

Council updates litter and weed control ordinance

By Jeanne Davant

Manitou Springs City Council on Tuesday passed a new ordinance that clarifies residents' responsibilities to keep litter and weeds under control.

The city discovered that the previous ordinance lacked definitions, was confusing and referred to a municipal landfill, which the city no longer has, Deputy City Administrator Mike Leslie said.

The new ordinance requires residents to keep litter in a proper container and makes it unlawful to allow litter to accumulate so that it becomes a menace to public health, safety or welfare.

The ordinance permits composting as long as it is not unsightly or smelly.

Grass must not be allowed to grow higher than nine inches, unless it is ornamental or grows on land in its natural state.

Weeds are defined in the ordinance as plants designated noxious by the state or El Paso County.

Councilwoman Aimee Cox questioned that provision, saying that there were many other weeds that are unsightly when allowed to grow tall. Councilman Rick Barry pointed out that the ordinance requires containers to be animal-proof rather than animal-resistant.

Council asked City Attorney Jeff Parker to reword those provisions and will hold a hearing and second vote on the ordinance at its July 20 meeting.

Medical pot applications filed

Planning Director Dan Folke told Council that the city received seven applications for medical marijuana dispensaries on June 29 and 30.

The proposed sites for these dispensaries are in the commercial zone on the east and west ends of town at the following locations: 2 Manitou Ave., 30 Manitou Ave., 141 Manitou Ave., 304 Manitou Ave., 1118 Manitou Ave., 1141 Manitou Ave. and 1312 Manitou Ave.

Folke said the applications would be processed in the order in which they were received. Some lack all of the required information and documentation.

Applicants will be contacted about any missing information and will be given a set amount of time to provide it.

All completed applications will go before the Planning Commission and City Council, and Folke said he expected the Planning Commission would have to schedule a second meeting in addition to its Aug. 11 session to review all of the applications and other matters before it.

Council will have the final say on licensing each of the dispensaries.

Council last month passed rules limiting medical pot businesses to dispensaries and banned grow and manufacturing operations in Manitou. All dispensaries must meet a list of requirements and must go through the city's conditional use process.

State law required that potential medical pot business owners submit applications before July 1 or wait until the state enacts further rules, which could take a year. That means the city will not receive any more applications in the near future.

"We may want to consider where to head from here," Mayor Marc Snyder said.

Barry said he would be open to a discussion of limiting the number of medical marijuana businesses in town, and Councilman Matt Carpenter said he would like to see the city be "more aggressive as to what we're calling complete applications."

Redrilling 7-Minute Spring

Dave Wolverton, a member of the advisory board of the Mineral Springs Foundation, told Council that a new well needs to be drilled at 7-Minute Spring to prevent further erosion around the current spring.

Because the old well wasn't properly capped, pressure is forcing water around the steel blowout preventer.

"We're losing water and starting to get a sinkhole," Wolverton said.

The Mineral Springs Foundation is proposing to use some of the funds designated for an aquifer study to drill a new well and properly encase it. The foundation has solicited bids and is negotiating with a contractor that would use a compressed air drill.

Wolverton said the new well would be a minimum of 20 to 30 yards away from the current spring. The old well would be plugged when the new one is drilled.

He expects to have the contract finalized and present it to Council on July 20.

In other business, Council...

- Approved a resolution authorizing Snyder to sign an agreement with the Colorado Department of Transportation to rehabilitate the Canon and Park Avenue bridges. Folke said the project will be paid for entirely by federal funds and a State Historic Fund grant totaling \$567,000. Both bridges will get structural and cosmetic repairs. Folke expects the work to be done in the fall.

- Discussed increasing police patrols at Soda Springs Park, where there have been complaints of trash and skateboarding. Leslie, a former police officer, said it would take additional police presence to solve the problems. Barry and Carpenter said they favored paying overtime to beef up patrols, and Leslie was instructed to talk with Police Chief Mary Jo Smith about adding police rounds in the park.

- Passed on first reading an ordinance amending the 2009 and 2010 budgets to reflect final revenue and expense figures.

- Passed on final reading an ordinance revising the wording of the city code pertaining to the city cemetery to conform to state law.

- Heard a complaint by Rob Gannon, who said his driveway on Cave Avenue had been damaged by recent water and sewer line work. Gannon said he asked for but did not receive a warranty for the asphalt driveway, which was replaced by the contractor that did the damage. Gannon said he did not feel the city had gone to bat for him and that Snyder would not place his concern on Council's agenda. Later in the meeting, Public Works Director Bruno Pothier said the city had worked with Nolte Associates and the asphalt contractor to have Gannon's entire driveway replaced, rather than just repairing the damaged portion.

[Return to Article Index](#)