



Town Board of Trustees

Tuesday, June 13, 2023 at 7:00 pm

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

1. Meeting Information

207 Muegge Way, Bennett, CO 80102

For a live stream of the meeting use the information below:

<https://us02web.zoom.us/j/82969043900>

Meeting ID: 829 6904 3900

Passcode: 166365

One tap mobile

+13462487799

2. Call to Order

Royce D. Pindell, Mayor

a. Roll Call

3. Pledge of Allegiance

Royce D. Pindell, Mayor

4. Approval of Agenda

Royce D. Pindell, Mayor

5. Consent Agenda

Royce D. Pindell, Mayor

a. May 9, 2023 - Regular Meeting Minutes

Attachments:

- **May 9, 2023 - Regular Meeting Minutes** (05-09-2023_-_Draft_Minutes.pdf)

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. Action/Discussion Items

a. Town Clerk Department Update

Christina Hart, Town Clerk

Attachments:

- **Town Clerk Department Update** (0_-_Dept._Progress_Update.pdf)
- **Colorado Department of Revenue Bulletin 22-04** (22-04_FMB-Wine.pdf)

b. Capital Improvement Department Update

Daymon Johnson, Capital Projects Director

Attachments:

- **Capital Improvement Department Update** (Capital_Improvement_Department_Progress_Report_FINAL1_-_DJ-RS_-_6.6.23.pdf)

c. Chapter 8 Parking Storage and Vehicle Weight Changes

Trish Stiles, Town Manager

Attachments:

- **Staff Report Chapter 8 Parking Storage and Vehicle Weight Changes** (0_-_Staff_Report_Ch_8_parking_and_weight_restriction_discussion.pdf)
- **Proposed Code Highlighted Changes and Areas for Review** (1_-_Sec._8_5_30_Motorized_vehicles_restricted_Revised_Sections_for_Discussion.pdf)
- **Traffic Operation Data Kiowa Bennett Road and Antelope Dr. - April 7, 2023** (2_-_Kiowa-Bennett_Rd._and_Antelope_Dr.pdf)

7. Town Manager Report

Trish Stiles, Town Manager

8. Trustee Comments and Committee Reports

Mayor and Trustees

9. Adjournment

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.



DRAFT

Town Board of Trustees

Minutes

Tuesday, May 9, 2023 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
Whitney Oakley, Mayor Pro Tem
Kevin Barden, Trustee
Steve Dambroski, Trustee
Denice Smith, Trustee - *excused*
Donna Sus, Trustee
Larry Vittum, Trustee

Staff Present:

Trish Stiles, Town Manager
Danette Ruvalcaba, Town Treasurer and Finance Director
Alison Belcher, Communications and IT Director
Adam Meis, IT and Communications Manager
Chad Bunger, Community and Economic Development Director
Greg Thompson, Planning Manager
Gerilynn Scheidt, Town Safety Officer
Denise Taylor, Assistant to the Town Manager
Savannah Vickery, Community Development Manager
Mike Heugh, Traffic Engineer
Dan Giroux, Town Engineer
Melinda Culley, Town Attorney
Christina Hart, Town Clerk

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Public Present:

Robin Phillbrick
Paige Otto
Diane Moler
Pat Siegman
Kathy Smiley
Mason Oakley
Jennifer Ludwig
Brian Hlavacek
Perry Walls
Kayle Walls
Matt Zuber
Shelly Zuber
Kelly Weidenbad
Cassidy Sherman
Libby Harrington

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 VITNUM MOVED, MAYOR PRO TEM OAKLEY SECONDED to approve the agenda as presented. The voting was as follows:

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

Nays: None

Excused: Smith

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

5. Consent Agenda

Royce D. Pindell, Mayor

Minutes:

MAYOR PRO TEM OAKLEY MOVED, TRUSTEE VITNUM SECONDED to approve the consent agenda as presented. The voting was as follows:

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

Nays: None

Excused: Smith

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote. **1. Action:** Approval of April 25, 2023, Regular Meeting Minutes

PUBLIC COMMENTS NOT ON THE AGENDA

There were no public comments presented.

a. April 25, 2023 - 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. Action/Discussion Items

a. Bennett Sales Tax Capital Improvement Fund Oversight Committee Appointments

Minutes:

Danette Ruvalcaba, Finance Director, reported three applicants for the Bennett Sales Tax Capital Improvement Fund Oversight Committee, were interviewed by Mayor Pro Tem Oakley and Trustee Sus.

