



## TOWN BOARD REGULAR MEETING

May 10, 2021 - 7:00 PM

Town Board Chambers, 301 Walnut Street, Windsor, CO 80550  
Please click this URL to join. <https://windsorgov.zoom.us/j/94786783021>  
OR join by telephone at (888) 788-0099 or (877) 853-5247  
Webinar ID:947 8678 3021

### MINUTES

#### A. CALL TO ORDER

Mayor Rennemeyer called the meeting to order at 7:09 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  
Eric Lucas, Public Services Director  
Tara Fotsch, Deputy Director of PRC  
Dean Moyer, Finance Director  
Scott Ballstadt, Planning Director  
Carlin Malone, Chief Planner  
David Eisenbraun, Senior Planner  
Desa Blair, Civil Engineer  
Paul Schwindler, Deputy Director of Public Works  
Aaron Lopez, Police Commander  
Kim Emil, Assistant Town Attorney  
McKenzie Payne, Visual Media Coordinator  
Karen Frawley, Town Clerk

##### 2. Pledge of Allegiance

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

##### 4. Proclamation

- Windsor Day of Champions
- National Public Works Week

Mayor Rennemeyer read the proclamations aloud.

## 5. Board Liaison Reports

- Town Board Member Charpentier - Chamber of Commerce, Clearview Library Board  
Town Board Member Charpentier reported that the Chamber of Commerce has over two-hundred and fifty new business members since Michelle has been with the Chamber. There are a lot of open houses and ribbon cuttings every week through September. Michelle is working on bringing another person onto her staff to help with the work load.

Town Board Member Charpentier reported that the Clearview Library Board has received public comment on all the options for the library updates. A remodel on the 3rd Street Library will take place, a purchase of the Ash Street administrative building will take place, and the Library will be moving forward with the deal with Severance. Severance is building a whole community center behind Town Hall and will have an area for the Library.

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

The BHPC heard from 2 Impact Grant recipients:

- Crossroads Safehouse provides emergency safehousing, advocacy, legal assistance, rapid rehousing and crisis intervention for victims of domestic violence in Northern Colorado for 40 years.
  - Website: <https://crossroadssafehouse.org/>
  - Presentation: [https://drive.google.com/file/d/1AuXEjb\\_RyGNuK2kkeD5zLoFchoTTWBHB/view](https://drive.google.com/file/d/1AuXEjb_RyGNuK2kkeD5zLoFchoTTWBHB/view)
- The Family Center / La Familia provides quality early care, education and family strengthening services to the Latinx community in Larimer County, Colorado since 1995.
  - Website: <https://thefamilycenterfc.org/>
  - Presentation: <https://drive.google.com/file/d/1tZlYshXj83GG6X3x6XO0gVex8SxULs5O/view>

The BHPC received an update on the 9-8-8 call system. The Colorado Department of Human Services, Office of Behavioral Health (OBH), is planning for the rollout of **9-8-8**, a new, nationwide, three-digit phone number for the National Suicide Prevention Lifeline. The number is planning to launch summer 2022.

The BHPC adopted the Technical Advisory Committee (TAC) recommendations for the 2021 Impact Fund Targeted Projects and Timeline. Presentation: 05\_2021 BHPC Presentation Materials.pdf - Google Drive. Targeted Projects:

1. Behavioral Health Care Coordination across Services
2. Moderately/intensive care coordination for those with complex needs
3. Behavioral Health Workforce Development and Retention
4. Enhancing First Responder and Behavioral Health Crisis-to-Care Collaboration Efforts
5. Prevention Education and Early Intervention for Vulnerable Youth
6. Increasing Access to Behavioral Healthcare in Non-traditional Settings

Resources:

- The BHPC Website for roster, bylaws, meetings, agendas, and minutes: <https://www.larimer.org/boards/behavioral-health-policy-council>  
Larimer County Behavioral Health Dashboard:
  - <https://www.larimer.org/behavioralhealth/data>
  - New Larimer County Behavioral Health Facility (planned opening early 2023): <https://www.larimer.org/behavioralhealth/facility>
  - The BHPC Grants Summary Dashboard: <https://www.larimer.org/behavioralhealth/impactfund-portfolio-review>

- **The Larimer County Behavior Health Services (BHS) Annual Report:** <https://www.larimer.org/behavioralhealth/impactfund-portfolio-review>

- 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 has not met since last time so there is no update to provide.  
  
