

TOWN OF BENNETT, COLORADO
BOARD OF TRUSTEES
Regular Meeting
February 13, 2018

1. CALL TO ORDER

The Board of Trustees of the Town of Bennett met in regular session on Tuesday, February 13, 2018 at the Bennett Shared Services Building, 355 So. 1st Street, Bennett, Colorado. Mayor Royce Pindell called the meeting to order at 7:02 p.m. The following persons were present upon the call of the roll:

Mayor: Royce Pindell

Trustees Present: Darvin Harrell
Grider Lee
Neal Mancuso
Rich Pulliam
Larry Vittum
Phyllis Webb

Staff Present: Melinda Culley, *Town Attorney*
Christina Hart, *Municipal Court*
Melissa Kendrick, *Town Planner*
Trish Stiles, *Town Administrator*
Lynette White, *Town Clerk*

Public Present: Ryan Kolibaba, Steven Vetter, Kay McClure, Danielle Costa

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

YES: Harrell, Lee, Mancuso, Pindell, Pulliam, Vittum, Webb

NO: None

The Mayor declared the motion carried by unanimous vote.

A. Approval of Minutes

1. Action: Approval of Regular Meeting Minutes of January 23, 2018

B. Resolution

1. Action: Approval of Resolution No. 696-18, A resolution instructing the Town Clerk to Cancel the April 3, 2018 Election and Declaring Candidates Elected

5. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Danielle Costa, Bennett, addressed the Board regarding a summons written into the Bennett Municipal Court.

6. REGULAR BUSINESS

A. Public Hearing

1. Case No. 18.02CM – Amendment to Chapter 16 of the Bennett Municipal Code concerning School Land Dedication Requirements and Cash in Lieu Payments

Mayor Pindell opened the public hearing on Case No. 18.02CM, a public hearing on an ordinance to consider proposed amendments to Chapter 16 of the Bennett Municipal Code concerning school land dedication requirements and cash in lieu payments at 7:05 pm.

Lynette White, Town Clerk, advised the public hearing was posted and published in accordance with State statute as Legal No. 2081 in the Eastern Colorado News on January 26, 2018.

Melissa Kendrick, Town Planner, reviewed the proposed ordinance for the Board.

Mayor Pindell closed the public hearing on Case No. 18.02CM, a public hearing on an ordinance to consider proposed amendments to Chapter 16 of the Bennett Municipal Code concerning school land dedication requirements and cash in lieu payments at 7:10 pm.

Ordinance No. 685-18 – An Ordinance Amending Chapter 16 of the Bennett Municipal Code Concerning School Land Dedication Requirements and Cash in Lieu Payments

TRUSTEE LEE MOVED, TRUSTEE VITTUM SECONDED to adopt Ordinance No. 685-18, An Ordinance Amending Chapter 16 of the Bennett Municipal Code Concerning School Land Dedication Requirements and Cash in Lieu Payments. Voting was as follows;

YES: Lee, Mancuso, Pindell, Pulliam, Vittum, Webb, Harrell

NO: None

The Mayor declared the motion carried by unanimous vote.

B. Action/Discussion Items

1. Bennett Municipal Code – Amendments to Chapters 8 and 11 Concerning Parking, Overweight Vehicles and Excavations in Right of Way

Ordinance No. 686-18 – An Emergency Ordinance Amending Chapters 8 and 11 of Bennett Municipal Code Concerning Parking, Overweight Vehicles and Excavations in Rights of Way

TRUSTEE MANCUSO MOVED, TRUSTEE PULLIAM SECONDED to adopt Ordinance No. 686-18, an emergency ordinance amending Chapter 8 and 11 of Bennett Municipal Code concerning parking, overweight vehicles and excavations and rights of way, voting was as follows;

YES: Mancuso, Pindell, Pulliam, Vittum, Webb, Harrell, Lee

NO: None

The Mayor declared the motion carried by unanimous vote.

Resolution No. 697-18 – A Resolution Adopting Overweight Vehicle Permit Fees

TRUSTEE MANCUSO MOVED, TRUSTEE PULLIAM SECONDED to approve Resolution No. 697-18, a resolution adopting overweight vehicle permit fees, voting was as follows;

YES: Pindell, Pulliam, Vittum, Webb, Harrell, Lee, Mancuso

NO: None

The Mayor declared the motion carried by unanimous vote.