TRUSTEE BARDEN MOVED, TRUSTEE DAMBROSKI SECONDED to appoint Caleb Connor and Diane Moler, to the Town of Bennett Sales Tax Capital Improvement Fund Oversight Committee. The voting was as follows:

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

Nays: None

Excused: Smith

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

b. Court Appointed Special Advocates for Children (CASA) - Child Abuse Prevention

Minutes:

Paige Otto, CASA Community Engagement Manager, reported updates on Bennett volunteers who assist as court-appointed special advocates. Volunteers are asked to make an 18-month commitment to support children who are a victim of child abuse or neglect. Ms.Otto thanked the Board for their ongoing support.

c. Overview of Changes to County Health Department Services

Minutes:

Gerilynn Scheidt, Town Safety Officer, reported an overview of changes to County Health Department Services.

Dr. Kelly Weidenback, Director of Public Health Adams County and Jennifer Ludwig, Director of Public Health Arapahoe County, reported on the services that will be provided for

residents who live in either Adams or Arapahoe County. The County Departments will increase their collaboration for community safety and well-being, community and economic development and human services.

d. Ordinance No. 770-23 - Health Department Updates

Ordinance No. 770-23 - An Ordinance Amending Chapters 7 and 13 of the Bennett Municipal Code to Remove References to the Tri-County Health Department

Minutes:

Denise Taylor, Assistant to the Town Manager, presented recommendations from Staff amending and updating Chapters 7 and 13 of the Bennett Municipal Code removing references to Tri-County Health and replace with County Health Departments. Tri-County Health was dissolved on December 31, 2022.

MAYOR PRO TEM OAKLEY MOVED, TRUSTEE VITTUM SECONDED to approve Ordinance No. 770-23 - An ordinance amending Chapters 7 and 13 of the Bennett Municipal Code to remove references to the Tri-County Health Department. The voting was as follows:

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

Nays: None

Excused: Smith

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

7. Public Hearing

a. Case No. PZ 2022.0025 - Lot 1 Walls Subdivision Conditional Use Permit

Resolution No. 973-23 - A Resolution Approving the Walls Conditional Use Permit for RV Storage

Minutes:

Royce D. Pindell, Mayor, opened the public hearing for Case No. PZ 2022.0025 - Lot 1 Walls Subdivision Conditional Use Permit.

The public hearing was opened at 7:41 p.m.

Christina Hart, Town Clerk, stated that in accordance with the Colorado State Statute, a notice of the public hearing was properly posted and published in the Eastern Colorado News on March 31, 2023. Legal #2819.

Greg Thompson, Planning Manager, presented Case No. PZ 2022.0025 Lot 1 Walls Subdivision Conditional Use Permit to the Board.

PUBLIC COMMENTS

No public comments were presented.

The public hearing was closed at 8:05 p.m.

TRUSTEE VITTUM MOVED, MAYOR PRO TEM OAKLEY SECONDED to approve Resolution No. 973-23 - A resolution approving the Walls Conditional Use Permit for RV

Storage. The voting was as follows:

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

Nays: None

Excused: Smith

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

8. Action/Discussion Items

a. The Shops at Bennett Subdivision Agreement, Amendment 1, Subdivision Agreement

Resolution No. 972-23 - A Resolution Approving a Subdivision Agreement for The Shops at Bennett Subdivision, Amendment No. 1

Minutes:

Dan Giroux, Town Engineer, presented The Shops at Bennett Subdivision - Subdivision Agreement, Amendment No. 1 to the Board.

TRUSTEE VITTUM MOVED, TRUSTEE SUS SECONDED to approve Resolution No. 972-23 - A resolution approving a Subdivision Agreement for The Shops at Bennett Subdivision, Amendment No. 1. The voting was as follows:

Ayes: Barden, Dambroski, Pindell, Sus, Vittum

Nays: Oakley

Excused: Smith

Royce D. Pindell, Mayor, declared the motion carried 5 to 1.

b. 2023 Reduced Building Permit Fee Month

Resolution No. 974-23 - A Resolution Establishing June 2023 as Reduced Building Permit Fee Month for the Town of Bennett

Minutes:

Savannah Vickery, Community Development Manager, presented the 2023 reduced building permit fee month to the Board.

MAYOR PRO TEM OAKLEY MOVED, TRUSTEE BARDEN SECONDED to approve Resolution No. 974-23 - A resolution establishing June 2023 as reduced building permit fee month for the Town of Bennett. The voting was as follows:

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

Nays: None

Excused: Smith

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

c. Building Safety Month Proclamation

Minutes:

Royce D. Pindell, Mayor, presented the Building Safety Month proclamation.

