

TOWN OF MONUMENT
MINUTES OF THE BOARD OF TRUSTEES
REGULAR MEETING

Monday, January 5, 2009

6:30 P.M. Board of Trustees Regular Meeting

Call to Order, Roll Call, Pledge of Allegiance, Approval of Agenda

Mayor Glenn called this Regular Meeting of the Board of Trustees of the Town of Monument, Colorado to order at 6:30 P.M., at Monument Town Hall. Mayor Glenn led those assembled in the Pledge of Allegiance. The following Board members and Staff were present for the meeting:

BOARD OF TRUSTEES:

Present:

Mayor Glenn
Trustee Drumm
Trustee Easton
Trustee Samuels
Trustee Plank
Trustee Miller

Absent:

Trustee Dominguez

TOWN STAFF:

Catherine Green, Town Manager
Gary Shupp, Town Attorney
Jacob Shirk, Police Chief
Richard Landreth, Public Works
Director
Pamela Smith, Town Treasurer
Tom Kassawara, Director of
Development Services
Scott Meszaros, Town Clerk

Also present were:

Nicole Chillino	Jim Kendrick	Betty Konarski	Monica Harder
Chuck Roberts	Glenda Smith	Gary Barber	Rick Squires
Rick Blevins	John Dworak	Tom Harder	

Mayor Glenn stated that a “swearing-in” for a new Reserve Officer, review of current Board Appointments, and an executive session with the Town Attorney regarding water all need to be added to the agenda. Trustee Easton made a motion to approve the agenda as amended by Mayor Glenn, seconded by Trustee Plank. The motion passed unanimously 6-0.

1. Approval of Minutes of December 15, 2008 Regular meeting

No changes were noted.

Trustee Miller made a motion to approve the minutes of December 15, 2008 for the Regular Meeting as presented. Trustee Easton seconded the motion.

The motion passed 5-0-1 as Trustee Miller abstained.

Public Comments

None

Swearing-in Reserve Officer

Police Chief Jacob Shirk swore in the new Reserve Officer Gregory Fell. He stated that Officer Fell has 13 years of Chaplain experience with the Sacramento Police Department, 4 years with Colorado Springs, and 9 years with El Paso County. Chief Shirk had Officer Fell's wife come forward and she pinned the Monument Police Badge upon his uniform.

Ordinances:

2. Ordinance #01-2009, an ordinance approving a Preliminary/Final Plat for Filing 17 of the Monument Marketplace

Mr. Tom Kassawara, Director of Development Services stated that Mr. Rick Blevins, representing Vision Development, is seeking approval of a Preliminary/Final Plat for Filing 17 of the Monument Marketplace. The applicant is proposing to plat one lot comprising 0.88 acres. A site plan application has been submitted for administrative approval of a Discount Tire business on this site. He disclosed the site plan use to the Board because he did not want them to not know that this was a Discount Tire business which, if the Plat is approved, will not come back before the Board as the process of site plan approval is an administrative function. Staff did question the proposed future use and the proposed location. There is an automotive area in the Monument Marketplace, however the Master Plan does not delineate that automotive uses are restricted to be in the automotive area. Nor does it prohibit uses from being on the lots adjacent to the Interstate which were previously discussed as a "restaurant row" type area. The Master Plan only denotes the sites as "retail". Staff suggested that the Discount Tire be located near the Checker Auto Parts Store currently existing. He stated that the Planning Commission recommended denial, however this was based upon a use issue and not a Plat issue which this item is. The application meets all approval criteria.

Mr. Rick Blevins, for "Monument Marketplace" representing the applicant, stated that this application is for plat only approval. In this item they are not asking for approval of usage. He responded to Board questions regarding the location chosen for the Discount Tire store and stated that he also tried to recommend that the store be located in the "automotive section". However, the ownership only desired an interstate visible lot and it was a deal breaker if they did not go in there.

Mayor Glenn opened the public hearing for public comments. Seeing none, the public hearing was closed and the item brought back before the Board for discussion and possible motions.

Trustee Miller stated that several residents have commented to him that they have heard about this and do not like the proposed Discount Tire being located there. He asked if there is anything to base denying this on.

Mr. Gary Shupp, Town Attorney responded that the item being voted upon (Plat) does not have anything to do with the proposed use. He stated that the Master Plan would have to have been specific on restricting this use, at this point in the process it cannot be

changed. As Mr. Kassawara discussed, there is nothing prohibiting the use at this location, it is a “retail” use going into a retail area, so there is no basis to deny.

