



## TOWN BOARD REGULAR MEETING

April 26, 2021 - 7:00 PM

Town Board Chambers, 301 Walnut Street, Windsor, CO 80550  
Please click this URL to join. <https://windsorgov.zoom.us/j/98290130992>  
OR join by telephone at (888) 788-0099 or (877) 853-5247  
Webinar ID:982 9013 0992

## 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  
Jess Humphries, Administrative Services Director  
Ian McCargar, Town Attorney  
Rick Klimek, Police Chief  
John Thornhill, Community Development Director  
Eric Lucas, Public Services Director  
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 Town Board Member Wilson to lead 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 Wilson seconded the motion. Roll call on the vote resulted as follows; Yeas - Bennett, Charpentier, Cline, Rennemeyer, Sislowski, Tallon, Wilson; Motion Passed.**

#### 4. Proclamation

- Mental Health Month
- Economic Development Week
- National Police Week

Mayor Rennemeyer read the proclamations aloud.

5. Outside Agency Report

- Clearview Library Short and Long Range Facilities Plan Update - Katie Messerli

Katie Messerli with the Clearview Library presented on the short and long range facilities plans.

- Windsor Chamber of Commerce Update - Michelle Vance

Michelle Vance provided the Board an update on the Windsor Chamber of Commerce.

6. Board Liaison Reports

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

Town Board Member Charpentier reported that there is a Library meeting coming up on Thursday and will have more to report at the next meeting.

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

Town Board Member Wilson reported that the Planning Commission met and approved the next filing of Raindance and will come to Town Board for approval at an upcoming meeting.

Town Board Member Wilson reported that there are no updates to provide with the Larimer County Behavioral Health Policy Council.

- Mayor Pro Tem Bennett – Water and Sewer Board, 34, and I-25 Coalition’s  
Mayor Pro Tem Bennett reported that the 34 and I-25 Coalitions will meet next week.

Mayor Pro Tem Bennett reported that the Water and Sewer Board met last week and provided a snow pack report, statewide, overall is below normal. The River flow report shows that there has not been a heavy Spring runoff which is good due to not wanting the remains of the fires from last year. It is also bad because there is not a lot of snow pack. The three-month weather prediction is for higher than normal temperatures and lower than normal participation. If you put those three reports together and there is a high potential for fires this summer. The data is looking like the drought is going to continue for Windsor so we need to be proactive in figuring out how we are going to ensure that we have enough water. The intergovernmental agreement that has been amended with Greeley to allow the lease of water is a huge deal for Windsor.

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

Town Board Member Cline reported that the Historic Preservation Commission met on April 14th and discussed the saving places conference that the board members attended. There was also a video of local conservation 101 and how to preserve things, and looking at setting a date to do a historical walk through downtown.

Town Board Member Cline reported that the Tree Board meets tomorrow but hosted Arbor Day for Skyview Elementary on April 16th via zoom.

Town Board Member Cline reported that the Poudre River Trail Corridor Authority will have a special meeting on Thursday to discuss approval for the new marketing programs that they will be implementing and possible new logos.

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

Town Board Member Tallon reported that both boards have not met since the last update provided.

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

Town Board Member Sislowski reported that the Windsor Severance Fire District has not met since the last update.

Town Board Member Sislowski reported that the Windsor Housing Authority received their 2020 audited financials approved with a clean opinion and were highly praised for their work with no journal corrections required. They have Windsor Meadows phases one and two both fully occupied and have a one-bedroom tenet vacate in Century III but have a waitlist for that that they are working through. They are expecting to have an interview with the Colorado Housing Authority regarding their application for a tax incentivized loan for the Golden Meadows project. They are hoping to hear if they have been approved in a few weeks. The Windsor Housing Authority is still working on updating their website and is still a work in progress.

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

Mayor Rennemeyer reported that the North Front Range MPO has not met since the last provided updates.

Mayor Rennemeyer reported that the Downtown Development Authority has executed and approved a scope of work for Ditesco to complete a project in an empty lot in the backlots. The Authority has turned down a CDOT grant application due to the probability of the project not being approved and the amount of work needed to apply for the grant. The 512 Ash demolition took place a few months ago and one discussion will be about turning where the building was into a temporary parking lot.

#### 7. 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 April 12, 2021 Town Board Regular Meeting - K. Frawley, Town Clerk

2. Resolution No. 2021-21 - A Resolution Approving an Amendment to the Poudre Express Intergovernmental Agreement between and among the City of Fort Collins, City of Greeley and Town of Windsor - C. Malone, Chief Planner  
On October 14, 2019, the Town Board approved Resolution No. 2019-68, approving the intergovernmental agreement among and between the City of Fort Collins, City of Greeley and the Town of Windsor for transit services known as the Poudre Express.