9. Town Manager Report

Minutes:

- Town Staff and CDOT had their scheduled monthly check-in on May 8th
- The government is mandating all Colorado schools perform testing on all water fixtures

- Staff will present teacher housing options in the Town of Bennett
- Town Staff will review the application for water determinations
- Safety Appreciation Day - April 28th
- Clerk's Appreciation Week - May 7th - May 12th
- Public Service Week - May 7th - May 13th
- Economic Development Week - May 8th - May 12th
- Regular Board Meeting canceled - May 23rd
- Board Retreat - July 14th
- Town Clean-up Day - June 10th

10. Trustee Comments and Committee Reports

Mayor and Trustees

Minutes:

Donna Sus, Trustee, reported on the following:

- Attended the Community Connections with Ms. Stiles

Kevin Barden, Trustee, reported on the following:

- Truck traffic is getting worse on Palmer Avenue

Larry Vittum, Trustee, reported on the following:

- Final session of the General Assembly - May 8th

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

- Will not be at the June 13th study session and board meeting

11. Adjournment

Minutes:

MAYOR PRO TEM OAKLEY MOVED, TRUSTEE DAMBROSKI SECONDED to adjourn the meeting. The meeting was adjourned at 9:27 p.m. Voting was as follows:

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

Nays: None

Excused: Smith

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

Minutes Approved:

Royce D. Pindell, Mayor

Christina Hart, Town Clerk

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 06/07/2023 at 1:48 PM

DEPARTMENT PROGRESS REPORT



TO: Mayor and Town of Bennett Board of Trustees
FROM: Christina Hart, Town Clerk
DATE: June 13, 2023
SUBJECT: Town Clerk Department Update

Management Summary

The Town Clerk's department has undergone extensive organization and efficiency improvements in our records. In October 2022, RMMI received the last batch of records from the records trailer that had been designated for destruction and retention. In order for Staff to conduct an audit, those were brought back to Town Hall in February 2023.

Town of Bennett records identified for destruction during June 10, 2023, Town Cleanup Day are:

- Finance Department – 42 banker's boxes
- Town Clerk Department – 32 banker's boxes

Each department will maintain its records going forward in accordance with the records retention schedule. The Clerk's Office will check with each department to maintain order and efficiency. The Town Hall records room contains fire-resistant cabinets that are used to store permanent documents.

The Colorado Municipal Clerks Association will soon offer educational opportunities on "Cleaning out the Old File Room and Keeping it Clean" and "Discussion and Review of the Retention Schedule."

Liquor Licenses

Beginning on March 1, 2023, licensed Fermented Malt Beverage Off-Premises Retailers (FMB-OFF) automatically converted to "Fermented Malt Beverage and Wine Retailers." The State Licensing Authority automatically issued the Fermented Malt Beverage and Wine Retailer license to existing FMB-OFF Retailers directly to the retailer and sent the license to the local licensing authority for their records. There will be no change to the state license number, issuance date or expiration date.

Town of Bennett FMB-OFF Retailers

- King Soopers
- Love's Travel Stop
- QuikTrip

Attachments

1. Colorado Department of Revenue Bulletin 22-04



Mailing Address:
Colorado Department of Revenue,
Attention Liquor Enforcement Division
P.O. Box 17087
Lakewood, CO 80217-0087

Physical Address:
1707 Cole Boulevard, Suite 300
Lakewood, CO 80401
Office: 303-205-2300

December 30, 2022

Bulletin 22-04

RE: Bulletin 22-04 - Fermented Malt Beverage and Wine Retailers

On November 8, 2022, the People of the State of Colorado voted to amend Articles 3 and 4 of Title 44 in the Colorado Revised Statutes. As a result, beginning on March 1, 2023, currently licensed Fermented Malt Beverage Off-Premises Retailers (FMB-OFF) will automatically convert to “*Fermented Malt Beverage and Wine Retailer*.” The Fermented Malt Beverage Off-Premises Retailer license will be removed as an available license type category on Division applications as of March 1, 2023. The State Licensing Authority will automatically issue the Fermented Malt Beverage and Wine Retailer license to existing FMB-OFF Retailers directly to the email or mailing address on file, and will send the license to the local licensing authority for their records. There will be no change to the state license number, issuance date, or expiration date.

Modification of Premises:

If the licensed premises remains the same, other than adding vinous products to these licensed premises, no modifications of premises are needed. If the licensed premises is going to be physically changed or materially or substantially altered, as per rule [47-302](#), then a modification of premises and fees shall be filed with both the local and state licensing authorities for approval or denial.

Temporary displays do not materially or substantially alter the licensed premises, therefore, do not need prior approval. Temporary displays could be end caps for a short period of time or temporary displays within the licensed premises for a minimal period of time. Please remember these temporary displays should not be placed in candy or soda isles or near licensed premises entries and exits to prevent minor access to alcohol products.

