



TOWN BOARD REGULAR MEETING

January 25, 2021 - 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

Mayor Paul Rennemeyer
Mayor Pro Tem Ken Bennett
Scott Charpentier
Barry Wilson
Julie Cline
Victor Tallon
David Sislowski

Also Present:

Shane Hale, Town Manager
Ian McCargar, Town Attorney
Jessica Humphries, Admin Services Director
Kim Emil, Assistant Town Attorney
Dean Moyer, Finance Director
Eric Lucas, Public Services Director
Rick Klimek, Police Chief
Scott Ballstadt, Director of Planning
Paul Schwindler, Deputy Director of Public Works
Tara Fotsch, Deputy Director of PRC
Aaron Lopez, Police Commander
Carlin Malone, Chief Planner
Stacy Miller, Economic Development Director
McKenzie Payne, Visual Media Coordinator
Karen Frawley, Town Clerk

2. Pledge of Allegiance

Mayor Rennemeyer asked that all 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 Tallon moved to approve the agenda as presented, Mayor Pro Tem Bennett seconded the motion. Roll call on the vote resulted as follows; Yeas - Bennett, Charpentier, Cline, Rennemeyer, Sislowski, Tallon, Wilson; Motion Passed.

4. Board Liaison Reports

- Town Board Member Charpentier - Chamber of Commerce, Clearview Library Board

Town Board Member Charpentier reported that there was another work session with the Library regarding the location of their new building.

Town Board Member Charpentier reported that the Chamber of Commerce will be meeting later in the week. There are currently two hundred sixty seven paying members with seven new members in January alone. Grand openings continue and the Windsor Strong magazine has gone out. The Chamber is also working on forming the Windsor Tourist Commission.
- Town Board Member Wilson - Planning Commission, Larimer County Behavioral Health Policy Council

Town Board Member Wilson reported that there are no updates as neither board has met since the last Board Meeting.
- Mayor Pro Tem Bennett – Water and Sewer Board, 34, and I-25 Coalition’s

Mayor Pro Tem Bennett reported that the I25 Coalition will meet next Wednesday evening, the 34 Coalition will meet next Thursday evening.

Mayor Pro Tem Bennett reported that the Water and Sewer Board has reestablished their ad hoc committee which will provide education to the public on various water topics. The Board received an update on the NISP project. The board received information that ninety-one percent of the State is in some stage of drought and snow pack is significantly below average for this time of year. Staff is working on a drought plan and should be coming before the Board quickly.
- Town Board Member Cline – Tree Board, Poudre River Trail Corridor Authority, Historic Preservation Commission

Town Board Member Cline reported that Tree Board will meet tomorrow.

Town Board Member Cline reported that the Historic Preservation Commission met last week and discussed the small amount of money for members of the Historic Preservation Commission to attend a Saving Places virtual conference in February. Staff put together a letter to send to people who might be eligible to have their place listed as a historical site. The Commission also had discussions on outreach and education on the History of Windsor and what programs will happen for 2021.

Town Board Member Cline reported that the Poudre River Trail Corridor Authority will have their meeting on Thursday. The education subcommittee met and discussed about a possible program called cycling without age that would give everyone no matter the age a chance to enjoy the trail.
- Town Board Member Tallon - Parks, Recreation and Culture Advisory Board, Great Western Trail Authority

Town Board Member Tallon reported that there are no updates from either board as there has not been a meeting since the last Board Meeting.

- Town Board Member Sislowski - Windsor Housing Authority, Windsor Severance Fire District

Town Board Member Sislowski reported that the Windsor Severance Fire District met on January 14th and had their financials ready to present for December as well as for the end of the year. They are right now on budget, however revenues are a little low because of the bankruptcies in oil and gas. The biggest topic of discussion was whether or not the Fire District should pursue impact fees. The fire district board did approve a formula for the impact fees which will have to be approved by the Windsor and Severance Town Boards.

Town Board Member Sislowski reported that the Housing Authority met on January 19th and the biggest discussion was about the presentation provided to the Town Board last week.

