



MINUTES

A. CALL TO ORDER 7:03 pm

1. Roll Call

Mayor  
Mayor Pro Tem

John Vazquez  
Myles Baker  
Christian Morgan  
Kristie Melendez  
Robert Bishop-Cotner  
Ivan Adams

Absent:

Jeremy Rose

Also present:

Town Manager  
Town Attorney  
Assistant to the Town Manager/Town Clerk  
Director of Engineering  
Director of Planning  
Associate Planner  
Associate Planner  
Management Assistant

Kelly Arnold  
Ian McCargar  
Patti Garcia  
Dennis Wagner  
Joe Plummer  
Paul Hornbeck  
Josh Olhava  
Kelly Unger

2. Pledge of Allegiance

Mayor Pro Tem Baker 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

Mr. McCargar recommended a motion amending the agenda to add consideration of notification by the New Cache La Poudre Irrigating Company for participation in the Cornish Plains Reservoir Rental Water Program as C.18.

**Town Board Member Adams motioned to approve the agenda as amended; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.**

4. Board Liaison Reports

- Mayor Pro-Tem Baker – Water & Sewer Board  
Mayor Pro Tem Baker stated that the next meeting is November 12, 2014 at 6:30 am.
  
- Town Board Member Morgan – Parks, Recreation & Culture; Great Western Trail Authority  
Town Board Member Morgan reported that PReCAB met on election night, November 4<sup>th</sup> and watched as the results come in for the Recreation Center question. Slate Communications is being used for the 125<sup>th</sup> Anniversary events and the Board brainstormed some ideas. They also talked about the Healthy Lungs at Play program regarding smoking in the parks. Weld County may be able to assist with some funds. They discussed the Larimer County open space draft plan and it can be accessed on their website.

Great Western Trail Authority met on October 30, 2014 and they were updated on trails, usage and maintenance. The Eaton recreation center initiative was discussed and it will be right up against the trail. There was discussion on some special district formation possibly to seek one mil for equipment for maintenance.

- Town Board Member Melendez – Downtown Development Authority (DDA); Chamber of Commerce  
Town Board Member Melendez reported that the DDA meets on Wednesday, November 19 at 7:30 am.

The Chamber of Commerce met November 5, 2014 and discussed seeking a new Board of Directors and will hopefully fill the three spots in January. A report from the Events & promotions committee discussed a new program called “Networking at noon” which was very successful. This will be taking place instead of the breakfast networking meetings. Windsor Wonderland is coming up and Santa will be arriving by train and will be at Old Town Hall and tree lighting ceremony at the old Depot.

- Town Board Member Rose - Clearview Library Board  
No report - Absent
- Town Board Member Bishop-Cotner –Historic Preservation Commission; Planning Commission  
Town Board Member Bishop-Cotner stated no report for Historic Preservation Committee and that they meet this Wednesday.

Town Board Member Bishop-Cotner reported that Planning Commission has several items on tonight’s agenda.

- Town Board Member Adams – Poudre River Trail Corridor Board; Tree Board  
Town Board Member Adams reported that both boards cancelled meetings this month, no report.
- Mayor Vazquez – Windsor Housing Authority; North Front Range/MPO  
Mayor Vazquez reports that the North Front Range MPO authorized use of \$30 million for improving the interchange at Crossroads & I-25. Discussed appropriating State Transportation Planning dollars in the amount of \$5 million to the I-25 corridor for three lanes from Hwy 66 up to Hwy 14. CDOT Director Hunt has resigned and there will be a new director to build relationships with.

## 5. Public Invitation to be Heard

Mayor Vazquez opened the meeting for public comment.

Dan Johnston, 1504 Arroyo Drive, thanked the Mayor and Town Board for the leadership they have shown in annexing the "Pace property" enclave last week. We now ask the Town to request the COGCC hold a public hearing in Windsor on the Great Western proposal so the very real concerns of neighbors to the Pace property can be heard by the COGCC.

Mayor Vazquez stated that hopefully through the annexation process the citizens voices will be heard.

Mr. Arnold stated that right now he is not sure when the request can be made, he will provide a report after he has time to study the letter of request submitted tonight by Mr. Johnston and can completely research the process.

Mayor Vazquez believes there is a lot more to come with this application and Great Western Oil & Gas is at the table with the Town of Windsor. The goal is for everyone to have the opportunity to be heard.

