



Town Board Regular Meeting

July 10, 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 7:13 p.m.

1. Roll Call

Present:

Mayor Rennemeyer
Mayor Pro Tem Wilson - Absent
Ron Steinbach
Ken Bennett
Julie Cline
Victor Tallon
Jason Hallett

Also Present:

Shane Hale, Town Manager
Kim Emil, Deputy Town Attorney
Jess Humphries, Administrative Services Director
Eric Bracke, Transportation Planner
Sandra Mezzetti, Senior Planner
Bobby Warner, Recreation Manager
Kimberly Lambrecht, Senior Planner
Wade Willis, Trails and Open Space Manager
Tara Fotsch, Deputy Director of Parks, Recreation, and Culture
Bob Worthen, Parks Operations Manager
Scott Ballstadt, Planning Director
David Eisenbraun, Senior Planner
Eric Lucas, Public Services Director
Doug Roth, Civil Engineer
Aaron Lopez, Police Commander
John Thornhill, Community Development Director
Karen Frawley, Town Clerk
Ben Bodiker, Visual Media Coordinator

2. Pledge of Allegiance

Mayor Rennemeyer asked Town Board Member Steinbach 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, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett, Ron Steinbach; Nays - None; Motion Passed.

4. Presentation

a. K9 Swearing-In Ceremony

5. Proclamation

a. Parks and Recreation Month

Mayor Rennemeyer read the proclamation aloud.

6. Board Liaison Reports

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

Town Board Member Steinbach reported that the Historic Preservation Commission has been working on completing the Historic Preservation Plan which has to be completed by the end of the year.

Town Board Member Steinbach reported that the Water and Sewer Board has not met since the last provided update.

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

Mayor Pro Tem Wilson was absent and will provide an update at the next board meeting.

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

Town Board Member Bennett reported that the Parks, Recreation and Culture Advisory Board has not met since the last provided update.

Town Board Member Bennett reported that the Windsor Arts Commission held it's most recent Art LIVE! event at the Arts and Heritage building. The Commission has put out a call for artists to complete a sculpture on the Halfway Homestead property. The wood carving that was created last year at the Halloween party will be permanently located by the pedestrian bridge by the Treasure Island Garden property. Xcel power box paintings had the initial go ahead, but as the contracts were being reviewed there are a few things that do not make sense to the Arts Commission, so the attorneys are working on those items.

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

Town Board Member Cline reported that the Poudre River Trail Corridor Authority reported that there were many closures to the trail due to rain. The red barn will soon have a picnic area and a budget had to be approved for the project. Office rent has started and is around \$500 a month. The annual report is being worked on and will be distributed as soon as it's completed.

Town Board Member Cline reported that the Clearview Library Board discussed the ground breaking went well in Severance and the rain actually helped the ground compact better. The friends and foundation group is looking for a part-time position as an executive director. The current location's doors for entry are not working like they need to, so they

are obtaining quotes for them to be repaired as well as working on removing bats from the library. The library is currently working on a strategic plan.

Town Board Member Tallon - Planning Commission, Chamber of Commerce

Town Board Member Tallon reported that the Planning Commission reviewed items that are on the town board agenda tonight.

Town Board Member Tallon reported that the Chamber of Commerce held its meeting at the same time as the CML Annual conference and therefore was not able to attend the meeting.

Town Board Member Hallett - Windsor Housing Authority, Tree Board

Town Board Member Hallett reported that the Windsor Housing Authority met while he was out of town and therefore not able to attend the meeting.

Town Board Member Hallett reported that the Tree Board held it's annual sick tree day.

Mayor Rennemeyer - Downtown Development Authority, North Front Range MPO

Mayor Rennemeyer reported that the North Front Range MPO went over the fiscally constrained plan, which is a plan that if there was unlimited money, which is all the transportation needs and will be used to help determine projects in the future. The greenhouse gas transportation report was discussed and the state has requested the MPO come up with a plan on mandating that everyone lower greenhouse emissions. The problem is that there is no enforcement of the plan. The call for projects for 2024 and beyond is coming up in August and staff are putting together a list of projects to submit to see if we can be awarded money to help with the projects. The 2050 Regional Transportation Plan draft, which is a plan of what needs to happen regionally in the next twenty-seven years, was discussed as well.

