



Town Board Regular Meeting

December 11, 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 7:24 p.m.

1. Roll Call

Present:

Mayor Paul Rennemeyer
Mayor Pro Tem Barry Wilson - absent
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
Eric Lucas, Public Services Director
Scott Ballstadt, Planning Director
Stacy Brown, Economic Development Director
Aaron Lopez, Police Commander
David Eisenbraun, Senior Planner
Kim Emil, Deputy Town Attorney
Omar Herrera, Deputy Director of Engineering
Ben Bodiker, Creative Services Supervisor
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 Cline moved to amend the agenda by adding another item under presentations titled Meet the Judge/Prosecutor, and to table item 2 under Board Action to a later date, Town Board Member Tallon seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Ron Steinbach, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett; Nays - None; Motion Passed.

4. Presentation

a. America Public Works Association (APWA) Awards

APWA Colorado Chapter President Mark Jackson will be in attendance to formally

present one National APWA Management Innovation award and two APWA Colorado Chapter awards to the Public Services Department.

b. Presentation by Judge Ablao and Municipal Prosecutor Amy Penfold

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 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 viewed a presentation from the various departments within the Parks and Recreation with updates on what each division has been working on. They also view a presentation on its key performance indicators which will be used to make future decisions. There will also a groundbreaking for phase 2 of the Eastman Park River Experience on Wednesday, December 13th at 12:30.

Town Board Member Bennett reported that the Windsor Arts Commission has not met since the last provided update.

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

Town Board Member Cline reported that the Clearview Library Board provided an update that the library in Severance is still on schedule to be ready to open to the public in April. There was also a presentation for rebranding due to concerns with the various branches and have hired a consultant to begin working on the rebranding.

Town Board Member Cline reported that the Poudre River Trail Corridor Authority completed a review of its 2024 budget and also held a discussion about the endowment strategy. There was a motion made to increase the funding floor from \$20,000 to \$50,000. This next year will see a big push to grow the endowment fund. The authority also viewed a presentation from Colorado State University who will be completing a history of the Poudre Trail project which they hope will be completed in January 2025. Giving Tuesday was last Tuesday and the authority made over \$6,000. The authority will be posting a position in 2024 for a part-time administrative assistant/event coordinator.

Town Board Member Tallon - Planning Commission, Chamber of Commerce

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

Town Board Member Hallett - Windsor Housing Authority, Tree Board, Attainable Housing Ad Hoc Committee

Town Board Member Hallett reported that the Windsor Housing Authority has not met since

the last provided update.

Town Board Member Hallett reported that the Tree Board reviewed accomplishments from the year including arbor day presentation, poster contest for the calendars, sick tree day, tree walk at Main park, and tree planting day.

Town Board Member Hallett reported that the Attainable Housing Ad Hoc Committee 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 has not met since the last provided update.

Mayor Rennemeyer reported that the North Front Range MPO selected a new chair and vice chair for next year. The chair will be John Mallo and the vice chair will be Johnny Olson from Greeley. There was an update on the vango program. It was also reported that the Governor came up for the grand opening of the I25 expansion project and Weld County Commissioner James spoke on behalf of Weld County and Kristin Stephens gave the update as the Larimer County Commissioner.

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 November 27, 2023 Town Board Regular Meeting Minutes - K. Frawley, Town Clerk

Approval of the November 27th meeting minutes.

2. Resolution No. 2023-74 - A Resolution Designating a Public Place for the Posting of Notices Concerning Public Meetings - K. Frawley, Town Clerk

The Colorado Open Meetings Act requires Town Board to annually designate a specific place for the posting of public meeting notices. Although the Act allows online meeting postings, Windsor has traditionally identified the bulletin board on the main level of Town Hall for this purpose. Current practice is to post public meeting notices both online and on the bulletin board. It is recommended that both options be approved for posting, online and the bulletin board on the main level of Town Hall.

