

TOWN OF BENNETT, COLORADO
BOARD OF TRUSTEES
Regular Meeting
September 22, 2015

1. CALL TO ORDER

The Board of Trustees of the Town of Bennett met in regular session on Tuesday, September 22, 2015, at the Bennett Town Hall, 355 4th Street, Bennett, Colorado. Mayor Sue Horn called the meeting to order at 7:00 p.m. The following persons were present upon the call of the roll:

Mayor: Sue F. Horn

Trustees Present: Charles Bayley
Darvin Harrell
Grider Lee
Jim Pieters
Royce Pindell
Larry Vittum

Staff Present: Gina Burke, *Jehn Water Consultants*
Melinda Culley, *Town Attorney*
Dan Giroux, *Town Engineer*
Daymon Johnson, *Public Works Director*
Melissa Kendrick, *Town Planner*
Martin Landers, *Plan Tools, LLC*
Jose Rocha, *Economic Development*
Trish Stiles, *Town Administrator*
Lynette F. White, *Town Clerk*

Public Present: Deb Tapparo, Rick Mitchell, Neal Mancuso, Carol Swanson, Linda Burry, David Larson, Kevin Mitchell, Kim Owen, Larry Gayeski, David Brehm, Bill Tobin, Michelle Gayeski, Becky Hogan, Mike Rocha, Steven Vetter

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Sue Horn.

3. APPROVAL OF AGENDA

TRUSTEE BAYLEY MOVED, TRUSTEE VITTUM SECONDED to approve the agenda as presented. The Mayor declared the motion carried by unanimous vote.

4. CONSENT AGENDA

TRUSTEE PINDELL MOVED, TRUSTEE LEE SECONDED to approve the consent agenda as presented. Voting was as follows:

YES: Bayley, Horn, Harrell, Lee, Pieters, Pindell, Vittum

NO: None

The Mayor declared the motion carried by unanimous vote.

A. Resolutions

1. Resolution No. 599-15 - A Resolution Supporting the Grant Application for a School Play Yard Grant from the State Board of the Great Outdoors Colorado Trust Fund and the Completion of the Bennett Community Playground Project
2. Resolution No. 606-15 – A Resolution in Support of the Adams County and Denver Amendment to the 1988 IGA (Ballot Issue 1A)

5. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Rick Mitchell, Mitchell Sand & Gravel, Bennett, CO spoke in favor of the proposed Bennett Crossing ODP and inquired about the separated grade crossing alignment.

Neal Mancuso, 1340 Viewridge Road, congratulated Town Staff on Bennett Days and provided an update from the Better Roads for Bennett Committee.

6. REGULAR BUSINESS

A. Action/Discussion Items

1. November 3, 2015 Coordinated Election

Resolution No. 602-15 – A Resolution Of The Bennett Board Of Trustees Urging Bennett Citizens To Vote Yes On Ballot Issue 2H At The November 3, 2015 Election Concerning An Increase In The Town’s Sales Tax And Debt To Finance Street And Street Repair Projects

TRUSTEE BAYLEY MOVED, TRUSTEE VITTUM SECONDED to approve Resolution No. 612-15, a resolution of the Bennett Board of Trustees urging Bennett Citizens to vote Yes on Ballot Issue 2H at the November 3, 2015 Election concerning an increase in the Town’s Sales Tax and Debt to finance street and street repair projects. Voting was as follows;

YES: Horn, Harrell, Lee, Pieters, Pindell, Vittum, Bayley

NO: None

The Mayor declared the motion carried by unanimous vote.

2. ADCOM Intergovernmental Agreement

Resolution No. 605-15 – A Resolution Approving the 2015 Amendment to the Intergovernmental Agreement Concerning the Implementation of an “E911” Emergency Telephone Service

TRUSTEE VITTUM MOVED, TRUSTEE LEE SECONDED to approve Resolution No. 605-15, a resolution approving the 2015 Amendment to the Intergovernmental Agreement concerning the implementation of an “E911” Emergency Telephone Service. Voting was as follows;

YES: Harrell, Lee, Pieters, Pindell, Vittum, Bayley, Horn

NO: None

The Mayor declared the motion carried by unanimous vote.

B. Public Hearing

1. Case No. 15.13CM – Amendments to the Town’s requirements for water rights dedication at the time of annexation and/or development

Mayor Sue Horn called the matter of Case No. 15.13CM, a public hearing on an ordinance concerning water rights dedication requirements at 7:05 p.m.

Lynette White, Town Clerk, advised the Notice of Public Hearing was posted and published in accordance with state statute in the Eastern Colorado News, August 28, 2015 as Legal No. 1840.

Mayor Horn closed the public hearing on an ordinance concerning water rights dedication requirements at 7:37 pm.

Ordinance No. 656-15 - An Ordinance repealing and reenacting, with Amendments, Article V, Division 4 of Chapter 16 of the Bennett Municipal Code concerning water rights dedication requirements and relocating said requirements to Chapter 13 of the Bennett Municipal Code

TRUSTEE HARRELL MOVED, TRUSTEE LEE SECONDED to approve Ordinance No. 656-15, an ordinance repealing and reenacting, with Amendments, Article V, Division 4 of Chapter 16 of the Bennett Municipal Code concerning water rights dedication requirements and relocating said requirements to Chapter 13 of the Bennett Municipal Code. Voting was as follows;

YES: Lee, Pieters, Pindell, Vittum, Bayley, Horn, Harrell

NO: None

The Mayor declared the motion carried by unanimous vote.

