

## MONUMENT (Cont. from 12)

Director of Finance Mona Hirjoi, who presented the initiative, suggested that monthly reports could be included to track the revenue generated by the fund. LaKind continued to express dissatisfaction in Wells Fargo, but the council still gave direction to the town staff to continue with the investment fund.

### Heart of Monument Playpark

Resolution No. 64-2023 was discussed, which involved approving a contract with N.E.S. for the design and management of the Heart of Monument Playpark. The decision to select N.E.S. was reached after evaluation of proposals and presentations. It was clarified that the funding for this project primarily stemmed from fundraising efforts by the Kiwanis organization, which had successfully secured \$35,000 of the estimated \$47,000 required for the design phase, with the total cost of park construction estimated at \$450,000.

Scott Ross, representing Kiwanis, shared insights into the fundraising sources, which included substantial contributions from both grants and local donations. However, during the discussion, Councilmember Steve King expressed doubts and questioned the financial aspects of the project. He sought clarification on who would be responsible for the costs and expressed difficulty in comprehending the \$47,000 price tag for park design. Furthermore, King voiced concerns about N.E.S.'s past interactions with the community, claiming a "lack of compassion."

Katy Frank, a project manager with N.E.S., responded by assuring the council that she has always approached projects with community interests in mind. King inquired about Frank's role in the project, to which she confirmed her involvement as the lead. Councilmember Kimple raised a question about the park's compliance with the Americans with Disabilities Act (ADA), and Frank affirmed that the park would indeed be ADA compliant.

Continuing to seek clarification, King questioned the scoring method for selecting N.E.S., and Madeline VanDenHoek explained that N.E.S. was chosen primarily due to their experience with fundraising, which was crucial for the project's success. In the end, the motion to approve the contract with N.E.S. for the park's design and management passed unanimously.

### Water issues

Two presentations were given during the Oct. 2 meeting, both explaining Monument's water resources and soliciting the town's involvement. The first presentation was given by Jim McGrady, general manager for the Triview Metropolitan District, concerning the Northern Delivery System (NDS). The importance of storage was underscored as it provides the town with reserves in case of droughts. "If we don't conserve and the aquifer drops, pretty soon you find yourself without access to water," McGrady warned. His presentation ended with the request for Monument to

tap into the Triview water district. "We need to know now" if Monument would like to work with Triview.

The second presentation was from John Guzman and Jessie Schaffer of the El Paso County Regional Loop Water Authority (EPCRLWA). Established in 2022, the EPCRLWA is seeking Monument's participation, with a total project cost estimated to be \$150 million to \$200 million. The primary objective is to transition away from the Denver Basin as quickly as possible and adopt a "3 Rs" approach: reducing, repurposing, and reusing water sources.

Notable distinctions between the EPCRLWA and the NDS project were discussed, including EPCRLWA's independence from third-party involvement and potential value-creation opportunities. During the discussion, Mayor LaKind expressed concern over the wide cost estimate range and urged the EPCRLWA to provide more accurate figures. In response, EPCRLWA representatives explained that the wide price range was meant to prevent misrepresentation. Schaffer insisted that the EPCRLWA is about six months out from having more accurate numbers. Amy Lathen, general manager for the EPCRLWA, concluded the presentation by emphasizing that numbers are difficult to put up right now, but the EPCRLWA allows for options to get off dependence from the Denver Basin. "Autonomy is one of the major goals [of the EPCRLWA]," she said.

After the lengthy discussion, Romanello motioned to move Resolution No. 59-2023: A Resolution Affirming Participation in the Loop Water Authority Project to the first meeting in December.

### Streetscape design concepts

Michelle Lazarz, a student at the University of Colorado, presented redesign proposals for Historic Downtown Monument. The primary focus of her presentation was on wayfinding and streetscape design concepts, with the intention to enhance the area's appeal and attract visitors from the nearby interstate.

A significant aspect of the project involved assessing the existing parking spaces in the area, which currently consisted of 66 parallel parking spaces. A survey with 350 respondents was conducted. The proposal included three parking alternatives designed to optimize parking capacity while preserving the historic charm of the downtown area. However, it was emphasized that these were preliminary design concepts that would require further in-depth surveys to ensure compliance with ADA standards and streetscape regulations. The estimated budget for these proposed upgrades and improvements was \$2.2 million, encompassing enhancements to the streetscape, signage, and parking facilities.

