



## TOWN BOARD REGULAR MEETING

November 26, 2012 - 7:00 P.M.

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

The Town of Windsor will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 674-2400 by noon on the Thursday prior to the meeting to make arrangements.

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### MINUTES

#### A. CALL TO ORDER

Roll Call Mayor Vazquez called the regular meeting to order at 7:03 p.m.

1. Roll Call

Mayor John Vazquez  
Mayor Pro-Tem Kristie Melendez  
Myles Baker  
Don Thompson  
Jeremy Rose  
Robert Bishop-Cotner  
Ivan Adams

Also present:

Town Manager	Kelly Arnold Town
Management Assistant	Lindsey Blomberg
Town Attorney	Ian McCargar
Town Attorney	John Frey
Town Clerk	Patti Garcia
Chief of Police	John Michaels
Business Development Manager	Stacy Johnson
Director of Planning	Joe Plummer
Associate Planner	Brett Walker
Director of Parks & Recreation	Melissa Chew
Art & Heritage Manager	Carrie Knight
Director of Human Resources	Mary Robins
Director of Public Works	Terry Walker
Director of Engineering	Dennis Wagner

2. Pledge of Allegiance

**Windsor Boy Scout Troop #57 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 Thompson motioned to approve the agenda as presented; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Baker, Thompson, Rose, Vazquez, Melendez, Bishop-Cotner, Adams  
Nays – None. Motion carried.**

4. Board Liaison Reports

- Town Board Member Baker – Parks, Recreation, and Culture Advisory Board (PReCAB); Cache La Poudre Trail Board Alternate  
Town Board Member Baker stated the November PReCAB meeting had been cancelled; the next meeting is scheduled for December 4, 2012.
- Town Board Member Thompson – Planning Commission; Tree Board; Great Western Trail Authority  
Town Board Member Thompson reported the Planning Commission discussed various subdivisions and site plans for Windshire Park which are also included on the Town Board agenda for review. A proposed amendment to the Windsor Comprehensive Plan in moving certain properties located at the southeast corner of Harmony and 257 from the Windsor Growth

Management Area was approved on a 5-2 vote; the next step will be a meeting between the Windsor and Severance planning commissions. There were no reports for the Tree Board or Great Western Trail Authority.

- Mayor Pro-Tem Melendez – Downtown Development Authority (DDA); Chamber of Commerce; North Front Range/MPO Alternate  
Mayor Pro-Tem Melendez reported the DDA approved their budget at their last meeting which is also included on the Town Board agenda for consideration. The DDA also closed on the property at the northeast corner of 4<sup>th</sup> and Main Street; the DDA has plans for future development of the property in 2014. The DDA is also looking at additional capital projects for 2013 that will be brought to the Town Board for consideration. Ms. Melendez also reported that the Chamber of Commerce and the DDA would be hosting Windsor Wonderland on Saturday, Dec 1 from 2-5 pm at Boardwalk Park.
- Town Board Member Rose – Water & Sewer Board; Windsor Housing Authority, Planning Commission Alternate  
Town Board Member Rose had nothing new to report.
- Town Board Member Bishop-Cotner – Historic Preservation Commission; Clearview Library Board  
Town Board Member Bishop-Cotner had nothing new to report.
- Town Board Member Adams – Cache La Poudre Trail Board (CLPT); Student Advisory Leadership Team (SALT)  
Town Board Member Adams reported on the CLPT and noted that the Windsor sewer interceptor project is about to complete; it was reported that the trail will be closed for a few days over the winter but should not interfere with activities. Also, a retreat has been scheduled for December 5.

SALT provided a report to the Town Board of the events that were held over the past year, how they are working together, and things they have learned over the year. They also updated the Board on future plans for 2013.

- Mayor Vazquez – North Front Range/MPO  
Mayor Vazquez reported the MPO meeting would be held on Thursday.

5. Public Invited to be Heard

*Individuals wishing to participate in Public Invited to be Heard (non-agenda item) are requested to sign up on the form provided in the foyer of the Town Board Chambers. When you are recognized, step to the podium, state your name and address then speak to the Town Board.*

*Individuals wishing to speak during the Public Invited to be Heard or during Public Hearing proceedings are encouraged to be prepared and individuals will be limited to three **(3) minutes**. Written comments are welcome and should be given to the Town Clerk prior to the start of the meeting.*