 Mayor Pro Tem Bennett reported that the 34 Coalition did not meet this month.  
  
 Mayor Pro Tem Bennett reported that the I25 Coalition met and the big take away is that they signed a joint letter with the I25 North business alliance that was sent to Senators asking for \$60 million to cover the shortfall of the \$6 billion I25 projects. That money is being requested from the infrastructure portion of the American Jobs plan.
- Town Board Member Cline – Tree Board, Poudre River Trail Corridor Authority, Historic Preservation Commission  
 Town Board Member Cline reported that the Historic Preservation Commission will meet on Wednesday for a downtown historical tour.  
  
 Town Board Member Cline reported that the Poudre River Trail Corridor Authority will not meet until next Thursday so no update to provide.  
  
 Town Board Member Cline reported that the Tree Board will host the poster contest winners recognition next Monday. The Tree Board will meet next Tuesday for their annual park assessment. Sick tree day will be held on June 22nd, if a tree needs to be looked out, you can sign up through the recreation center.
- 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 held a tour of the Riverwalk experience for the board.  
  
 Town Board Member Tallon reported that he was unable to attend the Great Western Trail Authority meeting.
- Town Board Member Sislowski - Windsor Housing Authority, Windsor Severance Fire District  
 Town Board Member Sislowski reported that the Housing Authority will meet next week and will have an update to provide at the next meeting.  
  
 Town Board Member Sislowski reported that the Fire District meets on Thursday this week and will have an update to provide at the next meeting. Chief Kazian reported that there is a ground breaking and open house on Friday, June 4th. The ground breaking will happen at 9:00 a.m. and the open house will be held at 10:00 a.m.
- Mayor Rennemeyer - Downtown Development Authority, North Front Range MPO  
 Mayor Rennemeyer reported that the Downtown Development Authority has not met since the last meeting.  
  
 Mayor Rennemeyer reported that the North Front Range MPO met last Thursday and the MPO moved the Vice Chair to fill the vacant chair position and new Vice Chair was voted on and is now being filled by Scott James. The MPO renewed the contract for the Executive Director and the MPO hired an air quality attorney.

6. Public Invited to be Heard

Mayor Rennemeyer opened the meeting up for public comment.

James Maslen at 8367 Loudon Circle addressed the Board regarding the crosswalk the connects his subdivision to the one in Highland Meadows and the possibility of putting in a different solution for the crosswalk.

Oliver Knowles at 417 Elm Street addressed the Board regarding improvements to the Main Park playground equipment.

B. CONSENT CALENDAR

1. Minutes of the April 26, 2021 Town Board Regular Meeting - K. Frawley, Town Clerk

2. Report of Bills for April 2021 - D. Moyer, Finance Director

3. Resolution No. 2021-24 - A Resolution Approving and Accepting a Deed of Dedication for Right of Way and a Temporary Construction Easement Concerning the Southwest Corner of Crossroads Boulevard and Rancho Drive, in the Town of Windsor, Colorado - S. Pearson, Civil Engineer

The ROW dedication is located at the southwest corner of Crossroads Blvd and Rancho Drive, and is necessary for construction of a Town sidewalk. The temporary construction easement is necessary to build the walk. Please note that the signature and notary have different dates on the Deed of Dedication. According to Poudre Tech Metro District and Town Attorney this is acceptable.

4. Resolution 2021- 25 - A Resolution Initiating Annexation Proceedings for the Larimer County Road 1 Annexation to the Town of Windsor, Colorado - C. Malone, Chief Planner; K. Emil, Assistant Town Attorney

The Town of Windsor annexed the Kyger Reservoir property that borders State Highway 392 and County Line Road, otherwise known as Larimer County Road 1 ("LCR1") / Weld County Road 13 ("WCR13") / Colorado Boulevard. Approximately 3.4 acres of roadway/right-of-way is the subject of this annexation.

The Town of Windsor owns the west half of the roadway (LCR 1), which is currently within unincorporated Larimer County. Because the Town is annexing right-of-way only, the Town must petition to annex this portion of roadway into the Town. Weld County has also filed a Petition to Annex the east half of the roadway (WCR 13) to the Town.

This is Part 1 of a "serial annexation" where the Town is petitioning to annex the west half of the county line road that borders the Kyger property between Highway 392 and Jacoby Road. Weld County has also submitted a Petition to annex the east half of the same road, so that the entire county line road from Highway 392 to Jacoby Road, bordering the Kyger Reservoir property will be in the Town of Windsor Corporate Limits.

