

**CITY OF MANITOU SPRINGS
CITY COUNCIL**

Regular Meeting Minutes
606 Manitou Avenue
May 20, 2025

The City Council of Manitou Springs met in Regular Session on Tuesday, May 20, 2025, at 606 Manitou Avenue, in the City of Manitou Springs, County of El Paso, and State of Colorado.

COUNCIL MEMBERS PRESENT FOR ROLL CALL:

Mayor John Graham
Mayor Pro Tem Natalie Johnson
Councilor Judith Chandler
Councilor John Shada
Councilor Julie Wolfe
Councilor Nancy Fortuin
Councilor Michelle Whetherhult

A. CALL TO ORDER

Mayor Graham called the meeting to order at 6:01 PM.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

C. ROLL CALL

All members of the City Council were present for the roll call.

D. APPROVAL OF AGENDA

Councilor Fortuin moved to approve the agenda as presented. The motion was seconded by Councilor Shada. The motion carried unanimously (7-0).

E. PUBLIC COMMENT ON NON-AGENDA ITEMS

Linda Morlan, 37 Minnehaha Avenue, inquired about correspondence from herself to the former Deputy City Administrator.

Deborah Fox, 40 Delaware Road, expressed concerns about an ongoing storm drainage and pavement issue at her neighbor's property.

William Coltman, 40 Delaware Road, explained that he has been parking in the area by the wall with the drainage issue for years and that recently the city repaved the area resolving the initial issue. He added that the curb was painted for a fire lane, removing the parking spot and expressed concern about the process for the change in parking.

F. POLICE DEPARTMENT AWARDS

Police Chief Bill Otto presented four Chief Commendation Awards and two Leadership Awards. He explained that the Chief's Commendation is awarded to a sworn officer or civilian employee based on exemplary service, either for a specific incident or for overall work performance and that the Leadership Award is awarded to sworn officers who are not necessarily in formal leadership positions but have demonstrated exceptional leadership skills in the course of their assigned duties over an extended period.

Mayor Graham stated that he believes that policing in Manitou Springs is different than some other cities, because the residents have higher expectations. He thanked the officers for going above and beyond enforcing the law to take care of the community. He added his appreciation for the support of the families of the police officers.

Councilor Fortuin thanked the police officers and chief for their service and stated that she was impressed with the accomplishments presented.

Note for the record – The City Council took a break at 6:30 PM and reconvened at 6:38 PM.

G. CONSENT CALENDAR

1. Presentation of Warrants
2. May 3, 2025 City Council Special Meeting Minutes
3. May 6, 2025 City Council Regular Meeting Minutes
4. Requesting Approval of the Energy Performance Contract with Schneider Electric
5. Requesting Approval of a General Services Agreement with Viking Painting LLC for the Mesa Tank 1 Rehabilitation
6. Approval to file a Request for an Extension to File the City Audit with the State Auditor
7. Consideration of a Status Change Request for Open Space Advisory Committee Member Paul Arlinghaus

Councilor Shada moved to approve the consent calendar as presented. The motion was seconded by Councilor Chandler. The motion was carried unanimously (7-0).

H. PRESENTATION

1. Proclamation No. 0725, A Proclamation to Recognize the 65th Annual National Public Works Week

Councilor Shada read Proclamation No. 0525 into the record, designating May 18, 2025 to May 24, 2025 as Public Works Week.

Mayor Graham expressed appreciation for the Public Works Department on behalf of the City Council.

2. Proclamation No. 0825, A Proclamation to Recognize May as Archeology and Historic Preservation Month

Councilor Whetherhult read Proclamation No. 0825 into the record, declaring the month of May as Archeology and Historic Preservation Month.

Mayor Graham shared appreciation for the work of the planning staff in supporting the Historic District and noted that historic preservation plays a vital role in maintaining Manitou Springs as a welcoming place to live.

3. Proclamation No. 0925, A Proclamation Recognizing the 56th Annual Professional Municipal Clerks Week

Mayor Pro Tem Johnson read Proclamation No. 0925 into the record, recognizing May 4, 2025 to May 10, 2025 as Professional Municipal Clerks Week. She thanked City Clerk, Elena Krebs and Deputy City Clerk, Kristen Dukoi for their work.

Councilor Chandler expressed appreciation for City Clerk Krebs, noting her responsiveness and the positive experiences she has had with the City Clerk.

