



Town Board Regular Meeting

July 25, 2022 - 7:00 PM

Town Board Chambers, 301 Walnut Street, Windsor, CO 80550

To view Town Board meeting broadcasts, visit
www.windsorgov.com/MeetingsOnDemand.

MINUTES

A. CALL TO ORDER

Mayor Rennemeyer called the meeting to order at 7:05 p.m.

1. Roll Call

Present:

Mayor Paul Rennemeyer
Mayor Pro Tem Barry Wilson
Scott Charpentier - Absent
Ken Bennett
Julie Cline
Victor Tallon
Jason Hallett

Also Present:

Shane Hale, Town Manager
Ian McCargar, Town Attorney
Rick Klimek, Police Chief
John Thornhill, Community Development Director
Scott Ballstadt, Planning Director
Kim Emil, Assistant Town Attorney
Doug Roth, Civil Engineer
Sandra Mezzetti, Senior Planner
Leif Lesoing, Water Resource Administrator
Ben Bodiker, Visual Media Coordinator
Karen Frawley, Town Clerk

2. Pledge of Allegiance

Mayor Rennemeyer asked Mayor Pro Tem Wilson 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, Barry Wilson, 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 Carpentier was absent and will provide an update at the next

meeting.

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

Mayor Pro Tem Wilson reported that all of the committees meet at the beginning of the month, so there are no updates to provide at this time.

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 there are no updates to provide at this time.

Town Board Member Bennett reported that the Windsor Arts Commission met last week and heard a report from the long-range planning sub-committee. This summer, the Commission will do a mural on a downtown business and the business owners are excited about it. There will be four art live events where people can watch an artist work.

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 subcommittee met regarding the Party on the Poudre to be held on September 21st.

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

Town Board Member Tallon reported that he was unable to attend the last Planning Commission meeting so no update to provide at this time.

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

Town Board Member Hallett - Windsor Housing Authority, Tree Board

Town Board Member Hallett reported that he was unable to attend the last Windsor Housing Authority meeting, so no update to provide at this time.

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 North Front Range MPO has not met since the last provided update.

Mayor Rennemeyer reported that the Downtown Development Authority approved the boundaries of the Downtown Development Authority to include 217 5th Street, as well as approved a mini-grant to the Design Beauty Academy.

5. Public Invited to be Heard

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

B. CONSENT CALENDAR

1. Minutes of the July 11, 2022 Town Board Regular Meeting - K. Frawley, Town Clerk

Minutes of the July 11, 2022 Town Board Regular Meeting

2. Resolution No. 2022-34 - A Resolution Approving an Agreement for Building Department Services Between the Town of Windsor and SAFEbuilt Colorado - S. Ballstadt, Director of Planning

The Town's agreement with SAFEbuilt provides for plan review and building inspection services and, in years when no changes are proposed, it is administratively renewed. The enclosed agreement incorporates changes that Town Board has approved in recent years in addition to the currently proposed updates.

Past updates included increasing the Town's share of retained fees and additional services such as the SAFEbuilt Building Permit Technician dedicated to Windsor to assist the Town's in-house Technician at no additional cost to the Town. Similarly, the currently proposed updates include:

3. Resolution No. 2022-35 - A Resolution Consenting to the Inclusion of Property Within the Poudre Heights Valley Metropolitan District Upon the Request of the Landowner - I. McCargar, Town Attorney

Following Town Board approval of the Poudre Heights Valley Metropolitan District we discovered a small parcel that had been inadvertently omitted from the District. This Resolution corrects this oversight by consenting to action by the District Board to formally include the omitted parcel. The approved Service Plan requires Town Board's consent whenever land is included in the District. The landowner, Meritage Homes, is requesting this inclusion.

