



Town Board Regular Meeting

April 22, 2024 - 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 7:13 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, Deputy Town Manager
Kim Emil, Deputy Town Attorney
Jess Humphries, Administrative Services Director
Aaron Lopez, Interim Police Chief
John Thornhill, Community Development Director
Scott Ballstadt, Planning Director
Dean Moyer, Finance Director
Tara Fotsch, Deputy Director of PRC
Carlin Malone, Chief Planner
David Eisenbraun, Long Range Planner
Kim Lambrecht, Senior Planner
Ken Breneman, Stormwater and Projects Supervisor
Omar Herrera, Deputy Director of Engineering
Brian Rowe, Deputy Director of Public Works
Ben Bodiker, Visual Media Supervisor
Kyra Mckinley, Visual Media Coordinator
Karen Frawley, Town Clerk

2. Pledge of Allegiance

Mayor Rennemeyer asked Kenleigh Frawley, student, 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 - Paul Rennemeyer, Barry Wilson, Ken Bennett, Jason Hallett, Ron Steinbach; Nays - None; Motion Passed.

4. Proclamation

a. Mental Health Awareness Month

b. Economic Development Week

c. Professional Municipal Clerks Week

Mayor Rennemeyer read all proclamations aloud.

5. Presentation

a. Commissioner Ross Presentation

6. 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 working with the Windsor Severance Historical Society and have an agreement in place to work together on a project basis as things come up. The Commission is planning for the open house for Historic Preservation Month on May 17th from 4:00 to 7:00 p.m. located at the Arts and Heritage building.

Town Board Member Steinbach reported that the Water and Sewer Board Northern issued a seventy percent quota, which is standard for them. Snow pack is looking good right now and the water supply index is one-hundred twenty-two percent. Due to the water supply, the Water and Sewer Board is recommending there be no drought restrictions in place for the town this year.

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 Great Western Trail Authority held its grand opening and ribbon cutting on Saturday.

Mayor Pro Tem Wilson reported that none of his other boards have met since the last provided update.

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 introduced two new members who have been appointed to the commission. The majority of the meeting

was spent with artist Jody Bliss who will be completing artwork at Kyger Reservoir which will include some large metal sculptures that are interactive and nature themed. The commission is currently exploring holding First Fridays, where you have downtown events the first Friday of the month. The stagecoach time machine that is being installed at the halfway homestead house is having to be reduced due to including playground equipment and location.

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

Town Board Member Cline reported that the Clearview Library Board held a meet and greet with some of their candidates for the new director of the library.

Town Board Member Cline reported that the Poudre River Trail Corridor Authority has not met since the last provided update, but does have an event scheduled for this Saturday. The trail-a-thon will be held at the Poudre Learning Center from 9:00 a.m. to noon and there is still time to sign up to participate and attend.

Town Board Member Tallon - Planning Commission, Chamber of Commerce

Town Board Member Tallon reported that the Planning Commission met but he was unable to attend due to a scheduling conflict.

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, Attainable Housing Ad Hoc Committee

Town Board Member Hallett reported that the Windsor Housing Authority welcomed a new member to the authority. The authority is working through the exploratory phase of the weld trust option to get the grant funds needed.

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

Town Board Member Hallett reported that the Attainable Housing Ad Hoc Committee has completed all meetings and will bring an update to the board at a future date.

Mayor Rennemeyer - Windsor Downtown Alliance, North Front Range MPO

Mayor Rennemeyer reported that the Windsor Downtown Alliance did not have a quorum at the last meeting and therefore, a meeting was not held.

Mayor Rennemeyer reported that the North Front Range MPO viewed a presentation from the Northern Colorado Regional Airport.

7. Public Invited to be Heard

Mayor Rennemeyer opened the meeting up for public comment.

Miles Baker who lives in Windsor addressed the board regarding the election results and his support for upholding the election.

B. CONSENT CALENDAR

1. Approval of the April 8, 2024 Town Board Regular Meeting Minutes - K. Frawley, Town Clerk

Approval of the April 8, 2024 meeting minutes.

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

During the week of April 9th, Mayor Rennemeyer and Town Board Member Bennett conducted Board and Commission interviews for vacant seats on the Planning Commission and Windsor Arts Commission. The following individuals are being recommended for appointment:

Planning Commission:

John Neal - regular member with a term expiring March 2027

Larry Pakowski - alternate member with a term expiring March 2027

Windsor Arts Commission:

Emily Pearson - regular member with a term expiring September 2025

3. Resolution No. 2024-27 - A Resolution Approving a Mosquito Management Services Agreement between the Town of Windsor and Vector Disease Control International, LLC - B. Rowe, Deputy Director of Public Works

The town has been working with Vector Disease Control for the last 22 years, developing a comprehensive Mosquito Control Program. Vector Disease Control serves multiple organizations in the region, including municipalities, metropolitan districts, and homeowners associations. This regionally-integrated system of Mosquito Control assures a uniform approach to the protection of public health. Windsor's contract with Vector Disease Control assures compatibility within this existing integrated system.

