

**TOWN OF MONUMENT**  
**MINUTES OF THE BOARD OF TRUSTEES**  
**REGULAR MEETING**

**Monday, January 4, 2010**

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

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

Mayor Easton 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 Easton led those assembled in the Pledge of Allegiance. The following Board members and Staff were present for the meeting:

**BOARD OF TRUSTEES:**

**Present:**

Mayor Easton  
Trustee Dominguez  
Trustee Drumm  
Trustee Gingrich  
Trustee Kaiser  
Trustee Plank  
Trustee Squires

**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:**

Jim Kendrick	James Van Kekerix	Bill Baker	Ed Delaney
Stephen Marks	Monica Harder	Tom Harder	Kathy Spence
Adam Cupp	Jeff Cramer		

Trustee Plank made a motion to approve the agenda, seconded by Trustee Kaiser. The motion passed 6-0.

**1. Approval of Minutes of December 7, 2009 Regular meeting**

No changes were noted.

Trustee Gingrich made a motion to approve the minutes of December 7, 2009 for the Regular Meeting as presented. Trustee Dominguez seconded the motion. The motion passed 6-0.

Trustee Dominguez inquired if the Town has an IGA in place with the Triview Metropolitan District for Administrative Services similar to the IGA in item #9 of the previous minutes for Water Services.

Ms. Catherine Green, Town Manager responded that there is not currently an IGA in place.

Trustee Dominguez asked for a timeline on this issue.

Ms. Green responded that it has been five months and the attorney's have been working on the agreement. She stated that she would follow up on the item.

### **Public Comments**

None

### **Acknowledgement: Certificate of appreciation to A.B. Tellez (Rosie's Diner)**

Mayor Easton stated that the recognition and presentation of this item will be continued to the next meeting as the recipient is not in attendance.

### **Resolutions:**

#### **2. Resolutions #01 through #04-2010, resolutions appointing Ed Delaney, Kathy Spence, David Gwisdalla, and Bill Baker as Monument Planning Commissioners**

Mr. Tom Kassawara, Director of Development Services stated that three of these four current Planning Commissioners are here this evening, Commissioner Gwisdalla was not able to attend due to out of Town work commitments. He recommends re-appointing all four Commissioners to a term ending January, 2012.

Trustee Kaiser asked if there are any additional applicants for the appointments.

Mr. Kassawara responded no. He explained that there is also one additional vacancy which he hopes to fill. Advertisements and notices have been out to solicit additional participation.

Trustee Dominguez made a motion to approve Resolutions #01 through #04-2010, resolutions appointing Ed Delaney, Kathy Spence, David Gwisdalla, and Bill Baker as Monument Planning Commissioners, seconded by Trustee Plank. Motions passed 6-0.

#### **3. Resolution #05-2010, a resolution submitting to the voters in the April 6, 2010 Mail Ballot Election, the question of "should the Town be permitted to publish by title only"**

Mr. Scott Meszaros, Town Clerk explained that C.R.S. 31-16-105 allows voters to decide via ballot question if the municipality may publish approved ordinances by title only. The continual updates, annual work such as approving the Budget, and various other tasks such as zoning or regulatory changes are approved via ordinance. If approved, these items would only be required to be published by their titles and a short narrative explaining that the full document and information is available by contacting the Town Clerk, or perhaps these items will be made available via the website. This would create a significant reduction in mandatory publication expenses for future years. He estimated that currently this process is costing the Monument Tax payers approximately \$15k to \$20k per year for a service very few persons utilize. He explained that this ballot item is NOT a TABOR issue, and therefore there are no pro/con statements. He commented

that to get this issue out to the public, he would like to see the local news press do a story or article about the issue.

Trustee Plank inquired if additional explanation of this issue could be incorporated into the ballot.

Mr. Gary Shupp, Town Attorney responded that he did not know if that is possible, he would research Trustee Plank's question and let the Board know if it is an option.

The Board unanimously agreed that this item is a good idea to save funds and to present to the voters on the April Mail Ballot.

Trustee Dominguez made a motion to approve Resolution #05-2010, a resolution submitting to the voters in the April 6, 2010 Mail Ballot Election, the question of "should the Town be permitted to publish by title only", seconded by Trustee Kaiser. Motion passed 7-0.