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

**B. CONSENT CALENDAR**

1. Minutes of the November 13, 2012 Regular Town Board Meeting and Minutes of the November 19, 2012 Special Town Board Meeting – P. Garcia
2. Liquor License Renewal – Rempe Holdings, Inc., dba Uncorked Wine & Liquor, Retail License – P. Garcia
3. Special Event Liquor License – Our Lady of the Valley Catholic Church – P. Garcia
4. Resolution No. 2012-74 - A Resolution of Support for the Town's Efforts at Seeking a Grant From the Colorado Department of Local Affairs Energy and Mineral Impact Assistance Funds for the Purpose of Building a Water Storage Tank – L. Blomberg

5. Resolution No. 2012-75 - A Resolution Vacating Town-Owned Street Right-Of-Way Located Within the Windshire Park Subdivision in the Town of Windsor, Colorado – B. Walker  
**Town Board Member Thompson 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 –Baker, Thompson, Rose, Vazquez, Melendez, Bishop-Cotner, Adams**  
**Nayes – None. Motion carried.**

### C. BOARD ACTION

1. Ordinance No. 2012-1441 – An Emergency Ordinance Amending Town of Windsor Ordinance No. 2012-1440 Concerning the Establishment of a Special Fee for the Corridor Activity Center (“CAC”) in the Town of Windsor, Colorado
  - Legislative action
  - Staff presentation: John Frey, Town Attorney**Mayor Pro-Tem Melendez motioned to adopt Ordinance No. 2012-1441, An Emergency Ordinance Amending Town of Windsor Ordinance No. 2012-1440 Concerning the Establishment of a Special Fee for the Corridor Activity Center (“CAC”) in the Town of Windsor, Colorado; Town Board Member Adams seconded the motion.**

Town Attorney McCargar reviewed the ordinance noting that a parcel that in Windsor had inadvertently been included on the Special Fee Ordinance adopted by the City of Fort Collins. The ordinance will add the parcel in question to the chart of properties and fees that was adopted by the Windsor Town Board on November 13, 2012. The City of Fort Collins will remove the parcel from their Special Fee Ordinance. Mr. McCargar reported that due to time constraints and the clerical nature that needed to be made, the ordinance was being presented as an emergency ordinance.

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

**Roll call on the vote resulted as follows:**

**Yeas –Baker, Thompson, Rose, Vazquez, Melendez, Bishop-Cotner, Adams**  
**Nayes – None. Motion carried.**

2. Ordinance No. 2012-1442 – An Ordinance Amending the Windsor Municipal Code with Respect to the Date Upon Which Liquor Occupation Tax Renewal Fees must be Paid
  - First Reading
  - Legislative action
  - Staff presentation: Patti Garcia, Town Clerk**Mayor Pro-Tem Melendez motioned to adopt Ordinance No. 2012-1442; An Ordinance Amending the Windsor Municipal Code with Respect to the Date Upon Which Liquor Occupation Tax Renewal Fees must be Paid, Town Board Member Thompson seconded the motion.**

Town Clerk Garcia provided an overview of the ordinance noting it was related to the timing of the collection of occupation tax submitted to the Town of Windsor by liquor licensees. The occupation tax is currently due the first of each year and their renewal and related fees are due at various times throughout the year. The ordinance will permit for the tax to be submitted at the same time as the liquor license renewal and remove the need for duplicate filings and mailings. Staff recommended approval on first reading.

**Roll call on the vote resulted as follows:**

**Yeas –Baker, Thompson, Rose, Vazquez, Melendez, Bishop-Cotner, Adams**  
**Nayes – None. Motion carried.**

3. Resolution No. 2012-76 - A Resolution of the Windsor Town Board Approving an Amended Master Plan for the Windshire Park Subdivision to the Town of Windsor, Colorado
  - Quasi-judicial action
  - Staff presentation: Brett Walker, Associate Planner

**Town Board Member Adams motioned approve Resolution No. 2012-76; Town Board Member Thompson seconded the motion.**

Associate Planner Walker reviewed the agenda item noting the applicant is proposing to amend the existing master plan for Windshire Park Subdivision. Mr. Walker provided a power point which compared the approved original master plan to the proposed amended master plan. The amended master plan anticipates up to 644 residential units (a reduction from the original master plan), with a residential mix including 80 multi-family units and up to 533 single family detached units. Additionally, there is an 8.5 acre church site, 4.5 acres of open space, and a one acre clubhouse/pool site, and a 2.5 acre part site.

Mr. Walker reported that at their November 21, 2012 meeting, the Planning Commission recommended approval of the amended master to the Town Board.

Mayor Vazquez asked if there were any conditions attached to the recommendation by the Planning Commission to which Mr. Walker replied there were no conditions attached.

Pursuant to questions by the Town Board regarding park operation and maintenance, Mayor Vazquez noted that only the zoning was being considered; assuring compliance and consistency with the comprehensive plan.

