



TOWN BOARD REGULAR MEETING
October 14, 2019 - 7:00 PM
Town Board Chambers, 301 Walnut Street, Windsor, CO 80550

MINUTES

A. CALL TO ORDER

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

1. Roll call

Mayor Kristie Melendez
Mayor Pro Tem Ken Bennett
Myles Baker
Barry Wilson
Paul Rennemeyer
Tom Jones - Absent
David Sislowski

Also Present:

Shane Hale, Town Manager
Ian McCargar, Town Attorney
Rick Klimek, Chief of Police
Scott Ballstadt, Director of Planning
Stacy Miller, Director of Economic Development
Krystal Eucker, Town Clerk

2. Pledge of Allegiance

Town Board Member Rennemeyer led 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 Rennemeyer moved to approve the agenda as presented, Mayor Pro Tem Bennett seconded the motion. Roll call on the vote resulted as follows; Yeas - Baker, Bennett, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

4. Proclamation

Mayor Melendez read the National Community Planning Month Proclamation.

- Proclamation for National Community Planning Month

5. Board Liaison Reports

- Town Board Member Baker - Tree Board, Historic Preservation Commission
Town Board Member Baker had no update for the Tree Board.

Historic Preservation Commission held a work session last Wednesday. There was discussion regarding the potential of two interpretive signs around Windsor Lake discussing the significance of water in Northern Colorado and in Windsor.

- Town Board Member Wilson - Parks, Recreation and Culture Advisory Board; Poudre

River Trail Corridor

Town Board Member Wilson reported the Poudre River Trail Corridor GoCo grant with Windsor, Larimer County, Timnath, and Fort Collins to connect Windsor and Ft. Collins has been well-publicized and big news.

The Parks, Recreation and Culture department is currently working on winterizing parks facilities.

The PRECaB meeting brought forth some interesting facts:

- The CRC through September has greeted more than 298K people thus far this year.
- September brought in 26,522 visits which averages about 915 visits per day.
- Membership in August had gained 343 new members
- In September, Silver Sneakers alone accounted for 2,248 of the visits
- Pickle ball is gaining popularity: CRC had 2,100 players in 2018. In 2019, that numbers has risen to 2,903 players through August alone of 2019.

- Mayor Pro Tem Bennett - Water and Sewer Board

Mayor Pro Tem Bennett reported that the Water and Sewer Board met on October 9, 2019. The Board reviewed the data regarding raw water dedication and made recommendations to the Board.

- Town Board Member Rennemeyer - Chamber of Commerce

Town Board Member Rennemeyer had no report regarding the Chamber of Commerce.

Mr. Rennemeyer attended the Library Board meeting on behalf of Mr. Sislowski. Some of the highlights from the meeting:

- The Board unanimously approved to go Fine Free, which means there will no longer be fines for items returned late to the library. They are following the trend of a lot of libraries that are going in that direction. Decision made as of October 1, 2019.
- An alarming statistic shared is the number of patrons served is lower than in previous years.
- The Book Mobile patron usage is up from last year. However, the overall trend has gone down over a 5-year period. Steadily has gone down.
- Program attendance is down
- Circulation is hovering

Trends are not looking positive, which is probably what led to the Strategic Planning session that took place on Saturday. Mr. Sislowski will report on that meeting.

Mr. Sislowski did mention the decline in the Book Mobile patronage may have been impacted due to the duration of time both this year and last year that it was in the garage being serviced for A/C issues.

- Town Board Member Jones - Windsor Housing Authority; Great Western Trail Authority

Town Board Member Jones; absent - no report.

- Town Board Member Sislowski - Clearview Library Board; Planning Commission

Town Board Member Sislowski reported a meeting of the Library strategic planning advisory group took place on Saturday, October 12, 2019. That group being charged with developing a long-term strategic plan and vision for the Library operating within their existing Mission statement.

There will be two more meetings to held in mid-November. The Advisory Group will be presenting to the Library Board its recommendations. The Board will then consider those recommendations for adoption in late November.

Mayor Melendez mentioned that the Library will plan a community engagement outreach once the strategic plan is approved by the Advisory Board. This will be a time for feedback, to voice concerns, and to see the course of the plan before the final strategic plan is adopted.

