



# Town Board of Trustees

Minutes

Tuesday, June 14, 2022 at 7:00 pm

**PLEASE SILENCE ALL CELL PHONE AND ELECTRONIC DEVICES.  
THANK YOU.**

## 1. Meeting Information

207 Muegge Way, Bennett, CO 80102

## 2. Call to Order

Royce D. Pindell, Mayor

### a. Roll Call

#### **Minutes:**

#### **Present:**

Royce D. Pindell, Mayor - *excused*

Darvin Harrell, Mayor Pro Tem - *excused*

Kevin Barden, Trustee

Steve Dambroski, Trustee

Whitney Oakley, Trustee

Denice Smith, Trustee

Donna Sus, Trustee

#### **Staff Present:**

Trish Stiles, Town Administrator

Taeler Houlberg, Administrative Services Director

Alison Belcher, Communications and IT Director

Adam Meis, IT and Communications Manager

Sara Aragon, Community Development Manager

Steve Hebert, Planning and Economic Development Manager

Danette Ruvalcaba, Town Treasurer, Finance Director

Robin Price, Public Works Director

Ricky Martinez, Assistant Public Works Director

Keith Buono, Lead Community Services Officer

Steve King, Special Projects Coordinator

Dan Giroux, Town Engineer

Mike Heugh, Town Traffic Engineer

Melinda Culley, Town Attorney

Christina Hart, Town Clerk

**Public Present:**

Larry Gayeski  
Michael Cleary  
Jahn Castillo

**3. Pledge of Allegiance**

Royce D. Pindell, Mayor

**Minutes:**

The Pledge of Allegiance was led by Whitney Oakley, Chair

**4. Approval of Agenda**

Royce D. Pindell, Mayor

**Minutes:**

**TRUSTEE BARDEN MOVED, TRUSTEE DAMBROSKI SECONDED** to approve the agenda as presented:

Ayes: Dambroski, Oakley, Smith, Sus, Barden

Nays: None

Excused: Harrell, Pindell

Whitney Oakley, Chair, declared the motion carried by unanimous vote.

**5. Consent Agenda**

Royce D. Pindell, Mayor

**Minutes:**

**TRUSTEE SUS MOVED, TRUSTEE SMITH SECONDED** to approve the consent agenda as presented. The voting was as follows:

Ayes: Oakley, Smith, Sus, Barden, Dambroski

Nays: None

Excused: Harrell, Pindell

Whitney Oakley, Chair, declared the motion carried by unanimous vote.

**\*\*1. Action:\*\* Approval of May 24, 2022 Regular Meeting Minutes**

**\*\*2. Action:\*\* Approval of Resolution No. 919-22 - CDOT IGA for Access Control Plan**

**a. May 24, 2022 - Regular Meeting Minutes**

**b. CDOT Intergovernmental Agreement (IGA) for Access Control Plan (ACP)**

Resolution No. 919-22 - A Resolution Approving an Intergovernmental Agreement (IGA) between the Town of Bennett and CDOT for the Bennett - State Highway 79 Access Control Plan

**Public Comments on Items Not Scheduled for Public Hearing**

The Board of Trustees welcomes you. Thank you for joining us for our Town of Bennett Board of Trustees Meeting. If you are not speaking, we ask that you please mute your microphone. For public comment please sign up on the provided sheet or in the chat

box. If you are on the phone, once we get through the sign-up sheet and chat box we will call for any other comments for items not on the agenda.

Your comments will be limited to three (3) minutes. The Board may not respond to your comments this evening, rather they may take your comments and suggestions under advisement and provide direction to the appropriate member of Town staff for follow-up. Thank you.

## Regular Business

### 6. Public Hearing

#### a. Case No. 21.43 - Bennett Self Storage Final Development Plan (FDP) in Bennett Crossing

Resolution No. 918-22 - A Resolution Approving the Bennett Self Storage Final Development Plan (FDP)

##### **Minutes:**

Whitney Oakley, Chair, called the matter of Case No. 21.43 Bennett Self Storage Final Development Plan in Bennett Crossing to order.

The public hearing was opened at 7:14 p.m.

Christina Hart, Town Clerk, stated that in accordance with Colorado State Statute, notice of the public hearing was properly posted and published in the Eastern Colorado News on May 27, 2022. Legal #2652.

Steve Hebert, Planning and Economic Development Manager, reported an application was submitted for a Final Development Plan (FDP) on Lot 3B of the Bennett Crossing Filing No. 3, First Amendment subdivision. The applicant proposes four buildings, totaling 88,600-square-feet, on approximately 5 acres, at 1082 Cedar Street, for a self-storage business. The property lies within Planning Area 8 - Highway Commercial in the Bennett Crossing Outline Development Plan (ODP). The property is approximately 700 feet east of CO Highway 79 and approximately 230 feet south of Pearl Street.

The proposed site plan, building character and design, and landscape character meet the objectives of the Town's Development Design Guidelines .

