

TOWN OF MONUMENT
MINUTES OF THE BOARD OF TRUSTEES
REGULAR MEETING

Monday, April 19th, 2010

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

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

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

BOARD OF TRUSTEES:

Present:

Trustee Drumm
Trustee Gingrich
Trustee Kaiser
Acting Mayor Pro Tem Plank
Trustee Squires

Absent:

Mayor Easton
Trustee Dominguez

TOWN STAFF:

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

Also present were:

Jim Kendrick	Ray Shorette	Patrick Quinlan	Jon Spence
Christopher Brooks	Kevin Brooks	Donald Johnson	

Trustee Plank stated that the first order of business is to appoint an Acting Mayor Pro Tem for the meeting as Mayor Easton and Mayor Pro Tem Dominguez are both absent. Trustee Squires made a motion to appoint Trustee Plank as the Acting Mayor Pro Tem, seconded by Trustee Gingrich. Motion passed.

Trustee Drumm made a motion to approve the agenda, seconded by Trustee Squires. The motion passed 5-0.

1. Approval of Minutes of April 5th, 2010 Regular meeting

Acting Mayor Pro Tem Plank had the following revisions; Page 3, "3/50 Campaign item" wording "**a minimum of**" was added to the \$350 in sales receipts line. The second cycle was revised to "**September through November**", and a sentence "**Drawing will be conducted at Small Town Christmas**" was added.

Trustee Gingrich made a motion to approve the minutes of April 5, 2010 for the Regular Meeting with noted corrections. Trustee Squires seconded the motion. Motion passed 4-0-1 as Trustee Drumm abstained.

Public Comments

None

Resolutions:

2. Resolution #15-2010, a resolution authorizing the closure of Town Streets and the issuance of a Special Event Permit for the Annual Tri-Lakes Cruiser's Car Show

Mr. Scott Meszaros, Town Clerk stated that the applicant is not changing anything from last year's event. Routing to all departments has been provided and approved, a Certificate of Insurance was turned in this evening, and all requirements have been met for this Event Permit. The closure of Town streets requires Board approval. He introduced Mr. Jon Spence, Event Coordinator for the event.

Mr. Jon Spence, Tri-Lakes Cruiser's Car Show Event Coordinator, asked if the Board had any questions. He described the event, stating that this will be the 9th annual. The event usually concludes around 2pm, however the permit request goes through 4pm to cover clean-up or unforeseen delays. This year he anticipates between 120 and 200 entries, he encouraged everyone to come out and enjoy the event which will be held on June 13th (Sunday prior to Father's Day).

Trustee Drumm made a motion to approve Resolution #15-2010, a resolution authorizing the closure of Town Streets and the issuance of a Special Event Permit for the Annual Tri-Lakes Cruiser's Car Show, seconded by Trustee Kaiser. Motion passed 5-0.

3. Resolution #16-2010, a resolution authorizing the closing of Town Streets and the issuance of a Special Event Permit for conducting the Annual 4th of July Parade

Mr. Scott Meszaros, Town Clerk stated that the applicant is not changing anything from last year's event. Routing to all departments has been provided and approved, a Certificate of Insurance was submitted, and all requirements have been met for this Event Permit. The closure of Town streets requires Board approval. He introduced Mr. Don Johnson and Mr. Patrick Quinlan, Event Coordinators for the event.

Mr. Don Johnson, Monument Hill Sertoma representative and July 4th Parade Event Coordinator, provided a brief introduction of the history of the Parade. He stated that there will again be no fly-over due to budget constraints. He inquired about the process of shutting down Old Denver Highway from Santa Fe Avenue to the Past Times Subdivision as the County previously provided a permit. Now that the Town owns the roadway, he was unclear of the process. He stated that usually the road is shut-down to through traffic from 7:30am until approximately noon.

The Board asked Mr. Rich Landreth, Director of Public Works if he has any concerns regarding the closure of the roadway. He responded that he does not. The Board would

like to get the Police Department's feedback on closing Old Denver Highway as proposed (this has been done for numerous years in the past).

Trustee Gingrich made a motion to approve Resolution #16-2010, a resolution authorizing the closing of Town Streets and the issuance of a Special Event Permit for conducting the Annual 4th of July Parade, seconded by Trustee Kaiser. Motion passed 5-0.

