



## TOWN BOARD REGULAR MEETING

March 8, 2021 - 7:00 PM

Town Board Chambers, 301 Walnut Street, Windsor, CO 80550

Please click this URL to join. <https://windsorgov.zoom.us/j/95850876796>

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Webinar ID:958 5087 6796

## MINUTES

### A. CALL TO ORDER

Mayor Rennemeyer called the meeting to order at 7:04 p.m.

#### 1. Roll call

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

Also Present:

Shane Hale, Town Manager  
Ian McCargar, Town Attorney  
Jessica Humphries, Admin Services Director  
David Eisenbraun, Senior Planner  
Kim Emil, Assistant Town Attorney  
Dean Moyer, Finance Director  
Rick Klimek, Police Chief  
Aaron Lopez, Police Commander  
Scott Ballstadt, Director of Planning  
Eric Lucas, Public Services Director  
Tara Fotsch, Deputy Director of PRC  
Carlin Malone, Chief Planner  
Stacy Miller, Economic Development Director  
Jill Young, Business Development Specialist  
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, Town Board Member Sislowski 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 are no updates for either board.

- Town Board Member Wilson - Planning Commission, Larimer County Behavioral Health Policy Council

Town Board Member Wilson was absent.

- Mayor Pro Tem Bennett – Water and Sewer Board, 34, and I-25 Coalition's

Mayor Pro Tem Bennett reported that the Water and Sewer Board will meet this Wednesday at 6:30 a.m. where the Mayor will be providing information on the Mayor's Water Challenge.

Mayor Pro Tem Bennett reported that the 34 and 25 Coalition met last Wednesday and Thursday and is taking some time to review the 2017 planning and environmental study completed on the entire corridor. They will be looking at data to identify needs, safety issues, community needs, and traffic flow while identifying some priorities. The priorities will be flexible depending on resources available, projects being shovel ready, and potential new funding. For Windsor, it is important to keep in mind the transportation master plan, priorities, and being flexible.

- Town Board Member Cline – Tree Board, Poudre River Trail Corridor Authority, Historic Preservation Commission

Town Board Member Cline reported that there are no updates for the Historic Preservation Commission.

Town Board Member Cline reported that the Tree Board met on February 23rd and reviewed and selected the winners of the Arbor Day Calendar submissions. The Tree Board also spoke about the Mayor's Water Challenge.

Town Board Member Cline reported that the Poudre River Trail Corridor Authority will meet on Thursday, but the subcommittee has met and reviewed a creative brief that was put together by the marketing consulting team.

- Town Board Member Tallon - Parks, Recreation and Culture Advisory Board, Great Western Trail Authority

Town Board Member Tallon reported that the Parks, Recreation, and Culture Advisory Board met but he was unable to attend the meeting and will provide an update at a later meeting.

Town Board Member Tallon reported that the Great Western Trail Authority is still working with a family who has been notified that there could possibly be court action.

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

Town Board Member Sislowski reported that there are no updates for either board.

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

Mayor Rennemeyer reported that there is no update on the Downtown Development Authority. However, the 512 Ash property has been demolished.

Mayor Rennemeyer reported that at the North Front Range MPO monthly meeting, updates were provided on the air quality program. There was a lot of time spent on the employer based trip reduction program. A new concept called environmental justice plan was also introduced and discussed.

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 February 22, 2021 Town Board Meeting - K. Frawley, Town Clerk
2. Minutes of the February 23, 2021 Joint Town Board Special Meeting - K. Frawley, Town Clerk
3. Report of Bills - February 2021 - D. Moyer, Finance Director
4. Resolution No. 2021- 12 A Resolution Approving and Adopting the Labue Subdivision Development Agreement among Vima Partners, LLC, Weld Re-4 School District and the Town of Windsor - K. Emil, Assistant Town Attorney  
The Labue Minor Subdivision Development Agreement is being presented for ratification by the Town Board. Under normal circumstances, this subdivision agreement would be handled administratively, and not be presented to Town Board. However, since both the school district and the Town, both governmental entities are involved, Town Board approval is required to approve and ratify the agreement.