**Roll call on the vote resulted as follows:**

**Yeas –Baker, Thompson, Rose, Vazquez, Melendez, Bishop-Cotner, Adams  
Nays – None. Motion carried.**

4. Public Hearing – Approval of Final Major Subdivision – Windshire Park Subdivision, Third Filing – Dino DiTullio, Windsor Farms Investment, LLC, applicant

- Quasi-judicial action
- Staff presentation: Brett Walker, Associate Planner

**Mayor Pro-Tem Melendez motioned to open the Public Hearing; Town Board Member Thompson seconded the motion. Roll call on the vote resulted as follows:**

**Yeas –Baker, Thompson, Rose, Vazquez, Melendez, Bishop-Cotner, Adams  
Nays – None. Motion carried.**

Associate Planner Walker presented the agenda item and reported the applicant, Dino DiTullio, Windsor Farm Investment, LLC submitted a major subdivision plan, known as Windshire Park, Third Filing, within the Windshire Park, Third Filing, within the Windshire Park Annexation and Master Plan boundary. Mr. Walker noted the property is zoned Residential Mixed Use with a total of 292 lots being proposed; 290 single family and two multi-family lots. This is also a 2.5± acre park site, 23.5± acres of open space and easements, and 17.7± acres for street right of way. A presentation was provided that showed the locations of the single family and multi-family units.

Jim Birdsell, representing the applicant, reported the subdivision will be irrigated out of an irrigation pond in the subdivision; both the subdivision and park will be irrigated using non-potable water. It was also noted that the park design will go through a public review process and will be built by the developer and accepted by the Town.

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

Mr. Walker stated that the Planning Commission approved the Final Major Subdivision for Windshire Park Subdivision, Third Filing, at their November 21, 2012 meeting and have forwarded the recommendation to the Town Board.

Mayor Vazquez requested all documents related to the public hearing be entered into the record.

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

**Yeas –Baker, Thompson, Rose, Vazquez, Melendez, Bishop-Cotner, Adams  
Nayes – None. Motion carried.**

5. Resolution No. 2012-77 - A Resolution of the Windsor Town Board Approving the Final Plat for the Windshire Park Subdivision, Third Filing, to the Town of Windsor, Colorado
- Quasi-judicial action
  - Staff presentation: Brett Walker, Associate Planner
- Mayor Pro-Tem Melendez motioned to approve Resolution No. 2012-77; Town Board Member Thompson seconded the motion.**

Associate Planner Walker stated he had no further information to provide.

Mayor Vazquez requested that all documentation for the agenda item be submitted into the record.

**Roll call on the vote resulted as follows:**

**Yeas –Baker, Thompson, Rose, Vazquez, Melendez, Bishop-Cotner, Adams  
Nayes – None. Motion carried.**

6. Resolution No. 2012-78 - A Resolution of the Windsor Town Board Approving a Site Plan for Lot 1 and Lot 2, Block 32, of the Windshire Park Subdivision, Third Filing, to the Town of Windsor, Colorado
- Quasi-judicial action
  - Staff presentation: Brett Walker, Associate Planner
- Mayor Pro-Tem Melendez motioned to approve Resolution No. 2012-78; Town Board Member Adams seconded the motion.**

Associate Planner Walker reported the Windsor Housing Authority submitted a site plan proposal for the Windsor Meadows workforce housing project. The property consists of approximately 6.4 acres with 80 units. The applicant is proposing two phases, resulting in 12 three-bedroom units, 54 two-bedroom units, and 14 one-bedroom units. The units will be in 22 buildings in two-building couplets connected by covered breezeways. A community building, playground area, and sports court is proposed. Access through the site will be facilitated by a private street that will connect Windshire Drive on the north to 15<sup>th</sup> Street to the south.

Mr. Walker reviewed various renderings of the project, noting elevations and color. The preliminary site plan was presented to the Planning Commission on November 21, 2012 at which time they forwarded a recommendation of approval to the Town Board.

John Moore, representing the Windsor Housing Authority, and Matt Goodman, architect, were present to address the Town Board regarding the project.

Mayor Vazquez asked if there would be any perimeter fencing; Mr. Moore responded that fencing was not planned but berming would be provided. Mr. Goodman reported the project is an Enterprise Green Communities project which requires it to be a walkable community.

Mayor Vazquez requested the packet information for the agenda item be submitted into the record.

