



TOWN BOARD REGULAR MEETING

March 26, 2018 // 7:00 p.m. // Town Board Chambers
301 Walnut Street, Windsor, CO 80550

MINUTES

A. CALL TO ORDER

Mayor Melendez called the meeting to order at 7:00 p.m.

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| 1. <u>Roll Call</u> | Mayor | Kristie Melendez
Cindy Scheuerman
Ken Bennett
Paul Rennemeyer
Ivan Adams
Myles Baker |
| Absent | Mayor Pro Tem | |

Also Present:	Acting Town Manager/Town Clerk Town Attorney Communications/Assistant to Town Manager Director of Parks, Recreation and Culture Public Works Director Recreation Supervisor-Culture Finance Director Engineering Director Planning Director Senior Planner Police Chief Deputy Town Clerk	Patti Garcia Ian McCargar Kelly Houghteling Eric Lucas Terry Walker Luke Bolinger Dean Moyer Dennis Wagner Scott Ballstadt Millissa Berry Rick Klimek Amanda Mehlenbacher
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- Pledge of Allegiance
Town Board Member Rennemeyer led the pledge of allegiance
- Review of Agenda by the Board and Addition of Items of New Business to the Agenda for Consideration by the Board
Town Board Member Rennemeyer moved to approve the agenda as presented; Town Board Member Scheuerman seconded the motion. Roll call on the vote resulted as follows: Yeas – Scheuerman, Bennett, Rennemeyer, Adams, Melendez; Nays- None; Motion passed.
- Board Liaison Reports
 - Mayor Pro Tem Baker – Parks, Recreation & Culture Advisory Board; North Front Range/MPO alternate
Mayor Pro Tem Baker - Absent
 - Town Board Member Scheuerman – Water & Sewer Board; Clearview Library Board
Town Board Member Scheuerman reported that the Water and Sewer Board conducted a special meeting last Wednesday morning to discuss the water rate study.

Town Board Member Scheuerman reported that the Clearview Library Board will meet this Thursday, March 29, 2018.

- Town Board Member Bennett – Planning Commission; Windsor Housing Authority

Town Board Member Bennett reported that the Planning Commission met last Wednesday and reviewed the site plan that is on tonight's agenda for East Point Subdivision and Good Samaritan Society Assisted Living Facility and Memory Care Assisted Living Facility. Town Board Member Bennett reported that the Windsor Housing Authority met last Tuesday but he was unable to attend.

- Town Board Member Rennemeyer – Historic Preservation Commission; Great Western Trail Authority; Chamber of Commerce
Town Board Member Rennemeyer had no report.
- Town Board Member Adams – Tree Board; Poudre River Trail Corridor Board

Town Board Member Adams reported that the Tree Board meeting was moved from March 27th to the 20th. The Board met in Main Park to decide where to plant a number of trees that were donated by various groups within the community.

Town Board Member Adams reported that the Poudre River Trail Corridor Board is scheduled to meet April 5th.

- Mayor Melendez – Downtown Development Authority; North Front Range/MPO

Mayor Melendez reported that the North Front Range/MPO is not scheduled to meet until the first week in April.

Mayor Melendez reported that the Downtown Development Authority met on March 21st when they finalized the Wayfinding RFP and re-established the parking committee. Ms. Melendez also stated that the DDA was working on solutions for the crosswalk located at 5th and Main Street as well as 4th and Main Street. The goal is to make accessibility safer in the downtown area.

5. Public Invited to be Heard

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

B. CONSENT CALENDAR

1. Minutes of the March 12, 2018 Regular Meeting – Amanda Mehlenbacher
2. Resolution No. 2018-30 - A Resolution Approving and Ratifying a Deed of Dedication for Right of Way from RBR Crossroads, LLC, for Purposes of Establishing a Public Sidewalk in the Vicinity of Crossroads Boulevard and Fairgrounds Avenue – Millissa Berry
3. Resolution No. 2018-31 –A Resolution Approving the Grant of an Easement to Public Service Company of Colorado Upon Town-Owned Property – Terry Walker

Town Board Member Rennemeyer moved to approve the consent calendar as presented; Town Board Member Adams seconded the motion. Roll call on the vote resulted as follows: Yeas – Scheuerman, Bennett, Rennemeyer, Adams, Melendez; Nays- None; Motion passed.