3. Resolution No. 2023-75 - A Resolution Adopting a Fee Schedule for Lakeview Cemetery in the Town of Windsor, Colorado - K. Cinnamon, Deputy Town Clerk

At the November 27th work session, staff presented a Cemetery Fees Review to the Town Board. The chart below illustrates the recommendation to increase certain cemetery fees to meet maintenance and cemetery costs of Lakeview Cemetery. The new cemetery fees would be effective upon adoption of this Resolution.

4. Resolution No. 2023-76 - A Resolution Ratifying the Selection of the Library District's Appointment of Cole Gerstner - D. Money, Town Attorney

On October 21, 2023, the Clearview Library District Interview Committee met to select a trustee for the Town Board's consideration. Five candidates for the trustee position were interviewed. The Committee selected current trustee, Cole Gerstner, for a second term on

the library board beginning January 1, 2024, and ending December 31, 2026.

Under Sec. 4.4.2, of the District's bylaws, "The Windsor Town Board, the Severance Town Board, the Weld RE-4 School District Board and the Greeley City Council shall ratify the appointment of the Interview Committee's selection at their next regularly scheduled meeting, except that the failure of these boards to act within sixty days of receipt of such selection shall be considered a ratification of the appointment. A vote not to ratify the appointment by either the Windsor Town Board or the Weld RE-4 School District shall constitute denial of the appointment. In the event of denial of an appointment, the Interview Committee will be re-empaneled under 4.1.1."

5. Resolution No. 2023-77 - A Resolution Approving an Intergovernmental Agreement for Funding of the US34 Transportation Management Organization (TMO) in the Town of Windsor, Colorado - E. Bracke, Transportation Engineer

The communities and counties along the US34 corridor from Kersey to Estes Park, in coordination with the North Front Range Transportation and Air Quality Planning Council, also known as the North Front Range Metropolitan Planning Organization (NFRMPO), have elected to proceed with the formation of a Transportation Management Organization. The purpose of the organization will be to deliver transportation demand activities and strategies along the corridor to help manage the increasing volume of traffic. The NFRMPO applied for and received a \$237,500 grant from the state and a 20% match is required. Each community has agreed verbally to contribute \$2778 to cover the matching funds. The NFRMPO has agreed to be the coordinator of the project and each entity will have an individual assigned in an oversight capacity. The NFRMPO will release a Request for Proposals (RFP) for consulting services to help in establishing the roles, responsibilities and governance of the new organization.

6. Resolution No. 2023-78 - A Resolution Approving and Accepting a Right-of-Way Dedication for Utility, Roadway, and Related Public Purposes Concerning Weld County Road 23 in the Great Western Industrial Park Subdivision, 7th Annexation, North of Crossroads Boulevard, Located in the Town of Windsor, Colorado - D. Roth, Civil Engineer

As part of the Great Western Industrial Park, 7th Annexation, Annexation Agreement, Great Western Industrial Park was required to dedicate right of way for Weld County Road 23 improvement and expansion. The attached Deed of Dedication of Right of Way with attached legal description is in compliance with the requirements of the 7th Annexation Agreement. The ROW dedication proposed by this ordinance in conjunction with the dedication of Great Western Industrial Park Subdivision, 13th Filing, Tract A, will result in completion of WCR 23 Right of Way associated with Great Western Industrial Park, 7th Annexation requirements.

7. Resolution No. 2023-79 - A Resolution Approving and Accepting a Right-of-Way Dedication for Utility, Roadway, and Related Public Purposes Concerning Weld County Road 23 in the Great Western Industrial Park Subdivision, 13th Filing, Tract A, Located in the Town of Windsor, Colorado - D. Roth, Civil Engineer

This dedication of right of way is part of the requirements of the 7th Annexation, Annexation Agreement within Great Western Industrial Park. It is intended to provide for public use a perpetual right of way for street, road, sidewalk and utility purposes in and along the west side of Weld County Road 23 (WCR23) within the Town of Windsor. The

attached Deed of Dedication of Right of Way with attached legal description is in compliance with the requirements of the 7th Annexation Agreement. This concerns Filing 13, Tract A.

