

TOWN OF BENNETT, COLORADO  
BOARD OF TRUSTEES  
Regular Meeting  
September 14, 2021

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1. CALL TO ORDER

The Board of Trustees of the Town of Bennett met in regular session on Tuesday, September 14, 2021 via hybrid meeting. Mayor Pro Tem Darvin Harrell called the meeting to order at 7:15 p.m. The following persons were present upon the call of the roll:

Mayor: Royce D. Pindell - *excused*

Trustees Present: Kevin Barden  
Darvin Harrell  
Whitney Oakley  
Denice Smith - *excused*  
Donna Sus  
Larry Vittum

Staff Present: Trish Stiles, *Town Administrator*  
Rachel Summers, *Deputy Town Administrator*  
Taeler Houlberg, *Assistant to the Town Administrator*  
Alison Belcher, *Assistant Communications Director*  
Steve Hebert, *Planning and Economic Development Manager*  
Sara Aragon, *Community Development Manager*  
Robin Price, *Public Works Director*  
Ricky Martinez, *Assistant Public Works Director*  
Adam Meis, *Finance and Technology Coordinator*  
Steve King, *Special Projects Coordinator*  
Dan Giroux, *Town Engineer*  
Melinda Culley, *Town Attorney*  
Gabrielle Renner, *Town Traffic Engineer*  
Christina Hart, *Town Clerk*

Public Present: Kathy Smiley, Mike Talcott, Larry Gayeski Forrest Charlesworth, Ed Voltolina, Michelle Gayeski

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pro Tem Darvin Harrell.

3. **APPROVAL OF AGENDA**

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

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

Mayor Pro Tem Harrell declared the motion carried by unanimous vote.

4. **CONSENT AGENDA**

TRUSTEE VITTUM MOVED, TRUSTEE SUS SECONDED to approve the consent agenda as presented.

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

Mayor Pro Tem Harrell declared the motion carried by unanimous vote.

- A. **Action:** Approval of August 24, 2021 Regular Meeting Minutes
- B. **Action:** Approval of Resolution No. 882-21
- C. **Action:** Approval of Resolution No. 883-21

**PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

There were no public comments presented.

5. **REGULAR BUSINESS**

**A. Action/Discussion**

**1. Planning and Zoning Commission Applicant**

Christina Hart Town Clerk, reported to the Board of Trustees, per Section 2-13-10 of the Bennett Municipal Code, the Planning and Zoning Commission (Planning Commission) shall consist of seven members who shall be appointed by the Board of Trustees. The Planning Commission currently has six commissioners seated with one seat vacant. In the event of a vacancy on the Planning Commission, the Board of Trustees shall appoint replacement(s) for the balance of the unexpired term of the vacant position, which is January 2022.

Notice of the vacancy along with the application have been posted to the Town website as well as published in the local newspaper.

Gino Childs submitted an application for consideration for the Planning Commission. Mr. Childs is a resident of the Town of Bennett and is a project engineer with five years of experience in the construction industry managing large teams. He is interested in serving his community and gaining knowledge of the process associated with municipal government.

TRUSTEE BARDEN MOVED, TRUSTEE SUS SECONDED to approve Gino Childs Planning & Zoning Commissioner application. The voting was as follows:

YES: Sus, Vittum, Barden, Harrell, Oakley

NO: None

EXCUSED: Pindell, Smith

Mayor Pro Tem Harrell declared the motion carried by unanimous vote.

Christina Hart, Town Clerk, performed the Oath of Office to Gino Childs.

## 2. QuikTrip Store No. 4216 Development Agreement (DA)

### **Resolution No. 884-21 – A Resolution Approving a Development Agreement for QuikTrip Store No. 4216.**

Steve Hebert, Planning and Economic Development Manager, reported to the Board of Trustees Section 16-5-710 of the Municipal Code requires subdividers or developers to enter into an agreement with the Town that obligates the subdivider or developer to design, install and pay for public improvements such as streets, utilities, drainage improvements and other infrastructure needed to support the developments. One of the primary reasons the Town requires a development agreement (DA) is to ensure a landowner/developer completes the public improvements prior to building occupancy. The agreement also gives the Town a financial mechanism that guarantees the improvements can be completed in the event of a default by the developer.

If approved, Resolution No. 884-21 will authorize the Mayor to execute the DA for the QuikTrip Store No. 4216. The property is located at the northwest corner of I-70 and CO Hwy 79 (1<sup>st</sup> Street). The final development plan (FDP) was approved by the Board of Trustees on March 9, 2021.