Privileges and Responsibilities:

The privileges and responsibilities provided in this ballot initiative will not be applied to Fermented Malt Beverage on/off-premises retailers (FMB ON/OFF).

The new privileges that Fermented Malt Beverage and Wine Retailers will experience after March 1, 2023, are as follows:

- The ability to sell malt and vinous (wine) products in sealed containers for off-premises consumption. This license type is not allowed to sell spirituous liquors.

- The ability to conduct tastings as long as they meet the standards of the local and state licensing authorities. Please consult your local licensing authority regarding their permit standard and authorization for tasting activities. Reference materials from the state licensing authority regarding tastings can be found at [44-3-301\(10\)\(a\) C.R.S.](#), [47-605](#), [1-CCR-203-2](#).
- The ability to deliver malt and vinous products in sealed containers to persons 21 years of age or older, pursuant to a valid delivery permit and adhering to all delivery requirements as outlined in 44-4-107(6), C.R.S.

Distance Considerations:

- Distance restrictions will apply to Fermented Malt Beverage and Wine Retailers if they choose to change locations:
 - Within 1,500 feet of a retail liquor store within the jurisdiction of a population of 10,000 or fewer;
 - Within 3,000 feet of a retail liquor store; OR
 - Within 1,500 feet of a retail liquor store, for the premises located in the municipality within the population of 10,000 or fewer that is contiguous to the City and County of Denver.

The distance measurements shall be determined by a radius measurement that begins at the principal doorway of the premises for which the application is made and ends at the principal doorway of the other retail licensed premises. If the premises has multiple doorways, the applicant or current licensee will designate their principal doorway with the local and state licensing authority.

- A new Fermented Malt Beverage and Wine Retailer license received by the local or state licensing authority on or after March 1, 2023, shall not issue if they are within 500 feet of an existing Retail Liquor Store.
 - The *exception* to this distance restriction is if the new applicant can prove to both the local and state licensing authorities that they owned or leased a Fermented Malt Beverage Retail Licensed premises and, as of July 1, 2019, have applied for or received a liquor license in either of the following two manners.
 - A building permit has been issued for an FMB-Off Premises Licensed Retailer Premises. The permit is active and has not expired before completing the dual licensing authority processes.
 - A certificate of occupancy for a structure to license a Fermented Malt Beverage Off-Premises Retail location.
- A new Fermented Malt Beverage and Wine Retailer license received by the local or state licensing authority on or after March 1, 2023, shall also not issue if they are located within 500 feet of any public or parochial school or principal campus of any college, university, or seminary.
 - *Exceptions:*
 - Licensed premises located or to be located on land owned by a municipality;

- An existing licensed premises on land owned by the state;
- Was actively doing business before the principal campus was constructed;

The distance measurements are to be computed by direct measurement from the nearest property line of the land used for school purposes to the nearest portion of the building in which fermented malt beverages and wine are to be sold, using a route of direct pedestrian traffic.

Age of Employees:

Persons under eighteen (18) years of age - may be employed by a Fermented Malt Beverage and Wine Retailer and may handle or otherwise act with respect to fermented malt beverages and wine in the same manner as with other items sold at retail; *EXCEPT* that:

- Persons under 18 years of age may not sell or dispense alcoholic beverages, check ID, or make deliveries beyond the customary parking area of the retail outlet.
- Deliveries must be made by twenty-one (21) years of age or older employees of the licensed premises.

Value of Labor:

Please keep in mind that Suppliers, to include manufacturers and wholesalers of alcohol beverages, (See Regulation 47-100(F), 1 CCR 203-2), must comply with all provisions in law and rule that relate to the value of labor prohibitions and allowances outlined in Regulation [47-322\(M\)](#), [1 CCR 203-2](#), regarding the fulfillment of product and merchandising for retail accounts; and retailers must also comply with the parameters set forth in that Regulation.

Virtual Training Dates:

The Liquor Enforcement Division will be holding four virtual training sessions listed below regarding the Fermented Malt Beverage and Wine Retailer license:

January 12, 2023, from 10 am to 11 am

<https://meet.google.com/qdb-jywu-hag?authuser=0>

Join by phone

(US) +1 510-957-3280 PIN: 270 793 654#

January 12, 2023, from 2:30 am to 3:30 pm

<https://meet.google.com/fks-bbnd-qes?authuser=0>

Join by phone

(US) +1 402-862-6087 PIN: 907 734 317#

February 8, 2023, from 10 am to 11 am
<https://meet.google.com/vkw-ppmq-yub?authuser=0>

Join by phone

(US) +1 254-863-1392 PIN: 254 115 643#

February 8, 2023, from 1 pm to 2 pm
<https://meet.google.com/hya-eotr-eeu?authuser=0>

Join by phone

(US) +1 650-597-2806 PIN: 783 527 227#

Please do not hesitate to reach out to LED at dor_led@state.co.us if you have any questions, issues, or comments.

