



TOWN BOARD REGULAR MEETING

April 13, 2020 - 5:00 PM

Zoom Meeting, Click on the link <https://windsorgov.zoom.us/j/465527914> OR by join by telephone at (888) 788-0099 or (877) 853-5247 - Webinar ID: 465 527 914

MINUTES

A. CALL TO ORDER

Mayor Melendez called the meeting to order at 5:04 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
Ian McCargar, Town Attorney
Eric Lucas, Public Services Director
David Eisenbraun, Senior Planner
John Thornhill, Community Development Director
Jessica Humphries - Administrative Services Director
Krystal Eucker, Town Clerk

2. Pledge of Allegiance

Mayor Melendez asked that everyone rise for 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 Wilson seconded the motion. Roll call on the vote resulted as follows; Yeas - Baker, Bennett, Jones, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

4. Proclamation

- Arbor Day Proclamation

Mayor Melendez read the Arbor Day Proclamation.

5. Board Liaison Reports

- Town Board Member Baker - Tree Board, Historic Preservation Commission

Town Board Member Baker had no report.

- Town Board Member Wilson - Parks, Recreation and Culture Advisory Board; Poudre River Trail Corridor

Town Board Member Wilson had no report.

- Mayor Pro Tem Bennett - Water and Sewer Board
Mayor Pro Tem Bennett has no report.
- Town Board Member Rennemeyer - Chamber of Commerce
Town Board Member Rennemeyer had no report.
- Town Board Member Jones - Windsor Housing Authority; Great Western Trail Authority
Town Board Member Jones reported the Great Western Trail Authority had a bid opening and the bid was awarded to L4 out of Greeley, CO for completion of the 5.5 miles of the Trail from Eaton to Severance.
- Town Board Member Sislowksi - Clearview Library Board; Planning Commission
Town Board Member Sislowksi reported the items on the Planning Commission agenda are on this evenings Town Board agenda.
- Mayor Melendez - Downtown Development Authority; North Front Range/MPO
Mayor Melendez reported the MPO did approve the multimodal options fund that Windsor has a project coming from. There was also an update on the segment 6 project from Berthoud to Johnstown and the construction manager reported that construction will begin during design.

6. Public Invited to be Heard

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

B. CONSENT CALENDAR

1. Resolution No. 2020-23 - A Resolution Authorizing A Change Of Street Name For St. Andrews Court To Bay Hill Court In The Villages At Ptarmigan Subdivision - P. Hornbeck
2. Resolution No. 2020-24 - A Resolution Authorizing the Town Manager to Waive the Collection of Reimbursement for Improvements to Weld County Road 64 as Provided in the Cummins Annexation Agreement dated September 29, 2000 - S. Ballstadt
3. Resolution No. 2020-25 - A Resolution Approving and Adopting the Second Addendum to 2007 Memorandum of Agreement Between the Town of Windsor and the Weld County School District Re-4 With Respect to Shared Facilities, and Authorizing the Town Manager to Execute Same - - Ian D. McCargar, Town Attorney
4. Resolution No. 2020-26 - A Resolution Approving, Ratifying, and Accepting an Interim Sanitary Sewer Agreement regarding RainDance North
5. Report of Bills March 2020

Town Board Member Rennemeyer moved to 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, Sislowksi, Wilson; Motion Passed.

Town Board Member Rennemeyer moved to postpone items C.1-C.4 to the end of the agenda and to 7:00 p.m., Town Board Member Jones seconded the motion. Roll call on the vote resulted as follows; Yeas - Baker, Bennett, Jones, Melendez, Rennemeyer, Sislowksi, Wilson; Motion Passed.

C. BOARD ACTION

1. Resolution No. 2020-29 - A Resolution Approving and Accepting the Town of Windsor 2020 Parks, Recreation and Culture Strategic Plan

Per Mr. Lucas, In 2019, the Parks, Recreation and Culture Department selected and hired PROS Consulting to develop the departments first strategic plan. Over the course of the 2019 and into 2020, PROS met with staff, elected officials, and the public as well as performed a statistically valid survey around resident perceptions of the department, its facilities and services.

