



Town Board Regular Meeting

June 12, 2023 - 7:00 PM

Town Board Chambers, 301 Walnut Street, Windsor, CO 80550

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MINUTES

A. CALL TO ORDER

Mayor Rennemeyer called the meeting to order at 7:09 p.m.

1. Roll Call

Present:

Mayor Paul Rennemeyer
Mayor Pro Tem Barry Wilson
Ron Steinbach
Ken Bennett
Julie Cline
Victor Tallon
Jason Hallett – virtual

Also Present:

Shane Hale, Town Manager
Kim Emil, Interim Town Attorney
Jess Humphries, Administrative Services Director
John Thornhill, Community Development Director
Scott Ballstadt, Planning Director
Dean Moyer, Finance Director
Aaron Lopez, Police Commander
Sandy Mezzetti, Senior Planner
Ben Bodiker, Visual Media Coordinator
Karen Frawley, Town Clerk

2. Pledge of Allegiance

Mayor Rennemeyer asked Town Board Member Cline to lead the Pledge of Allegiance.

3. Review of Agenda by the Board and Addition of Items of New Business to the Agenda for Consideration

Town Board Member Hallett moved to approve the agenda as presented, Town Board Member Tallon seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Barry Wilson, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett, Ron Steinbach; Nays - None; Motion Passed.

4. Special Presentation

a. K9 Swearing-In Ceremony

This item was postponed to a later meeting.

5. Outside Agency Report

a. Annual District Attorney Update - District Attorney Gordon McLaughlin

District Attorney Gordon McLaughlin provided the Larimer County District Attorney's annual update to the board.

6. Board Liaison Reports

Town Board Member Steinbach - Historic Preservation Commission, Water and Sewer Board

Town Board Member Steinbach reported that neither board has met since the last provided update.

Mayor Pro Tem Wilson - Larimer County Behavioral Health Policy Council, 34, and I-25 Coalitions, Great Western Trail Authority

Mayor Pro Tem Wilson reported that the Larimer County Behavioral Health Policy Council has not met since the last provided update.

Mayor Pro Tem Wilson reported that the 34 Coalition has not met since the last provided update.

Mayor Pro Tem Wilson reported that the I-25 Coalition that he was not able to attend the last meeting, but in looking at the slides from the meeting, they are looking at having the project completed in mid-December.

Mayor Pro Tem Wilson reported that the Great Western Trail Authority is hoping to complete the trail in August of this year.

Town Board Member Bennett – Parks, Recreation and Culture Advisory Board, Windsor Arts Commission

Town Board Member Bennett reported that nether board has met since the last provided update.

Town Board Member Bennett reported that the Windsor Arts Commission held a community art live event on Saturday at the skate park located at Eastman Park.

Town Board Member Cline – Clearview Library Board, Poudre River Trail Corridor Authority

Town Board Member Cline reported that the Clearview Library Board held a ribbon cutting for its Severance location. The Board also held its High Tea event, which sold out and was very successful. The Board has also kicked off their strategic planning for the next three to five years. The summer adventure program kicked off and has prizes available for those who complete.

Town Board Member Cline reported that the Poudre River Trail Corridor Authority has not met since the last provided update.

Town Board Member Tallon - Planning Commission, Chamber of Commerce

Town Board Member Tallon reported that the Planning Commission met and those items will be on the agenda tonight.

Town Board Member Tallon reported that the Chamber of Commerce has not met since the last provided update.

Town Board Member Hallett - Windsor Housing Authority, Tree Board

Town Board Member Hallett reported that the Windsor Housing Authority after the meeting, the authority received good news about their CHFA funding and their project was approved for funding.

Town Board Member Hallett reported that the Tree Board discussed its upcoming events including sick tree day.

Mayor Rennemeyer - Downtown Development Authority, North Front Range MPO

Mayor Rennemeyer reported that the Downtown Development Authority approved a mini grant for 424 Main Street to help with façade improvements. The DDA is looking at housekeeping items for the bylaws.