Thank you,

Colorado Liquor Enforcement Division

DEPARTMENT PROGRESS REPORT



TO: Mayor and Town of Bennett Board of Trustees
FROM: Daymon K. Johnson –Capital Projects Director
DATE: June 13, 2023
SUBJECT: Capital Improvement Department Update

Management Summary

The following projects are currently underway, and a full update is included in this Capital Project Improvement Department Progress Report:

- Highway 79 Transportation Improvements
- Public Works Facility
- At-Grade Water Storage Tank
- Wastewater Reclamation Recovery and Resource Facility Expansion Design

Highway 79 Transportation Improvements

Signalization at Marketplace

The construction work here as a part of Morton’s contract has been completed. Mast Arms and Poles were installed on Friday, May 19, 2023. All controls and modules are currently in CDOT for their bench-testing process. These were turned in to the Colorado Department of Transportation (CDOT) on Thursday, May 25, 2023. The bench testing process for CDOT includes testing the operational capabilities of the signalization equipment and programming the timing into the modules. This process takes about three weeks to complete, and upon completion, it’s the last check in the line for final installation.

The Town anticipates seeing these tested and approved modules by Thursday, June 15, 2023. Upon receipt of these modules, Morton Electric can complete their final installation and commissioning.

CORE Electric still has one line to bore and connect, awaiting CDOT’s execution of their permit application. In speaking with Colorado Powerline, Inc. (CPI), they have about two days worth of work to complete their installation once approved.

Highway 79 and I-70 Overpass

The board will recall that a contract with Morton Electric was authorized and that contract has been executed, and we are in the preparation phases of work being started. The Town issued NTP to Morton Electric on Wednesday, June 7, 2023. Currently, the contractor, Morton Electric, is working through the early submittal phase of this project.

Morton Electric has agreed with Bob from South Havana Motor Company to stage their project trailer and on-site laboratory. These trailers will be set by or before Tuesday, June 27, 2023. The

submittal phase of this project requires review by CDOT, SEH, Yeh & Associates (The Town's 3rd Party Inspector as required by CDOT) and the Town. Once these submittals are approved, Morton will order their materials and construction will begin.

The Town completed the Pre-Con Meeting on Wednesday, June 31, 2023, and I'm happy to report that it was a very good session. All subcontractors for Morton were in attendance, as well as CDOT representatives and the Town's 3rd party inspection firm, Yeh & Associates.

Initially, the construction phase of this project will start immediately after the July 4th Holiday weekend. This construction will be continuous through very early September and will complete the paving operations portion of this project. Upon completion of the roadway work, the Town will issue a "Stop Order," which will halt the project schedule days. This allows time for the signals, poles and all equipment to arrive. The road will be operational, but signals will not be installed by this point.

Once the signalization equipment arrives, Morton will then remobilize to the site and commence with the installation of the signals. At this point, the project schedule clock will be restarted as well. Currently, based on lead times, I believe the full signal will be completed and operational by sometime in late February to early March. There are some pretty lengthy lead times when looking at some of the more technical and "smart" equipment items required to complete these signalizations. The Town will work with Morton to try to find more expedited times, but as of now, this is a very realistic timeframe.

In the meantime, you will see contractors in the area. There are survey operations slated to commence immediately, and other ROW operations will occur. All contractors are required to wear personal protective gear.

Public Works Facility (NOMCOM)

NOMCOM (Northern Municipal Campus) is a project we've been working on for months.

We continue to work through the final closeout and warranty items with LeFever Building Systems (LBS), the Town Manager & Town Attorney are intimately involved with this process.

At Grade Water Storage Tank

This project is now complete, and the tank is fully operational and working well! I would like to extend a huge Thank You to Town Staff (Ricky Martinez and the Utilities Department) and our contractor, Filanc Construction. And, the Engineer and designer, Aqua Engineering, specifically Nick Graue and Bob Frchetti.

Wastewater Reclamation Recovery & Resource Facility Expansion Design

The process of design and permitting for a facility expansion this size (roughly 600,000 gal.) takes about 11 months. This is because there are periodic reviews through CDPHE (Colorado Department of Public Health & Environment), which are lengthy review periods. Additionally, there's due diligence required around selecting the equipment and technology. The Town is currently in this phase of the project.

