

TOWN OF BENNETT, COLORADO
BOARD OF TRUSTEES
Regular Meeting
December 11, 2018

1. CALL TO ORDER

The Board of Trustees of the Town of Bennett met in regular session on Tuesday, December 11, 2018, at the Bennett Town Hall, 207 Muegge Way, Bennett, Colorado. Mayor Royce Pindell called the meeting to order at 7:01 p.m. The following persons were present upon the call of the roll:

Mayor: Royce Pindell

Trustees Present: Darvin Harrell
Charles Bayley
Neal Mancuso
Rich Pulliam
Larry Vittum
Phyllis Webb - *Excused*

Staff Present: Dan Giroux, *Town Engineer*
Daymon Johnson, *Public Work Director*
Melissa Kendrick, *Town Planner*
Deb Merkle, *Community Development*
Danette Ruvalcaba, *Accountant*
Rachel Summers, *Deputy Town Administrator*
Trish Stiles, *Town Administrator*
Lynette White, *Town Clerk*

Public Present: Larry Gayeski

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Royce Pindell.

3. APPROVAL OF AGENDA

TRUSTEE VITTUM MOVED, TRUSTEE PULLIAM SECONDED to approve the agenda as presented. The Mayor declared the motion carried by unanimous vote.

4. CONSENT AGENDA

TRUSTEE PULLIAM MOVED, TRUSTEE VITTUM SECONDED to approve the Consent Agenda as presented. Voting was as follows;

YES: Harrell, Mancuso, Pindell, Pulliam, Vittum, Bayley
NO: None
EXCUSED: Webb

The Mayor declared the motion carried by unanimous vote.

A. Approval of Minutes

1. Action: Approval of November 27, 2018 Regular Meeting Minutes

B. Resolution

1. Action: Approval of Resolution No. 744-18 – A Resolution Approving An Intergovernmental Agreement With The County Of Adams For The Animal Shelter/Adoption Center Services

1.
5. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

There were no public comments presented to the Board of Trustees.

6. REGULAR BUSINESS

A. Public Hearing

1. Town of Bennett 2019 Budget

Mayor Royce Pindell called the matter of the Town of Bennett 2019 Budget, a public hearing to adopt the budget, making appropriations for the 2018 Budget Year and approving a mill levy. The public hearing was opened at 7:05 p.m.

Lynette White, Town Clerk, stated that in accordance with State statute, notice of the public hearing was properly posted and published in the Eastern Colorado News, September 28, 2018 as Legal No. 2147.

Danette Ruvalcaba, Accountant, presented the 2019 Town of Bennett Budget and Schedule of Fees.

Mayor Pindell closed the matter of the Town of Bennett 2019 Budget, a public hearing to adopt the budget, making appropriations for the 2019 Budget year and approving a mill levy at 7:15 p.m.

Resolution No. 737-18 – A Resolution Summarizing Expenditures and Revenues for each Fund and Adopting a Budget for the Town of Bennett, Colorado for the Calendar Year Beginning on the First Day of January 2019 and ending on the Last Day of December 2019 and adopting the Town of Bennett Schedule of Fees

TRUSTEE PULLIAM MOVED, TRUSTEE VITUM SECONDED to approve Resolution No. 737-18, a resolution summarizing expenditures and revenues for each fund and adopting a budget for the town of Bennett, Colorado for the calendar year beginning on the first day of January 2019 and ending on the last day of December 2019 and adopting the Town of Bennett Schedule of Fees. Voting was as follows:

YES: Mancuso, Pindell, Pulliam, Vittum, Bayley, Harrell
NO: None
EXCUSED: Webb

The Mayor declared the motion carried by unanimous vote.

Resolution No. 738-18 – A Resolution Appropriating Sums of Money to the Various Funds and Spending Agencies, in the Amounts and for the purposes set forth below, for the Town of Bennett, Colorado for the 2019 Budget Year

TRUSTEE BAYLEY MOVED, TRUSTEE PULLIAM SECONDED to approve Resolution No. 738-18, a resolution appropriating Sums of Money to the Various Funds and Spending Agencies, in the amounts and for the purposes set forth below, for the Town of Bennett, Colorado for the 2019 Budget Year. Voting was as follows:

YES: Pindell, Pulliam, Vittum, Bayley, Harrell, Mancuso
NO: None
EXCUSED: Webb

The Mayor declared the motion carried by unanimous vote.

