



Town Board Regular Meeting

August 22, 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 7:02 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
Jess Humphries, Administrative Services Director
Eric Lucas, Public Services Director
Tara Fotsch, Deputy Director of PRC
Wade Willis, Open Space and Trails Manager
Rick Klimek, Police Chief
Scott Ballstadt, Planning Director
Carlin Malone, Chief Planner
Kimberly Lambrecht, Planner II
Kim Emil, Assistant Town Attorney
David Eisenbraun, Senior Planner
Aaron Lopez, Police Commander
Doug Roth, Civil Engineer
Leif Lesoing, Water Resource Administrator
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 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, Scott Charpentier, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett; Nays - None; Motion Passed.

4. Outside Agency Presentation

a. Weld RE-4 School District Presentation

Weld RE-4 Superintendent Michelle Scallon gave a presentation on the upcoming bond issue that will be on the ballot and asked the Town Board for their public support on the matter.

5. Board Liaison Reports

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

Town Board Member Charpentier reported that the Chamber of Commerce and Great Western Trail Authority had not met since the last update.

Town Board Member Charpentier reported that the Historic Preservation Commission has been working on creating rules and regulations.

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

Mayor Pro Tem Wilson reported that the Highway 34 and I-25 Coalitions have not met since the last provided updates.

Mayor Pro Tem Wilson reported that Laurie Stolen started off the discussion regarding the 2022 Impact Fund grant recommendations by recapping the work over the last year that is culminating with this grant recommendation presentation. Jessica Plummer then presented recommendations for the 2022 Impact Fund Grant Program. The facility is coming together and the exterior should be complete before the first snow falls, and the date for opening is August 9, 2023.

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 met and held discussions about communicating with the Artist who will be creating the mural in Downtown Windsor.

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. The Library has reported that they had a great audit and everything was in line.

Town Board Member Cline reported that the Poudre River Trail Corridor Authority has not met since the last provided updates. The subcommittee is working for the Party on the Poudre, which will be held on September 21st at the Poudre Learning Center.

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

Town Board Member Tallon reported that the Planning Commission met and all of the items discussed will be on tonight's agenda.

Town Board Member Tallon reported that the Water and Sewer Board met last week, however missed the meeting so will provide an update at the next meeting.

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.

Town Board Member Hallett reported that the Windsor Housing Authority is working on getting approval for Chimney Meadows this week and working out interior colors.

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 Authority Meeting was held and an award was granted for two more façade improvement grants for businesses on Main Street.

6. Public Invited to be Heard

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

B. CONSENT CALENDAR

1. Resolution 2022 - 41 - A Resolution Authorizing Street Name Changes in the Raindance Subdivision 15th Filing and in the River Trails Subdivision

The ownership group for Raindance has been interested in acquiring the legal right to use "Raindance" as a street name since its creation. Recently, the owners of Raindance Circle have consented to change their address to Fireflower Circle. This provided an opportunity for the Raindance developers to replace their main drive onto the golf course, currently known as Hoedown Drive, to be renamed Raindance National Drive.

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

C. BOARD ACTION

1. Public Hearing – Ordinance No. 2022-1659 – An Ordinance approving a Rezone from General Commercial (GC) to Residential Mixed Use One (RMU-1) in the Fossil Creek Ranch Subdivision, and Resolution No. 2022-42, a Resolution approving a Master Plan Amendment for the Fossil Creek Meadows Annexation – Horton Feedlots, Inc., Owner – John Beggs, Russell+Mills Studios, Applicant's Representative

The applicant, Horton Feedlots, Inc., represented by Mr. John Beggs of Russell+Mills Studios and Ms. Mary Wohnrade of Wohnrade Civil Engineers, has submitted a rezoning application to rezone a portion of the existing General Commercial (GC) zone district (21.82 acres) to the Residential Mixed Use One (RMU-1) zone district in the Fossil Creek Ranch Subdivision, and to amend the approved Fossil Creek Meadows Master Plan to compliment the rezone. These applications are running concurrently and will be presented together. **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, Scott Charpentier, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett; Nays - None; Motion Passed.

