November 4, 2025

CITY COUNCIL WORK SESSION
4:30 P.M.

CITY COUNCIL AGENDA
6:00 P.M.

116 S. Main St., Fountain
Register to attend meeting virtually @
www.fountain.colorado.gov

1) Call to Order

2) Pledge of Allegiance

3) Roll Call

4) Public to be Heard

Citizens may address the Council on items that are not on the agenda. Council may not be able to provide an immediate answer but will direct staff to follow up. Out of respect for the Council and others in attendance, please limit your comments to five (5) minutes or less.

5.1) Presentations

- A Proclamation Declaring That Henceforth, The 11th Day Of November Be Recognized As Veterans Day

5.2) Board/Commission/Committee

6) Correspondence, Comments and Ex-Officio Reports

7) Consent Agenda

All items listed under the Consent Agenda are considered routine and will be approved with one motion. There will be no separate discussion of these items unless a Council Member or citizen so requests, in which case the item may be removed from the Consent Agenda and considered separately, at the discretion of Council. ***(Est. time-3 min)***

A. Approval Of October 28, 2025, City Council Meeting Minutes (J. Carneal)

8) Old Business

A. Second Reading Of Ordinance 1816, An Ordinance Amending Title 17 (Zoning), Chapter 17.11 (Landscaping, Fencing And Screening) Section 17.11.010 (Landscaping Requirements) Adding Regulations For Non-Functional Turf And Amending Chapter 17.31 (Definitions) Of The Fountain Municipal Code (K, Martinez, 10 mins)

9) New Business

A. Consideration Of Items Removed from the Consent Agenda

10) City Council Agenda Requests

Council members may request an item be placed on an upcoming agenda, subject to consent of the majority of the Council members present.

11) Announcement of Executive Session

In accordance with the City Charter and the Colorado Open Meetings Act, the City Council open session is to determine whether it will hold a Closed Executive Session. A Closed Executive Session may be held upon an affirmative vote of two-thirds of the quorum present. If consent to the closed Executive Session is not given, the items may be discussed in open session or withdrawn from consideration.

12) Adjourn

A (Administrative Action) QJ (Quasi-Judicial Action) L (Legislative Action)

NEXT REGULAR COUNCIL MEETING
November 18, 2025

PROCLAMATION

A PROCLAMATION DECLARING THAT HENCEFORTH, THE 11TH DAY OF NOVEMBER BE RECOGNIZED AS VETERANS DAY

WHEREAS, the City of Fountain recognizes and cherishes the valor, dedication, and sacrifices of our veterans, who have served our nation with honor and distinction; and

WHEREAS, the men and women who have served in the United States Armed Forces have made immeasurable contributions to the preservation of our freedoms and the security of our nation; and

WHEREAS, it is fitting that we, as a community, pause to remember and honor the service and sacrifices of our veterans on this Veterans Day; and

WHEREAS, November 11th is designated as Veterans Day, a day to reflect on the sacrifices of those who have served in the Armed Forces of the United States; and

WHEREAS, the City of Fountain pledges to continue to support our veterans and their families through various initiatives and programs; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of Fountain, Colorado, do hereby proclaim November 11, 2025, as VETERANS DAY. We call upon all residents to join in recognizing, honoring, and expressing gratitude to our veterans for their service and sacrifice. We encourage the community to participate in ceremonies, activities, and acts of remembrance that reflect our appreciation for those who have served in the Armed Forces of the United States.

Done this 4th day of November 2025.

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ATTEST: Sharon Thompson, Mayor

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Joney Carneal, City Clerk

Regular City Council Meeting

Consent –7A

Council Meeting Minutes

November 4, 2025

Summary Information

Title:

APPROVAL OF THE OCTOBER 28, 2025, CITY COUNCIL MEETING MINUTES

Initiator: City Clerk Carneal	☒ Council Action
Presenter: City Clerk Carneal	☐ Council Information
Legal Review: ☐ Yes ☒ No	☐ Report to Council

Summary Overview and List of Attachments:

The attached minutes were compiled as the result of the October 28, 2025, City Council Meeting.

Attachments: Above Referenced Meeting Minutes

Background Information

Strategic Plan Priority (if applicable):

- ☐ STRENGTHEN PUBLIC COMMUNICATIONS EFFORTS.
- ☐ IMPROVE TRANSPORTATION INFRASTRUCTURE.
- ☐ SUPPORT LOCAL BUSINESS DEVELOPMENT.
- ☐ ENHANCE WATER AND ELECTRIC SECURITY.

Recommendation

Staff recommends approval.

Proposed Motion

Motion to approve shall be included under the consent agenda.