Resolution No. 739-18 – A Resolution Levying General Property Taxes for the Tax Year 2018 to help defray the cost of government for the Town of Bennett, Colorado, for the 2019 Budget Year

TRUSTEE PULLIAM MOVED, TRUSTEE VITTUM SECONDED to approve Resolution No. 739-18, a resolution levying general property taxes for the tax year 2018 to help defray the cost of government for the Town of Bennett, Colorado for the 2019 Budget Year. Voting was as follows:

YES: Pulliam, Vittum, Bayley, Harrell, Mancuso, Pindell
NO: None
EXCUSED: Webb

The Mayor declared the motion carried by unanimous vote.

Ordinance No. 689-18 – An Ordinance Amending Section 13-3-310 of the Bennett Municipal Code Regarding the Collection of Security Deposits for Water Services

TRUSTEE VITTUM MOVED, TRUSTEE PULLIAM SECONDED to adopt Ordinance No. 689-18, an ordinance amending Section 13-3-310 of the Bennett Municipal Code regarding the collection of security deposits for water services. Voting was as follows;

YES: Vittum, Bayley, Harrell, Mancuso, Pindell, Pulliam
NO: None
EXCUSED: Webb

The Mayor declared the motion carried by unanimous vote.

B. Action/Discussion Items

1. Bennett Crossing Filing No. 1 – Subdivision Improvement Agreement

Melissa Kendrick, Town Planner, presented the staff report and reviewed the Bennett Crossing Filing No. 1 Subdivision Improvement Agreement elements as follows; The proposed Subdivision Agreement has several customized elements that are outlined below:

Section 1.11: Financing of Improvement Guarantees. Prior to issuance of the permits for each Improvement that constitutes a distinct system, the Subdivider shall submit to the town an Improvement Guarantee for each distinct Improvement related to each Phase of development. Prior to conditional and final acceptance of each applicable Phase, a reduction or release of the Improvement Guarantee shall be allowed upon written consent.

Section 1.14: Phasing Plan. Prior to commencement of the Improvements in each Phase, the parties shall execute an updated Phasing plan with completion deadlines.

Section 3.2: Street Signs, Traffic Signs and Striping. At a future date when the Town and CDOT determines it is warranted, the Subdivider is responsible for fifty percent (50%) of a traffic signal at the intersection of SH 79 and Marketplace Drive. Prior to the fourth building permit, \$175,000 or 50% of the traffic signal will be required.

Section 3.3: Highway 79 Improvement. The Subdivider shall pay to the Town Fifty Four Thousand Two Hundred Dollars (\$54,200) prior to issuance of the fourth building permit as cash in lieu of constructing the Highway 79 Improvements. These improvement are part of the future design for SH 79 in this location.

Section 4.1: Public Use Dedication. In full and final satisfaction of the 10% Public Land Dedication for this commercial Subdivision, Subdivider shall convey to the Town a Trail Easement detailed in Exhibit D.

Section 4.3: Water Rights. No FDP for any lot within the Subdivision shall be approved and no building permits will be issued until the Town becomes title owner of the water required to be dedicated by this paragraph or receives payment for the cash in lieu thereof.

Section 7.2 (b): Drainage Improvements. Drainage improvements shall be completed and granted conditional acceptance by the Town prior to the issuance of the first building permit for the Subdivision unless otherwise delineated by the approved Phasing Plan and or, the Town Engineer approves an interim improvement.

Section 7.6: Sanitary Sewer Improvements.

(a) As part of the Improvements, Subdivider is responsible, at its expense, for constructing and installing an off-site sanitary sewer bypass system to generally divert sanitary sewer flows from the Subdivision from the northwest corner of Ash & Kiowa Streets, to the northwest corner of First Street and Colfax Avenue ("Off-Site Sanitary Sewer Bypass Improvements"). No building permits shall be issued for any above-ground structure within the Subdivision until the Off-Site Sanitary Sewer Bypass Improvements have been completed and granted conditional acceptance by the Town.

(b) Subdivider is responsible for one-third of the costs of additional off-site downstream sanitary sewer improvements for the Subdivision, which such improvements will generally consist of the following: 2,650 linear feet of 12-inch sanitary sewer main; Nine (9) 5-foot diameter sanitary sewer manholes; and One Lift Station penetration at the Town's Wastewater Treatment Facility; and include all necessary rights-of-way, easements, road crossings, and permits. In fulfillment of such obligation, Subdivider agrees to pay fifty thousand dollars (\$50,000), which represents the Subdivider's proportionate share of estimated construction costs for said improvements.