#### B. CONSENT CALENDAR

1. Minutes of the October 27, 2014 Regular Town Board Meeting – B. Roome
2. Resolution 2014-65 - A Resolution Solution Confirming the Appointments of Ivan Adams and Kristie Melendez to Serve on the Clearview Library District's Interview Committee Pursuant to Section 4 of the District's Bylaws – I. McCargar
3. List of Bills October 2014 – D. Moyer

**Town Board Member Bishop-Cotner motioned to approve the Consent Calendar as presented; Town Board Member Adams seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.**

#### C. BOARD ACTION

**NOTE:** The official record of this evening's proceedings shall include the application, staff memos and recommendations, packet materials and supporting documents, and all testimony received for the following Board Action items.

1. Site Plan Presentation – Highlands Industrial Park, First Filing, Lot 2, Block 1 Site Plan (Timberline Oil Tools, 4301 Greenfield Drive) – Russell Roger, 2R Investments, applicant / Brett Abernathy, Western Skies Construction, applicant's representative
  - a. Staff presentation: Paul Hornbeck, Associate Planner

Staff Presentation:

Mr. Hornbeck presented staff report Item C.1.a. Mr. Hornbeck stated that there is no recommendation as this item is for presentation purposes only.

2. Site Plan Presentation – Highlands Meadows Golf Course Subdivision, First Filing, Tract G-1 Site Plan (Golf Training Center) Highland Meadows Golf Course LLC, applicant / Jim Birdsall, TB Group, applicant's representative
  - Staff presentation: Paul Hornbeck, Associate Planner

Staff Presentation:

Mr. Hornbeck presented staff report Item C.2.a. Mr. Hornbeck stated that there is no recommendation as this item is for presentation purposes only.

3. Discussion of Referral to Planning Commission pursuant to § 16-7-40 of the Windsor Municipal Code - Conditional Use Grant for Temporary Outdoor Storage in the General Commercial (GC) zoning district – Burlington Subdivision, Lot 18 – 217 Second Street - Jeff and Joel Henderson, property owners, applicants/Suzanne and James Stewart, Arapahoe Rentals, applicants
  - Quasi-judicial action
  - Staff presentation: Josh Olhava, Associate Planner

Staff Presentation:

Mr. Olhava presented staff report Item C.3.a. Staff asks that the Town Board refer the matter to the Planning Commission for public hearing and recommendation to the Town Board for action.

**Town Board Member Adams motioned to refer the matter to the Planning Commission for public hearing and recommendation to the Town Board for action; Town Board Member Morgan seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.**

4. Ordinance No. 2014-1484 – An Ordinance rezoning certain property known as Poudre Heights Subdivision, Second Filing, Tract I – Gail E. Rumley, President, Poudre Heights LP, applicant *Super-majority vote required for adoption on second reading*
  - Second reading
  - Quasi-judicial
  - Staff presentation: Paul Hornbeck, Associate Planner

**Town Board Member Melendez motioned to approve Ordinance No. 2014-1484; Town Board Member Bishop-Cotner seconded the motion.**

Staff Presentation:

Mr. Hornbeck presented staff report Item C.4.a. 23 SF and MF units – approval of a land use map amendment which changed the designation to residential mixed use. Proposal has followed notification procedures. Mr. Hornbeck stated that The Planning Commission forwarded a recommendation of approval to the Town Board with the following condition:

1. All staff redlines and comments shall be addressed

The applicant did not have any additional information.

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

**Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.**

5. Ordinance No. 2014-1485 – An Ordinance Prohibiting the Operation of Internet Sweepstakes Facilities Through the use of Simulated Gambling Devices Within the Town of Windsor *Super-majority vote required for adoption on second reading*
  - Second reading
  - Legislative action
  - Staff presentation: Ian D. McCargar, Town Attorney

**Town Board Member Bishop-Cotner motioned to approve Ordinance 2014-1485; Town Board Member Adams seconded the motion.**

Staff Presentation:

Mr. McCargar presented staff report C.5.a. Staff recommends adopting the attached ordinance prohibiting the operation of internet sweepstakes facilities through the use of simulated gambling devices within the Town of Windsor. This ordinance was approved on first reading on October 27, 2014. The Ordinance follows the attorney general opinion that concluded that the use of simulated gaming is unlawful gambling and would require a constitutional amendment to move forward. This activity has the elements of gaming which are a wager, an element of chance and the possibility of a payout. The ordinance is modeled on a House Bill that was brought forward during the last State legislative session. There have been no changes from 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, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.**

6. Public Hearing – An Ordinance Annexing and Zoning Certain Territory known as the Harmony Ridge Annexation to the Town of Windsor, Colorado – HR Exchange LLC., applicant; Jeff Mark, The Landhuis Company, applicant’s representative
  - Legislative action
  - Staff presentation: Josh Olhava, Associate Planner

**Town Board Member Melendez motioned to open the public hearing; Town Board Member Adams seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.**

Staff Presentation:

Mr. Olhava presented staff report Item C.6.7.8.a.

