

TOWN OF BENNETT, COLORADO
BOARD OF TRUSTEES
Regular Meeting
July 24, 2018

1. CALL TO ORDER

The Board of Trustees of the Town of Bennett met in regular session on Tuesday, July 24, 2018 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
Neal Mancuso
Charles Bayley
Rich Pulliam
Larry Vittum
Phyllis Webb

Staff Present: Trish Stiles, *Town Administrator*
Rachel Summers, *Deputy Town Administrator*
Danette Ruvalcaba, *Town Accountant*
Daymon Johnson, *Public Works Director*
Lynette White, *Town Clerk*

Public Present: Stuart Jordan, Del Moler, Pat Siegman, Linda Burry, Jim Delaney, Kay McClure

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 MANCUSO 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 July 10, 2018 Regular Meeting Minutes

5. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Stuart Jordan, 890 Antelope Drive West, addressed the Board of Trustees regarding the upper west pond in the Antelope Hills Subdivision and inquired about mitigation efforts to address the removal of smells and permanent repair.

Jim Delaney, 920 Antelope Drive West, also inquired about mitigation of the upper west pond and encourages the Board to look into a solution.

6. REGULAR BUSINESS

A. Public Hearing

1. 2017 Town of Bennett Budget Amendment – Water Fund, Road and Bridge Fund, Conservation Trust Fund and Sales Tax Capital Improvement Fund

Mayor Pindell opened the public hearing at 7:04 p.m. and called the matter of the Town of Bennett 2017 Budget Amendment, a public hearing to consider an amendment to the 2017 Budget for the Town of Bennett Water Fund, Road and Bridge Fund, Conservation Trust Fund and Sales Tax Capital Improvement Fund.

Lynette White, Town Clerk, advised the notice of public hearing was posted and published in accordance with State Statutes on July 10, 2018 in the I-70 Scout and July 13, 2018 in the Eastern Colorado News.

Danette Ruvalcaba, Town Accountant, presented a review of the various funds for additional appropriation. There were no questions presented by the public in attendance or from the Board of Trustees.

Mayor Pindell closed the public hearing at 7:15 p.m. on the matter of the Town of Bennett 2017 Budget Amendment, a public hearing to consider an amendment to the 2017 Budget for the Town of Bennett Water Fund, Road and Bridge Fund, Conservation Trust Fund and Sales Tax Capital Improvement Fund.

Resolution No. 714-18 – A Resolution Appropriating Sums of Money in Addition to those Appropriated in Resolution No. 648-16 for the 2017 Fiscal Year for the Town of Bennett Water Fund, Road and Bridge Fund, Conservation Trust Fund and Sales Tax Capital Improvement Fund

TRUSTEE BAYLEY MOVED, MAYOR PRO TEM PULLIAM seconded to approve Resolution No. 714-18, a resolution appropriating sums of money in addition to those appropriated in Resolution No. 648-16 for the 2017 Fiscal Year for the Town Of Bennett Water Fund, Road and Bridge Fund, Conservation Trust Fund and Sales Tax Capital Improvement Fund. Voting was as follows;

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

NO: None

The Mayor declared the motion carried by unanimous vote.

B. Action/Discussion Items

1. Town of Bennett 2017 Audit Report

Resolution No. 715-18 – A Resolution Accepting the 2017 Audit for the Town of Bennett

TRUSTEE VITTUM MOVED, TRUSTEE MANCUSO SECONDED to approve Resolution No. 715-18, a resolution accepting the 2017 Audit for the Town of Bennett. Voting was as follows;

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

NO: None

The Mayor declared the motion carried by unanimous vote.

2. Public Hearing – Local Licensing Authority – Special Event Permit – Tri Valley Veterans of Foreign Wars, Post 8449

Mayor Royce Pindell opened the public hearing at 7:19 p.m. on the application for a Special Events Permit at 115 Palmer Avenue, Bennett, Colorado, under the business name of Tri Valley Veterans of Foreign Wars Post No. 8449. The administrative report was provided by Town Clerk, Lynette White as follows;

The Tri Valley Post 8449 Veterans of Foreign Wars, has submitted a completed application for a Special Events Permit, Saturday, September 7, 2018 and Friday, September 14, 2018, for a beer garden inside and outside at the Tri-Valley VFW, located at 115 Palmer Avenue; the licensed area will also encompass 1st Street and Trupp Park; all local and state required fees have been received and the entities are in good standing.

A special event permit may not be issued to any organization for more than fifteen (15) days per calendar year. The applicant is requesting two (2) day(s) in this submittal; this is the first application for 2018.

A review of the application by the Office of the Town Clerk determined that the application is complete and accurate, per C.R.S 12-48-107(3), the local licensing authority shall cause a hearing to be held if after investigation and upon review of the contents of any protest filed, sufficient grounds exists for denial; *there have been no objections received by the Town Clerks Office.*

The Mayor entered into the record, the entire application as presented to the Town Clerk. There were no questions presented by the public in attendance or the Board of Trustees.