The Labue Subdivision was originally created with a metes-and-bounds legal description. Section 17-3-40(b) of the Windsor Municipal Code regarding nonregulated land transfers requires any such properties to be formally subdivided through the appropriate process to make it a developable parcel. This subdivision formally creates the separate parcels. The site- specific development is illustrated in the Site plan and the agreement sets forth the requirements of each party for development. It is unique in that it is a three-way agreement among the original property owner, Vima Partners, LLC, the Weld RE-4 School District and the Town. Vima Partners, LLC is the original driving force of this agreement, as they are seeking to build a maintenance building to serve RainDance.

Attached for your review are the Resolution, the signed Agreement, and Exhibits B-E. Exhibit A, the Site Plan and Plat was too large of a document and could not be uploaded.

**Town Board Member Tallon moved to approve the consent calendar as presented, Board Member Cline 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. Public Hearing - Conditional Use Grant – Dish Wireless Canisters

The applicant, Mr. Gaito, on behalf of Dish Wireless, is requesting a Conditional Use Grant (CUG) to allow new telecommunications equipment and antenna on top of Windsor High School, located at 1100 Main Street. Town's Municipal Code allows for the establishment of wireless telecommunication equipment for the purpose and intent of accommodating the communication needs of the Town's residents and businesses. The proposed location of the new telecommunications equipment is on the roof of Windsor High School. The proposed wireless communication facilities (WCF) will consist of three stealth canister located on the roof of the school. The canisters will house the antennas and related equipment. The canisters will be painted gray to match existing vents situated on the roof. The computer equipment will be located on the ground, hidden from public view, and enclosed by a CMU wall with a gate. The CMU wall will be painted to match the existing CMU of the school. The cabling from the ground area to the roof equipment will be located hidden from the public view. The cable will be located in an elevated tray directed to each of the canisters.

Approval of the CUG request, along with an approved site plan, would allow for the construction of wireless communications canisters and associated ground equipment. Staff is currently reviewing a site plan submitted by the applicant.

#### Standards and Requirement for Conditional Use Grants

Section 16-7-50 of the Municipal Code outlines the factors to be evaluated prior to granting of a conditional use.

#### 1. The character and quality of the area in which the use will be located.

The subject property is located between 10th and 11th street, and north of SH 392/Main Street. The subject site is generally surrounded by school facilities, open space and the Police Station and Recreation Center to the west. The north side is bordered by the Greeley Number 2 Canal.

#### 2. The physical appearance of the use, including suitability of architectural and landscaping treatment.

The overall property is the existing Windsor High School and the proposed WCF will consist of three stealth canisters located on the southeast roof of the school. The canisters will house the antennas and related equipment. The canisters will be painted gray to match existing HVAC equipment already situated on the roof. The accessory computer equipment will be located on the

ground, hidden from public view, and enclosed by a CMU wall with a gate. The CMU wall will be painted to match the existing CMU of the school. The cabling from the ground area to the roof equipment will be located hidden from the public view. The cable will be located in an elevated tray directed to each of the canisters.

3. Appropriate location of the building or buildings on the lot.

The exact location on the property has been determined by a collaborative effort between the school district, Dish Wireless and Tower Engineer Professionals. The proposed canisters and supporting equipment will be located painted to blend in with other existing roof equipment, while the supporting equipment will be behind matching CMU walls.

4. Adequate provision of parking, loading and circulation facilities.

Access to the facility will remain unchanged from what the school already has in place for circulation. No permanent parking is proposed.

5. Potential effect of the use upon off-site vehicular and pedestrian traffic circulation, with particular reference to potential traffic congestion.

The facility is unmanned and does not permit public access. After construction, the facility will only be accessed for routine maintenance and servicing. The new WCF will not contribute to increased vehicular traffic congestion.

