



Town Board Regular Meeting

August 28, 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 7:10 p.m.

1. Roll Call

Present:

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

Also Present:

Shane Hale, Town Manager
Dan Money, Town Attorney
Eric Lucas, Public Services Director
John Thornhill, Community Development Director
Scott Ballstadt, Planning Director
Dean Moyer, Finance Director
Stacy Brown, Economic Development Director
Kimberly Lambrecht, Senior Planner
Kim Emil, Deputy Town Attorney
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 written, Town Board Member Tallon seconded the motion. Roll call on the vote resulted as follows; Yeas - Victor Tallon, Ron Steinbach, Barry Wilson, Paul Rennemeyer, Ken Bennett, Julie Cline, Jason Hallett; Nays - None; Motion Passed.

4. Presentation

a. Marketing Grant - Hwy 257/Eastman Park Drive Construction

The Economic Development staff has been providing continuous outreach to the businesses affected by the Hwy 257/Eastman Park Drive Construction area. However, the length of construction is proving to be burdensome to the retail businesses and

several have reached out to economic development, town staff and Town Board asking for additional assistance.

During the pandemic Economic Development Staff used Cares Act Funding to create a grant program for marketing assistance. The program seemed beneficial to the businesses, letting them choose their form of marketing that best fit with their businesses. This situation is similar, however affecting a much smaller base of businesses. There are approximately a total of 157 businesses in the affected area and 27 of those are retail specific. Funding recommendation would be for only the 27 retail establishments currently, unless there are other establishments that would be able to provide proof of loss and/or declining revenue.

Economic Development staff is recommending investing at least \$25,000.00 into a mini grant marketing program. Each qualifying business would be awarded up to \$1,000 in support. Businesses would spend the money on their preferred method of advertising/marketing and either request a reimbursement with proof of paid receipts or ask the town to pay the invoice directly to the advertising/marketing company. Qualifying time frame recommended for reimbursement would be from June 1, 2023 – End of Construction period, currently anticipated to be the end of October/November 2023. Businesses must also be licensed and in good standing.

Source of funding suggested is the Economic Development Fund. The fund's current balance is \$235,000 but it is already anticipated to be over drawn due to a significant delay in some incentive reimbursements, rolling over 2022 reimbursements into this year's budget. Town Board could approve the overage from the additional grant funding with the supplemental budget later this year.

5. 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, Great Western Trail Authority, 34, and I-25 Coalitions

Mayor Pro Tem Wilson reported that the Larimer County Behavioral Health Policy Council reported that a new acute care facility has been moved into and they are doing some tours while the construction is finishing up. They do plan on seeing patients in November at this facility. The facility ribbon cutting will take place on September 22nd and more information will be sent out. Grant opportunities are available and the council has received over seventy applications with a total request of seven and a half million dollars and thirty-five applications were recommended for approval for a total of \$2.8 million.

Mayor Pro Tem Wilson reported that the Great Western Trail Authority has received a lot of feedback asking for the trail to be paved, and there are no plans for that at this time.

Mayor Pro Tem Wilson reported that the 34 Coalition has no updates to provide at this

time.

Mayor Pro Tem Wilson reported that the I-25 Coalition reports that our section of the I-25 construction project is still slated to be completed by December 18th of this year.

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 saw presentations from four artists for proposals for the sculpture at the Halfway Homestead.

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

Town Board Member Cline reported that the Clearview Library Board has not met since the last provided update.

Town Board Member Cline reported that the Poudre River Trail Corridor Authority will host a moonlight bike ride meeting at the Kodak Trailhead Wednesday, August 30th at 7:30 p.m.

Town Board Member Tallon - Planning Commission, Chamber of Commerce

Town Board Member Tallon reported that the Planning Commission has not met since the last provided update.

Town Board Member Tallon reported that the Chamber of Commerce will be moving their offices and now has a brand refresh. The Chamber is working on a website update and preparing for the Mad Hatter Ball. The Chamber is looking at a new idea where they receive sponsorships year-round instead of just function off of dues.

Town Board Member Hallett - Windsor Housing Authority, Tree Board

Town Board Member Hallett reported that the Windsor Housing Authority is working towards finishing the Jacoby Meadows project. The groundbreaking looks like it will happen in another nine months.

Town Board Member Hallett reported that the Tree Board has not met since the last provided update.