As the board will recall, the Town executed a contract for this design and expansion with Aqua Engineering in the amount of \$748,920.00 during February 22, 2022, regular board meeting. Aqua’s work is well underway and proceeding according to schedule. Staff expects to have a biddable plan set and all CDPHE (Colorado Department of Public Health & Environment) approvals and clearances by late November of 2023.

Currently, we are at the 30% design threshold. From here, we move to 60%, then to a 90% level, with the final design completion in November of this year. The construction phase of this project will be slated to start preliminarily in the latter portion of Q4 of 2024, potentially as late as early Q1 of 2025.

Overall the design process is moving forward smoothly, and we’re excited that Aqua is again a part of this process.

Board Priority Project Status & Milestones

Project	Status	Costs (* Estimate)	Completion Date
Hwy 79 Signalization - Project Construction	Under Construction	\$1,158,245	6/21/2023
Hwy 79 and I-70 Off Ramp Construction	Under Construction	\$2,500,000	Q3 - 2023
Public Works Facility	Complete	\$2,820,154	12/27/2022
Well 6 – Phase II (Water Tank)	Complete	\$3,186,796	Q1 - 2023
WWTF Expansion Design	Underway	\$748,920	Q4 - 2023

Budget Status

Project	Contract Amount	Expenditures	Remaining Budget
Hwy. 79 Signalization - Design	\$129,091	\$129,091	\$0
Hwy. 79 Signalization - Construction	\$1,158,245	\$1,042,421	\$115,824
Well 6 – Phase II (Water Tank)	\$3,186,796	\$3,000,000	\$186,796
Hwy 79 and I-70 Off Ramp Design	\$238,396	\$238,396	\$0
Hwy 79 and I-70 Off Ramp Construction	\$2,683,538	\$0	\$2,683,538
Public Works Facility	\$2,820,154	\$2,501,821	\$318,333

STAFF REPORT



welcome neighbors.

TO: Mayor and Town of Bennett Board of Trustees
FROM: Trish Stiles, Town Manager
DATE: June 13, 2023
SUBJECT: Chapter 8 Parking Storage and Vehicle Weight Changes

Background

Staff would like to review two sections of Chapter 8 in reference to the Town's rules on overweight parking on Palmer Ave. as well as overweight vehicles and weight limits on Kiowa Bennett Road.

First, Staff too has noticed and been made aware from Trustees of the parking issues surrounding overweight vehicles on Palmer Ave. This is currently allowed per code but given the excessive time of parking beyond what is set in code and site line issues, it would appear that there are safety hazards being created. Staff welcomes direction from the Board, but given the opening of additional parking at Loves, Palmer Ave parking may no longer be necessary.

Second, current code travel weight limits on Town roads is 10,000 pounds. There are some exclusions in the code, however, Kiowa Bennett Road (KBR) is not listed as one of them. With the help of Arapahoe County Sheriff's office and Colorado State Patrol, Staff reviewed the weight data collected on the road on a Friday morning. Much of the traffic indicates higher weight of vehicles traveling from the unincorporated KBR sections into town.

Please see the attached information collected. County road limits by state statute are 85,000 pounds and we did see four vehicles in excess of that weight limit. There was a total of 76 vehicles, 36 which were empty and the remainder that were all overweight.

Arapahoe County Commissioner Baker and PW Director Bryan Weimer met with Staff regarding the roadway, confirming the weight restriction, and given the road's importance in the County request that the roadway be exempted from the 10,000-pound weight limit. Staff is in agreement given the importance of KBR in the County's transportation network.

Staff Recommendation

Staff seeks board direction on changes to Palmer Ave. parking exemptions.
Staff recommends Kiowa Bennett Road be added to the section 8-5-20 as an exempted road way.

Attachments

1. Proposed code highlighted changes and areas for review
2. Traffic Operation Data Kiowa Bennett Road and Antelope Dr. April 7, 2023

Sec. 8-5-10. Parking, storage and use.