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

C. BOARD ACTION

1. Public Hearing - Ordinance No. 2022-1655 - An Ordinance Approving a Rezone from Residential Mixed Use One (RMU-1) to Residential Mixed Use Two (RMU-2) and Amending a Planned Unit Development (PUD) Overlay - Overland 368 Annexation - Shelley LaMastra of Russel+Mills Studios and Bryan Reid, of Forestar Group, Inc., applicant's representatives

The applicant, Mr. Bryan Reid, of Forestar Group, Inc., represented by Ms. Shelley LaMastra of Russel+Mills Studios, has submitted a rezoning application to rezone the existing RMU-1 (Residential Mixed Use One) zone district to RMU-2 (Residential Mixed Use Two) zone district and amend a Planned Unit Development (PUD) zoning overlay for 172.86 acres. The applicant has also submitted the Overland 368 Master Plan Amendment, concurrent with the rezone request.

Town Board Member Tallon 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, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett; Nays - None; Motion Passed.

Mayor Rennemeyer opened the public hearing for public 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, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett; Nays - None; Motion Passed.

2. Ordinance No. 2022-1655 - An Ordinance Approving a Rezone from Residential Mixed Use One (RMU-1) to Residential Mixed Use Two (RMU-2) and Amending a Planned Unit Development (PUD) Overlay - Overland 368 Annexation - Shelley LaMastra of Russel+Mills Studios and Bryan Reid, of Forestar Group, Inc., applicant's representatives

Please see the information presented in the public hearing Discussion ensued between Town Board and staff.

Town Board Member Tallon moved to approve Ordinance No. 2022-1655 , Town Board Member Hallett seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Barry Wilson, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett; Nays - None; Motion Passed.

3. Public Hearing - Resolution No. 2022-36 - A Resolution Approving and Confirming the Master Plan Amendment for the Overland 368 Annexation to the Town of Windsor - Shelley Lamastra, Russell Mills Studios, and Bryan Reid, Forestar Development, Applicant Representatives

Proposal

The applicant, Mr. Bryan Reid, of Forestar Group, Inc., represented by Ms. Shelley LaMastra of Russel+Mills Studios, has submitted a rezoning application to rezone the existing RMU-1 (Residential Mixed Use One) zone district to RMU-2 (Residential Mixed Use Two) zone district and amend a Planned Unit Development (PUD) zoning overlay for 172.86 acres. The applicant has also submitted the Overland 368 Master Plan Amendment, concurrent with the rezone request.

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

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

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

4. Resolution No. 2022-36 - A Resolution Approving and Confirming the Master Plan Amendment for the Overland 368 Annexation to the Town of Windsor - Shelley Lamastra, Russell Mills Studios, and Bryan Reid, Forestar Development, Applicant Representatives

Please see the information presented at the public hearing.

Town Board Member Hallett moved to approve Resolution No. 2022-36, Town Board Member Bennett seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Barry Wilson, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett; Nays - None; Motion Passed.

5. Public Hearing, Ordinance No. 2022-1656, Approving the Service Plan for Overland Metropolitan Districts Nos. 1-6, and Authorizing the Execution of an Intergovernmental Agreement Between the Town and the Districts

The proponents of the Overland Metropolitan Districts Nos. 1-6 have worked with Special Counsel Carolyn Steffl to arrive at a Service Plan and related documents for presentation and review during this public hearing. Ms. Steffl's attached Memorandum provides you with specialized detail. The proponent's representatives will be in attendance as well. The purpose of the public hearing is to give the proponents an opportunity to make a record sufficient for your determination on first reading.

Town Board Member Tallon 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, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett; Nays - None; Motion Passed.

Discussion ensued between Town Board and staff.

Mayor Rennemeyer opened the public hearing 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, Barry Wilson, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett; Nays - None; Motion Passed.

6. Ordinance No. 2022-1656 - Approving the Service Plan for Overland Metropolitan Districts Nos. 1-6, and Authorizing the Execution of an Intergovernmental Agreement Between the Town and the Districts

This Ordinance is presented for first reading. The decision turns on whether Town Board can conclude, based on the record from the Public Hearing, that all statutory requirements have been met.

Town Board Member Bennett moved to approve Ordinance No. 2022-1656, Mayor Pro Tem Wilson seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Barry Wilson, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett; Nays - None; Motion Passed.

