

TOWN OF MONUMENT
MINUTES OF THE BOARD OF TRUSTEES
REGULAR MEETING

Monday, April 6, 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 Miller
Trustee Easton
Trustee Plank
Trustee Dominguez
Trustee Drumm

Absent:

Trustee Samuels

TOWN STAFF:

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

Also present were:

Nicole Chillino	Jim Kendrick	Henry Yankowski	Tim Irish
Tom Harder	Monica Harder	Bob Kroft	Todd Weldt
Doug Fullen	Ashley Fritz	Tim McCall	Roger Gloddy

Mayor Glenn stated that he would like to see item #7 (Resolution approving an IGA with Palmer Lake) moved up on the agenda immediately after public comments.

Trustee Easton made a motion to approve the agenda as amended, seconded by Trustee Dominguez. The motion passed 6-0.

1. Approval of Minutes of March 16th, 2009 Regular meeting

No changes were noted.

Trustee Miller made a motion to approve the minutes of March 16, 2009 for the Regular Meeting as presented. Trustee Plank seconded the motion.

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

Public Comments

None

Resolutions:

7. Resolution #14-2009, a resolution approving an IGA with Palmer Lake for Police Services

Police Chief Jacob Shirk, stated that the Town of Palmer Lake requested on January 27, 2009 that the Town of Monument Police Chief assist them as the Acting Chief of Police while they pursued the selection of a new "working Chief" The request and service has been provided to Palmer Lake at no cost. On March 13, 2009 he met with Palmer Lake Mayor John Cressman, Palmer Lake Police Commissioner Dan Reynolds, and Monument Town Manager to discuss how Palmer Lake wished to proceed, a final determination was not reached. This IGA is being proposed in order to reach a formal agreement to provide administrative and supervisory assistance to the Town of Palmer Lake for a fee of \$2500 per month. These services may be terminated by either party with a 30 day notice. He explained that the selection and hiring of a new working Chief is anticipated in a few months, if this continues beyond such a timeframe renegotiation or the ending of this agreement is likely to occur.

Trustee Easton made a motion to approve Resolution #14-2009, a resolution approving an IGA with Palmer Lake to provide Management Police Services, seconded by Trustee Plank. Motion passed 6-0.

Public Hearing

Ordinances:

2. (Continued from March 16th Meeting) Ordinance #09-2009, an ordinance approving modifications to Chapter 8.30, establishing inspection and monitoring programs for stormwater discharge and erosion control

Mr. Tom Kassawara, Director of Development Services stated that items #2 and #3 were continued from the March 16, 2009 Board of Trustees meeting, these items were continued so that Staff could address issues raised by the HBA at the meeting. Attached is a letter from the HBA dated March 20, 2009 outlining their concerns with the proposed revisions to Chapter 8.30 and Chapter 16.40. Staff's subsequent responses to each comment are included. Also included is a letter from the HBA dated March 30, 2009 indicating their support for the ordinances as revised to address their issues.

Mayor Glenn opened the public hearing for comments.

Mr. Tim McCall, Colorado Springs Homebuilders Association (CSHBA), thanked staff for taking input and incorporating it into these two items. He stated that a letter of support has been provided.

Mayor Glenn closed the public hearing and brought the item back before the Board for discussion and possible motions.

Trustee Easton made a motion to approve Ordinance #09-2009, an ordinance approving modifications to Chapter 8.30, establishing inspection and monitoring programs for stormwater discharge and erosion control, seconded by Trustee Plank. Motion passed 6-0.

3. (Continued from March 16th Meeting) **Ordinance #10-2009, an ordinance amending Chapter 16.40, Best Management Practices for stormwater discharge and erosion control**

(See item #2 for detail)

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

Trustee Easton made a motion to approve Ordinance #10-2009, an ordinance amending Chapter 16.40, Best Management Practices for stormwater discharge and erosion control, seconded by Trustee Drumm. Motion passed 6-0.

4. **Ordinance #11-2009, an ordinance approving amendments to the Regional Building Code**

Mr. Tom Kassawara, Director of Development Services stated that as a participating jurisdiction in the Pikes Peak Regional Building Department (PPRBD), the Board of Trustees is being asked to review and approve amendments to the Regional Building Code. The additions and modifications presented for the Board's approval are intended to incorporate several changes. The changes are to the floodplain section, adding definitions, revising the appeals procedure, and additional regulations for contractors and homeowners; to the makeup of the Board, allowing former members to act as alternates so that a quorum may be more easily attained; and the addition of an annual permit for various trades, with the fee for such permit to be administratively determined by the building official. The PPRBD staff supports the additions and modifications, and the City of Colorado Springs, El Paso County, Fountain, and Manitou Springs have already approved these revisions. A letter from the PPRBD to the Town Board outlining the proposed revisions is provided in the packet, PPRBD staff is present to answer any questions or to further explain the proposed amendments.

Mr. Bob Kroft, PPRBD, briefly detailed the amendments and explained the 50% improvements in the flood plain and 2-year improvement timeframe which is a significant change he stated. He responded to questions raised by the Board regarding permits for demolition and the process of permitting as it flows from the Town's use permits to the Regional Building Department's role in final permitting and related items such as inspection and certification.

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

Trustee Miller made a motion to approve Ordinance #11-2009, an ordinance approving amendments to the Regional Building Code, seconded by Trustee Plank. Motion passed 6-0.