- (a) It is unlawful to park, keep or store any vehicle weighing more than ten thousand (10,000) pounds empty weight, semi-tractor, semi-trailer, tow truck, bus or construction equipment or permit the same to be parked, kept or stored, on any public street, highway, road, alley or any other right-of-way within the Town, or on any private property in any residential zoned district or mobile home district within the Town, except in the following circumstances:
- (1) When said vehicle is being expeditiously used to render pick-up and delivery services, loading and unloading, or for construction activities to property located within two hundred (200) feet of where said vehicle is parked. Any interruption in said services for longer than one (1) hour shall be unlawful and constitute a violation of this Section.
 - (2) Authorized emergency vehicles.
 - (3) Authorized service vehicles responding to service calls.
 - (4) When said vehicle is parked along First Street, Palmer and Colfax Avenues, Highways 36 and 79, and rights-of-way in that area encompassed within the following: from Pike Street east to Custer Street, and Kiowa Avenue north to Colfax Avenue; provided that such motor vehicles are operable, have not been left in any one (1) location for a continuous period of more than seventy-two (72) hours and do not obstruct the sidewalk or line of sight necessary for the right-of-way or create a health or safety risk.
 - (5) When the owner or driver of the vehicle has been issued an overweight vehicle permit pursuant to Section 8-5-25 of this Code.
- (b) Except as provided in Subsections (c) and (d) below, it is unlawful to park or permit to stand any recreational equipment on any public street, highway, road, alley or other right-of-way within the Town for a cumulative total of more than forty-eight (48) hours within any seven-day period, irrespective of whether the recreational equipment is moved from one (1) public street, highway, road, alley or other right-of-way within the Town to another.
- (c) No trailer or boat shall be detached from a towing motor vehicle and left standing on any public street, highway, road, alley, or any other right-of-way for more than forty-eight (48) hours, unless preapproved in accordance with Subsection (d) of this Section.
- (d) Upon the application of a resident of the Town, a recreational vehicle permit may be issued by the Town Building Department for any nonresident journeying in a recreational vehicle used for sleeping purposes or housekeeping purposes and who is visiting at the residence of the applicant allowing that person to park and occupy the recreational vehicle at the applicant's residence for not more than seven (7) days. The recreation vehicle permit shall specify the location of the applicant's property and adjacent right-of-way on which the recreational vehicle will be parked while occupied. The recreational vehicle permit fee shall be set forth in the Town's adopted fee schedule.
- (e) It is unlawful to park, store or permit to stand any motor vehicle or recreational equipment on a portion of residential property that is within public view, unless the motor vehicle or recreational equipment is parked or standing on a hardened surface of a sufficient size to accommodate the entire length and width of the motor or recreational vehicle. Such hardened surface shall be maintained at a minimum depth of two (2) inches and shall be kept free of weeds and debris. No motor vehicle or recreational equipment vehicle shall access a hardened surface public street or alley unless it does so from a hardened surface.
- (f) Any recreational equipment parked or stored outdoors on a hardened surface of residential property shall be in safe, working and operating condition and shall bear current license plates and be currently registered.

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- (g) It is unlawful to park any motor vehicle, combination of vehicles or recreational equipment on private property in a manner that encroaches upon or obstructs the public sidewalk. Notwithstanding any other provision of this Section, motor vehicle(s) and recreational equipment shall not be parked or stored in any manner that would create a public safety issue, including without limitation obstructing the sidewalk or line of sight necessary for the right-of-way or creating a health or safety risk.
 - (h) Except as provided in subsection (d) above, no recreational equipment shall be used within the Town for the conduct of business or for living, sleeping or for housekeeping purposes.
 - (i) After being warned once, motor vehicles or recreational equipment parked or stored in violation of this Section shall be subject to towing by the Town or Town's contractor without notice and at the expense of the owner. Motor vehicles or recreational equipment towed shall have a lien on them by the Town or tow company for towing and storage charges and shall be held until paid or sold if charges are not paid within thirty (30) days. When a motor vehicle or recreational equipment is parked in a manner that constitutes an immediate traffic hazard or is blocking a public-right-of way or public utility, no warning shall be required and the vehicle or equipment may be impounded immediately.

(Ord. 314 §1, 1994; Ord. 497 §1, 2003; Ord. 509 §2, 2004; Ord. 526 §1, 2005; Ord. 572 §1, 2007; Ord. 650-15, §4, 2015 ; Ord. 679-17 , §1, 12-12-2017; Ord. 686-18 , §1, 2-13-2018; Ord. 701-19 , § 2, 8-13-2019)

Sec. 8-5-15. Temporary parking restrictions.

The Town shall have the authority to temporarily restrict parking on any public street or alley for street sweeping or snow removal or other maintenance or repair by posting signs in the vicinity or placing fliers on vehicles or equipment, or such other reasonable manner of public notice, and it shall be unlawful for any person or entity to park vehicles or equipment in violation of the restrictions stated on said signs or notices.

Sec. 8-5-17. Specific "No Parking" areas or restrictions not otherwise governed by Part 12, Parking, of the Model Traffic Code.

It shall be unlawful to stop, stand or park on any portion of the driveway access that lies within the public right-of-way or within five (5) feet of either side of said access along Seventh Avenue for Bennett Elementary School, Bennett Middle School and Bennett High School.