##### **PUBLIC COMMENTS**

No public comments were presented.

The public hearing was closed at 7:29 p.m.

**TRUSTEE SMITH MOVED, TRUSTEE BARDEN SECONDED** to approve Resolution No. 918-22 - A resolution approving the Bennett Self Storage Final

Development Plan. The voting was as follows:  
Ayes: Smith, Sus, Barden, Dambroski, Oakley  
Nays: None  
Excused: Harrell, Pindell  
Whitney Oakley, Chair, declared the motion carried by unanimous vote.

## 7. Action/Discussion Items

### a. 2022 Bennett Gives Back Grant Recommendations

#### **Minutes:**

Danette Ruvalcaba, Town Treasurer, Finance Director, reported to the Trustees, the Town received 13 BGB Grant applications, for a total requested amount of \$94,678. The maximum funds available for this program in 2022 are \$40,000, therefore, the Bennett Gives Back Advisory Board met on June 2nd to develop funding recommendations.

**TRUSTEE BARDEN MOVED, TRUSTEE DAMBROSKI SECONDED** to approve the allocation of the funds for the Bennett Gives Back Grant recommendations.

Voting was as follows:

Ayes: Sus, Barden, Dambroski, Oakley

Nays: None

Excused: Harrell, Pindell

Whitney Oakley, Chair, declared the motion carried by unanimous vote.

## 8. Public Hearing

### a. Recommended Updates to Chapter 16, Articles I and II of the Bennett Municipal Code

Ordinance No. 742-22 - An Ordinance Amending Chapter 16 of the Bennett Municipal Code Regarding General Provisions and Zoning

#### **Minutes:**

Whitney Oakley, Chair, called the matter of updates for Chapter 16, Articles I and II of the Bennett Municipal Code to order.

The public hearing was opened at 7:35 p.m.

Christina Hart, Town Clerk, stated that in accordance with Colorado State Statute, notice of the public hearing was properly posted and published in the Eastern Colorado News on May 6, and May 13, 2022. Legal #2644.

Taeler Houlberg, Administrative Services Director and Steve Hebert, Planning and Economic Development Manager, reported several recommended updates for Articles I and II of Chapter 16.

#### **PUBLIC COMMENTS**

No public comments were presented.

The public hearing was closed at 7:55 p.m.

**TRUSTEE SMITH MOVED, TRUSTEE DAMBROSKI SECONDED** to approve Ordinance No. 742-22 - An ordinance amending Chapter 16 of the Bennett Municipal Code regarding general provisions and zoning. The voting was as follows:

Ayes: Barden, Dambroski, Oakley, Smith, Sus

Nays: None

Excused: Harrell, Pindell

Whitney Oakley, Chair, declared the motion carried by unanimous vote.

**b. Second Reading of the 2020 Model Traffic Code**

Ordinance No. 740-22 - An Ordinance Adopting by Reference the 2020 Edition of the "Model Traffic Code" for the Regulation of Traffic in the Town of Bennett

**Minutes:**

Whitney Oakley, Chair, called the matter of adopting by Reference the 2020 Edition of the "Model Traffic Code" for the regulation of traffic in the Town of Bennett to order.

The public hearing was opened at 8:00 p.m.

Christina Hart, Town Clerk, stated that in accordance with Colorado State Statute, notice of the public hearing was properly posted and published in the Eastern Colorado News on May 27, and June 3, 2022. Legal #2649.

Taeler Houlberg, Administrative Services Director, Keith Buono, Lead Community Services Officer and Steve King, Special Projects Coordinator, reported to the Trustees the last adopted updated to the MTC was conducted in 2015 in which the Town adopted the 2010 edition. The amendments to the MTC would allow the Town to have a traffic code that is more specifically tailored to the Bennett community.

**PUBLIC COMMENTS** No public comments were presented.

The public hearing was closed at 8:04 p.m.

**TRUSTEE BARDEN MOVED, TRUSTEE SUS SECONDED** to approve Ordinance No. 740-22 - An ordinance adopting by reference the 2020 Edition of the "Model Traffic Code" for the regulation of traffic in the Town of Bennett. The voting was as follows:

Ayes: Dambroski, Oakley, Smith, Sus, Barden

Nays: None

Excused: Harrell, Pindell

Whitney Oakley, Chair, declared the motion carried by unanimous vote.

## 9. Action/Discussion Items

### a. Proposed Amendments to Chapter 8 of the Bennett Municipal Code

Ordinance No. 743-22 - An Ordinance Amending Chapter 8 of the Bennett Municipal Code Regarding Parking, Vehicles and Traffic Within the Town

#### Minutes:

Steve King, Special Projects Coordinator and Taeler Houlberg, Administrative Services Director, reported to the Trustees proposed amendments to Chapter 8 regarding vehicles and traffic. The proposed revisions are not part of the 2020 Model Traffic Code adoption, though they complement the MTC by meeting current traffic needs.

