

TOWN OF BENNETT, COLORADO
BOARD OF TRUSTEES
Regular Meeting
August 24, 2021

1. CALL TO ORDER

The Board of Trustees of the Town of Bennett met in regular session on Tuesday, August 24, 2021 via hybrid meeting. Mayor Royce D. Pindell called the meeting to order at 7:01 p.m. The following persons were present upon the call of the roll:

Mayor: Royce D. Pindell

Trustees Present: Darvin Harrell
Whitney Oakley
Denice Smith
Donna Sus
Larry Vittum

Staff Present: Trish Stiles, *Town Administrator*
Taeler Houlberg, *Assistant to the Town Administrator*
Alison Belcher, *Assistant Communications Director*
Danette Ruvalcaba, *Finance and Technology Director*
Steve Hebert, *Planning and Economic Development Manager*
Sara Aragon, *Community Development Manager*
Adam Meis, *Finance and Technology Coordinator*
Steve King, *Special Projects Coordinator*
Dan Giroux, *Town Engineer*
Melinda Culley, *Town Attorney*
Christina Hart, *Town Clerk*

Public Present: Kathy Smiley, Nichole Harrell, Luke Barden, Robert Russo,
Kevin Barden, Gino Childs

2. PLEDGE OF ALLEGIANCE

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

3. APPROVAL OF AGENDA

TRUSTEE VITTUM MOVED, MAYOR PRO TEM HARRELL SECONDED to approve the agenda as amended by removing Trustee applicant Rick Stroh. The voting was as follows:

- YES: Oakley, Pindell, Smith, Sus, Vittum, Harrell
- NO: None

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

4. CONSENT AGENDA

MAYOR PRO TEM HARRELL MOVED, TRUSTEE OAKLEY SECONDED to approve the consent agenda as presented.

- YES: Pindell, Smith, Sus, Vittum, Harrell, Oakley
- NO: None

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

- A. **Action:** Approval of August 10, 2021 Regular Meeting Minutes
- B. **Action:** Approval of Resolution No. 881-21

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

There were no public comments presented.

5. REGULAR BUSINESS

A. Public Hearing

1. Lot 33, Cordella, Minor Subdivision Final Plat – Case No. 21.09

Resolution No. 880-21 – A Resolution Approving a Final Plat for Lot 33, Cordella Estates

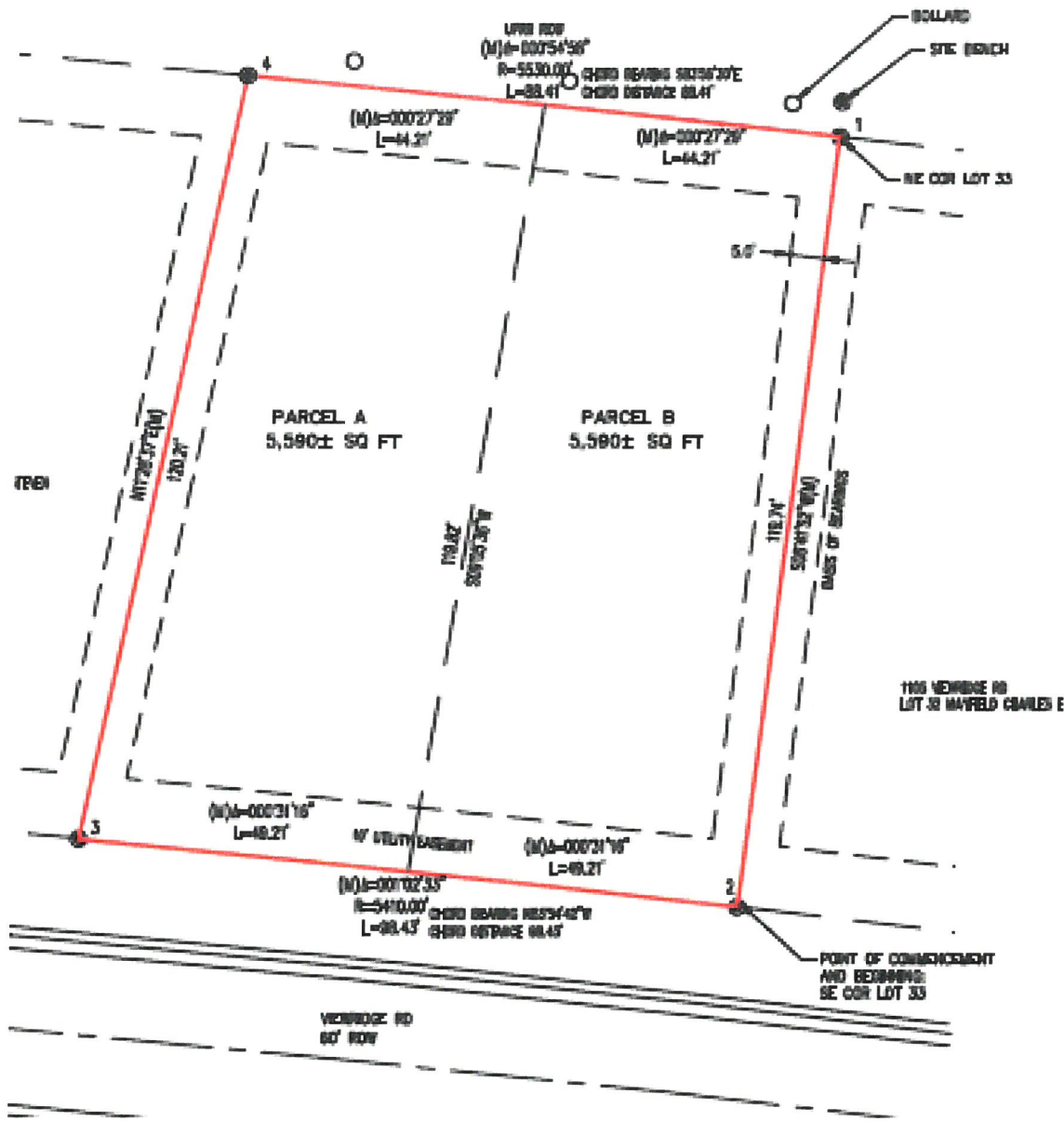
Mayor Royce D. Pindell called the matter of Case No. 21.09, Lot 33, Cordella Estates, Minor Subdivision Final Plat to order. The public hearing was opened at 7:04 p.m.