The Poudre Express Transit Services IGA (attached) originally committed \$115,000 for the Town of Windsor's 2020 share towards the services. CARES funding will be covering this expense, with the exception of \$10,136.19. The attached funding letter from Greeley Evans Transit (GET) to the Town of Windsor describes this change, and is reflected in the first amendment of the IGA (see attached exhibit).

**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. Resolution No. 2021-22 - A Resolution Providing for the Extension of Certain Administrative and Legislative Actions Taken in Response to the COVID-19 Pandemic in Light of the Revocation of the COVID-19 Emergency Declaration  
This Resolution extends remote meeting options for Town Board Members, and also addresses specific actions taken by the Town Manager during the COVID emergency under the powers granted to him by Town Board in Ordinance No. 2020-1605.

This Resolution is sequenced ahead of the Mayor's Proclamation revoking the disaster emergency, but is specifically conditioned on the Mayor issuing his Proclamation. This sequence assures that the terms of the Resolution are in place, but take effect only when the Mayor's Proclamation is announced. This sequence avoids any "gaps" in policy.

The Resolution's provisions for remote meeting attendance assure that any Town Board Member may remotely attend Town Board meetings for the foreseeable future. These provisions are not extended to other Town boards and commissions; each board and commission will evaluate the need for remote meetings on its own. This Resolution encourages other Town boards and commissions to adopt similar protocols. This office will work with the Chairs of other boards and commissions to provide standard remote meeting language for adoption as requested.

This Resolution specifically extends previously-approved temporary parking and outdoor dining/beverage service to provide continued assistance to local businesses. This Resolution specifically instructs the Town Manager to discontinue business assistance to food delivery services.

This Resolution, as with any other Town Board Resolution, may be modified in the future upon a simple majority vote. By taking this action through a Resolution, the Town Board retains a high degree of flexibility in this immediate post-emergency environment.

Per Mr. McCargar, this resolution will discontinue food delivery subsidy particularly to NoCo Nosh.

**Mayor Pro Tem Bennett moved to approve Resolution No. 2021-22, 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.**

2. A Proclamation Revoking the March 23, 2020, Town of Windsor COVID-19 Pandemic Emergency Declaration - Mayor Paul Rennemeyer

At the request of Mayor Rennemeyer, I have prepared the attached Mayoral Proclamation revoking the pandemic emergency declaration set forth in Ordinance No. 2020-1605 (March 23, 2020). Ordinance No. 2020-1605 specifically gives the Mayor the power to issue this Proclamation, the effect of which is the revocation of the Ordinance by its terms.

As discussed previously, some of the Ordinance's terms should be carried forward, specifically the option for continued remote meeting attendance by Town Board members. Some of the steps taken by the Town Manager in accordance with the Ordinance should also be addressed post-Proclamation. These "after-items" are addressed in the Resolution No. 2021-22. Resolution No. 2021-22 is expressly conditioned upon issuance of this Proclamation.

Mayor Rennemeyer read the proclamation aloud.

3. Resolution No. 2021 – 23 - A Resolution Approving and Adopting the Intergovernmental Agreement for the Assessment, Collection, and Remittance of Emergency Services Impact Fees Between the Town of Windsor and the Windsor-Severance Fire Protection District

This Resolution approves and adopts the attached Intergovernmental Agreement for the Assessment, Collection, and Remittance of Emergency Services Impact Fees between the Town and the Windsor-Severance Fire Protection District. The Resolution sets forth the legislative authority and Fire District steps taken in compliance with state law. This Resolution is a companion action to Ordinance No. 2021-1623 scheduled for Board Action this evening.

The IGA is a statutory requirement for imposition and collection of the impact fee as a condition of Town building permit issuance. The IGA specifies the fee, sets up a system for payment of the fee (and exemptions therefrom), and allows for future adjustments of the fee. The Resolution is a legislative companion to Ordinance No. 2021-1623, which amends the Code as required by state law.

The IGA places the District in control of as much administrative processing as possible, to minimize administrative burdens on the Town. For example, the Town will not make any determinations as to exemptions from the fee; the District must in writing confirm any exemptions, thus keeping the Town out of any decisions affecting the development community and the District over exemptions. This theme is intentional, as the Town is really a conduit for fee collection once this IGA and companion Code language are adopted.

This IGA and Resolution have been approved by the District's lawyer.

Per Mr. McCargar, the IGA incorporates a fee schedule that was built under the terms of the impact fee study. This is providing the fee payers an option of either paying the Fire District at their office on their own, or they can pay it as part of the permit and the Town will set it aside and remit the fee to the Fire District.