- Mayor Rennemeyer - Downtown Development Authority, North Front Range MPO

Mayor Rennemeyer reported that there is no updates on the North Front Range MPO as there has not been a meeting since the last Board Meeting.

Mayor Rennemeyer reported that the Downtown Development Authority has seen quite a bit of movement with the 512 Ash demolition and the reason the building has not come down yet is due to the permits that have to be pulled and the asbestos on the property. There has been a lot of interested parties to the 4th Street property. In February, there will be interviews for the backlot development with the interested parties who want to be considered for the project.

5. Public Invited to be Heard

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

B. CONSENT CALENDAR

1. Minutes of the December 14, 2020 Regular Town Board Meeting - K. Frawley, Town Clerk
2. Minutes of the January 4, 2021 Special Meeting - K. Frawley, Town Clerk
3. Minutes of the January 11, 2021 Regular Town Board Meeting - K. Frawley, Town Clerk
4. Report of Bills
5. Resolution No. 2021-05 A Resolution Approving the Intergovernmental Agreement with the Town of Johnstown Concerning Use of the Johnstown Police Department Firearm Training Range Interagency agreement between the Windsor and Johnstown Police Departments for access to Johnstown shooting range for training purposes.

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

C. BOARD ACTION

1. Great Western Trail Authority IGA

The Town Board agreed to cost share the estimated costs of attorney fees for possible litigation involving the Great Western Trail Authority. The attached IGA defines the terms of each entities participation in the matter, and has been reviewed by legal counsel.

Per Mr. Hale, the maximum commitment from the Town of Windsor would be \$25,000.00 and is accounted for in the 2021 budget.

Town Board Member Tallon moved to approve the Great Western Trail Authority IGA, Town Board Member Wilson seconded the motion. Roll call on the vote resulted as follows; Yeas - Bennett, Charpentier , Cline, Rennemeyer, Sislowski, Tallon, Wilson; Motion Passed.

2. A Resolution Approving and Adopting the Addendum for Extension of Term Between the Town of Windsor and Poudre School District with respect to the Payment of Fees In Lieu of Land Dedication

In order to address increased demands on school districts due to residential growth and related student population increases, the Town first entered into intergovernmental agreements (IGAs) regarding land dedication or cash in lieu payments with the three school districts that serve Windsor in 1999 and 2000. Attached to this memo are the original 1999 IGA with Poudre School District (PSD), as well as subsequent updated IGAs. The attached addendum will extend the term of the IGA through November 30, 2029.

Per Mr. Ballstadt, this is a resolution that extends the term of the existing agreement with the Poudre School District through November 30, 2029. The district proposed this amendment and staff has worked with the Town Attorney to make sure it meets all requirements.

Town Board Member Tallon moved to approve Resolution No. 2021-06, Mayor Pro Tem Bennett seconded the motion. Roll call on the vote resulted as follows; Yeas - Bennett, Charpentier , Cline, Rennemeyer, Sislowski, Tallon, Wilson; Motion Passed.

3. Ordinance No. 2021-1621 An Ordinance Fixing the Compensation of the Municipal Court Judge and Municipal Court Clerk for the Town of Windsor in Compliance with Sections 13-10-107 and 13-10-108, C.R.S., and Section 2-4-90 of the Windsor Municipal Code

The statutes governing qualified municipal courts of record require that the compensation of the Municipal Judge and Office of the Municipal Court Clerk be set by ordinance. This requirement has also been incorporated into the Town's Municipal Code. The Town Board previously approved the 2021 Annual Budget, where the compensation for the Municipal Judge and Municipal Court Clerk's Office was fixed. Provisions also were made to provide for compensation for the Deputy

Municipal Judge. An Ordinance approving those appropriations is required in order to comply with the requirements of state law and the Municipal Code.

The attached Ordinance Fixing the Compensation of the Municipal Court Judge, Deputy Municipal Judge and Municipal Court Clerk, incorporates the appropriations for these offices from the 2021 Annual Budget, thus satisfying the requirements of law.

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

Per Ms. Emil, there have been no changes to the ordinance since the first reading.

