



Town Board Regular Meeting

September 12, 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 7:15 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
Scott Ballstadt, Planning Director
Kim Emil, Assistant Town Attorney
Dean Moyer, Finance Director
Aaron Lopez, Police Commander
David Eisenbraun, Senior Planner
Kimberly Lambrecht, Planner II
McKenzie Paine, Visual Media Supervisor
Karen Frawley, Town Clerk

2. Pledge of Allegiance

Mayor Rennemeyer asked Town Board Member Bennett 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. Proclamations

a. Suicide Awareness Month

b. Constitution Week

Mayor Rennemeyer read both proclamations out loud.

5. Board Liaison Reports

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

Town Board Member Charpentier was absent and will provide an update at the next board meeting.

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

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

Mayor Pro Tem Wilson reported that the Larimer County Behavioral Health Policy Council is seeking advisory group members for the following:

<https://www.larimer.gov/spotlights/2022/09/06/behavioral-health-services-seeking-advisory-group-members>

- Behavioral Health Policy Council (BHPC)
- Technical Advisory Committee (TAC)
- Consumer Advisory Committee (CAC)

Facility: <https://www.larimer.gov/behavioralhealth/longview>

- Three pictures attached from August of 2022.
- The \$48M facility is scheduled to receive certificate of occupancy on August 9, 2023.
 - We have past 50% completion
 - Outer shell will be complete before first snowfall so they can finish interior during winter months
- National recruitment pipeline in place through Summitstone partners and universities
- New Name and logo: Larimer County Behavioral Health Services at Longview:



Metrics Dashboard: <https://www.larimer.gov/behavioralhealth/data>

Impact Fund Summary:

- The Larimer County Board of County Commissioners approved the 2022 Behavioral Health Impact Grants totaling \$2,876,738. A list of recipients is attached or at this link: <https://www.larimer.gov/spotlights/2022/08/30/2022-behavioral->

[health-services-impact-fund-grant-awards-announced](#)

Virtual Grantee Tours:

- CASA of Larimer County: <https://www.casalarimer.com/>
 - Mission: It is the mission of CASA of Larimer County to advocate for safe, nurturing, and permanent connections to family and community so children who have experienced abuse and neglect have the opportunity to thrive.
- Northern Colorado Health Sector Partnership: <https://nocohealthsector.org/>
 - Mission: The Northern Colorado Health Sector Partnership brings together key stakeholders to promote and improve health within our communities. We will collaborate across disciplines, organizations and communities to seize opportunities, solve problems and celebrate successes in the region.
- Every Child Pediatrics - The Health and Wellness Center:
<https://everychildpediatrics.org/>
 - Mission: Every Child Pediatrics provides comprehensive, affordable health care to nearly 24,000 Colorado children. We are a longstanding nonprofit, formerly known as Rocky Mountain Youth Clinics, and our mission is to provide high-quality health care to all children, regardless of their family's insurance status or ability to pay. Our experienced pediatricians and professionals focus on the child's overall well-being, providing high-quality medical care, behavioral health counseling, dental care, nutrition, healthy lifestyle programs and connections to support services such as housing and transportation. Families come from across Colorado – and even other states – because they trust our medical providers and value our unique comprehensive approach to care.

Moving make to face-to-face meetings in December. December is also a large joint meeting: Behavioral Health Policy Council (BHPC), Technical Advisory Committee (TAC), and Consumer Advisory Committee (CAC).

Moving from monthly to quarterly meeting in 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 will meet the first week of October and an update will be provided at that time.

Town Board Member Bennett reported that the Windsor Arts Commission just held another art live event with the chalk art contest during Harvest Fest. Progress has been made on the mural that is on the wall at The 408 Exchange, which should be completed by the end of September.

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

Town Board Member Cline reported that the Poudre River Trail Corridor met and discussed the Party for the Poudre which will be held next Wednesday, September 21st at the Poudre Learning Center.

Town Board Member Cline reported that the Clearview Library Board had the first reading of the bylaws on the agenda as well as a discussion about vacancies on the library board.

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

Town Board Member Tallon reported that the Planning Commission met, but the item on the agenda will be discussed later tonight.

Town Board Member Tallon reported that the Water and Sewer Board attended the NISP tour that staff attended.

Town Board Member Hallett - Windsor Housing Authority, Tree Board

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 held its Tree Walk at Main Park for their last meeting.

Mayor Rennemeyer - Downtown Development Authority, North Front Range MPO

Mayor Rennemeyer reported that the Downtown Development Authority has not met since the last provided update.

