



TOWN BOARD REGULAR MEETING
April 25, 2011 - 7:00 P.M.
Town Board Chambers – 301 Walnut Street
Windsor, CO 80550

MINUTES

A. CALL TO ORDER

1. Roll Call

Mayor Pro-Tem O'Neill called the meeting to order at 7:00 pm.

The following Town Board members were present:

Mayor Pro-Tem Matthew O'Neill
Robert Bishop-Cotner
Mike Carrigan
Kristie Melendez
Jon Slater
Don Thompson
Mayor John Vazquez

Excused:

Also present:

Town Manager
Town Attorney
Director of Finance
Director of Planning
Director of Public Works
Director of Human Resources
Chief of Police
Business Development Manager
Town Clerk

Kelly Arnold
Ian McCargar
Dean Moyer
Joe Plummer
Terry Walker
Mary Robins
John Michaels
Stacy Johnson
Patti Garcia

2. Pledge of Allegiance

Town Board Member Carrigan led the Pledge of Allegiance.

3. Arbor Day Poster Contest Recognition

Mayor Pro-Tem O'Neill and Tree Board members Jon Slater and Allison Stoven O'Conner acknowledged the students who received Arbor Day Poster awards.

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

Town Board Member Slater motioned to approve the Agenda as presented; Town Board Member Thompson seconded the motion. Roll call on the vote resulted as follows:

Yeas – Bishop-Cotner, Carrigan, O'Neill, Melendez, Slater, Thompson

Nays – None. Motion carried.

5. Board Liaison Reports

- Town Board Member Bishop-Cotner – Historic Preservation Commission; Planning Commission Alternate
Town Board Member Bishop-Cotner reported there would be a proclamation for the Historic Preservation Commission later in the meeting and that he did not attend the Planning Commission meeting.
- Town Board Member Carrigan – Water & Sewer Board
Town Board Member Carrigan reported there would be a NISP Rally on May 19 from 11-1 at The Ranch in Loveland.

- Mayor Pro-Tem O'Neill – Library Board; Planning Commission; North Front Range/MPO Alternate
Mayor Pro-Tem O'Neill stated the Library Board would be holding their regular meeting on Tuesday night at which time they will review the work session from the previous week, discuss firms for a director search, provide an update on school partnerships and review bylaw committee progress. The April 20 Planning Commission meeting was cancelled and the next MPO meeting is scheduled for May 5.
 - Town Board Member Melendez – Chamber of Commerce; Cache La Poudre Trail Board
Town Board Member Melendez reported at the last Cache La Poudre Trail Board meeting that Mike Sidwell, Trail Manager, was introduced. It was also noted the pre-emergent weed spraying is taking place on the trail and will continue for the next several weeks. There was also discussion regarding a maintenance volunteer program. Ms. Melendez reminded everyone of the Poudre River Trail-a-thon scheduled for May 7 from 9 a.m. – 12 p.m. with a goal of over 300 participants. Signage has been placed downtown and at Island Grove to increase awareness of the trail.
 - Town Board Member Slater – Tree Board; Windsor Housing Authority
Town Board Member Slater stated the Tree Board has been finishing up Arbor Day festivities which included the poster contest recognition and tree sale. Also, due to the year long wait list at the Century III apartments, the Housing Authority has been discussing a possible partnership with the Town on a related project.
 - Town Board Member Thompson – Parks & Recreation Board; Great Western Trail Board
Town Board Member Thompson reported on the dedication of the River Bluff Trailhead along with inviting people to take advantage of the amenities of the trail. Mr. Thompson also noted that the Great Western Trail Authority would be holding a clean up day on Saturday at the bridge over the Law Ditch.
 - Mayor Vazquez – North Front Range/MPO; Student Advisory Leadership Team (SALT)
Members of SALT were present and gave a report of current and upcoming plans including the Island Party on May 19, Battle of the Bands event along with discussing recycling efforts with the Parks & Recreation Department.
5. Proclamation - National Preservation Month
Ann Lynn-McAbee, Historic Preservation Commission Chair, provided a brief overview of National Preservation Month and thanked the Town Board for recognizing the historic aspects of Windsor. Mayor Pro-Tem O'Neill read the proclamation.
6. Public Invited to be Heard
Clay Drake reported on the status of the road at Eastman Park Drive and Great Western Parkway. Mr. Drake stated that equipment is in place to start work this week with a planned completion as early as September 30.

B. CONSENT CALENDAR

1. Minutes of the April 11, 2011 Regular Town Board Meeting – P. Garcia
2. Liquor License Renewal – Tortilla Marissa's of Windsor Inc. dba Main Street Grill and Bar, Hotel & Restaurant – P. Garcia
3. A Resolution Re-Appointing the Members of the Windsor Downtown Development Authority to Conform with § 31-25-805, C.R.S., and Reaffirming the Alternate Board Member Position, Subject to the Authority's Bylaws – I. McCargar (Resolution No. 2011-14)
Town Board Member Slater motioned to approve the Consent Calendar as presented; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows:
Yeas – Bishop-Cotner, Carrigan, O'Neill, Melendez, Slater, Thompson

Nayes – None. Motion carried.