The QuikTrip Store No. 4216 DA includes, but is not limited to:

- Identification of the developer
- Construction standards and deadlines
- Conditional acceptance of improvements
- Maintenance and warranty of improvements
- Final acceptance
- Financing and improvement guarantees

The following improvements are addressed in this agreement:

- Water mains
- Sanitary sewer lines
- Storm sewer system
- Public street improvements

The total cost of the public improvements is estimated to be \$424,949. Details of the improvements are listed in Exhibit B attached to the DA.

In addition, the agreement acknowledges credits will be available against future impact fees that reflect water rights dedication, existing water and sewer taps, previous building square-footage and impervious surface area.

TRUSTEE OAKLEY MOVED, TRUSTEE VITTUM SECONDED to approve Resolution No. 884-21 – A resolution approving a development agreement for QuikTrip Store No. 4216.. The voting was as follows:

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

Mayor Pro Tem Harrell declared the motion carried by unanimous vote.

### 3. Shops at Bennett Subdivision Agreement (SA)

#### **Resolution No. 885-21 – A Resolution Approving a Subdivision Agreement for the Shops at Bennett Subdivision**

Steve Hebert, Planning and Economic Development Manager, reported to the Board of Trustees Section 16-5-710 of the Municipal Code requires subdividers to enter into an agreement with the Town that obligates the subdivider to design, install and pay for public improvements such as streets, utilities, drainage improvements and other infrastructure needed to support the developments. One of the primary reasons the Town requires a subdivision agreement (SA) is to ensure a landowner/developer does not sell lots to other parties before adequate services are in place. The agreement also gives the Town a financial mechanism that guarantees the improvements can be completed in the event of a default by the developer or subdivider.

If approved, Resolution No. 885-21 will authorize the mayor to execute the SA for the Shops at Bennett Subdivision. The property is located at the southwest corner of 1<sup>st</sup> Street and Centennial Drive. The final plat was approved by the Board of Trustees on August 10, 2021 (see a summary sheet of the plat document at the end of this report).

The Shops at Bennett SA includes, but is not limited to:

- Identification of the subdividers
- Construction standards and deadlines
- Conditional acceptance of improvements
- Maintenance and warranty of improvements
- Final acceptance
- Financing and improvement guarantees

The following improvements are addressed in this agreement:

- Water mains
- Sanitary sewer lines
- Storm sewer system
- Private street improvements

The total cost of the improvements is estimated to be \$166,782.

TRUSTEE VITTUM MOVED, TRUSTEE OAKLEY SECONDED to approve Resolution No. 885-21 – A resolution approving a subdivision agreement for the Shops at Bennett Subdivision. The voting was as follows:

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

Mayor Pro Tem Harrell declared the motion carried by unanimous vote.

4. **Request for Proposal (RFP) 21-008 – Contract for Street Improvement Project at First and Roosevelt**

Robin Price, Public Works Director, report to the Board of Trustees, over the last several years, the intersection at First Street and Roosevelt Avenue has deteriorated. Staff would like to replace the concrete at that intersection as part of the rehabilitation program for the deteriorated concrete sections of the Town’s roads. This intersection is being prioritized because it is a widely used intersection for residents, a key area for drainage and a heavy equipment corridor.

The Town issued RFP 21-008 on August 2, 2021, in order to solicit bids for the street improvements at First and Roosevelt. Below is a summary of those bids.

The Town received the following qualified responses:

- **RME Ltd., LLC dba Elite:** Elite has worked for the Town on the Muegge Way and Highway 79 Widening Project. Elite provided all documents necessary for the RFP bidding process and have been in business for 23 years.
  - Proposed cost for services: **\$71,300**
- **Denver Best Concrete, LLC:** Denver Best Concrete has worked for the Town on numerous projects including the light caissons at Community Center, sidewalk work in various parks and drainage pans at Brothers Four. They are local Bennett company.
  - Proposed cost for services: **\$68,864**
- **Chavez Services, LLC:** Chavez Services has worked for the Town on Future Park sidewalk and curb work. The owner of the company has 20 years of experience in the construction field.
  - Proposed cost for services: **\$88,865**

After a thorough evaluation of all bids, Staff believes all three companies that responded to the RFP would be qualified to complete the street improvements at First and Roosevelt. Denver Best Concrete, LLC has worked on numerous smaller projects for the Town and has done quality work, the most recent being the construction of the stage at Trupp Park. The current budget for this project is \$60,000. Due to increased costs throughout the industry, Staff proposes moving forward with Denver Best Concrete at \$68,864 for the project.