Mayor Rennemeyer - Downtown Development Authority, North Front Range MPO

Mayor Rennemeyer reported that the Downtown Development Authority approved a mini grant of \$500 for Shine Cafe. The authority also passed consideration for the transfer of property from the DDA to the Town for both backlots properties which will come before the board at a future meeting for consideration. The DDA name change which will be seen tonight, as well as the increase in the board member numbers.

Mayor Rennemeyer reported that the North Front Range MPO, the transportation commissioner, has not been reselected by the Governor to sit on the MPO board.

6. 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 August 14, 2023 Town Board Regular Meeting Minutes - K. Frawley, Town Clerk
2. Resolution No. 2023-43 A Resolution Approving an Intergovernmental Mutual Aid Agreement for Law Enforcement Services with the Colorado State University Police Department - A. Lopez, Acting Police Chief

The Town of Windsor and Colorado State University have maintained an operational relationship to share mutual aid services, including special events. This IGA is a written update to any agreements which have existed previously.

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

C. BOARD ACTION

1. Ordinance No. 2023-1679 - An Ordinance Approving the Haas Annexation to the Town of Windsor Pursuant to the Colorado Municipal Annexation Act of 1965 (2nd Reading) - Harland Haas, Owner/Applicant; JKP Consulting, LLC (Kris Pickett), Applicant's Representative

Harland Haas (Owner/Applicant), represented by Kris Pickett with JKP Consulting, LLC (Applicant's Representative), has submitted:

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

Town Board Member Hallett moved to approve Ordinance No. 2023-1679, Town Board Member Tallon seconded the motion. Roll call on the vote resulted as follows; Yeas - Victor Tallon, Ron Steinbach, Barry Wilson, Paul Rennemeyer, Ken Bennett, Julie Cline, Jason Hallett; Nays - None; Motion Passed.

2. Resolution No. 2023-44 - A Resolution Approving an Annexation Agreement Between the Town of Windsor and Harland Haas with Respect to the Haas Annexation to the Town of Windsor - Harland Haas, Owner/Applicant; JKP Consulting, LLC (Kris Pickett), Applicant's Representative

On August 14, 2023 the Town Board approved Ordinance No. 2023-1679 regarding the Annexation and Establishment of Zoning for the Haas Annexation on First Reading, and is set to review the application on 2nd Reading this evening. The Annexation Agreement captures the basic expectations of the Town with respect to future development of the property. Special considerations for development of this property have been outlined on the Master Plan, and are coordinated with the Annexation Agreement.

Town Board Member Hallett moved to approve Resolution No. 2023-44, Town Board Member Tallon seconded the motion. Roll call on the vote resulted as follows; Yeas - Victor Tallon, Ron Steinbach, Barry Wilson, Paul Rennemeyer, Ken Bennett, Julie Cline, Jason Hallett; Nays - None; Motion Passed.

3. Ordinance No. 2023-1680 - An Ordinance Amending Certain Portions of Windsor Municipal Code Chapters 4 and 6 Concerning Retail License Fees

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

Town Board Member Hallett moved to approve Ordinance No. 2023-1680, Town Board Member Tallon seconded the motion. Roll call on the vote resulted as follows; Yeas - Victor Tallon, Ron Steinbach, Barry Wilson, Paul Rennemeyer, Ken Bennett, Julie Cline, Jason Hallett; Nays - None; Motion Passed.

4. Ordinance No. 2023-1681 - An Ordinance Pursuant to Section 3.1 of the Town of Windsor Home Rule Charter Approving an Election District Map Provision Within the Town of Windsor, Colorado

At the July 24th and August 14, 2023 work sessions, background information and a draft map were provided to the Town Board regarding charter requirements related to the election districts. The districts are to be reviewed every two years, but the town can only redistrict once every six years unless such change is necessary to conform to constitutional apportionment requirements. At least 180 days before a biennial election, the Town Clerk is to determine if the number of registered electors in the district containing the lowest number of registered electors is less than eighty-five (85) percent of the number of registered electors in the district containing the highest number. The geographic districts are based on the number of registered electors for each district and not expressly tied to the raw population. Current registered elector data was received by both Weld and Larimer Counties and it was found that the districts were not in compliance with the charter requirements listed in Section 3.1 and that redistricting would be required.

