



## TOWN BOARD REGULAR MEETING

September 13, 2021 - 7:00 PM

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

### MINUTES

#### A. CALL TO ORDER

Mayor Pro Tem Bennett called the meeting to order at 7:15 p.m.

##### 1. Roll call

Mayor Paul Rennemeyer - Absent  
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  
John Thornhill, Community Development Director  
Stacy Miller, Economic Development Director  
Scott Ballstadt, Planning Director  
Aaron Lopez, Police Commander  
David Eisenbraun, Senior Planner  
Paul Hornbeck, Senior Planner  
Cheryl Turner, Deputy Director of Finance  
Desa Blair, Civil Engineer  
Joe Gaona, Information Technology Manager  
McKenzie Payne, Visual Media Coordinator  
Karen Frawley, Town Clerk

##### 2. Pledge of Allegiance

Mayor Pro Tem Bennett asked Town Board Member Sislowski 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 Wilson moved to amend the Board Action section of the agenda as follows: Item 8 will be modified to reflect: A public hearing for Ordinance No. 2021- 1630. The former item 8 will be shifted down to a new item 9: Ordinance No. 2021-1630 - An Ordinance Approving the Amended and Restated Consolidated Service Plan for Greenwald Farms**

**Metropolitan District Nos. 1 & 2, Amended and Restated Service Plan for Tacinca Metropolitan District Nos. 1-5, and Service Plan for Prairie Song Metropolitan District Nos. 8 & 9, Unified Into The Consolidated Service Plan for Prairie Song Metropolitan District Nos. 1-9, and Authorizing the Execution of an Intergovernmental Agreement Between the Town and the Districts. The former item 9 will be re-numbered item 10 to accommodate the foregoing., Board Member Cline seconded the motion. Roll call on the vote resulted as follows; Yeas - Bennett, Charpentier , Cline, Sislowski, Tallon, Wilson; Motion Passed.**

4. Proclamation

- Suicide Prevention Awareness Month

Mayor Pro Tem Bennett read the proclamation for Suicide Prevention Awareness Month aloud.

5. Board Liaison Reports

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

Town Board Charpentier reported that the Clearview Library Board will be meeting next week and does not have an update to provide at this time.

Town Board Charpentier reported that the Chamber of Commerce will have an update to provide 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 has nothing to report at this time.

Town Board Member Wilson reported that the Larimer County Behavioral Health Policy Council met on September 13th and discussed the following.

The BHPC heard from 2 Impact Grant recipients:

Daniel from the Housing Catalyst: <https://housingcatalyst.com/>

Housing Catalyst Affordable Housing in Fort Collins  
Housing Catalyst is a Fort Collins, mission-driven real estate developer that designs, builds and serves mixed-income affordable housing communities in Northern Colorado. [housingcatalyst.com](https://housingcatalyst.com)

- Necole Hampton from the Office of the Larimer County District Attorney: <https://www.larimer.org/da>

District Attorney | Larimer County

Emails to elected officials\* which are marked private or internal will not be posted on the County's public website viewable by others. Even emails marked private, however, may be subject to public disclosure under public records requirements including the Colorado Open Records Act (CORA), with limited exceptions. For this reason, elected officials cannot guarantee emails marked private will ...  
[www.larimer.org](http://www.larimer.org)

Facility Update: Locked in at a Guaranteed Maximum Price of \$48 million. Estimated completion: May or 2023.

2021 Impact Grants: The Policy Council sent a recommendation to the Larimer County Board of County Commissioners to award 39 grants totaling \$2.5 million. The Larimer county Board of County Commissioners will consider the recommendation on September 21, 2021. The total amount of grants requested was \$4.7 million. 17 requests were denied.

NEXT BHPC MEETING: October 4, 2021 in person @ 200 Peridot Ave., Loveland, CO 80537 - Big Thompson & Poudre River Rooms (1st Floor). Do to COVID-19, the meeting may be held over Zoom.

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 Water and Sewer Board will be meeting on Wednesday morning and has no update to provide at this time.  
  
Mayor Pro Tem Bennett reported that the 34 Coalition has been meeting once a quarter, so there is no update to provide at this time.  
  
