

for the purpose of throwing or projecting missiles of any kind by any means whatsoever, whether such instrument is called by any name, within the town limits of the Town of Monument, or upon any property owned by the Town of Monument within the town limits."

Shooting that is allowed within town limits includes:

- Officers on the police force are allowed to legally discharge their weapons while in the performance of their duties.
- BB guns and airsoft rifles, if used safely
- Shooting done inside shooting galleries
- Ceremonial discharge of weapons using blank cartridges

Town Attorney Gary Shupp explained that a separate

statute says "you can defend yourself" in a burglary situation.

After a long discussion and the amended motions, the ordinance passed 5-2. Trustees Jeff Bornstein and Jeff Kaiser voted no.

Concealed weapon seizure ordinance approved

A separate ordinance was unanimously approved to add language to the town code to allow police officers and judges to seize, hold, and store concealed weapons found on a person following an arrest until the judge can determine and order the proper disposition of the concealed weapon.

Fees deleted from town code

An ordinance removing the list of current town fee amounts from the town code was unanimously approved. The list of current Development Services Department fees will now be maintained by the town clerk. The amounts of the various fees will be changed by board resolutions rather than an amending ordinance as has been required until now, simplifying hearing publication and recording requirements. The descriptions of the various development fees and their applicability were not deleted from the existing code, and none was changed by this ordinance.

Regional Building service fee approved

A town resolution creating a Modified Intergovernmental Agreement (IGA) with the Pikes Peak Regional Building

Department (PPRBD) was unanimously approved. The modified agreement will allow automatic renewals of the agreement annually without the need for additional written agreements by both parties. The town will now pay PPRBD an administrative fee of 2 percent of the land use taxes PPRBD collects for Monument.

Water donated for Rinally Village

Mayor Dominguez stated a conflict of interest on a Rinally Village water rights resolution because he owns property related to the resolution. He recused himself from the meeting, asked Mayor Pro Tem Kaiser to run the remainder of the meeting, and left Town Hall.

Kassawara reported that Rinally Village, which is proposed to be a mixed-use development on Washington Street just south of Second Street, has a shortfall of available water rights of 0.73 acre-feet per year. A section of the town code states that the town may accept a fee in lieu of water rights in the event the water rights associated with a proposed development are insufficient. A 2007 board resolution allows the Board of Trustees to establish a discounted fee for the acquisition of water rights in the downtown area. The discount is designed to encourage higher density development in downtown.

Kassawara also reported that the board has the option of requiring the purchase of the 0.73 acre-feet of water or allowing the development to obtain the shortfall amount from the town's water portfolio without charge. Kassawara added that the staff recommends that the town allow this development to acquire the additional water rights without charge, similar to what has been done with several recent developments that experienced minor shortfalls of water. Once the board approves the acquisition, the staff can administratively approve the site plan for the project, which has met all of the town's development requirements

Kassawara said that in the past the town has given away small amounts of water rights to the proposed assisted living center (located on Beacon Lite Road adjacent to the Grace Best School) and the Lake of the Rockies

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