CALL TO ORDER

The Board of Trustees of the Town of Bennett met in regular session on Tuesday, September 27, 2016 at the Bennett Town Hall, 355 4th Street, 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: Carl Gerber
                    Darvin Harrell
                    Grider Lee
                    Neal Mancuso
                    Rich Pulliam
                    Larry Vittum

Staff Present: Melinda Culley, Light, Kelly, P.C.
               Dan Giroux, Town Engineer
               Christina Hart, Municipal Court Clerk
               Daymon Johnson, Public Works Director
               Lynette White, Town Clerk

Public Present: Pat Siegman, Linda Burry, Caleb Connor, Jim Woods, Steven Vetter, Eric Brunner

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Royce Pindell.

APPROVAL OF AGENDA

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

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. September 13, 2016

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. 16.14CUP – Conditional Use Permit for a vehicle or automotive wrecking or salvage yard, including outdoor storage of inoperable vehicles (To Be Continued)

Mayor Royce Pindell called the matter of Case No. 16.14CUP to order at 7:05 p.m. This is a public hearing on a conditional use permit for Colorado Auto Parts & Steel at 48000 E 38th Avenue.

Lynette White, Town Clerk, stated the notice of public hearing was posted and published according to state statute.

Mayor Pindell announced that there’s been a request to continue this hearing in order to give the applicant additional time to address staff comments. Staff is recommending the Board continue the hearing until the Board of Trustee’s meeting on Tuesday, October 25, 2016.

TRUSTEE PULLIAM MOVED, TRUSTEE VITTUM SECONDED that the public hearing on the Conditional Use Permit for Colorado Auto Parts & Steel be continued to the Board of Trustees meeting on Tuesday, October 25, 2016 at 7:00 p.m. at Bennett Town Hall. The Mayor declared the motion carried by unanimous vote.

2. Case No. 16.15CUP – Conditional Use Permit for a building addition on the Bennett Fire Protection Districts facility located at 515 Washington Ave.

Resolution No. 636-16 – A Resolution Approving a Conditional Use Permit for the Bennett Fire Protection Districts Station 91 Facility at 515 Washington Ave.

TRUSTEE PULLIAM MOVED, TRUSTEE VITTUM SECONDED to that the Board of Trustees of the Town of Bennett adopts Resolution No. 636-16, a resolution approving a Conditional Use Permit for the Bennett Fire Protection District’s Station 91 Facility at 515 Washington Ave. Voting was as follows:

YES: Harrell, Lee, Mancuso, Pindell, Pulliam, Vittum, Gerber
NO: None

The Mayor declared the motion carried by unanimous vote.

3. Review a Request to Waive the Sprinkler and Accessibility Requirements for the Bennett Fire Protection District Modular Building

TRUSTEE PULLIAM MOVED, TRUSTEE VITTUM SECONDED to approve the Waiver Request submitted by the Bennett Fire Protection District to waive the sprinkler and accessibility requirements with the following conditions; 1. Time limit of 30 months maximum, 2. Letter to the Town of Bennett regarding the request to waive the sprinkler requirements; 3. Provide a release of liability and indemnification to the Town, and a fire watcher program implemented. Voting was as follows:

YES: Lee, Mancuso, Pindell, Pulliam, Vittum, Gerber, Harrell
NO: None

The Mayor declared the motion carried by unanimous vote.
B. Action/Discussion Items

1. Water Pollution Control Revolving Fund – Design and Engineering Loan Agreement

_Ordinance No. 668-16 – An Emergency Ordinance Authorizing a Loan from the Colorado Water Resources and Power Development Authority; Authorizing the Form and Execution of the Loan Agreement and a Governmental Agency Bond toEvidence such Loan; Ratifying Prior Determinations of the Town Board; and Prescribing other details in connection therewith_

TRUSTEE MANCUSO MOVED, TRUSTEE PULLIAM SECONDED to approve Ordinance No. 668-16, An Emergency Ordinance Authorizing a Loan from the Colorado Water Resources and Power Development Authority; Authorizing the Form and Execution of the Loan Agreement and a Governmental Agency Bond to Evidence such Loan; Ratifying Prior Determinations of the Town Board; and prescribing other details in connection therewith. Voting was as follows:

YES: Mancuso, Pindell, Pulliam Vittum, Gerber, Harrell, Lee

NO: None

The Mayor declared the motion carried by unanimous vote.

2. Amending the Bennett Municipal Code Concerning Loitering

_Ordinance No. 669-16 – An Ordinance Amending the Bennett Municipal Code Concerning Loitering_

TRUSTEE PULLIAM MOVED, TRUSTEE GERBER SECONDED to approve Ordinance No. 669-16, an ordinance amending the Bennett Municipal Code concerning loitering. Voting was as follows:

YES: Pindell, Pulliam, Vittum, Gerber, Harrell, Mancuso

NO: Lee

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

C. Street Improvement Project – Change Order No. 003

TRUSTEE MANCUSO MOVED, TRUSTEE VITTUM SECONDED to approve Street Improvement Project, Change Order No. 3 resulting in a cost savings of $330,000.00. Voting was as follows;

YES: Pulliam, Vittum, Gerber, Harrell, Lee, Mancuso, Pindell

NO: None

The Mayor declared the motion carried by unanimous vote.

7. TOWN STAFF REPORTS

Public Works Director

Daymon Johnson, Public Works Director, provided the following;

- Well commissioning update
- Shared Services Center – Punch list and Certificate of Occupancy
- Arapahoe County Master Plan for Bikes & Trails
- ADA Compliance for trails
- Elevated Water Storage Tank Construction
8. **TRUSTEE COMMENTS AND COMMITTEE REPORTS**

   **Larry Vittum**

   Trustee Vittum provided an update on the DRCOG Meeting.

9. **ADJOURNMENT**

   TRUSTEE LEE MOVED, TRUSTEE PULLIAM SECONDED to adjourn the meeting. The Mayor declared the motion carried by unanimous vote. The meeting was adjourned at 9:15 P.M.

   [Signatures]

   Lynette F. White, CMC
   Town Clerk

   Royce D. Pindell, Mayor