C. BOARD ACTION

1. Outside Agency Funding Request – Humane Society of Weld County

- Staff presentation: Eric Lucas, Director of Parks, Recreation & Culture

The Humane Society of Weld County has reserved Boardwalk Park for an event titled “Paws and Sneakers 5k”, a fundraising event for the Weld County Humane Society, to be held on Saturday, June 23, 2018 from 8am – 2pm. They have completed the special event paperwork, paid the \$25 application fee as well as the appropriate park fee, amenities fee and the deposit.

Weld County Humane Society representative, Jenn Barday, Event Coordinator appeared before the Town Board to ask for Town support of their event through reimbursement of park impact fees. Ms. Barday requested reimbursement in the amount of \$350 in fees which is listed below:

- Race Event Fee: \$350

Town Board Member Adams expressed his support for this event.

Town Board Member Adams moved to approve the outside agency request as presented; Town Board Member Bennett seconded the motion. Roll call on the vote resulted as follows: Yeas – Scheuerman, Bennett, Rennemeyer, Adams, Melendez; Nays- None; Motion passed.

2. Outside Agency Funding Request - Walk M.S. – Windsor

- Staff presentation: Eric Lucas, Director of Parks, Recreation & Culture

Walk MS; Windsor has reserved Boardwalk Park for an event titled “Walk MS; Windsor”, a fundraising event to support cutting edge research, drive change through advocacy, and provide programs and services to help people with MS. The event is scheduled to be held on Saturday, May 12, 2018 from 8am – 12 noon. They have completed the special event paperwork, paid the \$25 application fee as well as the appropriate park fee, amenities fee and the deposit.

Debbie Gavato, Area Representative for Walk MS appeared before the Town Board to ask for Town support of their event through reimbursement of park impact fees. Ms. Gavato requested reimbursement in the amount of \$1,200 in fees which are listed below:

- Park Rental Fee: \$900
- Bandshell Fee: \$150
- Trail Fee: \$150

Ms. Gavato further explained to the Town Board what Multiple Sclerosis is and the affects it has on the body.

Town Board Member Scheuerman stated that this is a wonderful event and how she fully supports what the organization does to support MS.

Town Board Member Scheuerman moved to approve the outside agency request as presented; Town Board Member Bennett seconded the motion. Roll call on the vote resulted as follows: Yeas – Scheuerman, Bennett, Rennemeyer, Adams, Melendez; Nays- None; Motion passed.

3. Site Plan Presentation – East Pointe Subdivision 2nd Filing – East Pointe Plaza Commercial Center and Building 1/Lot 1 – Chris Ruff, owner/applicant; Leon McCauley, McCauley Constructors, applicant

- Staff presentation: Millissa Berry, Senior Planner

The property owner, Mr. Chris Ruff, and Mr. Leon McCauley, the applicant, are proposing a commercial center development in the East Pointe Subdivision 2nd Filing. The site of the proposed East Pointe Plaza is located southeast of the intersection of Highway 257 and Pointe Plaza Drive (south of the intersection of Main Street and SH 257). The site is zoned General Commercial (GC) and is located adjacent to properties zoned GC and Limited Industrial (I-L).

- Overall East Pointe Plaza development characteristics include:
 - total lot area of 4.75 acres
 - approximately 28% landscaped area (20% required)
 - 5 commercial buildings
 - 33,404 square feet of commercial space total
 - 172 parking spaces
 - detention pond

The proposal includes the subdivision of the site into 5 building lots and a tract for the detention pond. The development will be phased. Phase 1 includes Building 1 located in the northwest corner of the site, the associated landscaping, required parking, and access drive. Lot 1 is approximately 1.1 acres in area.

Building 1 / Lot 1 characteristics include:

- 9,021 square foot building
- building materials are a mix of hard coat stucco and brick veneer in earth tone colors with bronze metal awnings and blue metal canopies
- building height of 25'
- a flat roof with varied roofline
- patio area with planters
- site is 25% landscaped area
- 53 parking spaces (minimum of 44 required spaces for Building 1)
 - includes 2 handicapped spaces and bicycle parking
- up to 4 tenants including a Doug's Day Diner and a liquor store
 - liquor store includes a drive through feature
 - Doug's Day Diner includes outdoor seating area

Future buildings would have a complementary design to Building 1.

Additional site details were provided in the staff PowerPoint. The presentation was for the Town Board's information. It was noted that should the Town Board have any comments or concerns pertaining to this project, such comments were to be referred to staff during the presentation so that they may be addressed during staff's review of the project. The site plan will be reviewed and approved administratively by staff; however, if the project review process reveals issues that cannot be resolved between the applicant and staff, the site plan will be brought back to the Planning Commission and Town Board for review. The site

plan presentation was reviewed by the Planning Commission at its March 21, 2018 regular meeting.