City Clerk Krebs commented that the work is a joint team effort and shared that she is thankful for her team.

Mayor Graham echoed appreciations for the Clerk's Office.

I. BUSINESS

1. Approval of Easement for 122 Palisade Circle

Planning Director Fred Rollenhagen explained that the proposed easement is to address property encroachments onto city owned property at 122 Palisade Circle and that the property owners are trying to sell the property but are unable to proceed due to the encroachment. Planning Director Rollenhagen recommended that the County Clerk and Recorder fees be paid by the property owners. He reviewed the costs associated with preparing the easement, including attorney fees and 40 to 60 staff hours, and noted that there is no procedure for the city granting easements.

There was a general discussion about the time and effort spent on the easement, during which, concerns were raised about processing easements without a formal procedure, and the need for consistency to avoid potentially setting a precedent was emphasized.

Councilor Chandler suggested collecting payment for the City Attorney fees and 100 percent of staff hours at a minimum.

City Attorney Jeff Parker stated that the city could sell the easement and advised that it would be good to consider a policy for future easement processes. He explained that easements are usually set at half of the fair market value.

Councilor Wolfe stated that she is not in favor of essentially giving the land away for free.

Councilor Chandler noted that the city acquired the land because of a bankruptcy, which contributed to the encroachment issue, and that the city was not at fault for how the situation developed. She added that a \$10 filing fee is not sufficient given the circumstances.

Councilor Shada suggested exploring potential compromises, such as trading the easement services in exchange for access to nearby open space. Furthermore, he recommended that staff do more research and report back to the City Council with more information.

Mayor Graham echoed concerns about setting precedence and fair utilization of city resources. He added that he believes the city should be in a good position to recoup some of the expenses incurred in preparing the easement.

Councilor Wolfe requested city staff provide some basic information including, the amount the city paid to purchase the property, when the property was purchased by the city, and what the current value of the property is.

Councilor Chandler added to the information requested; to include the options discussed and the quoted dollar amounts for the work and expenses involved.

Applicant and property owner Jack Donn explained that the encroachment dates back to the original construction in 1964 and that they purchased the house in 1992. He noted that a survey was never conducted.

Councilor Shada moved to postpone the proposed easement for 122 Palisade Circle to July 15, 2025. The motion was seconded by Councilor Wolfe. The motion was carried unanimously (7-0).

City Administrator Denise Howell stated that she will review if a resolution or ordinance is needed to establish procedures and processes for easements.

2. Approval of Emergency Ordinance No. 0925, An Emergency Ordinance of the City of Manitou Springs, Colorado, Authorizing certain Energy and/or other Capital Improvements at the City Facilities; the Execution and Delivery of a Lease Agreement and an Escrow Agreement related to financing a portion of the costs thereof; ratifying Action previously taken concerning the referenced documents; declaring an Emergency; and providing for other matters relating thereto

Finance Director Rebecca Davis noted that the Energy Efficiency Projects had been discussed at previous meetings and explained that the ordinance presented pertains to a lease agreement with Huntington Bank to fund the projects. She stated that, as an emergency ordinance, it does not require a second reading or a public hearing, but it does require unanimous approval by the City Council. If approved, the ordinance will take effect immediately. Finance Director Davis explained that an emergency ordinance would allow staff to move forward with the contracts signed with Schneider Electric and maintain the same amounts previously quoted and agreed to. She added that the savings from the projects would pay for the lease.

There was a brief discussion regarding the timing of the ordinance, in which Finance Director Davis explained that the processes required had taken too long, and the contractor deadlines did not allow time for the ordinance to follow the standard ordinance procedure.

Mayor Graham commented that there appeared to be unexpected documentation requirements and procedural steps with the bank that affected the timeline. He acknowledged that the city understood the rates offered by Schneider Electric would remain fixed only until June 1, 2025, and expressed his support for the emergency ordinance under the circumstances, noting that it would save the city money.

Councilor Shada moved to adopt Emergency Ordinance No. 0925. An Emergency Ordinance of the City of Manitou Springs, Colorado, Authorizing certain Energy and/or other Capital Improvements at the City Facilities; the Execution and Delivery of a Lease Agreement and an Escrow Agreement related to financing a portion of the costs thereof; ratifying Action previously taken concerning the referenced documents; declaring an Emergency; and providing for other matters relating thereto. The motion was seconded by Councilor Wolfe. The Motion carried unanimously (7-0).