The applicant, HR Exchange, LLC, represented by Mr. Jeff Mark of the Landhuis Company, are requesting to annex approximately 181.2 acres to the Town of Windsor. The property as a whole is being zoned Residential Mixed Use (RMU). Mr. Olhava stated at their November 5, 2014 Regular Meeting, the Planning Commission forwarded a recommendation of approval of the Harmony Ridge Annexation to the Town Board, subject to the applicant completing the Annexation process with the Town, and staff concurs with this recommendation.

Jeff Mark was present to answer questions from the Town Board. Mayor Vazquez confirmed with the applicant that adding additional acres RMU zoning in the west.

Mayor Vazquez asked where is the master plan for this proposed development.

Mr. Olhava stated that this will be coming forward at a later date. Mr. McCargar added that there will be a public hearing for the master plan.

Mayor Vazquez confirmed that tonight is just about the annexation.

Mr. Mark added that the last submittal of the master plan has been submitted to the Town of Windsor.

Public Comment

Cheryl Van Ackern, 36746 Brian Avenue, stated that the annexation application also includes zoning of the property. From what she understands no adjustments can be made since things have already been set. The Planning Commission and the Town Board hear a lot from neighbors that they don't want development. Ms. Van Ackern is not against development but is concerned about the effects that this will have on the density and traffic in the area. She is also concerned about the future impact and road improvement standards that are set. The developers want higher density by 604% if it is zoned RMU versus E-2. Wants the Town Board to impose lower density across the other areas of the development.

Rosalind Lioto, 36933 County Road 15 has concerns about traffic in the area. There are issues with speeding on road and residents on CR 6 and CR 74 have drive ways that have access to CR 15. Ms. Lioto stated concerns regarding traffic counts and speed issues.

Mayor Vazquez noted the 80% rule used by CDOT which is how the speed limit is set. Per Ms. Lioto the developer hired a traffic engineer to do a traffic study and they didn't include CR 15 and CR 76.

Mayor Vazquez said there are various factors that are considered in the study. He also stated this should be discussed during the master plan.

Per Ms. Lioto there are 25,000 in the Town of Windsor now and if this subdivision comes in it will add 5,000 more to the population which brings 20% of the population outside of town.

Ms. Van Ackern was allowed to address the Town Board one more time by Mayor Vazquez. She stated that the residents and developer have had some conversations. At the last meeting the master plan was presented and they were told that a lot of the "roads are already set" and many things have already been set that the residents will have a difficult time going forward trying to get anything changed. The current residents would like to have that dialogue and continue the dialogue as their opinion about the density compared of the developer are very different. They feel that the Boxelder sewer and its ability to serve an additional 1,650 residents is driving the development.

Jeanne McCreery, 36699 Brian Avenue, wants to encourage the board to provide guidance to the developer for responsible development that is respectful of the surrounding neighborhoods. Ms. McCreery requested significantly lower density in the development, perhaps down to 500-800 units; maintaining some part of their 'dark skies' neighborhood; an open space buffer immediately West of their subdivisions, in addition to a single story house restriction beyond the buffer zone; upgrading road classification and considering more immediate improvements to this area which is already a high safety concern for the residents in the area.

Mayor Vazquez explained that her comments are more for the master plan phase. This is not what is up for consideration tonight.

Sharon Offenbacher, 36883 CR15, agrees to what everyone else said.

Mr. Mark stated that they are going into further discussion to future meetings. They are trying to be fair and equitable to both parties. Mr. Mark noted that the area is already zoned to RMU and if they maxed that out they could build 1,800 units. They have chosen 1,650 units which is the number that the sewer will be able to serve.

Mayor Vazquez stated these will be discussions during master planning.

