

TOWN OF BENNETT, COLORADO
BOARD OF TRUSTEES
Regular Meeting
January 12, 2016

1. CALL TO ORDER

The Board of Trustees of the Town of Bennett met in regular session on Tuesday, January 12, 2016, at the Bennett Town Hall, 355 4th Street, Bennett, Colorado. Mayor Pro Tem Royce Pindell called the meeting to order at 7:00 p.m. The following persons were present upon the call of the roll:

Mayor: Charles Bayley - *Absent*

Trustees Present: Darvin Harrell
Grider Lee
Jim Pieters
Royce Pindell
Rich Pulliam - *Absent*
Larry Vittum

Staff Present: Daymon Johnson, *Public Works Director*
Melissa Kendrick, *Kendrick Consulting/Town Planner*
Trish Stiles, *Town Administrator*
Rachel Summers, *Town Treasurer*
Lynette F. White, *Town Clerk*

Public Present: Deb Tapparo, Steven Vetter, Jose Rocha, Bob Stewart

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pro Tem Royce Pindell.

3. APPROVAL OF AGENDA

TRUSTEE VITTUM MOVED, TRUSTEE HARRELL SECONDED to **Remove Consent Agenda, A. Approval of Minutes, 1. December 16, 2015, and 2. December 8, 2015.** The agenda was approved as amended. The Mayor Pro Tem declared the motion carried by unanimous vote.

4. CONSENT AGENDA

TRUSTEE VITTUM MOVED, TRUSTEE PIETERS SECONDED to approve the consent agenda as amended. The Mayor Pro Tem declared the motion carried by unanimous vote.

B. Contracts

1. Approval of IREA Right of Way Easement

C. Resolution

1. Resolution No. 615-16 - Approval of Resolution No. 615-16, a resolution approving an Intergovernmental Agreement with the County of Adams for the provision of Law Enforcement Services for the Town of Bennett

5. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Bob Stewart, Hillside Country Homes, 595 Palmer Ave, addressed the Board regarding the adoption of the proposed Building Code referencing the Fire Department requirements and Town of Bennett tap fees.

6. REGULAR BUSINESS

A. Public Hearing

1. Adopting the 2012 Editions of the International Building Code, Mechanical Code, Plumbing Code, Fire Code, Existing Building Code, Property Maintenance Code, Residential Code, Fuel Gas Code, the 2014 Edition of the National Electric Code, and the 2009 Edition of the International Energy Conservation Code

Mayor Pro Tem Royce Pindell called the matter of the public hearing on an ordinance to adopt new building and safety codes for the Town of Bennett. The public hearing was opened at 7:05 p.m. Mayor Pro Tem Pindell advised that a request to continue the hearing has been received to provide the Bennett Fire Department additional time to provide comments on the adoption of a new Fire Code.

Recommendation was made to open and continue the public hearing until the next regular meeting, Tuesday, February 23, 2016 at 7:00 p.m. No public comment will be taken on these matters.

The public hearing on the adoption of the new building and safety codes was closed at 7:10 p.m.

TRUSTEE LEE MOVED, TRUSTEE PIETERS SECONDED that we open the public hearing on an ordinance adopting new editions of the International Building Code, Mechanical Code, Plumbing Code, Fire Code, Existing Building Code, Property Maintenance Code, Residential Code, Fuel Gas Code, National Electric Code, and the International Energy Conservation and continue the hearing until the next regular meeting of the Board of Trustees, to be held February 23, 2016 at the Bennett Town Hall. Voting was as follows;

YES:	Lee, Pieters, Pindell, Vittum, Harrell
NO:	None
ABSENT:	Bayley, Pulliam

The Mayor Pro Tem declared the motion carried by unanimous vote.

B. Public Hearing

1. Case No. 15.16FDP – Final Development Plan Application – Muegge Farms Carl's Jr.

Mayor Pro Tem Royce Pindell called the matter of Case No. 15.16FDP. This is a public hearing to consider approval of a final development plan application submitted by Urban Development Company LLC for the development of a Carl's Jr. Restaurant on Lot 2, Block 1, Muegge Farms Subdivision Filing No. 1, Amendment No. 2. The subject property is in the Town of Bennett and generally located at the northwestern corner of SH 79 and Marketplace Drive. The public hearing was opened at 7:10 p.m.

