



# Town Board of Trustees

Minutes

Tuesday, October 11, 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  
Kevin Barden, Trustee  
Steve Dambroski, Trustee  
Whitney Oakley, Trustee - *excused*  
Denice Smith, Trustee  
Donna Sus, Trustee - *excused*

#### **Staff Present:**

Trish Stiles, Town Administrator  
Rachel Summers, Deputy Town Administrator  
Taeler Houlberg, Administrative Services Director  
Alison Belcher, Communications and IT Director  
Adam Meis, IT and Communications Manager  
Robin Price, Public Works Director  
Ricky Martinez, Assistant Public Works Director  
Dan Giroux, Town Engineer  
Chad Bunger, Community and Economic Development Director  
Steve Hebert, Planning Manager  
Daymon Johnson, Capital Projects Director  
Mike Heugh, Traffic Engineer  
Melinda Culley, Town Attorney  
Christina Hart, Town Clerk

**Public Present:**

Chris McGranahan

Lisa Peterson

Forrest Charlesworth

**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 BARDEN MOVED, TRUSTEE DAMBROSKI SECONDED** to approve the agenda as amended moving the Proclamation to the first item under regular business.

The voting was as follows:

Ayes: Dambroski, Harrell, Pindell, Smith, Barden

Nays: None

Excused: Oakley, Sus

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

**5. Consent Agenda**

Royce D. Pindell, Mayor

**Minutes:**

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

Ayes: Harrell, Pindell, Smith, Barden, Dambroski

Nays: None

Excused: Oakley, Sus

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote. **1. Action:**

Approval of September 27, 2022, Regular Meeting Minutes **2. Action:** Approval of

Resolution No. 938-22 **3. Action:** Approval of Resolution No. 939-22

**PUBLIC COMMENTS NO ON THE AGENDA**

There were no public comments presented.

**a. September 27, 2022 - Regular Meeting Minutes**

**b. Arapahoe County Open Space 2022 Grant Agreement**

Resolution No. 938-22 - A Resolution Approving an Intergovernmental Agreement Regarding 2022 Grant of Arapahoe County Open Space Program Funds for Bennett Regional Park and Open Space Landscaping and Amenities II

**c. Bennett School District 29J Bond Initiative 5A**

Resolution No. 939-22 - A Resolution in Support of Ballot Issue 5A, Appearing on the November 8, 2022 Ballot, Concerning the Bennett School District 29J's Bond Initiative

**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 of Bennett Proclamation

**Minutes:**

Royce D. Pindell, Mayor, presented a Town of Bennett Proclamation to Mayor Pro Tem and Trustee Darvin Harrell for 10 years of service to the Town of Bennett. Mayor Pro Tem Harrell submitted his resignation to the Board of Trustees.

### 7. Public Hearing

#### a. Case No. 22.11 - The Shops at Bennett Subdivision, Amendment No. 1 Final Plat

Resolution No. 937-22 - A Resolution Recommending Approval of A Final Plat for The Shops at Bennett Subdivision, Amendment No. 1

**Minutes:**

Royce D. Pindell, Mayor, opened the public hearing on Case No. 22.11 - The Shops at Bennett Subdivision, Amendment No. 1 Final Plat.

The public hearing was opened at 7:11 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 September 2, 2022. Legal #2693

Steve Hebert, Planning Manager, presented the application to amend the Shops at Bennett Subdivision Final Plat to further subdivide Tract A to the Board.

**PUBLIC COMMENTS**

No public comments were presented.

The public hearing was closed at 8:03 p.m.

**TRUSTEE BARDEN MOVED, TRUSTEE DAMBROSKI SECONDED** to approve Resolution No. 937-22 - A resolution recommending approval of a Final Plat for the Shops at Bennett Subdivision, Amendment No. 1. The voting was as follows:  
Ayes: Pindell, Smith, Barden, Dambroski  
Nays: None  
Excused: Oakley, Sus  
Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

**8. Action/Discussion Items**

**a. Public-Private Partnership Lease Agreement for Animal Shelter Services**

Ordinance No. 759-22 - An Ordinance Approving a Lease Agreement with Broken and Beautiful Bennett

**Minutes:**

Rachel Summers, Deputy Town Administrator, presented the public-private partnership lease agreement for Animal Shelter Services to the Board.

**TRUSTEE DAMBROSKI MOVED, TRUSTEE SMITH SECONDED** to approve Ordinance No. 759-22 - An ordinance approving a lease agreement with Broken and Beautiful Bennett. The voting was as follows:

Ayes: Smith, Barden, Dambroski, Pindell

Nays: None

Excused: Oakley, Sus

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

**b. Adams County Intergovernmental Agreement (IGA) Animal Shelter/Adoption Center Services**

Resolution No. 940-22 - A Resolution Approving and Intergovernmental Agreement with the County of Adams for Animal Shelter/Adoption Center Services

**Minutes:**

Trish Stiles, Town Administrator, presented the Adams County intergovernmental agreement for animal shelter/adoption center services to the Board.

