

TOWN OF BENNETT, COLORADO
BOARD OF TRUSTEES
Regular Meeting
January 28, 2020

1. CALL TO ORDER

The Board of Trustees of the Town of Bennett met in regular session on Tuesday, January 28, 2020, at the Bennett Town Hall, 207 Muegge Way, Bennett, Colorado. Mayor Royce Pindell called the meeting to order at 7:03 p.m. The following persons were present upon the call of the roll:

Mayor: Royce Pindell

Trustees Present: Darvin Harrell
Charles Bayley
Neal Mancuso
Rich Pulliam
Larry Vittum
Phyllis Webb- *Excused*

Staff Present: Melinda Culley, *Town Attorney*
Steve Hebert, *Planning & Economic Development Manager*
Rachel Summers, *Deputy Town Administrator*
Lynette White, *Town Clerk*

Public Present: Pat Siegman, Irma Ronquillo, Linda Burry, Randy Lay, Ken Newby, Harvey Deutsch, Garrett Walsted, Steven Vetter

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Royce Pindell

3. APPROVAL OF AGENDA

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

4. CONSENT AGENDA

TRUSTEE VITTUM MOVED, TRUSTEE BAYLEY SECONDED to approve the consent agenda as presented. The Mayor declared the motion carried by unanimous vote.

A. Approval of Minutes

1. Action: Approval of December 10, 2019 Regular Meeting Minutes

5. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Irma Ronquillo, 440 Second Street, addressed the Board regarding a pothole at the Palmer Bypass near the Union Pacific Railroad tracks. Direction will be provided to Public Works to review.

6. ACTION/DISCUSSION ITEMS

A. Adams County Sheriff – 4th Quarter Report

Commander Karl Smalley provided the 4th Quarter Report and 2019 Year End Report which included a review of property crimes, crimes against persons, officer initiated and incoming calls for service and types of crimes committed.

Additional information provided;

- New Commander, Aaron Pataluna, to oversee patrol operations
- Replacement staff within one month

B. Arapahoe County Sheriff – 4th Quarter Report

Lieutenant Tami Twombly, Arapahoe County Public Safety Bureau, advised in the 4th Quarter there were 20 calls for service, with 5 reports submitted and 2019 calls increased to a total of 30 over previous years. There were a total of 18 reports, 7 offenses, and 11 incidents with 3 arrests in the Bennett area.

C. Amending the Bennett Municipal Code to Raise the Age for Possession and Purchase of Tobacco and Electronic Smoking Devices from 18 to 21 Years of Age

Ordinance No. 800-20 – An Ordinance Amending the Bennett Municipal Code to Raise the Age for Possession and Purchase of Tobacco and Electronic Smoking Devices from 18 to 21 Years of Age

The Board of Trustees provided direction to Town Staff to consult with the Adams County Sheriff's Office regarding enforcement and to move discussion of Ordinance No. 800-20 to a Board Study Session.

TRUSTEE PULLIAM MOVED, TRUSTEE VITTUM SECONDED to move discussion on Ordinance No. 800-20, an ordinance amending the Bennett Municipal Code to raise the age for possession and purchase of tobacco and electronic smoking devices from 18 to 21 years of age, to a Board Study Session. The Mayor declared the motion carried by unanimous vote.

7. PUBLIC HEARING

A. Case No. 19.17FP – Bennett Ranch Filing No. 1 Final Plat

Mayor Royce Pindell called the matter of Case No. 19.17FP, approving the Bennett Ranch Filing No. 1 Final Plat. The public hearing was opened at 7:31 p.m.

Lynette White, Town Clerk, stated that in accordance with State statute, notice of the public hearing was properly posted and published in the Eastern Colorado News, December 27, 2019.

There were no disclosures presented by the Board of Trustees.

Steve Hebert, Town Planner introduced Harvey Deutsch and Garrett Walstead, representing Bennett Ranch, LLC. Mr. Hebert presented the application for a subdivision to create 145 lots for single-family detached homes, along with land for a park, open space, school site, fire station and water storage tank. The site will be located at the southwest corner of E. 38th Avenue and Highway 79.