**TRUSTEE SUS MOVED, TRUSTEE SMITH SECONDED** to approve Ordinance No. 743-22 - An ordinance amending Chapter 8 of the Bennett Municipal Code regarding parking, vehicles and traffic within the Town. The voting was as follows:

Ayes: Oakley, Smith, Sus, Barden, Dambroski

Nays: None

Excused: Harrell, Pindell

Whitney Oakley, Chair, declared the motion carried by unanimous vote.

### b. Request for Proposal (RFP) 22-007 - Trupp Park Phase 2 Landscape and Storm Sewer Improvements

#### Minutes:

Robin Price, Public Works Director, reported to the Trustees the Town was awarded a grant in 2021 from Adams County Open Space for improvements to to Trupp Park for phase 2.

**TRUSTEE SMITH MOVED, TRUSTEE DAMBROSKI SECONDED** to authorize the Mayor and the Town of Bennett to enter into a standard Town contract agreement with Aardvark Excavating, LLC for the Storm Sewer Improvements in an amount not to exceed \$105,457, with a prompt payment discount of \$100,185.

**TRUSTEE SMITH MOVED, TRUSTEE DAMBROSKI SECONDED** to approve the valued engineered bid from BrightView Landscaping with a not to exceed amount of \$101,000, which will include irrigation, reduced quantity boulders, reduced quantity trees and shrubs and a phased approach.

The voting was as follows:

Ayes: Smith, Sus, Barden, Dambroski, Oakley

Nays: None

Excused: Harrell, Pindell Whitney Oakley, Chair, declared the motion carried by unanimous vote.

## 10. Town Administrator Report

**Minutes:**

- August 2, 2022 - Community Night Out.
- Rachel Hample, Executive Assistant, will be reaching out to the Trustees to schedule a touch base time with Ms. Stiles.
- Sat on the CDOT review panel as a non-voting member.
- Discussions with CDOT regarding the Exit 305 bridge improvements.
- Employee performance reviews are underway.
- Will be attending the CML conference June 20th - 23rd with Mayor Pindell and Lynette
- Will be on vacation the week of June 27th.

**11. Trustee Comments and Committee Reports**

Mayor and Trustees

**Minutes:**

**Donna Sus, Trustee, reported on the following:**

- Attended the REAP meeting. Discussions included Electronic Vehicle (EV) charging stations.

**Whitney Oakley, Trustee, reported on the following:**

- Started Bennett Days conversation with Ms. Stiles, Town Administrator. The Trustee's booth will be located in the same area as the vendor fair. Trustee Oakley will create a schedule for the Board. A staff b-b-que is planned for Friday, September 9th and the Trustees are encourage to participate.

**12. Executive Session**

- a. For the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators under C.R.S. 24-6-402(4)(e); Copeland Acquisition**

**Minutes:**

**TRUSTEE SUS MOVED, TRUSTEE SMITH SECONDED** to go into executive session for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators under C.R.S. 24-6-402(4)(e); Copeland Acquisition. Voting was as follows:

Ayes: Sus, Barden, Dambroski, Oakley, Smith

Nays: None

Excused: Harrell, Pindell

Whitney Oakley, Chair, declared the motion carried by unanimous vote.

The Board went into executive session at 8:40 p.m.

**b. Return to Open Meeting**

**Minutes:**

The Board came out of executive session at 9:32 p.m.

**c. Report from Executive Session**

**Minutes:**

Whitney Oakley, Chair, announced that the Board has been in executive session and the following persons participated via hybrid in that session: Trish Stiles, Trustee Dambroski, Trustee Oakley, Melinda Culley, Trustee Smith, Trustee Barden, Trustee Sus, Dan Giroux, Danette Ruvalcaba, Robin Price and Christina Hart. Chair, Whitney Oakley, asked if there were any matters not included in the motion for an executive session or violations of the Open Meetings Law, and if so, that these concern be stated for the record.

No concerns were presented.

**13. Adjournment**

**Minutes:**

**TRUSTEE BARDEN MOVED, TRUSTEE DAMBROSKI SECONDED** to adjourn the meeting. The meeting was adjourned at 9:35 p.m. Voting was as follows:

Ayes: Barden, Dambroski, Oakley, Smith, Sus

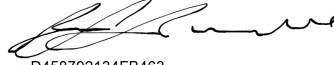
Nays: None

Excused: Harrell, Pindell

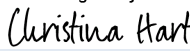
Whitney Oakley, Chair, declared the motion carried by unanimous vote.

**Minutes Approved:**

Royce D. Pindell, Mayor

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Christina Hart, Town Clerk

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Individuals with disabilities who need auxiliary aids in attending the meeting may request assistance by contacting the Town Hall at 207 Muegge Way, Bennett, CO 80102-7806, (303) 644-3249. Please give notice at least 48 hours in advance of the meeting to allow for enough time in making the necessary arrangements.

Contact: Christina Hart (chart@bennett.co.us 1303-644-3249 X1001) | Minutes published on 06/22/2022, adopted on 06/28/2022