There was no recommendation, as this item is for presentation purposes.

Mayor Melendez asked if there were any questions or comments from Town Board members.

Town Board Member Bennett commended the applicant and staff for their persistence with this challenging project.

Mayor Melendez inquired about the landscape surrounding the east elevation as the back side of the building faces one of Windsor's key corridors.

Ms. Berry stated that there is a section of landscaping along the property boarder itself as well as the right-of-way.

4. Site Plan Presentation – Water Valley South 25th Filing – Good Samaritan Society Assisted Living Facility and Memory Care Assisted Living – Greg Amble, The Evangelical Lutheran Good Samaritan Society, owner; Heather Scott, Boulder Associates Architects, authorized representative; Jon Sweet, TST, authorized representative

- Staff presentation: Millissa Berry, Senior Planner

The property owner, Mr. Greg Amble, is proposing an assisted living and memory care assisted living facility in the Water Valley South Subdivision 25th Filing. The site of the proposed assisted living facility is located on the southeast corner of the intersection of New Liberty Road and 7th Street just north of the existing Good Samaritan Senior Living Resort Independent Living Facility. The site is zoned Residential Mixed Use (RMU) and is located adjacent to other RMU-zoned properties.

Overall development characteristics include:

- total lot area of 2.93 acres
- 55,000 square foot (sf) building (~31% of the site)
 - One-story 16-bed licensed Memory Care Assisted Living at the southern portion of the building
 - Two-story 40-bed licensed Assisted Living Facility at the northern portion of the building.
 - Partial walk-out basement housing utility connections (~725 sf)
- 33 parking spaces (1 stall per 2 beds required – 28 stall minimum; plus shared parking with independent living facility for employees and visitors)
- approximately 23% landscaped area (20% required)

Building characteristics include:

- building materials are a mix of fiber cement board and batten siding, fiber cement lap siding, and asphalt shingles
- building height:
 - one-story at 28 feet (24 feet with 4 foot roof feature)
 - two-story at ~ 42 feet (~38 feet plus 4 foot roof feature)
 - walk-out area – varies; up to 12 feet

- pitched roof

Additional site details can be seen in the enclosed staff PowerPoint.

The current presentation is intended for the Town Board's information. Should the Town Board have any comments or concerns pertaining to this project, please refer such comments to staff during the presentation so that they may be addressed during staff's review of the project. The site plan will be reviewed and approved administratively by staff; however, if the project review process reveals issues that cannot be resolved between the applicant and staff, the site plan will be brought back to the Planning Commission and Town Board for review. The site plan presentation was reviewed by the Planning Commission at its March 21 regular meeting. The Planning Commission also reviewed the parking for the site and determined the proposed count was adequate for the use associated with the plan.

There was no recommendation, as this item is for presentation purposes.

Representative for Boulder Associates Architects, Heather Scott, 1602 Walnut Street, Boulder, CO expressed the reasoning behind what generated the form and site design for the building. Ms. Scott highlighted the challenges they faced as well as how they tied in the modern farmhouse feel while maintaining a residential feeling in expression of external architecture.

Town Board Member Scheuerman inquired if a railing would be added to the retaining wall as a safety precaution.

Ms. Scott responded yes.

Town Board Member Adams inquired about the number of elevators particularly in the independent portion of the facility.

Ms. Scott responded that there will be two elevators in the facility. One located near the main entrance as well as the north portion of the building.

Mayor Melendez commented that this facility serves a great need in the community in regards to senior housing options.

Town Board Member Rennemeyer inquired about the progress of the townhouses that set next to the independent living facility.

Jon Sweet, TST, authorized representative stated that there is currently two twin homes that were built; however, the current need is to complete the assisted living facility. Once complete, townhomes will fill in the remaining area.

Town Board Member Bennett inquired about additional parking for families and guests during special events.

Ms. Scott responded that there would be an opportunity for overflow parking on Compassion Drive as well as parking near the assisted living facility.

Mayor Melendez inquired about our current comp plan and if it includes the need to do more xeriscaping.

Ms. Berry responded that adding xeriscaping to the land use code is still underway and that this particular site plan falls under the existing land use code.

Mr. Ballstadt added that there is nothing that would prevent a person from purposing xeriscaping principals now; however, the code update will implement an incentive to encourage xeriscaping. Further, the Town does encourage drought tolerant species in all their landscaping plans.