Resolution No. 745-18 – A Resolution Approving a Subdivision Agreement for Bennett Crossing Filing No. 1

TRUSTEE PULLIAM MOVED, TRUSTEE MANCUSO SECONDED to approve Resolution No. 745-18, a resolution approving a subdivision agreement for Bennett Crossing Filing No. 1. Voting was as follows;

YES: Bayley, Harrell, Mancuso, Pindell, Pulliam, Vittum
NO: None
EXCUSED: Webb

The Mayor declared the motion carried by unanimous vote.

2. 5th and Washington Street Repair

Dan Giroux, Town Engineer, provided a review of Kuhn Construction Inc. Proposal No. 778-1, for the 5th and Washington Street Repair. Mr. Giroux advised the proposal is all inclusive and answered questions from the Board regarding safety concerns, and length of time for completion of the repairs.

TRUSTEE PULLIAM MOVED, TRUSTEE VITTUM SECONDED to approve the Kuhn Construction Inc. Proposal No. 778-1 for the 5th Street and Washington Street Repair in an amount *not to exceed* \$58,006.30 and waive the request for proposal (RFP) process for this project. Voting was as follows;

YES: Harrell, Mancuso, Pindell, Pulliam, Vittum, Bayley
NO: None
EXCUSED: Webb

The Mayor declared the motion carried by unanimous vote.

3. GovSense LLC Software Contract

Taeler Houlberg, Special Projects Coordinator, discussed the GovSense Software Contract and presented the cost savings benefits, tracking capabilities, security, transparency capabilities and the application is compatible with the existing software utilized by the Town.

Resolution No. 746-18 – A Resolution Approving Software-As-A-Service and Subscription Service Agreements

TRUSTEE PULLIAM MOVED, TRUSTEE HARRELL SECONDED to approve Resolution No. 746-18, a resolution approving Software As A Service and Subscription Service Agreements. Voting was as follows;

YES: Mancuso, Pulliam, Vittum, Bayley, Harrell
NO: Pindell
EXCUSED: Webb

The Mayor declared the motion carried by a vote of five (5) to one (1).

4. Town of Bennett – Backhoe Purchase

Danette Ruvalcaba, Accountant, presented the staff report to the Board and advised the current backhoe will be auctioned on December 15, 2018 and at the Boards direction, proceeds from the sale and utilizing the Cemetery Fund will be used for the purchase of a new backhoe.

The Utilities Supervisor has identified equipment ranging in cost from \$50,000 - \$80,000 at Wagner Equipment and has arranged a short term rental in order to have a backhoe for emergencies and the ability to test the equipment prior to purchase.

TRUSTEE BAYLEY MOVED, TRUSTEE VITTUM SECONDED to authorize Town Administrator Trish Stiles the authority to purchase a backhoe up to \$75,000, if a desirable backhoe is identified and to waive the request for proposal (RFP) process for this purchase. Voting was as follows:

YES: Pindell, Pulliam, Vittum, Bayley, Harrell, Mancuso
NO: None
EXCUSED: Webb

The Mayor declared the motion carried by unanimous vote.

7. **TOWN STAFF REPORTS**

Public Works

Daymon Johnson, Public Work Director, presented the following:

- Wastewater treatment facility update
- Smartwater Pilot Project update

Town Administrator

Trish Stiles, Town Administrator, provided the following;

- Requested availability date for an executive session – January 15, 2019 suggested
- Attended Adams County Managers Luncheon – New City Manager, Jim Twombly
- Women Leading Government Conference Committee, Spring 2019
- Submitted Application for Credentials to ICMA

8. **TRUSTEE COMMENTS AND COMMITTEE REPORTS**

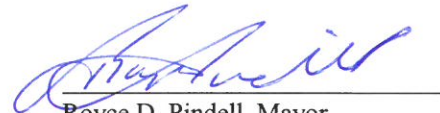
Larry Vittum

Trustee Vittum provided an update on Denver Regional Council of Governments (DRCOG) Meeting and status of transportation funding.

9. **ADJOURNMENT**

TRUSTEE PULLIAM MOVED, TRUSTEE MANCUSO SECONDED to adjourn the meeting. The Mayor declared the motion carried by unanimous vote. The meeting was adjourned at 9:00 P.M.


Lynette F. White, CMC
Town Clerk


Royce D. Pindell, Mayor

