



TOWN BOARD REGULAR MEETING

January 22, 2018 // 7:00 p.m. // Town Board Chambers
301 Walnut Street, Windsor, CO 80550

MINUTES

A. CALL TO ORDER

Mayor Melendez called the meeting to order at 7:09 p.m.

1. Roll Call

Mayor	Kristie Melendez
Mayor Pro Tem	Myles Baker
	Cindy Scheuerman
	Ken Bennett
	Paul Rennemeyer
	Ivan Adams
Town Attorney	Ian McCargar
Acting Town Manager/Town Clerk	Patti Garcia
Communications/Assistant to Town Manager	Kelly Houghteling
Chief of Police	Rick Klimek
Director of Finance	Dean Moyer
Director of Planning	Scott Ballstadt
Director of Parks, Recreation & Culture	Eric Lucas
Senior Planner	Millissa Berry
Manager of Open Space & Trails	Wade Willis
Recreation Manager	Tara Fotsch
Customer Service Supervisor	Jessica Scheopner

2. Pledge of Allegiance

Mayor Pro Tem Baker led the Pledge of Allegiance.

3. Review of Agenda by the Board and Addition of Items of New Business to the Agenda for Consideration by the Board

Town Board Member Rennemeyer moved to approve the agenda as presented; Town Board Member Scheuerman seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Scheuerman, Bennett, Rennemeyer, Adams, Melendez; Nays- None; Motion passed.

4. Recognition of Award: Colorado Parks and Recreation Association Community Champion Award

- Staff Presentation: Tara Fotsch, Recreation Manager

Ms. Fotsch explained that in September, 2017 staff submitted an application nominating Regan Price for the 2017 Community Champion Award. Ms. Price is a resident of Windsor and member of the Parks, Recreation and Culture Advisory Board and played an integral role in educating and advocating voters about the community recreation center expansion.

In early October, Ms. Price was named the 2017 Community Champion Award winner. She and her family attended the conference for one day and attended the Award banquet where she was recognized.

Ms. Fotsch presented Ms. Regan with the 2017 Community Champion Award.

Mayor Pro Tem Baker expressed his gratitude for all of Ms. Price and her service.

Mayor Melendez also expressed her gratitude and congratulated Ms. Price.

5. Proclamation—School Choice Week

Mayor Melendez proclaimed January 21st - January 27th as School Choice Week.

6. Board Liaison Reports

- Mayor Pro Tem Baker – Parks, Recreation & Culture Advisory Board; North Front Range/MPO alternate
Mayor Pro Tem Baker reported that the Parks, Recreation and Culture Board has not meet since the last Town Board Meeting.
- Town Board Member Scheuerman – Water & Sewer Board; Clearview Library Board
Town Board Member Scheuerman reported that neither groups have met since the last report.
- Town Board Member Bennett – Planning Commission; Windsor Housing Authority
Town Board Member Bennett reported the Planning Commission met last week and addressed the Les Schwab Property that is on the agenda tonight He reported the Windsor Housing Authority has started into negotiations to purchase property in the Wind Shire park area and will be coming before the board with some items.
- Town Board Member Rennemeyer – Historic Preservation Commission; Great Western Trail Authority; Chamber of Commerce
Town Board Member Rennemeyer reported that there is no updated on the Great Western Trail Authority. The Historic Preservation Commission has gone to a quarterly meeting schedule. The majority of the commission is going to the Saving Places Conference.
He reported that the Chamber of Commerce has a new president whom is also the store manager of Safeway. They also voted on adding two new I board members for a total of nine member board. As well, events are being planned for 2018.
- Town Board Member Adams – Tree Board; Poudre River Trail Corridor Board
Town Board Member Adams reported that the Tree Board meets January 23rd. The Poudre River Trail Corridor will be having a retreat on January 31st.
- Mayor Melendez – Downtown Development Authority; North Front Range/MPO

Mayor Melendez reported NFRMPO is looking for a new executive director. They will be having special meeting January 25th.

She reported the DDA met on January 17th and approved the 2018 Final budget. The DDA has also completed an environmental study on properties that they owned. There were no action letters received during that process; therefore, they can proceed for the purchase for the additional property. There are continued discussion concerning the back lots. The group and Brinkman will continue to work with stake holders to vet out issues. DDA continues to actively work on a financial analysis for the Mill and will be coming back to the Town Board for review.