Mr. Sislowski also stated that this Saturday, October 19th, there will be all -day interviews with the Interview Group for two term-limited Advisory Board positions that are opening up at the end of the year. He, as part of the Interview Group, will be interviewing seven candidates to fill those two positions.

- Mayor Melendez - Downtown Development Authority; North Front Range/MPO

Mayor Melendez reported the DDA meeting is scheduled for Wednesday, October, 16th at 7:30 p.m. Nothing to report until after that meeting.

North Front Range MPO met on October 3rd in Loveland. Highlights from that meeting:
1. Received a report from VanGo fair. The VanGo pool program is barely breaking even. MPO expects insurance premiums to go up due to large amount of hail damage across the state and the turn over in new fleet vehicles. There has been no cost of living increase and fares have not increased since 2016. Because of this, there is a recommended 2% fare increase expected to take place January 1, 2020, which is about an average of \$4/ month in ridership. Not a significant change. Will be more diligent in future years to track cost vs. revenue, so they can plan for a more gradual increase as needed.

2. Mobility report:

- The Bustang to Bronco's will return this season. Cost is \$30 round trip.
- Snowstang expanding to include A-Basin and the Loveland ski area, as well as the Eldora ski area. The cost \$25 rt.

3. The 2045 Regional Transportation Plan has been approved.

4. A summary of the 2019 Public Outreach has been completed. Huge increase in community interactions. Proudly, Windsor had the largest number of interactions of any community at nearly 800 interactions from the Harvest Fest. CDOT is planning a 10-year pipeline of projects. Our list of transportation priorities was given to TAC who is currently going through our list. In November's meeting, they will then give us a 10-year pipeline of projects ready to go when money is available.

6. Public Invited to be Heard

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

B. CONSENT CALENDAR

1. Minutes of the September 23, 2019 Regular Meeting - K. Eucker
2. Resolution No. 2019-65 A Resolution Affirming the Reappointment of Bill Hertneky to the Poudre River Trail Corridor Authority Board of Directors - Ian D. McCargar, Town Attorney
3. Resolution No. 2019-66 A Resolution Changing the Street Name of Weld County Road 13 and Larimer County Road 1 to Colorado Boulevard in the Town of Windsor, Colorado - Scott Ballstadt

4. EarthX Lithium Batteries Incentive Agreement Extension - J. Young
5. Advisory Board Appointments - K. Eucker
6. Report of Bills September 2019 - D. Moyer

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

C. BOARD ACTION

1. Ordinance No. 2019-1595 - An Ordinance Amending Chapter 2 and Chapter 16 of the Windsor Municipal Code with Respect to the Removal of Members of Certain Boards and Commissions Serving the Town of Windsor

Per Mr. McCargar, in a recent amendment to the Code, inconsistent and redundant language was discovered regarding the removal of advisory board members. This Ordinance eliminates the the inconsistency and redundancy, so that all advisory board members are treated in like fashion in the event of removal.

The Ordinance before you is a corrected version from that presented on September 23, action on which was postponed to October 14 to allow for the correction.

Town Board Member Rennemeyer moved to to approve Ordinance No. 2019-1595, Town Board Member Wilson seconded the motion. Roll call on the vote resulted as follows; Yeas - Baker, Bennett, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

2. Public Hearing - Final Major Subdivision - Great Western Industrial Park Subdivision 11th Filing - Dean Brown, owner/applicant, and Mark Cevaal, Redland, applicant's representative

Town Board Member Rennemeyer moved to open the public hearing, Mayor Pro Tem Bennett seconded the motion. Roll call on the vote resulted as follows; Yeas - Baker, Bennett, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

Per Ms. Malone, the applicant, has submitted a major subdivision, known as Great Western Industrial Park Subdivision 11th Filing. The proposal is the replat of Great Western Industrial Park 7th Filing, Lot 3 and Lot A of Recorded Exemption No. 0808-26-4-RE455. The site is located directly west of WCR 23 and east of Great Western Drive; ¼ mile south of Eastman Park Drive/WCR 64 ¾, and directly south of the Whitney Ditch.