Mr. Meszaros inquired if the Board would conditionally approve the closure of the portion of Old Denver Highway as long as the Police Department is contacted and has no objections. The Board amended the motion to include the condition that restricted access on Old Denver Highway is permitted between the times of 7:30am and noon. Amended motion passed 5-0.

4. Resolution #17-2010, a resolution awarding a contract to Landscape Endeavors, Inc. for the Third Street Improvements (Landscaping and Irrigation) Project

Mr. Tom Kassawara, Director of Development Services provided a background on the Town's bid solicitation which went out on March 31, 2010 for the landscaping and irrigation portion of the Third Street Improvements project. Bids were opened on April 13, 2010 with two (2) bids submitted. The lowest responsive and responsible bidder was Landscape Endeavors, Inc. The bid included two cost-saving alternates, which were for smaller rock than specified. Staff recommends that the Town accept Alternate #1 for 2"-4" rock in lieu of 4"-8" rock, for a cost savings of \$1700. The total low bid including Alternate #1 is therefore \$69,570. The budget for this project is \$82,735, Staff recommends appropriating the remaining \$13,165 in the budget to contingency for this project. References have been checked, and Town Staff has previously worked with the contractor on the Mist Creek Park project, which went very well. Landscape Endeavors plans to complete the work without the use of any subcontractors. Staff recommends award of the contract for this project, Mr. Ray Shorette, representing Landscape Endeavors is present should the Board have any questions. Once bonding and contract items are executed, Mr. Shorette proposed beginning the project in early May and assured that the project will be completed prior to July 4th, sod is anticipated to be installed approximately 6 weeks prior.

Trustee Drumm made a motion to approve Resolution #17-2010, a resolution awarding a contract to Landscape Endeavors, Inc. for the Third Street Improvements (Landscaping and Irrigation) Project, seconded by Trustee Gingrich. Motion passed 5-0.

Public Hearing

5. Resolution #18-2010, a resolution finding Forest Lakes Addition No. 4 to be eligible for Annexation

Mr. Tom Kassawara, Director of Development Services provided discussion on items #5, #6, and #7 within the same presentation. He discussed the State Statute requirements and stated that the annexation does meet substantial compliance and all requirements for the hearing have been met. The applicant is requesting annexation for the 1.974 acre parcel. The parcel was formerly owned by the Colorado Department of Transportation (CDOT) and has been transferred to Forest Lakes (Dennis Minchow of the Shuck Corporation- applicant) as part of a land trade for Preble's Meadow Jumping

Mouse habitat. There are no significant outstanding issues, 71.83 percent of the property is contiguous with Town boundaries. The parcel meets all Review and Approval Criteria analysis and the Planning Commission at its March 10, 2010 meeting voted 7-0 to recommend approval of the annexation plat, and zoning request (PID).

Acting Mayor Pro Tem Plank opened the public hearing for comments. Seeing none, the public hearing was closed and the item brought back before the Board for further discussion and a possible motion. Three separate motions were made and voted upon.

Trustee Drumm made a motion to approve Resolution #18-2010, a resolution finding Forest Lakes Addition No. 4 to be eligible for Annexation, seconded by Trustee Gingrich. Motion passed 5-0.

Ordinances:

6. Ordinance #07-2010, an ordinance approving the Annexation of Forest Lakes Addition No. 4

(See item #5 for discussion)

Acting Mayor Pro Tem Plank opened the public hearing for comments. Seeing none, the public hearing was closed and the item brought back before the Board for further discussion and a possible motion.

Trustee Gingrich made a motion to approve Ordinance #07-2010, an ordinance approving the Annexation of Forest Lakes Addition No. 4, seconded by Trustee Drumm. Motion passed 5-0.

7. Ordinance #08-2010, an ordinance approving PID Zoning for the Forest Lakes Addition No. 4

(See item #5 for discussion)

Acting Mayor Pro Tem Plank opened the public hearing for comments. Seeing none, the public hearing was closed and the item brought back before the Board for further discussion and a possible motion.

Trustee Kaiser made a motion to approve Ordinance #08-2010, an ordinance approving PID Zoning for the Forest Lakes Addition No. 4, seconded by Trustee Gingrich. Motion passed 5-0.

