



TOWN BOARD REGULAR MEETING

July 14, 2014 - 7:00 P.M.

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

AGENDA

A. CALL TO ORDER

Mayor Vazquez called the regular meeting to order at 7:02 p.m.

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|---------------------|-------|--|
| 1. <u>Roll Call</u> | Mayor | John Vazquez
Myles Baker
Christian Morgan
Jeremy Rose
Kristie Melendez
Robert Bishop-Cotner
Ivan Adams |
|---------------------|-------|--|

Also present:	Town Manager	Kelly Arnold
	Town Attorney	Ian McCargar
	Town Clerk/Assistant to Town Manager	Patti Garcia
	Chief of Police	John Michaels
	Director of Finance	Dean Moyer
	Director of Finance	Joe Plummer
	Management Assistant	Kelly Unger

2. Pledge of Allegiance

Town Board Member Bishop-Cotner 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 Melendez motioned to approve the agenda as presented; Town Board Member Baker seconded the motion. Roll call on the vote resulted as follows:

Yeas – Baker, Morgan, Rose, Melendez, Bishop-Cotner, Adams, Vazquez

Nayes – None. Motion passed.

4. Board Liaison Reports

- Town Board Member Baker – Water & Sewer Board; Poudre River Trail Corridor Board
Town Board Member Baker stated that the Water & Sewer Board had not met since the last Town Board meeting. The Poudre River Trail Corridor Board met on July 3, 2014 at which an update on potential land purchases by Greeley. It was also reported that as of July 2, 2014 the Poudre Trail was 100% open; it had been closed due to recent flooding in the area. Mr. Baker also reported the Board authorized \$15,000 for river bank repairs
- Town Board Member Morgan – Parks, Recreation & Culture; Great Western Trail Authority
Town Board Member Morgan reported that both the Parks, Recreation & Culture and Great Western Trail Authority July meetings were cancelled.
- Town Board Member Melendez – Downtown Development Authority; Chamber of Commerce
Town Board Member Melendez reported the Chamber of Commerce met July 9, 2014 at which many upcoming events were discussed including the New Teacher Breakfast, the Business Expo and Salsa on 5th which is being held August 23, 2014. The Chamber also

conducted a wrap up of the All Town Barbeque and acknowledged the success of the event and thanked the volunteers.

- Town Board Member Rose – Clearview Library Board
Town Board Member Rose reported that the Clearview Library Board met a couple of weeks ago for their June meeting at which they discussed on first reading a change to signatory authority for some of their financials. A majority of the meeting was spent discussing prospects and potential for a library expansion.
- Town Board Member Bishop-Cotner – Historic Preservation Commission; North Front Range/MPO alternate
Town Board Member Bishop-Cotner stated that the Historic Preservation Commission meeting had been cancelled. He was unable to attend the NFRMPO meeting but understood that Kelly Arnold, Town Manager, was in attendance. Mr. Arnold stated he would forward an email update of the meeting to the Town Board members.
- Town Board Member Adams – Tree Board; Student Advisory Leadership Team (SALT)
Town Board Member Adams reported that the Tree Board meeting had been cancelled. He stated that the Tree Board had conducted Sick Tree Day at which over 50 homes were visited and trees were looked at. Mr. Adams reported that there were 35 experts involved in Sick Tree Day this year.
- Mayor Vazquez – Windsor Housing Authority; North Front Range/MPO
Mayor Vazquez reported that the Windsor Housing Authority would be meeting on July 15, 2014.

5. Proclamation – National Park and Recreation Month
Mayor Vazquez read the proclamation

6. Presentation of SAFEbuilt Scholarship – Dave Thomsen, SAFEbuilt
Russ Weber, representing SAFEbuilt, reported on the scholarship and stated that this is an opportunity for SAFEbuilt to give back to the community that they serve; this is the 3rd year they have presented a scholarship. The recipient for the 2014 scholarship was announced as Taryn Melendez who will be attending CU-Boulder in the fall of 2014. Ms. Melendez thanked everyone for their support and Mayor Vazquez wished her the best of luck and success at college.

7. 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 Deputy 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 June 23, 2014 Regular Town Board Meeting – P. Garcia
2. Report of Bills for June 2014 – D. Moyer

**Town Board Member Adams 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, Morgan, Rose, Melendez, Bishop-Cotner, Adams, Vazquez
Nays – None. Motion passed.**

C. BOARD ACTION

1. Ordinance No. 2014-1475 – An Ordinance amending Section 16-21-20(c)(5) of the Windsor Municipal Code to redefine the calculation of outdoor accessory storage within the Limited Industrial (I-L) zoning district

Super-majority vote required for adoption on second reading

- Second reading
- Legislative action
- Staff presentation: Josh Olhava, Associate Planner

Town Board Member Melendez motioned to approve Ordinance No. 2014-1475, An Ordinance amending Section 16-21-20(c)(5) of the Windsor Municipal Code to redefine the calculation of outdoor accessory storage within the Limited Industrial (I-L) zoning district, on Second Reading; Town Board Member Baker seconded the motion.