All of the Trustees and the Mayor provided comments regarding their displeasure with the proposed use going into this location.

Trustee Easton made a motion to approve Ordinance #01-2009, an ordinance approving a Preliminary/Final Plat for Filing 17 of the Monument Marketplace, seconded by Trustee Miller. Motion passed 5-0, Trustee Plank voted no.

Resolutions:

3. Resolution #01-2009, a Resolution re-appointing Glenda Smith to the Monument Planning Commission

Mr. Tom Kassawara, Director of Development Services stated that in January 2009, Commissioner Smith’s seat will expire. She wishes to continue serving on the Planning Commission, attached in the packet is her application and letter of interest.

Ms. Glenda Smith, Planning Commissioner, came forward and expressed her interest and history in serving the Town (previously as a Trustee and on several Committees including the Police Advisory Committee which she assisted in creating). She stated that she enjoys serving her community and desires to continue doing so.

Trustee Miller made a motion to approve Resolution #01-2009, a resolution re-appointing Glenda Smith to the Monument Planning Commission, seconded by Trustee Samuels. Motion passed 6-0.

Board Appointments (added to agenda)

Mayor Glenn stated that he has resigned from serving on the Baptist Road Rural Transportation Authority (BRRTA) and Pikes Peak Area Council of Governments (PPACG). He stated that Trustee Dominguez has stated interest in taking his seat with BRRTA, and Trustee Samuels for PPACG. He asked if any other Board member desired to serve on either of these Boards, and if they do not, he would like to see them (Trustee Dominguez and Trustee Samuels) appointed.

Trustee Miller made a motion to appoint Trustee Dominguez to serve as the Monument representative on the Baptist Road Rural Transportation Authority, and Trustee Samuels as the Monument representative on the Pikes Peak Area Council of Governments, seconded by Trustee Easton. Motion passed 6-0.

4. Resolution #02-2009, a Resolution approving an addendum to the IGA establishing the Pikes Peak Regional Water Authority

Mr. Rich Landreth, Director of Public Works stated that the Intergovernmental Agreement (IGA) establishing the Pikes Peak Regional Water Authority is being amended. The attached addendum permits new members; this will add Woodmen Hills Metropolitan District to the authority. He commented that this strengthens the authority with additional membership and also further reduces the share cost to existing members.

Trustee Miller made a motion to approve Resolution #02-2009, a resolution approving an addendum to the IGA establishing the Pikes Peak Regional Water Authority, seconded by Trustee Easton. Motion passed 6-0.

Presentation

5. White Paper on Downtown Monument and Recommended Design Guidelines

Ms. Catherine Green, Town Manager and Ms. Karen Griffith, Principal Planner provided a joint Power Point presentation which detailed the process and recommendations of achieving the vision for Downtown Monument. They thanked the participating members of the committee which included Trustee Timothy Miller, Trustee Tommie Plank, Planning Commissioner Carl Armijo, Planning Commissioner Tom Martin, Jamie Hull, Linda Pankratz, and Rick Squires. The paper and their presentation described the historic and present character and provided recommendations as to which of the characteristics should be preserved in existing buildings and replicated in new buildings and improvements. The Comprehensive Plan will continue to be the official adopted policy document guiding the future development of the Town. The Planning Commission reviewed the White Paper and Final Design Guidelines on October 2 and voted 5-0 to recommend that the Town Board accept these documents.

Mayor Glenn stated that Staff should move forward with drafting the Design Guidelines into ordinance form. He stated that any additional Board comments should be forwarded on to Ms. Green.

Trustee Miller stated that he desires to see examples or photographs incorporated into the final wording.

Trustee Drumm stated that parking areas and sidewalks should be examined. Ms. Green and Ms. Griffith responded that they are addressed.

Mayor Glenn asked Mr. Kassawara what the designs and standards being used for the "Third Street Project" are as far as street lamps and sidewalks. Mr. Kassawara responded that he would order the catalog and ensure that the designs are forwarded on.

Financial Issues:

6. Disbursements over \$5,000

Ms. Pamela Smith, Town Treasurer, detailed the two (2) disbursements outlined in the packet. The first to Nolte Associates, Inc. (\$5,160.) for phase one of the "Roadway Standards". The second to AmWest, Inc. (\$15,993.) is for repairs to well #3. She explained that the budgeted line items not utilized will be carried forward.