Mayor Rennemeyer reported that the Downtown Development Authority passed updates to its bylaws that were housekeeping in nature. The DDA has moved their office out of the Velocity Lending space on Main Street due to the cost of rent. Therefore, the DDA has moved its office space off of 5th Street.

7. Public Invited to be Heard

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

B. CONSENT CALENDAR

1. Approval of the June 12, 2023 Town Board Regular Meeting Minutes - K. Frawley, Town Clerk
Approval of the meeting minutes from June 12, 2023.
2. Approval of the June 12, 2023 Town Board Special Meeting Minutes - K. Frawley, Town Clerk
Approval of the June 12, 2023 meeting minutes.
3. Approval of the June 19, 2023 Town Board Special Meeting Minutes - K. Frawley, Town Clerk
Approval of the special meeting minutes from June 19, 2023.
4. Resolution No. 2023-29 A Resolution Committing the Town of Windsor to the Eventual Goal

of Zero Fatalities and Serious Injuries on the Roadway Network - E. Bracke, Transportation Engineer

The Town of Windsor will be applying for a \$125,000 Safer Street for All (SS4A) to create a comprehensive traffic safety program. Most of the technical work required for the grant was completed during 2022-2023 but there is still work to complete to make the plan acceptable to the Federal Government. The Plan will include additional items such as process, committee structure, public involvement and equity considerations. Approval of the plan will allow the Town of Windsor to apply for safety grants.

5. Resolution No. 2023-30 - A Resolution Setting a Public Hearing to the Town Board for the Haas Annexation to the Town of Windsor, Colorado - K. Lambrecht, Senior Planner; K. Emil, Deputy Town Attorney

Harland Haas, represented by Kris Pickett with JKP Consulting, LLC, has filed a Petition to Annex approximately 15.83 acres of property adjacent to and immediately west of 17th Street and immediately south of Weld County Road 68.5, to the Town of Windsor. The property is contiguous with the Town of Windsor Corporate Limits, bordering 17th Street 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 1/6 contiguity to the existing Town limits requirement.

6. Resolution No. 2023-31 A Resolution of the Town of Windsor Issuing the Written Decision of the Town Board Concerning the Wireless Tower Facility Location Within Jacoby Farm Subdivision, 5th Filing, Tract A, 301 17th Street - S. Mezzetti, Senior Planner

At the June 12, 2023, regular Town Board meeting, staff presented, during the public hearing, a new wireless telecommunications facility to be located at 301 17th Street within the Jacoby Farm Subdivision 5th filing, Tract A. Per the Town's Municipal Code, *the Town Board's decision on whether to approve or deny an application for construction of a tower shall be issued within thirty (30) days of the conclusion of the Town Board public hearing. The Town Board's decision on whether to approve or deny an application for construction of a tower shall be in writing, based upon evidence presented to the Town Board at the public hearing and shall take into account the recommendation of the Planning Commission.*

7. Resolution No. 2023-32 A Resolution Approving the Engagement Letter and Standard Terms of Engagement Between the Law Firm of Constangy, Brooks, Smith & Prophete, LLP and the Town of Windsor for Representation and Consulting Services Concerning Data Privacy and Information Security ("Cybersecurity") - J. Humphries, Administrative Services Director

Cyber attacks are becoming more frequent across the nation. Recent history in Colorado has shown the devastating effects of such cyber-attacks on municipalities. In response to this, the town's Information Technology division has created emergency response plans should a cyber-attack occur. These plans include the need and use of specialized legal counsel. It is very common practice for municipalities, as part of their cyber security programs, to have on retainer an attorney/firm that specializes in cyber issues. Staff have reached out to other municipalities for recommended firms. Constangy, Brooks, Smith & Prophete, LLP is a highly recommended national firm with a Denver office that specializes in both proactive and reactive legal services.