Mayor Rennemeyer reported that North Front Range MPO discussed the greenhouse gas standards that are being put into place, specifically how to measure them and what to do about violations. The VanGo service is completely booked and has completely recovered from COVID and in fact, all of the transportation that is in the MPO's purview is exceeding expectations on ridership.

6. 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 August 8, 2022 Town Board Regular Meeting - K. Frawley, Town Clerk

Approval of the meeting minutes of the August 8, 2022 regular Town Board Meeting.

2. Minutes of the August 22, 2022 Town Board Regular Meeting - K. Frawley, Town Clerk

3. Resolution 2022-47 - A Resolution Approving an Intergovernmental Agreement Between the Town of Windsor and the Weld RE-4 School District for the Purpose of Assuring the Availability of Facilities and Buses for Emergency Disaster Response and Training Purposes - K. Emil, Town Attorney

The resolution before you will update the agreement we have had with the Weld RE-4 school district (District) to utilize their facilities in the case of an emergency. The last agreement found in our files dated back to 2010. This agreement memorializes the current status, the verbal understandings and the evolution of the prior IGA.

4. Resolution No. 2022-51 - A Resolution Reaffirming a Purchase and Sale Agreement by and Between the Town of Windsor and Red Barn Holdings 6th, LLC, for the Sale and Acquisition of Real Property, and Authorizing Town Manager Shane Hale to Take all Steps Necessary for Closing - I. McCargar, Town Attorney

This Resolution is a requirement of the Title Company for closing on the purchase of real property located at 106 North Ash Street. This property is under contract, and due

diligence is nearly complete. Barring any issues with the survey, we expect to close this transaction on September 23, 2022. The contract documents are attached, including the original contract, with two short amendments.

5. Report of Bills - August - D. Moyer, Finance Director

Town Board Member Cline moved to approve the consent calendar as amended with the August 8th meeting minutes amended to show a date of September 21st for the Party for the Poudre, 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.

C. BOARD ACTION

1. Public Hearing, Ordinance No. 2022-1662, An Ordinance Approving the Service Plan for Water Valley Metropolitan District No. 3, and Authorizing the Execution of an Intergovernmental Agreement Between the Town and the District

This public hearing is required by statute, and gives the District's proponents an opportunity to present evidence satisfying the statutory requirements for approval of the Service Plan and related documents. The Service Plan and its attachments have been reviewed by Special Counsel Carolyn Steff, who will take the lead on presenting the matter to you during the public hearing. The proponents will be present, and should be given an opportunity to make a record satisfactory under the law.

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 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.

2. Ordinance No. 2022-1662 An Ordinance Approving the Service Plan for Water Valley Metropolitan District No. 3, and Authorizing the Execution of an Intergovernmental Agreement Between the Town and the District

This step in the process calls for Town Board to evaluate the evidence presented during the public hearing, and to make a decision on whether to approve the Service Plan and its attachments. This is the stage where discussion of the evidence is expected, with a vote on the Ordinance once all comments have been made.

Town Board Member Hallett moved to approve Ordinance No. 2022-1662, 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.

3. Ordinance No. 2022-1659 – An Ordinance Amending the Town of Windsor Official Zoning Map 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

Proposal

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.

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

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

4. Ordinance No. 2022-1660 - An Ordinance Amending the Town of Windsor Official Zoning Map from Estate Residential (ER) to Single Family Residential (SF-1) - Trautman 5th Filing, Martin Lind, Vima Partners, LLC, Owner; and Derek Patterson, TST Inc., Consulting Engineers, Applicant

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

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

5. Ordinance No. 2022-1661 – An Ordinance Amending the Town of Windsor Official Zoning Map 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) for the Great Western Industrial Park Second Annexation - 2nd Amendment, Dean Brown, Broe Real Estate Group, 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.

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

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

6. Ordinance No. 2022-1663 - An Ordinance Amending Certain Portions of the Windsor Municipal Land Use Code, Chapters 14-17

Chapters 14 through 18 of the Town's Municipal Code, which collectively make up the Town's Land Use Code, were updated in February 2021. Implementation of the code in the time since adoption has revealed some areas that were inadvertently omitted and other areas in need of minor revision. The following updates for Chapters 14-17 consist primarily of necessary corrections or clarifications, with some proposed amendments where action is needed to resolve ongoing issues with the current code.

Town Board Member Hallett moved to approve Ordinance No. 2022-1663, 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.