**4. Resolution #06-2010, a resolution authorizing the Town Clerk to appoint Election Judges and establishing their rate of pay for the April 6, 2010 Mail Ballot Election**

Mr. Scott Meszaros, Town Clerk stated that at the December 7<sup>th</sup> Board of Trustees meeting the Board approved conducting the April election via Mail Ballot. With the approval of the "publish by title only" question to the voters (previous approved item), the Town cannot cancel the election due to the fact that there is more than the election of Town officers on the ballot. Therefore, the Town Clerk is required to appoint, train, and schedule judges for the upcoming election as outlined by Colorado Revised Statutes. He stated that he would hire 5 judges, one being an alternate. The resolution details the amount of pay. He will advertise and take applications for judges and begin the process for the upcoming election. He explained that this resolution is a "housekeeping" item which is done for each election; it allocates the authority to the Town Clerk to handle the election judging rather than having the Board members, several of which are potentially on the ballot from direct involvement in the process.

Trustee Kaiser inquired about when the Nomination Petitions are available and due.

Mr. Meszaros responded that the packets and Nomination Petitions will be available beginning on February 16<sup>th</sup> which is consequently also a Board of Trustees meeting night. He stated that he does not have the election timeline with him for verification, but believes the petitions are due back by the first Friday in March (they are in fact due back by Friday, March 5<sup>th</sup>). He stated that ten (10) validated signatures are required for the nomination, there are twenty-five (25) signature lines on the petition and he recommends that candidates attempt to fill the sheet. There will be several notices in the Tribune regarding the election and availability of running for Mayor and three Trustees in the upcoming election. He explained that he goes over the packet and requirements with each interested candidate and that nomination packets must be signed out.

Trustee Plank made a motion to approve Resolution #06-2010, a resolution authorizing the Town Clerk to appoint Election Judges and establishing their rate of pay for the April 6, 2010 Mail Ballot Election, seconded by Trustee Gingrich. Motion passed 7-0.

**Ordinances:**

**5. An ordinance approving updates to the Parks, Open Space, and Trail dedication requirements in Chapter 16.32 “Dedications” and Chapter 17.40 “Planned Development District”**

Mr. Tom Kassawara, Director of Development Services stated that this item has been noticed and posted for this evening, however the Planning Commission has requested to have additional information on the item which was continued to the January Planning Commission Hearing. With the continuation of the item at the Planning Commission, he requests that the scheduled hearing be continued to the first BOT meeting in February.

Trustee Squires made a motion to continue the public hearing to the February 1, 2010 BOT meeting, seconded by Trustee Gingrich. Motion passed 7-0.

**6. Ordinance #01-2010, an ordinance approving a 3<sup>rd</sup> Major Amendment to the Monument Ridge Preliminary PD Site Plan**

Mr. Tom Kassawara, Director of Development Services detailed the Staff Report for items #6, 7 and 8. He explained that this application proposes the 3<sup>rd</sup> Major PD Amendment to the Monument Ridge Preliminary PD Site Plan. The primary purpose of the amendment is to reconfigure the in-line retail on Lot 5 into three lots for freestanding buildings. It also proposes a minor change to clarify the permitted uses and to add sit-down restaurants, office, day care and medical/dental uses on lots 3, 5A-C, 6, 7, and 8. These uses are also proposed for Lots 10A-10C, which were approved by the Board of Trustees on December 7<sup>th</sup> as part of the 2<sup>nd</sup> Major PD Amendment. Included in this submittal is a replat for Lot 5 and a Preliminary/Final PD Site Plan for a proposed AutoZone. There are no outstanding referral comments and the proposals meet all evaluation criteria and compliance issues. The Planning Commission voted 6-0 to recommend approval of the 3<sup>rd</sup> Major Amendment.

Mayor Easton opened the public hearing for comments, seeing none, the hearing was closed and the item brought back before the Board.

Trustee Plank made a motion to approve Ordinance #01-2010, an ordinance approving a 3<sup>rd</sup> Major Amendment to the Monument Ridge Preliminary PD Site Plan, seconded by Trustee Kaiser. Motion passed 7-0.

**7. Ordinance #02-2010, an ordinance approving a replat of Lot 5 in the Monument Ridge Development**

(See item #6 for details). Mr. Kassawara stated that the Planning Commission voted 6-0 to recommend approval of the replat of Lot 5.

Mayor Easton opened the public hearing for comments, seeing none, the hearing was closed and the item brought back before the Board.

Trustee Dominguez made a motion to approve Ordinance #02-2010, an ordinance approving a replat of Lot 5 in the Monument Ridge Development, seconded by Trustee Kaiser. Motion passed 7-0.