C. BOARD ACTION

1. Public Hearing – New Hotel and Restaurant Liquor License for Rachael Vigil dba Italian Grill, 1153 Main Street, Windsor, CO 80550. Applicant: Rachael Vigil – P. Garcia & J. Michaels

Town Board Member Slater motioned to open the Public Hearing; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows:

Yeas – Bishop-Cotner, Carrigan, O’Neill, Melendez, Slater, Thompson

Nayes – None. Motion carried.

Town Clerk Garcia presented the liquor license application to the Town Board stating the required documents and fees had been submitted. The applicant requested a concurrent review of the application with Liquor Enforcement so the original documentation has already been forwarded to them. It was noted the primary business of Italian Grill is food service.

Police Chief Micheals reported that background checks were completed and that no information was received that would prohibit the applicant from holding a liquor license. Additionally, an inspection of the premise was conducted and the submitted diagram accurately reflected the proposed licensed area.

Rachael Vigil, applicant, addressed the Town Board and reported on the proposed new business.

Town Attorney McCargar requested the submitted petitions and letters of support which reflect the needs and desires of the neighborhood to be entered into the public record to which the applicant approved.

Debbie Waltman, 1728 Green River Drive, Windsor, spoke in support of the proposed liquor license.

Town Board Member Slater motioned to close the Public Hearing; Town Board Member Carrigan seconded the motion. Roll call on the vote resulted as follows:

Yeas – Bishop-Cotner, Carrigan, O’Neill, Melendez, Slater, Thompson

Nayes – None. Motion carried.

2. Consideration of a New Hotel and Restaurant Liquor License for Rachael Vigil dba Italian Grill, 1153 Main Street, Windsor, CO 80550. Applicant: Rachael Vigil – P. Garcia & J. Michaels

Town Board Member Slater motioned to approve the Italian Grill Hotel and Restaurant Liquor License Application; Town Board Member Bishop-Cotner seconded the motion.

Town Clerk Garcia stated the Town Board, acting as the liquor licensing authority, is to consider the license based on the needs and desires of the neighborhood, which is the half-mile radius of the proposed establishment.

Roll call on the vote resulted as follows:

Yeas – Bishop-Cotner, Carrigan, O’Neill, Melendez, Slater, Thompson

Nayes – None. Motion carried.

3. Public Hearing – An ordinance amending Chapter 16 of the Windsor Municipal Code to adopt certain regulations pertaining to the administrative issuance of permits for temporary advertising intended to promote residential developments – J. Plummer

Town Board Member Slater motioned to open the Public Hearing; Town Board Member Melendez seconded the motion. Roll call on the vote resulted as follows:

Yeas – Bishop-Cotner, Carrigan, O’Neill, Melendez, Slater, Thompson

Nayes – None. Motion carried.

Director of Planning Plummer addressed the Town Board and noted that in January, 2010 the Planning Commission recommended and the Town Board approved an ordinance to allow residential subdividers greater flexibility in marketing their lots and their homes within the residential subdivisions. One item not included in the original ordinance was a provision to allow additional signs, which meets the criteria outlined in the ordinance to be approved, without the developer having to go back to the Planning Commission for further approvals. The proposed ordinance would permit staff to administratively review and approve up to 25% additional signage than that which was originally approved as part of the sign program for a residential subdivision. This would be contingent that the additional signs would continue to meet the criteria as noted in the ordinance.

Town Board Member Slater motioned to close the public hearing; Town Board Member Carrigan seconded the motion. Roll call on the vote resulted as follows:

Yeas – Bishop-Cotner, Carrigan, O’Neill, Melendez, Slater, Thompson

Nays – None. Motion carried.

4. Ordinance amending Chapter 16 of the Windsor Municipal Code to adopt certain regulations pertaining to the administrative issuance of permits for temporary advertising intended to promote residential developments – First Reading - J. Plummer (Ordinance No. 2011-1410)

Town Board Member Slater motioned to approve Ordinance No. 2011-1410, An Ordinance amending Chapter 16 of the Windsor Municipal Code to adopt certain regulations pertaining to the administrative issuance of permits for temporary advertising intended to promote residential developments on First Reading; Town Board Member Thompson seconded the motion.

Director of Planning Plummer stated the Planning Commission recommended approval of the ordinance as presented and staff concurs.

Town Board Member Thompson stated he supports the streamlining of the process and agrees with the Planning Commissions recommendation.

Mayor Pro-Tem O’Neill commended staff on their work on the process.

Roll call on the vote resulted as follows:

Yeas – Bishop-Cotner, Carrigan, O’Neill, Melendez, Slater, Thompson

Nays – None. Motion carried.