8. Ordinance #09-2010, an ordinance amending Monument Municipal Code Chapter 16.44 - Street Design, Section 17.45.020 – Submittal Requirements, Section 17.48.100 – Outdoor Lighting Standards, Section 17.48.290 – Water Standards, adding Section 17.48.300 – Roadway Standards, and amending Section 17.60.100 – Access, and Section 17.60.140 - On-Street Parking

Mr. Tom Kassawara, Director of Development Services discussed the adoption of roadway standards by reference and a Power Point presentation was used to highlight the Triview Metropolitan District/ existing Town Code/ and Pueblo Standards which were incorporated by Mr. Kassawara in drafting (with the assistance of Nolte Associates, Inc.) merged standards to simplify review and allow for much more diversified roadway

alternatives. The comprehensive set of new Roadway Standards has been completed and Staff recommends adoption. In addition, a correction is being made at this time to the title of the Town's water standards. Ms. Catherine Green, Town Manager assisted Mr. Kassawara in the presentation of the major additions and modifications which included; several new roadway types, clearer definition of the function of each roadway type, special provisions for downtown streets, a section on street lighting, standards for roadway drainage, design of roundabouts (traffic circles), and a table summarizing all of the design features and planning characteristics of the various roadway types. At the March 10, 2010 Planning Commission meeting they recommended approval by a vote of 7 to 0.

Acting Mayor Pro Tem Plank opened the public hearing for comments. Seeing none, the public hearing was closed and the item brought back before the Board for further discussion and a possible motion.

Trustee Squires made a motion to approve Ordinance #09-2010, an ordinance amending Monument Municipal Code Chapter 16.44 - Street Design, Section 17.45.020 – Submittal Requirements, Section 17.48.100 – Outdoor Lighting Standards, Section 17.48.290 – Water Standards, adding Section 17.48.300 – Roadway Standards, and amending Section 17.60.100 – Access, and Section 17.60.140 - On-Street Parking, seconded by Trustee Gingrich. Motion passed 5-0.

9. Ordinance #10-2010, an ordinance amending Monument Code Section 16.36 "Improvements"

Mr. Tom Kassawara, Director of Development Services summarized the numerous changes and Staff updates to the Code Section. He discussed sight issues such as erosion, pipes, etc... and the difficulty of obtaining resolution without proper surety. He discussed the Town Attorney's recommendation to do Letters of Credit (L.O.C.) rather than bonds. Mr. Kassawara reviewed the Staff Report and detailed each Code Section change. One of the areas detailed emphasized requiring surety for 125% of the cost of public improvements and restricts conveyance of lots, as before, but only until the Town has given initial acceptance of the improvements, at which time the amount of the surety will drop to only 25% of the cost of the improvements during the warranty period. Additionally, improvements can be secured based on an individual subdivision phases, instead of requiring surety for an entire subdivision.

Acting Mayor Pro Tem Plank opened the public hearing for comments. Seeing none, the public hearing was closed and the item brought back before the Board for further discussion and a possible motion.

Trustee Kaiser made a motion to approve Ordinance #10-2010, an ordinance amending Monument Code Section 16.36 "Improvements", seconded by Trustee Drumm. Motion passed 5-0.

10. Ordinance #11-2010, an ordinance amending Monument Code Section 16.04 "Inactive Plats or Agreements"

Mr. Tom Kassawara, Director of Development Services stated that this revision allows the Director of Development Services to grant extensions of up to two years. The current Code allows only a one-year extension to be approved by Staff. New language

is also proposed to allow the Board of Trustees to grant additional extensions beyond the one-year time period which they are currently authorized to approve. An extension can only be granted if the subdivision continues to conform to the current Review and Approval Criteria and there must be adequate justification for the extension. The proposed revisions also authorize the collection of fees to cover costs and Staff time for processing the extension request. The Planning Commission voted 7-0 to recommend approval.

Acting Mayor Pro Tem Plank opened the public hearing for comments. Seeing none, the public hearing was closed and the item brought back before the Board for further discussion and a possible motion.

Trustee Kaiser made a motion to approve Ordinance #11-2010, an ordinance amending Monument Code Section 16.04 "Inactive Plats or Agreements", seconded by Trustee Gingrich. Motion passed 5-0.

11. Ordinance #12-2010, an ordinance amending Monument Code Section 16.16 "Sketch Plat"

Mr. Tom Kassawara, Director of Development Services explained that the current Code requires, actually mandates that a sketch plat be submitted for preliminary review. He explained that applicants generally use a "Sketch Plan" detailing more specific details and that the "Sketch Plat" has not been utilized for several years. To alleviate any inconsistencies in the Town Code and practices of the Development Services Department this amendment makes the Sketch Plat application optional, as determined by the Director of Development Services, to add review criteria, and to describe the review process in more detail.