Councilmembers posed questions and sought clarifications. Some of the key points of discussion included the consideration of roundabouts in the design, the potential increase in parking spaces with angle parking, and next steps in the project. The forthcoming stages of the project, including grant writing and planning, will be instrumental in bringing these

innovative concepts to life for the benefit of Monument's residents and visitors.

**Resolution to oppose Proposition HH dies**  
Mayor LaKind presented Resolution No. 65-2023, which addressed the council's position on Proposition HH, a state bill with potential ramifications for Monument residents' taxes. The resolution explicitly conveyed the council's opposition to Proposition HH and encouraged Monument residents to vote against it.

However, the introduction of the resolution sparked a discussion among councilmembers. Councilmember Kimple raised concerns about the council advising residents on how to vote, fearing it might lead to legal complications. Councilmembers Laura Kronick and King also voiced apprehensions, emphasizing the council's need to remain apolitical. In response, LaKind referenced Rep. Don Wilson's remarks that previous boards had passed similar resolutions. To navigate the legal aspects of the matter, the council sought guidance from the town attorney, Robert Cole.

Cole clarified that the law allowed the council to disseminate information and cited examples of other clients using similar resolutions. Councilmember Marco Fiorito clarified that the resolution aimed to express the council's opinion rather than dictate how residents should vote. Kronick emphasized the council's non-political stance, recommending that they refrain from taking a political position. Although LaKind called for a motion to approve the resolution, no motion was presented, resulting in the resolution being dropped.

### Emergency sign ordinance

On Oct. 18, the MTC held a special session to address concerns raised by the Monument Citizens for the First Amendment, a newly formed activist group, regarding the town's sign ordinance. The group claimed that the ordinance and its enforcement unconstitutionally restricted free speech, particularly related to political signage in public rights of way. An executive session was convened, and after discussions, the council decided not to pass an emergency ordinance temporarily suspending the enforcement of the specific section in question. The council, backed by the town attorney, argued that the existing sign code met legal standards and did not discriminate based on sign content.

\*\*\*\*\*

The Monument Council usually meets at 6:30 p.m. on the first and third Mondays of each month at Monument Town Hall, 645 Beacon Lite Road. The next meeting is scheduled for Monday, Nov. 6, but the Monday, Nov. 20, meeting has been cancelled. Call 719-884-8014 or see [www.townofmonument.org](http://www.townofmonument.org) for information. To see upcoming agendas and complete board packets or to download audio recordings of past meetings, see <https://monumenttownco.minutesondemand.com> and click on Town Council.

Chris Jeub can be reached at [chrisjeub@ocn.me](mailto:chrisjeub@ocn.me).

## Palmer Lake Board of Trustees, Oct. 12 and 26

# Use of undeveloped rights of way debated

By James Howald and Jackie Burhans

In October, at two board meetings, the Palmer Lake Board of Trustees continued a discussion of how to manage undeveloped rights of way (ROWs) that arose from its discussion in previous meetings of how to regulate use of recreational vehicles (RV) on private property. It continued its work on amending the town's sign code and considered a study of Stormwater Enterprise Fund rates. Town Administrator Dawn Collins distributed a draft budget for 2024 and the board set a schedule for a public hearing and approval.

Three public hearings were held, each ending in a vote on a resolution. The board heard a petition for annexation from the United Congregational Church and granted three special event permits. The board heard a request to install an electrical vehicle charger on town property and comments from a resident regarding its accounting practices.

The Oct. 12 and Oct. 26 meetings were preceded by executive sessions, which were concluded after the regular meeting.

At the Oct. 26 meeting, the Pledge of Allegiance was led by Sarah "Buddy" Caldwell, who recently moved into Hilltop Ranch, a community living facility for disabled adults.

### Use of undeveloped ROWs means risk for town

The board's discussion in previous months of how to regulate the use of RVs on private property revealed a related problem: often undeveloped ROWs that belong to the town are used to move RVs to private property. Attorney Matthew Krob pointed out that this use of undeveloped ROWs can make the town liable should an accident occur. He asked the board to consider this risk before reaching a decision on the RV issue.