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 July 2, 2021. Legal #2499.

Sara Aragon, Community Development Manager, reported to the Trustees the Case No. 21.09 Case No. 21.09 is a proposed subdivision of Lot 33 in the Cordella West Subdivision that would subdivide the lot into two lots. Lot 33 is currently 11,180 square feet. The proposed subdivision of the lot would make each of the subdivided lots approximately 5,590 sq. ft.

The property is located on the north side of Viewridge Road, between 1005 and 1105 Viewridge Road, in the Cordella West Subdivision. The current zoning is R-2 – Mid Density Residential District. The proposed residential use is consistent with the R-2 zoning standards.

The illustration below shows the proposed lot layout, creating two lots to be known as Parcel A and Parcel B. Each lot will be 5,590 sq. ft. in size.



The subject property is currently zoned R-2 – Mid Density Residential District. The map below shows the zoning of the surrounding area, including a mix of residential, commercial, industrial and agricultural zones.

The table below summarizes the zoning and land use on properties immediately adjacent to the subject property.

Direction	Adjacent Zone District	Land Use
North	Unincorporated railroad ROW	Union Pacific Railroad
East	R-2- Mid Density Residential District	Residential
South	R-2- Mid Density Residential District	Residential
West	R-2- Mid Density Residential District	Residential

Below are the key lot standards for the R-2 District pertinent to this proposed plat.

	R-2 Standard	Proposed
Minimum Lot Area	3,500 sq. ft.	5,590 sq. ft.
Minimum Lot Width	25 ft.	49.21 ft.

Water

Water will be provided by the Town of Bennett.

Sanitary Sewer

Sanitary sewer will be provided by the Town of Bennett.

Stormwater Management

Stormwater will be collected and conveyed in accordance with Town standards to prevent any on-site or off- site flooding.

Access, Traffic and Streets

Local access is provided by Viewridge Road.

Fire and Rescue

Bennett-Watkins Fire Rescue will provide fire protection service. Development will be subject to the International Fire Code (IFC).

Gas, Electricity and Telecommunications

Natural gas will be provided by Colorado Natural Gas, electricity by IREA and telecommunications by Eastern Slope Technologies (ESRTA) or Comcast. Appropriate easements for these providers will be identified on the final plat.

Bennett School District 29J

The school district has asked for cash-in-lieu of land dedication in the amount of \$2,095.47.

Notice of the August 25, 2021, Board of Trustees meeting was published in the Eastern Colorado

News, posted on the subject property and sent to all property owners within 300 feet of the property. No public comment has been received as of this date.

The Planning and Zoning Commission reviewed Case No. 21.09 – Cordella West, Lot 33 Minor Subdivision on July 19, 2021, and recommended approval of the proposed final plat. See the attached Resolution No. 2021-07.