**TRUSTEE SMTIH MOVED, TRUSTEE BARDEN SECONDED** to approve Resolution No. 940-22 - A resolution approving an Intergovernmental Agreement with the County of Adams for animal shelter/adoption center services. The voting was as follows:

Ayes: Barden, Dambroski, Pindell, Smith

Nays: None

Excused: Oakley, Sus

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

**c. Bennett Regional Park and Open Space Fishing Pond Shelter Amenities**

**Minutes:**

Robin Price, Public Works Director, presented the Bennett Regional Park and Open Space Fishing Pond Shelter Amenities 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 Altitude Recreation for an amount not to exceed \$66,160. The voting was as follows:

Ayes: Dambroski, Pindell, Smith, Barden

Nays: None

Excused: Oakley, Sus

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

**d. Morton Electric - Change Order MP-79 - 001**

**Minutes:**

Daymon Johnson, Capital Projects Director, presented the Morton Electric change order MP-79 - 001 to the Board.

**TRUSTEE BARDEN MOVED, TRUSTEE SMITH SECONDED** to authorize the Mayor and the Town of Bennett to execute a Change Order (MP-79 - 001) with Morton Electric, Inc. in an amount not to exceed \$74,466.70 for contractor services to continue the construction of the Marketplace & Highway 79 intersection improvements. The voting was as follows:

Ayes: Pindell, Smith, Barden, Dambroski

Nays: None

Excused: Oakley, Sus

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

**e. Fair Campaign Practices Act**

**Minutes:**

Melinda Culley, Town Attorney, reported the Fair Campaign Practices Act to the Board.

No action was needed.

**9. Town Administrator Report**

**Minutes:**

- A draft ordinance to amend the Bennett Municipal Code will be presented to the Trustees in a future meeting. The amendment will propose a title change from Town Administrator to Town Manager. If approved the update will be reflected in the personnel policy and the Town Code.
- The contract with Duran Excavating has been mutually terminated. Staff will present re-bids to the Board for the off-ramp improvements.
- October 27 - Truck or Treat from 4pm - 6pm at Town Hall.
- Town Staff will start to recognize Veteran's Day as a holiday. Veteran's Day 2022 will be observed on November 14th.
- December 3 - Breakfast with Santa
- December 10 - Holiday Help

**10. Trustee Comments and Committee Reports**

Mayor and Trustees

**Minutes:**

**Kevin Barden Trustee, reported on the following:**

- Thornton has started to add military and veteran-posted parking space signs.

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

- Attended the Metro Mayors Caucus

**11. Executive Session**

**Minutes:**

Royce D. Pindell called for a recess at 9:23 p.m.

The meeting resumed at 9:29 p.m.

- a. For the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators under C.R.S. 24-6-402(4)(e); regarding an amendment to the IGA with the Bennett Park and Recreation District**

**Minutes:**

**TRUSTEE BARDEN MOVED, TRUSTEE DAMBROSKI SECONDED** to go into executive session for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators under C.R.S. 24-6-402(4)(e); regarding an amendment to the IGA with the Bennett Park and Recreation District. Voting was as follows:

Ayes: Smith, Barden, Dambroski, Pindell

Nays: None

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

The Board went into executive session at 9:32 p.m.

- b. Return to Open Meeting**

**Minutes:**

The Board came out of executive session at 9:55 p.m.

Royce D. Pindell, Mayor, announced that the Board has been in executive session and the following persons participated via hybrid in that session:

Trustee Barden, Trustee Dambroski, Trustee Smith, Mayor Pindell, Trish Stiles.

Rachel Summers, Melinda Culley and Christina Hart. Royce D. Pindell, Mayor, asked if there were any matters not included in the motion for an executive session or violations of the Open Meetings Law, and if so, that these concern be stated for the record.

No concerns were presented.

- c. Report from Executive Session**

**Minutes:**

Staff was provided direction to move forward with negotiations.

## 12. Adjournment

### Minutes:

**TRUSTEE BARDEN MOVED, TRUSTEE DAMBROSKI SECONDED** to adjourn the meeting. The meeting was adjourned at 9:55 p.m. Voting was as follows:

Ayes: Dambroski, Pindell, Smith, Barden


Nays: None

Excused: Oakley, Sus

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

### Minutes Approved:

Royce D. Pindell, Mayor

DocuSigned by:  
  
D458792134FB463...

Christina Hart, Town Clerk

DocuSigned by:  
  
00366DAA7ED246D...

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 10/17/2022, adopted on 10/25/2022