8. Resolution 2023-80 - A Resolution Appointing Amy Penfold as Windsor Town Prosecutor Pursuant to the Town of Windsor Home Rule Charter and Approving the Professional Services Agreement Between Amy Penfold and the Town of Windsor - K. Emil, Deputy Town Attorney

During the last year, Amy Penfold served the Town as its Interim Town Prosecutor. Amy has now been selected to serve as the Town Prosecutor, removing the “Interim” designation. Amy’s talents as a prosecutor are well-documented, and she has proven to be an effective prosecutor.

9. Resolution 2023- 81 - Resolution Approving the Agreement for Animal Services between the Town of Windsor and NOCO Humane - A. Lopez, Police Commander

The Town of Windsor has had a longstanding service agreement with the Larimer County Humane Society for services relating to animal control and enforcement. Since absorbing the Weld Humane Society, the Larimer County Humane Society changed their name to NOCO Humane and are updating all the service agreements they have with municipalities in the region, including an update to their fee schedule, which significantly increases costs in 2025. With the closing of the Weld County Humane Society, this facility is the only operating facility here in northern Colorado, therefore there really are no alternatives but to utilize NOCO Humane.

10. Report of Bills for November 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. Ordinance No. 2023-1691 - An Ordinance Fixing the Compensation of the Municipal Court Judge and Municipal Court Clerk for the Town of Windsor in Compliance with Sections 13-10-107 and 13-10-108, C.R.S., and Section 2-4-90 of the Windsor Municipal Code

The statutes governing qualified municipal courts of record require that the compensation of the Municipal Judge and Office of the Municipal Court Clerk be set by ordinance. This requirement has also been incorporated into the Town’s Municipal Code. The Town Board previously approved the 2024 Annual Budget, where the compensation for the Municipal Judge and Municipal Court Clerk’s Office was fixed. Provisions also were made to provide for compensation for the Deputy Municipal Judge. An Ordinance approving those appropriations is required to comply with the requirements of state law and the Municipal Code.

Town Board Member Hallett moved to approve Ordinance No. 2023-1961, Town Board Member Tallon seconded the motion. Roll call on the vote resulted as follows; Yeas - Ron Steinbach, Ken Bennett, Paul Rennemeyer, Julie Cline, Victor Tallon, Jason Hallett;

Nays - None; Motion Passed.

2. Ordinance No. 2023-1692 - An Ordinance Amending 2-4-90 of the Windsor Municipal Code in Order to Address the Judge and Clerk Compensation by Resolution Instead of Ordinance

Under Town Code Section 2-4-90, the Town Judge's and Court Clerk's salaries are required to be set by Ordinance. Other Town budgetary/salary items are approved by Resolution. This Ordinance is to amend the Town Code to allow the salaries of the Judge and Clerk to be set by Resolution moving forward.

Item tabled for a future meeting to be determined at a later date.

3. Resolution 2023-82 - A Resolution Approving Amending the March 15, 2006 South Hill Annexation Agreement by Removing Section XIX Concerning Ridgeline Protection - Martin Lind, Owner/Applicant

In 2006, this South Hill area and other adjacent lands were annexed into the Town as a part of the South Hill Annexation Agreement. This agreement, approved by the Town Board, outlined a variety of standards, densities, and other criteria for these areas. Over the years, staff have proposed and approved various concepts, but nothing has ever built in this portion of South Hill.

Town Board Member Hallett moved to approve Resolution No. 2023-82, 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
2. Communications from Town Staff

- a. Strategic Plan Key Performance Indicators for December 2023

Attached are the Town's Key Performance Indicators for December 2023. Every month I highlight a KPI in each of the strategic focus areas in an effort to provide context to the data we are collecting.

1. Strategic Growth: There are no significant changes in any of the KPI's in this focus area. The only change from November is a slight increase in Part One Crimes per 1,000 population, which is now 8.13. Meaning there are 8.13 crimes against persons or property per 1,000 residents. This number remains a positive indicator of low crime in Windsor given our population.