Staff finds the proposed final plat is in compliance with the Subdivision Regulations in Chapter 16, Article IV of the Bennett Municipal Code. Staff also finds the plat has been processed according to Section 16-4-360 and meets the approval criteria in 16-4-380. Based upon these findings, Staff recommends the Board of Trustees adopt Resolution 880-21, approving Case No. 21.09 – Cordella West, Lot 33 Minor Subdivision Plat with the following conditions:

Before recording the final plat, the applicant shall:

- a. Update plat notes related to easements and maintenance in a manner directed by the Town Engineer
- b. Make other minor modifications as directed by Town Staff, the Town Engineer and Town Attorney.

APPLICANT PRESENTATION

There was no presentation made by the applicant.

PUBLIC COMMENTS

There were no comments made by the public.

Mayor Royce D. Pindell closed the public hearing on Case No. 21.09, Lot 33, Cordella Estates, Minor Subdivision Final Plat for the Shops at Bennett Subdivision at 7:15 p.m.

MAYOR PRO TEM HARRELL MOVED, TRUSTEE OAKLEY SECONDED, to approve Resolution No. 880-21 – A Resolution Approving a Final Plat for Lot 33, Cordella Estates.

Voting was as follows:

YES: Smith, Sus, Vittum, Harrell Oakley, Pindell

NO: None

Mayor Royce D. Pindell declared the motion passed by unanimous vote.

2. Tri Valley VFW Post #8449 Special Events Liquor License

Mayor Royce D. Pindell called the matter of Tri Valley VFW Post #8449 Special Events Liquor License to order. The public hearing was opened at 7:19 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 July 23, 2021 as Legal #2507.

Christina Hart, Town Clerk, reported to the Board of Trustees, the Tri-Valley Veterans of Foreign Wars (VFW) Post 8449 has applied for a special events permit to serve fermented malt beverages during Bennett Days on September 11, 2021, from 8:00 a.m. through 11:00 p.m. This is the first special events permit application the Tri-Valley VFW Post 8449 has applied for in 2021. The

maximum number of permits an organization is allowed per Colorado State Statute 12-48-105(3) is 15 per calendar year.

Robert Russo, 43288 Arkansas Place, Commander of Tri-Valley VFW Post 8449, submitted the completed DR8439 application for a special events permit on June 23, 2021.

The following requirements for a new event liquor license have been met:

- The license is the proper type of license to be issued.
- The applicable Town applications and license fees have been submitted.
- Tri-Valley VFW Post 8449 is not within 500 feet of any public or parochial school or the principal campus of any college, university or seminary.
- The applicant is in possession of the proposed premises.
- The health, safety and welfare of the neighborhood will not be adversely affected should the license be issued.
- All State and Town statutes, code, ordinances and regulations have been met or are satisfied.

Staff recommends the Local Licensing Authority approve the DR8439 Special Events Permit, thereby, licensing Tri-Valley VFW Post 8449 to sell fermented malt beverages at its establishment in Bennett on September 11, 2021, from 8:00 a.m. through 11:00 p.m.

APPLICANT PRESENTATION

Commander Robert Russo reported to the Trustees the servers of the malt beverages are State certified to serve alcohol. Wristbands will be provided to those who meet the legal requirement to purchase and consume beer. The VFW will set up a barrier for the beer garden at their location.

PUBLIC COMMENTS

There were no public comments presented.

Mayor Royce D. Pindell closed the public hearing on the Tri Valley VFW Post 8449 Special Events Liquor License at 7:25 p.m.

TRUSTEE COMMENTS

Trustee Vittum stated, "It is a true honor to have the VFW Post 8449 as part of the Bennett Community". The VFW Post 8449 has come before the Town each year with the Special Events Liquor License permit application. Trustee Vittum is in support of issuing the Special Events Permit for Bennett Days 2021.

Trustee Sus expressed her gratitude for Commander Russo's service. She is in favor of granting the license.

Trustee Oakley is in support of approving the application keeping with the Bennett Days tradition.

Trustee Smith echoed the sentiments of her fellow Trustees.

Mayor Pro Tem Harrell stated he is in support of approving the Special Events Liquor License and noted that September 11 marks the 20th anniversary of 9/11.

Mayor Royce D. Pindell gave thanks to the service members. Mayor Pindell is in support of approving the permit.

