



Town Board of Trustees

Minutes

Tuesday, November 28, 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

Minutes:

Present:

Royce D. Pindell, Mayor

Whitney Oakley, Mayor Pro Tem

Kevin Barden, Trustee - *excused*

Steve Dambroski, Trustee

Denice Smith, Trustee

Donna Sus, Trustee

Larry Vittum, Trustee

Staff Present:

Trish Stiles, Town Manager

Taeler Houlberg, Administrative Services Director

Danette Ruvalcaba, Director of Finance

Danny Pennington, Finance Manager

Alison Belcher, Communications and IT Director

Adam Meis, IT and Communications Manager

Steve Hebert, Planning Manager

Steven Hoese, Planning Manager

Greg Thompson, Community and Economic Development Director

Mike Heugh, Traffic Engineer

Dan Giroux, Town Engineer

Keith Buono, Lead CSO

Scott Krob, Town Attorney

Christina Hart, Town Clerk

Public Present:

Kathy Smiley
Mason Oakley
Sam Gallucci
Michelle Gayeski
Kacy Flemons
Lucas Newland
Adam Menken
Gino Childs
Jordan Honea
Kevin McGrath
Bryan Reid
William Welch
Tona Kelement
Chris Kelement
Von Rajanen
Chris Kozak

a. Roll Call

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

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

Nays: None

Excused: Barden

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 VITTUM SECONDED to approve the consent agenda as presented. The voting was as follows:

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

Nays: None

Excused: Barden

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote. **1. Action:** Approval of November 14, 2023, Regular Meeting Minutes

PUBLIC COMMENTS NOT ON THE AGENDA

Gino Childs, 884 Madison Way, Bennett, Co., introduced small business owner Kevin McGrath.

Kevin McGrath, 43200 E. 136th Avenue, Bennett, Co., inquired about options for permitting his business. Staff responded that he lives in unincorporated Adams County and would have to contact them.

a. November 14, 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. First Amendment to the Subdivision Agreement for Bennett Ranch Filing No. 1

Resolution No. 991-23 - A Resolution Approving the First Amendment to the Subdivision Agreement for Bennett Ranch Filing No. 1

Minutes:

Steve Hebert, Planning Manager, presented the First Amendment to the Subdivision Agreement for Bennett Ranch Filing No. 1 to the Board. There was discussion amongst the Trustees.

MAYOR PRO TEM OAKLEY MOVED, TRUSTEE SUS SECONDED to approve Resolution No. 991-23 - A resolution approving the First Amendment to Subdivision Agreement for Bennett Ranch Filing No. 1. The voting was as follows:

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

Nays: None

Excused: Barden

Royce D. Pindell, Mayor, declared the motion passed unanimously.

7. Public Hearing

a. Case No. PZ2023-0029 Penrith Road ROW Vacation

Ordinance No. 776-23 - An Ordinance Vacating a Portion of the Penrith Road Right-Of-Way

Minutes:

Royce D. Pindell, Mayor, called the matter of Case No. PZ2023-0029 Penrith Road ROW

Vacation to order.

The public hearing was opened at 7:37 p.m.

Christina Hart, Town Clerk, stated in accordance with the Colorado state statute, it was duly posted and published in the Eastern Colorado News on Friday, November 10, 2023. Legal #2887.

Steven Hoese, Planning Manager, presented the proposed Penrith Road Right-Of-Way Vacation to the Board.

The public hearing was closed at 7:51p.m.

MAYOR PRO TEM OAKLEY MOVED, TRUSTEE DAMBROSKI SECONDED to approve Ordinance No. 776-23 - An ordinance vacating a portion of the Penrith Road Right-Of-Way.

The voting was as follows:

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

Nays: None

Excused: Barden

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

b. Case No. PZ 2023-0026 Bennett Crossing Filing No. 1 First Amendment Minor Subdivision Plat

Resolution No. 990-23 - A Resolution Approving the Bennett Crossing Filing 1, First Amendment Minor Subdivision Plat

Minutes:

Royce D. Pindell, Mayor, called the matter of Case No. PZ2023-0026 Bennett Crossing Filing No. 1 First Amendment Minor Subdivision Plat to order.

