



Town Board Regular Meeting

January 9, 2023 - 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 7:15 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
Kim Emil, Interim Town Attorney
Jess Humphries, Administrative Services Director
Rick Klimek, Police Chief
John Thornhill, Community Development Director
Scott Ballstadt, Planning Director
Dean Moyer, Finance Director
Stacy Miller, Economic Development Director
Terry Schwindler, Business Development Specialist
Aaron Lopez, Police Commander
McKenzie Paine, Visual Media Supervisor
Karen Frawley, Town Clerk

2. Pledge of Allegiance

Mayor Rennemeyer asked Town Board Member Hallett 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

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

Mayor Pro Tem Wilson reported that the Larimer County Behavioral Health Policy Council tax generated about \$21 million in 2022. The council also selected a local artist for a sculpture that will be located in front of the new facility. Phase 2 of the facility will be an adolescent treatment facility. The council will still be awarding grants after the new facility is completed. The facility is around fifty-five percent complete with a scheduled move-in date of sometime in August.

Mayor Pro Tem Wilson reported that the I-25 Coalition held a discussion on the project is about seventy-five percent to complete and they have used about eighty-five percent of their budget. Substantial completion should occur in December of 2023.

Mayor Pro Tem Wilson reported that the US 34 Coalition held an administrative meeting where they discussed bylaws and electing officers.

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 has not met since the last provided update.

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 hired a new executive director, Barry Wilson who will be working part-time at first and then move to full-time. The authority is moving forward with trying to put a project calendar together.

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

Town Board Member Tallon reported that the Planning Commission has not met since the last provided update.

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 the Tree Board has not met since the last provided update.

Town Board Member Hallett reported that the Windsor Housing Authority are in the cue for the CHFA funds and are awaiting approval and guidance.

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 the North Front Range MPO held a discussion on the realignment of 257 north of Ted's place due to the NISP water diversion project getting approved last month. The MPO in December agreed to retain the Executive Director of the MPO.

5. Public Invited to be Heard

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

B. CONSENT CALENDAR

1. Approval of the December 12, 2022 Town Board Regular Meeting Minutes - K. Frawley, Town Clerk

Approval of the December 12, 2022 Town Board Regular Meeting Minutes.

2. Resolution 2023- 01 A Resolution Appointing Amy C. Penfold as Interim Windsor Town Prosecutor Pursuant to the Town of Windsor Home Rule Charter

Kim Emil currently serves as the Municipal Town Prosecutor. She was recently appointed to fill in for the Town as Interim Town Attorney. With such appointment, her time is significantly burdened to an extent that she would not be able to effectively handle the Town Attorney position along with her prosecutorial duties. Therefore, in an effort to assist Ms. Emil, a contract prosecutor is the most efficient and effective way to handle this matter during the temporary interim period.

3. Resolution No. 2023-02 - A Resolution Accepting the Resignation of Town Board Member Scott Charpentier, and Declaring a Vacancy in District 1, for the Town of Windsor - K. Emil, Interim Town Attorney

Town Board Member Scott Charpentier, District 1, tendered his resignation effective December 31, 2022. This Resolution acknowledges receipt and acceptance of his resignation, and openly declares a vacancy in District 1.

4. Report of Bills December 2022 - D. Moyer, Director of Finance

Town Board Member Hallett moved to approve the consent calendar, 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.

C. BOARD ACTION

1. Resolution No. 2023-03 Approving an Agreement for the Economic Inducements and Development Incentives Between the Town of Windsor and Norfolk Iron & Metal Company, and Authorizing the Mayor to Execute Same

Background / Discussion:

Economic Development staff began meeting with Brian Stephenson, Operations Manager of Norfolk Iron & Metal (NIM) in August 2022. NIM is located at 31825 Great Western Drive, they manufacture and shape metals for many different products across the United States. From exact sizes or custom cuts, Norfolk Iron & Metal has become an industry leader in supplying first-stage processed steel that's ready for fabrication upon arrival. NIM purchased PlatePlus in early 2022. PlatePlus purchased the land and building from the original owner Cargill in 2017.

Town Board Member Hallett moved to approve Resolution No. 2023-03, 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.