Mayor Rennemeyer reported that the North Front Range MPO saw a presentation from the state demographer regarding trends happening in the state. The call for projects will be voted on in August. There is a big 2050 Regional Transportation plan that is undergoing review throughout the state.

7. Public Invited to be Heard

Mayor Rennemeyer opened the meeting up for public comment.

James Maslen from 8367 Loudon Circle in Windsor addressed the board regarding police harassment due to an incident he has been facing recently.

B. CONSENT CALENDAR

1. Approval of the May 22, 2023 Town Board Regular Meeting Minutes - K. Frawley, Town Clerk

Approval of the meeting minutes.

2. Approval of the June 5, 2023 Town Board Special Meeting Minutes - K. Frawley, Town Clerk

Approval of the special meeting minutes.

3. Resolution No. 2023-21 A Resolution Approving and Adopting the Intergovernmental Agreement Between The Town of Windsor and the City of Loveland with Respect to Traffic Signal Installation at Fairgrounds Avenue and 71st Street - E. Bracke, Transportation Engineer

This project allows the full signalization of the intersection. The current control at the intersection is minor street stop control with a pedestrian signal that allows pedestrians to safely cross Fairgrounds Avenue. Loveland will be conducting the work and the Town is agreeing to pay a proportionate share of the construction costs. The intersection has three corners within the Town Limits.

4. Resolution No. 2023-22 A Resolution Approving and Adopting the Intergovernmental Agreement Between the Town of Windsor and the City of Loveland with Respect to Maintenance Obligations for Fairgrounds Avenue - E. Bracke, Transportation Engineer

The roadways of Crossroads Blvd. and Fairgrounds Ave. form borders between the Town of Windsor and the City of Loveland. A maintenance agreement is required to ensure that the maintenance of roadway infrastructure - signs, markings, and signals are maintained at a constant and consistent level to ensure safety. Loveland or its agent shall perform signing, striping, and signal maintenance along Fairgrounds Avenue in accordance with

the Plan, defined in the Fairgrounds ROW Plan IGA.

5. Resolution No. 2023-23 A Resolution Initiating Annexation Proceedings for the Lone Tree Annexation to the Town of Windsor, Colorado - K. Lambrecht, Senior Planner

The City of Thornton, represented by Kevin Woods (City Manager), has filed a Petition to Annex approximately 51.389 acres of property adjacent to and immediately north of Larimer County Road 32E and the Kyger Reservoir property. The property is contiguous with the Town of Windsor Corporate Limits along the Larimer County Road 32E right-of-way and is within the Town's Growth Management Area (GMA), meaning the Town has anticipated this area be annexed to the Town. Per C.R.S., the perimeter of the proposed annexation meets the requirement of 1/6 contiguity to the existing Town corporate limits.

6. Resolution No. 2023-24 A Resolution Approving, Accepting and Ratifying Reciprocal Public Utility Easements Between the Town of Windsor and the Weld RE-4 School District - D. Blair, Civil Engineer

The 10th Street and Pine Drive Stormwater Improvement Project requires a storm line be constructed through Skyview Elementary's soccer field. The improvements require a permanent utility easement and a temporary easement for construction. To install the storm sewer, an existing, conflicting fiber optic line must be relocated. The fiber optic line serves the school and will be relocated to Town property. The school district has agreed to exchange easements, meaning fees will not be incurred.

7. Report of Bills - May 2023 - D. Moyer, Finance Director

Town Board Member Hallett moved to approve the consent calendar as written, Town Board Member Tallon seconded the motion. Roll call on the vote resulted as follows; Yeas - Victor Tallon, Paul Rennemeyer, Ron Steinbach, Jason Hallett, Barry Wilson, Ron Steinbach, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett, Ron Steinbach; Nays - None; Motion Passed.