CITY COUNCIL MEETING

October 28, 2025

1) Call to Order

Mayor Thompson called the meeting to order at 6pm.

2) Pledge of Allegiance

The Pledge of Allegiance was recited.

3) Roll Call

Mayor Thompson
Mayor Pro Tem Rick
Council Member Estes
Council Member Herzberg- attending virtually
Council Member Gieck
Council Member Hinton

4) Public to be Heard

John Langly from the American Legion provided updates on recent and upcoming events to include Veterans' Day activities. He thanked the City for its ongoing support of local veteran programs and highlighted the Legion's partnership with the VFW Post 6461 to coordinate the annual event. He also shared several recent community donations and announced that in recognition of Veterans Day, the Legion would contribute $4,500 divided among the JROTC programs at Widefield, Mesa Ridge, and Fountain-Fort Carson High Schools.

Resident Phyllys Crook Shank expressed concern about when residents would see tangible benefits from the City's solar farms. Utilities Director Dan Blankenship responded, explaining current cost structures, power allocation logistics, and long-term return timelines. He offered to meet with Ms. Shank individually to review her questions in more detail.

5.1) Presentations

VFW Post 6461, District 5 Commander Baker briefed Council on current VFW activities, including the Purple Trail project and Wreaths Across America event at Fairview Cemetery. He encouraged volunteer participation in the December wreath-laying ceremony honoring local veterans.

5.2) Board/Commission/Committee Appointments

There were no appointments.

6) Correspondence, Comments and Ex-Officio Reports

City Attorney Strider reported that the court is now fully staffed.

Utility Director Blankenship, at the Mayor's request, provided information on available payment assistance options for customers struggling to pay utility bills, to include those impacted by the recent economic shutdown.

Police Chief Cristiani reminded residents about Halloween safety, clarified that mini motorbikes are not permitted on City streets, and answered questions about child car-seat age requirements.

Mayor Thompson reported on discussions from the Colorado Municipal League Policy Committee.

Mayor Pro Tem Rick announced strong turnout for the City's Trunk-or-Treat event and thanked City staff for their efforts.

7) Consent Agenda

A. **Approval Of October 14, 2025, City Council Meeting Minutes (J. Carneal)**
B. **Resolution 25-044 Amendment to Exhibit A and Reinstatement of the 2020 Evergreen-Mesa Ridge & Syracuse SWC LLC Tax Sharing Agreement (Economic Development - K. Bailey)**
C. **City Procurement Of A Qualified Environmental Professional (QEP) In Award Of Services Contract In A Value not to Exceed $117,250 per the EPA/City Work Plan Agreement (T. Evans)**
D. **Resolution 25-045, A Resolution To Approve The 2025 Operating Plan And Budget For The Riverbend Crossing Business Improvement District (K. Martinez)**
E. **Resolution 25-046, A Resolution Approving The Riverbend Crossing Business Improvement District 2026 Operating Plan And Budget (K. Martinez)**
F. **Resolution 25-047, A Resolution To Approve The 2025 Operating Plan And Budget For The Norris/Appletree Business Improvement District. (K. Martinez)**
G. **Resolution 25-048, A Resolution To Approve The 2026 Operating Plan And Budget For The Norris/Appletree Business Improvement District. (K. Martinez)**

Council Member Gieck made a motion to approve the Consent Agenda; seconded by Council Member Hinton. All members voted yes (6-0): the motion carried.

8) Old Business

A. **Resolution 25-049, A Resolution Declaring A Council Seat Vacancy For At Large.**

City Clerk Carneal explained that the Resolution is officially declaring the vacancy from the resignation of Detra Duncan. She stated that the approval would start the 15-day timeline to submit a candidate application and petition. Packets will be available on October 28 in the City Clerk's office and are required to be returned to the Clerk by 5pm November 12.

Council Member Hinton made a motion to approve; seconded by Mayor Pro Tem Rick. All members voted yes (6-0): the motion carried.

9) New Business

A. **Consideration Of Items Removed From The Consent Agenda**

There were no items removed.

B. First Reading Of Ordinance 1814, An Ordinance Amending Title 17 (Zoning), Chapter 17.11 (Landscaping, Fencing And Screening) Section 17.11.010 (Landscaping Requirements) Adding Regulations For Non-Functional Turf And Amending Chapter 17.31 (Definitions) Of The Fountain Municipal Code (K, Martinez, 10 mins)

Planning Manager Martinez presented background information, citing House Bill 24-005 regarding the prohibition of non-functional turf in certain developments. She defined "functional" vs. "non-functional" turf and clarified the ordinance applies to new commercial, industrial, and multi-family projects and to redevelopment involving more than 50%.