Mayor Pro Tem Bennett reported that the I-25 Coalition discussed the progress being made on I-25. The weather has been good so they have been able to make a lot of progress.
- Town Board Member Cline – Tree Board, Poudre River Trail Corridor Authority, Historic Preservation Commission  
Town Board Member Cline reported that the Tree Board met and discussed the tree tips that go in the 2022 calendar.

Town Board Member Cline reported that Historic Preservation Commission met last week and are working on a plaque design for local historical landmarks.

Town Board Member Cline reported that the Poudre River Trail Corridor Authority met last week and are working on putting out the job posting and job description for the executive director position that will be available January next year. The Authority is also working on the Party on the Poudre to be held on Wednesday, October 6<sup>th</sup>-20<sup>th</sup>.

- 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 did not meet this month due to Heritage Day.

Town Board Member Tallon reported that the Great Western Trail Authority met and finances are operating in the black. Every month the trail is being used more and more and there is still some damage being reported due to horses being on the trail.

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

Town Board Member Sislowski reported that there are no updates to report at this time for either board.

- Mayor Rennemeyer - Downtown Development Authority, North Front Range MPO Mayor Rennemeyer was absent and did not have an update to provide.

6. Public Invited to be Heard

Mayor Pro Tem Bennett opened the meeting up for public comment, to which there was none.

B. CONSENT CALENDAR

1. Minutes of the August 23, 2021 Town Board Regular Meeting - K. Frawley, Town Clerk

2. Boards and Commissions Appointments - K. Frawley, Town Clerk  
During the week of September 7th, Mayor Rennemeyer and Mayor Pro Tem Bennett conducted various Board and Commissions interviews for vacant seats. The following individuals are being recommended for appointment.

Tree Board

Sue Bielawski - Term expiring September 2024

Historic Preservation Commission

Kris Jabs - Term expiring March 2023

Windsor Arts Commission

Alexander Block - Term expiring September 2022

Shelley Kawamura - Term expiring September 2023  
Laurie Bess - Term expiring September 2023  
Carolyn Wagner Snyder - Term expiring September 2024  
Tiffany Elliott - Term expiring September 2024  
Caroline Nutt - Term expiring September 2024

3. Report of Bills August 2021 - D. Moyer, Finance Director
4. Resolution No. 2021-57 Vacating Easement for Water Line Facility - D. Blair  
The proposed Les Schwab development fronts Hwy 392 on the south side of the site. On the east side is Grease Monkey and Bob's Carwash, and on the west side is a regional retention pond.

A utility easement was dedicated for a new fire hydrant, but the site plan has been revised and the hydrant moved. Therefore the easement is no longer in the correct location and must be vacated.

5. Resolution No. 2021-58 Approving and Accepting Easement for Water Line Facility - D. Blair  
The proposed Les Schwab development includes a Town owned and maintained fire hydrant located in the middle of the site. The hydrant and branch line will require an easement.

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

#### C. BOARD ACTION

1. Public Hearing - Final Major Subdivision - Raindance Subdivision 19th Filing – David Nelson/Martin Lind, owner/applicants, and Morgan Kidder, 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 Nineteenth Filing. The Raindance Subdivision Nineteenth Filing continues the character and patterns of Raindance development. Continuation of pedestrian walks allow for connection of regional trails and tie into the overall Raindance project.

The project is located on Lot 2 of the Raindance Subdivision Eighteenth Filing, on the southeastern side of Iron Wheel Drive, the northeastern side of Falling Leaf Drive and the southwestern side of Long Shadow Drive. The project intent is to construct 1 and 2-story, single family, buildings on the 3.62-acre site. The site consists of 18 total lots with an overall density of 4.97 DU/AC. Based on the current site plan, total parking required at 2.0/DU would be 36 spaces. Each lot provides 1-2 garage parking spaces, with parking also provided in the driveway. Additionally, on-street parking will be provided on Long Shadow Drive. A loop lane will be constructed along Falling Leaf Dr. where more parking will be available. 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 proposed streets in the 18th Filing. Falling Leaf Drive on the southwestern side and the existing Long Shadow Drive on the northeastern side. No new water or sewer utility main lines will be installed with this project, however utility services for the buildings along Long Shadow Drive will be installed.