7. Public Invited to be Heard

Regan Price, Representative of Weld RE-4, thanked the Town Board for their continuing partnership with the school district. She reviewed all the on-going and upcoming construction in the district, district line changes for Severance, the school boards approach to dealing with growth with a bond in 2020 for an elementary school, budget and potential properties to purchase. She again expressed her gratitude to the Town Board.

B. **CONSENT CALENDAR**

1. Minutes of the January 08, 2018 2017 Regular Meeting – J. Scheopner
2. Advisory board appointment – P. Garcia
3. Resolution No. 2018-12 – A Resolution Making Certain Findings Of Fact, Authorizing The Town Attorney To Undertake Eminent Domain Proceedings With Respect To The Acquisition Of Real Property Owned By Unknown Persons, Necessary For The Establishment Of Utility, Transportation, Sanitation, Parking And Other Public Functions Related To The Redevelopment Of Adjacent Land Under The Auspices Of The Windsor Downtown Development Authority, And Granting Full Plenary Authority in Association Therewith –I. McCargar

Town Board Member Rennemeyer moved to approve the consent calendar as presented; Town Board Member Scheuerman seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Scheuerman, Bennett, Rennemeyer, Adams, Melendez; Nays- None; Motion passed.

C. **BOARD ACTION**

1. Outside Agency Funding Request – Miss Rodeo Colorado 2018
 - Staff Introduction: Eric Lucas, Director of Parks, Recreation & Culture

Mr. Lucas reported Alex Hyland, a Windsor resident was recently named Miss Rodeo Colorado 2018 has rented rooms at the community recreation center for a fundraising dinner. The funds are to help offset her costs of traveling the state throughout the year. She will be asking for reimbursement in the amount of \$1,020 in fees for the following date: Saturday February 24th 5-6PM in the Evergreen Room, 6-10PM in the Main Gym.

Breakdown of fees:

- \$100 for 1 hour in Evergreen Room
- \$220 for security for the full event
- \$700 for 4 hours in gymnasium

The Community Recreation Center Policy mirrors the Town Sponsorship Policy which states that Non-profits can pay for a rental (park, shelter, room, etc.) and

upon approval by Town Board receive reimbursement. Staff at the Community Recreation Center has reserved the room for the event and she has paid the appropriate fee.

If approved the Town Board will reimburse the applicant in the amount of \$1,020. The Town Board has a 2018 budget of \$89,657 for Outside Agency Funding. To date, no money has been expended. Staff is requesting Board direction.

Ms. Hyland spoke to the Board. She explained how she represents not only Colorado but Windsor as well through various events, projects, etc. This request would help her greatly with her fundraising event. She thanked the Board for allowing her to speak.

Town Board Member Adams moved to approve the request of Ms. Hyland for Outside Agency Funding in the amount of \$1,020.; Town Board Member Rennemeyer seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Scheuerman, Bennett, Rennemeyer, Adams, Melendez; Nays-None; Motion passed.

2. Ordinance No. 2018-1554 - 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

Super majority vote required on second reading

- Second Reading
- Legislative action
- Staff presentation: Ian McCargar, Town Attorney

Mr. McCargar reported 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 2018 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 2018 Annual Budget, thus satisfying the requirements of law. These changes are included in the 2018 budget. Staff is recommending adoption on second reading.

Mr. Rennemeyer asked if this is something done on an annual basis.

Mr. McCargar replied yes it is.

Town Board Member Rennemeyer moved to adopt Ordinance No. 2018-1554 - 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 on second reading; Town Board Member Bennett seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Scheuerman, Bennett, Rennemeyer, Adams, Melendez; Nays- None; Motion passed.

3. Ordinance No. 2018-1555, An Ordinance Amending Section 19-1-20 of the Windsor Municipal Code With Respect to Improving Transparency and Accountability for Metropolitan Districts in the Town of Windsor

- First Reading
- Legislative action
- Staff presentation: Ian McCargar, Town Attorney

Mr. McCargar explained over the course of 2017, Town Board gathered information and discussed the general topics of metropolitan district governance, particularly as to transparency and accountability. During these discussions, Special Counsel Carolyn Steffl recommended two basic Code changes: meeting times and locations, and posting of statutory calls for nominations in advance of Board elections. Ordinance No. 2018-1555, An Ordinance Amending Section 19-1-20 of the Windsor Municipal Code With Respect to Improving Transparency and Accountability for Metropolitan Districts in the Town of Windsor has been included in the packet. Staff has provided the Board with a redline and clean version, so that the changes from existing text is visible. As can be seen from the redline version, the operative changes appear as new sub-sections (o) through (q) of Code Section 19-1-20. Assuming this Ordinance is adopted, these changes will apply to new district service plan approvals and existing district service plan amendments. Staff recommends adoption of Ordinance No. 2018-1555. Simple majority is required on introduction. And a super-majority is required for final adoption.