Company	Bid
RME Ltd., LLC dba Elite	\$71,300
Denver Best Concrete, LLC	\$68,864
Chavez Services, LLC	\$88,865

TRUSTEE SUS MOVED, TRUSTEE VITTUM SECONDED to authorize the Mayor and the Town of Bennett to enter into a standard Town contract agreement with Denver Best Concrete, LLC in an amount not to exceed \$68,864 for the First and Roosevelt Street improvement project. The voting was as follows:

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

## 5. Reuse Project Purple Pipe

Robin Price, Public Works Director, reported to the Board of Trustees, in 2019 the Town of Bennett received an Adams County Open Space Grant to implement a reclaimed water system and deliver reclaimed water for irrigation use at key Town parks.

At the May 25, 2021, Board meeting, Town Staff presented and received approval to award a contract to MSK Consulting for the design of the Reclaimed Water Pump, Treatment Station and Transmission Pipeline Project. Since that time, MSK Consulting have been working diligently on the design of the pipeline as well as the pump station.

To begin preparing for budget and costs, Town Staff contacted contractors to see what the cost of 6,000 linear feet (LF) of purple pipe would be and also determine the timing and availability of the pipe.

Ferguson was the first company to respond and on August 26, 2021, they notified the Town that it could not get purple pipe within the next year because they are only manufacturing blue line.

The second company Town Staff contacted to obtain pricing was Core and Main. A representative with Core and Main has found that the only manufacturer selling purple pipe at this time is Vinyl Tech. This is due to the resin shortage throughout the country, with most pipe manufactures using the resin they do have to make the sizes that are in highest demand. Core and Main reached out to Vinyl Tech and the quantity of 6,000 LF could take up to three or more months to manufacture. Additionally, with the shortage of resin there are also cost increases for the product.

After Staff learned of the above information, the Town reached out to Dan's Custom Construction to obtain a formal bid to purchase the 6,000 LF of purple pipe from Core and Main. The Town needs to contract with a third party in order to purchase the large quantity of pipe and oversee the shipping and unloading. Dan LaCoe of Dan's Custom Construction has been involved in the purple pipe project since the first phase of the reuse load out facility and has been a great resource on the design work due to his background with the first phase as well as his knowledge and experience in the industry.

TRUSTEE OAKLEY MOVED, TRUSTEE VITTUM SECONDED to authorize the Town Administrator to execute a contract with Dan's Custom Construction for the purchase of 6,000 linear feet of 12" C900 DR18 purple pipe, with a not-to-exceed amount of \$250,000. The voting was as follows:

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

## 6. TOWN ADMINISTRATOR REPORT

Trish Stiles, Town Administrator, reported on the following:

- Congratulated Staff and community partners on a successful Bennett Days.
- SmartSheet management met today. Continue to work on to-do list.
- 4 responses for the master transportation plan have been received. Interviews will take place on September 16<sup>th</sup>.
- Ricky Martinez was recently promoted to Assistant Public Works Director.
- The Water Authority met on September 13, 2021.
- Crack-sealing will be taking place before the winter season.
- Housing projects are in the final phases.

## 7. TRUSTEE COMMENTS AND COMMITTEE REPORTS

### Donna Sus

Trustee Sus reported on the following;

- Bennett Days was very successful.
- Requested the Board of Trustees future Bennett Days booth be located closer to the vendors for better exposure.
- Thanked Staff for the continued hard work.

### Larry Vittum

Trustee Vittum reported on the following;

- Contemplating not running as a Trustee in April 2022. Trustee Vittum has been involved as the DRCOG representative for approximately 6 years. In the event he no longer serves as Trustee, a strong alternate for DRCOG representation, he feels, is Trustee Oakley.

### Whitney Oakley

Trustee Oakley reported on the following;

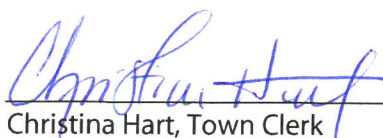
- Welcomes additional responsibilities to assist Staff with future Bennett Days.

## 8. ADJOURNMENT

TRUSTEE VITTUM MOVED, TRUSTEE SUS SECONDED to adjourn the meeting. The meeting was adjourned at 7:50 p.m. Voting was as follows:

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

Mayor Pro Tem Harrell declared the motion carried by unanimous vote.

  
Christina Hart, Town Clerk



  
Royce D. Pindell, Mayor