Director of Planning Plummer reported on the ordinance noting the proposed amendment simplifies and clarifies how outdoor storage space is calculated in the Limited Industrial zoning districts. The Planning Commission recommended approval of the amendment as presented on June 18, 2014. The Town Board approved the ordinance on first reading on June 23, 2014; there have been no changes since first reading.

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

Roll call on the vote resulted as follows:

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

2. Ordinance No. 2014-1476 – An Ordinance Repealing, Amending and Re-Adopting Sections 7-1-40 and 7-1-50 of the Windsor Municipal Code with Respect to the Abatement of Nuisances Within the Town of Windsor

- First reading
- Legislative action
- Staff presentation: Ian D. McCargar, Town Attorney; John Michaels, Chief of Police

Board Member Baker motioned to approve Ordinance No. 2014-01476, An Ordinance Repealing, Amending and Re-Adopting Sections 7-1-40 and 7-1-50 of the Windsor Municipal Code with Respect to the Abatement of Nuisances within the Town of Windsor on First Reading; Town Board Member Morgan seconded the motion.

Town Attorney McCargar presented the agenda item explaining that the ordinance is a product of a recent work session discussion. Mr. McCargar noted that the main purpose of the ordinance is to increase due process when Code Enforcement learns of a nuisance on private

property. It guarantees the property owner the right to a hearing except in emergency circumstances where there are imminent health, safety and welfare concerns. The ordinance requires that notice be provided to the property owner before Town representatives could enter the property in non-emergency situations; this process would be handled by the Municipal Court with notice and opportunity to be heard to the property owner. Mr. McCargar noted that Police Chief Michaels and Town Prosecutor Emil have both participated in the drafting of the proposed Code amendments.

Roll call on the vote resulted as follows:

Yeas – Baker, Morgan, Rose, Melendez, Bishop-Cotner, Adams, Vazquez

Nayes – None. Motion passed.

3. Resolution No. 2014-37 - A Resolution Approving and Adopting Revisions to the Schedule of Water and Sewer Plant Investment Fees Imposed by the Town Of Windsor

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

Town Board Member Adams motioned to Approve Resolution No. 2014-37; Town Board Member Melendez seconded the motion.

Director of Finance Moyer reported on the resolution stating that the implementation of tap fee increases had been discussed at the June 16, 2014 work session. Mr. Moyer reviewed the existing and proposed amounts; ¾" water tap be increased by \$2,675 and the same size sewer tap by \$700. At the work session, the Town Board discussed phasing the increases with the first phase taking place January 1, 2015 which would include half of the water tap fee increase and the full sewer tap increase and the second phase would take place January 1, 2016 and it would implement the balance of the water tax fee.

Town Board Member Adams inquired who would be affected by the increases; it would affect only new customers who want to tap into the Town's water system such as brand new homes and businesses – new construction only.

Roll call on the vote resulted as follows:

Yeas – Baker, Morgan, Rose, Melendez, Bishop-Cotner, Adams, Vazquez

Nayes – None. Motion passed.

D. COMMUNICATIONS

1. Communications from the Town Attorney

Town Attorney McCargar reminded the Town Board of the Executive Session following the regular meeting and the Kern Board meeting that would convene immediately following the Executive Session.

2. Communications from Town Staff

Management Assistant Unger reported on the current efforts related to the Strategic Plan acknowledging the draft 2014-2016 Strategic Plan booklet that was distributed to the Town Board. The booklet will be available for distribution and discussion at Coffee with the Mayor, Advisory Board and Commission meeting, National Night Out and at the Town Hall meeting on August 18. Ms. Unger also noted that Community Voice, which is an online citizen engagement tool, would be activated on Tuesday, July 15, to allow community members to provide their comments online regarding the draft Plan.

4. Communications from the Town Manager

Town Manager Arnold noted the 2nd quarter report from the Liquor Licensing Authority was include in the packet along with a report from the State CDBG contract update and how they are progressing with the Windsor Housing Authority project. A Northern Integrated Supply Project (NISP) update was also in the packet which will be provided monthly which will be discussed more at the Capital Project work session on August 4.

5. Communications from Town Board Members

None.

- E. An executive session pursuant to § 24-6-402 (4) (b), C.R.S., to confer with the Town Attorney for the purposes of receiving legal advice on specific legal questions. Recent legislation (I. McCargar) **Town Board Member Melendez moved to go into an executive session pursuant to § 24-6-402 (4) (b), C.R.S., to confer with the Town Attorney for the purposes of receiving legal advice on specific legal questions; Recent legislation; Town Board Member Adams seconded the motion. Roll call on the vote resulted as follows:**

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

The meeting moved to Executive Session at 7:29 p.m.

Town Board Member Melendez motioned to return to the Regular Meeting at 8:24 p.m.; Town Board Member Rose seconded the motion. Roll call on the vote resulted as follows:

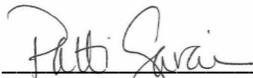
**Yeas – Baker, Morgan, Rose, Melendez, Bishop-Cotner, Adams, Vazquez
Nayes – None. Motion passed.**

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

Upon returning to the regular meeting, Mayor Vazquez 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.

F. ADJOURN

Upon a motion duly made, the Regular Meeting was adjourned at 8:24 p.m.



Patti Garcia, Town Clerk