On March 2, 2020, Neelay Bhatt, our consultant from PROS presented the draft plan that was a result of the extensive community outreach they performed. Overall, the Board appreciated the work and appeared in favor of the plan with the exception of some language around the identified big moves. Since that time the consultant and staff revisited and addressed the Boards concern in the plan.

Staff recommends approval of Resolution No. 2020-29.

Mayor Pro Tem Bennett moved to approve Resolution 2020-29, 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.

2. Resolution No. 2020-30 - A Resolution Ordering a Public Hearing on the Petition for Formation of the Future Legends Sports Park Business Improvement District

Per Mr. McCargar, representatives of the Future Legends Sports Park have petitioned for the organization of a business improvement district. The statutory next step is to fix the date of the required public hearing by "order", which in this case takes the form of a the attached Resolution.

Further detail will be provided as the Petition and related paperwork undergoes review by Special Counsel Carolyn Steffl.

Town Board Member Rennemeyer moved to approve Resolution 2020-30, 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.

Town Board Member Rennemeyer moved to change the time in Resolution 2020-30 from 7:00 p.m. to 5:00 p.m., Town Board Member Sislowski seconded the motion. Roll call on the vote resulted as follows; Yeas - Baker, Bennett, Jones, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

3. Finance Report December 2019

Mr. Moyer gave a brief overview of the finance report that was included in packet material.

4. Public Hearing - Final Major Subdivision - Raindance Subdivision 8th Filing - David Nelson/Martin Lind, owner/applicants, and Tom Siegel, applicant's representative

Town Board Member Rennemeyer moved to open the public hearing, 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.

Mr. Sislowski stated, "Madam Mayor, in my capacity as the Town Board liaison for the Planning Commission I was present at the Commission meeting during which this matter was previously presented. I wish to state that my participation in the Planning Commission proceedings has in no way influenced me in my capacity as a Town Board Member this evening. I will make my decision and cast my vote this evening based solely on the evidence presented during this

public hearing."

Per Mr. Eisenbraun the applicant, Mr. Martin Lind of Raindance Land Company, LLC, has submitted a final major subdivision plat, known as Raindance Subdivision Eighth Filing. The subdivision encompass approximately 616 total acres, with 40.2 acres being specifically developed and zoned Planned Unit Development (PUD). The remainder of the 576 acres are platted as future development tracts, with the majority being for the future golf course and approximately a 32 acre portion designated for multi-family along Colorado Boulevard.

Final Plat characteristics for 8th filing:-

- 616.35 total acres (40.16 ac. developed)
- 138 single-family lots
 - Lot sizes:
 - 52: 5,500 sf lots
 - 86: 6,600 sf lots
- Density: 3.4 dwelling units per acre
- Product: 1 & 2-story houses with attached garages
- Parks (owned and maintained by metropolitan district)
 - Not applicable due to location proximity of Raindance Subdivision 2nd Filing parks.
- Tracts for open space / agriculture use = ~ 3 acres
- Extension of trail system

As required with a preliminary subdivision submittal, the applicant held a neighborhood meeting on December 3, 2019, in accordance with Chapter 16, Article XXXI of the Municipal Code. Two neighbors attended. Please see the enclosed neighborhood meeting notes for discussion topics. No additional citizen comments have been received to date by the planning staff.

Furthermore, there have been no substantive design changes to the 8th filing since the preliminary plat approvals by the Planning Commission on January 15, 2020 or the final plat recommendation to Town Board on April 1, 2020.

The application is consistent with various goals of the Comprehensive Plan as well as the Strategic Plan.

Notifications were completed in accordance with the Municipal Code.

