

TOWN OF BENNETT, COLORADO
BOARD OF TRUSTEES
Regular Meeting
January 29, 2019

1. CALL TO ORDER

The Board of Trustees of the Town of Bennett met in regular session on Tuesday, January 29, 2019 at the Bennett Town Hall, 207 Muegge Way, Bennett, Colorado. Mayor Royce Pindell called the meeting to order at 7:05 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 - *Excused*
Phyllis Webb

Staff Present: Melinda Culley, *Town Attorney*
Dan Giroux, *Town Engineer*
Daymon Johnson, *Public Works Director*
Melissa Kendrick, *Town Planner*
Rachel Summers, *Deputy Town Administrator*
Trish Stiles, *Town Administrator*
Lynette White, *Town Clerk*

Public Present: Steven Vetter, James Hayes, John Vitella, Larry Gayeski, Dan Watts, Tom Odle, Paul Shoukas, Shirley Reynolds, Nicole Nelson, Taeler Houlberg

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Royce Pindell.

3. APPROVAL OF AGENDA

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

4. CONSENT AGENDA

TRUSTEE MANCUSO MOVED, TRUSTEE PULLIAM SECONDED to **Move 4. Consent Agenda, Item C to 5. Action/Discussion Item(s), E.** Voting was as follows;

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

The Mayor declared the motion carried by unanimous vote.

A. Approval of Minutes

1. Action: Approval of January 8, 2019 Regular Meeting Minutes

B. Resolutions(s)

1. Action: Approval of Resolution No. 747-19 – A Resolution Designating the Public Place for Posting of Notices of Public Meetings of the Bennett Board of Trustees

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

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

5. REGULAR BUSINESS

A. Action/Discussion Items

1. Adams County Sheriff – 4th Quarter Report

Commander Karl Smalley provided the Adams County Sheriff's 4th Quarter Report and stated that there have been no significant changes in activity in the Bennett area. Commander Smalley also advised the Board of Trustees that currently he is scheduled to remain in the I-70 Corridor with the Adams County Sheriff's Department.

2. Arapahoe County Sheriff – 4th Quarter Report

Arapahoe County Sheriff, Sgt. Todd Fechner, provided the 4th Quarter Report; the 4th quarter had a total of 14 calls for service, which included welfare checks, suspicious persons and shoplifting. A recap of 2018 was provided.

Arapahoe County Sheriff Tyler Brown, introduced himself and addressed the Board of Trustees and discussed enforcement of parking & traffic tickets written into the Bennett Municipal Court, community partnership, and continuing to provide quarterly updates.

3. Intergovernmental Agreement between the Town of Bennett and Colorado Department of Transportation (CDOT) Access Control Plan

Discussion on the Intergovernmental Agreement between the Town of Bennett and Colorado Department of Transportation (CDOT) Access Control Plan was moved to the Tuesday, February 12, 2019 Regular Board Meeting.

4. Public Works Facility Design – Architectural Contract

Daymon Johnson, Public Works Director, presented the recommendation to the Board of Trustees for RFP 18-006, the Architect and Design of the Public Works Facility. Mr. Johnson provided the scope of work to be completed and the background on the firms which expressed interest, GSG Architecture and D2C Architects.

The recommendation is that D2C Architects, the firm who designed Town Hall, is the best option and they have experience with public works facility design.

TRUSTEE MANCUSO MOVED, TRUSTEE PULLIAM SECONDED to approve the award of the contract for architect and design to D2C Architects in an amount NTE \$75,000 and to authorize the Town Administrator and Mayor to sign the contract. Voting was as follows;

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

The Mayor declared the motion carried by unanimous vote.

5. Public Improvements Reimbursement Agreement – Bennett Lodging LTD

Ordinance No. 693-19 – An Ordinance Authorizing the Town of Bennett, Colorado to enter into a Public Improvements Reimbursement and Tax Rebate Agreement with Bennett Lodging, LTD

TRUSTEE PULLIAM MOVED, TRUSTEE MANCUSO SECONDED to approve Ordinance No. 693-19, an ordinance authorizing the Town of Bennett, Colorado to enter into a Public Improvements Reimbursement and Tax Rebate Agreement with Bennett Lodging, LTD. Voting was as follows;

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

The Mayor declared the motion carried by unanimous vote.

6. PUBLIC HEARING(S)

1. Case No. 18.11ODP – Muegge Farms Outline Development Plan Second Amendment

Mayor Royce Pindell called the matter of Case No. 18.11ODP, a public hearing to consider approval of a Second Amendment to the Outline Development Plan for Muegge Farms. The public hearing was opened at 7:45 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, January 11, 2019 as Legal No. 2181.

Melissa Kendrick, Town Planner, introduced the applicant, Paul Shoukas, PCS Group and provided the staff report which addressed the Planning and Zoning Commission recommendation, referral comments from the Bennett School District, Bennett Watkins Fire Department, Colorado Department of Transportation, Traffic and Town Engineers and our Town Attorney.

Items addressed during the applicant's presentation included infrastructure, school placement, line capacity future growth, open space, traffic study and the maintenance of retention ponds, and a traffic impact study.

Mayor Pindell closed the public hearing on Case No. 18.11ODP, a public hearing to consider approval of a Second Amendment to the Outline Development Plan for Muegge Farms at 8:40 p.m.