Mayor Pro Tem Bennett moved to approved Ordinance No. 2021-1621, Town Board Member Wilson seconded the motion. Roll call on the vote resulted as follows; Yeas - Bennett, Charpentier , Cline, Rennemeyer, Sislowski, Tallon, Wilson; Motion Passed.

4. Resolution No. 2021-07, A Resolution of the Windsor Town Board in Favor of the Efforts of the Windsor Housing Authority in Seeking Financial Support from the Colorado Housing and Finance Authority with Respect to a Senior Housing Project Proposed for a Location Within the Town of Windsor, Colorado, and Specifying the Financial Support Available in Conjunction Therewith

The Town Board approved a fee waiver of approximately \$651,000 in November, 2019 for the construction of the Golden Meadows Project. The original resolution has expired, and the Housing Authority has expressed that they need this fee waiver/new Resolution approved in order to make the deal feasible, as they have maxed out their debt capacity of the project through the bank mortgage that will be in place.

Per Mr. Hale, this waiver was not accounted for in the 2021 budget as most of the Town's fees being requested to be waived are impact fees or enterprise funds and they must be backfilled from the general fund. In discussing this with the Finance Director, it is staff's recommendation that these fee waivers would be attributed to the other agency funding line item in the Mayor and Town Board budget and staff can make a supplemental appropriation if and when this happens to the appropriate line item. The Town does have ample funds to cover this waiver.

Town Board Member Wilson moved to approve Resolution No. 2021-07, Mayor Pro Tem Bennett seconded the motion. Roll call on the vote resulted as follows; Yeas - Bennett, Charpentier , Cline, Rennemeyer, Tallon, Wilson; Nays - Sislowski; Motion Passed.

D. COMMUNICATIONS

1. Communications from Town Attorney
2. Communications from Town Staff

Per Mr. Moyer, hoped to have the December financial report for this meeting but due to staff shortage since Thanksgiving the report is not ready. The report should be ready the first meeting in February.

a.Windsor Police Department December 2020 Statistical Report

3. Communications from Town Manager

Per Mr. Hale, the 5 Star program has been launched and staff conducted the first pre-inspection today. It has been sent to the Administrative Committee for review and approval. Senate Bill 1 which includes grant money has seen seventeen applicants and staff are still working with those businesses to make sure full applications are submitted.

4. Communications from Town Board

E. EXECUTIVE SESSION

1. An Executive Session Pursuant to C.R.S. § 24-6-402 (4)(b) to Confer with the Town Attorney for the Purposes of Receiving Legal Advice on Specific Legal Questions Concerning Diamond Valley Property - I. McCargar, Town Attorney
2. An Executive Session Pursuant to C.R.S. § 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 Diamond Valley Property - S. Hale, Town Manager; I. McCargar, Town Attorney

Town Board Member Sislowski moved to enter into an Executive Session pursuant to Colorado Revised Statutes 24-6-402(4)(b) to confer with the Town Attorney for the purposes of receiving legal advice on specific legal questions concerning Diamond Valley property, and 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 Diamond Valley property, Town Board Member Tallon seconded the motion. Roll call on the vote resulted as follows; Yeas - Bennett, Charpentier , Cline, Rennemeyer, Sislowski, Tallon, Wilson; Motion Passed.

Upon a motion duly made, the Town Board entered into an Executive Session at 7:56 p.m.

Upon a motion duly made, the Town Board returned to the Regular Meeting at 8:41 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 8:41 p.m.

F. ADJOURN

Town Board Member Charpentier moved to adjourn, Mayor Pro Tem Bennett seconded the motion. Roll call on the vote resulted as follows;

**Yeas - Bennett, Charpentier , Cline, Rennemeyer, Sislowski, Tallon, Wilson;
Motion Passed.**

Upon a motion duly made, the meeting was adjourned at 8:41 p.m.

A handwritten signature in blue ink, appearing to read "Karen Frawley". The signature is fluid and cursive, with the first name "Karen" written in a larger, more prominent script than the last name "Frawley".

Karen Frawley, Town Clerk