount of \$1,048,614 with

50% local match (\$524,307) for pedestrian improvements including 4,284 linear feet of sidewalk repair or new; 34 ADA compliant pedestrian ramps; and 0.8 mile asphalt overlay for Centennial Trail. Alfieri/Zuluaga. Motion carried 5-1 with Case voting no.

- B.** Approve Resolution No. 883, Series 2021 a Resolution Approving the Colorado Opioids Settlement Memorandum of Understanding.
(Presenter, City Attorney Geoff Wilson)

City Attorney Geoff Wilson shared that the Colorado Department of Law has come to an agreement with Colorado's local governments for distributing opioid settlement and recovery funds to local counties and municipalities, to abate the opioid crisis in our communities.

The State, as well as several Colorado local governments, have pursued litigation against various pharmaceutical companies for their role in causing the opioid epidemic in Colorado. That litigation recently resulted in settlements with Purdue Pharma, McKinsey & Co., Johnson & Johnson, AmerisourceBergen, Cardinal Health, and McKesson, resulting in up to approximately \$400 million in settlement funds for both the State and Colorado local governments to abate the opioid crisis. Legal claims will be released only when 95% of participation by certain local governments has been reached. In addition, if both the city and county participate, intra-county share will look as follow: Teller County will receive 66.1557% and the City of Woodland Park will receive 13.3445% of the default percentage that each Local Government will receive from the LG Share amount attributed to its County Area (assuming full participation by all Local Governments).

City Attorney Wilson recommended that the city participate in this settlement. [\(2:26:10\)](#)

MOTION: Approve Resolution No. 883, Series 2021 approving the Colorado Opioids Settlement Memorandum of Understanding. Case/Alfieri. Motion carried 6-0.

11. REPORTS

(Public comment not necessary)

A. Mayor's Report

Mayor Pro-tem LaBarre shared the upcoming events for the next two weeks. [\(2:34:07\)](#)

B. Council Reports

Councilmember Alfieri gave a report on the Charter Review Committee.

Councilmember Case gave a PRAB update.

Councilmember Nakai shared a list of events that Main Street has accomplished for the 2021 year and shared that they are not looking for funding for the 2022 year. (Detailed list is attached to the minutes).

Councilmember Neal gave a report on CML.

Councilmember Zuluaga gave a report on PPACG.

C. City Attorney's Report

No Report.

D. City Manager's Report

No report.

12. ADJOURNMENT

Mayor Pro-tem LaBarre adjourned the meeting at 10:01 PM.

Respectfully submitted:



Suzanne Leclercq MMC, City Clerk

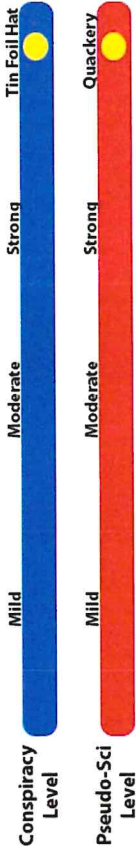
APPROVED THIS 2nd DAY OF Dec., 2021



Hilary LaBarre, Mayor Pro-tem

Humans Are Free

Last updated on October 7th, 2020 at 11:20 am



Factual Reporting
Very High
High
Mostly Factual
Mixed
LOW
Very Low

Mr Zuluaga’s slides entered into the record at the October 7, 2021 City Council meeting were researched and the website that posted the slides, “humansarefree.com” was rated as a “Tin Foil Hat” and “Quackery” web Site. The ratings comes from “mediabiasfactcheck.com”, a non-partisan, non-profit organization that rates large numbers of web sites for truthfulness and accuracy.

CONSPIRACY-PSEUDOSCIENCE

Sources in the Conspiracy-Pseudoscience category *may* publish unverifiable information that is *not always* supported by evidence. These sources *may* be untrustworthy for credible/verifiable information, therefore fact checking and further investigation is recommended on a per article basis when obtaining information from these sources. **See all Conspiracy-Pseudoscience sources.**

- Overall, we rate Humans are Free as a Tin Foil Hat Right Wing Conspiracy and Quackery level Pseudoscience site. Essentially, almost every article on this website is either false, misleading, or unproven.