7. Public Hearing, Ordinance No. 2022-1657 - An Ordinance Approving an Amended and Restated Consolidated Service Plan for Great Western Metropolitan District Nos. 1-11

This public hearing is required by state law, and is intended to provide the proponent with an opportunity to present evidence in support of the proposed Service Plan amendment. Counsel for the District has provided statutory notice of this public hearing, but is requesting that the hearing be postponed once opened. For this reason, no packet materials are provided at this time.

Counsel for the Districts and Special Counsel Carolyn Steffl have devoted considerable time to refining the proposed Amended and Restated Consolidated Service Plan, but still need time to resolve issues before the public hearing may proceed. These additional efforts will assure clarity of the record and an informed decision by Town Board.

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

Mayor Pro Tem Wilson moved to continue the public hearing to August 8, 2022, Town Board Member Tallon seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Barry Wilson, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett; Nays - None; Motion Passed.

8. Ordinance No. 2022-1654 - An Ordinance Approving a Rezone From Single Family Residential ("SF-1") to Central Business District ("CB") within the Windsor Town Subdivision, Block 10, Lot 27 also Known as 217 5th Street, Town of Windsor, Colorado - Vern Rasmussen, Owner/Applicant

The applicant and property owner, Vern Rasmussen, has submitted a rezoning petition to rezone 0.07 acres (3,000 sq. ft.), from SF-1 (Single-Family Residential-One) to CB (Central Business) zone district. The subject property is located within the Town of Windsor Subdivision, Block 10, Lot 27, north of Walnut Street, south of Main Street and on the east side of 5th Street at 217 5th Street in the Town of Windsor.

Town Board Member Bennett moved to approve Ordinance No. 2022-1654, Town Board Member Hallett seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Barry Wilson, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett; Nays - None; Motion Passed.

9. Resolution No. 2022-37 A Resolution Approving a Settlement Agreement in Conjunction With Resolution of Water Court Division 1 Case Number 18CW3042, and Authorizing the Town Manager to Execute the Same

The Town of Windsor ("Town") and Trollco Inc ("Developer") entered into an agreement for dedication of native water rights to meet the raw water requirements for lands owned by the developer in the Town. The Town filed for the change of water rights in Case No. 18CW3042, which represents 34.25 shares of Greeley-Loveland Irrigation Company, 1.5 shares of Seven Lakes Reservoir Company, and 9.75 shares of Lake Loveland in Division 1 Water Court in 2018. The shares in the three companies are referred to as "GLIC Water." The yield of the shares will be enough to satisfy the remaining raw water required for the Raintance development.

Mayor Pro Tem Wilson moved to approve Resolution No. 2022-37, Town Board Member Hallett seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Barry Wilson, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett; Nays - None; Motion Passed.

D. COMMUNICATIONS

1. Communications from Town Attorney

Per Mr. McCargar, no communications

2. Communications from Town Staff

Per Mr. Klimek, a quick reminder that National Night Out will be held next Tuesday, August 2nd.

a. Windsor Police June 2022 Statistics

3. Communications from Town Manager

Per Mr. Hale, the open space tax survey preliminary numbers are in, and as of Friday, 1,603 surveys have come back complete. The survey will be finished this Thursday. Mr. Hale provided a reminder to the Town Board of the upcoming all-employee BBQ to be held on Wednesday evening.

4. Communications from Town Board

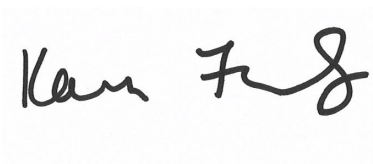
Town Board Member Cline reported that there may still be some brewed beverages to purchase from the limited edition beer that was made for the Party on the Poudre.

Per Mayor Rennemeyer, Coffee with the Mayor has been moved up to August 12th at 10:00 am at the Rec Center

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 - Paul Rennemeyer, Barry Wilson, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett; nays - none; motion passed.

Upon a motion duly made, the meeting was adjourned at 8:26 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