Note for the Record – the City Council took a break at 7:22 PM and reconvened at 7:38 PM.

3. Final Action on Mountain Metro's 2025 Fall Service

Jacob Matsen, Transit Planning and Operations Supervisor with Mountain Metropolitan Transit, presented the proposed routes and noted that the plans had been shared with the City Council at the previous two meetings. He stated that ridership data had been added as requested and outlined the recommended routes, including run times and stop frequencies for both weekdays and weekends. He explained that implementing the

recommended plan would require a third bus to operate the weekend peak season service from 6:00 AM to 5:00 PM, with stop frequencies every 10 minutes. He also presented an option to extend the current peak season, which currently runs from late April through late September, to begin in late March and end in late October. He shared that this extension would increase the city's share of the cost from \$205,000 to \$233,673 and added that with extended service, there would be an option to begin stopping at the Dillon Parking Lot starting November 1, 2025. Transit Planning and Operations Supervisor Matsen requested direction from the City Council on whether to extend Route 33 to the Dillon Mobility Hub, eliminate Route 36, and offer a fare free Route 3 through a shared cost agreement with Colorado Springs.

There was a brief discussion about Route 36, during which Transit Planning and Operations Supervisor Matsen confirmed that the current agreement keeps the bus service running through the end of September.

Councilor Shada shared that he conducted his own review of ridership data from the first four months of 2025 compared with 2024, which indicated a significant increase in ridership. He noted that this was an important indicator of fewer drivers in the city during the early months of the year.

City Administrator Howell advised that the stop at the Dillon Parking Lot would need to start in September because the Hiawatha Gardens location will be closed for six months, starting in September.

Councilor Chandler stated support for making Route 3 fare free and eliminating Route 36. She added that she believes that the data supports extending the season to reduce traffic and enhance city safety, and that the cost is justified. She stated that she is open to discussing an earlier start time if more Incline hikers begin at 5:00 AM.

Mayor Graham commented that he believes the proposed changes will have a positive impact on both visitors and residents. He stated that he is in favor of the extended peak season.

City Administrator Howell suggested a stop downtown going both directions both ways to allow riders to stop at the businesses along the way.

Councilor Wolfe stated that she is in favor of the extended bus service as well and noted that the City Council can always scale back later.

Lan Rao, Transit Division Manager with Mountain Metropolitan Transit, clarified that extending the peak season from late March to late October would also extend the Route 3 service at no additional cost, as the expense is calculated on an annual basis.

Mayor Pro Tem Johnson moved to approve adding a service stop at the Dillon Mobility Hub starting in late September, eliminating Route 36 bus service in 2026, extending the peak season from the last Sunday in March to the last Saturday in October, and launching fare free Route 3 service with the start of the 2026 peak season. The motion was seconded by Councilor Whetherhult. The motion was carried unanimously (7-0).

4. Consideration of Resolution No. 0825, A Resolution Adopting an Updated Universal Fee Schedule

City Administrator Howell advised that the fee schedule needs to be updated before the Memorial Day weekend and before the Dillon Parking Lot is opened in June. She shared that several areas, including the Hiawatha Gardens Parking Lot, are already set to start charging parking fees at 5:00 AM, and suggested aligning this timing citywide for consistency. Additionally, the Emergency Medical Services (EMS) fees were behind the standard by five percent and are being presented for an increase.

Parking Director John Crawford presented proposed fee schedule changes, including increasing Zone Three parking from \$2 to \$5 per day, setting a \$5 daily fee at the Dillon Parking Lot with a 5 AM start time, adding a \$0.40 convenience fee for phone payments, and establishing a discretionary special event rate of up to \$20 per day. He explained that the 5:00 AM start time could help encourage visitors not to encroach on the business areas.

Councilor Whetherhult expressed concerns that the proposed special event parking rate could increase costs for visitors and residents, potentially discouraging participation.

There was a general discussion about the proposed special event parking rate, including applicable events and users, during which Parking Director Crawford clarified that the rate would not apply to vendors and would be managed by the Mobility and Parking Department, with a rate set for each event up to, but not necessarily at, \$20 per day. He elaborated that the \$20 discretionary rate could have a greater impact in the economy parking areas, for example, and may encourage visitors to stay in the city longer.