Our three-year annual mosquito control services contract is up for renewal. Funding for 2024 was approved in the budget.

4. Resolution No. 2024-28 - A Resolution Re-appointing Kimberly Emil, Deputy Town Attorney, to the Weld County Regional Opioid Council Pursuant to the Weld County Regional Opioid Intergovernmental Agreement - K. Emil, Deputy Town Attorney

The Weld County Regional Opioid Council, per the Model Colorado Regional Opioid Intergovernmental Agreement, states in section 3.2, a Voting Member from the Town of Windsor, appointed by the Mayor of the Town of Windsor, will be selected to serve as the representative on the Weld County Regional Opioid Council. Kimberly Emil, Deputy Town Attorney, was appointed per Resolution No. 2022-17, to be the representative for the Town of Windsor. Section 3.2 e. of the Intergovernmental Agreement states that term limits for each representative are set for two years. Re-appointed members are set to serve the same term limits as stated in Section 3.2 e. (ii) of the Intergovernmental Agreement.

Town Board Member Hallett moved to approve the consent calendar 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, Ron Steinbach; Nays - None; Motion Passed.

C. BOARD ACTION

1. Public Hearing - Resolution 2024-29 - A Resolution Acknowledging the Windsor Downtown Alliance's Master Plan

See attached staff memo. **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, Ron Steinbach; Nays - None; Motion Passed.**

Mayor Rennemeyer opened the hearing up for public comment, Don Stavely from 129 North Chimney Park addressed the board regarding the growth of the Town and him being the person in the position of community liaison.

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, Ron Steinbach; Nays - None; Motion Passed.

2. Resolution No. 2024-29 - A Resolution Acknowledging the Windsor Downtown Alliance's Master Plan

See public hearing item.

Town Board Member Hallett moved to approve Resolution No. 2024-29, Mayor 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, Ron Steinbach; Nays - None; Motion Passed.

3. Public Hearing - Resolution No. 2024-30 - A Resolution of the Windsor Town Board Approving the Beethe Subdivision 2nd Filing Final Major Subdivision Plat in the Town of Windsor, Colorado (Windsor North Campus) - Town of Windsor, Applicant

Tim Kemp, PE, Wilson & Company, Inc., the Town's civil engineering/surveying consultant, has submitted a combined Preliminary/Final Major Subdivision application for the Beethe Subdivision 2nd Filing, on behalf of the property owner, the Town of Windsor. The subdivision plat is within the Tacincala Master Plan 3rd Amendment, 138 acres located adjacent to and west of North 15th Street (also known as Weld County Road 15), north of the Town of Windsor Public Services campus (922 N. 15th Street). The subdivision proposes three lots and three tracts for the Windsor Police Facilities and Training Center site, Weld RE-4 middle school site, a Town of Windsor future community park site, and tracts for right-of-way/easement dedication.

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

Mayor Rennemeyer opened the hearing up 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, Ron Steinbach; Nays - None; Motion Passed.

4. Resolution No. 2024-30 - A Resolution of the Windsor Town Board Approving the Beethe Subdivision 2nd Filing Final Major Subdivision Plat in the Town of Windsor, Colorado (Windsor North Campus) - Town of Windsor, Applicant

Please see public hearing item materials.

Town Board Member Hallett moved to approve Resolution No. 2024-30, None seconded the motion. Roll call on the vote resulted as follows; Yeas - Paul Rennemeyer, Barry Wilson, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett, Ron Steinbach; Nays - None; Motion Passed.

5. Public Hearing - Conditional Use Permit to allow two temporary modular classrooms with a recycled parking area within the RMU-1 (Residential Mixed Use) Zoning District – Water Valley South Subdivision 6th Filing, Lot 1 (330 Crossroads Boulevard) – WV Crossing Development, LLC, Jerry Helgeson, property owner; Josh Savage, Timberline Windsor Church, applicant

The applicant, Timberline Church, represented by Mr. Josh Savage, is requesting a Conditional Use Permit (CUP) to allow two temporary modular classrooms and a recycled asphalt parking area within the RMU-1 zone district for a period of three (3) years.

