



Town Board Regular Meeting

September 25, 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 7:15 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
Jess Humphries, Administrative Services Director
John Thornhill, Community Development Director
Dean Moyer, Finance Director
Stacy Brown, Economic Development Director
Aaron Lopez, Police Commander
David Eisenbraun, Senior Planner
McKenzie Paine, Communications Manager
Sandra Mezzetti, 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 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 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. Presentations

a. Economic Development Update - Windsor Chamber of Commerce Presentation

5. Board Liaison Reports

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

Town Board Member Steinbach reported that the Historic Preservation Commission is investigating plaques for some of the local historic designated properties as well as making final updates to the preservation plan.

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

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 has not met since the last provided update, but they did hold their ribbon cutting for their new facility on Friday.

Mayor Pro Tem Wilson reported that the Great Western Trail Authority approved the budget for the upcoming year.

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 had no updates to provide.

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 is still working with Xcel for approval to paint utility boxes. The Arts Commission is also working with the high school art teacher to have students participate in an art program. The Commission approved a concrete mural project at Chimney Park and the Halfway Homestead property sculpture artist has been selected. The project will be a stagecoach time machine.

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 has not met since the last provided update. The party for the Poudre took place and was well attended with over one-hundred attendees.

Town Board Member Tallon - Planning Commission, Chamber of Commerce

Town Board Member Tallon reported that he was unable to attend the Planning Commission, but according to their agenda, they reviewed items on tonight's agenda.

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 has been having discussions regarding their budget as well as working hard on proposition 123 and determining how it will affect the current project.

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

Mayor Rennemeyer - Windsor Downtown Alliance, North Front Range MPO

Mayor Rennemeyer reported that the Windsor Downtown Alliance approved a \$500 mini-grant to Vacations in Paradise Travel Agency. The Executive Director has received approval to purchase a large reusable Christmas tree that will be located in the pass through lot and an attempt to hold Windsor Wonderland at that location is in the works. A marketing plan was also approved for the last quarter of the year. A request for the addition of a part-time staff member was approved.

Mayor Rennemeyer reported that the North Front Range MPO has not met since the last provided update.

6. Public Invited to be Heard

Mayor Rennemeyer opened the meeting up for public comment.

Landon Fleener of 1015 Cottonwood Dr. addressed the board regarding the construction of the Eastman Park Corridor.

Sara Hockhalter of 1399 Water Valley Pkwy addressed the board also regarding the construction of the Eastman Park Corridor.

Joel Walters of 417 Walnut Street addressed the board regarding construction of the Eastman Park Corridor.

Andrea Fleener of 1130 Hemlock Dr. addressed the board regarding the construction of the Eastman Park Corridor.

B. CONSENT CALENDAR

1. Approval of the September 11, 2023 Town Board Regular Meeting Minutes - K. Frawley, Town Clerk

Approval of the meeting minutes.

2. Approval of the September 18, 2023 Town Board Special Meeting Minutes - K. Frawley, Town Clerk

Approval of the meeting minutes. **Town Board Member Hallett moved to approve the consent calendar, 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.**

C. BOARD ACTION

1. Public Hearing - Ordinance 2023-1685 - An Ordinance Approving the Smith Farm Annexation to the Town of Windsor and Establishment of Zoning - Martin Lind, Owner/application; TST,

Inc., Derek Patterson, Applicant's Representative

Please see the attached staff memorandum and supporting documents. **Town Board Member Hallett moved to open the public hearing, 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.**

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

Town Board Member Hallett moved to open the public hearing, 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. 2023-50 - A Resolution Making Certain Findings of Fact Pursuant to Section 31-12-110 C.R.S., Concerning the Smith Farm Annexation to the Town of Windsor, Colorado. Martin Lind, Owner/application; TST, Inc., Derek Patterson, Applicant's Representative

Please see the attached staff memorandum and supporting documents within the public hearing.

Town Board Member Hallett moved to approve Resolution No. 2023-50, 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.

3. Ordinance 2023-1685 - An ordinance approving the Smith Farm Annexation to the Town of Windsor and Establishment of Zoning - Martin Lind, Owner/application; TST, Inc., Derek Patterson, Applicant's Representative

See public hearing item.