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

Town Board Member Wilson stated the following, "Mayor Pro Tem Bennett, 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 and other matters were 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."

Discussion ensued between the Board and staff.

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

2. Resolution No. 2021-59 A Resolution approving Final Major Subdivision – Raindance Subdivision 19th Filing - David Nelson/Martin Lind, owner/applicants, and Morgan Kidder, applicant's representative

Please see public hearing item.

**Town Board Member Sislowski moved to approve Resolution No. 2021-59, Town Board Member Tallon seconded the motion. Roll call on the vote resulted as follows; Yeas - Bennett, Charpentier , Cline, Sislowski, Tallon, Wilson; Motion Passed.**

3. Ordinance No. 2021-1627 An Ordinance Creating Article XI, Chapter 7 of the Windsor Municipal Code Concerning the Regulation of Domestic Cats in the Town of Windsor

Over the years, issues have arisen concerning feral and stray cats. Feral or stray cats are considered to be unowned, free-ranging domestic cats, therefore are not addressed under any existing town codes applicable to the feeding of wildlife.

Per Chief Klimek, there have been no changes to the ordinance since the last reading.

Mayor Pro Tem Bennett opened the meeting up for public comment, to which there was none.

**Town Board Member Wilson moved to approve Ordinance No. 2021-1627, Town Board Member Tallon seconded the motion. Roll call on the**

**vote resulted as follows; Yeas - Bennett, Charpentier , Cline, Sislowski, Tallon, Wilson; Motion Passed.**

4. Ordinance No. 2021-1628 - Designating 423 Main Street as a Local Historic Landmark – Paul Sacco, owner/applicant

Mr. Paul Sacco, owner of 423 Main Street, has submitted a nomination to designate the property as a local historic landmark. The building was built in 1898 by John T. Perkins and originally operated as the J.T. Perkins General Merchandise Company. The building was home to a number of different businesses over the years, including a drug store, a post office, and a grocery store.

Per Mr. Hornbeck, there have been no changes to the ordinance since the last reading.

Mayor Pro Tem Bennett opened the meeting up for public comment, to which there was none.

**Town Board Member Tallon moved to approve Ordinance No. 2021-1628, Town Board Member Sislowski seconded the motion. Roll call on the vote resulted as follows; Yeas - Bennett, Charpentier , Cline, Sislowski, Tallon, Wilson; Motion Passed.**

5. Resolution No. 2021-60 - A Resolution Approving the November 1, 2021, Fourth Amended Intergovernmental Agreement for the Establishment of Larimer Emergency Telephone Authority

Beginning in 1990, the establishment and ongoing governance of the Larimer Emergency Telephone Authority (LETA) has been addressed in a series of intergovernmental agreements. The attached Fourth Amended Intergovernmental Agreement for the Establishment of Larimer Emergency Telephone Authority ("IGA") is the latest in this series. LETA is the state-approved entity for provision of emergency telephone service in Larimer County.

**Town Board Member Wilson moved to approve Resolution No. 2021-60, Board Member Cline seconded the motion. Roll call on the vote resulted as follows; Yeas - Bennett, Charpentier , Cline, Sislowski, Tallon, Wilson; Motion Passed.**

6. Resolution No. 2021-61 A Resolution Authorizing the Assignment of the Town's Private Activity Bond Allocation for 2021 to the Housing Authority of the Town of Windsor, Colorado; Providing Other Details in Connection Therewith; and Providing an Effective Date

**Town Board Member Tallon moved to approve Resolution No. 2021-61, Town Board Member Wilson seconded the motion. Roll call on the vote resulted as follows; Yeas - Bennett, Charpentier , Cline, Sislowski, Tallon, Wilson; Motion Passed.**

7. Ordinance No. 2021-1629 - An Ordinance Providing for Authorization and Administration of Infrastructure Cost Reimbursements, and Making Certain

Amendments to the Windsor Municipal Code Regarding Reimbursements to Developers for Infrastructure Costs

Over the last year we have been discussing updates to the Code to address inconsistencies and inefficiencies in our various provisions for reimbursements to developers for infrastructure costs that should be borne by the Town. During two separate work sessions I described how amendments to the Code will bring greater certainty, efficiency and predictability to the Town's role in reimbursing developers for road, water, sanitary sewer and stormwater drainage over-sizing. The attached Ordinance assures that infrastructure is eligible for reimbursement, authorized for reimbursement in advance by the Town, and is supported by cost analysis in advance.

