



TOWN BOARD REGULAR MEETING
October 28, 2019 - 7:00 PM
Town Board Chambers, 301 Walnut Street, Windsor, CO 80550

MINUTES

A. CALL TO ORDER

Mayor Melendez called the meeting to order at 7:07 p.m.

1. Roll call

Mayor Kristie Melendez
Mayor Pro Tem Ken Bennett
Myles Baker
Barry Wilson
Paul Rennemeyer
Tom Jones
David Sislowski

Also Present:

Shane Hale, Town Manager
Kim Emil, Assistant Town Attorney
Rick Klimek, Chief of Police
Scott Ballstadt, Director of Planning
John Thornhill, Community Development Director
Stacy Miller, Director of Economic Development
Krystal Eucker, Town Clerk

2. Pledge of Allegiance

Town Board Member Jones led 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 Rennemeyer moved to approve the agenda as presented, Town Board Member Baker seconded the motion. Roll call on the vote resulted as follows; Yeas - Baker, Bennett, Jones, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

4. Proclamation

- National Adoption Day Proclamation

Mayor Melendez read the National Adoption Day Proclamation.

Charlene Montgomery with the Weld County Department of Human Services (WCDHS) at 315 N. 11th Avenue, Greeley, CO addressed the Board and spoke to the importance of foster families and adoption.

Jackie Underwood, Adoption Unit Supervisor with the WCDHS, thanked the Board for presenting the Proclamation. Currently they are finalizing 12 adoptions on National Adoption Day and close to 50 will be finalized by the end of the year.

5. Board Liaison Reports

- Town Board Member Baker - Tree Board, Historic Preservation Commission
Town Board Member Baker had no update. No meeting since last update.
- Town Board Member Wilson - Parks, Recreation and Culture Advisory Board; Poudre River Trail Corridor
Town Board Member Wilson had no update.
- Mayor Pro Tem Bennett - Water and Sewer Board
Mayor Pro Tem Bennett had no update.
- Town Board Member Rennemeyer - Chamber of Commerce
Town Board Member Rennemeyer had no update. No meeting since last update.
- Town Board Member Jones - Windsor Housing Authority; Great Western Trail Authority
Town Board Member Jones reported the Trail Authority will be meeting next week for the monthly meeting.

Mr. Jones referred to communication sent out earlier to Town Board regarding the purchase of the Governor's Farm Apartments. The new owner wants to keep them in the same rural housing category, or in other words, Affordable Housing for the community. There was initial concern over the sale of the apartments, but apparently the new owner will continue offering low income housing.

- Town Board Member Sislowski - Clearview Library Board; Planning Commission
Town Board Member Sislowski had no report.

Mr. Sislowski was unable to attend the Planning Commission meeting.

Mayor Melendez shared that the Clearview Library Board has an upcoming community meeting regarding the Library's Strategic Plan on November 12th from 6:00 p.m. - 8:00 p.m. Community members are encouraged to come and give input.

- Mayor Melendez - Downtown Development Authority; North Front Range/MPO
Mayor Melendez had no update from the North Front Range MPO since the last meeting.

Mayor Melendez reported the DDA presented their budget to the Town Board last week. At that meeting, Mr. Moyer, the Town Finance Director, pointed out an error in the total revenues; the final revenues that totaled about \$15K, in actuality will only be about half or \$7K.

The DDA has a new blue sticker that has been distributed to the business downtown.

The DDA is also gearing up for Small Business Saturday which is the Saturday following Thanksgiving, November 30th with their 4th annual Elf on the Shelf Program. Individuals who shop downtown Windsor will have 3 chances to win.

Windsor Wonderland is scheduled for Saturday, December 7, 2019.

Also, the DDA is planning a new event, A Chocolate Affair, for sometime in February. More information forthcoming.

6. 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 October 14, 2019 Regular Town Board Meeting
2. Resolution No. 2019-71 - A Resolution Approving an Intergovernmental Agreement for Assistance with Great Outdoors Colorado Funding for the Completion of the Poudre River Trail, Between the Town of Windsor, Colorado and Larimer County - W. Willis

Town Board Member Rennemeyer moved to approve the consent calendar as presented, Town Board Member Baker seconded the motion. Roll call on the vote resulted as follows; Yeas - Baker, Bennett, Jones, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

C. BOARD ACTION

1. Public Hearing and Conditional Use Grant (CUG) for a Public Utility Installation Including Transmission Lines and Substation - Avery Substation - Public Service Company of Colorado, Applicant: Nicole Korbe, Applicant's Representative

Mr. Ballstadt informed the Board that an error was made and the public hearing sign was not posted on the property as required by the Municipal Code. Therefore, Planning Commission postponed this item to their November 6, 2019 regular meeting and staff requests that Town Board postpone the public hearing until the November 25, 2019 regular Town Board meeting.