6. Potential effect of the use on storm drainage in the area.

No drainage issues are expected from the additional WCF or supporting ground equipment.

7. Adequacy of planting screens where necessary.

No landscaping is proposed with this application as the building and walls screen all ground equipment from the public view.

8. Provision of operational controls where necessary to avoid hazardous conditions or eliminate potential air or water pollutants or other noxious influences.

The facility does not include the use or storage of hazardous or noxious material.

9. The general compatibility of the proposed use with the area in which it is to be located.

Subject property is zoned Single Family Residential (SF-1). The exact location on the property has been determined by a collaborative effort between Weld RE-4 and Dish Wireless. The site has been designed with minimal visual impacts through stealth canister design and matching CMU walls. The proposed site will become a critical component for seamless service for the Town of Windsor, as

well as the surrounding community. E911 services, public safety and residents of the area will all benefit from the additional technologies requested for this site.

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

Per Mr. Eisenbraun, this has been a collaborative effort between the school district and the applicant to help build out Dish Wireless' network as well as to provide future support to the school. At the February 3, 2021 meeting, the Planning Commission forwarded to Town Board a recommendation of approval of the Conditional Use Grant as presented.

Per Mr. Richard Gaito, this site will service the Town of Windsor, as well as E911, and existing other providers services. It is anticipated that other carriers customers will use this 5G network. It is anticipated that the signal strength will be about a half-mile in both directions. This will provide E911 service to anyone in the area, regardless of the provider.

Mayor Rennemeyer asked the timeline for installation and becoming operational? Mr. Gaito responded that they hope to begin construction this summer if all approvals go well. The lease still needs to be finalized with the school district. The whole network should be operational late 2021.

Town Board Member Sislowski stated that he struggles with the proposal due to the strict criteria of the CUG. With other carriers using the service, would there be an agreement between Dish and those other carriers? Mr. Gaito responded that all cell phone carriers all have national data and voice roaming between them.

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

2. Conditional Use Grant – Dish Wireless Canisters

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### **Standards and Requirement for Conditional Use Grants**

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#### **2. The physical appearance of the use, including suitability of architectural and landscaping treatment.**

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Per Mr. Eisenbraun, nothing further to add.

**Town Board Member Sislowski moved to approve the conditional use grant, 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.**

3. Resolution No. 2021-13 A Resolution Approving an Agreement for Economic Incentives between the Town of Windsor and Quorum Prosthetics

Per Ms. Young, this resolution is for an incentive approval request for Quorum Prosthetics. The equipment project will cost roughly a total of \$410,000.00. In 2020, a letter of request was received by the town for a personal property tax rebate. The total rebate would equal \$3,860.00 over a ten year period.

**Town Board Member Tallon moved to approve Resolution No. 2021-13, 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.**

D. COMMUNICATIONS

1. Communications from Town Attorney

2. Communications from Town Staff

Per Mr. Lucas, there is a snow forecast for the weekend that potentially could drop around 30 inches of snow. Staff is meeting to begin preparations on tackling snow removal.

Per Mr. Eisenbraun, expressed thanks to the people who joined the Eastman Park visioning meeting held last week.

Per Chief Klimek, the Polar Plunge is coming up on March 27th and everyone who can join is encouraged to do so. Windsor was recently awarded a grant to support a Police Officer mental health program.

3. Communications from Town Manager



Per Mr. Hale, a focus area has been added to the monthly board report in an effort to highlight the big achievements for the month. Mr. Hale also expressed his thanks to everyone involved in the Terry Walker parade.

a. Monthly Board Report

4. Communications from Town Board

Town Board Member Cline congratulated the Windsor High School wrestlers for receiving second place in regionals and to the four individuals who moved on to State.

E. ADJOURN

**Town Board Member Tallon moved to adjourn, Town Board Member Charpentier 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 8:03 p.m.

A handwritten signature in blue ink, appearing to read "Karen Frawley". The signature is fluid and cursive, with a large, stylized initial "K" and "F".

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Karen Frawley, Town Clerk