



Town Board Regular Meeting

June 27, 2022 - 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
Scott Charpentier
Ken Bennett
Julie Cline
Victor Tallon
Jason Hallett

Also Present:

Shane Hale, Town Manager
Ian McCargar, Town Attorney
John Thornhill, Community Development Director
Kim Emil, Assistant Town Attorney
Dean Moyer, Finance Director
Stacy Miller, Economic Development Director
Jennifer Butcher Trujillo, Human Resources Director
Aaron Lopez, Police Commander
Omar Herrera, Deputy Director of Engineering
Carlin Malone, Chief Planner
Sandra Mezzetti, Senior Planner
Doug Roth, Civil Engineer
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 Tallon moved to approve the agenda as presented, Mayor Pro Tem Wilson seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Barry Wilson, Scott Charpentier, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett; Nays - None; Motion Passed.

4. Board Liaison Reports

Town Board Member Charpentier - Chamber of Commerce, Historic Preservation Commission, Great Western Trail Authority

Town Board Member Charpentier reported that there are no updates to provide at this time on any of the boards.

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

Mayor Pro Tem Wilson reported that there are no updates to provide at this time for any of the boards.

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 will meet next week, so no update is to be provided at this time.

Town Board Member Bennett reported that the Windsor Arts Commission is up and running. The Arts Commission is working on the branding along the theme of art live and working with the town's communications department. The Commission has some short-term projects they are working on that will be completed by the end of this year. At the July 28th concert in the park, the commission will have an artist in attendance who specializes in murals. At the Harvest Fest, the commission will have a chalk artist who specializes in chalk art. At the Halloween party, they will have a wood carver in attendance. At the winter party, there will be an ice sculptor who will be creating an ice sculpture. Another short-term project is working with Downtown business owners to create some murals. The Arts Commission is also working on some intermediate projects and have started communication about the new police station and what type of public art might be appropriate to have at the new facility. There is also a subcommittee that is working on longer-term projects, more information will be forthcoming.

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

Town Board Member Cline reported that neither board has met since the last provided update. Town Board Member Cline reported that the new executive director of the Poudre River Trail Corridor Authority started last Monday and is off and running in her new position.

Town Board Member Tallon - Planning Commission, Water and Sewer Board

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

Town Board Member Hallett - Windsor Housing Authority, Tree Board

Town Board Member Hallett reported that the Tree Board has not met since the last provided update. However, it will host sick tree day on Saturday.

Town Board Member Hallett reported that the Windsor Housing Authority received approval from the Jacoby family for renaming one of their projects to the Jacoby Apartment Homes. The family has been requesting a memorial for the family and is currently working on it.

Mayor Rennemeyer - Downtown Development Authority, North Front Range MPO

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

Mayor Rennemeyer reported that he missed the last Downtown Development Authority meeting, so there is no update to provide at this time.

5. Public Invited to be Heard

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

B. CONSENT CALENDAR

1. Minutes of the June 13, 2022 Town Board Regular Meeting - K. Frawley, Town Clerk

Minutes of the June 13, 2022 Town Board Regular Meeting

2. Board and Commission Appointments - K. Frawley, Town Clerk

During the week of June 13th, Mayor Rennemeyer and Mayor Pro Tem Bennett conducted Board and Commission interviews for a vacant seat on the Tree Board. The following individual is being recommended for appointment.

3. Resolution No. 2022-30 Resolution Approving the Drought Management Plan - L. Lesoing, Water Resource Administrator

The Drought Management Plan serves as a document to guide the Town (Windsor water service area only) in assessing future drought conditions and preparing a response program to mitigate impacts on Windsor's treated water supply in times of drought. Drought planning is crucial as the Town continues to grow and new water supplies become more competitive.

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

C. BOARD ACTION

1. Public hearing - An Ordinance Approving the Service Plan for Trevenna Metropolitan District, and Authorizing the Execution of an Intergovernmental Agreement Between the Town and the District

This public hearing is required by state law prior to Town Board consideration of a new metropolitan district service plan. Ms. Steffl's attached Memorandum lays out the requirements for approval of a new metropolitan district service plan. The District's proponents will be on-hand to make their record and answer any questions.

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

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

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

2. Ordinance No. 2022-1651 - An Ordinance Approving the Service Plan for Trevenna Metropolitan District, and Authorizing the Execution of an Intergovernmental Agreement Between the Town and the District

This Ordinance is presented for review and discussion in light of the evidence presented at the public hearing. The applicable criteria have been provided to you in Ms. Steffl's Memorandum. This is Town Board's opportunity to discuss the evidence, weigh the evidence, and reach a decision by voting on the Ordinance. On first reading, a simple majority of those present will refer the item for second reading.

