



Town Board of Trustees

Minutes

Tuesday, July 12, 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

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

Rachel Summers, Deputy Town Administrator

Taeler Houlberg, Administrative Services Director

Chad Bunger, Community and Economic Development Director

Steve Hebert, Planning Manager

Alison Belcher, Communications and IT Director

Adam Meis, IT and Communications Manager

Sara Aragon, Community Development Manager

Dan Giroux, Town Engineer

Mike Heugh, Town Traffic Engineer

Melinda Culley, Town Attorney

Christina Hart, Town Clerk

Public Present:

Kathy Smiley
Curtis Rowe
Dan Williams
John Vitella
Russell MacLennan
Larry Evans
Iris Evans
Cooper Raines
Jeff Vogel

3. Pledge of Allegiance

Royce D. Pindell, Mayor

Minutes:

The Pledge of Allegiance was led by Royce D. Pindell, Mayor.

4. Approval of Agenda

Royce D. Pindell, Mayor

Minutes:

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

Ayes: Dambroski, Oakley, Pindell, Smith, Sus, Barden

Nays: None

Excused: Harrell

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

5. Consent Agenda

Royce D. Pindell, Mayor

Minutes:

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

Ayes: Oakley, Pindell, Smith, Sus, Barden, Dambroski

Nays: None

Excused: Harrell

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote. **1. Action:**
Approval of June 28, 2022 Regular Meeting Minutes

a. June 28, 2022 - Regular Meeting Minutes

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. 22.15 - Kiowa Creek Annexations No. 1, 2 and 3

Steve Hebert, Planning and Economic Development Manager

Minutes:

Royce D. Pindell, Mayor, reopened the public hearing on the Kiowa Creek Annexation Nos. 1, 2 and 3 and initial zoning for the property to order. This hearing was continued from the Board's meeting on June 28, 2022.

The public hearing was opened at 7:04 p.m.

Royce D. Pindell, Mayor, reported Trustee Dambroski was absent for the June 28th public hearing and asked for confirmation that Trustee Dambroski listened to the June 28th public hearing audio. Trustee Dambroski confirmed he listened to the audio.

Steve Hebert, Planning and Economic Development Manager, reported to the Trustees the Outline Development Plan has been updated with some changes. The updated Outline Development Plan allows a maximum of 915 residential units. There has been one minor update to the Outline Development Plan (ODP). In response to public testimony, the applicant has added the following language to the ODP: "Covenants, controls and restrictions will be prepared for Bennett Farms that include a section regarding agricultural practices, operations and compatibility with residential and commercial land uses.

PUBLIC COMMENTS

Larry Evans, 3420 Hwy 79, Bennett, Colorado, expressed concerns of water.

The public hearing was closed at 7:24 p.m.

TRUSTEE OAKLEY MOVED, TRUSTEE DAMBROSKI SECONDED to approve Resolution No. 922-22 - A resolution concerning a petition for the annexation of property to the Town of Bennett, Colorado, known as the Kiowa Creek Annexation No. 1 and finding the area proposed to be annexed eligible for annexation The voting was as follows:

Ayes: Pindell, Smith, Sus, Barden, Dambroski, Oakley

Nays: None

Excused: Harrell

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

TRUSTEE OAKLEY MOVED, TRUSTEE SUS SECONDED to approve Resolution No. 923-22 - A resolution concerning a petition for the annexation of property to the Town of Bennett, Colorado, known as the Kiowa Creek Annexation No. 2 and finding the area proposed to be annexed eligible for annexation The voting was as follows:

Ayes: Smith, Sus, Barden, Dambroski, Oakley, Pindell

Nays: None

Excused: Harrell

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

TRUSTEE OAKLEY MOVED, TRUSTEE SUS SECONDED to approve Resolution No. 924-22 - A resolution concerning a petition for the annexation of property to the Town of Bennett, Colorado, known as the Kiowa Creek Annexation No. 3 and finding the area proposed to be annexed eligible for annexation The voting was as follows:

Ayes: Sus, Barden, Dambroski, Oakley, Pindell, Smith

Nays: None

Excused: Harrell

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

TRUSTEE OAKLEY MOVED, TRUSTEE DAMBROSKI SECONDED to approve Ordinance No. 747-22 - An ordinance approving an annexation known as the Kiowa Creek Annexation No. 1 to the Town of Bennett, Colorado. The voting was as follows:

Ayes: Barden, Dambroski, Oakley, Pindell, Smith, Sus

Nays: None

Excused: Harrell

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

TRUSTEE OAKLEY MOVED, TRUSTEE SUS SECONDED to approve Ordinance No. 748-22 - An ordinance approving an annexation known as the Kiowa Creek Annexation No. 2 to the Town of Bennett, Colorado. The voting was as follows:

Ayes: Dambroski, Oakley, Pindell, Smith, Sus, Barden

Nays: None

Excused: Harrell

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

TRUSTEE OAKLEY MOVED, TRUSTEE SUS SECONDED to approve Ordinance No. 749-22 - An ordinance approving an annexation known as the Kiowa Creek

Annexation No. 3 to the Town of Bennett, Colorado. The voting was as follows:
Ayes: Oakley, Pindell, Smith, Sus, Barden, Dambroski
Nays: None
Excused: Harrell
Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

b. Case No. 22.16 - Kiowa Creek Planned Development - PD Zoning

Steve Hebert, Planning and Economic Development Manager

Minutes:

TRUSTEE OAKLEY MOVED, TRUSTEE BARDEN SECONDED to approve Ordinance No. 750-22 - An ordinance zoning property annexed to the Town of Bennett known as the Kiowa Creek Annexation No. 1, 2 and 3 and approving an outline development plan for such property. The voting was as follows:
Ayes: Pindell, Smith, Sus, Barden, Dambroski, Oakley
Nays: None
Excused: Harrell
Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

c. Case No. 22.17 - Bennett Farms Annexations No. 1 and 2

Steve Hebert, Planning and Economic Development Manager

Minutes:

Royce D. Pindell, Mayor, reopened the public hearing on the Bennett Farms Annexation No. 1 and 2 and initial zoning for the property to order. This hearing was continued from the Board's meeting on June 28, 2022.

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

Royce D. Pindell, Mayor, reported Trustee Dambroski was absent for the June 28th public hearing and asked for confirmation that Trustee Dambroski listened to the June 28th public hearing audio. Trustee Dambroski confirmed he listened to the audio.

Steve Hebert, Planning and Economic Development Manager, reported to the Trustees there is reference to a proposed zoning application that would allow a maximum of 3,538 residential units of various types and densities; 1,028,329 square feet of commercial and light industrial uses; and 57.6 acres for park and open space uses. The applicant has revised the zoning proposal to reduce the total number of allowed residential units to 2,753.

The public hearing was closed at 7:46 p.m.

TRUSTEE OAKLEY MOVED, TRUSTEE SUS SECONDED to approve Resolution No. 920-22 - A resolution concerning a petition for the annexation of property to the Town of Bennett, Colorado, known as the Bennett Farms Annexation No. 1

and finding the area proposed to be annexed eligible for annexation. The voting was as follows:

Ayes: Oakley, Pindell, Smith, Sus, Barden, Dambroski

Nays: None

Excused: Harrell

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

TRUSTEE OAKLEY MOVED, TRUSTEE BARDEN SECONDED to approve Resolution No. 921-22 - A resolution concerning a petition for the annexation of property to the Town of Bennett, Colorado, known as the Bennett Farms Annexation No. 2 and finding the area proposed to be annexed eligible for annexation. The voting was as follows:

Ayes: Sus, Barden, Dambroski, Oakley, Pindell, Smith

Nays: None

Excused: Harrell

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

TRUSTEE OAKLEY MOVED, TRUSTEE DAMBROSKI SECONDED to approve Ordinance No. 744-20 - An ordinance approving an annexation known as the Bennett Farms Annexation No. 1 to the Town of Bennett, Colorado. The voting was as follows:

Ayes: Barden, Dambroski, Oakley, Pindell, Smith, Sus

Nays: None

Excused: Harrell

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

TRUSTEE OAKLEY MOVED, TRUSTEE DAMBROSKI SECONDED to approve Ordinance No. 745-22 - An ordinance approving an annexation known as the Bennett Farms Annexation No. 2 to the Town of Bennett, Colorado. The voting was as follows:

Ayes: Dambroski, Oakley, Pindell, Smith, Sus, Barden

Nays: None

Excused: Harrell

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

d. Case No. 22.18 - Bennett Farms PD - Planned Development District Zoning

Steve Hebert, Planning and Economic Development Manager

Minutes:

TRUSTEE OAKLEY MOVED, TRUSTEE SMITH SECONDED to approve Ordinance No. 746-22 - An ordinance zoning property annexed to the Town of Bennett known as the Bennett Farms Annexation No. 1 and 2 and approving an outline development plan for such property. The voting was as follows:

Ayes: Oakley, Pindell, Smith, Sus, Barden, Dambroski

Nays: None

Excused: Harrell

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

e. Annexation, Development and Vested Rights Agreement (Bennett Farms and Kiowa Creek)

Ordinance No. 751-22 - An Ordinance of the Board of Trustees of the Town of Bennett, Colorado Approving an Annexation, Development and Vested Rights Agreement for the Bennett Farms and Kiowa Creek Annexations Pursuant to Article 68 of Title 24 C.R.S., and Authorizing Execution of Such Agreement

Minutes:

Royce D. Pindell, Mayor, reopened the public hearing on a proposed Annexation, Development and Vested Rights Agreement for Bennett Farms and Kiowa Creek to order. This hearing was continued from the Board's meeting on June 28, 2022.