A conditional use permit is required because the proposed temporary use is not specifically included as a use-by-right in any zoning district per Section 14-2-130(a) of the Town's Municipal Code, Conditional Use Permit Applicability. The applicant is requesting allowance for two mobile classrooms with a recycled asphalt parking area for Timberline Church while the church prepares to relocate to another site.

A previous Conditional Use Grant (CUG), now known as a Conditional Use Permit (CUP), was approved on March 23, 2020, for a period of three (3) years. The previous CUG expired on March 23, 2023; therefore, the applicant is requesting a new CUP.

The applicant has stated there have been no site or building changes since the approval of the previous CUG and none are proposed with this new CUP application.

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, Ron Steinbach; Nays - None; Motion Passed.

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

6. Approval of a Conditional Use Permit request to allow two temporary modular classrooms with

a recycled parking area within the RMU-1 (Residential Mixed Use) Zoning District – Water Valley South Subdivision 6th Filing, Lot 1 (330 Crossroads Boulevard) – WV Crossing Development, LLC, Jerry Helgeson, property owner; Josh Savage, Timberline Windsor Church, applicant

Please refer to information included with the public hearing item.

Town Board Member Hallett moved to approve the conditional use permit, 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, Ron Steinbach; Nays - None; Motion Passed.

7. Resolution No. 2024-31- A Resolution Creating a Town of Windsor Policy Discouraging the Conversion of Commercially Designated Real Estate to Residentially Designated Real Estate
See attached memo from Stacy Brown, Economic Development Director

Town Board Member Hallett moved to approve Resolution No. 2024-31, 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, Ron Steinbach; Nays - None; Motion Passed.

8. Administration of Oath of Office to Newly Elected Town Board Members

Town Clerk Frawley administered the oath of office to the newly elected Town Board members, who then took their place at the dais.

9. Resolution No. 2024-32 - A Resolution Declaring a Vacancy in District 2 for the Town of Windsor

With the election of Barry Wilson to the office of Mayor, this resolution openly declares a vacancy in District 2. The Town of Windsor Home Rule Charter Section 3.7 addresses vacancies and 3.7(d) provides the procedure for filling the vacancy. 3.7(d) provides: "should the position of a Board Member be vacated for any reason, the Board shall fill the vacancy by one of the following options:

The position may remain vacant if it is less than one year until the next regular municipal election; or

The next regular municipal election will be on April 7, 2026. This option is eliminated due to there being more than one year until the next regular municipal election.

The Town Board may select a person to fill the position until the next regular municipal election; or

The process for the Town Board to select a candidate to fill the vacated term could be conducted quickly and with minimal expense. The following timeline could provide for a candidate to be sworn in no later than May 13, 2024:

- April 23 - Begin publicizing the vacancy and request qualified electors from District 2 to complete and submit a letter of interest and application to the Town Clerk.
- May 3 - Last day to submit a letter of interest and application.
- Week of May 6 - interview applicants

- May 13 - appointment made at the Town Board meeting.

The Town Board may call for a special election to fill the vacated seat.

Colorado Revised Statute 31-10-108 sets the requirements for calling a special election; the election must be held on a Tuesday and cannot be called 30 days before or 32 days after a primary, general, or congressional vacancy election. Based on those requirements, a Special Election could be held for the District 2 vacancy at an estimated cost of \$15,000.00

Colorado Revised Statutes 31-4-205(2) sets the requirement for filling a vacancy by either appointment or by calling an election within sixty days after the vacancy occurs.

The board directed the Town Clerk to fill the vacancy by appointment.

Town Board Member Hallett moved to approve Resolution No. 2024-32, Town Board Member Steinbach seconded the motion. Roll call on the vote resulted as follows; Yeas - Barry Wilson, Jason Hallett, Ron Steinbach, Lainie Peltz, Julie, Cline, Rick Klimek; Nays - None; Motion Passed.

D. COMMUNICATIONS

1. Communications from Town Attorney

Mr. Money expressed his gratitude to the newly seated board members, as well as the outgoing board members for their service to the Town.

2. Communications from Town Staff

a. Windsor Police March 2024 Statistics

b. Site Plan Review Summary - Highland Meadows Golf Course Tennis Center - Highland Meadows Golf Course 5th Filing, Lot 1 - K. Lambrecht, Senior Planner

The applicant, Highland Meadows Tennis Center, has submitted a Major Site Plan for a new Tennis Center, to be located on a portion of Lot 1, Highland Meadows Golf Course Subdivision 5th Filing (6300 Highland Meadows Parkway). The major site plan is currently under review. The subject property is located on the same parcel as the Highland Meadows Golf Course Pro Shop; the Highland Meadows Grill Restaurant; and the Red Barn Event Center, and is across the street from the existing Tennis Center 'Bubble'.