5. Ordinance #12-2009, an ordinance approving a Replat for the Village Center at Woodmoor Filing 3 subdivision, for a future Independent Senior Living Facility and a medical clinic

Mr. Tom Kassawara, Director of Development Services stated that this is a proposed change of use from open space to a senior living facility to accommodate 57 senior apartments and a medical clinic facility, known as Arbor Mountain Senior Living Facility.

Mayor Glenn opened the public hearing for comments.

Mr. Tim Irish, Arbor Mountain representative, commented that the technicalities have all been resolved.

Mayor Glenn asked for any additional public comments, seeing none, he closed the public hearing and brought the item back before the Board for discussion and possible motions.

Trustee Easton made a motion to approve Ordinance #12-2009, an ordinance approving a Replat for the Village Center at Woodmoor Filing 3 subdivision, for a future Independent Senior Living Facility and a medical clinic, seconded by Trustee Drumm. Motion passed 6-0.

6. Ordinance #13-2009, an ordinance approving a 3rd Major Amendment to the Preliminary PD Site Plan for the Trails End development

Mr. Tom Kassawara, Director of Development Services stated that Mr. Doug Fullen from Way Architects, representing Richmond American Homes, is seeking approval of a 3rd Major Amendment to the Trails End Preliminary PD Site Plan for 11 additional single-family residential models and elevations. He stated that the Planning Commission voted 3-1 to recommend approval of the 3rd Major Amendment with no conditions. One of the Commissioners had raised some points regarding surveying which have been examined and addressed. He turned the presentation over to the applicant.

Mr. Doug Fullen from Way Architects, representing Richmond American Homes, stated that eight (8) of the additional models and associated elevations, as well as additional elevation options for three (3) previously approved models (the Diana, Pinnacle, and Orion). The additional models are within the square footage ranges of those currently approved, from 1,647 square feet to 2,378 square feet, not including garages and optional finished basements. The amendment will provide more variety in the housing styles within the neighborhood. The proposed elevations are in general conformance with the conceptual elevations approved in the original Trails End Master Plan, and they will also meet the architectural and height requirements of the approved plans. He addressed items discussed at the Planning Commission hearing regarding compatibility and having more "expensive" type home elevations selling for less which residents feared may reduce their property values. He stated that the additional variety will improve the aesthetic quality and value and will ultimately increase all of the property owner's values, not decrease them as feared. He displayed each of the model types and the three (3) elevations for each model. He discussed the garage door options which were an issue at the Planning Commission hearing, and provided photos of existing homes in the project with the same door styles.

Mayor Glenn opened the public hearing for comments.

Mr. Roger Gloddy, Trails End Homeowners Association, discussed opinions on both sides of the issue. He apologized for missing the Planning Commission hearing as he was in the airport at the time. He explained the process of talking with neighbors, and mailing out information to all 350 residents of the neighborhood. He stated that “most people do not care” about this issue. He said that he prefers diversity, and to build a nicer home is great, this pulls those around them up in value.

Ms. Ashley Fritz, Trails End resident, stated that she does not want to see all the same architectural features clumped together in the remaining few lots.

Discussion ensued regarding the covenant restrictions, specifically the prevention of the same model on adjacent lots (which is enforceable by the builder and HOA). The additional variations increase the variety of models and elevations which should minimize having the same features on remaining lots.

Mayor Glenn stated that issues regarding covenant restrictions are items under the jurisdiction of the HOA and the builder. This application and the Board’s role here is to determine if these additional 11 models and elevations are to be approved for use (in addition to the existing models and elevations currently available).

Mayor Glenn closed the public hearing and brought the item back before the Board for discussion and possible motions.

Trustee Drumm asked if Energy Star has been incorporated into the building of the remaining homes.

Mr. Fullen responded yes, it has.

Trustee Miller made a motion to approve Ordinance #13-2009, an ordinance approving a 3rd Major Amendment to the Preliminary PD Site Plan for the Trails End development, seconded by Trustee Easton. Motion passed 6-0.

Liquor License Hearings:

8. Renewal Hearing for Columbine Garden Restaurant

Mr. Scott Meszaros, Town Clerk, stated that he recommends renewal of the liquor license. He stated that there have been no violations in the past 12 months, and that all fees and proper processing has been completed.

Trustee Drumm made a motion to approve renewal of the liquor license for Columbine Garden Restaurant, seconded by Trustee Easton. Motion passed 6-0.

Financial Issues:

9. Disbursements over \$5,000

Ms. Catherine Green, Town Manager stated that an additional disbursement has been added for the meeting for Alexandher Building Company in the amount of \$212,487.81 for the New Government Facility Building Capital Project for the April disbursement.

Trustee Miller made a motion to approve the disbursements over \$5,000, seconded by Trustee Plank. Motion passed 6-0.

Reports and Updates:

Town Attorney

Mr. Gary Shupp, Town Attorney, stated that the Town's Auditor requested information pertaining to any litigation that the Town is currently involved in. He stated that he wrote a letter regarding the litigation the Town has been in regarding the Batch Plant and Ms. Masse, this continues to be our never ending issue and the only remaining issue is the determination of legal fees on the case.

10. Town Manager's Report

Ms. Catherine Green, Town Manager, detailed her report. She desired to have the Board send her dates which would be good for conducting another retreat regarding the Mission Statement and Goals. She would like to set this up soon so that the facilitator can be notified and a location reserved.

Public Comments

None

Adjournment

Trustee Miller made a motion to adjourn at 7:29 pm, seconded by Trustee Drumm. The motion passed 6-0.

Respectfully Submitted,

Scott W. Meszaros, CMC
Town Clerk