Mayor Pro Tem Rick asked if the new rules would require replacing existing grass; Ms. Martinez clarified that they would not.

Resident Connie Whisenhunt asked for clarification regarding landscaping requirements for new businesses, specifically trees and decorative vegetation. Ms. Martinez explained that state statute sets minimum standards, and redevelopment triggers could require updates.

Mayor Pro Tem Rick made a motion to approve on First reading; seconded by Council Member Hinton. All members voted, Mayor Thompson voting no (5-1): the motion carried. Mayor Thompson explained she is not in support of State Mandates.

C. First Reading Ordinance No. 1815 An Ordinance Setting Appropriations For The City Of Fountain, Colorado For The Fiscal Year 2026 (S. Dail, 30 min)

Finance Director Dail presented the proposed 2026 Budget, aligning with the City's Strategic Plan and updated economic trends. Discussion focused on debt reduction, funding for Fire Station 4, IGSA revenues, and departmental priorities. Council agreed to revisit certain figures at second reading once refined estimates are available.

Mayor Pro Tem Rick moved to approve First reading with amendments to fund:

- Fleet mobile truck – $172,000
- Electronic message board – $11,750
- Police mobile data terminals – $23,400
- Cemetery fencing – $40,000
- Facility contingency – $50,000
- "My Town AI" software – $18,000

The motion also included pay increases for City staff and payoff of debts:

- PNC RV Command Truck – $25,187
- PNC 2017 Pumper Truck – $97,717
- UMB Lorraine Center – $490,000

The Motion was seconded by Council Member Hinton. All members voted yes (6-0): the motion carried.

D. Resolution 25-052, A Resolution To Amend The Water Fund Stabilization Plan (D. Blankenship 5 min.)

Utilities Director Blankenship presented an amendment allowing prioritization of debt payoffs before savings contributions while maintaining compliance with loan and bond covenants.

Council Member Estes made a motion to approve; seconded by Council Member Gieck. All members voted yes (6-0): the motion carried.

10) City Council Agenda Requests

Mayor Pro Tem Rick requested a Veterans Day proclamation to be added to the November 4, 2025 agenda. The Council unanimously agreed to the request.

11) Announcement of Executive Sessions

In accordance with the City Charter and the Colorado Open Meetings Act, the City Council open session is to determine whether it will hold a Closed Executive Session. A Closed Executive Session may be held upon an affirmative vote of two-thirds of the quorum present. If consent to the closed Executive Session is not given, the items may be discussed in open session or withdrawn from consideration.

12) Adjourn

There being no further business, Mayor Thompson declared the meeting adjourned at 7:30 PM.

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City Clerk Mayor

FOLLOWING THE ADJOURNMENT OF THE REGULAR CITY COUNCIL MEETING THE CITY COUNCIL SHALL RECONVENE AS THE EX OFFICIO BOARD OF DIRECTORS OF THE FOUNTAIN GENERAL IMPROVEMENT DISTRICT NO. 1 FOR ACTION ON THE FOLLOWING ITEMS:

A. Public Hearing And Resolution 25-050 GID1 A Resolution Adopting A Budget For Fountain General Improvement District No. 1 For Fiscal Year (FY) 2026, Assessing A Levy On Taxable Property, And Providing For Certifying A Levy To El Paso County (S. Dail, 10 min)

Council reconvened as the EX OFFICIO BOARD OF DIRECTORS for GID1 at 7:35 p.m. to conduct a public hearing and approve Resolution 25-050, adopting the FY2026 GID 1 Budget and certifying the levy to El Paso County.

Finance Director Dail explained that GID 1 was established in 2007 to fund capital assets for annexed areas, primarily for life safety improvements (fire and police facilities and equipment). The 2026 revenue projection was $220,000, with no expenditures planned. The mill levy remains at 12 mills. Council members confirmed that not all City areas fall within GID1 boundaries.

Mayor Pro Tem Rick made a motion to approve; seconded by Council Member Hinton. All members voted yes, (6-0): the motion carried.

Adjourned 7:39

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City Clerk Mayor

FOLLOWING THE ADJOURNMENT OF THE REGULAR CITY COUNCIL MEETING THE CITY COUNCIL SHALL RECONVENE AS THE EX OFFICIO BOARD OF DIRECTORS OF THE FOUNTAIN GENERAL IMPROVEMENT DISTRICT NO. 2 FOR ACTION ON THE FOLLOWING ITEMS:

A. Public Hearing And Resolution 25-051GID2, A Resolution Adopting A Budget For Fountain General Improvement District No. 2 For Fiscal Year (FY) 2026, Assessing A Levy On Taxable Property, And Providing For Certifying A Levy To El Paso County (S. Dail, 10 min)

Council reconvened as the EX OFFICIO BOARD OF DIRECTORS for GID2 at 7:39 p.m. to consider Resolution 25-051, adopting the FY2026 GID 2 Budget and certifying the levy. Finance Director Dail presented the overview and current fund balance. Council briefly discussed the background of the district, confirming it was created by a prior Council to encourage housing development when construction activity was limited. It was also clarified that no additional properties can be added to GID 2, as the district is now closed.