Town Board Member Hallett moved to approve Ordinance No. 2023-1681, Mayor Pro Tem Wilson seconded the motion. Roll call on the vote resulted as follows; Yeas - Victor Tallon, Ron Steinbach, Barry Wilson, Paul Rennemeyer, Ken Bennett, Julie Cline, Jason Hallett; Nays - None; Motion Passed.

5. Resolution No. 2023-45 - A Resolution for the Town to Supply Water to Dax Hayden for Property Outside the Town Boundaries

Dax Hayden ("Hayden") owns three parcels of land just north of HWY 392 and west of 17th Street. Mr. Hayden has requested the Town provide two additional water services. The property is within the Town's Growth Management Area (GMA) but outside of current municipal limits. The Town Board ("Board") has the authority to approve water service outside of Town boundaries under Code Sec. 13-2-70(3). Hayden has agreed to the following conditions should the Board approve the outside water service.

- Hayden will install a 1 and ½ tap at the intersection of 17th St and Main Street. A master meter will be installed at that location. Hayden will be responsible for the water line after the master meter at that location.
- The water plant investment fee will be for one 1 and ½ tap at double the in-town rate, equaling \$75,634.00.
- Monthly water charges will be assessed at one and one-half times the in-town rate, pursuant to Code
- Cash-in-lieu is authorized and will be paid at building permit issuance.
- Hayden agrees to petition the Town to annex the serviced property within one year of this Resolution.

Town Board Member Hallett moved to approve Resolution No. 2023-45, Town Board Member Steinbach seconded the motion. Roll call on the vote resulted as follows; Yeas

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

6. Resolution No. 2023-46 - A Resolution Recognizing and Approving the Downtown Development Authority's Board Membership Increase from Seven Members to Nine Members

Michelle Vance will provide presentation on this item.

Town Board Member Hallett moved to approve Resolution No. 2023-46, Town Board Member Bennett seconded the motion. Roll call on the vote resulted as follows; Yeas - Victor Tallon, Ron Steinbach, Barry Wilson, Paul Rennemeyer, Ken Bennett, Jason Hallett; Nays - Julie Cline; Motion Passed.

7. Resolution No. 2023-47 - A Resolution Approving the Downtown Development Authority's Name Change to the Windsor Downtown Alliance, A Downtown Development Authority

Town Board Member Hallett moved to approve Resolution No. 2023-47, Town Board Member Steinbach seconded the motion. Roll call on the vote resulted as follows; Yeas - Victor Tallon, Ron Steinbach, Barry Wilson, Paul Rennemeyer, Ken Bennett, Julie Cline, Jason Hallett; Nays - None; Motion Passed.

8. Resolution No. 2023-48 - A Resolution Declaring the Intent of the Town of Windsor, Colorado, to use Proceeds of Tax-Exempt Financing to Reimburse Itself for Certain Capital Expenditures Made to Finance Improvements to the Town's North Campus - Police Station Project

Town Board Member Hallett moved to approve Resolution No. 2023-48, Town Board Member Tallon seconded the motion. Roll call on the vote resulted as follows; Yeas - Victor Tallon, Ron Steinbach, Barry Wilson, Paul Rennemeyer, Ken Bennett, Julie Cline, Jason Hallett; Nays - None; Motion Passed.

D. COMMUNICATIONS

1. Communications from Town Attorney

2. Communications from Town Staff

- a. Windsor Police July 2023 Statistics

- b. Financial Report June 2023 - D. Moyer, Director of Finance

Per Mr. Lucas Harvest Festival will be held all weekend, including the parade which now has a new parade route.

3. Communications from Town Manager

Per Mr. Hale, budget meetings with staff are still continuing and will be coming to the Board in October. This Wednesday the leadership team will be attending a teambuilding day and will be out of Town Hall for the day.

4. Communications from Town Board

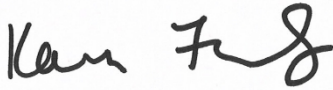
Per Town Board Hallett, he will be involved in a fundraiser and may not be back in time for the next board meeting on September 11th.

Per Mayor Rennemeyer, the Attorney General's Office will be hosting a listening event on Wednesday, August 30th from 5-6:00 p.m. at the Centennial Park Library in Greeley regarding the proposed Kroger/Safeway merger and requesting feedback on the merger.

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

Upon a motion duly made, the meeting was adjourned at 8:22 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