Mr. Adams expressed his concern that there is nothing about elections in these changes. He further expressed how buried election information is in Title 32 Article 1 of the statute that Special Districts must comply. He is concerned the Town does not have any specific requirements. He did not see anything on this. He stated the Metro District's do not follow the statute. They do not elect those in the community they represent. He asked if there is any more that can be done.

Mr. McCargar stated this is not something in our code nor would he recommend it to be. The districts have to follow the State Statute. Changing the State Statute is difficult.

Mr. Adams expressed he cannot support this ordinance then.

Mayor Melendez stated this is an improvement and a step in the right direction. She expressed that if a formal complaint is needed against a Metro District it can be made to the Department of Local Affairs that regulates Special Districts. She encourages this action to those citizens that feel things are in question.

Town Board Member Scheuerman moved to approve Ordinance No. 2018-1555, An Ordinance Amending Section 19-1-20 of the Windsor Municipal Code With Respect to Improving Transparency and Accountability for Metropolitan Districts in the Town of Windsor on first reading; Town Board Member Bennett seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Scheuerman, Bennett, Rennemeyer, Melendez; Nays- Adams; Motion passed.

4. Resolution No. 2018-13, A Resolution Establishing Rates for Town of Windsor Water Service Customers, Authorizing the Implementation of such Rates, and Rescinding Resolution No. 2018-09

- Legislative Action
- Staff Presentation: Dean Moyer, Director of Finance

Mr. Moyer stated at the meeting on January 8, 2018 the Board adopted Resolution 2018-09 adjusting water service rates for 2018. Unfortunately there was a mistake in the rate chart attached to the resolution. The corrected rate chart is attached to Resolution 2018-13.

Town Board Member Adams moved to approve Resolution No. 2018-13, A Resolution Establishing Rates for Town of Windsor Water Service Customers, Authorizing the Implementation of such Rates, and Rescinding Resolution No. 2018-09; Town Board Member Bennet seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Scheuerman, Bennett, Rennemeyer, Adams, Melendez; Nays-None; Motion passed.

5. Resolution No. 2018-14, A Resolution approving participation in Colorado Statewide Investment Program

- Legislative Action
- Staff Presentation: Dean Moyer, Director of Finance

Mr. Moyer reported the Town currently manages its investments internally according to the mandates of its investment policy and the Colorado Revised Statutes. One of the approved investments we utilize are local government investment pools (LGIPs). LGIPs operate similar to money market funds, but they are regulated by the Colorado Division of Securities, are authorized under Colorado law and are overseen by a Board of Trustees consisting of Colorado local government officials. In August 2017 a new local government investment pool was formed, the Colorado Statewide Investment Pool (CSIP). CSIP has two AAA rated portfolios which may be useful to the Town in the management of its short term funds, a Liquid Portfolio (used for daily liquidity, rated AAAM by S&P) and a Term Portfolio (used to manage cash flows within 1 year, rated AAAs by Fitch). The Term Portfolio may be highly beneficial to the Town with respect to its short term investments. CSIP is managed by PFM Asset Management LLC (PFMAM), an investment advisory firm that has a distinct focus on public entities such as the Town. As of September 30, 2017, PFMAM managed over \$78.5 billion of assets and serves as the investment advisor to 17 LGIPs nationally. The initial investment in the term portfolio is \$500,000.

Staff recommends to move ahead with an investment in CSIP. However, in order for the Town to invest in CSIP, the Town Board must approve the Resolution in which it adopts the Indenture of Trust (the legal document which describes CSIP).

Chris Blackwood with PFM Asset Management explained how the CSIP is managed, how the investment would work, and the maturity length.

Mr. Rennemeyer inquired why not put the money into the other investments like CSAFE and ColoTrust. He asked why add this to the portfolio now.