8. Report of Bills June 2023 - D. Moyer, Director of Finance

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 - Paul Rennemeyer, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett, Ron Steinbach; Nays - None; Motion Passed.

C. BOARD ACTION

1. Public Hearing - Final Major Subdivision - Poudre Heights Subdivision 5th Filing - Meritage Homes of Colorado, Inc. (Chelsey Green), Owner/Applicant; Henry Design Group, Inc. (Steve Allen), Applicant's Representative - K. Lambrecht, Senior Planner

The applicant, Chelsey Green, on behalf of Meritage Homes, has submitted a final major subdivision plat known as Poudre Heights Subdivision 5th Filing. The 5th Filing property encompasses approximately 18.766 acres and is zoned Residential Mixed Use (RMU-1). The project site is located to the north and west of the intersection of Riverplace Drive and 7th Street, north of Poudre Heights Park and east of the Eaton Ditch. The subdivision includes 127 townhome lots with tracts for open space, a trail system, drainage, easements, and access and circulation. The 2003 Poudre Heights Master Plan was amended in 2014 and identifies the subject land use area for approximately 124 attached units with a density range of 7.4-8.3 net dwelling units per acre. This proposal is in alignment with the Master Plan.

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, 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."

Mayor Rennemeyer opened the hearing up for public comment.

Jim Leach from 1704 Green River Drive addressed the board regarding asking when a traffic study be done in this area? Mr. Bracke stated the area would be looked at in September.

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

2. Resolution No. 2023-33 - A Resolution Approving a Final Major Subdivision - Poudre Heights Subdivision 5th Filing - Meritage Homes of Colorado, Inc. (Chelsey Green), Owner/Applicant; Henry Design Group, Inc. (Steve Allen), Applicant's Representative - K. Lambrecht, Senior Planner

Please refer to the previous Public Hearing item for additional information.

Town Board Member Hallett moved to approve Resolution No. 2023-33, Town Board Member Tallon seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett, Ron Steinbach; Nays - None; Motion Passed.

3. Public Hearing - Master Plan Amendment - Tacincala Master Plan 2nd Amendment (Windsor North 15th Street Campus) - Town of Windsor, Owner/Applicant - D. Eisenbraun, Senior Planner

The site is north of existing public facilities, an existing neighborhood (Windshire Park Subdivision), and northwest of planned neighborhoods of Overland and Trevenna Subdivisions. The site is west of the planned subdivision of Tacincala (Prairie Song). These properties are within the Town of Windsor. The proposal surrounds and shares a property line with the existing Beethe property (one acre), located in unincorporated Weld County, currently in the annexation process for annexing into the Town of Windsor. The Town and the Beethes have been coordinating and will continue to coordinate as plans develop.

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

4. Resolution No. 2023-34 - A Resolution Approving the Tacinala Master Plan 2nd Amendment (Windsor North 15th Street Campus) - Town of Windsor, Owner/Applicant - D. Eisenbraun, Senior Planner

Please see public hearing item.

Town Board Member Hallett moved to approve Resolution No. 2023-34, Town Board Member Tallon seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett, Ron Steinbach; Nays - None; Motion Passed.

5. Ordinance No. 2023-1678 – An Ordinance Annexing Certain Real Property Pursuant to the Powers Granted to Municipalities Under Colorado Revised Statutes Section 31-12-106 with Respect to the Annexation of Enclaves and Municipally-Owned Land, and Designating Such Property as the “Beethe Annexation to the Town of Windsor” - S. Ballstadt, Director of Planning, on behalf of the Town of Windsor, applicant

The Beethe Annexation to the Town of Windsor is an enclave consisting of 1.00 acres currently in Weld County with 100% of its boundary (876.62 linear feet) contiguous with the Town’s corporate limits. The property is located west of CR 15/N. 15th Street and north of the Town of Windsor Public Services and future Town of Windsor Police Facility. Staff is recommending that the Town Board adopt the first reading of the Beethe Annexation and Establishment of Zoning.

