

**TOWN OF BENNETT, COLORADO
BOARD OF TRUSTEES
Regular Meeting
April 14, 2020**

1. CALL TO ORDER

The Board of Trustees of the Town of Bennett met in regular session on Tuesday, January 14, 2020 on a webinar via WebX Link. 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
Neal Mancuso
Charles Bayley
Rich Pulliam
Larry Vittum
Phyllis Webb

Staff Present: Rachel Summers, *Deputy Town Administrator*
Taeler Houlberg, *Assistant to Town Administrator*
Deb Merkle, *Community Development Manager*
Dan Giroux, *Town Engineer*
Daymon Johnson, *Public Works Director*
Robin Price, *Assistant Public Works Director*
Danette Ruvalcaba, *Finance and Technology Director*
Lynette White, *Town Clerk*
Melinda Culley, *Kelly P.C. – Town Attorney*
Christina Hart, *Town Clerk*

Public Present: Steven Vetter

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Royce Pindell.

3. APPROVAL OF AGENDA

MAYOR PRO TEM PULLIAM MOVED, TRUSTEE VITTUM SECONDED to approve the agenda as modified with Christina Hart presenting Action/Discussion item number 7. The voting was as follows:

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

NO: None

The Mayor declared the motion carried by unanimous vote.

4. CONSENT AGENDA

TRUSTEE MANCUSO MOVED, TRUSTEE VITTUM SECONDED to approve the consent agenda as presented.

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

NO: None

The Mayor declared the motion carried by unanimous vote

A. First Amendment to Purchase and Sale Agreement for Ground Water Rights

Action: Approval of First Amendment to Purchase and Sale Agreement for Ground Water Rights.

B. Approval of Minutes

Action: Approval of March 24, 2020 Regular Meeting Minutes.

5. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

There were no comments made by the public of items not on the agenda.

6. OLD BUSINESS

A. Action/Discussion

1. Ordinance No. 706-20 – An Ordinance Amending the Bennett Municipal Code to Adopt an Updated Animal Code

Deb Merkle, Community Development Manager, presented the Trustees with the following recommended updates to the Animal Code as:

- Updated definitions include: Animal intact and altered, dog kennel, household pets, microchip, mistreatment and neglect, pet shop, quarantine, service animal and veterinarian clinic.
- General regulations have been broken down into separate articles.
- Added “New” which includes: Humane care, keeping of Hares and rabbits, service animals, apiary, bee keeping and rabies control.
- Public Nuisance include habitual violators behaviors that endanger health and the community, accumulation of waste, and destruction of property.
- Additional definition of exotic animals.
- Updated barking ordinance and running at large ordinance.
- Impound and licensing improvements.

Ordinance No.706-20 – An Ordinance Amending the Bennett Municipal Code to Adopt an Updated Animal Code.

MAYOR PRO TEM PULLIAM MOVED, TRUSTEE VITTUM SECONDED to Approve Ordinance No. 706-20, An Ordinance Amending the Bennett Municipal Code to Adopt an Updated Animal Code: Voting was as follows;

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

NO: None

The Mayor declared the motion carried by unanimous vote.

2. Water and Sanitary Sewer Utilities – Public Works Construction Contract

Dan Giroux, Town Engineer, presented the board with a request for potential authorization with regard to major water and sanitary sewer utility work for the North Municipal Complex Public Works Facility service center. The Core and Shell project is the first use of the North Municipal Community Services campus at 4th Street and Truman Avenue. The Public Works facility and all of Old Town Bennett, are supported by certain key, new water main and sanitary sewer main improvements and connections on the North Municipal Complex (NomCom) property.

Improvements include:

- An 18-inch sanitary sewer pipeline, extending from the Town’s Wastewater Treatment Facility (WWTF) on East 38th Avenue, south to Truman Avenue near 3rd Street.
- A 12-inch potable water pipeline, extending from the Town’s Converse Road water system, east, to the east property line of the NomCom parcel

The Town has the potential for significant property, neighborhood, area and community benefit from these improvements. The Town has been and is continuing to work to install these improvements as expeditiously as possible.

TRUSTEE VITTUM MOVED, MAYOR PRO TEM PULLIAM SECONDED to waive the formal RFP process and to allow the Mayor to sign the standard Town Contract regarding the Water & Sanitary Sewer Utilities Construction Contract not to exceed \$275,000.00. Voting was as follows;

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

The Mayor declared the motion carried by unanimous vote.