Discussion ensued between Town Board and staff.

**Town Board Member Sislowski moved to approve Ordinance No. 2021-1629, Town Board Member Tallon seconded the motion. Roll call on the vote resulted as follows; Yeas - Bennett, Charpentier , Cline, Sislowski, Tallon, Wilson; Motion Passed.**

8. Public Hearing: Ordinance No. 2021-1630 - An Ordinance Approving The Amended And Restated Consolidated Service Plan For Greenwald Farms Metropolitan District Nos. 1 & 2, Amended And Restated Service Plan For Tacincala Metropolitan District Nos. 1-5, And Service Plan For Prairie Song Metropolitan District Nos. 8 & 9, Unified Into The Consolidated Service Plan For Prairie Song Metropolitan District Nos. 1-9, And Authorizing The Execution Of An Intergovernmental Agreement Between The Town And The Districts

The Prairie Song Metropolitan Districts No.'s 1-9 are proposed as a consolidation of existing metropolitan districts and creation of new districts to serve development in the portion of the Tacincala Annexation lying west of State Highway 257 and east of Weld County Road 15. Given the size of the land area and plans for its development, the Districts are proposing to finance significant improvements over an extended build-out.

Special Counsel Carolyn Steffl has been fully involved in review and analysis of the proposed Service Plan, and has offered her thoughts in the attached Memorandum dated September 8, 2021. Ms. Steffl will be in attendance on September 13 to answer any questions and provide her recommendations.

District representatives will also be on-hand to present their plans and provide further background for this legislative action.

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

Discussion ensued between Town Board, staff, and applicants.

**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, Sislowski, Tallon, Wilson; Motion Passed.**



9. Public Hearing: Ordinance No. 2021-1630 - An Ordinance Approving The Amended And Restated Consolidated Service Plan For Greenwald Farms Metropolitan District Nos. 1 & 2, Amended And Restated Service Plan For Tacincala Metropolitan District Nos. 1-5, And Service Plan For Prairie Song Metropolitan District Nos. 8 & 9, Unified Into The Consolidated Service Plan For Prairie Song Metropolitan District Nos. 1-9, And Authorizing The Execution Of An Intergovernmental Agreement Between The Town And The Districts

Per Mr. McCargar, nothing further to add at this time.

**Town Board Member Tallon moved to approve Ordinance No. 2021-1630, Town Board Member Wilson seconded the motion. Roll call on the vote resulted as follows; Yeas - Bennett, Charpentier , Cline, Sislowski, Tallon, Wilson; Motion Passed.**

10. Ordinance No. 2021-1631 Amending Certain Portions of Article II, Chapter 18 of the Windsor Municipal Code Concerning Amendments to the International Residential Code

Windsor has adopted the 2018 International Building Codes with several amendments. The enclosed presentation outlines a few additional amendments that Town Board discussed at the August 9th work session to address additional building safety and quality concerns.

Discussion ensued between Town Board and staff.

**Town Board Member Wilson moved to approve Ordinance No. 2021-1631, Town Board Member Tallon seconded the motion. Roll call on the vote resulted as follows; Yeas - Bennett, Charpentier , Cline, Sislowski, Tallon, Wilson; Motion Passed.**

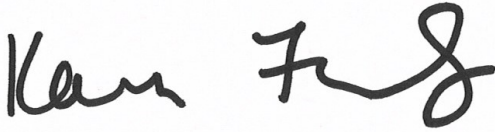
#### D. COMMUNICATIONS

1. Communications from Town Attorney  
Per Mr. McCargar, no further communications to provide.
2. Communications from Town Staff
  - a. Finance Report July 2021 - D. Moyer, Finance Director
3. Communications from Town Manager  
Per Mr. Hale, in the packet is the financial report as well as strategic plan update.
4. Communications from Town Board

#### E. ADJOURN

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

Upon a motion duly made, the meeting was adjourned at 9:49 p.m.

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

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Karen Frawley, Town Clerk