2. Ordinance No. 2022-1671 Amending Chapter 16 of the WINDSOR MUNICIPAL CODE by the Addition of New Requirements Related to the Regulation of Wells Used for Geologic Sequestration of Carbon Dioxide

Town Board previously discussed carbon sequestration wells and the draft ordinance at the February 28, 2022 and November 14, 2022 work sessions in conjunction with a proposal from Front Range Energy described as follows:

Mayor Rennemeyer opened the meeting up for public comment. Michelle Macaluso from 1660 Lincoln St. Denver, CO addressed the board regarding

Town Board Member Hallett moved to approve Ordinance No. 2022-1671, 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. 2022-1672 An Ordinance Providing for the Review and Disposition of Complaints Regarding Financial Disclosure Reports Filed Under the Colorado Fair Campaign Practices Act in the Town of Windsor

In 2019, Senate Bill 19-232 was adopted stating that all complaints involving a “municipal campaign finance matter” must now be filed with the municipal clerk. The Senate bill did not, however, provide any direction on how municipal clerks are supposed to process, investigate, conduct hearings, or otherwise deal with such complaints. In the wake of this Senate Bill, some municipalities have adopted by ordinance formal local procedures for handling Fair Campaign Practice Act complaints.

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

Town Board Member Hallett moved to approved Ordinance No. 2022-1672, 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. Resolution No. 2023-04 A Resolution in Opposition to the Town of Windsor Referred Ballot Initiative 200 Concerning the Creation of a Downtown Permanent Parking District Appearing on the January 24, 2023 Special Election Ballot

Mayor Rennemeyer opened the meeting up for public comment.

Diane Huenerfauth from 200 Cattail Bay, Nancy Weber from 1233 Brookwood Ct., Annie Lloyd from 411 Main St., Dan Stauss from 201 Cattail Bay, Lauren Wiles from 950 Nantucket St., Carol Inkle from 400 10th St., Brent Phinney from 920 Palameno Way all addressed the board regarding support for the resolution.

Don Stavely from 129 N. Chimney Park Dr and Charlie Manweiler from 39454 Rangeview Drive in Severance both addressed the board regarding opposing the resolution.

Town Board Member Bennett moved to approve Resolution No. 2023-04, 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 Ms. Emil, provided a reminder that there is an executive session tonight and the entire title needs to be recited.

2. Communications from Town Staff

Per Ms. Frawley, the ballots were mailed this week. On Thursday, January 12 the election judges will start processing returned ballots. Election day is January 24 and results will be posted when counting is complete. On February 3rd the election results will be certified.

a. Financial Report - October 2022 - Dean Moyer, Director of Finance

3. Communications from Town Manager

Per Mr. Hale, on issue 200 and the campaign signs, staff has been receiving quite a few complaints on locations. Staff will meet with issue committees to explain the sign code and provide twenty-four hours' notice to self-police before staff starts removing signs that are violating the code.

4. Communications from Town Board

Town Board Member Cline reported that the high school wrestling team started the season ranked tenth in region 4A and at Christmas break had moved to second rank.

Per Town Board Wilson, Sophie Smith who is on the Women's National Soccer Team was named the female soccer player of the year tying Mia Hamm as the youngest female soccer player to win that award.

Mayor Rennemeyer reminded all about the upcoming Pints with Paul on Wednesday at High Hops from 4:30 to 6:30 p.m.

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 the Town Attorney Recruitment (Shane Hale, Town Manager)

Town Board Member Bennett 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 the Town Attorney recruitment, 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.

Upon a motion duly made, the Town Board entered into an Executive Session at 8:39 p.m.

Upon a motion duly made, the Town Board returned to the Regular Meeting at 9:17 p.m.

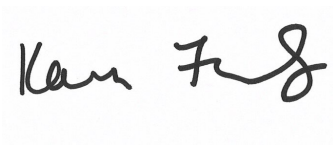
The Executive Session was closed and the Town Board returned to the Regular Meeting.

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 9:17 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, Ken Bennett, Julie Cline, Victor Tallon, Jason Hallett; Nays - None; Motion Passed.

Upon a motion duly made, the meeting was adjourned at 9:18 p.m.

A handwritten signature in black ink, appearing to read "Karen Frawley". The signature is fluid and cursive, with the first name "Karen" and the last name "Frawley" clearly distinguishable.

Karen Frawley, Town Clerk