Mr. Moyer explained that the Town is invested in ColoTrust and CSAFE. The goal is to add more diversification to the Town's portfolio. And while this is a new program it has a better rate of return and more flexibility.

Mr. Rennemeyer inquired if the resolution permits the investment of town funds.

Mr. Moyer replied the resolution only authorizes the investment but does not obligate the Town to invest.

Mayor Melendez asked if the first initial investment is \$500,000.
Mr. Blackwood replied yes.

Mayor Melendez inquired if it would be liquid or term.
Mr. Blackwood replied it can be a little of both.

Mayor Melendez asked Mr. Moyer how he recommended investing the money.
Mr. Moyer stated he would put all \$500,000 in the term side.

Town Board Member Scheuerman moved to approve Resolution No. 2018-14, A Resolution approving participation in Colorado Statewide Investment Program; Town Board Member Bennett seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Scheuerman, Bennett, Rennemeyer, Adams, Melendez; Nays- None; Motion passed.

6. Site Plan Presentation – Jacoby Farm 5th Filing Lot 5 – Les Schwab Tire Center, George Bunting, SFP-E, LLC, applicant / Aaron McLean, Galloway & Company, Inc., applicant's representative

- Staff presentation: Millissa Berry, Senior Planner

Ms. Berry reported the applicant, Mr. George Bunting, of SFP-E, LLC, is proposing a new site development in the Jacoby Farm Subdivision 5th Filing. The site of the proposed Les Schwab Tire Center is located at 1650 Main Street. The site is zoned General Commercial (GC) and is located adjacent to other GC zoned properties. It is also located along a designated commercial corridor.

Overall development characteristics include:

- total lot area of 1.48 acres
- approximately 28.8% landscaped area
- a 12,518 square foot building
 - o 8 service bays
 - o Sales area
- 38 parking stalls (request for parking determination on agenda)

Building characteristics include:

- building materials are a mix of ground face CMU (3 varieties and colors) in earth tone colors , a stone veneer wainscot, and metal panel accents (material and color board submitted)
- the prominent building colors are a mix of tans; accent colors include gray, maroon, and bronze
- building height of 25' 4"
- a flat roof with varied roofline
- treatment of the western façade to break up building mass

The current presentation is intended for the Town Board's information. Should the Town Board have any comments or concerns pertaining to this project, please refer such comments to staff during the presentation so that they may be addressed during staff's review of the project. The site plan will be reviewed and approved administratively by staff; however, if the project review process reveals issues that cannot be resolved between the applicant and staff, the site plan will be brought back to the Planning Commission and Town Board for review. The Planning Commission reviewed the site plan at its January 17, 2018 regular meeting.

Mr. Baker inquired if this complies with the current corridor plan.

Ms. Berry replied yes, staff has worked extensively with the applicant including colors, breaking up the façade, and the landscape.

Mayor Melendez asked where the direct access point into the property
Ms. Berry replied at 16th Street on the east side and there is a potential for a connection to the north.

Mayor Melendez asked what the timeline is to complete the building.
Aaron McLean, Site Development Manager for Galloway US representing Les Schwab stated it is an eight month building process from the time the building permit is submitted.

Mayor Melendez inquired if this is a standard size store.
Mr. McLean replied yes.

Mayor Melendez thanked both staff and the applicant for their time. No further discussion was made.

7. Jacoby Farm Park Master Plan

- Staff Presentation: Wade Willis, Manager of Open Space & Trails

Mr. Willis reported in early August, 2017 Vireo Design met with Town Staff to clarify the scope of work and perform a site visit. Staff directed Vireo that the Jacoby Site was to be maintained as a historic site centered around the Halfway House. Key items should include things like site interpretation and programming opportunities. Programming opportunities may include things like: exhibits, community gardens, orchards, canning, quilting, art classes etc. Based on this feedback Vireo developed concept boards exhibiting proposed types of uses and programming on the site.

From August 31 to September 30 a survey was posted on the town website soliciting feedback on these concept boards. On September 14th Vireo and staff held a public open house at the Art and Heritage Center with approximately 15 attendees. Based on the feedback received from the online survey and public meeting, Vireo created two concepts The concepts were posted online in survey format from November 20th to December 1st. Participants in the survey could select which concept was most preferred or which elements were most desired. Based on the final survey data, a single proposed concept was developed and presented to the Parks, Recreation & Culture Advisory Board on December 5th where public comment was received (4 attendees). The Parks, Recreation & Culture Advisory Board voted 5-1 to recommend approval of the master plan.

