

TOWN OF BENNETT, COLORADO
BOARD OF TRUSTEES
Regular Meeting
February 11, 2020

1. CALL TO ORDER

The Board of Trustees of the Town of Bennett met in regular session on Tuesday, February 11, 2020 at the Bennett Town Hall, 207 Muegge Way, Bennett, Colorado. Mayor Royce Pindell called the meeting to order at 7:00 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

Staff Present: Melinda Culley, *Town Attorney*
Christina Hart, *Court Clerk/Administrative Assistant*
Robin Price, *Parks, Grounds and Open Space Supervisor*
Trish Stiles, *Town Administrator*
Lynette White, *Town Clerk*

Public Present: Donna Sus, Steven Vetter

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Royce Pindell

3. APPROVAL OF AGENDA

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

4. CONSENT AGENDA

TRUSTEE MANCUSO MOVED, TRUSTEE VIRRUM SECONDED to approve the consent agenda as presented. The Mayor declared the motion carried by unanimous vote.

A. Approval of Minutes

1. Action: Approval of January 28, 2020 Regular Meeting Minutes
2. Action: Approval of January 14, 2020 Regular Meeting Minutes

B. Resolution(s)

1. Action: Approval of Resolution No. 801-20, Approving an Intergovernmental Agreement between the Town of Bennett and Adams County for the I-70 and SH 79 Interchange Operational Improvement Project
2. Action: Approval of Resolution No. 802-20, Approving an Intergovernmental Agreement between the Town of Bennett and Arapahoe County for the I-70 and SH 79 Interchange Operational Improvement Project

5. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

There were no comments on items not on the agenda presented by the public in attendance.

6. PUBLIC HEARING

- A. Case No. 19.06FDP – Muegge Farms Filing No. 4 Final Development Plan**
B. Case No. 19.07FP – Muegge Farms Filing No. 4 Final Plat

Mayor Royce Pindell opened the public hearing on Case No. 19.06FDP and Case No. 19.07FP, a proposed final development plan and final plat for Muegge Farms Filing No. 4 at 7:10 pm. Mayor Pindell advised a request has been received to continue the public hearing on the Final Development Plan and Final Plat for Muegge Farms Filing No. 4 to March 10, 2020.

TRUSTEE MANCUSO MOVED, TRUSTEE VITTUM SECONDED to continue the public hearing on Case No. 19.06FDP and Case No. 19.07FP, a proposed final development plan and final plat for Muegge Farms Filing No. 4 to Tuesday, March 10, 2020 at 7:00 p.m. at Bennett Town Hall. Voting was as follows;

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

The Mayor declared the motion carried by unanimous vote.

7. ACTION/DISCUSSION ITEMS

A. Planning and Zoning Commission Appointments

Christina Hart, Town Clerk Pro Tem, addressed the Board of Trustees regarding the Planning and Zoning Commission Appointments. Ms. Hart advised the terms of Commissioner(s) Scott Smith and Dennis Owens expired January 31, 2020 and each has expressed an interest in re-appointment.

A Notice of Vacancy was published in the I-70 Scout beginning December 31, 2019 through January 17, 2020; no additional applications were received for consideration.

TRUSTEE BAYLEY MOVED, TRUSTEE PULLIAM SECONDED to approve the appointment of Scott Smith and Dennis Owens to the Town of Bennett Planning and Zoning Commission with a term ending January, 2023. Voting was as follows;

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

The Mayor declared the motion carried by unanimous vote.

B. 2020 Election Cancellation and Declaration of Candidates

Resolution No. 805-20 – A Resolution Instructing the Town Clerk to Cancel the April 7, 2020 Election and Declaring Candidates Elected

Lynette White, Town Clerk, advised the Board of the cancellation of the April 7, 2020 Municipal Election; no more nomination petitions were received than positions available on the Board. The resolution presented instructs the Office of the Town Clerk to cancel and publish notification.

TRUSTEE BAYLEY MOVED, TRUSTEE PULLIAM SECONDED to approve Resolution No. 805-20, a resolution instructing the Town Clerk to cancel the April 7, 2020 Election and declaring candidates elected as amended, stating Richard Pulliam, Office of Trustee for a two-year term. Voting was as follows;

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

The Mayor declared the motion carried by unanimous vote.