c. Site Plan Review Summary - Esh's Market - East Point Subdivision 4th Filing, Lot 2 - K. Lambrecht, Senior Planner

d. Site Plan Review Summary - Windsor Police Headquarters and Training Facility, 960 N. 15th St (Beethe Subdivision 2nd Filing, Lot 1) - C. Malone, Chief Planner

The Town of Windsor submitted a Major Site Plan for a new Windsor Police

Headquarters and Training Facility, 960 North 15th Street. The property is located on Lot 1 of Beethe Subdivision 2nd Filing. The preliminary/final site plan is currently under review. The subject property is located west of North 15th Street and north of the existing Public Services campus (922 N. 15th St).

e. Site Plan Review Summary - Weld RE-4 Middle School, 1100 N. 15th St (Beethe Subdivision 2nd Filing, Lot 2) - C. Malone, Chief Planner

The applicant and property owner, Weld RE-4 School District, has submitted a Major Site Plan for a new middle school located on Lot 3 of Beethe Subdivision 2nd Filing. The preliminary/final site plan is currently under review. The subject property is located west of North 15th Street and north of the existing Windsor Public Services campus (922 N. 15th St) and Windsor Police facility under construction (960 N. 15th St).

3. Communications from Town Manager

a. Monthly Board Report - Focus Area Updates

1. Strategic Growth

Assess and address long-term capital facilities needs

Staff presented the Facility Master Plan to the Town Board on March 25th. The Town Board was receptive to its recommendations as it applies to the current Police Station, Town Hall, and the Public Services campus, and authorized Staff to move forward with the redesign of the current police station for the purpose of relocating Community Development and Economic Development to this space.

2. Sustainable Infrastructure

Provide a safe and reliable water supply for the community

Staff continues to closely monitor this season's snowpack, and assess the Town's current water rights portfolio, and treatment demands, which will impact pipeline and plant design for the new regional water treatment plant. Staff is currently working with the City of Fort Collins to secure an additional 250 acre-foot lease of water for a 10-year time frame with the option to renew an additional 5 years.

South Pressure Zone Improvements are underway, with construction scheduled to begin in 2025. Staff is currently scoping out a more immediate interim booster pump station option. The more permanent option of connecting to the City of Greeley's system is also still being evaluated. Discussions with Greeley Water are underway on a path forward to connecting to their Gold Hill Pressure Zone 4

3. Vibrant and Healthy Economy

Promote and market existing empty restaurant spaces to potential prospects

Luna's Tacos and Tequila at 1246 Automation Drive opened officially on April 1st.

Awaiting information on the occupant of the former Betta Gumbo space at 526 Main St. and continuing marketing efforts for the 408 Main Street space.
Per Mr. Hale, thanked the board for allowing him and Deputy Town Manager Lucas to attend the Colorado City and County Managers Association (CCCMA) annual conference.

4. Communications from Town Board

The board members expressed their gratitude to the outgoing members of Town Board for their service, and to the new members for their willingness to serve.

E. EXECUTIVE SESSION

1. An Executive Session Pursuant to Colorado Revised Statutes § 24-6-402 (4)(b) to Confer with the Town Attorney for the Purposes of Receiving Legal Advice on Specific Legal Questions Concerning the Contest of the 2024 Regular Municipal Election - Dan Money, Town Attorney

Town Board Member Hallett moved to enter into an executive session pursuant to Colorado Revised Statutes §24-6-402(4)(b) to confer with the Town Attorney for the purposes of receiving legal advice on specific legal questions concerning the contest of the 2024 regular municipal election, Town Board Member Cline seconded the motion. Roll call on the vote resulted as follows; Yeas - Barry Wilson, Ron Steinbach, Lainie Peltz, Julie Cline, Rick Klimek, Jason Hallett; Nays - None; Motion Passed.

The Town Board entered into an executive session at 9:16 p.m.

Upon a motion duly made, the Town Board returned to the regular meeting at 9:49 p.m.

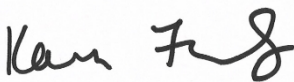
The executive session was closed and the Town Board returned to the regular meeting.

Upon returning to the regular meeting, Mayor Wilson 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 9:49 p.m.

F. ADJOURN

Town Board Member Hallett moved to adjourn, Town Board Member Cline seconded the motion. Roll call on the vote resulted as follows; Yeas - Barry Wilson, Lainie Peltz, Julie Cline, Rick Klimek, Jason Hallett, Ron Steinbach; Nays - None; Motion Passed.

Upon a motion duly made, the meeting was adjourned at 9:50 p.m.



Karen Frawley, Town Clerk