2. Vital Infrastructure: As we near the end of the fiscal year, the highlight this month is our capital expenditures. As expected, the top 3 areas of investment are water, streets and sewer, totaling a little over \$35million.

3. Vibrant and Healthy Economy: Given the small changes in the other two focus areas, I thought I would highlight two Kpi's in this focus area. The first being the rate of turnover, which currently sits at 10.3%. This number is significantly lower than the three-year-average of 14.3%. This is a good indicator of a positive workplace. The other KPI to highlight is visitors at special events. Christmas in Windsor, the annual craft fair held at the recreation center in November saw 5,300 people attend and spend on average 74 minutes at the event.

b. Financial Report for October 2023

3. Communications from Town Manager

a. Monthly Board Report - Focus Area Updates

1. Strategic Growth

Update Comprehensive Plan

A joint work session with the Town Board, Planning Commission, and Planning Advisory Committee has been scheduled for December 4th to review the draft Comprehensive Plan and latest work products and to receive input from the boards. Ultimately, the schedule is anticipated to include Plan adoption in Q1 2024.

2. Sustainable Infrastructure

Provide a safe and reliable water supply for the community

Staff has continued to update the remaining acre-feet available for development. Staff has determined that there is a Water Supply Index greater than 100% for 2023 and will continue to monitor it as the irrigation season continues.

The Cobb Lake Water Treatment Authority group is continuing to work on finalizing the Authority Creation Agreement. The group has also begun high-level discussions regarding the initial water demands from each entity and how the plant will be phased in over some time. Pipeline sizes and routing have also been discussed. The group entities have also begun discussions revolving around alternative supply methods and existing pipeline sharing to use resources more efficiently.

Town staff is making strides regarding gap water rentals with several surrounding agencies. The final water lease agreement with the City of Loveland was approved at their city council meeting on November 14th. This will add 500 acre-feet of gap water until the NISP project comes online. Staff is also working on securing an additional water lease from the City of Fort Collins.

3. Vibrant and Healthy Economy

Attract diverse and unique restaurants throughout Windsor

Town Staff will continue to promote empty restaurant space around town. The restaurant space is still for sale at 408 Main; it's a smaller space at under 1,000 sq. ft. Luna's Taco's & Tequila's announced it is taking over and remodeling the former Howler's & Growler's space at 1246 Automation. Betta Gumbo closed its restaurant at 526 Main Street in Downtown; staff is actively recruiting new restaurateurs. Some

inquiries for new restaurant locations have come in about the Farmer's Corner and Water Valley area.

4. Communications from Town Board

Per Mayor Rennemeyer, on Wednesday, Aims Community College is opening the new portion of their campus by having a ribbon cutting at 10 a.m. Eastman Park River Experience groundbreaking will also happen on Wednesday at 12:30 - 1:00. On Saturday, at 10:00 there will be Wreaths Across America at the cemetery. Coffee with the Mayor will be Friday at the Rec center at 10:00 and Pints with Paul will happen on December 20th at High Hops.

E. EXECUTIVE SESSION

1. An Executive Session Pursuant to Colorado Revised Statutes §24-6-402(4)(e)(I) for the Purposes of Determining Positions Relative to Matters that may be Subject to Negotiations; Developing Strategy for Negotiations; and Instructing Negotiators Concerning a Purchase of Real Property on Main Street (Shane Hale, Town Manager)

Town Board Member Hallett moved to enter into an executive session pursuant to Colorado Revised Statutes § 24-6-402(4)(e)(I) for the purposes of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators concerning a purchase of real property on Main Street. 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.

The Town Board entered into an executive session at 8:25 p.m.

Upon a motion duly made, the Town Board returned to the regular meeting at 9:18 p.m.

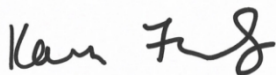
The executive session was closed and the Town Board returned to the regular meeting.

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 10:14 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, Ron Steinbach, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett; Nays - None; Motion Passed.

Upon a motion duly made, the meeting was adjourned at 9:20 p.m.



Karen Frawley, Town Clerk