**Roll call on the vote resulted as follows:**

**Yeas –Baker, Thompson, Rose, Vazquez, Melendez, Bishop-Cotner, Adams  
Nayes – None. Motion carried.**

7. Resolution No. 2012-79 - A Resolution Approving the Schedule of Fees Applicable to Liquor Licensing Administration within the Town of Windsor, Colorado
- Legislative action
  - Staff presentation: Patti Garcia, Town Clerk

**Mayor Pro-Tem Melendez motioned to approve Resolution No. 2012-79; Town Board Member Thompson seconded the motion.**

Town Clerk Garcia reported that a recent review of the Town of Windsor fee schedule found that fees for various liquor licensing options had not been approved by the Town Board. The resolution does not change or increase any fees; it simply updates the fee schedule to reflect all liquor licensing options. Staff recommended approval of the resolution and related fee schedule.

**Roll call on the vote resulted as follows:**

**Yeas –Baker, Thompson, Rose, Vazquez, Melendez, Bishop-Cotner, Adams  
Nayes – None. Motion carried.**

8. Public Hearing 2013 Budget

- Legislative action
- Staff presentation: Dean Moyer, Director of Finance

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

**Yeas –Baker, Thompson, Rose, Vazquez, Melendez, Bishop-Cotner, Adams  
Nayes – None. Motion carried.**

Director of Finance Moyer provided a power point presentation which identified the various areas of the 2013 budget. Mr. Moyer provided a summary of revenues and expenditures by fund along with a review of the fund revenue summary by source. Mr. Moyer went on to deliver an overview of the fund expenditure breakdown by category and by division. Staffing additions were noted with three positions proposed for 2013; one being a new position (Lead Parks Maintenance), one is going from part-time to fulltime (Fleet Mechanic), and the third position is being established by consolidating responsibilities from several positions into one fulltime position (Community Recreation Center Customer Service Coordinator).

Mr. Moyer went through the capital expenditures and identified the various projects and proposed budgeted amounts. It was noted that the Town did not receive the Great Outdoors Colorado grant (GOCO) that had been applied for on the Northern Lights Park project, but reported that staff felt that the current resources would permit the project to proceed without the grant funds.

Mayor Pro-Tem Melendez inquired about the Northern Lights Park and asked if the project could be postponed or reconsidered. Mr. Moyer stated he did not know of any obligation to build the park other than it being self-imposed. Due to the large number of building permits issued in 2012, the Town received additional park fees that would be a substitute for the grant funds. Town Manager Arnold added that the Town is not under obligation to build the park but that there is an expectation that it will be built. If the project is deferred, it will still come from the same funding source. The maintenance cost was included in the 2013 budget. The Town Board discussed the park development policy and requested it be discussed in 2013. Mayor Vazquez requested Northern Lights Park not be removed from the 2013 budget; the Town Board members concurred.

The Town Board went on to discuss how to proceed with the information provided from the Community Recreation Center feasibility study. A request for \$30,000 for design materials to be used for renderings of the architectural piece was brought forward. The Town Board discussed if this should be a Town Board initiated project or one that is initiated by the citizens. Director of Parks, Recreation and Culture Chew reported the purpose for the renderings would be to educate the public on the project if the Town Board would decide to authorize a question on a ballot.

The Town Board discussed this at length with a request to remove the \$30,000 from the 2013 budget and schedule the topic for a work session in early 2013.

Mayor Vazquez opened the meeting for public comment.

Aaron Lore, Windsor resident, inquired about the staff positions being added and asked if it was cheaper to outsource the work done by a mechanic as opposed to doing it in-house.

Town Manager Arnold responded and reviewed each staff position being proposed. Mr. Arnold noted that the Town has made a commitment to training staff on the equipment and vehicles the Town owns; research has found that it is cheaper to keep it in-house. No local vendors can handle the size of fleet the Town has, along with the specialized technical needs, such as with the police vehicles. The Lead Parks Maintenance worker will continue to supplement the parks staff due to the additional acreage that has been taken on, and the Customer Service Coordinator came in as a proposal to reduce 2.5 seasonal positions into one and will save the Town \$31,000 per year providing the seasonal positions do not get added back in.

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

**Yeas –Baker, Thompson, Rose, Vazquez, Melendez, Bishop-Cotner, Adams**  
**Nayes – None. Motion carried.**

9. Resolution No. 2012-80 - A Resolution Summarizing Expenditures And Revenues For Each Fund, And Adopting A Budget For The Town Of Windsor, Colorado, For The Calendar Year Beginning On The First Day Of January, 2013, And Ending On The Last Day Of December, 2013, And Appropriating Sums Of Money To The Various Funds And Spending Agencies, In The Amount And For The Purpose As Set Forth Below, For The Town Of Windsor, Colorado, For The 2013 Budget Year

- Legislative action
- Staff presentation: Dean Moyer, Director of Finance

**Town Board Member Bishop-Cotner motioned to approve Resolution No. 2012-80; Town Board Member Baker seconded the motion.**

Director of Finance Moyer reviewed the resolution noting that approval will adopt the 2013 budget for the Town of Windsor. Staff recommended approval of the resolution.