Detailed Report

Factual Reporting: **LOW**
Country: **USA**
World Press Freedom Rank: **USA 45/180**

History

Humans Are Free does not have an about page, however, a **Whois** domain search reveals the domain was purchased in 2010. The website does not list an owner or editor, but it does provide a list of its **authors** and their backgrounds. Pages 15 of 62

CNN Bias

Last updated on July 3rd, 2021 at 09:16 am



Factual Reporting
Very High
High
Mostly Factual
MIXED
Low
Very Low

LEFT BIAS

These media sources are moderately to strongly biased toward liberal causes through story selection and/or political affiliation. They may utilize strong loaded words (wording that attempts to influence an audience by using appeal to emotion or stereotypes), publish misleading reports and omit reporting of information that may damage liberal causes. Some sources in this category may be untrustworthy. **See all Left Bias sources.**

- Overall, we rate CNN left biased based on editorial positions that consistently favor the left, while straight news reporting falls left-center through bias by omission. We also rate them Mixed for factual reporting due to several failed fact checks by TV hosts. However, news reporting on the website tends to be properly sourced with minimal failed fact checks

Detailed Report

CNN Bias Rating: **LEFT**
Factual Reporting: **MIXED**
Country: **USA (45/180 Press Freedom)**
Media Type: **TV Station**
Traffic/Popularity: **High Traffic**
MBFC Credibility Rating: **MEDIUM CREDIBILITY**

History

Founded in 1980 by Ted Turner, The **Cable News Network** (CNN) are an American basic cable, satellite television channel, and website. CNN was the first 24-hour cable news channel; however, by April 2016, a CNN executive officially described the channel as "no longer a TV news network" and instead as "a 24-hour global multi-platform network." CNN has multiple stations covering many countries around the world. They have been inaccurately characterized as being **fake news** by President Trump and many of his supporters.

Funded by / Ownership

The Cable News Network is owned by **WarnerMedia**, which is a multinational mass media and entertainment conglomerate corporation owned by AT&T. CNN's television stations and website are funded through cable subscriptions and an advertising model.

CNN Analysis / Bias

In review, CNN presents straight news coverage with a left-leaning bias in story selection that is often critical of the right. For example, during the 2016 Presidential Election **Pew Research** concluded that the majority of CNN stories covering President Donald Trump were **negative**. While less dramatic, **Pew** also determined that more stories were negative toward Presidential candidate Mitt Romney in 2012.

To give a reference as to how reliable mediabiasfactcheck.com is, the ratings for CNN and Fox News were presented. CNN was rated "Left Bias" with mixed factual reporting. Fox News was rated "Right Bias" with mixed factual reporting. See the following three slides.

Editorially, CNN's programming almost exclusively favors the left. For example, a typical panel discussion will feature 4 to 8 guest commentators with one being a Republican, such as Rick Santorum. This creates a situation where left-leaning voices drown out the right.

CNN typically utilizes loaded emotional words in sensational headlines such as this: **Trump pounces on Justice Department report findings**. They usually source their news properly through credible reporters/journalists and through hyperlinking to credible media sources. However, CNN has failed **several fact checks** from **PolitiFact**. It should be noted that these fact checks were almost exclusively from guests on their numerous talk shows and not from the reporting of actual news, which tends to be factual. TV hosts have also **failed fact checks** by IFCN fact-checkers. Further, CNN has **retracted published stories** that have been deemed as lacking evidence. Finally, CNN has published misleading information regarding GMOs that utilize loaded fear-based headlines such as this: **FDA allows genetically engineered 'Frankenfish' salmon to be imported to US**. CNN has also **utilized** known purveyors of pseudoscience as experts on discussion panels such as the **Food Babe**.