CRS 31-12-105(f) states that if a jurisdiction is annexing a portion of a street or alley, the entire width of the roadway must be annexed. Thus, the two petitions must proceed in the order presented, in order to meet the contiguity requirements in CRS 31-12-104 (1)(a), which allows the annexations to be completed simultaneously and considered together for the purposes of the public hearing requirements in sections 31-12-108 and 31-12-109.

5. Resolution No. 2021- 26 - A Resolution Initiating Annexation Proceedings for the Weld County Road 13 Annexation to the Town of Windsor, Colorado - C. Malone, Chief Planner; K. Emil, Assistant Town Attorney

The Town of Windsor previously annexed the Kyger Reservoir property that borders Highway 392 and County Line Road, otherwise known as Larimer County Road 1 ("LCR1")

/ Weld County Road 13 ("WCR13") / Colorado Boulevard. Approximately 1.7 acres of roadway/right-of-way is the subject of this annexation. The Town of Windsor owns the west half of the road, and has also petitioned to annex that portion of the roadway into the Town. The east half (WCR13) is in unincorporated Weld County, which is the subject of this Petition.

This is Part 2 of a "serial annexation" where the Town, in the Resolution preceding this one, is petitioning to annex the west half of the county line road that borders the Kyger Reservoir property between State Highway 392 and Jacoby Road. Here, Weld County has submitted a Petition to annex the east half of the same road, so that the entire county line road from SH 392 to Jacoby Road, bordering the Kyger Reservoir property, will be in the Town of Windsor.

CRS 31-12-105(f) states that when a jurisdiction is annexing a portion of a street or alley, the entire width of the roadway right-of-way must be annexed. Thus, the two petitions must proceed in the order presented, in order to meet the contiguity requirements in CRS 31-12-104 (1)(a), which allows the annexations to be completed simultaneously and considered together for the purposes of the public hearing requirements in sections 31-12-108 and 31-12-109.

**Mayor Pro Tem Bennett moved to approve the consent calendar, 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.**

#### C. BOARD ACTION

1. Public Hearing - Final Major Subdivision - Raindance Subdivision 16th Filing - David Nelson/Martin Lind, owner/applicants, and Tom Siegel, applicant's representative

The applicant, Mr. Lind, has submitted, on behalf of the owner Mr. David Nelson, a final major subdivision plat known as RainDance Subdivision Sixteenth Filing. The subdivision encompasses approximately 22.06 acres and is zoned Planned Unit Development (PUD) and is designated for single family residential. The Raindance Sixteenth Filing continues the character and patterns of the Raindance Development. Native open space areas and pedestrian connectivity through detached trails enhance the large setback along Colorado Boulevard and tie into the overall Raindance project. The project is located on Tract B of the Raindance Subdivision Fifth Filing, on the west side of Moon Rise Drive and on north side of Bounty Drive. The project intent is to construct 1 and 2-story, single-family, buildings on the 22.06-acre site. The site consists of 77 lots with an overall density of 3.49 DU/AC. Based on the current site plan, total parking required at 2.0/DU would be 154 spaces. Each lot provides 1-2 garage parking spaces, with parking also provided in the driveway. Additional on-street parking is provided on all streets, with the exception of Bounty Drive. The current zoning of the site is RMU with P.U.D. overlay. This project meets all P.U.D standards. Access to the site is provided through existing surrounding streets and new dedicated ROW. Falling Lead Drive (new) will connect Bounty Drive and Equinox Drive (new) and Nightfall Drive (new) will connect to Moon Rise Drive. Nightfall Drive will transition to Nightfall Ct at the intersection of Equinox Drive, as it changes to a cul-de-sac. All utility services are a continuation of the Raindance Development and are per the master plan concepts.

As required with a final subdivision submittal, the applicant held a neighborhood meeting on February 11, 2021 in accordance with Chapter 16, Article XXXI, and Chapter 15, Article III, of the Municipal Code. There were no attendees and no public comments have been received to date by the planning staff or the applicant. The Municipal Code requires a public hearing notification for a final major subdivision. Notifications were provided as follows:

- April 20, 2021 – affidavit of letters mailed to property owners within 500 feet
- April 19, 2021 – legal notice posted on the Town of Windsor website
- April 19, 2021 – development review sign posted on the property
- April 23, 2021 – legal ad published in the paper

**Town Board Member Sislowski moved to open the public hearing, 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.**

Town Board Member Wilson stated "Mayor Rennemeyer, for the record I would like to point out that in my capacity as a Town Board liaison to the Planning Commission. I was present at the Planning Commission meeting during which this matter was previously presented. I wish to state that my participation in the Planning Commission proceeding 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, at their May 5, 2021 Planning Commission meeting, the Planning Commission did forward a recommendation to the Town Board of approval of the final major subdivision as presented.