3. Service Proclamation – Lynette F. White

Mayor, Royce Pindell, presented a service Proclamation, to Lynette F. White. Ms. White began her career with the Town of Bennett in May 2005 as an administrative assistant. Lynette eventually moved into the Deputy Town Clerk position. Lynette continued to learn under the mentorship of Tam Intermill. Upon Tam’s retirement in 2010, Ms. White was appointed Town Clerk. Lynette earned her Master Municipal Clerk designation in 2019 from the International Institute of Municipal Clerks. Lynette has dedicated herself to serving the Town of Bennett through her involvement with Town events and continued support of her community and colleagues.

The Town of Bennett is grateful for the immense service of Lynette F. White as Town Clerk and will offer her full support in her new endeavor with the Economic Development Department as Economic Development Coordinator.

Mayor, Royce Pindell, set his hand and caused the seal of the Town of Bennett, Colorado to be affixed this the 14th Day of April, 2020.

7. NEW BUSINESS

A. Action/Discussion

1. Oath of Office – Mayor and New Town Board Trustees

Christina Hart, Town Clerk, administered the Oath of Office to the following Town of Bennett Board members:

- Royce D. Pindell, Mayor
- Richard Pulliam, Trustee
- Denice Smith, Trustee
- Whitney Oakley, Trustee
- Donna Sus, Trustee

2. Mayor Pro Tem Selection

Mayor, Royce D. Pindell, advised the new Town Board, the first decision before them is the appointment of the Mayor Pro Tem.

TRUSTEE WEBB MOVED, TRUSTEE SUS SECONDED to appoint Trustee Harrell as Mayor Pro Tem for the Town of Bennett Board of Trustees. Voting was as follows:

YES: Oakley, Pulliam, Smith, Webb, Pindell, Harrell, Sus
NO: None

The Mayor declared the motion carried by unanimous vote.

3. 2020 Appointment of Town Officials

MAYOR, PINDELL MOVED, TRUSTEE PULLIAM SECONDED to appoint Christina Hart as the Town Clerk for the Town of Bennett. Voting was as follows:

YES: Pulliam, Smith, Webb, Pindell, Harrell, Sus, Oakley
NO: None

The Mayor declared the motion carried by unanimous vote.

TRUSTEE OAKLEY MOVED, MAYOR PRO TEM HARRELL SECONDED to the following appointments:

- Taeler Houlberg as the Town Clerk Pro Tem for the Town of Bennett.
- Danette Ruvalcaba as the Town Treasurer for the Town of Bennett
- Kelly, P.C. as the Town Attorney(s) for the Town of Bennett.
- Shawn Day as the Presiding Municipal Court Judge for the Town of Bennett.
- Andy Ausmus as the Associate Municipal Court Judge for the Town of Bennett.
- Joe Lico as the Municipal Court Prosecuting Attorney for the Town of Bennett.

Voting was as follows:

YES: Smith, Webb, Pindell, Harrell, Sus, Oakley, Pulliam
NO: None

The Mayor declared the motion carried by unanimous vote.

Lynette F. White administered the oath of office to Christina Hart, Town Clerk.

Christina Hart, Town Clerk, administered the oath of office to the following appointed Town Officials:

- Taeler Houlberg, Town Clerk Pro Tem
- Danette Ruvalcaba, Town Treasurer
- Melinda Culley, Kelly P.C., Town Attorney

4. Organization and Committee Assignments

Trustee Rich Pulliam, provided a brief summary of the 2020 Water Committee and BennT Creek Water Authority, to the new board members. Former Trustee/Mayor Bayley and Rich Pulliam are current members of both water committees. They provide a great deal of knowledge to increase water supplies for the Town of Bennett, as they collectively have been working on the projects for years. Charles Bayley stated his intent is to continue to serve the 2-year appointment. Martin Metsker, Planning Commissioner, would become phased into the BennT Creek Water Authority appointment.

MAYOR PRO TEM HARRELL MOVED, TRUSTEE SUS SECONDED to appoint resident, Charles Bayley, so serve on the Water Committee and the BennT Creek Water Authority. Voting was as follows:

YES: Pindell, Harrell, Sus, Oakley, Pulliam, Smith, Webb
NO: None

The Mayor declared the motion carried by unanimous vote

MAYOR PRO TEM HARRELL MOVED, TRUSTEE SMITH SECONDED to appoint Trustee Rich Pulliam, to serve on the Water Committee and BennT Creek Water Authority. Voting was as follows:

YES: Sus, Oakley, Pulliam, Smith, Webb, Pindell, Harrell
NO: None

The Mayor declared the motion carried by unanimous vote

MAYOR PRO TEM HARRELL MOVED, TRUSTEE WEBB SECONDED to appoint Mayor, Royce Pindell as an alternate to serve on the Water Committee. Voting was as follows:

YES: Oakley, Pulliam, Smith, Webb, Pindell, Harrell, Sus
NO: None

The Mayor declared the motion carried by unanimous vote

MAYOR PRO TEM HARRELL MOVED, TRUSTEE SMITH SECONDED to appoint Planning Commissioner, Martin Metsker, as an alternate to serve on the BennT Creek Water Authority. Voting was as follows:

YES: Pulliam, Smith, Webb, Pindell, Harrell, Sus, Oakley
NO: None

The Mayor declared the motion carried by unanimous vote

Committee Assignments:

- Adams County Mayors/Managers Breakfast
 - Mayor Pindell – Member I
 - Trish Stiles, Town Administrator – Member I
 - Mayor Pro Tem Harrell – Member II

- Arapahoe County Mayors/Managers Breakfast
 - Mayor Pindell – Member I
 - Trish Stiles, Town Administrator – Member I
 - Mayor Pro Tem Harrell – Member II (Alternate)

- Regional Economic Advancement Partnership (REAP)
 - Steve Hebert – Planning and Economic Development Manager

- I-70 Corridor Chamber of Commerce
 - Trustee Oakley - Member I
 - Lynette White, Economic Development Coordinator - Member II

- Denver Regional Council of Governments (DRCOG)
 - Mayor Pindell – Member I
 - Trish Stiles, Town Administrator – Member I
 - Mayor Pro Tem Harrell – Member II

- Aurora Chamber of Commerce
 - Lynette White, Economic Development Coordinator – Member I
 - Mayor Pro Tem Harrell – Member II

- Colorado Municipal League (CML)
 - Trustee Sus – Member I
 - Trish Stiles, Town Administrator – Policy Committee

- Mosquito Committee
 - Trustee Webb – Member I

- Economic Development Committee
 - Mayor Pindell – Member I
 - Steve Hebert, Town Planning and Economic Development Manager – Member II
 - Lynette White, Economic Development Coordinator – Member II

- Sales Tax Oversight Committee (Streets)
 - Trustee Pulliam – Member I
 - Trustee Sus – Member II
 - Trustee Smith – (Alternate Member II)

- Bennett Gives Back Grant Committee
 - Trustee Webb – Member I
 - Trustee Smith – Member II
 - Mayor Pindell – Alternate

8. TOWN STAFF REPORTS

Town Attorney

Melinda Culley, Kelly, P.C., provided the following report;

- The COVID-19 virus response has been paramount for the firm by providing assistance to the Town of Bennett; some of the specific projects include:
 - Federal leave requirements.
 - Stay-at-home and public health orders.
 - Meeting with Health Department and attorneys.
 - Electronic participation in meetings.
 - Funding sources.
 - Development Activities.
 - Request for Proposal (RFP) Template and Contracting.

Deputy Town Administrator

Rachel Summers, Deputy Town Administrator, provided the following report;

- “Bennett Stronger Together” Business Assistance Program. The program is a way for the Town to provide additional support to our businesses and community in overcoming economic hardship.

TRUSTEE PULLIAM MOVED, MAYOR PRO TEM HARRELL SECONDED to amend the Economic Development Assistance policy to allow for the Bennett Stronger program and BOB funding be reallocated towards the Bennett Stronger program with a maximum funding budget of \$25,000 for the year 2020. Voting was as follows:

YES: Webb, Pindell, Harrell, Sus, Oakley, Pulliam, Smith

NO: None

The Mayor declared the motion carried by unanimous vote

Community Development

Deb Merkle, Community Development Manager, presented the following report;

- Amendment for the Board of Adjustment.
- New building code update.

9. TRUSTEE COMMENTS AND COMMITTEE REPORTS

Rich Pulliam

Trustee Pulliam provided the following report:

- The Water Committee has been meeting weekly
- The Water Authority met on April 9th, 2020 to discuss the structure of the committee as well as funding

Darvin Harrell

Mayor Pro Tem Harrell asked the following;

- Has the Bennett tax base been affected by the COVID-19 virus? Danette Ruvalcaba addressed the question by advising Mayor Pro Tem Harrell the numbers will not be available until June.

Royce Pindell

Mayor Pindell provided the following;

- Offered thanks and gratitude for everyone's patience during the virtual meetings
- Look forward to having everyone together for a reception for the outgoing Trustees.

ADJOURNMENT

TRUSTEE PULLIAM MOVED, MAYOR PRO TEM HARRELL SECONDED to adjourn the meeting. The Mayor declared the motion carried by unanimous vote. The meeting was adjourned at 8:54 p.m. Voting was as follows:

YES: Sus, Oakley, Pulliam, Smith, Webb, Pindell, Harrell

NO: None

The Mayor declared the motion carried by unanimous vote.



Royce D. Pindell, Mayor

Christina Hart

Christina Hart
Town Clerk
Town of Bennett