2. Town of Bennett 2018 Colorado Water Resources and Power Development Authority (CWRPDA Loan)

Ordinance No. 687-18 - An Emergency Ordinance Of The Town Of Bennett, Colorado Authorizing A Loan From The Colorado Water Resources And Power Development Authority To Finance A Portion Of The Cost Of Its Wastewater Treatment Facility Project Pursuant To The Loan Agreement; Authorizing The Form And Execution Of The Loan Agreement And A Governmental Agency Bond To Evidence Such Loan; Ratifying Prior Determinations Of The Town Board; Declaring An Emergency And Prescribing Other Details In Connection Therewith

TRUSTEE PULLIAM MOVED, TRUSTEE LEE SECONDED to approve Ordinance No. 687-18, An Emergency Ordinance Of The Town Of Bennett, Colorado Authorizing A Loan From The Colorado Water Resources And Power Development Authority To Finance A Portion Of The Cost Of Its Wastewater Treatment Facility Project Pursuant To The Loan Agreement; Authorizing The Form And Execution Of The Loan Agreement And A Governmental Agency Bond To Evidence Such Loan; Ratifying Prior Determinations Of The Town Board; Declaring An Emergency And Prescribing Other Details In Connection Therewith; voting was as follows:

YES: Pulliam, Vittum, Webb, Harrell, Lee, Mancuso, Pindell

NO: None

The Mayor declared the motion carried by unanimous vote.

7. TOWN STAFF REPORTS

Town Administrator

Trish Stiles, Town Administrator, provided the following;

- Grothe Financial – Correspondence regarding the Benefits of Bennett (BOB) Grant
- Town Hall Grand Opening, April 4, 2018, 4:30 – 6:30 p.m.
- Colorado Department of Transportation (CDOT) changes
- Town Hall Move in update
- Board Member of MCCMA

Deputy Town Administrator

Rachel Summers, Deputy Town Administrator, reviewed the following;

- Economic Development update
- Open Space Grant applications
- Audit preparation
- USDA Technical Assistance Loan application
- Loan forgiveness on Green Project Loan

Municipal Court Clerk

Christina Hart, Municipal Court Clerk, advised the Board of the resignation of Judge Timothy Joyce and provided a recommendation from Presiding Judge Shawn Day of a replacement for the position.

Town Clerk

Lynette White, Town Clerk, presented the following;

- Colorado Municipal League Legislative Update February 15, 2018
- Colorado Municipal League Legislative Update webinar, February 25, 2018
- Town of Bennett Election update

8. TRUSTEE COMMENTS AND COMMITTEE REPORTS

Mayor Royce Pindell, reported on the Metro Mayors Caucus meeting which included discussion on the following;

- Exploratory Committee for the Olympics in Colorado
- Transportation funding

The Mayor declared a meeting recess at 8:30 p.m. The meeting resumed at 8:40 p.m.

9. EXECUTIVE SESSION

TRUSTEE PULLIAM MOVED, TRUSTEE VITUM 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 (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 8:42 p.m.

The Board came out of executive session at 10:03 p.m. The Mayor announced that the Board had been in executive session and the following persons participated in that session: Darvin Harrell, Grider Lee, Neal Mancuso, Royce Pindell, Rich Pulliam, Larry Vitum, Phyllis Webb Trish Stiles, and Melinda Culley. 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.

TRUSTEE MANCUSO MOVED, TRUSTEE VITUM SECONDED to approve the 4th Amendment to the Town Administrator Contract, voting was as follows;


YES: Harrell, Lee, Mancuso, Pindell, Pulliam, Vitum, Webb

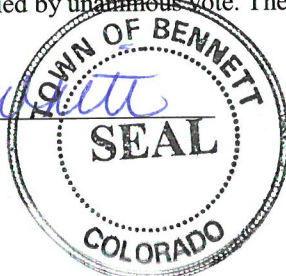
NO: None


The Mayor declared the motion carried by unanimous vote.

10. ADJOURNMENT

TRUSTEE VITUM MOVED, TRUSTEE LEE SECONDED to adjourn the meeting. The Mayor declared the motion carried by unanimous vote. The meeting was adjourned at 10:06 P.M.


Lynette F. White, CMC
Town Clerk




Royce D. Pindell, Mayor