Councilor Shada stated that he is not in favor of the suggested special event parking rate.

Mayor Pro Tem Johnson noted that for some the change in rate would cost less and for some it would cost more.

City Administrator Howell shared that other entities in the city are charging \$20, such as the Briarhurst Manor and the church and that this information contributed to the suggestion.

There was a brief discussion regarding the current rate for vendors during special events, during which City Administrator Howell confirmed that the current rate is \$0.50 an hour and explained that the rate did not fall under parking but is part of the Special Events Policy. She stated that staff could reevaluate the Special Events Policy and bring it back to the City Council to discuss the parking rate for vendors at a later date.

Parking Director Crawford commented that the city would see a greater benefit from a special event rate when there is turnover during events.

Councilor Chandler stated that she is not necessarily opposed to a discretionary special events rate, especially when there are businesses in the city charging \$20 a day.

Councilor Whetherhult reiterated concerns about increased parking rates during special events, adding that higher costs could lead consumers to limit spending at city businesses.

Mayor Graham noted that determining the appropriate parking rate can be a process of trial and error and suggested that giving staff the discretion to charge up to \$20 per day during special events would allow them to adapt as needed. He added that this approach supports an entrepreneurial spirit in managing parking resources effectively.

Councilor Fortuin stated that she believes people value predictability in parking rates rather than facing changes from event to event. She indicated she would need more analysis to consider the matter further.

Mayor Graham acknowledged that the summer season is approaching and noted that the Council appears hesitant to proceed with the proposal based on the information provided.

There was a brief discussion about the \$0.40 convenience fee, during which Parking Director Crawford explained that the city pays a vendor \$68,000 annually in fees for each transaction in which a credit card is not presented and recommended adding this fee to the transactions. He confirmed the fee does not apply to parking kiosk users, but to those paying by phone or Quick Response (QR) code.

Councilor Shada expressed concerns about the proposed change to begin on street parking charges at 5:00 AM and stated that he believes the shift would be too drastic.

Councilor Whetherhult stated that she does not support charging for downtown street parking at 5:00 AM, expressing concern that residents would have to wake up early to pay for parking. She added that most Incline hikers use the Hiawatha Gardens Parking Lot rather than parking on downtown streets.

Councilor Wolfe moved to approve the proposed EMS fee schedule changes as presented, with Basic Life Support Transport increased to \$1,811.25, Advanced Life Support Transport increased to \$2,146.20, and Advanced Life Support Transport-Level 2 increased to \$2,994.60. The motion was seconded by Councilor Fortuin. The motion was carried unanimously (7-0).

Councilor Whetherhult moved to approve the proposed mobile convenience fee of \$0.40 per transaction. The motion was seconded by Councilor Chandler. The motion was carried unanimously (7-0).

Mayor Graham stated that he is opposed to postponing the decision on the proposed special event parking rate, because the staff would have discretion to set the rate. He added that he has seen a range of parking rates during the summer months at the Iron Springs Chateau.

Councilor Wolfe moved to postpone the proposed special event parking rate indefinitely. The motion was seconded by Councilor Whetherhult. The motion was carried (5-2) with Mayor Graham and Councilor Chandler as the dissenting votes.

Councilor Shada moved to postpone the proposed change to start charging parking rates on the streets at 5:00 AM. The motion was seconded by Councilor Whetherhult. The motion was carried (6-1) with Mayor Graham as the dissenting vote.

Councilor Shada moved to approve changing the parking rate to \$5 a day for Zone Three, Economy Parking. The motion was seconded by Councilor Whetherhult. The motion was carried unanimously (7-0).

Councilor Shada moved to approve a \$5 a day parking rate for the Dillon Parking Lot. The motion was seconded by Councilor Whetherhult. The motion was carried unanimously (7-0).

5. First Reading of Ordinance No. 0825, an Ordinance Reducing the City's Special Tax on the Sale of Retail Marijuana and Retail Marijuana Products

Bill Conkling, 850 South Fillmore Street, Denver, CO 80209, Founder and Owner of Maggie's Farm, expressed concern about the growing number of recreational marijuana stores in Colorado Springs, where the tax rate is five percent lower than in Manitou Springs. He reported that Maggie's Farm has experienced a 30 percent decline in both traffic and revenue. Mr. Conkling urged the City Council to consider lowering Manitou Springs' tax rate to match Colorado Springs, stating that a more competitive rate would help stabilize customer flow and, in turn, support other local businesses.