The subject subdivision encompasses approximately 37.15 acres and is zoned Heavy Industrial (I-H). The proposal replats an existing subdivision filing in Great Western Industrial Park and a recorded exemption to create three industrial lots and additional right-of-way for WCR 23. The site is entirely surrounded by I-H zoning within the Great Western Industrial Park Subdivision. The subdivision includes a non-potable water system with water line, pond, and irrigation pump station. The major subdivision application combined the preliminary and final subdivision requests. The preliminary subdivision was approved by the Planning Commission on October 2, 2019, along with a recommendation of approval forwarded to the Town for the final subdivision.

Final Plat characteristics (please see project presentation for plat):

- 37.15 acres
- Heavy Industrial zone (I-H)
- Three industrial lots

- Lot 1 – 16.145 acres
- Lot 2 – 1.646 acres
- Lot 3 – 18.625 acres
- Dedication of .606 acres of right-of-way

The applicant held a neighborhood meeting on July 9, 2019. There were three neighbors in attendance, all with general questions about the project and no concerns regarding the subject proposal.

The application is consistent with the Comprehensive Plan as well as the Strategic Plan.

Notifications: A neighborhood meeting was held on July 9, 2019.

Notifications for this meeting were as follows:

- June 28, 2019 – display ad published in the newspaper
- June 27, 2019 – affidavit of mailing to property owners within 300 feet

Notice of public hearings scheduled before Planning Commission (10/2/19) and Town Board (10/14/19) were published in the newspaper, posted on the website and Town Hall bulletin board, and a sign was posted on the property in accordance with the Municipal Code.

Notice of these public hearings was also mailed to property owners within 300 feet.

Notifications for this meeting were as follows:

- September 20, 2019 – display ad published in the newspaper
- September 19, 2019 – affidavit of mailing to adjacent property owners
- September 16, 2019 – notice posted on the property

Recommendation: At their October 2, 2019 meeting, the Planning Commission forwarded to the Town Board a recommendation of approval of the final major subdivision as presented, subject to all remaining Planning Commission and staff comments being addressed.

Staff requests the following be entered into the record:

- Resolution
- Application and supplemental material
- Staff memorandum and supporting document
- Testimony presented during the public hearing
- Recommendation

Ms. Melendez inquired if there was any comments from Weld County for the IGA regarding the unincorporated Weld County area.

Ms. Malone stated there were no conflicts with the request.

Applicant had nothing further to add.

Town Board Member Rennemeyer moved to close the public hearing, Mayor Pro Tem Bennett seconded the motion. Roll call on the vote resulted as follows; Yeas - Baker, Bennett, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

3. Resolution 2019-67 - A Resolution Approving the Final Major Subdivision - Great Western Industrial Park Subdivision 11th Filing - Dean Brown, owner/applicant, and Mark Cevaal, Redland, applicant's representative

Ms. Malone had nothing further to add.

Town Board Member Wilson moved to to approve Resolution No. 2019-67, Town Board Member Baker seconded the motion. Roll call on the vote resulted as follows; Yeas - Baker, Bennett, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

4. Resolution 2019-68 - A Resolution Approving and Adopting the Intergovernmental Agreement for the Operation of the Poudre Express Transit Service Project by, between and among the City of Fort Collins, the Town of Windsor, and City of Greeley

Per Ms. Malone, at the February 5, 2018 work session, the Town Board received a presentation regarding the Northern Colorado Regional Route Study, led by the City of Greeley and Greeley-Evans Transit (GET), along with Willow Jones, the City of Greeley Deputy Public Works Director and Darin Davis, Transit Manager from GET, who were among the most involved in spearheading this effort for the past several years since 2018.

In cooperation with other participating organizations, the study focused on a bus route between the University of Northern Colorado (UNC) and Colorado State University (CSU). The study illustrated demand for ridership within areas of Windsor; and therefore, three transit stops have been planned along the route through Windsor at this time. A fourth location in the area of Larimer County Road 5 and State Highway 392 was identified in the study; however, would need to be considered in the future once infrastructure is in place.

