



Town Board of Trustees

Tuesday, January 23, 2024 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/84285000718>

Meeting ID: 842 8500 0718

Passcode: 677682

One tap mobile

+16699006833

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. January 9, 2024 - Regular Meeting Minutes

Attachments:

- **January 9, 2024 - Regular Meeting Minutes** (1-9-2024_-_Draft_Regular_Meeting_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. Public Hearing

a. Case No. PZ2023-0004 - Tabor Mortuary Final Development Plan

Resolution No. 995-24 - A Resolution Approving the Tabor Mortuary Final Development Plan

Steven Hoese, Planning Manager

Attachments:

- **Public Hearing Script** (Public_Hearing_Script.PC.pdf)
- **Staff Report Case No. PZ2023-0004 - Tabor Mortuary Final Development Plan** (0-Tabor_Mortuary_FDP_StaffReport_BoT.pdf)
- **Staff PowerPoint Presentation** (1-Tabor_Mortuary_FDP_BoT_Presentation.pdf)
- **Letter of Intent/Narrative** (2-Letter_of_Intent_Tabor_Mortuary.pdf)
- **Final Development Plan Tabor Mortuary** (3-Tabor_Mortuary_FDP_Drawings.pdf)
- **Bennett Crossing Outline Development Plan Amendment No. 1** (4-Recorded_Bennett_Crossing_ODP_Amend_No._1__1_.pdf)
- **Engineering Conformance Letter** (5-Tabor_Mortuary_Engineering_Conformance_Letter.pdf)
- **Traffic Impact Study Update for Bennett Crossing** (6-Bennett_Crossing_TIS.pdf)
- **Resolution No. 995-24 - A Resolution Approving the Tabor Mortuary Final Development Plan** (7-Tabor_Mortuary_FDP_BoT_resolution_995-24.pdf)
- **Suggested Motion** (suggested_motion.pdf)

b. Amber Corp. d/b/a JD's Liquor - Colorado Liquor Retail License Application - Transfer of Ownership

Christina Hart, Town Clerk

Attachments:

- **Public Hearing Script** (0_-_Public_Hearing_Script.PC.pdf)
- **Staff Report Staff Report Amber Corp. d/b/a JD's Liquor - Colorado Liquor Retail License Application - Transfer of Ownership** (1_-_Staff_Report_-_Amber_Corp_dba_JD_s_Liquor_thredline.pdf)
- **DR8404 Colorado Liquor Retail License Application** (2_-_DR_8404_Colorado_Liquor_Retail_License_Application.pdf)
- **DR8495 Tax Check Authorization, Waiver and Request to Release Information** (3_-_DR_8495_Tax_Check_Authorization__Waiver_and_Request_to_Release_Information.pdf)
- **DR8404-I Individual History Record** (4_-_DR8404-I_Individual_History_Record.pdf)

- **Diagram of the Premises** (5_-_Diagram_of_Premises.pdf)
- **Lease between JD's Enterprises, LLC and Amber Corp d/b/a JD's Liquor** (6_-_Lease_Agreement.pdf)
- **Colorado Secretary of State Certificate of Fact of Good Standing** (7_-_Colorado_SOS_Good_Standing.pdf)
- **Colorado Secretary of State Articles of Incorporation for a Profit Corporation** (8_-_Articles_of_Incorporation.pdf)
- **Findings and Decision** (Draft_Findings_and_Decision.pdf)
- **Suggested Motion** (9_-_suggested_motion.pdf)

c. Family Dollar Stores of Colorado, LLC d/b/a Family Dollar #28218 - New Beer and Wine License Application

Christina Hart, Town Clerk

Attachments:

- **Public Hearing Script** (0_-_Public_Hearing_Script.PC.pdf)
- **Staff Report Family Dollar Stores of Colorado, LLC d/b/a Family Dollar #28218 - New Beer and Wine License Application** (1_-_Staff_Report_-_Family_Dollar.pdf)
- **DR8403 Colorado Beer and Wine License Application** (2_-_DR_8430_Colorado_Beer_and_Wine_License_Application.pdf)
- **DR8495 Tax Check Authorization, Waiver and Request to Release Information** (3_-_DR_8495_Tax_Check_Authorization__Waiver_and_Request_to_Release_Information.pdf)
- **Diagram of the Premises** (5_-_Diagram_of_the_Premises.pdf)
- **Recorded Lease between EXCELL Ash, LLC and Family Dollar Stores of Colorado Inc.** (4_-_Recorded_Lease.pdf)
- **Colorado Secretary of State Certificate of Fact of Good Standing** (6_-_Colorado_SOS_Good_Standing.pdf)
- **Applicant Hearing Letter** (7_-_Hearing_Letter_28218__with_flyer_.pdf)
- **LiquorPros Final Report and Survey** (8_-_LiquorPros_Final_Report_and_Survey.pdf)
- **Suggested Motion** (suggested_motion.pdf)

