



Town Board of Trustees

Minutes

Tuesday, February 27, 2024 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
Donna Sus, Trustee
Larry Vittum, Trustee

Staff Present:

Trish Stiles, Town Manager
Danette Ruvalcaba, Director of Finance
Daymon Johnson, Capital Projects Director
Alison Belcher, Communications and IT Director
Adam Meis, IT and Communications Manager
Greg Thompson, Community and Economic Development Director
Dan Giroux, Town Engineer
Scott Krob, Town Attorney
Christina Hart, Town Clerk

Public Present:

Kathy Smiley
Darcie Nicholas
Chris Nicholas

Mason Oakley
Timothy Heinshom
Martin Metsker
Charles Bayley
Tom Sauter
Todd Denning
Gina Burke
Mason Brown

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, Barden

Nays: None

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, Barden, Dambroski

Nays: None

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote. **1. Action:** Approval of February 13, 2024, Regular Meeting Minutes **2. Action:** Approval of Resolution No. 1005-24 **3.**

Action: Approval of Resolution No. 1001-24

PUBLIC COMMENTS NOT ON THE AGENDA

There were no public comments presented.

a. February 13, 2024 - Regular Meeting Minutes

b. Designating the Public Place for Posting of Notices of Public Meetings

Resolution No. 1005-24 - A Resolution Designating the Public Place for Posting of Notices of Public Meetings of the Bennett Board of Trustees

c. First Amendment to the IGA Between the Town of Bennett and Arapahoe County

Regarding Funding for the I-70 and SH79 Interchange Operational Improvement Project

Resolution No. 1001-24 - A Resolution Approving a First Amendment to Intergovernmental Agreement with Arapahoe County for the I-70 and SH 79 Interchange Operational Improvement Project

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. Public Hearing

a. CND Eats LLC d/b/a High Plains Diner - Colorado Liquor Retail License Application - Transfer of Ownership

Minutes:

Royce D. Pindell, Mayor, reopened the application hearing for a Colorado Hotel and Restaurant Liquor License - Transfer of Ownership at 100 East Bennett Avenue, Unit #2, Bennett, Colorado under the business name CND Eats LLC. d/b/a High Plains Diner to Order.

The public hearing was re-opened at 7:04 p.m.

Christina Hart, Town Clerk, stated that, in accordance with Colorado State Statute, notice of the public hearing was re-posted at 100 East Bennett Avenue, Unit #2 and published in the Eastern Colorado News on February 2, 2024. Legal #2909.

Christina Hart, Town Clerk, reported that CND Eats LLC., d/b/a High Plains Diner, has met all requirements for a transfer of ownership. Ms. Hart also reported that the Notice of Public Hearing posting at 100 East Bennett Avenue Unit #2 had been reposted with the corrected Date of Application. Notice was reposted on February 14, 2024.

Ms. Hart reported that the applicants were present via Zoom.

PUBLIC COMMENTS

There were no public comments.

The public hearing was closed at 7:08 p.m.

TRUSTEE BARDEN MOVED, TRUSTEE DAMBROSKI SECONDED The Local Licensing Authority of the Town of Bennett approve the application for a transfer of ownership submitted by CND Eats, LLC. d/b/a High Plains Diner for a hotel and restaurant liquor license at 100 East Bennett Avenue, Unit #2 in Bennett, Colorado. The voting was as

follows:

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

Nays: None

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

7. Action/Discussion Items

a. Rent Forgiveness for the Bennett Community Food Bank

Resolution No. 1004-24 - Resolution No. 1004-24 – A Resolution Approving Rent Forgiveness for the Bennett Community Food Bank.

Minutes:

Flora Goodnight, Bennett Community Food Bank Director, reported updates on the Bennett Community Food Bank to the Board. Flora also thanked the Board for their consideration of the Community Center rent forgiveness for the 2024 calendar year.

MAYOR PRO TEM OAKLEY MOVED, TRUSTEE VITTUMI SECONDED to approve Resolution No. 1004-24 - A resolution approving rent forgiveness for the Bennett Community Food Bank. The voting was as follows:

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

Nays: None

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

b. Lost Creek Basin Discussion and Update

Minutes:

Trish Stiles, Town Manager, reported to the board, Lost Creek representative Tom Sauter requested an opportunity to speak to the board.

Ms. Stiles presented a map for better understanding of the location of the Lost Creek basin as it relates to the location of the Town of Bennett.