At the July 22, 2019 work session, the Town Board received a presentation from the City of Greeley/GET regarding the anticipated annual funding request for Windsor's contribution toward the route, beginning next year, of \$115,000. At this same work session, there was a separate discussion regarding the planned level of bus stop infrastructure, maintenance, CIP budget impacts, and preliminary cost estimates. The annual cost of participation toward the route for 2020 and initial infrastructure improvements have been proposed within the CIP budget.

The City of Greeley, City of Fort Collins, and Windsor have prepared the attached intergovernmental agreement (IGA) regarding the shared annual financial participation towards the operational costs of the regional route. The IGA includes the infrastructure obligations of each jurisdiction and terms of annual participation. Each jurisdiction will be responsible for funding and constructing infrastructure improvements within the respective jurisdiction, as well as terms for shelter and bench advertising.

Town staff recommends following the Fort Collins design standards for transit infrastructure, including bus shelters, benches, trash receptacles, and other amenities. Excerpts from the Fort Collins Design Standards are attached for reference.

Mr. Baker inquired about parking at the various bus stops; specifically at LCR 5 and 392.

Ms. Malone stated the bus stop at LCR 5 and 392 is not being proposed at this time because of lack of infrastructure.

Mr. Baker further inquired if new developments will be required to build parking infrastructure.

Ms. Malone responded that it has not been determined as of yet.

Mr. Davis responded that they would utilize existing infrastructure rather than installing anything new. Parking will continued to be monitored by staff whether it be a public/private parking partnership or utilizing big box store parking lot space. 7th street stop was provided as a stop to be within walking/ biking distance from the town core.

Mr. Bennett inquired as to section B (pg. 2) of the IGA regarding Greeley having the authority to make modifications; what would those modifications be.

Ms. Malone stated that those modifications could potentially be locations and timing.

Mr. Davis stated that the modifications mentioned were primarily referring to the time schedule of the route. If there are changes beyond the timing, there would be constant communication with the Town.

Mr. Bennett inquired as to the financial modifications as well, if effort is successful and additional stops or service is required.

Mr. Davis that there will be conversation with all three partnerships. APC - Automated Passenger Counters will be installed on the buses to track data and demographics.

Mr. Sislowksi inquired as to the reference of a fair per ride of \$1.50 if that rate was to cover operating cost, O & M.

Mr. Davis replied regarding fares vs. operating cost and stated that the majority of Windsor's contribution will be operating cost.

Mr. Sislowski further inquired regarding the participation rate in targeting a fare of \$1.50 in terms of ridership.

Mr. Davis stated that bus routes typically take 3 years to fully mature. Performance measure is based off of a goal of 12 riders per hour. Expected budget amount from fares is around \$20k per year, some of which is contribution from CSU, so students can ride for free.

Ms. Melendez commented that this is a project that came out of the MPO. Extended thanks to Greeley for spearheading this effort and also to Fort Collins and CSU for their contribution.

Mayor Pro Tem Bennett moved to approve Resolution No. 2019-68, Town Board Member Rennemeyer seconded the motion. Roll call on the vote resulted as follows; Yeas - Baker, Bennett, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

5. Resolution No. 2019-69 - A Resolution Approving Relocation of Outdoor Archery Range

Per Mr. Lucas, the Town has historically offered archery classes at Eastman Park on the south side adjacent to the Poudre River as permitted by Section 10-4-90 (b) of the Windsor Municipal Code which allows for a "The Town Board may, by resolution containing such conditions as may be appropriate, designate certain areas of the town wherein firearms, BB guns, pellet guns, bow and arrow or crossbows may be discharged for the purpose of hunting or target shooting."

In 2011, after several flooding events that resulted in the cancellation of classes, the Town Board approved a resolution approving the temporary relocation of the range to Diamond Valley Park. This was done in an effort to ensure classes and the general public who frequent the archery range could continue enjoying their sport.

In 2018, staff relocated the archery range to Town owned property formally known as the Kodak Watchable Wildlife Area adjacent to the Kodak Trail head along Hwy 257 in an effort to provide users a more realistic shooting experience and remove the use of archery equipment from a planned expansion of Diamond Valley Park. Staff was unaware of the ordinance and only recently learned of the need to obtain Town Board approval for relocation to its permanent home.