C. RFP 20-001 – Bennett Future Park, Phase 2

Robin Price, Parks, Grounds and Open Space Supervisor, presented the Request for Proposal for Bennett Future Park, Phase II. Ms. Price advised a grant application was submitted to Arapahoe County Open Space for Future Park Phase II; we were awarded \$99,000 from Arapahoe County with a \$11,000 match from the Town of Bennett.

The current RFP 20-001 was open until Jan 23rd, 2020 at 4:00 p.m. The RFP included irrigation, grading, and landscaping designs. The RFP gave the option to bid the entire scope or separate the irrigation, grading, and landscape installation. The three bids received were the following:

Arrow J: Included all scopes of the project: \$145,195.00
BrightView: Included irrigation and landscaping no grading: \$90,081.45
Kuhn Construction, Inc.: Included grading: \$14,516.30

Ms. Price advised after a comparison of the bids received and verifying the scope of work provided, the recommendation is to award the contract to BrightView for \$90,081.45, for the irrigation and landscaping, *no grading*, and Kuhn Construction, Inc. grading for \$14,516.30.

The Town of Bennett has worked with both contractors and the bids were in line with our budget.

TRUSTEE BAYLEY MOVED, TRUSTEE VITTUM SECONDED to approve the award as recommended by Town Staff to Brightview Landscape Services, \$90,081.45 and Kuhn Construction Inc., \$14,516.30 for Bennett Future Park Phase II and directed Town Staff to enter into and execute the contracts. Voting was as follows;

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

The Mayor declared the motion carried by unanimous vote.

8. TOWN STAFF COMMUNICATION

Trish Stiles

Trish Stiles, Town Administrator, presented the following;

- Attendance at Arapahoe County Sub-Regional Forum
- Adjustment of Town Hall Hours of Operation
- Bennett Arts Council Meeting
- Union Pacific Railroad (UPRR) discussions
- Elected CCCMA President 2020-2021
- Department of Local Affairs (DOLA) Appointment

Robin Price

Robin Price, Parks, Grounds and Open Space Supervisor discussed the Brother's Four Park Community Garden Project.

Melinda Culley

Melinda Culley, Town Attorney, reviewed the quasi-judicial process related to land use applications and advised the Board to be careful of ex-parte communications which impacts their ability to render decisions. Ms. Culley stated when these situations occur, encourage attendance at meetings and the submission of written comments.

Lynette White

Lynette White, Town Clerk, advised the Board of the Business Appreciation Lunch on Thursday, February 27, 2020, 11:30 am at the Bennett Community Center.

9. TRUSTEE COMMENTS AND COMMITTEE REPORTS

Neal Mancuso

Trustee Mancuso reported on attendance at the I-70 Corridor Chamber of Commerce Event and advised the new President of the I-70 Chamber is Carl Gerber.

Larry Vittum

Trustee Vittum reported on the following;

- Arapahoe County Transportation Meeting
- Denver Regional Council of Governments (DRCOG) Meeting

The Mayor declared a meeting recess at 8:10 p.m. the meeting was resumed at 8:15 p.m.

10. EXECUTIVE SESSION

For: (1) 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 (2) the purpose of 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); *Town Administrator Performance Evaluation and Contract*

TRUSTEE PULLIAM MOVED, TRUSTEE VITTUM SECONDED to go into executive session For: (1) 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 (2) the purpose of 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); *Town Administrator Performance Evaluation and Contract*

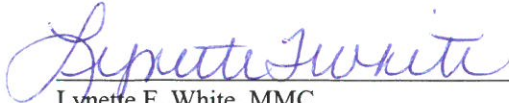
The Mayor declared the motion carried by unanimous vote. The Board went into executive session at 8:15 p.m.

The Board came out of executive session at 8:21 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, Larry Vittum, 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.

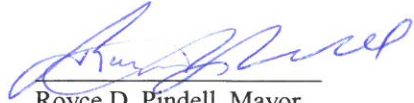
The Board of Trustees resumed the open meeting at 8:21 p.m.

11. ADJOURNMENT

TRUSTEE MANCUSO MOVED, TRUSTEE PULLIAM SECONDED to adjourn the meeting. The Mayor declared the motion carried by unanimous vote. The meeting was adjourned at 8:22 pm.



Lynette F. White, MMC
Town Clerk



Royce D. Pindell, Mayor