C. BOARD ACTION

1. Public Hearing - Wireless Telecommunications facility (Tower) Site location within the General Commercial Zone District - Jacoby Farm Subdivision 5th filing, Tract A, 301 17th Street - Windsor RSO LLC., Cary St Onge, property owner; Richard Gaito, Tower Engineering Professionals, applicant

Application

The applicant, Mr. Richard Gaito, on behalf of Vertical Bridge, owner, is requesting approval for the location of a new telecommunications tower on a 1,965 square foot parcel, located at 301 17th Street within Tract A, Jacoby Farm 5th filing and within the General Commercial (GC) zone district. The Town's Municipal Code allows for the establishment of wireless telecommunication towers for the purpose and intent of accommodating the communication needs of the Town's residents and businesses.

Town Board Member Cline moved to open the public hearing, Mayor Pro Tem Wilson seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Barry Wilson, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett, Ron Steinbach; Nays - None; Motion Passed.

Town Board Member Tallon stated "Mayor Rennemeyer, for the record, I would like to point out that in my capacity as Town Board liaison to the Planning Commission, I was present at the Planning Commission meeting during which this matter was previously presented. I wish to state that my participation in the Planning Commission proceeding has in no way influenced me in my capacity as a Town Board member this evening. I will make my decision and cast my vote this evening based solely on the evidence presented during this public hearing."

Town Board Members asked staff various clarifying questions.

Mayor Rennemeyer opened up the public hearing for public comment. Several members of the public addressed the board about opposing the wireless telecommunications facility site.

Town Board Member Bennett moved to close the public hearing, Town Board Member Steinbach seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Barry Wilson, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett, Ron Steinbach; Nays - None; Motion Passed.

2. Public Hearing - Request for a Conditional Use Permit to allow a one hundred and two (102) foot high Wireless Telecommunications Tower - Jacoby Farm Subdivision 5th filing, Tract A, 301 17th Street - Windsor RSO LLC., Cary St Onge, property owner; Richard Gaito, Tower Engineering Professionals, applicant

Application

The applicant, Mr. Richard Gaito, on behalf of Vertical Bridge, owner, is requesting approval for the location of a new telecommunications tower on a 1,965 square foot parcel, located at 301 17th Street within Tract A, Jacoby Farm 5th filing and within the General Commercial (GC) zone district. The Town's Municipal Code allows for the establishment of wireless telecommunication towers for the purpose and intent of accommodating the communication needs of the Town's residents and businesses.

Town Board Member Tallon moved to open the public hearing, Town Board Member Bennett seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Barry Wilson, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett, Ron Steinbach; Nays - None; Motion Passed.

Town board members asked various clarifying questions to staff.

Mayor Rennemeyer opened up the public hearing for public comment. There were several members of the public who provided comments regarding opposing the approval of a conditional use permit.

Town Board Member Steinbach moved to close the public hearing, Town Board Member Hallett seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Barry Wilson, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett, Ron Steinbach; Nays - None; Motion Passed.

3. Approval for a Request for a Conditional Use Permit to allow a one hundred and two (102) foot high Wireless Telecommunications Tower - Jacoby Farm Subdivision 5th filing, Tract A, 301 17th Street - Windsor RSO LLC., Cary St Onge, property owner; Richard Gaito, Tower Engineering Professionals, applicant

Please refer to information submitted with the Conditional Use Permit public hearing item.

Town Board Member Tallon moved to approve a conditional use permit to allow a one hundred and two foot high wireless telecommunications tower, Town Board Member Hallett seconded the motion. Roll call on the vote resulted as follows; Yeas - None; Nays - Paul Rennemeyer, Barry Wilson, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett, Ron Steinbach; Motion Failed.