Resolution 2019-69 requests Town Board's approval to decommission the archery range at Eastman Park and officially relocate the range to the Town-owned Kodak Watchable Wildlife Area.

Mr. Sislowski complimented Mr. Lucas on the new site as being a very nice facility and observed its frequent use.

Town Board Member Rennemeyer moved to approve Resolution No. 2019-69, Town Board Member Wilson seconded the motion. Roll call on the vote resulted as follows; Yeas - Baker, Bennett, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

6. Ordinance 2019-1596 - An Ordinance Amending Section 13-2-80 Dedication of Water Rights

Per Mr. Thornhill, in order to provide a safe, reliable water supply in perpetuity, the Town of Windsor requires developers to furnish water rights to meet the increased demands of new development.

Sec. 13-2-80. – Grant of Water Rights of the Town Municipal Code states:

(a) All premises requesting original water service from the Town shall furnish to the Town,

without cost to the Town, water rights in the following amounts:

- (1) Single-family residential with separate non-potable irrigation system: 0.25 AF per residence, plus a seventeen percent (17%) shrinkage factor, for a total of 0.29 AF;
- (2) Multi-family with separate non-potable irrigation system: .15 AF per dwelling unit, plus a seventeen percent (17%) shrinkage factor, for a total of .18 AF;
- (3) Single-family without separate non-potable irrigation system: .50 AF per residence, plus a seventeen percent (17%) shrinkage factor, for a total of .58 AF;
- (4) Multi-family without non-potable irrigation system: .15 AF per dwelling unit, plus 3 AF per acre of irrigated landscape, plus a 17% shrinkage factor.

Staff has received several requests recently to evaluate the raw water dedication requirements for single-family and multi-family residential dual use systems (a separate non-potable system provides irrigation water) in Windsor. An analysis on water demand was performed for all dual-use systems in Windsor which was presented to the Town Board at the September 9, 2019 work session and to the Water & Sewer Board on September 11, 2019. Based on feedback from each board and the development community, staff recommends the following dedication amounts listed below:

Single-family residential dual use systems: .25 acre-feet (AF) per residence;

Multi-family residential dual use systems: .15 AF per dwelling unit;

Single-family without separate non-potable irrigation system: .50 AF per residence;

Multi-family without non-potable irrigation system: .15 AF per dwelling unit, plus 3 AF per acre of irrigated landscape.

The above water use factors were based on an analysis of water use over the last ten years with a special emphasis on more recent development given due to the increasing efficiencies of water fixtures used today. Also, a cursory comparative analysis of other surrounding communities was conducted and found these proposed water factors in line with other raw water dedication amounts. Each dedication amount also includes the full shrink amounts recommended in the Town's water master plan (treatment, distribution, and contractual assessments) as well as a drought protection factor.

Mr. Baker inquired if this will be looked at again in a few years.

Mr. Thornhill stated it will be evaluated every year.

Mr. Hale stated the Town is participating in NISP; at some point the Town will change its policy from accepting wet water to cash in lieu. In the near future, the calculations will change. We will continue to evolve as the resources change.

Mr. Bennett inquired as to the financing. The rate is going up but the dedication is less.

Mr. Hale stated that the price of CBT continues to go up. Soon the Town won't be able to equitably benchmark our cash in lieu to CBT. Will continue to monitor.

Mr. Sislowski inquired as to the yield that is going to be assumed relating to CBT units of the average yield of .7, firm yield of .5 and planning yield between the two. Explain the equation to be used in that calculation.

Mr. Thornhill explained that as we move into future and go to 100% cash in lieu based from NISP water based on a firm yield. Depending on what developments are buying. The average yield is on a strictly 100% firm yield basis. All new developments will be evaluated on a firm yield basis. No longer planning or average. Reducing cash-in-lieu, but the charge to developments could go up.

Mr. Bennett asked for more clarification at which Mr. Mr. Hale further explained that the purchase of water may go up but the dedication will go down.