Town Board Member Jones moved to moved to postpone this item to November 25, 2019, Mayor Pro Tem Bennett seconded the motion. Roll call on the vote resulted as follows; Yeas - Baker, Bennett, Jones, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

2. Optimist Club of Windsor Outside Agency Funding Request

Mr. Bennett stated he would be recusing himself from this agenda item as he has an affiliation with the organization.

Mr. Hale reported the Optimist Club of Windsor has submitted the attached long form grant application requesting \$1,968.00 from the 2019 outside agency funding budget to develop and publish marketing materials for the 2020 Duck Derby, Kindness Week and the Windsor Optimist Club brochure. The Optimist Club of Windsor is a non-profit agency that aids and encourages youth in the community.

The 2019 outside agency fund had a beginning balance of \$101,903 with \$20,867.30 spent to date, leaving \$81,035.70 remaining for 2019.

Gary Martin, 1687 Eaton Valley Lane, Severance, CO, is the President of the Optimist Club. Tom Macy, 8281 Star Lane, Windsor, CO, is a Board Member of the Optimist Club. Both were present to answer questions of the Board.

Mayor Melendez praised the Club's outreach efforts for the annual events organized by the Club from the Easter Egg hunt to the Halloween party.

Mr. Jones stated, as referred in the Club's application, that they have been in existence for 45 years and have hosted 6-7 major annual events, some for as long as 30 years. Great contributors to the community.

Mr. Sislowski inquired as to their funding.

Mr. Martin stated that there are membership dues, but most of their funding comes through two funding projects. The Club partners with Quality Crafters to host the Christmas in Windsor event every year from which they receive a good portion of their funding. The second fundraising event is the Duck Derby.

Town Board Member Rennemeyer moved to moved to approve the funding request of \$1,968.00 for the Windsor Optimist Club, Town Board Member Baker seconded the motion. Roll call on the vote resulted as follows; Yeas - Baker, Jones, Melendez, Rennemeyer, Sislowski, Wilson; Abstain - Bennett; Motion Passed.

3. Ordinance No. 2019-1595 - An Ordinance Amending Chapter 2 and Chapter 16 of the Windsor Municipal Code with Respect to the Removal of Members of Certain Boards and Commissions Serving the Town of Windsor

Per Ms. Emil, the Ordinance was brought before the Board on second reading to correct the inconsistent and redundant language regarding the removal process for the Planning Commission and the Board of Adjustment advisory board members, so they are treated in like fashion in the event of removal.

The Ordinance before you is a corrected version from that presented on September 23, action on which was postponed to October 14 to allow for the correction.

There have been no changes since first reading.

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

Mayor Pro Tem Bennett moved to approve Ordinance 2019-1595, Town Board Member Wilson seconded the motion. Roll call on the vote resulted as follows; Yeas - Baker, Bennett, Jones, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

4. Ordinance 2019-1596 - An Ordinance Repealing, Amending and Re-adopting Portions of Section 13-2-80 of the Windsor Municipal Code with Respect to the Dedication of Water Rights and Payment of Cash in Lieu of Water Rights Dedication

Per Mr. Thornhill, this ordinance amends Sections of 13-2-80 Dedication of Water Rights with respect to the amount of raw water that is required for development of single-family and multi-family residences. Each of the proposed dedication amounts include the full shrink values recommended in the Town's water master plan, as well as a drought protection factor.

There have been no changes since first reading.

Mr. Jones stated that data shows multi-family dwellers use less water than single-family residences.

Mr. Thornhill confirmed Mr. Jones' observation and further added that the reason for the difference in water usage is due to the fact that the household size in multi-family units is typically smaller than the household size of those families dwelling in single-family units.

Mr. Sislowski stated that regardless of whether it is non-potable or dual tap in multi-family or single family dwellings, the dedication will be the same.

Mr. Thornhill confirmed and clarified that both dwellings required 3 acre-foot/acre. The difference is the outdoor portion. If it is set up with a separate, private non-potable system, then that is on the Metro District or HOA who manages it. However, if all the water, both potable and non-potable, is treated as potable and delivered as such, then the Town would require the 3 acre-foot/ acre.