**Roll call on the vote resulted as follows:**

**Yeas –Baker, Thompson, Rose, Vazquez, Melendez, Bishop-Cotner, Adams**  
**Nayes – None. Motion carried.**

10. Resolution No. 2012-81 - A Resolution Levying General Property Taxes For The Taxable Year 2012 To Help Defray The Costs Of Government For The Town Of Windsor, Colorado, For The 2013 Budget Year (Weld County)

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

**Town Board Member Bishop-Cotner motioned to approve Resolution NO. 2012-81; Town Board Member Thompson seconded the motion.**

Director of Finance Moyer stated the resolution spells out the assessed valuation in Weld County which is at 12.03 mills and has not changed in over ten years. . Staff recommended approval of the resolution as presented.

**Roll call on the vote resulted as follows:**

**Yeas –Baker, Thompson, Rose, Vazquez, Melendez, Bishop-Cotner, Adams**  
**Nayes – None. Motion carried.**

11. Resolution No. 2012-82 - A Resolution Levying General Property Taxes For The Taxable Year 2012 To Help Defray The Costs Of Government For The Town Of Windsor, Colorado, For The 2013 Budget Year (Larimer County)

- Legislative action
- Staff presentation: Dean Moyer, Director of Finance

**Town Board Member Bishop-Cotner motioned to approve Resolution NO. 2012-82; Town Board Member Thompson seconded the motion.**

Director of Finance Moyer stated the resolution was similar to the previous one but for Larimer County as Windsor resides in both counties.

**Roll call on the vote resulted as follows:**

**Yeas –Baker, Thompson, Rose, Vazquez, Melendez, Bishop-Cotner, Adams  
Nayes – None. Motion carried.**

12. Resolution No. 2012-83 – A Resolution of the Town Board of the Town of Windsor, Colorado, Approving the 2013 Windsor Downtown Development Authority Budget; Making Annual Appropriations for the Windsor Downtown Development Authority for the Fiscal Year Ending December 31, 2012; and Fixing the Mill Levy for the Windsor DDA District for the Fiscal Year Ending December 31, 2013

- Legislative action
- Staff presentation: Kelly Arnold, Town Manager

**Town Board Member Bishop-Cotner motioned to approve Resolution No. 2012-83; Town Board Member Adams seconded the motion.**

Director of Finance Moyer reported that the Downtown Development Authority approved their budget at their meeting on Wednesday, November 21, 2012; their bylaws require that the Town Board formally accept their budget. The mill is set at one mill; the incremental property tax was \$9,000 last year and should be around \$16,000 for this year.

**Roll call on the vote resulted as follows:**

**Yeas –Baker, Thompson, Rose, Vazquez, Melendez, Bishop-Cotner, Adams  
Nayes – None. Motion carried.**

13. Financial Report – October 2012

- Staff Presentation: Dean Moyer, Director of Finance

Director of Finance Moyer reviewed the financial report that was included in the Town Board packet noting that sales tax collections exceed those for 2007, 2008, and 2009. Building permits have exceeded the budgeted amount as well. Mr. Moyer estimated that sales tax collections will come in between \$5.3M and \$5.7 for 2012 and noted that the vendor base has not changed over the years. Mr. Moyer reported on the expenditures stating that operations were at 72% of budget and capital is at 83%. A breakdown of the General Fund budget was also provided.

#### **D. COMMUNICATIONS**

1. Communications from the Town Attorney  
No communications.

2. Communications from Town Staff

Director of Public Works Walker reported on the work being done at the railroad crossing at SH257 and Walnut near Universal Forest Projects will be done by Friday at 5 pm. Mr. Walker noted that signage was up for notification purposes. Business Development Manager Johnson stated that she had notified the Great Western industrial park tenants and the charter school of the work being done; she stated she is working to be more proactive for the businesses and residents.

3. Communications from the Town Manager  
No communications.

4. Communications from Town Board Members

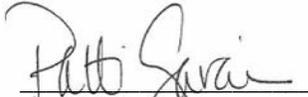
The Town Board congratulated the Windsor High School football team for a great first year competing at the 4A level.

**E. ADJOURN**

**Town Board Member Thompson motioned to adjourn at 9:07 p.m.; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Baker, Thompson, Rose, Vazquez, Melendez, Bishop-Cotner, Adams**

**Nayes – None. Motion carried.**

  
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Patti Garcia, Town Clerk