Acting Mayor Pro Tem Plank opened the public hearing for comments. Seeing none, the public hearing was closed and the item brought back before the Board for further discussion and a possible motion.

Trustee Squires made a motion to approve Ordinance #12-2010, an ordinance amending Monument Code Section 16.16 "Sketch Plat", seconded by Trustee Kaiser. Motion passed 5-0.

12. Ordinance #13-2010, an ordinance amending Monument Code Section 10.04 and adopting by reference the 2010 Model Traffic Code

Mr. Gary Shupp, Town Attorney explained that the item is a "housekeeping" item which adopts the updated 2010 "Model Traffic Code" version which is referenced in the Town Code.

Acting Mayor Pro Tem Plank opened the public hearing for comments. Seeing none, the public hearing was closed and the item brought back before the Board for further discussion and a possible motion.

Trustee Squires made a motion to approve Ordinance #13-2010, an ordinance amending Monument Code Section 10.04 and adopting by reference the 2010 Model Traffic Code, seconded by Trustee Gingrich. Motion passed 5-0.

Liquor License Hearings:

13. Renewal Hearing for Jasmine Garden, Inc.

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 Jasmine Garden, Inc., seconded by Trustee Kaiser. Motion passed 5-0.

14. Renewal Hearing for Eagle Wine and Spirits

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 Kaiser made a motion to approve renewal of the liquor license for Eagle Wine and Spirits, seconded by Trustee Drumm. Motion passed 5-0.

Financial Reports and Updates:

15. Disbursements over \$5,000

Ms. Pamela Smith, Town Treasurer, handed out a revised disbursement sheet. The Triview Metropolitan District disbursement (\$95,125.48) is based upon the "Actual" which was not received in time for the previous request in the packet (not to exceed amount was previously provided). The disbursement is for Sales Tax Due for February 2010, Motor Vehicle Tax for March 2010, and Regional Building Sales Tax for March 2010.

Trustee Gingrich made a motion to approve the disbursement to Triview as presented, seconded by Trustee Squires. Motion passed 5-0.

Analysis of 2009 Budget (Item Continued from April 5th BOT Meeting)

Ms. Pamela Smith, Town Treasurer, asked if there are any questions on this informational item which was continued at the previous meeting. No questions were asked. She stated that in 2009 there was significant "debt reduction", \$4.5m was used out of cash for items such as the Town Hall project, Third Street Improvement Project, and repayment on debt.

16. Sales Tax Information

Ms. Pamela Smith, Town Treasurer, detailed her report on the Sales Tax earnings, collections and trends. She stated that the Annual Net Budgeted Collections are positive to Budget by \$2,843 or 0.8% through February 2010. The Sales Tax collected is through April of 2010 and the Town is slightly over collected by 0.9%, this is a little over a \$20k "swing" from the negative of the last three months. We are right on budget and a little ahead of collected so far this year. She will, as always, continue to watch the collections for any negative trends and keep the Board apprised. She stated that since we have "flat-budgeted" the 2010 Sales Tax, she feels we should at least hit the budget, if not be slightly over for this year. Item informational only, no action taken.

Reports and Updates:

Town Attorney

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

17. Development Services Department

Mr. Tom Kassawara, Director of Development Services, was asked by Trustee Drumm if the Monument Rock Business Park Phase 2 project will be required to have sidewalks. He explained that he remembers that at the original approval hearing, the applicant was required to install sidewalks on the property upon the completion of Phase 2.

Mr. Kassawara responded that the item was approved prior to his employment, and he will research the language and issue as Trustee Drumm has presented it.

18. Public Works Department

Mr. Landreth, Director of Public Works, commented that this is the 16th year that Monument is designated as a "Tree City USA" member. There will be a tree planting ceremony on April 30th and he invited the Board and Staff to attend. The Board requested an e-mail notification of where and at what time the planting will be conducted (it had not been determined as of the meeting where and at what time the event will transpire). Mr. Landreth stated that he would notify everyone.

Adjournment

Trustee Squires made a motion to adjourn at 8:17 pm, seconded by Trustee Gingrich. The motion passed 5-0.

Respectfully Submitted,

Scott W. Meszaros, CMC
Town Clerk