The public hearing was opened at 7:55 p.m.

Christina Hart, Town Clerk, stated in accordance with the Colorado state statute, it was duly posted and published in the Eastern Colorado News on Friday, November 10, 2023. Legal #2886.

Steven Hoese, Planning Manager, presented the proposed Bennett Crossing Filing No. 1 First Amendment Minor Subdivision Plat to the Board.

The public hearing was closed at 8:04p.m.

TRUSTEE DAMBROSKI MOVED, TRUSTEE VITTUM SECONDED to approve Resolution No. 990-23 - A resolution approving the Bennett Crossing Filing 1, First Amendment Minor Subdivision Plat. The voting was as follows:

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

Nays: None

Excused: Barden

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

8. Action/Discussion Items

a. Code Enforcement Policy Discussion

Minutes:

Trish Stiles, Town Manager and Royce D. Pindell, Mayor, opened up the floor for discussion regarding the Town of Bennett Code Enforcement policy. There was discussion among the Board.

No action was taken.

9. Town Manager Report

Minutes:

- Trish Stiles, Town Manager, provided the following dates for the Town Manager annual review: - December 29, 2023 - Deadline for Trustees to submit their reviews to the Mayor - January 9, 2024
- Executive Session / Town Manager Contract Renewal
- December 2nd - 8:00 a.m - 11:-00 a.m. - Breakfast with Santa
- December 9th - 8:00 a.m. - 11:00 a.m. - Toy Drive Distribution
- December 12th- No Study Session; Regular Meeting will begin at 7:00 p.m.
- December 15th - Town holiday party
- December 19th - Holiday Lighting contest
- The water variance has been postponed until February 2024

10. Trustee Comments and Committee Reports

Mayor and Trustees

Minutes:

Larry Vittum, Trustee, reported on the following:

- Attended DRCOG on November 15th

11. Executive Session

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. Section 24-6-402(4)(e); Intergovernmental Agreement between Adams County, Colorado and the Town of Bennett for Law Enforcement Services 2024

Minutes:

MAYOR PRO TEM OAKLEY MOVED, TRUSTEE SUS 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); Intergovernmental Agreement between Adams County, Colorado and the Town of Bennett for Law Enforcement Services 2024. Voting was as follows:

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

Nays: None

Excused: Barden

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

The Board went into executive session at 9:10 pm.

b. Return to Open Meeting

Minutes:
 The Board came out of the executive session at 9:50 pm.

Royce D. Pindell, Mayor, announced that the Board has been in executive session and the following persons participated: Trustee Dambroski, Trustee Vittum, Christina Hart, Trish Stiles, Danette Ruvalcaba, Trustee Smith, Trustee Sus, Mayor Pro Tem Oakley, Scott Krob and Mayor Pindell. 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 concerns be stated for the record.

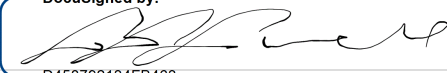

There were no concerns presented.

c. Report from Executive Session

Minutes:
 Direction was provided to Town Staff to proceed accordingly 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. Section 24-6-402(4)(e); regarding Intergovernmental Agreement between Adams County, Colorado and the Town of Bennett for Law Enforcement Services 2024.

12. Adjournment

Minutes:
TRUSTEE DAMBROSKI MOVED, TRUSTEE SUS SECONDED to adjourn the meeting. The meeting was adjourned at 9:46 p.m. Voting was as follows:
 Ayes: Dambroski, Oakley, Pindell, Smith, Sus, Vittum
 Nays: None
 Excused: Barden
 Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

Minutes Approved:
 DocuSigned by:

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 Royce D. Pindell, Mayor
 DocuSigned by:

 00366DAA7ED246D...
 Christina Hart, CMC / Town Clerk

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 12/04/2023, adopted on 12/12/2023