

TOWN OF BENNETT, COLORADO
BOARD OF TRUSTEES
Regular Meeting
May 22, 2018

1. CALL TO ORDER

The Board of Trustees of the Town of Bennett met in regular session on Tuesday, May 22, 2018 at the Bennett Town Hall, 207 Muegge Way, Bennett, Colorado. Mayor Royce Pindell called the meeting to order at 7:04 p.m. The following persons were present upon the call of the roll:

Mayor: Royce Pindell

Mayor Pro Tem: Rich Pulliam

Trustees Present: Charles Bayley
Darvin Harrell - *excused*
Neal Mancuso - *excused*
Larry Vittum
Phyllis Webb

Staff Present: Melinda Culley, *Town Attorney*
Daymon Johnson, *Public Works Director*
Trish Stiles, *Town Administrator*
Rachel Summers, *Deputy Town Administrator*
Dan Giroux, *Town Engineer*
Melissa Kendrick – *Town Planner*
Deb Merkle – *Community Development*
Christina Hart, *Clerk Pro-Tem*

Public Present: Steven Vetter, Pat Siegman, Linda Burry, Wayne Clark

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 presented. The Mayor declared the motion carried by unanimous vote.

4. CONSENT AGENDA

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

YES: Bayley, Pindell, Pulliam, Vittum, Webb

NO: None

EXCUSED: Harrell, Mancuso

The Mayor declared the motion carried by unanimous vote.

5. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

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

6. REGULAR BUSINESS

A. Public Hearing

1. Case No 17.17RP – Central Industrial Park Subdivision Replat

Mayor Royce Pindell called the matter of Case No. 17.17RP, a public hearing on Central Industrial Park Subdivision Replat. The public hearing was opening at 7:16 p.m.

Christina Hart, Town Clerk Pro-Tem, stated for the record the Notice of Public Hearing was posted in accordance with State Statute and published in the Eastern Colorado News, May 4, 2018 as Legal No. 2109.

Christina Hart, Town Clerk Pro-Tem reported the Certificate of Mailing and posting log will be added to the record.

Melissa Kendrick, Town Planner, introduced the applicant, Wayne Clark, and provided the staff report.

Dan Giroux, Town Engineer, reported on the water and sanitary sewer lines.

Discussion by the Board of Trustees included questions regarding transportation access, and the ownership of 38th Avenue. There were no questions presented from the public on this issue.

Mayor Pindell closed the public hearing on Case No. 17.17RP a public hearing on Central Industrial Park Subdivision Replat at 7:35 p.m.

Resolution No. 707-18 - A Resolution Approving a Final Plat for Central Industrial Park Amendment One

MAYOR PRO TEM PULLIAM MOVED, TRUSTEE VITTUM SECONDED to Approve Resolution No. 707-18, A Resolution Approving a Final Plat for Central Industrial Park Subdivision Amendment One with the eight (8) conditions as indicated on Exhibit A. Voting was as follows:

YES: Bayley, Pindell, Pulliam, Vittum, Webb

NO: None

EXCUSED: Mancuso, Harrell

The Mayor declared the motion carried by unanimous vote.

B. Action/Discussion Items

1. Penrith Park Amended Annexation Agreement and Subdivision Improvement Agreement

Melinda Culley, Town Attorney, presented the Penrith Park Amended Annexation Agreement. The original annexation agreement included specific details including a requirement that allowed a maximum of 132 single family dwellings on minimum lot sizes of 6,000 sq. ft.

Plat approved by Board of Trustees required lot sizes consistent with R2 zoning which requires a minimum lot size of 3,500 sq. ft. The plat also includes approximately 174 lots for single family dwelling. The approved plat is not consistent with the original annexation agreement.

Agreement also includes various improvements to be constructed i.e.: water wells, water storage tanks as well as water and sewer extensions. Impact fees must be paid, and land dedications must be made. Short approximately 2.17 acres towards public land dedication, SIA allows them to satisfy public land dedication requirement by taking Muegge property to the south to use towards the public land dedication.

Property must be used for trails, and related open space. If dedication reaches past deadline, cash in lieu of dedication would be implemented. Cash in lieu is approximately \$97,000.00. The developer is required to deposit the \$97,000.00 with the Town of Bennett. Cash in lieu is required before half of the building permits (for Penrith) are issued and plat is recorded. If land dedication is made, \$97,000.00 will be returned to developer, if not Town of Bennett retains \$97,000.00. Project is water short. SIA provides cash in lieu of water dedication in amount of approximately \$342,000.00, paid prior to issuance of first building permit or application of first water tap. Town of Bennett provided a schedule of public improvement, to be attached as Exhibit B to the agreement. Exhibit B still needs to be reviewed and signed by Town Engineer.