Tom Sauter introduced Todd Denning board member of Lost Creek. They both thanked the board for the opportunity to speak with the Bennett Town Board.

c. RFP 23-009 - Safe Streets and Roads for All (SS4A) Engineering Contract

Minutes:

Daymon Johnson, Capital Projects Director, presented RFP 23-009 SS4A engineering contract to the Board. Staff recommended a contract agreement with Y2K Engineering, LLC for the compilation of the Comprehensive Safety Action Plan.

TRUSTEE SMITH MOVED, TRUSTEE SUS SECONDED to authorize the Mayor and the Town of Bennett to enter into a standard Town contract agreement with Y2K Engineering, LLC. in an amount not to exceed \$100,000.00 for the compilation of the Comprehensive Safety Action Plan for the SS4A program. The voting was as follows:

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

Nays: None

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

d. RFP 23-004 - Kiowa Bennett Transportation Improvement Program (TIP) Trail Design

Minutes:

Daymon Johnson, Capital Projects Director, presented RFP 23-004 Kiowa Bennett Transportation Improvement Program (TIP) trail design to the Board. Staff recommended a contract agreement with Theorem Design Group, Inc. for the compilation of the Kiowa Bennett TIP trail design project.

TRUSTEE SMITH MOVED, TRUSTEE SUS SECONDED to authorize the Mayor and the Town of Bennett to enter into a standard Town contract agreement with Theorem Design Group, Inc. in an amount not to exceed \$737,810.00 for the compilation of the Kiowa Bennett TIP trail design project. The voting was as follows:

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

Nays: None

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

8. Town Manager Report

Minutes:

- Ms. Stiles provided a draft of the 2024 strategic plan resulting from the January board retreat.
- Ms. Stiles met with the Adams County Manager, Deputy County Manager, Bennett Deputy Town Manager. Topics included: Colorado Air and Space Port infrastructure, Town projects, i.e.: a land acquisition for the Town Center Design. Great positive meeting.
- April 10th; Rockford Gray communications training - time to be determined.
- Mayor Pindell, Mayor Pro Tem Oakley and Trustee Smith offered to represent the Town when meeting with the Bennett School Board. If needed, Notice of Public Meeting will be posted.
- March 27th - State of City of Brighton - Trustee Barden will attend.
- February 28th and 29th - Attending the Energy Impact Committee hearings

9. Trustee Comments and Committee Reports

Mayor and Trustees

Minutes:

Larry Vittum, Trustee, reported on the following:

- February 14th - Attended the Adams County Sub-regional Forum
- February 21st - Attended DRCOG
- Provided comments and a draft resolution regarding migrant response and declaring Bennett as a non-sanctuary town. Scott Krob, Town Attorney, explained the resolution is in proper form and the board can act if they choose, however, sanctuary status is a type of non-binding recognition. The board will discuss the item further during the March 12th board meeting.

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

- February 27th - Employee Appreciation Day was celebrated. Mayor Pindell and the Trustees appreciate all Town Staff does.

Mayor Pindell called for a recess at 8:25 p.m.

The meeting resumed at 8:43 p.m.

10. Executive Session

- a. For the purpose of conferencing with an attorney to receive legal advice on a specific legal question and 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)(b)(e); Negotiations and specific legal questions related to police services for the Town of Bennett.**

Minutes:

MAYOR PRO TEM OAKLEY MOVED, TRUSTEE SMITH SECONDED to go into executive session for the purpose of conferencing with an attorney to receive legal advice on a specific legal question and 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)(b)(e); Negotiations and specific legal questions related to police services for the Town of Bennett.. Voting was as follows:

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

Nays: None

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

The Board went into executive session at 8:50 p.m.

b. Return to Open Meeting

Minutes:

The Board came out of the executive session at 9:42 p.m.

Royce D. Pindell, Mayor, announced that the Board has been in executive session and the following persons participated: Steve Dambroski, Denice Smith, Kevin Barden, Christina Hart, Trish Stiles, Scott Krob, Larry Vittum, Donna Sus, Whitney Oakley and Royce 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.

c. Report from Executive Session

Minutes:

The executive session was within the scope of the statute. Town Attorney Scott Krob was present throughout the executive session, which is protected by the attorney/client privilege.

11. To Take Action Following Executive Session

Minutes:

No action was taken.

12. Adjournment

Minutes:

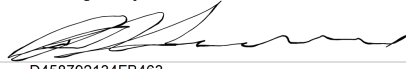
TRUSTEE DAMBROSKI MOVED, TRUSTEE SMITH SECONDED to adjourn the meeting. The meeting was adjourned at 9:44 p.m. Voting was as follows:

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

Nays: None

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:

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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 03/06/2024, adopted on 03/12/2024