4. Resolution No. 2023-25 A Resolution Adopting the 2023 Town of Windsor Energy Action Plan

Sustainable Windsor Colorado (SWC), a grassroots group of concerned citizens, made a presentation, in November 2021, to the Town Board regarding the Partners in Energy Program and requesting that the Town participate in the program. Town Board members had many questions regarding the program that needed answers before proceeding further. Answers to the Town Board's questions and more detailed information about the program were presented by the Brendle Group at a follow-up work session in March 2022. Town Board was interested but had more questions and concerns about the availability of staff resources. In August 2022, staff presented the requested information and Town Board voted in favor of participating in the Partners in Energy Program. Town staff worked with the Brendle Group (Consultant), facilitator of the Partners in Energy Program for Xcel Energy, to develop an Energy Action Plan (Plan) for the Town.

Town Board Member Hallett moved to approve resolution no. 2023-25, Town Board Member Tallon seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Barry Wilson, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett, Ron Steinbach; Nays - None; Motion Passed.

5. Public Hearing - Great Western 7th Annexation Master Plan - Dean Brown, ownerPublic Hearing - Great Western 7th Annexation Master Plan - Dean Brown, owner and applicant, GWIP LLC.; Mark Cevall, Applicant's representative, Redland

The applicant, Mr. Dean Brown of GWIP LLC, represented by Mr. Mark Cevaal from Redland, has submitted a Master Plan application for 349.108 acres of land known as the Great Western 7th Annexation.

Town Board Member Cline moved to open the public hearing, Town Board Member Tallon seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Barry Wilson, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett, Ron Steinbach; Nays - None; Motion Passed.

Mayor Rennemeyer opened the hearing up for public comment, to which there was none.

Town Board Member Hallett moved to open the public hearing, Town Board Member Steinbach seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Barry Wilson, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett, Ron Steinbach; Nays - None; Motion Passed.

6. Resolution No. 2023-26 A Resolution Approving and Confirming the Master Plan for the Great Western 7th Annexation to the Town of Windsor - Dean Brown, owner applicant; Mark Cevaal, applicant's representative, Redland

Please refer to information submitted with the Great Western 7th Annexation Master Plan public hearing item.

Town Board Member Hallett moved to approve resolution no. 2023-26, Town Board Member Cline seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Barry Wilson, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett, Ron Steinbach; Nays - None; Motion Passed.

7. Public Hearing - Request for a Conditional Use Permit to allow gravel surface mining - Great Western 7th Annexation - Dean Brown, owner, GWIP LLC.; Julie Mikulas, applicant, Martin Marietta Materials, Inc.; Pam Hora, applicant's representative, Tetra Tech, Inc.

The applicant is requesting a Conditional Use Permit (CUP) to allow open and surface gravel mining operations on a site within the Great Western 7th Annexation boundary, in the Heavy Industrial (HI) zone district. Staff is recommending the Planning Commission forward to the Town Board a recommendation of approval of the CUP, with conditions as reflected in the staff recommendation section of the memorandum.

Town Board Member Cline moved to open the public hearing, Town Board Member Tallon seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Barry Wilson, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett, Ron Steinbach; Nays - None; Motion Passed.

Mayor Rennemeyer opened the public hearing up for public comment, to which there was none.

Town Board Member Hallett moved to open the public hearing, Town Board Member Steinbach seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Barry Wilson, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett, Ron Steinbach; Nays - None; Motion Passed.

8. Approval for a Request for a Conditional Use Permit to allow gravel mining - Great Western 7th Annexation - Dean Brown, owner, GWIP LLC., owner; Julie Mikulas, applicant, Martin Marietta Materials, Inc.; Pam Hora, applicant's representative, Tetra Tech, Inc.

Please refer to information submitted with the request for a Conditional Use Permit public hearing item.

Town Board Member Bennett moved to approve the conditional use permit to allow gravel mining, Town Board Member Hallett seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Barry Wilson, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett, Ron Steinbach; Nays - None; Motion Passed.

9. Resolution No. 2023-27 A Resolution Accepting the Audit Report for 2022 Prepared by Hinkle & Company, PC, Certified Public Accountants

Town Board Member Hallett moved to approve resolution no. 2023-27, Town Board Member Tallon seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Barry Wilson, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett, Ron Steinbach; Nays - None; Motion Passed.