2. Case No. 15.12CM – Amendments to the Town of Bennett Comprehensive Plan in accordance with C.R.S. § 31-23-208 and to consider an update to the Town of Bennett Three Mile Area Plan in accordance with C.R.S. § 31-12-105

Mayor Sue Horn called the matter of Case No. 15.12CM, a public hearing on the adoption of the 2015 Town of Bennett Comprehensive Land Use Plan and the 2015 Town of Bennett Three Mile Area Plan, at 7:39 p.m.

Lynette White, Town Clerk, advised the Notice of Public Hearing was posted and published in accordance with state statute in the Eastern Colorado News, September 1, 2015, as Legal No. 1842.

Mayor Sue Horn closed the matter of Case No. 15.12CM, a public hearing on the adoption of the 2015 Town of Bennett Comprehensive Land Use Plan and the 2015 Town of Bennett Three Mile Area Plan, at 7:58 p.m.

Resolution No. 603-15 – A Resolution Approving the 2015 Bennett, Colorado Comprehensive Plan

TRUSTEE LEE MOVED, TRUSTEE BAYLEY SECONDED to approve Resolution No. 603-15, a resolution approving the 2015 Bennett, Colorado Comprehensive Plan. Voting was as follows;

YES: Pieters, Pindell, Vittum, Bayley, Horn, Harrell, Lee

NO: None

The Mayor declared the motion carried by unanimous vote.

Resolution No. 604-15 – A Resolution Approving the Town of Bennett Three Mile Area Plan

TRUSTEE BAYLEY MOVED, TRUSTEE VITTUM SECONDED to approve Resolution No. 604-15, a resolution approving the Town of Bennett Three Mile Area Plan. Voting was as follows;

YES: Pindell, Vittum, Bayley, Horn, Harrell, Lee, Pieters

NO: None

The Mayor declared the motion carried by unanimous vote.

3. Case No. 15.01ODP – Approval of an Outline Development Plan application submitted by Larry Gayeski and application to rezone 292.6 acres from General Commercial (C), Low Density Residential (R-1), Planned Development (PD) and High Density Residential (R-3) to Planned Development for a variety of uses including: medium and high density residential, mixed use, general commercial, highway commercial, and main street commercial

Mayor Sue Horn opened the public hearing on Case No. 15.01ODP, a request for rezoning and outline development plan for the Bennett Crossing Planned Development at 8:04 p.m.

Lynette White, Town Clerk, advised public notice of this hearing was posted in accordance with state statutes and published as Legal No. 1841 in the Eastern Colorado News August 28, 2015.

Melissa Kendrick, Town Planner, provided the staff report on the application and advised that Staff finds that the proposed rezoning is in compliance with the provisions of Section 16-2-350, of the Bennett Municipal Code. Specifically, staff believes the application complies with criteria established for the Planning Commission to consider as detailed in this report. Based upon the proposed resolution and staff findings, staff is recommending the case favorably to the Board of Trustees based upon the following three conditions of approval:

1. The Zone District Plan shall be expanded to include the Planned Development Outline Development Plan text as sheets to the document.
2. The Land Use Matrix Table 1-1 of the Planned Development Outline Development Plan shall be modified to remove the reference to the Town of Bennett Zone Districts.
3. Make other minor modifications as directed by the Town Planner, Attorney, and Engineer.

Larry Gayeski, the applicant and owner, provided additional information on the proposed development and answered questions regarding storm water drainage, development size, and how the uses proposed will be incorporated within the development.

Mayor Sue Horn closed the public hearing on Case No. 15.01ODP, a request for rezoning and outline development plan for the Bennett Crossing Planned Development at 9:21 p.m.

Ordinance No. 655-15 – An Ordinance Approving an Outline Development Plan And Rezoning For the Bennett Crossing Planned Development

TRUSTEE BAYLEY MOVED, TRUSTEE LEE SECONDED to adopt Ordinance No. 655-15, an ordinance approving an Outline Development Plan and Rezoning for the Bennett Crossing Planned Development. Voting was as follows;

YES: Bayley, Horn, Harrell, Lee, Pieters, Pindell

NO: Vittum

The Mayor declared the motion carried by a vote of six (6) to one (1).

7. **TOWN STAFF REPORTS**

Public Works Director

Daymon Johnson, Public Works Director, discussed the following;

- Shared Services Center *update*
- Repair of alley
- Bennett Regional Park and Open Space upgrades
- Joint Facility *update*
- Antelope Hills washout
- Cracksealing of streets in Antelope Hills

Town Clerk

Lynette White, Town Clerk, reviewed the following;

- Colorado Municipal League District 3 Dinner
- Colorado Municipal League training

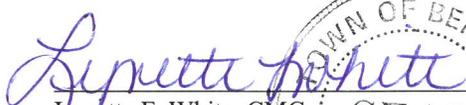
8. **TRUSTEE COMMENTS AND COMMITTEE REPORTS**

Sue Horn

Mayor Sue Horn informed the Board of Trustees and residents in attendance that tonight was probably her last meeting as Mayor of the Town of Bennett. Mayor Horn will advise when it is confirmed.

9. **ADJOURNMENT**

TRUSTEE HARRELL MOVED, TRUSTEE VITTUM SECONDED to adjourn the meeting. The Mayor declared the motion carried by unanimous vote. The meeting was adjourned at 10:20 P.M.


Lynette F. White, CMC
Town Clerk




Sue F. Horn, Mayor
Charles C. Bayley, Mayor Pro Tem