



Town Board Regular Meeting

December 5, 2022 - 5:30 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 5:45 p.m.

1. Roll Call

Present:

Mayor Paul Rennemeyer
Mayor Pro Tem Barry Wilson
Scott Charpentier
Ken Bennett
Julie Cline
Victor Tallon
Jason Hallett - arrived at 7:25 p.m.

Also Present:

Shane Hale, Town Manager
Ian McCargar, Town Attorney
Jess Humphries, Administrative Services Director
John Thornhill, Community Development Director
Leif Lesoing, Water Resources Administrator
Kim Emil, Assistant Town Attorney
Sandra Mezzetti, Senior Planner
Karl Gannon, Budget Analyst
Ben Bodiker, Visual Media Coordinator
Karen Frawley, Town Clerk

2. Review of Agenda by the Board and Addition of Items of New Business to the Agenda for Consideration

Town Board Member Cline moved to amend the agenda to add an executive session pursuant to Colorado Revised Statutes § 24-6-402 (4)(f)(I) to discuss personnel matters involving the annual performance review of Ian D. McCargar, Town Attorney, and where Mr. McCargar has not requested an open meeting to the end of the agenda, 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; Nays - Victor Tallon; Motion Passed.

B. BOARD DISCUSSION

1. Water Surcharge Policy Discussion - J. Humphries, Administrative Services Director

During the permitting process, raw water is dedicated to a property and is dependent on the use of the property per section 13-2-80 of the municipal code. The expectation is that the amount of water dedicated remains constant throughout the property's use, thus not

creating any unfunded demand on the Town's raw water supply. A recent analysis of commercial and industrial water usage in comparison to the dedicated water for each property has shown that there is water use that exceeds dedication. This creates a deficit in the Town's raw water supply. And if a property is using more than the amount dedicated, more water needs to be acquired to meet that demand. To ensure that all raw water requirements are satisfied, staff is purposing a raw water surcharge applicable to commercial and industrial customers who exceed their water dedication in a calendar year.

2. Jacoby Meadows Senior Housing, Windsor Housing Authority, Fee Waiver Request - S. Mezzetti, Senior Planner

The Town Board previously approved fee waivers in the amount \$651,839, in January 2021, for the construction of the Golden Meadows Senior Development, renamed "Jacoby Meadows Senior Apartments". However, the project did not move forward because it did not receive the required funding needed from the Colorado Housing and Finance Authority (CHFA). The 2021 resolution has since expired.

3. Fair Campaign Practices Act Code and Policy Follow-up Discussion - K. Frawley, Town Clerk

This item is being brought back following direction from Town Board on November 28. The Ordinance has been modified to emphasize its focus on financial disclosure violations, and to eliminate the investigatory role of the Municipal Prosecutor. Investigations under this draft will be done by independent special counsel appointed by the Town Attorney. Hearings will be conducted by a hearing officer appointed by the Presiding Municipal Judge.

4. Future Meetings Agenda

C. BOARD ACTION

1. Resolution No. 2022-77 - A Resolution Approving the Retention of an Executive Search Firm for General Counsel Services and Authorizing the Mayor to Execute a Professional Services Agreement in Relation Thereto

Town Board Member Bennett moved to approve Resolution No. 2022-77, 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; Nays - None; Motion Passed.

D. EXECUTIVE SESSION

1. Executive session pursuant to Colorado Revised Statutes § 24-6-402 (4)(f)(I) to discuss personnel matters involving the annual performance review of Ian D. McCargar, Town Attorney

Town Board Member Cline moved to enter into an executive session pursuant to Colorado Revised Statutes section 24-6-402(4)(f)(I) to discuss personnel matters involving the annual performance review of Ian D. McCargar, Town Attorney, and where Mr. McCargar has not requested an open meeting, Mayor Pro Tem Wilson seconded the motion. Roll Call on the vote resulted as follows; Yeas - Charpentier,

Wilson, Bennett, Rennemeyer, Cline, Tallon; Motion Passed.

Town Board Member Hallett arrived to the meeting at 7:25 p.m.

Upon a motion duly made, the Town Board entered into an Executive Session at 7:26 p.m.

Upon a motion duly made, the Town Board returned to the Regular Meeting at 8:56 p.m.

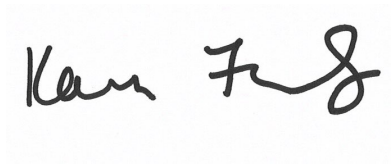
The Executive Session was closed and the Town Board returned to the Regular Meeting.

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 8:56 p.m.

D. 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 8:56 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