Town Board Member Tallon stated the following: "Mayor Rennemeyer, for the record, I would like to point out that in my capacity as Town Board liaison to the Planning Commission, I was present at the Planning Commission meeting during which this matter was previously presented. I wish to state that my participation in the Planning Commission proceeding has in no way influenced me in my capacity as a Town Board member this evening. I will make my decision and cast my vote this evening based solely on the evidence presented during this public hearing."

Town Board Members asked staff clarifying questions.

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

Town Board Member Tallon moved to close 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.

2. Ordinance No. 2022-1659 – An Ordinance approving a Rezone from General Commercial (GC) to Residential Mixed Use One (RMU-1) in the Fossil Creek Ranch Subdivision – Horton Feedlots, Inc., Owner – John Beggs, Russell+Mills Studios, Applicant's Representative

Please refer to Public Hearing Discussion Item for Background information.

Discussion ensued between Town Board and staff.

Town Board Member Tallon moved to approve Ordinance No. 2022-1659, 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.

3. Resolution No. 2022-42 – A Resolution approving a Master Plan Amendment – Fossil Creek Meadows Annexation – Horton Feedlots, Inc., Owner – John Beggs, Russell+Mills Studios, Applicant's Representative

Please refer to Public Hearing Discussion Item for Background information.

Town Board Member Bennett moved to approve Resolution No. 2022-42, 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 .

4. Public Hearing - Ordinance 2022-1660 - An Ordinance Approving a Rezone from High Density Estate Residential (ER-2) to Single Family Residential (SF-1) - Trautman Subdivision 5th Filing, Owner Martin Lind

The Trautman Farms project area contains 78.73 acres and is petitioning to change the zoning designation from Estate Residential (ER) to Single Family Residential (SF-1). The project is located on Lots 7-19 and 23-36 of the Second Filing and Tract B, Fourth Filing Trautman Farms. It is bordered by Weld County Road 17 to the west, with the closest intersection being the roundabout at Crossroads Boulevard and WCR 17. The intent of the

change in zoning is to create more flexible development parcels than the Estate Residential designation allows to adapt to the current market conditions. The applicant is seeking to modify the current layout to provide a more traditional single-family development. The Single Family Residential zone designation provides the flexibility for these adaptations. This zone change also required a Land Use Amendment change for this property, which was approved by the Planning Commission July 2022.

Town Board Member Cline moved to open the public hearing, 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.

Clarifying questions were asked of staff by Town Board Members.

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

Town Board Member Hallett moved to open the public hearing, 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.

5. Ordinance 2022-1660 - An Ordinance Approving a Rezone from High Density Estate Residential (ER-2) to Single Family Residential (SF-1) - Trautman Subdivision 5th Filing, Owner Martin Lind

See public hearing item. Discussion ensued between Town Board and Staff.

Town Board Member Hallett moved to approve Ordinance No. 2022-1660, 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.

6. Public Hearing – Ordinance 2022-1661 - An Ordinance Approving a Rezone from Light Industrial (LI), Heavy Industrial (HI) and Residential Mixed Use One (RMU-1) to General Commercial (GC) and Residential Mixed Use Two (RMU-2), and a Master Plan Amendment for the Great Western Industrial Park Second Annexation - 2nd Amendment, Dean Brown, Applicant's Representative

The property has been part of the following Master Plans and Amended Master Plan and PUD Rezone processes: 2007: Great Western Second, Third and Fourth Annexation dated January 2007: The western portion of the initial 2007 Great Western Second, Third and fourth Annexation envisioned a mixed-use neighborhood with general commercial/retail along the intersection of State Hwy 257 and Eastman Park Drive, a mix of residential uses central to the site and light industrial to the east as a transition the existing Industrial uses with the Great Western Industrial Park.

