



## **TOWN BOARD WORK SESSION**

February 24, 2014 – 6:00 PM

First Floor Conference Room

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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**GOAL of this Work Session is to have the Town Board receive information on topics of Town business from the Town Manager, Town Attorney and Town staff in order to exchange ideas and opinions regarding these topics.**

**Members of the public in attendance who have a question related to an agenda item are requested to allow the Town Board to discuss the topic and then be recognized by the Mayor prior to asking their question.**

### **AGENDA**

1. Municipal Court fines – I. McCargar
2. Community Recreation Center expansion follow up – M. Chew
3. Future Town Board Meetings



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## MEMORANDUM

**Date:** February 24, 2014  
**To:** Mayor and Town Board  
**Via:** Work session materials, February 24, 2014  
**From:** Ian D. McCargar, Town Attorney  
**Re:** Fines in municipal court  
**Item #:** 1

**Background / Discussion:**

During the 2013 session, the General Assembly authorized municipalities to increase the maximum fine in municipal courts of record from \$1000 to \$2,650, adjusted annually for inflation. The amount of the fine in a particular case is still left to the discretion of the presiding judge, but the "ceiling" was increased by this legislation\*.

Under the statute, "Inflation" is defined as "...the annual percentage change in the United States department of labor, bureau of labor statistics, consumer price index for Denver-Boulder, all items, all urban consumers, or its successor index."

*Windsor Municipal Code* § 1-4-20 (a) currently sets the general penalty for ordinance violations:

Any person, firm or corporation who shall violate or fail to comply with any provision of any Chapter of this Code for which a different penalty is not specifically provided shall, upon conviction thereof, be punishable by a fine not exceeding one thousand dollars (\$1,000.00). In addition, such person, firm or corporation shall pay all costs and expenses in the case. Each day such violation continues shall be considered a separate offense.

The only exception to this is due to an oversight in the penalty section of the Chicken Code, which retained the former limit of \$300 for each conviction. As part of any amendments approved under the 2013 legislation, we would close this loophole.

If the Town Board approves a Code amendment in strict accordance with the 2013 legislation, this sub-section would read as follows (new text in CAPS):

Any person, firm or corporation who shall violate or fail to comply with any provision of any Chapter of this Code for which a different penalty is not specifically provided shall, upon conviction thereof, be punishable by a fine not exceeding TWO-THOUSAND SIX-HUNDRED FIFTY DOLLARS (\$2,650.00). THE MAXIMUM FINE LEVEL SET FORTH HEREIN SHALL BE ADJUSTED ON JANUARY 1 OF EACH YEAR BY THE ANNUAL PERCENTAGE CHANGE IN THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS, CONSUMER PRICE INDEX FOR DENVER-BOULDER, ALL ITEMS, ALL URBAN CONSUMERS, OR ITS SUCCESSOR INDEX.

In addition to any such fine, such person, firm or corporation shall pay all costs and expenses in the case. Each day such violation continues shall be considered a separate offense.

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\* § 13-10-113 (1), C.R.S.

**Financial Impact:** Depends on municipal court case load, judicial discretion.

**Relationship to Strategic Plan:** Residents feeling safe and secure.

**Recommendation:** Discuss, provide staff with direction.

**Attachments:** None.



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November 2014 coordinated election calendar

July 25, 2014 (on or before)	Must notify the County Clerk of intent to coordinate
August 25, 2014 (on or before)	TB resolution setting ballot language for TABOR issue
August 26, 2014	IGA's due to County Clerk to coordinate election
September 5, 2014	Certification of ballot content to County Clerk
September 19, 2014	Last day to submit TABOR pro/con statements
September 22, 2014	Last day petition reps for TABOR measures can file Comments
October 14, 2014	First day for ballots to be mailed
November 4, 2014	Election day



# Community Recreation Center Expansion Scenario Details

**Scenario 5e** assumes an annual sales tax projection of **\$6 million**, includes an estimated **\$300,000** for second floor office completion and an additional **\$450,000** annual subsidy from the general fund to support operations.

Scenario 5e	Project Construction Component		Subsidy Projection Details (no debt service)				Sales Tax to Fund Project	
	Scenario 5 - Aquatics/Gym Focus		Scenario 5 - Aquatics/Gym Focus				Scenario 5 - Aquatics/Gym Focus	
	Facility Construction (building only)	\$10,258,000	Expansion ONLY	Current (2013) ONLY	Combined		Sales Tax Increase for Construction Cost	0.64%
	Off-Site Construction (street changes, lighting, storm water, etc.)	\$0					Sales Tax Increase for Operational Cost	0.21%
	Site Construction (1 acre all outside of building demo and new)	\$507,902					<b>TOTAL SALES TAX INCREASE FOR BOTH</b>	<b>0.85%</b>
	Other project costs (professional fees, water/sewer, plant investment fees, permits, testing, FF&E)	\$2,274,948						
	Contingency (10%)	\$1,304,085						
	<b>TOTAL PROJECT COSTS</b>	<b>\$14,344,935</b>						
	Second floor office estimate	\$300,000						
	<b>TOTAL</b>	<b>\$14,644,935</b>						
		Expenses						
		Personnel Services	\$462,918	\$351,992	\$814,910			
		Operations and Maintenance	\$236,628	\$135,599	\$372,227			
		CIP Improvement Fund	\$29,671		\$29,671			
		<b>TOTAL</b>	<b>\$729,217</b>	<b>\$487,591</b>	<b>\$1,216,808</b>			
		Revenues						
		Programs / Admissions / Rentals	\$310,300	\$50,000	\$360,300			
		Subsidy transfer from GF		\$450,000	\$450,000			
		<b>TOTAL</b>	<b>\$310,300</b>	<b>\$500,000</b>	<b>\$810,300</b>			
		Surplus/Deficit	(\$418,917)	\$12,409	(\$406,508)			
		Cost Recovery	43%	103%	67%			



## FUTURE TOWN BOARD MEETINGS

Work Sessions & Regular Meetings will be held in the Board Chambers unless otherwise noted.

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March 3, 2014 6:00 p.m. 1 <sup>st</sup> floor conference room	Town Board Work Session Joint meeting with Planning Commission
March 10, 2014 5:30 p.m./1st floor conference room	Board/Manager/Attorney Monthly Meeting
March 10, 2014 7:00 p.m.	Town Board Meeting Kern Board Meeting
March 17, 2014 6:00 p.m.	Town Board Work Session Discussion regarding oil and gas funds for school districts
March 24, 2014 6:00 p.m.	Town Board Work Session
March 24, 2014 7:00 p.m.	Town Board Meeting
March 31, 2014	Fifth Monday
April 7, 2014 6:00 p.m.	Town Board Work Session
April 14, 2014 5:30 p.m./1st floor conference room	Board/Manager/Attorney Monthly Meeting
April 14, 2014 7:00 p.m.	Town Board Meeting
April 21, 2014 6:00 p.m.	Town Board Work Session
April 28, 2014 6:00 p.m.	Town Board Work Session Update from Colorado Municipal League – Sam Mamet, Director
April 28, 2014 7:00 p.m.	Town Board Meeting
May 5, 2014 6:00 p.m.	Town Board Work Session
May 12, 2014 5:30 p.m.	Board/Manager/Attorney Monthly Meeting
May 12, 2014 7:00 p.m.	Town Board Meeting Kern Board Meeting
May 19, 2014 6:00 p.m.	Town Board Work Session
May 26, 2014	Memorial Day

### Additional Events

None.

### Future Work Session Topics

Expansion of notification area discussion