Lynette White, Town Clerk, stated that in accordance with State statute, notice of the public hearing was properly posted and published in the Eastern Colorado News as Legal No. 1874, November 27, 2015.

Melissa Kendrick, Town Planner, delivered the staff report and reviewed the application presented for the proposed 2,500 square foot Carl's Jr. to be located at the northwestern intersection of Market Place Drive in the King Soopers shopping center.

1. Case No. 15.16FDP – Final Development Plan Application – Muegge Farms Carl's Jr. (continued)

The following staff recommendation was presented to the Board;

Staff finds that the proposed Final Development Plan is in compliance with the provisions of Article VII, Planned Development Zone Districts of the Bennett Municipal Code. Specifically, the application complies with the Bennett Comprehensive Plan, the Muegge Farms Outline Development Plan and the Bennett Marketplace FDP which contemplated Highway Commercial uses for the property. Staff finds a reduction in open space quantity appropriate due to the sidewalk enhancements and adequate landscaping materials provided on site. Based upon the attached resolution, staff findings, and the favorable Planning Commission recommendation, staff is recommending the case favorably to the Board of Trustees subject to the following condition of approval.

1. Prior to recording, applicant shall make all minor modifications to the final development plan as directed by planning and engineering staff.

There were no public comments or additional questions or discussion presented by the Board of Trustees.

Mayor Pro Tem Royce Pindell closed the public hearing to consider approval of a final development plan application submitted by Urban Development Company LLC for the development of a Carl's Jr. Restaurant on Lot 2, Block 1, Muegge Farms Subdivision Filing No. 1, Amendment No. 2 at 7:30 p.m.

Resolution No. 617-16 – A Resolution Approving a Final Development Plan for Muegge Farms Carl's Jr.

TRUSTEE VITTUM MOVED, TRUSTEE PIETERS SECONDED to approve Resolution No. 617-16, a resolution approving a final development plan for Muegge Farms Carl's Jr. Voting was as follows:

YES: Pieters, Pindell, Vittum, Harrell, Lee

NO: None

ABSENT: Bayley, Pulliam

The Mayor Pro Tem declared the motion carried by unanimous vote.

C. Action/Discussion Items

1. Town Administrator Performance Review

Mayor Pro Tem Pindell discussed the process for the completion of the performance review for Town Administrator Trish Stiles. Trustee Harrell and Trustee Vittum will participate in the review process and provide recommendations to the Board of Trustees. Rachel Summers will provide assistance.

The review is scheduled for review/acceptance at the Regular Board Meeting, Tuesday, February 23, 2016.

7. TOWN STAFF REPORTS

Town Administrator

Trish Stiles, Town Administrator provided the following update;

- Adams County CDBG Funding Meeting
- CDOT Funding for Traffic Engineering update
- REAP Meeting, January 14, 2016
- Wastewater Treatment Facility update
- Shared Services Building update
- Update on purchase of snow plow from Dillon, Colorado
- Update on repair of water main break

Town Clerk

Lynette White, Town Clerk reviewed the following;

- Bennett Municipal Court Hours changed to 6:00 p.m.
- Town Board Retreat, Thursday, January 28, 2016

8. TRUSTEE COMMENTS AND COMMITTEE REPORTS

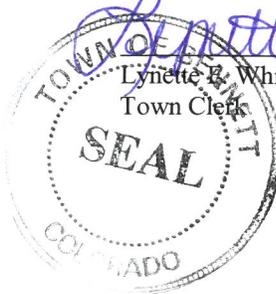
Trustee Jim Pieters announced his resignation from the Board of Trustees, effective January 13, 2016. Trustee Pieters thanked the Board and the community for their support.

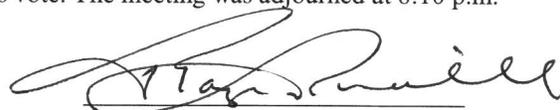
9. ADJOURNMENT

TRUSTEE PIETERS MOVED, TRUSTEE VITTUM SECONDED to adjourn the meeting. The Mayor Pro Tem declared the motion carried by unanimous vote. The meeting was adjourned at 8:10 p.m.



Lynette White, CMC
Town Clerk





Royce Pindell,
Mayor Pro Tem