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

Town Board Member Rennemeyer moved to approve Ordinance 2019-1596, Town Board Member Baker seconded the motion. Roll call on the vote resulted as follows;

Yeas - Baker, Bennett, Jones, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

5. Ordinance No. 2019-1597 - An Ordinance Pursuant to Section 3.1 of the Town of Windsor Home Rule Charter Approving a Revision to the Boundries of Municipal Election Districts within the Town of Windsor, Colorado

Per Ms. Emil, the Ordinance was brought before the Board on first reading.

At the October 21, 2019 work session, background information and a draft map were provided to the Town Board regarding Charter requirements related to review of the election districts. The districts are to be reviewed every two years, but the Town can only redistrict once every six years unless such change is necessary to conform to constitutional apportionment requirements. At least 180 days before a biennial election, the Town Clerk is to determine if the number of registered electors in the district containing the lowest number of registered electors is less than eighty-five (85) percent of the number of registered electors in the District containing the highest number. The geographic districts are based on the number of registered electors for each district and not expressly tied to raw population. Current registered elector data was received by both Weld and Larimer Counties. It was found that the districts were not in compliance with the Charter requirements listed in Section 3.1 and that redistricting would be required.

Below is a breakdown of the number of current registered elector numbers in each district using the current district map; District 3 is the highest with 4,774. Using the formula in the Charter, none of the districts are in compliance.

	District 1	District 2	District 3	District 4	District 5	District 6
Registered Electors	3,585	3,526	4,774	2,829	2,753	4,015

In order to come into compliance for the 2020 municipal election, the Town's GIS department was tasked with creating the attached revised district map using the current voter registration data; the current district map and potential growth areas in Windsor were taken into account. The revised district map for consideration was reviewed by the Town Board on October 21, 2019 and meets the 85% requirement set by the Charter.

Number of registered electors using the revised district map:

	District 1	District 2	District 3	District 4	District 5	District 6
Registered Electors	3,500	3,382	3,394	3,711	3,579	3,735

The largest district in the revised map is District 6; which provides for all districts to be in compliance with the Charter requirement.

The time frame for redistricting is as follows:

- October 28, 2019 - 1st reading of redistricting ordinance
- November 25, 2019 - 2nd reading of redistricting ordinance
- December 9, 2019 - New districts in place

Ms. Melendez inquired as to when the information will be available to the public.

Ms. Emil stated that it would be available for presentation after the second reading.

Mr. Hale further added that it typically takes effect 10 days after the Town Board adopts it. Staff could have that map ready to go live as soon as it is effective.

Ms. Emil reiterated that the memo stated the timeline for redistricting had the new districts in place by December 9.

Mayor Pro Tem Bennett moved to approve Ordinance 2019-1597, Town Board Member Rennemeyer seconded the motion. Roll call on the vote resulted as follows; Yeas - Baker, Bennett, Jones, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

6. Ordinance No. 2019-1598 - An Ordinance Repealing Subsection (b) of Section 10-11-20 of the Windsor Municipal Code Concerning the Public Consumption of Alcohol within Public Parks in the Town of Windsor

Per Mr. Lucas, on November 26, 2018, the Town Board passed Ordinance No. 2018 - 1575 which addressed public consumption of alcohol within the Town and public parks. This occurred due to amendments to the Colorado Revised Statutes which eliminated 3.2% alcohol beverages as a licensed classification and the availability of 3.2% alcohol beer.

The aforementioned ordinance, permits beer and wine in all parks with the exception of Chimney Park unless authorized by a special event license or other local licensing authority. The Ordinance included a sunset clause of one (1) year. The intent of the sunset clause was to force a review of the policy and enable staff and Town Board to make changes if needed based upon any issues that may arise. Staff was directed to prepare the following information to aid in making a decision as to whether the ordinance should be modified in any way.

- Recreation staff will add a self-reporting box on all special events, park and pavilion rentals to track usage of alcohol in parks.
- Recreation staff will track and compare beer garden sales from 2018 events against 2019 events for comparison and analysis.
- Police department will track and compare crime statistics for 2019 and compare against previous years.

As we near the end of 2019, staff has compiled the requested data (see below), in an effort to make an informed decision.

- Recreation staff will add a self-reporting box on all special events, park and pavilion rentals to track usage of alcohol in parks. (We had 445 rentals with 45 self reporting the use of alcohol).
- Recreation staff will track and compare beer garden sales from 2018 events against 2019 events for comparison and analysis. (Beer garden sales from 2018 were \$11,750 and in 2019, sales were \$10,616. 2019 had one less concert, so when staff examined sales on an average concert basis, 2018 concerts averaged \$15 more than 2019 concerts).
- Police department will track and compare crime statistics for 2019 and compare against previous years. (The Police Department reported no significant issue or change in crime statistics between 2018 and 2019).