Trustee Miller made a motion to approve the disbursements over \$5,000, seconded by Trustee Plank. Motion passed 5-0-1, Trustee Easton abstained.

7. November 2008 Financials

Ms. Pamela Smith, Town Treasurer, presented the November Financial Report detailed in the Board Packet. She stated that General Fund Revenues Collected to Budget are down 7.6%, however the General Fund Expenditures Spent to Budget are down 23.3%,

the net result being the General Fund is positive to Budget by \$730k. There were no questions.

Trustee Samuels made a motion to approve the November 2008 Financials, seconded by Trustee Miller. Motion passed 6-0.

8. Sales Tax Reports

Ms. Pamela Smith, Town Treasurer, presented the current status of the Monument Sales Taxes, she stated that the Tax reports are informational, no vote or action is necessary. She stated that the Budgeted Collections are negative to Budget by \$76,033 through October accruals. The Sales Tax collected for 2008 was ahead of 2007 collections by 5.6% or \$194,810. She commented that October appeared to be slow, however many merchants have commented that November and December were busier than previous years. She anticipates that for the year to meet estimated tax revenues or to come in just slightly under. No questions were asked.

Discussion Item: Home Rule

Ms. Catherine Green, Town Manager stated that Mayor Glenn has asked for an update on the Home Rule process. Ms. Green provided a brief overview of the benefits and reasons for pursuing a Home Rule form of governance. The Board was previously provided the "Home Rule Handbook" produced by CML.

Mayor Glenn inquired as to when the Home Rule process can begin and he inquired about creating a focus group that would examine if there is local interest in pursuing it.

Ms. Green commented that there is already a "Town Forum" meeting scheduled for the second meeting in April.

Mr. Scott Meszaros, Town Clerk explained that the Home Rule election process may begin at any time if a petition is submitted (which meets legal requirements of sufficiency) or if the Board passes an ordinance to conduct an election to begin the Home Rule Process. (An initial election must be done in which the voters are asked the yes/no question on conducting a Home Rule Charter Commission). He suggested that ideally the initial election could take place in either November (Combined election with the County) which would be considered a "Special Election" or in April of 2010 at our regular election which must be conducted for three (3) Trustee positions. He stated that for 2009 it is not a "regular" election year and that he does not have any budgeted funds to conduct any sort of election this year without a budget amendment.

Reports and Updates:

Town Attorney

Mr. Gary Shupp, Town Attorney, had no updates.

9. Town Manager's Report

Ms. Catherine Green, Town Manager, stated that Town Hall will be closed January 19th in observance of Martin Luther King Day and the regularly scheduled Board meeting will be held on Tuesday January 20th at 6:30pm (normal time). She stated that the

Economic Development Commission is meeting on January 23 with Mr. Tim Irish to discuss the Senior Housing project and the complaints he has with the Town's review process.

Following discussions regarding schedules, Ms. Green established that there will be a Board Retreat scheduled for March 7th, a briefing packet will be sent out prior.

Mr. Tom Kassawara, Director of Development Services provided a response regarding the "Arbor Mountain" senior living facility and an e-mail which several Board members may have received complaining about the Town's review process and comments. He summarized the e-mail which Mr. Tim Irish had written complaining about the nature of the comments and insinuating that his project will be off-schedule and that all except a few of the comments are not based upon the code or issues which the Town should be scrutinizing. He stated that the project is on-schedule assuming that the applicant responds to the comments and re-submits as scheduled. There were 53 comments of which he stated after a scrupulous re-evaluation of them, two or three may be somewhat "picky". However all of the others are based upon necessary improvements and needs for the seniors and for the submission to be in compliance with our Code and development requirements. He stated that if any Board member wishes to do so, he would go over each of the comments with them; he stated that having adequate marked handicapped parking spots for a senior living facility is one such comment.

Public Comments

None

Executive Session regarding Water Discussions: C.R.S. 24-6-402(4)(e)

The Board entered executive session at 8:45 pm to discuss water related items and came out of executive session at 9:37 pm.

Adjournment

Trustee Plank made a motion to adjourn the meeting at 9:37 pm, seconded by Trustee Easton. The motion passed 6-0.

Respectfully Submitted,

Scott W. Meszaros, CMC
Town Clerk