Discussion ensued between Town Board and staff.

Town Board Member Bennett moved to approve Ordinance No. 2022-1651, Town Board Member Hallett seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Barry Wilson, Scott Charpentier, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett; Nays - None; Motion Passed.

3. Public Hearing - Request to Amend the Town Comprehensive Plan Land Use Map from Neighborhood and General Commercial to Mixed Use Residential - Village East Subdivision 8th Filing, Tracts B, C and L - Larry Buckendorf, Village East II Investments, LLC, owner's representative; and Morgan Kidder, Project Manager, Village East II Investments, LLC

The owner representative/applicant, Mr. Larry Buckendorf, of Village East II Investments LLC, represented by Mr. Morgan Kidder, applicant representative, also of Village East II Investments LLC, is requesting an amendment to the Town's Comprehensive Plan Land Use Map. The subject area is located northwest of the intersection of State Highway 392 and Weld County Road 21. The applicant is proposing to change the land use designation of "Neighborhood and General Commercial" to "Mixed Use Residential" for the purpose of rezoning the existing zoning district of GC (General Commercial) zone district to RMU-1 (Residential Mixed Use) zone district and developing multifamily residential apartments. The proposed amendment is shown in the staff presentation and in the draft resolution.

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

Town Board members asked questions of staff and the owner of the property.

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

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

4. Recommendation to Planning Commission - Request to Amend the Town Comprehensive Plan Land Use Map from Neighborhood and General Commercial to Mixed Use Residential - Village East Subdivision 8th Filing, Tracts B, C and L - Larry Buckendorf, Village East II Investments, LLC, owner's representative; and Morgan Kidder, Project Manager, Village East II Investments, LLC

Discussion ensued between Town Board and staff.

Mayor Pro Tem Wilson moved to forward a recommendation to the Planning Commission to amend the Town Comprehensive Plan Land Use Map, Town Board Member Hallett seconded the motion. Roll call on the vote resulted as follows; Yeas - Barry Wilson, Scott Charpentier, Ken Bennett, Julie Cline; Nays - Paul Rennemeyer, Victor Tallon, Jason Hallett; Motion Passed.

5. Ordinance No. 2022-1650 - An Ordinance Approving a Rezone from SF-1 (Single Family Residential) and RMU-1 (Residential Mixed Use) to SF-2 (Single Family Attached Residential) and creating a PUD (Planned Unit Development) Overlay - Tacincala Subdivision - Patrick McMeekin, applicant, Hartford Acquisitions, LLC; and Ryan McBreen, applicant's representative, Norris Design

Proposal

The applicant, Mr. Patrick McMeekin, of Hartford Acquisitions LLC, represented by Mr. Ryan McBreen of Norris Design, has submitted a rezoning application to amend existing SF-1 (Single Family Residential) zone district and RMU-1 (Residential Mixed Use) zone district to SF-2 (Single-Family Attached Residential) and create a Planned Unit Development (PUD) zoning overlay for 472.5 acres. The applicant has also submitted the Tacincala (aka, "Prairie Song") Master Plan Amendment, concurrent with the rezone request.

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

Town Board Member Tallon moved to approve Ordinance No. 2022-1650, Town Board Member Hallett seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Barry Wilson, Scott Charpentier, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett; Nays - None; Motion Passed.

6. Ordinance No.. 2022-1653 - An Ordinance of the Town of Windsor, Colorado, Authorizing the Issuance of the Town of Windsor, Colorado, Wastewater Enterprise Revenue Bonds, Series 2022; Providing for the Source of Payment of such Bonds, and Providing Other Details Concerning the Bonds.

One of the largest capital projects we have scheduled for 2022 is the improvement and expansion of our Waste Water Treatment Plant. This project is scheduled to be completed in two phases. The first being the Biosolids portion, followed by the construction of a new, enlarged plant building in future years. In order to complete this year's biosolids project, we are in a position where we have to issue some bonded debt to pay for the improvements. As you may know, we are already working on this project and paying contractors for the work they have completed. In 2021 we adopted a "Reimbursement Resolution" concerning this project to where we are able to use the eventual bond funding proceeds to reimburse the Sewer Fund for money already spent on this project. Before you this evening there are documents concerning the bond issue that require Town Board approval before we as staff can proceed in this process.

Discussion ensued between Town Board and staff.