In conclusion, staff from both the Police and Parks, Recreation & Culture Department saw no significant issues with the new ordinance.

Town Board Member Rennemeyer moved to approve Ordinance 2019-1598, Town Board Member Jones seconded the motion. Roll call on the vote resulted as follows; Yeas - Baker, Bennett, Jones, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

7. Economic Development Update

Ms. Miller gave an overview of the Economic Development Report.

Groundbreakings/Opening:

- Intersand
- Inta Juice
- CPP Wind

Meetings and Conferences:

- CREW Conference
- Small Business Development Center - Annual Women's Conference
- EDCC Conference
- Talent 2.0 Conference - report identifying workforce gaps will forwarded to Town Board
- Larimer County Workforce Conference
- SMPS

Since last update:

- 6 prospect tours/visits with various companies

Year-to-date:

- 53 company visits
- 5 company expansions - situations vary: availability of physical space, equipment or investment into the company, and/or hiring/ job needs.

The economic incentive funds:

- Still have outstanding funds to reimburse. Econa Hotel (dba. Springhill Suites) Certificate of Occupancy pending punch list items to complete. Hoping to open by the end of the year, but may be early 2020 due to nature of items to complete being weather dependent. Currently have TCO and open for business. 97 rooms.
- 4 approval carry-overs
- Will continue to keep the Town Board updated in January.
- As of January of last year, since incentives were started in 2003, waived fees in the amount of \$15 million, but acquired the investment from the companies of over \$670 million. Therefore, a good return on our investment from an investment standpoint. Total includes Sports Park.
- 1700 new jobs

D. COMMUNICATIONS

1. Communications from Town Attorney

None.

2. Communications from Town Staff

Chief Klimek informed the Board that the 375 pounds of prescription drugs were collected during National Drug Take Back Day.

The Optimist Club along with the Police Department will be hosting the Halloween event on October 31st from 6:00 - 8:00 p.m. Always need more volunteers.

Lastly, Chief Klimek participated in a Gun Safety Coalition initiative to create a safer environment in reference to juveniles and their access to guns. Friday morning, kick-off at the Ranch.

Mr. Sislowski expressed concern regarding the Police Department's report over the jump in domestic violence and animal abuse.

Chief Klimek stated that the numbers are cyclical and are common as the holiday seasons approach with stresses at home between financial and other issues and the involvement of alcohol. Not uncommon to see an increase in those areas during the winter months. Springtime generally brings a decrease in those areas.

a. Windsor Police Department September 2019 Statistical Report

3. Communications from Town Manager

Mr. Hale gave a reminder of the Windsor Fall Clean Up day for yard waste that is scheduled for Saturday, November 2nd from 9 a.m. - 3 pm. This event is weather dependent. Warming temperatures may cause muddy conditions in Eastman Park south where the Clean Up day is scheduled to take place. Considering relocating to the paved lot at Eastman Park on the north side. Other concern is if it snows, priority for the Public Works employees assisting with the Clean Up, will be moved to snow removal. Therefore, may need to be rescheduled event.

4. Communications from Town Board

Mr. Jones inquired about the ballot issue concerning North Weld's rise in Mill Levy. Constituents are asking how to vote.

Mr. Thornhill stated that they are inputting those numbers right now into the water rate model analysis. Will build in the 10% increase that North Weld is projecting for 2020. Then, depending on if the Mill Levy passes, that will be built in to the Rate model as well.

Mr. Hale mentioned that the Mill Levy increase doesn't effect a large portion of Windsor's population.

Mr. Thornhill further added that those residents who are serviced by the Town, but also reside within the North Weld Water District will be excluded from the Mill Levy increase.

Mr. Sislowski was approached regarding similar questions from residents.

Mr. Thornhill explained how with growth the Town has annexed in some subdivisions, but never went through the exclusion process to take those areas out of the District. The North Weld Mill Levy increase, if passed, will not affect those residents who are currently receiving their water from the Town of Windsor.

E. ADJOURN

Town Board Member Rennemeyer moved to adjourn, Town Board Member Baker seconded the motion. Roll call on the vote resulted as follows; Yeas - Baker, Bennett, Jones, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.



Krystal Eucker, Town Clerk