D. COMMUNICATIONS

1. Communications from Town Attorney
2. Communications from Town Staff

Per Mr. Ballstadt, the industrial zones allow for a maximum height of seventy-five feet; the general commercial zone only allows a height of fifty-five feet. Further, the area around King Soopers is also in the commercial corridor, which is limited to a thirty-foot height or forty-feet for general architecture.

Per Ms. Humphries, reminder about visiting [Windsorgov.com](https://windsorgov.com) website and Windsorgov app to sign up for text notices.

a. Strategic Plan Key Performance Indicator Report - June

Attached are the Town's Key Performance Indicators for June 2023. I have highlighted a KPI in each of the strategic focus areas. Please note that we still have one KPI with "Example" across the KPI. We expect to see reportable data in July now that we have special events up and running as we can now collect data. The only caveat is that it takes 2-4 weeks from the software company that collects the data to send it to us. I am making a bit of an assumption that we will see data from our first concert series in time for the July report.

b. Finance Report - March 2023

3. Communications from Town Manager

a. Monthly Board Report - Focus Areas Updates

1. Strategic Growth

Acquire additional open space to ensure Windsor maintains its identity and quality of life (19% complete)

The open space acquisition concept was presented to the Leadership team. Staff will continue with revisions and completion of the overall map evaluation.

Work continues on developing the philosophy and process for the purchase and acquisition of open space, as well as prioritization standards. Anticipating a mid-summer presentation to Town Board.

2. Sustainable Infrastructure

Provide a safe and reliable water supply for the community (25% complete)

Staff continues to update the remaining acre-feet available for development and the water rights portfolio as development comes in. The Water Supply Index is greater than 100% for 2023 and staff will keep monitoring through the irrigation season.

The Cobb Lake Water Treatment Authority group is finalizing the Authority Creation Agreement. The group began high-level conversations surrounding the initial water demands from each entity and how the plant will be phased in over time. Pipeline sizes and routing have also been considered. The group entities are discussing alternative supply methods and existing pipeline sharing to use resources more efficiently.

Water resources staff are making strides regarding gap water rentals with several

neighboring agencies. Staff should be bringing several draft agreements to the Town Board later this year.

3. Vibrant and Healthy Economy

Enhance and expand downtown vitality (16% complete)

Downtown vitality work continues. Staff entered into a contract for paving work and made parking lot improvements/additions prior to Memorial Day in time for the Summer Concert Series. Town staff also worked with Transportation and Street Engineers on parking signs along Main Street. These signs will guide users to the various parking areas downtown. A permit was submitted with CDOT for the approved signs and locations. CDOT approved these to be temporary due to the approved wayfinding permit by the DDA. They have asked that signage in the area match. Several lots that are ready for development are on hold for a variety of issues that have yet to be resolved. Any further education and campaigns are on hold until then.

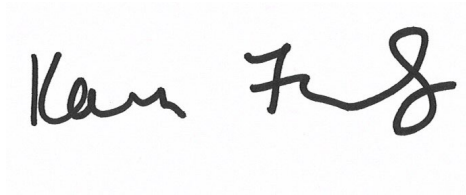
4. Communications from Town Board

Mayor Rennemeyer provided a reminder for Pints with Paul happening at Pelican Lakes Sandbar on Wednesday from 4:30 to 6:30 p.m. Mayor Rennemeyer offered appreciation of the public works department for their work on the flooded roads. Coffee with the Mayor will be held on Friday, June 23rd at the Rec Center at 10:00 a.m.

E. ADJOURN

Town Board Member Hallett moved to adjourn, Town Board Member Tallon seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Barry Wilson, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett, Ron Steinbach; Nays - None; Motion Passed.

Upon a motion duly made, the meeting was adjourned at 10:11 p.m.

A handwritten signature in black ink, appearing to read "Karen Frawley". The signature is written in a cursive, flowing style.

Karen Frawley, Town Clerk