Sec. 8-5-20. Weight limits.

- (a) When official traffic control devices are erected giving notice thereof, no person shall operate any vehicle with a weight limit in excess of the amount specified on such devices at any time upon any of the streets or parts thereof or upon any of the bridges or viaducts described in or controlled by such traffic control devices.
- (b) No person shall drive, operate or move any vehicle exceeding ten thousand (10,000) pounds empty weight upon any of the streets or parts thereof within the Town, excluding First Street, Palmer and Colfax Avenues, Highways 36 and 79, **Kiowa Bennett Road**, and that area encompassed within the following: from Pike Street east to Custer Street, and Kiowa Avenue north to Colfax Avenue.
- (c) The following vehicles are exempt from the requirements of this Section: authorized emergency vehicles, authorized service vehicles, public utility vehicles, snow plows operated by or for a governmental entity, vehicles making deliveries and pick-ups in the normal course of business, school buses, public transportation vehicles operated by or for a governmental entity, recreational vehicles which are then expressly being used for recreational purposes, and vehicles that have been issued an overweight vehicle permit pursuant to Section 8-5-25 of this Code.

(Ord. 314 §2, 1994; Ord. 526 §1, 2005; Ord. 567 §3, 2007; Ord. 686-18 , §1, 2-13-2018)

Carrier Name	DOT #	Axle Group 1	Axle Group 2	Axle Group 3	Gross Vehicle Weight	
McDonald's Farms	88221	10500	10500	11950	8500	30950
Splinter "A" Trucking	630320	11100	11100	13200	14550	38850
ABS Supply Co Inc	251000	18450	18450	22700		41150
Chacon Trucking	3231734	10600	10600	33850	41500	85950
Chacon Trucking	3231734	11000	11000	35150	42450	88600
IHC Scott	188743	23550	23550	71750		95300
JB Hunt	80806	7650	7650	11650		19300
Splinter "A" Trucking	630320	11150	11150	13500	12650	37300
Colorado Asphalt Works	1176310	12900	12900	37650		50550
Empty Vehicle	0	0	0	0	0	0
FLL Trucking LLC	4026454	12900	12900	37200		50100
Empty Vehicle	0	0	0	0	0	0
Janco Power Service	2499951	9900	9900	18700	24300	52900
Max Services	3931094	10300	10300	20050	14500	44850
Vialpando Trucking	637577	11100	11100	26400	30650	68150
Three M Trucking	805401	11900	11900	32500	36750	81150
Longhorn Produce Inc	1948569	11050	11050	34250	32400	77700
LOG Trucking	1120696	12900	12900	37600		70000
H2	3617640	10100	10100	35900		46000
Renewable Fiber Inc	875758	11750	11750	36600	38000	86350
Colorado Asphalt Works	1176310	15600	15600	34000		49600
Elite Surface Infrastructure	918263	15500	15500	34150		49650
R & L Carriers	63391	9950	9950	14050	11350	35350
Empty Vehicle	0	0	0	0	0	0
ABC Supply Co Inc	251000	9750	9750	10950	15100	35800
Albeyta Transportation	1257064	11600	11600	34000	34950	80550
Cami LLC	2454006	10900	10900	29800	35350	76050
Wayne Schmidt Inc.	876941	11000	11000	29550	33050	73600
Renewable Fiber Inc	875758	10100	10100	39800	38700	88600
Ed Glaser	2346157	12450	12450	33600	32850	78900
Gomez Trucking	1635882	11000	11000	21550	25500	58050
Halliburton	126693	10800	10800	12200	7050	30050
Moore Lumber	1080219	6950	6950	15600		22550
Clark Family Trucking	1315324	10200	10200	16900	5600	32700
Beaver Valley Supply	82153	11450	11450	18650	11500	41600
Oliva's Trucking Inc.	3846969	10800	10800	27950	28050	66800
I-70 Roll Off	3778202	6750	6750	11600		18350
Colorado Asphalt Works	1176310	12100	12100	39250		51350
Ed Glaser	2346157	10950	10950	36350	34000	81300
J'S Hasty Co.	2307746	10150	10150	31750	18950	60850
FLL Trucking LLC	4026454	14300	14300	36350		50650
Vito	3568535	6850	6850	11750		18600

Date/Time	Location	Units
4/11/2023 7:00 am - 11:00 am	Kiowa-Bennett Rd & Antelope Dr.	CSP Limon POE Mobile
		CSP Ft. Morgan Mobile
		CSP Trooper Dwayne Massner
		Town of Bennett

Timothy Nelson
 Mobile Unit Supervisor
 Colorado State Patrol Limon Port of Entry