Town Board Member Hallett moved to approve Ordinance No. 2023-1685, Town Board Member Cline 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. 2023-1682 - An Ordinance Amending Chapter 1, Article VIII, of the Town of Windsor Municipal Code Pertaining to Campaign Finance and the Fair Campaign Practice Act by Adding Campaign Finance Rules and Regulations Under New Code Sections 1-8-40 to 1-8-120 of the Windsor Municipal Code

At the August 14, 2023 work session, staff provided information to the Town Board regarding House Bill 23-1245. The bill amends the fair campaign practices act (FCPA) in relation to municipal elections. Historically, the municipal election code, Title 31, has no mention of FCPA, so unless a home-ruled municipality has its own FCPA ordinance, Title 1 must be followed. The Town Board directed staff to draft a FCPA ordinance for consideration and therefore, the attached ordinance was created. You will see in the ordinance some areas of interest include:

1. Creating a \$500 limit for campaign contributions for municipal candidates from any person or committee, but excludes contributions made by a candidate to their own candidate committee, and independent expenditures which have no limit.
2. Required disclosure reporting dates of 35 days, 14 days, and the Friday before the

election, and 35 days following the election.

3. Retention of disclosure reports is maintained for one year after the election.

The House Bill has been created in an effort to make municipal elections more transparent, but some of its amendments will create an undue hardship for the municipality, particularly in the retention of disclosure reports and the reporting dates.

There have been no changes to the ordinance since first reading.

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

Town Board Member Bennett moved to approve Ordinance No. 2023-1682, 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.

5. Ordinance No. 2023-1683 - An Ordinance Approving an Intergovernmental Agreement By and Between the Town of Windsor, Colorado, and the Windsor Downtown Development Authority Regarding the Exchange of Real Property (Windsor Downtown Property Exchange)

The Downtown Windsor Alliance has requested that the Town Board consider exchanging the Town's joint ownership interest in 213 and 215 4th Street for the "backlot" parcels, which includes the 400 and 500 blocks. One of the main factors prompting this exchange is that the backlot parcels have been zoned Permanent Parking District, through a special election.

Whereas the Town desires to increase downtown parking for the residents of Windsor, this exchange would allow for additional parking. This exchange would be done through an Intergovernmental Agreement (IGA) between the Town and the DDA. A condition of this exchange would be that the DDA deed restrict the 213 and 215 4th Street parcels to DDA administrative uses and/or commercial property tax generating purposes only. This restriction would stay in effect for 100 years from the recording of the deed and restriction.

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

Town Board Member Hallett moved to approve Ordinance No. 2023-1683, 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.

6. Ordinance No. 2023-1684 - An Ordinance Amending Windsor Municipal Code Section 16-1170(c)(1) Concerning PUD Restrictions and General Requirements

Staff proposes an amendment to the PUD Restrictions and General Requirements as it pertains to a 40-acre minimum acreage requirement for a PUD zoning overlay. This 40-acre figure was an arbitrary number included in the latest land use code update which is proving to prevent appropriate use of a PUD for property under 40 acres. The original intent behind the 40-acre minimum requirement was to limit the use of PUD overlays to the larger master-planned projects that specifically met the PUD intent statement. Furthermore, the acreage requirement ensured that PUD overlays were not created to simply circumvent land use code requirements on a lot-by-lot basis.

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

Town Board Member Hallett moved to approve Ordinance No. 2023-1684, 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. Financial Report July 2023 - D. Moyer, Director of Finance

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

c. Windsor Police August 2023 Statistics

d. CHFA / Prop 123 Discussion

Following a meeting last week with the Department of Local Affairs (DOLA) regarding project eligibility for Jacoby Meadows Senior Apartments, Windsor Housing Authority (WHA) met with Colorado Housing and Finance Authority (CHFA) and were encouraged to apply for funding through the Concessionary Debt Program part of Proposition 123. The application deadline is rapidly approaching and WHA will need the Town to submit a formal commitment to the State to increase affordable housing units within the Town to be considered for the program.

This communication item has been prospectively added to the agenda in the event an informal discussion is required prior to scheduling formal action at a future meeting in order to meet CHFA deadlines. Per Mr. Paine, as of 2:30, Eastman Park at 257 is fully open and functional. Mr. Paine reported that the Windsor Matters Newsletter was awarded the best external publication from the City-County Communications and Marketing Association.

3. Communications from Town Manager

Mr. Hale reported he will be attending the ICMA conference next week in Austin, leaving Colorado on Saturday and back on Wednesday night. Eric Lucas will be Acting Town Manager during that time.

4. Communications from Town Board

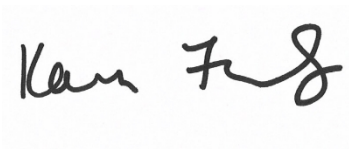
Per Mayor Rennemeyer, tomorrow night will be the Middle School groundbreaking ceremony and next Wednesday, Thursday night there will be the Library Board's meeting at the current Middle School at 5:30, and October 4th will be Pints with Paul at the Windsor Mill Tavern.

Per Town Board Member Cline, Friday will be homecoming for Windsor.

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 8:40 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