Town Board Member Sislowski asked at what point the developers would be brought in the conversation about the new fees being imposed? Mr. McCargar stated that after speaking with the Fire District's attorney, that step needs to be

done as each development is coming in. The agreement says that the Fire District will on behalf of the Town and District have these conversations with the development community. Mr. Hale responded that the Fire District has done some outreach to the development community already but more would come.

Chief Kazian stated that they did reach out to the development community and sent letters to the list the Town provided. The communication on the intent and purpose was also placed on social media, and feel they have communicated at an appropriate level with the development community. The fees would apply to any permits pulled after August 1, 2021.

**Town Board Member Wilson moved to approve Resolution No. 2021-23, 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.**

4. Ordinance No. 2021-1623 - An Ordinance Amending Chapter 15 of the Windsor Municipal Code to Implement a Fire and Rescue Service Impact Fee to Fund Capital Facilities Necessary for the Provision of Fire Protection, Rescue, and Emergency Services by the Windsor-Severance Fire Protection District in Accordance With Section 29-20-104.5 of the Colorado Revised Statutes

This Ordinance implements by Code amendment the impact fee assessment, collection and remittance structure of the IGA between the Town and the Windsor-Severance Fire Protection District. State law requires that the fee be implemented legislatively, in addition to the cooperative terms of the intergovernmental agreement.

The Ordinance is similar to Code language created for assessment of school district impact fees, and will find a home in the Code under the same chapter. The fee is established as a condition for building permit issuance, and is payable to the District. Applicants may choose to pay the District separately, or can pay in a single stop at Town Hall. The fee may be waived for qualifying projects (voluntary installation of fire suppression sprinkler systems and projects with a demonstrated public benefit as determined by the District).

The Ordinance allows for adjustments to the fee in accordance with the IGA, with fee modifications occurring upon request of the District and following public hearing before Town Board.

**Town Board Member Tallon moved to approve Ordinance No. 2021-1623, 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

Per Mr. McCargar, there is an executive session on the agenda.

2. Communications from Town Staff

Per Mr. Lucas, extended his thanks to the Board for coming to the Riverwalk and looks forward to the ribbon cutting coming up, as well as recognize the utilities team who stayed late last Friday to repair a significant water leak by the Mill businesses.

Per Ms. Miller, in the packet includes a memo regarding NoCo Nosh and the final statement for March. With the resolution passed, staff will put in the two-week notification of ending the subsidy program.

- a. Windsor Police Department March 2021 Statistical Report
- b. NoCO Nosh Update

3. Communications from Town Manager

Per Mr. Hale, in the packet is a final report for the Small Business Relief Program, the Town was able to support our business with around \$90,000.00 in grants. Right now staff is working on a way to open back up publicly starting June 1st and is a current, soft target right now. This Thursday is the Tribe visioning workshop at the Public Service Center at 922 N 15th at 4:00 p.m. with the Town Board and Downtown Development Authority to set the vision for the backlots. The Town Hall construction project is set to begin on June 7th, however there is not a complete schedule at this time. The Mayor had mentioned about the CDOT grant the DDA opted out of, the Town is looking at that same grant for the 7th Street project.

- a. Small Business Relief Final Report Summary

**The Small Business Relief Program Final Report Summary:**

- Total SBR Funds Received from the State \$142,474.00
- Total Funds Spent on Direct Payments to Businesses \$ 90,000.00
- Ending Balance Sent back to the State \$ 52,474.00

**19 Local Businesses were eligible for grants:**

- 8 - Restaurants received a total of \$46,500
- 8 - Fitness & Recreational Centers received a total of \$29,500
- 1 - Bar received a grant for \$3500
- 1 - Brewery received a grant for \$7000
- 1 - Caterer or Mobile Eatery received a grant for \$3500

**The size of the business (based on revenue) determined grant eligibility amounts:**

- 10 businesses received \$3500 grants
- 4 businesses received \$5000 grants
- 5 businesses received \$7000 grants

**Timeline:**

1/5/2021: Town Board Approves participation in SB1 program  
1/16/2021: Town of Windsor awarded funding  
2/3/2021: Town of Windsor requests deadline extension  
4/1/2021: Deadline for Funding  
4/30/2021: SBR Program ends

4.Communications from Town Board

E. EXECUTIVE SESSION

1. 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 for Certain Economic Development Incentives

**Town Board Member Sislowski moved to enter into 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 for certain economic development incentives, 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 Town Board entered into an Executive Session at 9:13 p.m.

Upon a motion duly made, the Town Board returned to the Regular Meeting at 9:30 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 9:30 p.m.

F. 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 9:31 p.m.



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Karen Frawley, Town Clerk