5. An Ordinance Repealing, Amending and Re-Adopting Section 1-4-20(b) of the Windsor Municipal Code for the Purpose of Assuring Sufficient Resources for Remediation of Clandestine Methamphetamine Laboratories within the Town of Windsor - First Reading – J. Michaels (Ordinance No. 2011-1411)

Town Board Member Slater motioned to approve Ordinance No. 2011-1411, An Ordinance Repealing, Amending and Re-Adopting Section 1-4-20(b) of the Windsor Municipal Code for the Purpose of Assuring Sufficient Resources for Remediation of Clandestine Methamphetamine Laboratories within the Town of Windsor on First Reading; Town Board Member Melendez seconded the motion.

Police Chief Michaels reported the Town Board had discussed the details of the ordinance at a previous work session at which time the Town Board had been advised the federal government was no longer funding the clean up of methamphetamine laboratories in our community. Due to this change, Chief Michaels is requesting an ordinance change to allow for 50% of the traffic surcharge be used to defray any methamphetamine clean up expenses. The surcharge would be split between the Weld County Drug Task Force and the clean up fund. Once the clean up fund reached \$50,000, the full amount would be assigned to the Task Force. If the clean up fund would be used, the split would return back to the 50/50 split until the clean up fund was whole.

Town Board Member Thompson inquired as to the possibility of recovering any expenses by the property owner. Town Attorney McCargar reported the topic will be discussed at the May 2 work session.

Roll call on the vote resulted as follows:

Yeas – Bishop-Cotner, Carrigan, O’Neill, Melendez, Slater, Thompson

Nayes – None. Motion carried.

6. A Resolution Establishing Rates for Town of Windsor Water Service Customers and Authorizing the Implementation of Such Rates – D. Moyer (Resolution No. 2011-15)

Town Board Member Slater motioned to approve Resolution No. 2011-15; Town Board Member Thompson seconded the motion.

Director of Finance Moyer reported on the resolution and noted the water rates had been discussed at several work sessions prior to coming before the town board for approval. Mr. Moyer reviewed the memorandum included in the town board packet which addressed the increase in cost across the board of 3.6% to cover the cost from the suppliers. Mr. Moyer provided a power point presentation which gave a breakdown of the rate structure based on the type of customer and the change of water being measured by cubic feet which will now be measured in gallons. It was also noted the base rate increase of \$14.30 per month to \$14.81 per month is the first rate increase in over 13 years. The resolution is scheduled to become effective on May 15 with the rates being reflected on customers July 1st bills.

Town Board Melendez stated the water rate increase is to cover a deficit in the water budget and will not create a profit or surplus to which Mr. Moyer agreed.

Roll call on the vote resulted as follows:

Yeas – Bishop-Cotner, Carrigan, O’Neill, Melendez, Slater, Thompson

Nayes – None. Motion carried.

D. COMMUNICATIONS

1. Communications from the Town Attorney

No report.

2. Communications from Town Staff

- Planning – Director of Planning Plummer reported on the Planning Conference he had attended which related to customer service and delivery. He stated his appreciation to be able to represent the Town at the conference.
- Public Works – Director of Public Works Walker reported that several companies will be in town over the next 7-14 days doing manhole and sewer line rehabilitation in different areas.
- Engineering – Director of Engineering Wagner provided before and after photographs of the work done related to the dredging of a portion of the Poudre River to enhance its ability to convey flows. Mr. Wagner also noted a large cottonwood that had fallen into the river and in collaboration with the Weld County and the engineering and forestry departments the tree will be removed. It was also reported the work on the 15th Street bridge is on time and will be complete by its due date
- Police Department – Police Chief Micheals reported that “Drug Take Back Day” would be held Saturday from 10-2 at the Police Department. This is an opportunity for citizens to take in unused, expired or unneeded prescription drugs.
- Finance/IT – Director of Finance Moyer reported on the email purging process taking place by the IT department which will be done each Saturday for all town email addresses. This will increase the life of the server and make the email performance better.

3. Communications from the Town Manager

Town Manager Arnold reviewed the upcoming Town Board schedule and meetings.

4. Communications from Town Board Members

Mayor Pro-Tem O'Neill reiterated that the joint Town/School/Library Board meeting was being held at the RE-4 school district board room on Wednesday night at 6 p.m.

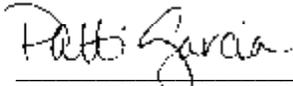
Mr. Aaron Lore, Windsor resident, addressed the board regarding a topic discussed at the work session prior to the regular meeting. Mayor Pro-Tem requested information to be relayed to Town Manager Arnold.

E. ADJOURN

Town Board Member Bishop-Cotner motioned to adjourn, Town Board Member Slater seconded the motion. Roll call on the vote resulted as follows:

Yeas – Bishop-Cotner, Carrigan, O'Neill, Melendez, Slater, Thompson

Nays – None. Motion carried.



Patti Garcia, Town Clerk