Town Board Member Rennemeyer moved to approve Ordinance no. 2019-1596, Mayor Pro Tem Bennett seconded the motion. Roll call on the vote resulted as follows; Yeas -

Baker, Bennett, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

7. Resolution No 2019-70 - A Resolution in Support of Windsor Severance Fire Districts Referred Ballot Measure 7A on the November 2019 General Election Ballot in Larimer and Weld Counties

Per Mr. Hale, on August 8, 2019, the Windsor-Severance Fire District's Board of Directors adopted a Resolution directing a Tax Increase Ballot Issue be submitted to the Fire District's voters during the coordinated election in Weld and Larimer Counties on November 5, 2019. The tax increase would support personnel and equipment for 2 new fire stations, as well as increase emergency response times.

Chief Kazien with the Windsor-Severance Fire Districts addressed the Board. He reiterated the proclamation stated by the Mayor earlier regarding October being National Community Planning Month, stating this Ballot Issue is an example of fiscally responsible community planning. He further explains the plan.

The Mill rate increase will happen in 3 stage over the course of 6 years:
2020: Asking for the initial .556 mills increase to bring mill levy from 7.14 to and even 7.75
2023: Additional .5 mills
2026: Additional .5 mills

Incremental increase - WSFD is asking only for what we need. Bond comes off the tax roles. Mill rate on a \$300K house is about \$11 in 2020; an additional \$2 in 2023 because of bond, and then another \$11 in 2026. For a total mill rate net increase of about \$25 on a \$300K house.

Looking at two new stations:

Station #4, the first station location is identified for New Liberty and Hill Top intersection to service RainDance, Water Valley South, Steeple Chase, Bison Ridge, High Point and on out to Aims Community College out to Hwy 34. Currently, 1800/ 3600 calls per year are to Station 1 alone. Many existing calls are coming from further and further south which increases response times to northern service areas or in-town. Station 1 needs to stay in town and Station 4 to cover south areas. 2016-2018 data indicated that another station situated to service south Windsor would have reduced response times by an estimated 85 hours of emergency response time in a year.

Station #5 location is still to be determined. It may be to the east of Windsor around Hwy 392 and CR 23 near Severance including service to the industrial park area. Or it could be located to the north of Windsor around Hwy 257 and CR 78 area depending on growth data to be collected.

Mr. Baker inquired as to how the question is answered when residents say that growth should pay for itself. Residents say new development should pay for new fire stations.

Mr. Kazien explained that with the \$450 Million worth of new residential growth this fiscal year. If that amount of growth is multiplied by the 7.15 of Gallagher, that amounts to \$23 million of actual realized assessed value. If multiplied by the Mill Rate, that equates to around \$180K of new money for the fire district. However, new firefighters starting salary is modest at about \$53K. Additional training adds to the cost up to around \$90-100K per firefighter. So new growth in residential will only pay for two additional firefighters. It's all about Gallagher which has both good and bad implications.

Mr. Sislowski asked for further clarification regarding the dates the mills go in to effect. Taxpayers vote in 2019, but the mills take effect in 2020, 2023, and 2026. \$3.1 Million is subject to Gallagher adjustments.

Chief Kazien further explains that the calculations were based on an estimated 5% growth of our assessed value which is what it has been historically over the past several years. Calculations based on that growth, etc. would yield a \$3.1 million increase. The plan is to hire 24 firefighters which equates to \$2.4 million. Most of the infrastructure will be paid from cash reserves. The .5 mill incremental increase is to fund personnel. The WSFD

has not asked taxpayers for a tax increase in 10 years.

Mr. Sislowski agrees that this is a fiscally prudent approach. Significant cash participation from the fire district will fund infrastructure. Look at the WSFD website for further information.

Mr. Rennemeyer asked whether paramedics will be on-site at every station.

Chief Kazien commented that the WSFD works in cooperation with UCHealth for their paramedic services at Station 1 & 2. At Station 3, they work with Thompson Valley EMS. At the new location, it is intended to have an ambulance at that location and is contracted there to be with UCHealth.

Mr. Wilson comments regarding potential locations. Supports and encourages others to vote yes on this ballot item.