At their April 1, 2020 meeting, Planning Commission forwarded to the Town Board a recommendation of approval of the Final Major Subdivision application with the following conditions:

1. The Developer shall dedicate ROW and easements on the east side of Colorado Blvd. sufficient for potential construction of a future two lane roundabout at the intersection of Colorado Blvd. and Cherry Blossom Dr.
2. The Developer shall work with staff and prepare an elevated water tank design, through a collaborative design and cost effort, that shall provide adequate emergency pressure and water quantity for the south pressure zone based on development and Town water system models.
3. The Developer shall convey a tract of land near the highest elevation location just north of New Liberty Dr. for construction of an elevated water tank. The tract of land shall be sufficient in size for installation of the proposed elevated water tank. All permanent and temporary easements necessary for construction, operation, and maintenance of the water tank and associated appurtenances shall be dedicated by the Developer to the Town at no cost to the Town.
4. The Town agrees to pay Developer its pro rata share of the water tower construction costs and its pro rata share of the cash in lieu per acre price of \$58,788 in exchange for the dedication of the land.
5. The Developer shall construct an elevated water tank by the end of year 2022, unless there is considerable economic faults due to acts outside of the Town's or developers control. The Town shall reimburse the Developer its pro rata share within thirty days of construction acceptance of the water tower. The pro rata share, yet to be determined, shall be calculated for the cost of design and construction based on the percentage of build out

service area water usage outside of the RainDance Master Plan area

6. Upon dedication of the water tower and any real property to the Town, ownership and maintenance responsibility lies with the Town. Any proposed exclusive rights to the water tower by the developer, being a Town asset and maintained by the Town, are postponed until at such a time when the design of the Tower and any additional marketing or telecommunications uses associated with it, are brought back to the Town in writing.

Staff recommends that the approve the final major subdivision as presented, subject to all remaining Town Board and staff comments and conditions being addressed.

Staff requests the following be entered into the record:

Application and supplemental material

Staff memorandum and supporting documents

All testimony presented at the public hearing

Recommendation

Mr. Baker inquired as to the water tower and if that is something the Town is requiring from the developer.

Mr. Eisenbraun stated it is not something the Town is requiring of the developer at this juncture. It will be something the Town will need in the future.

Mr. Lind stated they have the optimal area for the tower.

Mr. Sislowski inquired as to what Tract H is.

Mr. Eisenbraun stated Tract H is set aside for future multifamily.

Mr. Sislowski inquired about the water tower not for sure being in this filing.

Per Mr. Eisenbraun; that is correct.

Mr. Bennett inquired as to the water that will be in the tower.

Mr. Hale stated it the water will be owned by the Town and it will be potable water.

Dr. Jones inquired as to the parts of Windsor that the tower would serve.

Mr. Eisenbraun stated it would most likely serve RainDance as well as the east side of town, north of New Liberty but that is still to be determined.

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

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

5. Resolution No. 2020-27 - A Resolution Approving a Final Major Subdivision - Raindance Subdivision 8th Filing - David Nelson/Martin Lind, owners/applicants, and Tom Siegel, applicant's representative

Mr. Eisenbraun had nothing further to add.

Town Board Member Rennemeyer moved to approve Resolution 2020-27, 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.

6. Public Hearing - Final Major Subdivision - Raindance Subdivision 9th Filing - David Nelson/Martin Lind, owners/applicants, and Tom Siegel, applicant's representative

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

Per Mr. Eisenbraun, the applicant, Mr. Martin Lind of Raindance Land Company, LLC, has submitted a final major subdivision plat, known as Raindance Subdivision Ninth Filing. The

subdivision encompass approximately 108 acres and are zoned Planned Unit Development (PUD). There are 35 acres platted as future development tracts, largely being designated for the future golf course.

Final Plat characteristics for 9th filing: ·

- 108.5 total acres (73.5 ac. developed)
- 239 single-family lots
 - Lot sizes:
 - 122: 5,500 sf lots
 - 117: 6,600 sf lots
- Density: 3.2 dwelling units per acre
- Product: 1 & 2-story houses with attached garages
- Parks (owned and maintained by metropolitan district)
 - One small pocket park along Covered Bridge Parkway.
 - Limited additional parks due to location proximity of Raindance Subdivision 2nd Filing parks.
- Tracts for open space / agriculture use = ~ 16.6 acres ·
- About 35 acres are dedicated for future development
- Extension of trail system

As required with a preliminary subdivision submittal, the applicant held a neighborhood meeting on December 3, 2019, in accordance with Chapter 16, Article XXXI of the Municipal Code. Two neighbors attended. Please see the enclosed neighborhood meeting notes for discussion topics. No additional citizen comments have been received to date by the planning staff.