7. Action/Discussion Items

a. RFP Waiver - Contract for Lease Purchase of E35 2024 Sweeper and Lease Purchase of a 2024 Freightliner Dump Plow Combo

Robin Price, Public Works Director

Ordinance No. 777-24 - An Ordinance Approving a Master Lease Purchase Agreement for a Standard Street Sweeper and Dump Truck

Resolution No. 999-24, Schedule No. 1, Exhibit E, Lessee Resolution - A Master Lease Purchase Agreement dated as of January 15, 2024, between Tax-Exempt Leasing Corp. (Lessor) and Town of Bennett (Lessee) and Schedule No. 1

Attachments:

- **Staff Report RFP Waiver - Contract for Lease Purchase of E35 2024 Sweeper and Lease Purchase of a 2024 Freightliner Dump Plow Combo** (0_-_TownofBennett_Staff_Report_Lease_Purchase_Agreement_Sweeper_and_Freightliner_Truck_Final.pdf)

- **Transwest Freightliner Quote** (1.__Transwest_Freightliner_Quote.pdf)
- **E35 Street Sweeper Quote** (2.__E35_Street_Sweeper_Quote.pdf)
- **Master Lease Purchase Agreement** (3.__Master_Lease_Purchase_Agreement__1_.pdf)
- **Ordinance No. 777-24 - An Ordinance Approving a Master Lease Purchase Agreement for a Standard Street Sweeper and Dump Truck** (Ordinance_No.777-24_-_Lease-Purchase_Street_Sweeper_and_Dump_Truck_-_spk_redline.pdf)
- **Suggested Motion for Ordinance No. 777-24** (suggested_motion_-_ordinance.pdf)
- **Resolution No. 999-24, Schedule No. 1, Exhibit E, Lessee Resolution - A Master Lease Purchase Agreement dated as of January 15, 2024, between Tax-Exempt Leasing Corp. (Lessor) and Town of Bennett (Lessee) and Schedule No. 1** (Exh_E_Resolution.pdf)
- **Suggested Motion for Resolution No. 999-24** (suggested_motion_-_reso.pdf)

8. Town Manager Report

Trish Stiles, Town Manager

9. Trustee Comments and Committee Reports

Mayor and Trustees

10. Executive Session

Trish Stiles, Town Manager

Mason Brown, Carlson, Hammond & Paddock, L.L.C.

- a. **Pursuant to Section 24-6-402(4)(b) and (e), C.R.S., for the purposes of receiving legal advice on specific legal questions and to determine the Town's position regarding matters that are subject to negotiation and to instruct negotiators, all in connection with the Town's pending groundwater application in Case No. 2023GW04.**

Attachments:

- **Executive Session Script** (Bennett_Exec_Session_Script.pdf)

- b. **Return to Open Meeting**
- c. **Report from Executive Session**

11. Action/Discussion Items

- a. **To Take Action on Town's pending groundwater application in Case No. 2023GW04**

12. Executive Session

Rachel Summers, Deputy Town Manager

Attachments:

- **Executive Session Script** (Bennett_Exec_Session_Script.pdf)

- 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); Wastewater Development Fee Incentive - Lennar**
- b. **Return to Open Meeting**
- c. **Report from Executive Session**

13. Action/Discussion Items

a. To Take Action on Wastewater Development Fee Incentive - Lennar

14. Executive Session

Trish Stiles, Town Manager

Attachments:

- **Executive Session Script** (Bennett_Exec_Session_Script.pdf)

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); Discussion of invoice received from Adams County law enforcement.

b. Return to Open Meeting

c. Report from Executive Session

15. To Take Action on Invoice Received from Adams County Law Enforcement

16. 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.

Contact: Christina Hart (chart@bennett.co.us 1303-644-3249 X1001) | Agenda published on 01/19/2024 at 1:59 PM