Ordinance No. 692-18 – An Ordinance Approving a Second Amendment to the Outline Development Plan for Muegge Farms

TRUSTEE MANCUSO MOVED, TRUSTEE PULLIAM SECONDED TO ADOPT Ordinance No. 692-19, an ordinance approving a Second Amendment to the Outline Development Plan for Muegge Farms. Voting was as follows;

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

The Mayor declared the motion carried by unanimous vote.

The Mayor declared a meeting recess at 8:40 p.m. The meeting was resumed at 8:45 p.m.

2. Case No. 18.16FP – Bennett Crossing Filing No. 3 Final Plat

Mayor Royce Pindell called the matter of Case No. 18.16FP, a public hearing on a final plat for Bennett Crossing filing No. 3 Subdivision. The public hearing was opened at 8:45 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, January 11, 2019 as Legal No. 2183.

Melissa Kendrick, Town Planner, introduced the applicant, Larry Gayeski, Gayeski Capital Equities, LLC and provided the staff report which addressed the Planning and Zoning Commission recommendation, referral comments from the Bennett School District, Bennett Watkins Fire Department, Colorado Department of Transportation, Traffic and Town Engineers and our Town Attorney.

Items addressed during the applicant's presentation included infrastructure, storm water detention, commercial properties, capacity future growth, open space, traffic study and the maintenance of retention ponds and a traffic impact study. Ms. Kendrick stated the development is in compliance with the Town Comprehensive Plan.

Mayor Pindell closed the public hearing on Case No. 18.16FP, a public hearing on a final plat for Bennett Crossing filing No. 3 Subdivision at 9:26 p.m.

Resolution No. 748-19 – A Resolution Approving a Final Plat for Bennett Crossing Filing No. 3

TRUSTEE PULLIAM MOVED, TRUSTEE MANCUSO SECONDED to approve Resolution No. 748-19, a resolution approving a final plat for Bennett Crossing Filing No. 3. Voting was as follows;

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

The Mayor declared the motion carried by unanimous vote.

7. TOWN STAFF COMMUNICATION

Town Administrator

Trish Stiles, Town Administrator, provided the following:

- Colorado Municipal League (CML) Conference registration will open February 4th
- CML Legislative Workshop, February 14, 2019
- I-70 Corridor Chamber of Commerce Dinner, Saturday, February 2, 2019
- Engage Shape Build, Wednesday, January 30, 2019 – Boomer Bond Assessment
- Town Board Retreat, Friday, February 22, 2019, Front Range Airport
- Bennett Business Appreciation, Monday, February 11, 2019, 4:30 p.m.
- Town Clerk, Lynette White, MMC Achievement

8. TRUSTEE COMMENTS AND COMMITTEE REPORTS

Royce Pindell

Mayor Pindell discussed his attendance at the Metro Mayors Retreat.

The Mayor declared a recess at 9:30 pm. The meeting was resumed at 9:40 pm.

9. EXECUTIVE SESSION

For determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and or instructing negotiators under C.R.S. Section 24-6-402(4)(e) – *Public Improvements Reimbursement Agreement*

TRUSTEE PULLIAM MOVED, TRUSTEE MANCUSO SECONDED to go into executive session for determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and or instructing negotiators under C.R.S. Section 24-6-402(4)(e) and the following additional details are provided for identification purposes – ***Public Improvements Reimbursement Agreement***

The Mayor declared the motion carried by unanimous vote. The Board went into executive session at 9:50 p.m.

The Board came out of executive session at 10:04 p.m. The Mayor announced that the Board had been in executive session and the following persons participated in that session: Charles Bayley, Darwin Harrell, Neal Mancuso, Royce Pindell, Rich Pulliam, Phyllis Webb, Melinda Culley, Rachel Summers, Trish Stiles, and Taeler Houlberg. The Mayor asked if there were any matters not included in the motion for an executive session or violations of the Open Meetings Law, and if so, that these concerns be stated for the record. No concerns were presented.

For discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees; *Town Administrator Review*

TRUSTEE PULLIAM MOVED, TRUSTEE HARRELL SECONDED to go into executive session For discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees; and the following additional details are provided for identification purposes – ***Town Administrator Review.***

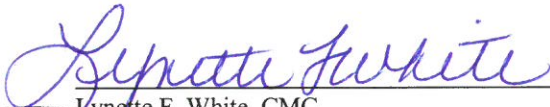
The Mayor declared the motion carried by unanimous vote. The Board went into executive session at 10:05p.m.

The Board came out of executive session at 10:43 p.m. The Mayor announced that the Board had been in executive session and the following persons participated in that session: Charles Bayley, Darwin Harrell, Neal Mancuso, Royce Pindell, Rich Pulliam, Phyllis Webb, Melinda Culley, and Trish Stiles. The Mayor asked if there were any matters not included in the motion for an executive session or violations of the Open Meetings Law, and if so, that these concerns be stated for the record. No concerns were presented. .

The Board of Trustees resumed the open meeting at 10:43 p.m.

10. ADJOURNMENT

TRUSTEE HARRELL MOVED, TRUSTEE PULLIAM SECONDED to adjourn the meeting. The Mayor declared the motion carried by unanimous vote. The meeting was adjourned at 10:45 p.m.



Lynette F. White, CMC
Town Clerk



Royce D. Pindell, Mayor