Town Board Member Hallett moved to approve Ordinance No. 2023-1678, Town Board Member Tallon seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett, Ron Steinbach; Nays - None; Motion Passed.

6. Resolution No. 2023-35 A Resolution Ratifying the Waiver of Certain Development Related Fees Concerning the Peakview and Raindance Elementary Schools - S. Ballstadt, Planning Director

As was discussed at the June 19, 2023 Town Board work session, the Town has received the attached letter from the Weld RE-4 School District (District) requesting that the Town waive "plan application" fees for the two new elementary schools in the Peakview and RainDance neighborhoods and the new middle school north of the Town's Public Services site.

Discussion ensued between Town Board and staff.

Town Board Member Hallett moved to approve Resolution No. 2023-35, Town Board Member Tallon seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett, Ron Steinbach; Nays - None; Motion Passed.

D. COMMUNICATIONS

1. Communications from Town Attorney

Per Ms. Emil, gratitude was expressed to the Board for the ability to attend the annual CML conference. Ms. Emil also expressed thanks for the opportunity to serve as the Interim Town Attorney and stated that Dan Money would be starting on Monday.

2. Communications from Town Staff

- a. Windsor Police May 2023 Statistics

- b. Key Performance Indicator Report July 2023

Attached are the Town's Key Performance Indicators for July 2023. I have highlighted a KPI in each of the strategic focus areas. Please note that this month we have data for each KPI as we were able to begin receiving reports for visitors at special events.

1. Strategic Growth: When we first published this report in April of this year, we highlighted Part 1 crimes through February. At the time, my note stated that it would be interesting to see how this number fluctuates throughout the year compared to previous years' data. That number was 2.2 at the time and is now 4.5 (thru May). Meaning that 4.5 crimes against person or property have been committed per 1,000 people in Windsor. In 2022, that number was 4.46 and 3.14 in 2021. Interestingly, the population has increased by about 3,500 people in 2023 so the 4.5 number reflects a pretty stagnant part 1 crime rate when compared to the last 2 years given the population

increase. In a future analysis later this summer we will report on how we compare ourselves against the region and state.

2. Vital Infrastructure: The only statistical change in this focus area is the 2023 YTD Capital Expenses. As expected, we are in the heart of the construction season and spending continues to increase in all areas of the capital budget. The largest being in the areas of water and sewer infrastructure. Followed by streets, parks and buildings.

3. Vibrant and Healthy Economy: When we selected KPI's for this focus area, one that was of significant interest was visitors at special events. The importance being, this is our first year having the ability to accurately track attendance and therefore begin to correlate this into some type of tourism impact in the future. The special event being highlighted this month is the Polar Plunge. As you can see, we compared attendance at Boardwalk Park the weekend before the event when around 600 people were at the park. During the Polar Plunge 1,420 people were at the park. Therefore, we are able to determine that the event drew an additional 800 people to the park and into Windsor. It is our hope that those folks attending further impacted our local economy by spending dollars in Windsor while attending the event. In the future we will work toward determining a method to determine that impact, but for now it is apparent that hosting this event in Windsor does draw people to Boardwalk Park on a weekend that they may otherwise not visit. Not to mention the money raised for the Special Olympics!

Per Mr. Eisenbraun, the Downtown Master Plan is in the works and the finalist for consulting will be interviewed this week and making the selection hopefully by the end of next week if not before.

Per Ms. Mezzetti, the Energy Plan is in full implementation right now and will now be doing marketing at various upcoming Town events.