The department allocated and spent \$30,000 in 2017 for this project. No further money is allocated to this project at this time because the department does not currently own the property. When ownership is acquired, staff will revisit the plan and make recommendations for implementation.

Mr. Baker seemed like residents are concerned about parking and being overloaded with participants. He asked if the intent is to have more scheduled programs to ease the parking issues.

Mr. Willis explained that there is an interpretive area that can be accessed during park hours. The intent is to have scheduled programs as well, in hopes to ease parking.

Mayor Melendez noticed there are only 14 stalls for parking which seems inadequate even for scheduled programs. She asked for explanation as to why so few.

Mr. Willis explained that the site is small and adding parking would consume up the key elements of the park. There is trail access and access to the CRC for parking that is only about quarter mile away for other parking.

Mayor Melendez inquired what the process is to handle environmental concerns or impact on wildlife when developing such an area.

Mr. Willis explained that a baseline study would be completed to identify if any other agency's need to be brought in or more research is needed.

Mr. Rennemeyer inquired since the individual owns this has to pass before becoming Town Property is there any chance of the Town not getting this property.

Mr. McCargar stated the property is actually owned by the Town of Windsor. The lease term is extended thru the life of Ms. Babcock. Not owned by her. Explanation.. about Jacoby Farm. Exchange the property to use through the developer.

Mr. Bennett expressed his compliments to the department on such a thorough plan, especially the use of the survey for citizen comment. He did ask what has been done on traffic studies and information.

Mr. Willis stated they have worked with the engineering department.

Mr. Adams asked if ADA accessibility is part of the plan.

Mr. Willis stated it absolutely will be accessible. There is a federal mandate that requires it to be.

Mr. Lucas reminded the Board that this is a master plan and can come back to you for further review due to growth and other issues. The goal with a master plan is to have a starting point to build from.

No action was required.

8. Community Development Report

- Staff presentation: Scott Ballstadt, Director of Planning

Mr. Ballstadt provided a summary of the Community Development Report within the packet material which includes projects that are under review, projects that are under construction and infrastructure that is under constructions.

9. Strategic Plan Update

- Staff presentation: Kelly Houghteling, Assistant to the Town Manager

Ms. Houghteling reported the highlights of 2017 Quarter 4 accomplishments. She reported on the regional water treatment plan, water report, adoption of the roadway master plan, Crossroads Boulevard design and partnership with Weld

County, adoption of crosswalk guidelines, and the progress on the municipal broadband feasibility study and survey. She explained that planning for 2018-2020 will be beginning soon.

D. COMMUNICATIONS

1. Communications from the Town Attorney

Mr. McCargar stated he has received word from Downtown Development Authority attorney on the Bertsch property. He would like to run items by the Board before placing it on a Town Board Agenda for approval. He requested from the Board how they would like to discuss these items.

Mayor Melendez asked if there is a deadline to get the items approved.

Mr. McCargar replied not at all.

Mayor Melendez stated it would be best to discuss at the February 12th work session.

2. Communications from Town Staff

Mr. Lucas brought to the Board's attention the article in the Athletic Business magazine highlighting the design of the CRC addition specifically the aquatics section.

Chief Klimek explained that the monthly police report has been provided tonight in hard copy to the Town Board. He brought to their attention the assistance officers brought to Santa cops, specifically developing a relationship with a young boy dealing with stage IV cancer. A uniform was made for the boy and officers continue to interact with him and the family.

3. Communications from the Acting Town Manager

Ms. Garcia reported that candidate packets are in for the election. There will definitely be an election. There are two candidates running for each position.

4. Communications from Town Board Members

Mr. Baker read a letter received from an aquatics participant. This person expressed the outstanding service and attention they received during private swim lessons. This person was extremely afraid of any water. Through the patience, care and ability of the instructors, life guards and other staff they have been able to begin to feel more comfortable in water and swim. They proclaimed their gratitude to everyone.

E. ADJOURN

Town Board Member Bennett moved to adjourn; Town Board Member Adams seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Scheurman, Bennett, Rennemeyer, Adams, Melendez; Nays- None; Motion passed.

The meeting was adjourned at 8:48 p.m.



Jessica Scheopner, Customer Service Supervisor