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

Town Board asked clarifying questions of the applicant and staff.

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

7. Ordinance 2022-1661 - An Ordinance Approving a Rezone from Light Industrial (LI), Heavy Industrial (HI) and Residential Mixed Use One (RMU-1) to General Commercial (GC) and Residential Mixed Use Two (RMU-2), and a Master Plan Amendment for the Great Western Industrial Park Second Annexation - 2nd Amendment, Dean Brown, Applicant's Representative

See public hearing item. Discussion ensued between Town Board and the applicant.

Town Board Member Hallett moved to approve Ordinance No. 2022-1661, 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.

8. Resolution 2022-43 - A Resolution Approving a Master Plan Amendment for the Great Western Industrial Park Second Annexation - 2nd Amendment, Dean Brown Applicants Representative

See public hearing item.

Town Board Member Hallett moved to approve Resolution No. 2022-43, 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.

9. Ordinance No. 2022-1657 - An Ordinance Approving the Amended and Restated Consolidated Service Plan for the Great Western Metropolitan District Nos. 1-11

The Great Western Metropolitan Districts appeared before Town Board on August 8, 2022, with a proposal for significant changes to their prior-approved Service Plan. The details of the amended Service Plan were presented by counsel during the public hearing. This action item presents the Ordinance approving the amended and restated Service Plan for final adoption. The Ordinance and Service Plan have not been changed since first reading.

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

Town Board Member Hallett moved to approve Ordinance No. 2022-1657, 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.

10. Ordinance No. 2022-1658 - An Ordinance Approving a Rezone from General Commercial (GC) to Limited Industrial (LI) - East Pointe Subdivision, portion of Lot 1, Block 1 - Chris Ruff, Manager East Pointe Windsor LLC, Owner's Representative

The owner / applicant, Mr. Chris Ruff, of East Pointe LLC, has submitted a rezoning application to rezone 7.214 acres from General Commercial (GC) to Limited Industrial (LI). The proposed rezoning is located within the East Pointe Subdivision, southeast of the intersection of State Highway 392 and State Highway 257 (more particularly, south of Pointe Plaza Drive, approximately 700 feet east of State Highway 257).

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

Town Board Member Hallett moved to approve Ordinance No. 2022-1658, 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.

11. Resolution No. 2022-44 A Resolution of the Windsor Town Board Referring to the Voters a Measure Under Which the Town's Sales and Use Tax Rate will be Increased by Twenty-Five One-Hundredths of a Percent (.25%) from 3.95% to 4.2%; Restricting the Use of Revenues Generated from the Tax Increase; Setting the Ballot Title and Ballot Question Referring this Resolution at an Election to be Held November 8, 2022; Providing the Effective Date of This Resolution; and Setting Forth Details in Relation Thereto

At the August 15th Town Board Work Session, Town Board directed staff to move forward with presentation of the attached resolution for a dedicated Open Space Tax for the November 2022 ballot. The resolution refers a measure for consideration which reads: Shall Town of Windsor taxes be increased by \$1.62 million annually beginning in tax collection year 2023, and by whatever amounts that may be generated thereby increasing the town and use tax rate by 0.25% on January 1, 2023, with tax revenue to be used for the creation of a dedicated funding source for open space land acquisition, stewardship, operation and maintenance. The purpose of the proposed tax is to: ensure acquired open space land will remain undeveloped and lessen the impact of residential housing growth, thereby reducing community impacts such as traffic, the cost of maintaining roads, sewer, stormwater and acquiring and treating water. Enable the town to develop and maintain open space that will increase public recreation opportunities. Obtain, manage and preserve working farms and community separators that will keep Windsor unique from neighboring cities and towns. Promote and perpetuate open space that conserves valuable wildlife habitats, protects the environment and creates green spaces and waterfront access to lakes, streams and the Cache la Poudre River. All revenue from this tax constituting a voter-approved revenue change notwithstanding any revenue or expenditure limitations contained in Article X, Section 20 of the Colorado Constitution.