7. Resolution No. 2022 - 48 - A Resolution Authorizing the Assignment of the Town of Windsor's Private Activity Bond Allocation for 2022 to the Housing Authority of the City of Aurora, Colorado; Providing Other Details in connection therewith; and Providing an Effective Date

Enclosed is the Resolution to assign the Town of Windsor's 2022 Private Activity Bond Allocation (PAB) of \$1,841,343 to the Aurora Housing Authority (AHA). The assigned allocation will be used to issue bonds to support low-income housing. A representative from Steele Properties the firm seeking acquisition and rehabilitation of the Weatherstone Apartments project will be attending the meeting to further explain the purpose of the request to use the Town of Windsor PAB allocation for 2022.

Discussion ensued between the Town Board and staff.

Town Board Member Cline moved to approve Resolution No. 2022-48, 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.

8. Ordinance No. 2022-1664 - An Ordinance Adopting a Citizen-Initiated Measure Modifying the Official Zoning District Map of the Town of Windsor, and Adding a New Subsection to Chapter 16, Article I of the Current Municipal Code, with respect to the Creation of a New "Permanent Parking" Zone Within the Central Business District Zone

Under Colorado law, a citizen-initiated measure, once certified as sufficient by the Town Clerk, must be presented to the governing body for consideration. This Ordinance captures identically the language presented in the citizen-initiated Petition as required by law. At

this stage of the process, Town Board has two options:

Adopt the Ordinance as presented; or

Decline to adopt the Ordinance, and refer it to the voters by Resolution.

Reasons to decline adoption. The Ordinance seeks to isolate to DDA-owned parcels for restrictions under a new “Permanent Parking” zoning district. The Ordinance further restricts the use of the two parcels to parking and related site improvements. The Ordinance would not only create a new zoning district, but would then go on to change existing zoning from Central Business-CB to the new “Permanent Parking” zone.

Town Board Member Hallett moved to approve Ordinance No. 2022-1664, Mayor Pro Tem Wilson seconded the motion. Roll call on the vote resulted as follows; Yeas - None; Nays - Paul Rennemeyer, Barry Wilson, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett; Motion Failed.

9. Resolution No. 2022-49 - A Resolution of the Town of Windsor Referring to the Voters an Initiated Measure Under Which, if Adopted, the Town's Municipal Code Will be Amended; Fixing the Ballot Question Referring This Resolution at a Special Election to be Held on January 24, 2023; Providing the Effective Date of This Resolution; and Setting Forth Details in Relation Thereto

Under Colorado law, this Resolution must be adopted if Town Board declines to adopt Ordinance No. 2022-1664. This Resolution refers to the voters the question of whether the citizen-initiated Ordinance should be adopted and incorporated into the *Windsor Municipal Code*.

Discussion ensued between Town Board and staff regarding why the date for the election is set for January and not included in the ballot for the November coordinated election.

Town Board Member Hallett moved to approve Resolution No. 2022-49, 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.

10. Resolution No. 2022-50 - A Resolution Expressing Support for Bond and Mill Levy Override Measures Referred by the Weld RE-4 School District to the Voters for Consideration at the November 8, 2022 General Election

The Town Board heard a presentation from the School District at your August 22nd Board Meeting. At that meeting, you learned that Windsor elementary schools are currently between 102%-130% capacity, and that the middle school is at 116% capacity.

Additionally, there are currently 15 modular's in Windsor schools, providing space for 56 classrooms. Following that presentation, the Board expressed its support for the upcoming bond issue and directed Staff to bring back a resolution of support.

Town Board Member Hallett moved to approve Resolution No. 2022-50, 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.

D. COMMUNICATIONS

1. Communications from Town Attorney

Per Mr. McCargar, there is a protest hearing scheduled for the permanent parking petition on Tuesday, September 13th at 9:00 a.m. at the Public Works facility in the main conference room, and the hearing is open to the public.

2. Communications from Town Staff

Per Mr. Moyer, the July financial report is included in the communication section of the packet.

a. July Financial Report - D. Moyer, Finance Director

3. Communications from Town Manager

Per Mr. Hale, the monthly report was included in the packet. As a reminder, I will be out of town attending the ICMA conference next week.

a. Monthly Board Report - Focus Area Updates

4. Communications from Town Board

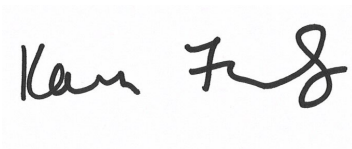
Per Town Board Member Cline, The Party for the Poudre is happening next Wednesday evening, as well as Hops for Hunger, which will take place on Friday at 5:30 p.m. at Boardwalk Park.

Per Mayor Rennemeyer, Pints with Paul will take place on Wednesday from 4:30 to 6:30 p.m. at the Windsor Mill Tavern. Mayor Rennemeyer attended the grand opening at the new fire station, which was well attended.

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 8:28 p.m.



Karen Frawley, Town Clerk