A **2014 Pew Research Survey** found that 44% of CNN's audience is consistently or mostly liberal, 40% Mixed and 20% consistently or mostly conservative resulting in CNN being preferred by a more liberal audience.

Fox News

Last updated on October 20th, 2021 at 12:59 pm



Factual Reporting
Very High
High
Mostly Factual
MIXED
Low
Very Low

RIGHT BIAS

These media sources are moderate to strongly biased toward conservative causes through story selection and/or political affiliation. They may utilize strong loaded words (wording that attempts to influence an audience by using appeal to emotion or stereotypes), publish misleading reports and omit reporting of information that may damage conservative causes. Some sources in this category may be untrustworthy. **See all Right Bias sources.**

- We rate Fox News strongly Right-Biased due to editorial positions and story selection that favors the right. We also rate them Mixed factually and borderline Questionable based on poor sourcing and the spreading of conspiracy theories.

Detailed Report

Bias Rating: **RIGHT**
Factual Reporting: **MIXED**
Country: **USA (44/180 Press Freedom)**
Media Type: **TV Station**
Traffic/Popularity: **High Traffic**
MBFC Credibility Rating: **MEDIUM CREDIBILITY**

History

Fox News is an American basic cable and satellite news channel founded in 1996 by **Rupert Murdoch**. The Fox Entertainment Group, a subsidiary of **21st Century Fox**, owns Fox News. **FNC** is available in 90 million homes, and it operates the Fox Business Network and Fox News Radio. Fox also owns the **National Geographic Channel**. Fox News broadcasts from New York, NY.

Roger Ailes is the founding CEO. Roger Ailes resigned in 2016 after many accusations of sexual harassment. **Jay Wallace** became president of the network, and **Suzanne Scott**, the CEO of FNC, as of May 2018. She will report to Rupert Murdoch and his son Lachlan Murdoch. **Lachlan Murdoch** is the executive chairman and co-chairman of **News Corp** and 21st Century Fox (**FOXA**). On May 7, 2018, **Comcast** announced a potential bid, making a \$65 billion cash offer challenging Disney's offer for Fox.

In October 2018, Fox News added to their **terms of use** "Company furnishes the Company Sites and the Company Services for your personal enjoyment and entertainment." This has led some to declare that Fox News is now an entertainment company and does not have to uphold journalistic standards. **This is not true.** On 6/13/2020, **Fox News ran digitally altered images in coverage of Seattle's protests, Capitol Hill Autonomous Zone.**

Read our profile on the United States government and media.

Funded by / Ownership

Rupert Murdoch is the owner and a board member of News Corp 21st Century Fox. According to **Reuters**, James Murdoch (son) is chief executive of 21st Century Fox and recently left in May 2018. Lachlan (the other son of Murdoch) and Rupert Murdoch will serve as the new Fox co-chairman. Revenue analysis can be found [Page 18 of 63](#) **vestopedia** and income reports [here](#).

Fox News Bias

According to a Pew Research Center **survey**, "Fox News was the main source for 40% of Trump voters" during the 2016 election. Further, another Pew **Survey** indicates, "When it comes to choosing a media source for political news, conservatives orient strongly around Fox News. Nearly half of consistent conservatives (47%) name it as their main source for government and political news."

Fox News typically looks at the issues from a conservative perspective. Also, it has several on-air personalities that are strong supporters of Trump, such as **Sean Hannity**, **Tucker Carlson**, **Laura Ingraham**, and **Tomi Lahren**; thus, during the Trump Presidency, FNC typically skewed conservative as there was less criticism of Trump.