Furthermore, there have been no substantive design changes to the 9th filing since the preliminary plat approvals by the Planning Commission on January 15, 2020 or the final plat recommendation to Town Board on April 1, 2020.

The application is consistent with various goals of the Comprehensive Plan as well as the Strategic Plan.

Notifications were completed in accordance with the Municipal Code.

At their April 1, 2020 meeting, Planning Commission forwarded to the Town Board a recommendation of approval of the Final Major Subdivision application with the following conditions:

1. The Developer shall dedicate ROW and easements on the east side of Colorado Blvd. sufficient for potential construction of a future two lane roundabout at the intersection of Colorado Blvd. and Pear Blossom Dr.
2. If not already completed as part of Raindance 8th Filing, the Developer shall work with staff and prepare an elevated water tank design, through a collaborative design and cost effort, that shall provide adequate emergency pressure and water quantity for the south pressure zone based on development and Town water system models.
3. If not already completed as part of Raindance 8th Filing, the Developer shall convey a tract of land near the highest elevation location just north of New Liberty Dr. for construction of an elevated water tank. The tract of land shall be sufficient in size for installation of the proposed elevated water tank. All permanent and temporary easements necessary for construction, operation, and maintenance of the water tank and associated appurtenances shall be dedicated by the Developer to the Town at no cost to the Town.
4. If not completed as part of Raindance 8th Filing, the Town agrees to pay Developer its pro rata share of the water tower construction costs and its pro rata share of the cash in lieu per acre price of \$58,788 in exchange for the dedication of the land.
5. If not completed as part of Raindance 8th Filing, The Developer shall construct an elevated water tank by the end of year 2022, unless there is considerable economic faults due to acts outside of the Town's or developers control. The Town shall reimburse the Developer its pro rata share within thirty days of construction acceptance of the water tower. The pro rata share, yet to be determined, shall be calculated for the cost of design and construction based on the percentage of build out service area water usage outside of the RainDance Master Plan area.

6. Upon dedication of the water tower and any real property to the Town, ownership and maintenance responsibility lies with the Town. Any proposed exclusive rights to the water tower by the developer, being a Town asset and maintained by the Town, are postponed until at such a time when the design of the Tower and any additional marketing or telecommunications uses associated with it, are brought back to the Town in writing.

Staff recommends approval the final major subdivision as presented, subject to all remaining Town Board and staff comments and conditions being addressed.

Staff requests the following be entered into the record:

- Application and supplemental material
- Staff memorandum and supporting documents
- All testimony presented at the public hearing
- Recommendation

Mr. Baker inquired if there will still be agricultural farming along Colorado Boulevard.

Mr. Eisenbraun stated there still will be and that will include orchards and community farms along Colorado Boulevard.

Mr. Lind stated there will be larger farming parcels along Crossroads Boulevard.

Dr. Jones inquired about the water tank being elevated and what that might look like.

Mr. Myers with TST Consulting stated the water tank will be between 400,000 and 500,000 gallons; the water tank at Wal-Mart is about 2 million gallons. The tank will be approximately 130-150 feet tall.

Town Board Member Rennemeyer moved to close the public hearing, 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.

7. Resolution No. 2020-28 - A Resolution Approving a Final Major Subdivision - Raindance Subdivision 9th Filing - David Nelson/Martin Lind, owner/applicant, and Tom Siegel, applicant's representative

Mr. Eisenbraun had nothing further to add.

Town Board Member Baker moved to approve Resolution 2020-28, Town Board Member Sislowski seconded the motion. Roll call on the vote resulted as follows; Yeas - Baker, Bennett, Jones, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

D. COMMUNICATIONS

1. Communications from Town Attorney
None.
2. Communications from Town Staff
None.
3. Communications from Town Manager
 - a. Monthly Board Report
4. Communications from Town Board

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.

The meeting was adjourned 7:44 p.m.

A handwritten signature in black ink, appearing to read 'Krystal Eucker', written in a cursive style.

Krystal Eucker, Town Clerk