TRUSTEE PULLIAM MOVED, TRUSTEE MANCUSO SECONDED that the Local Licensing Authority of the Town of Bennett adopt the written Findings and Decision prepared by the Clerk and approve issuance of a Special Events Permit to the Tri Valley Post 8449 Veterans of Foreign Wars, 115 Palmer Avenue, for Saturday, September 7, 2018 and Friday, September 14, 2018.

Voting was as follows;

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

NO: None

The Mayor declared the motion carried by unanimous vote.

7. TOWN STAFF REPORTS

Town Administrator

Trish Stiles, Town Administrator, provided the following report;

- Bennett Advisory Group Meeting, Thursday August 23, 2018
- Adams and Arapahoe County Transportation Sub Regional Forums update
- State of the Town, Friday, July 27, 2018
- Party in the Park – Thursday, August 9, 2018. 6:30 pm at Trupp Park
- Review of Presentation on Adams County Animal Control Fee Structure provided at the ADCOG Managers Luncheon

Deputy Town Administrator

Rachel Summers, Deputy Town Administrator, provided an update on the Adams County Site Selection Summit which included discussion on infrastructure, locations for business development, and available workforce.

Public Works Director

Daymon Johnson, Public Works Director, discussed the following;

- Well No. 6 pipework completed, valve testing scheduled for July 26, 2018

Town Clerk

Lynette White, Town Clerk, presented the following;

- Adams County Dinner, sponsored by Adams County, July 25, 2018
- State of the Town, Friday, July 27, 2018
- Inquired about the availability of the Board of Trustees for a Special Meeting

8. TRUSTEE COMMENTS AND COMMITTEE REPORTS

Neal Mancuso

Trustee Mancuso discussed the following;

- Review of Adams County Executive Committee Breakfast

Larry Vittum

Trustee Vittum presented the following;

- Review of Adams County Executive Committee Breakfast
- DRCOG (Denver Regional Council of Governments) July 18, 2018 Meeting update

Rich Pulliam

Mayor Pro Tem Pulliam discussed his attendance at the Arapahoe County Executive Committee Breakfast, July 24, 2018; a presentation was provided on homelessness and how to recognize and assist your community.

Phyllis Webb

Trustee Webb inquired about the number of summons written into the Bennett Municipal Court for the First Quarter.

9. EXECUTIVE SESSION

1. 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) – ***FEI Contract; Hotel Incentives***

TRUSTEE PULLIAM MOVED, TRUSTEE VITTUM 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) – ***FEI Contract, Hotel Incentives***

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 9:27 p.m. The Mayor announced that the board had been in executive session and the following persons participated in that session: Larry Vittum, Charles Bayley, Phyllis Webb, Darvin Harrell, Neal Mancuso, Rich Pulliam, Royce Pindell, Trish Stiles, Rachel Summers, Daymon Johnson, Dan Giroux and Lynette White. 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

MAYOR PRO TEM PULLIAM MOVED, TRUSTEE VITTUM SECONDED to direct Town Staff to provide a formal notice of intent to FEI Engineers to terminate the Construction Contract with the Town of Bennett and transition to Aqua Engineering Consultants, LLC. Voting was as follows;

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

The Mayor declared the motion carried by unanimous vote.

TRUSTEE VITTUM MOVED, TRUSTEE MANCUSO SECONDED to approve the award of hotel incentives to Colorado Hospitality Services and Mountain Venture Enterprises, LLC with a term to expire December, 2020. Voting was as follows;

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

The Mayor declared the motion carried by unanimous vote.

2. 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) – ***Potential Property Purchase***

TRUSTEE PULLIAM MOVED, TRUSTEE MANCUSO 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) – ***Potential Property Purchase***

The Mayor declared the motion carried by unanimous vote. The Board went into executive session at 9:42 p.m.

The Board came out of executive session at 10:09 p.m. The Mayor announced that the board had been in executive session and the following persons participated in that session: Larry Vittum, Charles Bayley, Phyllis Webb, Darvin Harrell, Neal Mancuso, Rich Pulliam, Royce Pindell, Trish Stiles, Rachel Summers, Daymon Johnson, Dan Giroux and Lynette White. 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

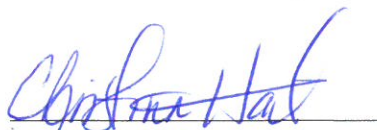
MAYOR PRO TEM PULLIAM MOVED, TRUSTEE MANCUSO SECONDED to move forward with the Option to Purchase Agreement in an amount not to exceed (nte) \$275,000. Voting was as follows;

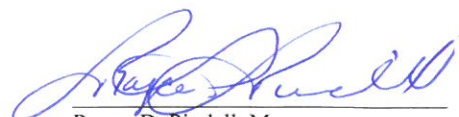
YES: Vittum, Webb, Bayley, Harrell, Mancuso Pindell, Pulliam
NO: None

The Mayor declared the motion carried by unanimous vote.

10. ADJOURNMENT

TRUSTEE VITTUM MOVED, TRUSTEE MANCUSO SECONDED to adjourn the meeting. The Mayor declared the motion carried by unanimous vote. The meeting was adjourned at 10:12 p.m.


Christina Hart, Town Clerk Pro Tem


Royce D. Pindell, Mayor