The public hearing was opened at 7:58 p.m.

Melinda Culley, Town Attorney, reported to the Trustees, In connection with the Bennett Farms and Kiowa Creek annexations, an Annexation, Development and Vested Rights Agreement (the "Agreement") has been proposed for both the Bennett Farms and Kiowa Creek properties.

The public hearing was closed at 8:20 p.m.

TRUSTEE OAKLEY MOVED, TRUSTEE SUS SECONDED to approve Ordinance No. 751-22 - An ordinance of the Board of Trustees of the Town of Bennett, Colorado approving an Annexation, Development and Vested Rights Agreement for the Bennett Farms and Kiowa Creek Annexations pursuant to Article 68 of Title 24 C.R.S., and authorizing execution of such agreement.. The voting was as follows:

Ayes: Pindell, Smith, Sus, Barden, Dambroski, Oakley

Nays: None

Excused: Harrell

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

7. Action/Discussion Items

a. Highway 79 & I-70 EB Ramp Interchange Signalization & Reconstruction - Third Party Inspections Services

Minutes:

Trish Stiles, Town Administrator, presented the Highway 79 & East bound ramp interchange signalization and reconstruction third party inspection services to the Board.

TRUSTEE BARDEN MOVED, TRUSTEE DAMBROSKI SECONDED to authorize the Mayor and the Town of Bennett to enter into a standard Town contract

agreement with Yeh and Associates, Inc. in an amount not to exceed \$177,675, for 3rd party inspection services on construction of the State Highway 79 and I-70 EB Exit Ramp Interchange and Signalization project in accordance with CDOT and FHWA requirements. The voting was as follows:

Ayes: Smith, Sus, Barden, Dambroski, Oakley, Pindell

Nays: None

Excused: Harrell

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

b. Request for Proposal (RFP) 22-008 - Town of Bennett Park Video Surveillance

Minutes:

Alison Belcher, Communications and IT Director and Adam Meis, IT and Communications Manager, presented the results of RFP 22-008 Bennett Park's video surveillance to the Board.

TRUSTEE BARDEN MOVED, TRUSTEE OAKLEY SECONDED to authorize the Mayor and the Town of Bennett to enter into a standard Town contract agreement with Paladin Technologies - VTI Security in an amount not to exceed \$98,384. The voting was as follows:

Ayes: Sus, Barden, Dambroski, Oakley, Pindell, Smith

Nays: None

Excused: Harrell

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

8. Town Administrator Report

Minutes:

- Several stop signs were reported stolen in Old Town Bennett. Public Works will work to replace the signs.
- Vandalism was reported at the skate part at Trupp Park.
- Staff will begin department transitions: - Savannah Vickery - Economic Development Coordinator - Noelia Vargas - Accounting
- Job postings will be posted for the following positions: - Permit Tech - Cashier/Accounting - Utility Billing
- Upcoming Town events - July 13 - Engage, Shape Build regarding Transportation - July 21 - Comfort Inn and Suites Open House and Ribbon Cutting @ 4:00 p.m. - July 22 - State of the Town

9. Trustee Comments and Committee Reports

Mayor and Trustees

Minutes:

Donna Sus, Trustee, reported on the following:

- Attended the Bennett Parks and Recreation District Board Meeting.

Whitney Oakley, Trustee, reported on the following:

- Provided and reviewed the Board of Trustees Bennett Days schedule.

Denice Smith, Trustee, reported on the following:

- Will be unavailable for the June 28, 2022 board meeting.

Royce D. Pindell, Mayor, reported on the following:

- Reported on holiday fireworks.

10. Adjournment

Minutes:

TRUSTEE BARDEN MOVED, TRUSTEE DAMBROSKI SECONDED to adjourn the meeting. The meeting was adjourned at 9:37 p.m. Voting was as follows:

Ayes: Oakley, Pindell, Smith, Sus, Barden, Dambroski

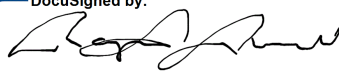
Nays: None

Excused: Harrell

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

Minutes Approved:

Royce D. Pindell, Mayor

DocuSigned by:

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Christina Hart, Town Clerk

DocuSigned by:

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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 07/20/2022, adopted on 07/26/2022