Case No. 19.17FP – Bennett Ranch Filing No. 1 Final Plat (continued)

The Planning and Zoning Commission held a public hearing on January 13, 2020 to consider Case No. 19.07. Several property owners in the area, from both within the Town of Bennett and unincorporated Adams County, testified. Concerns included traffic impacts on CO Highway 79, related safety issues on 38th Avenue and CO Highway 79, access near Greg's Place and Palmer Avenue, storm water plans and overall impacts of growth. The Commission recommended approval Bennett Ranch, Filing No. 1, subject to conditions, in Resolution 2020-01 attached.

Staff finds the proposed final plat is in compliance with overall 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 approve Case No. 19.17 – Bennett Ranch Filing No. 1 Final Plat, with the following conditions:

Prior to recordation of the final plat the applicant shall:

1. update plat notes related to easements and maintenance in a manner directed by the Town Engineer
2. provide an updated title commitment, dated no later than one month prior to submitting final documents for recording.
3. execute a Subdivision Improvement Agreement in a form acceptable to the Town
4. convey Tract C to the Bennett-Watkins Fire District, convey Tract D to the Town of Bennett and convey Tract M to the Bennett School District.
5. acquire and record all off-site easements necessary to accommodate water, sanitary sewer and storm drainage connections
6. make other minor modifications as directed by Town Staff, Engineer and Town Attorney.

Dan Giroux, Terramax Inc., Town Engineer, provided a review of the water, wastewater and storm water infrastructure to be installed by the Bennett Ranch Metropolitan District, which include an at grade water storage tank, future ground water wells, development of purple pipe usage, sanitary sewer gravity flows, and street drainage capacity to minimize standing water and homeowner impacts.

Mike Rocha, SM Rocha, Traffic Engineer discussed a collaboration with the Colorado Department of Transportation (CDOT), to study the site lines at 38th Avenue and Highway 79, lowering the speed limit, installation of a light at the intersection, and overall improvement of site distance.

Garrett Walstead, Civil Engineer discussed the water, sanitary sewer and storm water infrastructure and utility line placement within the development.

Harvey Deutsch, Bennett Ranch LLC, responded to questions regarding maintenance of the parks, trail system, sidewalk installation, and the builder for the development.

Public comments were presented by Randy Lay, 47950 E. 38th Ave., Bennett, CO regarding storm water run-off, traffic, construction traffic, and water usage for the dirt work during construction.

Mayor Pindell closed the matter of Case No. 19.17FP, approving the Bennett Ranch Filing No. 1 Final Plat at 8:45 p.m.

Resolution No. 799-20 – Resolution Approving a Final Plat for Bennett Ranch Filing No. 1

TRUSTEE BAYLEY MOVED, TRUSTEE PULLIAM SECONDED to approve Resolution No. 799-20, a resolution approving a Final Plat for Bennett Ranch Filing No. 1. Voting was as follows:

YES: Bayley, Mancuso, Pindell, Pulliam
NO: Harrell, Vittum
EXCUSED: Webb

The Mayor declared the motion carried by a vote of four (4) in favor and two (2) against.

8. TOWN STAFF COMMUNICATION

Rachel Summers

Rachel Summers, Deputy Town Administrator, presented the following;

- Invitation to the Board for the I-70 Chamber of Commerce Super Bowl Dinner, Saturday, February 2, 2020 at the Bennett Community Center

Lynette White

Lynette White, Town Clerk, advised the Board of the cancellation of the April 7, 2020 Municipal Election; no more nomination petitions were received than positions available on the Board. The resolution will be presented to the Board at the February 11, 2020 Board Meeting.

9. TRUSTEE COMMENTS AND COMMITTEE REPORTS

Neal Mancuso

Trustee Mancuso reported on attendance at the Adams County Transportation Meeting and discussed the value of Board representation, public service and commitment.


Larry Vittum

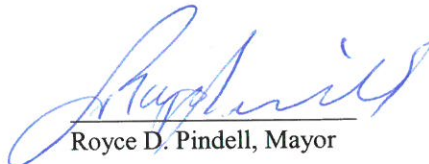
Trustee Vittum reported on the following;

- Arapahoe County Transportation Meeting
- Denver Regional Council of Governments (DRCOG) Meeting

10. ADJOURNMENT

TRUSTEE MANCUSO MOVED, TRUSTEE PULLIAM SECONDED to adjourn the meeting. The Mayor declared the motion carried by unanimous vote. The meeting was adjourned at 9:07 pm.


Lynette F. White, MMC
Town Clerk


Royce D. Pindell, Mayor