Town Board Member Tallon moved to approve Ordinance No. 2022-1653, Town Board Member Hallett seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Barry Wilson, Scott Charpentier, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett; Nays - None; Motion Passed.

7. Resolution No. 2022-31 - A Resolution Declaring the Town of Windsor's Decision to Opt-Out of Employer Premium Participation in the Colorado Paid Family and Medical Leave Insurance Program (FAMLI) Act Pursuant to Colorado Revised Statutes Section 8-13.3-522, and Affirming the Town's Intention to Assist Employees Who Opt-In Pursuant to Section 8-13.3-514, C.R.S.

Colorado Family and Medical Leave Insurance Act ("FAMLI")

This resolution contains findings of fact based on what we have presented to date, and accomplishes the two required legal steps; opting out of employer premium participation and offering to assist employees who chose to opt into the program as individual participants pursuant to Section 514 of the statute.

Discussion ensued between Town Board and staff.

Town Board Member Tallon moved to approve Resolution No. 2022-31, Mayor Pro Tem Wilson seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Barry Wilson, Scott Charpentier, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett; Nays - None; Motion Passed.

8. Ordinance No. 2022-1652 An Ordinance Amending the Windsor Municipal Code by Creating Article VIII of Chapter 8, Concerning the Use of Low-Speed Electric Vehicles on Public Roadways within the Town of Windsor, Colorado

In 2009 the Colorado Legislature passed laws for the regulation of Low-Speed Electric Vehicles. This legislation allowed for fully registered and insured LSEV's to travel any roadway with a designated speed of less than 35 MPH. Other cities such as Ft. Collins and Boulder have adopted municipal ordinances which allow for regulation of equipment and roadways for these vehicles.

Discussion ensued between Town Board and staff.

Town Board Member Bennett moved to approve Ordinance No. 2022-1652, Mayor Pro Tem Wilson seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Barry Wilson, Scott Charpentier, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett; Nays - None; Motion Passed.

D. COMMUNICATIONS

1. Communications from Town Attorney

Per Mr. McCargar, there will be an executive session and the title needs to be read in it's entirety.

2. Communications from Town Staff

a. Windsor Police May 2022 Statistics

3. Communications from Town Manager

4. Communications from Town Board

Per Mayor Rennemeyer, every Thursday evening, the Town hosts a concert in Boardwalk Park. Mayor Rennemeyer also reminded the public of the Farmer's Market held every Saturday in Boardwalk Park.

E. EXECUTIVE SESSION

1. An executive session pursuant to Colorado Revised Statutes Section 24-6-402 (4) (a) concerning the purchase, acquisition, lease, transfer, or sale of any real, personal or other property interest, and no members of the Town Board have any personal interests in such purchase, acquisition, lease transfer, or sale; available property. (Shane Hale, Town Manager)

Town Board Member Tallon moved to enter into an executive session pursuant to Colorado Revised Statutes § 24-6-402 (4)(a) concerning the purchase, lease, transfer, or sale of any real, personal or other property interest, and no members of the Town Board have any personal interests in such purchase, acquisition, lease transfer, or sale; available property, Town Board Member Bennett seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Barry Wilson, Scott Charpentier, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett; Nays - None; Motion Passed.

Upon a motion duly made, the Town Board entered into an Executive Session at 9:47 p.m.

Upon a motion duly made, the Town Board returned to the Regular Meeting at 10:19 p.m.

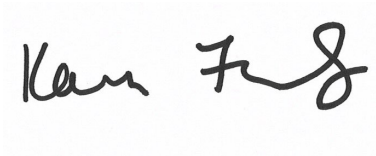
The Executive Session was closed and the Town Board returned to the Regular Meeting.

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 10:19 p.m.

F. ADJOURN

TOWN BOARD MEMBER TALLON MOVED TO ADJOURN, TOWN BOARD MEMBER HALLETT SECONDED THE MOTION. ROLL CALL ON THE VOTE RESULTED AS FOLLOWS; YEAS - PAUL RENNEMEYER, BARRY WILSON, SCOTT CHARPENTIER, KEN BENNETT, JULIE CLINE, VICTOR TALLON, JASON HALLETT; NAYS - NONE; MOTION PASSED.

Upon a motion duly made, the meeting was adjourned at 10:19 p.m.

A handwritten signature in black ink, appearing to read "Karen Frawley". The signature is written in a cursive, flowing style. The first name "Karen" is written in a more upright, slightly slanted cursive, while the last name "Frawley" is more fluid and connected, with a prominent loop at the end of the "y".

Karen Frawley, Town Clerk