**8. Ordinance #03-2010, an ordinance approving a Preliminary/Final PD Site Plan for Lot 5A in the Monument Ridge Development**

(See item #6 for details). Mr. Kassawara stated that the Planning Commission voted 5-1 to recommend approval of the Preliminary/Final PD Site Plan for Lot 5A.

Mayor Easton opened the public hearing for comments, seeing none, the hearing was closed and the item brought back before the Board.

Trustee Drumm questioned how one gets from the proposed development to west bound Baptist Road out of the project. He commented that internal signage is problematic already in the Monument Ridge Development and he asked for increased visibility and signage which will alleviate confusion.

Mr. Kassawara responded that one would need to go to Struthers and then to the intersection to make a westbound movement onto Baptist Road. He explained that the County has prohibited the movements out of the development onto Baptist Road. He stated that he would examine making signage “more clear” within the proposed development.

Mr. Jeff Kramer, Thomas & Thomas, on behalf of the applicant, provided large scale renderings of the proposed development and Mr. Kassawara detailed the lots and movements as requested by Trustee Drumm.

Mayor Easton commented that a “3/4 movement” at the site onto Baptist seems appropriate due to safety and traffic volumes.

Trustee Plank made a motion to approve Ordinance #03-2010, an ordinance approving a Preliminary/Final PD Site Plan for Lot 5A in the Monument Ridge Development, seconded by Trustee Drumm. Motion passed 7-0.

**Financial Reports and Updates:**

**9. Disbursements over \$5,000**

Ms. Pamela Smith, Town Treasurer, detailed the two disbursement requests in the packet (Triview Metropolitan District, \$112,188.06) and (Pioneer Sand Company, Inc., \$190,360.76 for the fifth pay request on the Third Street Construction).

There were no questions.

Trustee Drumm made a motion to approve the disbursements over \$5,000, seconded by Trustee Dominguez. Motion passed 7-0.

**Discussion Item**

**10. Old Denver Highway Pavement Recommendations**

Mr. Tom Kassawara, Director of Development Services detailed his informational update on the results of the pavement study conducted on Old Denver Highway. He detailed the two borings done at the area of the Dirty Woman Creek culvert and area adjacent to R Rockyard’s site. The conclusion drawn from the engineer from the results is that there are no serious pavement or embankment problems that would cause the Town to be required to take immediate and significant steps to effect repairs. A 10-year pavement

design recommendation was suggested, however due to potential future contributions from Triview or possible development between Old Denver Highway and the Santa Fe Trail, this alternative is not currently his recommendation. He suggests going with the 5-year approach suggested and agrees with the plan. This entails; a 2-inch overlay in distressed areas as needed, proactive crack sealing along the entire corridor, chip sealing or slurry sealing on the areas overlaid within the past five years, and weight restrictions on the road. Additionally, "No Thru Trucks" signs be placed along the northern and southern entrances to Old Denver Highway, accompanied by the appropriate weight restrictions. He stated that R Rockyard may go north or south as it is a tradeoff as to the impacts on the roadway.

Mr. James Van Kekerix, Monument Resident and owner of R Rockyard, provided details of the traffic study the County provided several years before. He explained that out of the 3600 trips generated, his trucks were only 1%. He commented that the Town Hall construction, St. Peter Catholic Church project, and Third Street Projects over the past year have had numerous loads of truck traffic which have significantly damaged the roadway more than his few trips out of his business. He voiced concerns about no trucks through on Old Denver.

Mr. Kassawara responded explaining that Mr. Kekerix's trucks would not be considered "thru" trucks under the definition and restrictions.

Trustee Gingrich, Trustee Kaiser, and Trustee Dominguez inquired about "end of life" and budget relation to this problem. Following lengthy discussions, the Board consensus was to follow the recommendation of the 5-year approach, to install "no thru trucks" signs, and to post weight limits as presented by Mr. Kassawara.

#### **Reports and Updates:**

##### **Town Attorney**

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

#### **11. Town Manager's Report**

Ms. Catherine Green, Town Manager, discussed having a joint meeting with the Trustees and the Triview Board of Directors in the near future. She asked Board members to let her know a date which will work for them. She recommended that the January 19<sup>th</sup> meeting (Tuesday meeting due to holiday) be dedicated to water discussions and a potential future water rights purchase with the City of Fountain.

#### **Adjournment**

Trustee Kaiser made a motion to adjourn at 7:57 pm, seconded by Trustee Dominguez. The motion passed unanimously 7-0.

Respectfully Submitted,

*Scott W. Meszaros, CMC*  
Town Clerk