Discussion ensued between Town Board and staff.

Town Board Member Cline moved to approve Resolution No. 2022-44, 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.

12. Resolution No. 2022 - 45- A Resolution Ratifying, Approving, and Confirming the Terms and Conditions of the Memorandum of Intergovernmental Agreement for Conduct of General Elections Between the Town of Windsor and County of Weld with Respect to the Coordinated Election Scheduled for November 8, 2022

In order to reserve the Town's ability to participate in the November 8, 2022, coordinated election in Weld County, the County Election Office requires the execution of an

intergovernmental agreement laying out the responsibilities of the parties. The Weld County Election Official has presented the attached Intergovernmental Agreement for Conduct of General Elections as its approved form for election participation.

Town Board Member Hallett moved to approve Resolution No. 2022-45, 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.

13. Resolution No. 2022-46 A Resolution Ratifying, Approving, and Confirming the Terms and Conditions of the Intergovernmental Agreement for Conduct of General Elections Between the Town of Windsor and Larimer County with Respect to the Coordinated Election Scheduled for November 8, 2022

In order to reserve the Town's ability to participate in the November 8, 2022 coordinated election in Larimer County, the County Election Office requires the execution of an intergovernmental agreement laying out the responsibilities of the parties. The Larimer County Election Official has presented the attached sample Intergovernmental Agreement for Conduct of.

Town Board Member Tallon moved to approve Resolution No. 2022-46, 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.

D. COMMUNICATIONS

1. Communications from Town Attorney

Per Mr. McCargar, there will be an executive session and the entire title needs to be recited in the motion.

2. Communications from Town Staff

Per Mr. Eisenbraun, on September 14th there will be a kick-off event of the comprehensive plan at the Windsor Mill in conjunction with Pints with Paul from 4:00 to 7:00 p.m.

Per Mr. Lesoing, there will be a tour of the NISP site and regional wastewater treatment site on September 7th from 1:00 to 5:00 p.m.

- a. Windsor Police July 2022 Statistics

3. Communications from Town Manager

Per Mr. Hale, there is an invite that has been sent out for Harvest Festival booth staffing.

4. Communications from Town Board

Mayor Rennemeyer offered a reminder about the upcoming Harvest Festival parade on Monday, September 5th.

E. EXECUTIVE SESSION

1. An Executive Session Pursuant to Colorado Revised Statutes § 24-6-402 (4)(e)(I) for the

Purpose of Determining Positions Relative to Matters that may be Subject to Negotiations; Developing Strategy for Negotiations; and Instructing Negotiators with Respect to Potential Property Acquisition. (Shane Hale, Town Manager)

2. An Executive Session Pursuant to Colorado Revised Statutes §24-6-402 (4)(e)(I) for the Purpose of Determining Positions Relative to Matters that may be Subject to Negotiations; Developing Strategy for Negotiations; and Instructing Negotiators with Respect to Water Treatment. (L. Lesoing, Water Resource Administrator)

Mayor Pro Tem Wilson moved to enter into an executive session pursuant to Colorado Revised Statutes § 24-6-402 (4)(e)(I) for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators with respect to potential property acquisition, as well as enter into an executive session pursuant to Colorado Revised Statutes § 24-4-402 (4)(e)(I) for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators with respect to water treatment, 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 10:06 p.m.

Upon a motion duly made, the Town Board returned to the Regular Meeting at 11:20 p.m.

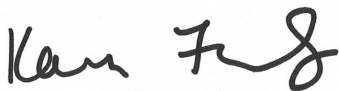
The Executive Session was closed and the Town Board returned to the Regular Meeting.

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 11:20 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, 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 11:20 P.M.



Karen Frawley, Town Clerk