Councilor Shada moved to approve on first reading Ordinance No. 0825, an Ordinance Reducing the City's Special Tax on the Sale of Retail Marijuana and Retail Marijuana Products and set a public hearing for June 3, 2025 at 6:00 PM. The motion was seconded by Councilor Whetherhult. The motion was carried unanimously (7-0).

J. HEARINGS

1. Second Reading and Public Hearing of Ordinance No. 0625, an Ordinance of the City of Manitou Springs, Colorado, Amending section 10.04.020(24) of the Manitou Springs Municipal Code to Reduce the Default Speed Limit on City Streets to 20 Miles Per Hour

City Attorney Parker explained that the ordinance language was reviewed and revised for clarity following discussion at the May 6, 2025, City Council meeting, specifically concerning the definitions of business and residential districts in the model traffic code. He noted that the updated version removes the need for those definitions in relation to speed limits and now states that the speed limit on all city streets, unless otherwise posted, is 20 miles per hour.

Mayor Graham opened the public hearing at 9:04 PM. Due to no public comment, Mayor Graham subsequently closed the public comment portion of the hearing.

There was a general discussion about posted signage and the process for updating speed limit signs. During the discussion, there was general consensus to add language

to the ordinance stating that any changes to posted signage must be approved by City Council.

Councilor Shada moved to adopt on second reading Ordinance No. 0625, an Ordinance of the City of Manitou Springs, Colorado, Amending section 10.04.020(24) of the Manitou Springs Municipal Code to Reduce the Default Speed Limit on City Streets to 20 Miles Per Hour, as amended with Section 1, Subsection B changed to “the speed posted on standard signs erected by the city, as approved by the City Council.” The motion was seconded by Councilor Wolfe. The motion was carried unanimously (7-0).

Councilor Wolfe moved to change the posted speed limit signs on all of El Paso Boulevard to 20 miles per hour. The motion was seconded by Councilor Chandler. The motion was carried unanimously (7-0).

2. Second Reading and Public Hearing of Ordinance No. 0725, An Ordinance Amending Title 2 with the Addition of a New Chapter 2.66 Concerning Elections

City Clerk Krebs confirmed that there were no changes to the ordinance since first reading on May 6, 2025.

Councilor Chandler stated that she is still not in favor of approving the ordinance for the same reasons previously discussed during first reading.

Mayor Graham opened the public hearing at 9:20 PM. Due to no public comment, Mayor Graham subsequently closed the public comment portion of the hearing.

Councilor Fortuin moved to adopt on second reading, Ordinance No. 0725, An Ordinance Amending Title 2 with the Addition of a New Chapter 2.66 Concerning Elections. The motion was seconded by Councilor Wolfe. The motion was carried (6-1) with Councilor Chandler as the dissenting vote.

K. RECEIVE OR ACT ON COUNCIL CORRESPONDENCE

Councilor Shada requested that the City Council consider a new downtown parking program for Manitou Avenue, similar to a Residential Parking Program, during a future City Council work session.

There was a discussion regarding resident parking on Manitou Avenue, during which Mayor Graham stated that the topic would be tentatively added to the June 10, 2025, City Council Work Session agenda for further discussion.

Councilor Chandler commented that the improvements to the Chase Bank property look great.

L. CITY ADMINISTRATOR REPORT

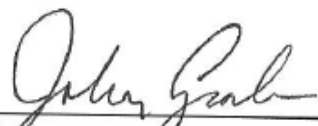
The City Administrator reported on the following:

- Manitou Avenue will be paved from Pawnee Avenue to Canon Avenue on Thursday, May 22, 2025.
- Sidewalk cleaning will be conducted throughout the week.
- Through the combined efforts of the community and city staff, the city successfully managed last week's water supply issue.

ADJORN

With no further business to discuss, Councilor Chandler moved to adjourn the meeting. The motion was seconded by Mayor Pro Tem Johnson. The motion was carried unanimously (7-0).
The meeting adjourned at 9:33 PM.

Attest:



John Graham, Mayor



Elena Krebs, City Clerk

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