In review, FNC publishes stories with emotionally loaded headlines such as "They Wanted It to Blow Up": **Limbaugh Says Success of Trump-Kim Summit Caught Media Off Guard**" and "Tucker: 2016 Russia Collusion 'Witch Hunt' Now Extends to Jill Stein." When it comes to sourcing, they typically utilize pro-Trump pundits such as Rush Limbaugh, who has an abysmal **record** with fact-checkers and credible sources such as the **Wall Street Journal**. Fox News is also known to publish **right-wing conspiracy theories**, although they retracted the story after being sued. FNC has also been deemed the **least accurate** cable news source, according to **PolitiFact**.

Regarding the slides that Mr Zuluaga presented, there was a little misinformation in Mr Zuluaga's statement. The slides were NOT presented, as Mr Zuluaga stated. The slides were in a slide deck that the presenters passed over with a time interval of approximately .2 seconds for the first slide and approximately 1 second for the remaining two slides. They were NOT spoken to or part of the presentation. They were merely in the slide deck and there is no information on who created the slides or stand behind what was in the slides. One must watch the YouTube video that Mr Zuluaga referenced in slow Motion to be able to capture the screens. With language like "Sick Fuckers" in the search key field of the slides, it is questionable whether the presenter even knew that the slides were in the deck. The CDC did NOT present Mr Zuluaga's slides nor did they stand behind them.

WP MAIN STREET - ACCOMPLISHMENTS 2021 – Pg 1.

1. Jan. - The Lighter Side of Christmas Secondary beneficiary recipient 2020 check presentation - \$2400.00.
2. Jan.-Dec. – Weekly community event posts on the downtown marquee and social media posts highlighting downtown events and businesses.
3. Jan.-Dec. – Quarterly reporting to DOLA.
4. Feb. – Board training with Matt Ashby. DOLA Consulting Services \$3850.00.
5. March-Sept. – Board and Committee recruitment drive.
6. April – Board Members and Program Manager attended the virtual National Main Street Conference – 3-day event – DOLA Scholarship funded this \$297.00.
7. April-Aug. – Meetings with Sally regarding the Revitalize Main Street CDOT Grant.
8. April – Napkin Distribution to restaurants promoting the community townhall kickoff for the City of Woodland Park Comprehensive Plan.
9. April-Dec. - Christmas Ornament Fundraiser 255 ornaments w/potential raising \$1750.00
10. May 21 – Annual Spring Downtown Cleanup – 28 Volunteers.
11. May-Dec. – Bimonthly meetings with City Manager and MS Board members.
12. May-June - Worked with DOLA grant writer consultant on El Pomar Ackerman Grant DOLA Consulting Services \$1350.
13. June – Annual promotion and distribution of posters and rack cards for Old Fashioned 4th of July event.
14. June-Dec. – Attend planning meetings with LSOC Parade committee.
15. June – Annual decorating of the Downtown with Flags and Buntings for July Celebrations.

WP MAIN STREET - ACCOMPLISHMENTS 2021 (continued) - Pg 2.

16. July – Annual Main Street Booth at the 4th of July Celebration – MS Ornament Fundraiser kickoff.
17. Aug. 7 – Saturday Downtown Sidewalk Sale promotion.
18. Aug. - Pursuit of CDOT Grant tabled at this time.
19. Sept. - As a secondary beneficiary for the LSOC Parade, 40 sponsorship gift boxes were distributed to downtown businesses.
20. Sept. – Annual Fall Downtown Cleanup – Cancelled due to lack of volunteer participation.
21. Oct-Nov. – Annual promotion of the Amex Shop Small Saturday in November. Neighborhood Champion partnership with the WP Chamber of Commerce.
22. Nov. 27 – Host annual Welcome Station for Shop Small Saturday shoppers.
23. Nov-Dec. - Promotion and distribution of LSOC Brochure and Holiday activities.
24. Dec. 4 – Work LSOC Parade Check-in booth night of parade with volunteers.

In conclusion, the Woodland Park Main Street organization that has been in existence since 2014, at the end of 2021, is pausing to re-evaluate its purpose, resources, and value to the City of Woodland Park. Therefore, at this time, the Woodland Park Main Street program is not requesting funding from the City for 2022.