TRUSTEE VITTUM MOVED, MAYOR PRO TEM HARRELL SECONDED to approve a special events liquor license for Tri-Valley VFW Post 8449 at 115 Palmer Avenue in Bennett, Colorado thereby licensing the VFW Post 8449 to sell fermented malt beverages on September 11, 2021 from 8:00 a.m. through 11:00 p.m. The voting was as follows:

YES: Sus, Vittum, Harrell, Oakley, Pindell, Smith

NO: None

Mayor Royce D. Pindell declared the motion passed unanimously.

3. Comprehensive Plan Update

Trish Stiles, Town Administrator, reported to the Board of Trustees, the Comprehensive Plan before them is a draft. The February 2021 Board retreat had a fruitful outcome with discussion surrounding the updated Comprehensive Plan.

The Trustee created an updated vision for the Town as well as 12 guiding principles. Bennett is committed to responsible planned development; economic vitality; high-quality public services, infrastructure, programs and policies.

The draft Comprehensive Plan will be available to the public through a QR Code on September 11th, 2021 during Bennett Days. This will provide an opportunity for the community to review the draft Comprehensive Plan with the ability to provide feedback.

The Comprehensive Plan will be coming before the board in October 2021 during a public hearing to consider the adoption of the updated plan.

4. Board of Trustees Appointment Applications and Interviews

Mayor Royce D. Pindell reported the Town of Bennett received two applications to fill the vacant Trustee seat. The applicant for the Trustee position include:

- Kevin Barden
- Gino Childs

Each Trustee will have an opportunity to ask the candidates the interview questions. A scorecard has been provided to aid each Trustee for review of each candidate based upon the questions asked. A ballot has also been provided to each Trustee. The process will allow the vote to become part of the record and documented properly. The Trustees cannot vote by secret ballot.

The Board of Trustees asked questions of the applicants prior to voting for the Trustee vacancy.

The Trustee will sit on the Board until the April 2022 elections when at that time is eligible to run for the Board.

Mayor Royce D. Pindell read the results of the voting:

- Mayor Royce D. Pindell – Kevin Barden
- Mayor Pro Tem Harrell – Kevin Barden
- Trustee Oakley – Gino Childs
- Trustee Smith – Kevin Barden
- Trustee Sus – Kevin Barden
- Trustee Vittum – Kevin Barden

The results of the voting: Kevin Barden – 5
Gino Childs – 1

Mayor Royce D. Pindell announced Kevin Barden to fill the vacant seat for Trustee. The Mayor thanked both candidates for their interest in serving the Town of Bennett.

Christina Hart, Town Clerk, performed the Oath of Office to Kevin Barden.

6. TOWN ADMINISTRATOR REPORT

Trish Stiles, Town Administrator, reported on the following:

- Interviews are beginning for the second CSO (Community Service Office) position.
- Town Staff is working on REVIVE Grant updates
- The Town has filed claims in response to the large storm in Bennett last week.
- Roofing permits must be obtained through the Bennett Building Dept.
- Kuhn Construction has begun work on the upper pond in BRPOS.
- The Town of Bennett has been identified as a finalist in the Health Links Award.
- Ms. Stiles was recognized in the ICMA blog series.
- The Trustees has been provided the Bennett Days 2021 itinerary.
- Holiday Help program will be available at Bennett Days.

7. TRUSTEE COMMENTS AND COMMITTEE REPORTS

Royce D. Pindell

Mayor Pindell reported on the following;

- Good reports from Public Works the drainage handled the recent store.
- His home incurred damage because of the hailstorm.
- Thanked Staff for the continued hard work.

Larry Vittum

Trustee Vittum reported on the following;

- Attended DRCOG on August 15

Darvin Harrell

Mayor Pro Tem Harrell reported on the following;

- Be aware of roofing contractors soliciting for business in light of the recent hail event.
- Adams County Commissioners voted 3 – 2 against the mask mandate.

Denice Smith

Trustee Smith reported on the following:

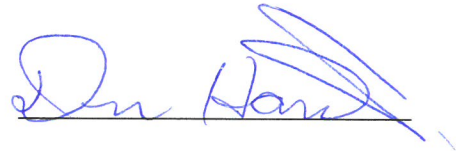
- Thanked former Public Works Assistant Director, Oscar Ruvalcaba, for his quick reaction to the recent storm.
- Masks are mandated for students who ride the bus.

8. ADJOURNMENT

TRUSTEE VITTUM MOVED, TRUSTEE SUS SECONDED to adjourn the meeting. The meeting was adjourned at 9:33 p.m. Voting was as follows:

YES: Harrell, Oakley, Pindell, Smith, Sus, Vittum
NO: None

The Mayor declared the motion carried by unanimous vote.



Darvin Harrell, Mayor Pro Tem



Christina Hart, Town Clerk