Chief Kazien emphasizes the significantly reduced emergency response times will be a major benefit to having additional fire stations.

Mr. Baker asks about reports on EMS response times.

Operations Chief Blackwell confirms that the WSFD regularly monitors response times and receives frequent reports from both UCHealth and TV EMS.

Mayor Melendez supports this Ballot Issue as well.

Town Board Member Rennemeyer moved to approve Resolution No. 2019-70, Town Board Member Baker seconded the motion. Roll call on the vote resulted as follows; Yeas - Baker, Bennett, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

8. Finance Report August 2019

Mr. Moyer provided an overview of the finance report that was included in packet material.

Mr. Baker asks whether the GO code for Brands East is the Gross or Net that we collected after the rebate.

Mr. Hale confirms that it is gross amount and doesn't reflect checks back.

Mr. Moyer also confirms that and will include the net in an upcoming Weekly Update.

Mr. Bennett further inquires about the GO code and whether the red line represents revenue for all of 2018 or just up through August.

Mr. Moyer confirms that it represents up through August 2018.

Mr. Rennemeyer questions the mobile food vendors sales tax revenue.

Mr. Moyer explains that the code for sales tax was just established on mobile vendors earlier this year. They are also quarterly remitters. Their numbers will be reflected on a subsequent report.

Mr. Sislowski questioned that the reported top 11 sources of revenue had no mention of the Oil and Gas industry.

Mr. Moyer explained that the Severance tax is less than a million dollars and therefore is not in the top 11 sources of revenue. Royalties from O & G are far less than recreational revenue.

Mr. Hale confirms that the Royalties revenue amount is included in the property tax number.

D. COMMUNICATIONS

1. Communications from Town Attorney
Mr. McCargar reminded the Board of the two executive sessions scheduled this evening.
2. Communications from Town Staff
No Communications
3. Communications from Town Manager
Mr. Hale reminded the Board of the ICMA conference he will be attending and Mr. Moyer will be acting Town Manager in the interim.
4. Communications from Town Board
Mr. Rennemeyer inquired as to when New Liberty and 13th roundabout will be open.
Mr. Thornhill stated the roundabout is supposed to open this week or at the latest next week. There has been some curb and gutter issues.

Ms. Melendez gave a reminder of her Coffee with the Mayor event.

Mr. Sislowski gave a reminder regarding the executive session that it was concluded after discussing the topic with Mr. McCargar that he may have a potential conflict and therefore will not be participating in the session beyond the initial vote to enter the executive session.

E. EXECUTIVE SESSION

1. An Executive Session Pursuant to Colorado Revised Statutes § 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 to Raw Water Dedications (Ian D. McCargar, Town Attorney)
2. An Executive Session Pursuant to Colorado Revised Statutes § 24-6-402 (4) (b) to Confer with the Town Attorney for the Purposes of Receiving Legal Advice on Specific Legal Questions Concerning Raw Water Dedications (Ian D. McCargar, Town Attorney)

Town Board Member Rennemeyer moved to go into executive session pursuant to Colorado Revised Statutes § 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 to Raw Water Dedications and pursuant to Colorado Revised Statutes § 24-6-402 (4) (b) to confer with the Town Attorney for the purposes of receiving legal advice on specific legal questions concerning raw water Dedications, Mayor Pro Tem Bennett seconded the motion. Roll call on the vote resulted as follows; Yeas - Baker, Bennett, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

Mr. Sislowski voted in favor of going into the executive session but will be recusing himself from the executive session due to his involvement with the entity that may be part of the discussion.

Upon a motion duly made, the Town Board returned to the Regular Meeting at 9:42 p.m.

The Executive Session was closed and the Town Board returned to the Regular Meeting.

Upon returning to the Regular Meeting, Mayor Melendez 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 9:42 p.m.

F. ADJOURN

Town Board Member Rennemeyer moved to adjourn, Town Board Member Baker seconded the motion. Roll call on the vote resulted as follows; Yeas - Baker, Bennett, Melendez, Rennemeyer, Wilson; Motion Passed.

The meeting was adjourned at 9:42 p.m.



Krystal Eucker, Town Clerk