At the Oct. 12 meeting, Krob reminded the board that it has the authority and the responsibility to regulate undeveloped ROWs and that the board previously adopted the El Paso County road standards in 2021. Residents using a town ROW that have built a road or driveway to standard don't present a problem, he said, but the town is liable when residents using an undeveloped ROW have not followed the road standards. When the town knows a resident is using an undeveloped ROW, the risk is even higher, he said.

Mayor Grant Havenar said requiring residents to abide by the road standards felt like over-governance. She argued Palmer Lake is unique and the road standards the town adopted might not be a good fit.

Krob pointed out that the standards allow for a range of road types, from simple gravel roads to more complex roads made from durable materials, with curbs and gutters. He suggested a review of the issue by the town's engineering consultants.

Trustee Shana Ball raised the issue of driveway agreements, contracts between residents and the town that allow the use of town ROWs to access private property but make the resident liable. The agreements need to be renewed every year. Collins said the town had a good number of these agreements in place, but some are no longer valid because they have not been renewed. Krob said the legal counsel for the Colorado Intergovernmental Risk Sharing Agency (CIRSA), which insures the town, advises against the use of driveway agreements. Krob said the town should be moving away from driveway agreements.

Krob said the town needed to put the burden of compliance with standards on the developers of the property. Failure to do this puts the town at risk, he said.

In response to a question from Ball, Fire Chief John Vincent explained that the Fire Department also set standards for roads, requiring them to provide access for emergency vehicles at all times.

The board agreed to continue the ROW discussion at its next meeting.

At the Oct. 26 meeting, Collins emphasized the difficulty of conducting town business without clear

standards in place.

Mark Morton, senior engineer at GMS Inc., explained the range of road types covered by the town's adopted standards. He pointed out that the number of daily trips on the road determined which standard would apply.

Krob repeated that the town should move away from driveway agreements and should adhere to standards to avoid being sued. He explained that if the town made an exception in one case, all future developers could demand the same exception for their project. Owners using undeveloped ROWs should be required to comply with the standards, he said.

Collins said the board should address this issue consistently going forward rather than trying to remedy every current situation.

The board took no specific action following the discussion.

### Sign code discussed; moratorium extended

At the Oct. 12 meeting, Havenar said she was uncomfortable with the exceptions proposed during the previous discussion of the sign code and concerned about which signs would be grandfathered in.

Krob said the staff needed direction on how to handle new signs, old signs that were never legal, and old signs that were legal at one time but don't comply with the new sign code. If the board could clarify the issues, he would write their ideas into the code, he said.

Ball asked why this was before the board and not a matter for the Planning Commission. Krob said the Planning Commission gets its authority from the board.

Havenar said she had gotten complaints about the proposed sign code from businesses who felt the code made it difficult to do business in the town.

Krob agreed the discussion so far was causing concern among business owners. He added his sense was the board wanted the code to allow existing signs to remain unchanged, but he argued signs that were never legal should be required to comply with the new code. The board has policing power over signs, he said, and can demand signs comply or be removed. Sign compliance could be made a requirement to get a business license. Krob said the board needed to specify the maximum size for signs. He emphasized that sign content can't be regulated.

Krob said he would continue to work on the sign code and recommended that the moratorium on new signs be extended.

At the Oct. 26 meeting, the board voted unanimously to extend the moratorium on new signs for six months.

## Paul's Asphalt Service

Top-quality asphalt paving and maintenance  
A+ rated by the BBB and great on-line reviews!

Hot mix asphalt paving • 5 types of asphalt sealcoating  
Hot rubber crack sealant/asphalt patch • Recycled asphalt paving

Paul Williams, Jr.  
719-453-4477 Monument  
AsphaltServiceOnline.com



Our Mobile Screen Repair truck has been coming to you for over 20 years - now you can come to us!



We're now accepting  
DROP OFFS for  
WINDOW SCREEN REPAIR  
in Downtown Monument!

Quick turn-around and the same great service!

Call or text 719-465-7867 to arrange to drop off your window screens today.

Mobile Screen Repair, LLC  
www.screenrepaircolorado.com

Over 120 five-star reviews on Google! ★★★★★