5. Resolution No. 2018-32 – A Resolution Approving the Waiver of Certain Building Permit Fees Related to Weld RE-4 School District Improvements to Existing Schools in the Town of Windsor

- Legislative action
- Staff presentation: Scott Ballstadt, Director of Planning

As staff has shared in previous updates to Town Board, the Weld RE-4 School District (District) is preparing to submit nine building permits for upgrade projects at all of the Windsor schools and facilities associated with the approved bond issue. The District's fee waiver request pertains to those forthcoming permit applications. School districts have the option to process building plans and inspections through either the State of Colorado Division of Fire Safety or the local jurisdiction. The District would prefer to utilize the Town and SAFEbuilt due to time savings and a generally more user friendly process; therefore, staff and SAFEbuilt have worked with the District to prepare the attached comparison of State and local fees to illustrate potential scenarios that would essentially "match" the State fees.

Staff will provided a recommendation to approve the waiver of certain building permit fees based on Town Board direction received during the work session prior to the regular meeting.

Town Board Member Adams moved to approve Resolution No. 2018-32 - A Resolution Approving the Waiver of Certain Building Permit Fees Related to Weld RE-4 School District Improvements to Existing Schools in the Town of Windsor; Town Board Member Rennemeyer seconded the motion. Roll call on the vote resulted as follows: Yeas – Scheurman, Bennett, Rennemeyer, Adams, Melendez; Nays- None; Motion passed.

6. Resolution No. 2018-33 – A Resolution Appointing Shane Hale to Serve as the Town Manager for the Town of Windsor Pursuant to Article VIII of the Windsor Home Rule Charter, and Approving an Employment Agreement in Association Therewith

- Legislative action
- Staff presentation: Ian D. McCargar, Town Attorney

In response to instructions received from the Town Board, Mr. McCargar has provided Resolution No. 2018-33 appointing Shane Hale to serve as Town Manager, and prepared the attached Town Manager Employment Agreement in association therewith. Mr. Hale has been chosen following a thorough executive search, aided by the firm of Peckham & McKenney. Mr. Hale's terms of employment are set forth in the attached Employment Agreement. These terms

have been authorized by the Town Board, and are generally in line with established norms in Mr. Hale's field.

The Resolution of appointment is necessary under the Charter, and requires a two-thirds majority vote (5 votes) for adoption.

Staff recommends adopting Resolution No. 2018-33, five votes required.

Mayor Melendez wished to thank the Town of Windsor staff especially Ms. Garcia and Mr. McCargar as well as the community for the help in making this decision. Ms. Melendez stated that it would not have been possible without everyone's due diligence and participation.

Town Board Member Rennemeyer moved to approve Resolution No. 2018-33 - A Resolution Appointing Shane Hale to Serve as the Town Manager for the Town of Windsor Pursuant to Article VIII of the Windsor Home Rule Charter, and Approving an Employment Agreement in Association Therewith; Town Board Member Adams seconded the motion. Roll call on the vote resulted as follows: Yeas – Scheuerman, Bennett, Rennemeyer, Adams, Melendez; Nays- None; Motion passed.

7. Community Development Report

- Staff presentation: Scott Ballstadt, Director of Planning

Mr. Ballstadt gave an overview of the community development report that was included in packet material.

D. COMMUNICATIONS

1. Communications from the Town Attorney
None
2. Communications from Town Staff
None
3. Communications from the Acting Town Manager
None
4. Communications from Town Board Members
None

- E. An executive session pursuant to Colorado Revised Statutes Section § 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 terms.(Ian D. McCargar, Dennis Wagner)

Town Board Member Rennemeyer moved to go 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 water treatment terms. (Ian D. McCargar, Dennis Wagner); Town Board Member Scheuerman seconded the motion. Roll call on the vote resulted as follows: Yeas –Scheuerman, Bennett, Rennemeyer, Adams, Melendez; Nays-None; Motion passed.

The executive session commenced at 7:56 p.m.

Upon a motion duly made, the Town Board returned to the Regular Meeting at 9:15 p.m.

The executive session was closed and the Town Board returned to the Regular Meeting.

Upon returning to the regular meeting, Mayor Melendez 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 9:15 p.m.

F. ADJOURN

Town Board Member Bennett moved to adjourn; Town Board Member Scheuerman seconded the motion. Roll call on the vote resulted as follows: Yeas – Scheuerman, Bennett, Rennemeyer, Adams, Melendez; Nays-None; Motion passed.

The meeting was adjourned at 9:15 p.m.



Amanda Mehlenbacher, Deputy Town Clerk