**Town Board Member Tallon moved to close the public hearing, 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.**

2. Resolution 2021-27 A Resolution approving Final Major Subdivision - Raindance Subdivision 16<sup>th</sup> Filing - David Nelson/Martin Lind, owner/applicants, and Tom Siegel, applicant's representative

Please see public hearing item.

Per Mr. Eisenbraun, nothing further to add.

**Town Board Member Tallon moved to approve resolution number 2021-27, 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.**

3. 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. This Ordinance is unchanged from First Reading on April 26, 2021.

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

**Town Board Member Tallon moved to approve ordinance number 2021-1623 on second reading, 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.**

## D. COMMUNICATIONS

### 1. Communications from Town Attorney

Per Ms. Emil, Haley Rockwell has come back to join staff as the Legal Intern again this summer.

### 2. Communications from Town Staff

Per Mr. Eisenbraun, a reminder about the Eastman Park Design Charrettes the next three days as well as the open house on Wednesday the 12th from 5:30 p.m. to 7:30 p.m. at the Community Recreation Center.

Per Ms. Humphries, a big kudos to staff for the Windsor Matters newsletter that went out which has a lot of good information about the construction projects and road impacts.

Per Chief Klimek, this week is Police Week and the official celebration will be held in October with an open house if gathering limits allow.

Per Ms. Fotsch, excited to celebrate the ribbon cutting at Eastman Park on Friday afternoon at 4:00 p.m.

Per Mr. Moyer, the January financial statement is in the packet and the Town is up by fourteen percent over last January in sales tax collection. Through March of 2021, we are up by eight percent compared to March of 2020. As far as expenditures go, the beginning of the year a lot of items are paid for the entire year.

Per Mr. Lucas, reminder that Friday, May 14th and Saturday, May 15th is cleanup day at the Public Works campus from 9:00 a.m. until 3:00 p.m.

#### a. Finance Report January 2021

### 3. Communications from Town Manager

Per Mr. Hale, reminder of out of office on Wednesday through Friday for the CIRSA executive board planning retreat, Ms. Humphries will be in charge during absence. The monthly enviro report was included in the packet as well as some focus points for the month.

#### a. Monthly Board Report

##### **Focus Area Updates:**

##### **1. Strategic Growth**

We are expecting the final draft of the facility master plan with cost estimates by the end of April. Acceptance of the plan should occur in May and the recommendations will be considered during the upcoming 2022 CIP budget discussions.

For the Town Hall safety upgrades, the Team is nearly complete with the final estimates and scope of work. Final planning meeting set from Friday, April 30th. Construction is currently scheduled to begin June 14th.

##### **2. Sustainable Infrastructure**

The Town of Windsor recently was approved for a grant from the Colorado Water Conservation Board for \$20,000 to develop and implement a Drought Emergency Plan. Staff and Clearwater Solutions have a total budget of \$40,000 with the grant and expect the plan to take three-six months to develop and present to Town Board. The NISP project is continuing to work through legal challenges and move towards a final record of decision from the Army Corp of Engineers which is expect in Spring 2021. The projects 401 Water Certification

process was upheld in District Court in December representing another milestone accomplishment. The Army Corp is finalizing the ROD and a few details remain for the Fish and Wildlife Mitigation Plan to be incorporated into the ROD.

### **3. Vibrant and Healthy Economy**

The Town and DDA Boards will meet with TRIBE on April 29 to conduct a visioning session. The purpose of this session will be to discuss the highest and best uses for the 4th street parcel, the backlots, and the public works parcel.

#### 4. Communications from Town Board

Mayor Rennemeyer provided information on the pep rally for the Windsor High School Boys Soccer Team which will be held on Friday at the football stadium.

#### E. ADJOURN

**Town Board Member Tallon moved to adjourn, 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.**

Upon a motion duly made, the meeting was adjourned at 8:05 p.m.



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Karen Frawley, Town Clerk