Council Member Hinton made a motion to approve; seconded by Council Member Estes. All members voted yes, (6-0): the motion carried.

Adjourned 7:42

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City Clerk Mayor

Regular City Council Meeting

Pure Colorado

Old Business –8A

Title 17 Nonfunctional Turf

November 4, 2025

Summary Information

Title:

SECOND READING OF ORDINANCE 1816, AN ORDINANCE AMENDING TITLE 17 (ZONING), CHAPTER 17.11 (LANDSCAPING, FENCING AND SCREENING) SECTION 17.11.010 (LANDSCAPING REQUIREMENTS) ADDING REGULATIONS FOR NON-FUNCTIONAL TURF AND AMENDING CHAPTER 17.31 (DEFINITIONS) OF THE FOUNTAIN MUNICIPAL CODE

Initiator: Kristy Martinez, Planning Manager	☒ Council Action
Presenter: Kristy Martinez, Planning Manager	☐ Council Information
Legal Review: ☐ Yes ☒ No	☐ Report to Council

Summary Overview and List of Attachments:

The General Assembly of the State of Colorado passed House Bill 24-005 and Senate Bill 25-1113 which prohibits the new installation of artificial turf, invasive species and turf to be considered “nonfunctional”.

Attachments:
Ordinance 1816

Background Information

During the 2024 and 2025 Legislative Sessions, the Colorado Legislature passed a series of bills that require the city to amend the Municipal Code to remain in compliance. House Bill 24-005, ‘Prohibition of Nonfunctional Turf, Artificial Turf, and Invasive Species’, intends to reduce water waste through the prohibition of turf deemed “nonfunctional” on commercial, industrial and institutional properties as well as common interest community properties and transportation corridors. Senate Bill 25-1113, expanded upon the prohibition to include multi-family developments. This Bill also requires municipalities to implement regulations in new residential properties by January 2028. Future amendments will be needed as more guidance from the State is provided to ensure the City continues compliance.

This ordinance proposes amendments to the Title 17 (Zoning) of the Fountain Municipal Code to include the prohibition language as required by the Bills, including creating definitions that articulate what is considered functional and nonfunctional turf. The ordinance also expands upon the noxious weed species as identified by the Colorado Department of Agriculture.

Functional turf is defined as “turf that is located in a recreational use area or other space that is regularly used for civic, community or recreational purposes, which may include playgrounds, sports fields, picnic grounds…” while nonfunctional turn is turf that is not functional and generally located in a street right-of-way, parking lot, median, or transportation corridor.

The State legislation and this ordinance do not restrict maintaining existing nonfunctional turf, or restrict residential properties (except for HOA common areas and multi-family), or using artificial turf on athletic fields.

Strategic Plan Priority (if applicable):

- ☐ STRENGTHEN PUBLIC COMMUNICATIONS EFFORTS.
- ☐ IMPROVE TRANSPORTATION INFRASTRUCTURE.
- ☐ SUPPORT LOCAL BUSINESS DEVELOPMENT.
- ☐ ENHANCE WATER AND ELECTRIC SECURITY.

Recommendation

Staff recommends approval of Ordinance 1816 on second reading. There have been no changes to the ordinance since first reading.

Proposed Motion

Motion to approve Ordinance 1816 on second reading.

Regular City Council Meeting

New Business –9A

Items removed from Consent Agenda

November 4, 2025

Summary Information

Title:

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA

Initiator: City Clerk	☒ Council Action
Presenter: City Clerk	☐ Council Information
Legal Review: ☐ Yes ☒ No	☐ Report to Council

Summary Overview and List of Attachments:

Any Items removed from the Consent agenda for further discussion shall be heard under this item.

Background Information

Strategic Plan Priority (if applicable):

- ☐ STRENGTHEN PUBLIC COMMUNICATIONS EFFORTS.
- ☐ IMPROVE TRANSPORTATION INFRASTRUCTURE.
- ☐ SUPPORT LOCAL BUSINESS DEVELOPMENT.
- ☐ ENHANCE WATER AND ELECTRIC SECURITY.

Recommendation

Staff recommends approval.

Proposed Motion

Motion to approve shall be included under the consent agenda.