Resolution No. 705-18 – A Resolution Approving an Amended and Restated Annexation Agreement and Amended Subdivision Agreement for the Penrith Park Development

TRUSTEE BAYLEY MOVED, MAYOR PRO TEM PULLIAM SECONDED to approve Resolution No. 705-18, A Resolution Approving an Amendment in Restating Annexation Agreement in Subdivision Agreement with Penrith Park Development with the addition of a modification to Section 4.3 placing a sunset date of thirty-six (36) months on the cash funds associated with water. Voting was as follows:

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

The Mayor declared the motion carried by unanimous vote.

7. TOWN STAFF REPORTS

Town Administrator

Trish Stiles, Town Administrator, provided the following report;

- Drafted letter to the FAA in support of Spaceport designation at Front Range Airport
- Arts Program; calendar of events created
- June 6, 2018; meeting with Pedal the Plains & partners
- May 24, 2018 – Arapahoe County Transportation Forum – Trustee Vittum to attend.
- May 30, 2018 – Adams County Transportation Forum
- Ms. Stiles reported she will take a couple of days off week of May 27
- Ms. Stiles attended Mayor Hogan's service

Deputy Town Administrator

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

- Provided an Updated Project Master List
- GOCO Funding for Civic Center Park was denied
- Received Adams County Grants Awards
- Hotel RFP has been submitted; due end of May; 4 groups have interest
- Regional Partnership Meeting included SBDC, REAP, I70 COCC, ACED, and Arapahoe/Douglas Works
- Quarterly scheduled department staff reports will be reported to Board of Trustees

Public Works

Daymon Johnson, Public Work Director, presented the following:

- WWTF Schedule; projected finish January 2019
- Town Hall punch list; deadline end of June 2018; if incomplete Town of Bennett will hold retainage and complete the punch list
- Attended GIS Conference
- RFP for Town Hall landscaping close week of May 27
- Future Park construction phase 1 is underway
- Forthcoming RFP's; Antelope Hills pond rehabilitation
- Introduction of Robin Price – Town of Bennett Park's Supervisor
- Crack sealing in Old Bennett; slated to start/finish before Bennett Days.

Town Clerk

Christina Hart, Clerk Pro-Tem, presented the following;

- Town Clerk, Lynette White is attending IIMC Conference
- Clean-up day rescheduled for June 2 at Alpine.
- Chamber of Commerce BBQ Cook-Off June 2
- Town Hall Offices closed May 28 for Memorial Day
- VFW Memorial Day Service at Corridor Honor Memorial May 26 at 10:00 a.m.

8. EXECUTIVE SESSION

To Discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. Section 24-6-402(4)(a) – *Land Acquisition*

MAYOR PRO TEM PULLIAM MOVED, TRUSTEE VITTUM SECONDED to go into executive session to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. Section 24-6-402(4)(a) and the following additional details are provided for identification purposes – *Land Acquisition*. Voting was as follows:

YES: Bayley, Pindell, Pulliam, Vittum, Webb

NO: None

EXCUSED: Mancuso, Harrell

The Mayor declared the motion carried by unanimous vote. The Board went into executive session at 8:38 p.m.

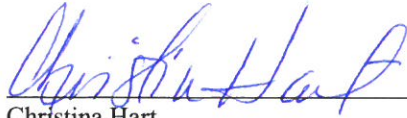
The Board came out of executive session at 9:13 p.m. The Mayor announced that the board has been in executive session and the following persons participated in the session: Rich Pulliam, Royce Pindell, Larry Vittum, Charles Bayley, Phyllis Webb, Dan Giroux, Trish Stiles, Rachel Summers, and Melinda Culley. The Mayor asked if there were any matters not included in the concerns be stated for the record. No concerns were presented.

Report from Executive Session

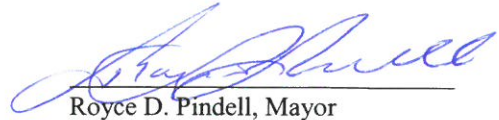
The Board of Trustees provided direction to Town Staff regarding negotiations for potentially acquiring land for a new Public Works facility. Findings will be reported to the Board of Trustees in a future executive session.

9. ADJOURNMENT

TRUSTEE VITTUM MOVED, TRUSTEE BAYLEY SECONDED to adjourn the meeting. The Mayor declared the motion carried by unanimous vote. The meeting was adjourned at 9:13p.m.



Christina Hart
Clerk Pro-Tem



Royce D. Pindell, Mayor