Per Commander Lopez, over the fourth of July holiday, Windsor PD activated its key words for the emergency management plan at the park. The key word is Windsor Event and those signed up can receive notices via text messages. Signage Downtown for the speed limit change were all installed today. The speed limit is now 25 miles per hour through downtown and officers will begin enforcing it.

3. Communications from Town Manager

a. Monthly Board Report - Focus Area Updates

1. Strategic Growth

Staff and the Town's consultant Logan Simpson gave a presentation regarding the Comprehensive Plan Update to the Planning Commission at their June 21, 2023, regular meeting. The presentation recapped the recent charrette input and provided a status update. Staff is also participating in the Downtown Development Authority Comprehensive Plan process, currently reviewing RFQ responses from consultants to be interviewed, which will also overlap some areas of the Town's Comprehensive Plan Update.

2. Sustainable Infrastructure

The SH 257 resurfacing project has been progressing. CDOT's contractor made some steady progress in June after experiencing a few weeks of production loss due to weather delays. In an effort to make up for lost time, CDOT will be closing SH 257 between Walnut St. and Eastman Park Dr. starting July 5 for 3 to 4 weeks. This closure will allow CDOT to complete the paving work in this section before school starts back up in August.

3. Vibrant and Healthy Economy

Enhance and expand downtown vitality (16% complete)

The DDA, in conjunction with the Town, has sent out a Request for Qualifications (RFQ) to create a master plan for the downtown area. Staff from Economic Development and Planning are sitting in on the team currently reviewing the submittals. Additional downtown parking spaces were created on our Ash Street lot adjacent to Boardwalk Park. Staff has submitted design plans to the City of Greeley on our Museum Lot parking lot, as the City of Greeley has a major water line that cuts through this parcel. The planning staff worked with Curtis Templeman and Eric Bracke in Engineering on parking signs along Main Street. These signs will guide users to the various parking areas downtown. Eric Brake has submitted the permit with CDOT with 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 the existing signage. Several lots ready for development are on hold for varying issues to be resolved, education and campaigns will be on hold until the development is ready to occur.

Per Mr. Hale, the monthly report was attached in the packet and let him know if there were any questions.

4. Communications from Town Board

Per Mayor Rennemeyer, Pints with Paul will be held this Wednesday night from 4:30 to 6:30 p.m. at Peculiar Ales, but confirmation is forthcoming.

E. EXECUTIVE SESSION

1. An Executive Session Pursuant to Colorado Revised Statutes §24-6-402 (4)(e)(I) for the Purpose of Determining Positions Relative to Matters that may be Subject to Negotiations; Developing Strategy for Negotiations; and Instructing Negotiators with Respect to Certain Economic Development Incentives - Terry Schwindler, Business Development Specialist

Town Board Member Hallett moved to enter into executive session pursuant to Colorado Revised Statutes §24-6-402 (4)(e)(I) for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators with respect to certain economic development incentive, Town Board Member Cline seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett, Ron Steinbach; Nays - None; Motion Passed.

The Town Board entered into an executive session at 8:45 p.m.

Upon a motion duly made, the Town Board returned to the regular meeting at 9:09 p.m.

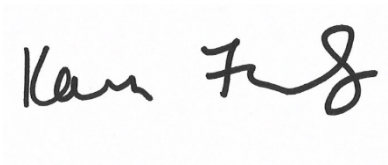
The executive session was closed and the Town Board returned to the Regular Meeting.

Upon returning to the Regular Meeting, Mayor Rennemeyer advised that if any participants in the Executive Session believed the session contained any substantial discussion of any matters not included in the motion to convene the Executive Session, or believed any improper action occurred during the Session in violation of the Open Meetings Law; such concerns should now be stated. Hearing none, the Regular Meeting resumed at 9:11 p.m

F. 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, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett, Ron Steinbach; Nays - None; Motion Passed.

Upon a motion duly made, the meeting was adjourned at 9:12 p.m.

A handwritten signature in black ink, appearing to read "Karen Frawley", is written on a light blue rectangular background.

Karen Frawley, Town Clerk