**Town Board Member Melendez motioned to close the public hearing; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.**

7. Resolution No. 2014-66 – A Resolution Making Certain Findings and Conclusions Pursuant to Section 31-12-110 C.R.S., Concerning the Harmony Ridge Annexation to the Town of Windsor, Colorado – HR Exchange LLC., applicant; Jeff Mark, The Landhuis Company, applicant's representative
  - Legislative action
  - Staff presentation: Josh Olhava, Associate Planner

**Town Board Member Melendez motioned to approve Resolution No. 2014-66; Town Board Member Bishop-Cotner seconded the motion.**

Staff Presentation:

Mr. Olhava reviewed the resolution language.

Mr. McCargar noted that this is a required statutory step.

**Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.**

8. Ordinance No. 2014-1486 – An Ordinance Annexing and Zoning Certain Territory known as the Harmony Ridge Annexation to the Town of Windsor, Colorado – HR Exchange LLC., applicant, Jeff Mark, The Landhuis Company, applicant's representative
  - First Reading
  - Legislative action
  - Staff presentation: Josh Olhava, Associate Planner

**Town Board Member Bishop-Cotner motioned to approve Ordinance No. 2014-1486; Town Board Member Melendez seconded the motion.**

Staff Presentation:

Mr. Olhava stated he had nothing further to add from Agenda Item 6.

**Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.**

9. Public Hearing – Conditional Use Grant for an off-premise sign for temporary residential advertising on the Serfer Annexation property at the southwest corner of SH 392 and County Line Road (WCR 13) – Mike Davidson, Century Communities, applicant / Andrew Schultz, Dodge Sign Company, applicant's representative
  - Quasi-judicial action
  - Staff presentation: Paul Hornbeck, Associate Planner

**Town Board Member Adams motioned to open the public hearing; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.**

Staff Presentation:

Mr. Hornbeck stated the applicant is requesting a Conditional Use Grant (CUG) for an off-premise sign to be located on the Serfer Annexation property located at the southwest corner of Highway 392 and County Line Road (Weld County Road 13). The property is zoned Recreation and Open Space (O). The sign would advertise and direct motorists to homes for sale within the Highpointe Subdivision, also known as the Reserve at Highpointe Estates. The subdivision is located approximately 1.7 miles south of the intersection of Highway 392 and Weld County Road 13. According to the applicant the sign is needed to direct traffic from Highway 392 to the subdivision. The Windsor Municipal Code does address subdivision-wide real estate promotional signage but does not permit such signage to be located off-premise.

Mr. Hornbeck stated that the Planning Commission forwarded a recommendation of denial to the Town Board at their November 5, 2014 meeting with the following findings of fact:

1. Off-premise residential signs including the proposed sign are not in significant compliance with the intent of the sign regulations as described in Section 16-9-10 of the Municipal Code.
2. Off-premise signs including the proposed sign detract from the physical appearance of the Town of Windsor.

The applicant was not present.

Mr. Plummer clarified this is for lots for sale not homes for sale.

Mayor Vazquez stated that he wants to see consistency with posted signs already in existence.

Pro Tem Baker asked if it is the size of the sign.

Mr. Hornbeck answered that yes, it is the overall height.

Mr. Hornbeck stated the off premise location is what the issue is.

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

**Town Board Member Adams motioned to close the public hearing; Mayor Pro Tem Baker seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.**

10. Conditional Use Grant for an off-premise sign for temporary residential advertising on the Serfer Annexation property at the southwest corner of SH 392 and County Line Road (WCR 13) – Mike Davidson, Century Communities, applicant / Andrew Schultz, Dodge Sign Company, applicant's representative

- Quasi-judicial action
- Staff presentation: Paul Hornbeck, Associate Planner

**Town Board Member Adams motioned to approve the CUG as presented; Mayor Pro Tem Baker seconded the motion. Roll call on the vote resulted as follows: Yeas – None; Nays – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Motion failed.**

11. Public Hearing – An Ordinance Amending the Design Criteria and Procedures in Article XIII, Chapter 17 of the Windsor Municipal Code for the purpose of adding language pertaining to design criteria for large entertainment establishments
  - Legislative action
  - Staff presentation: Josh Olhava, Associate Planner

**Town Board Member Melendez motioned to open the public hearing; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.**

Staff Presentation:

Mr. Olhava presented staff report Item C.11.12.a. Following Planning Commission and Town Board work sessions and anticipating future entertainment establishments the ordinance is being presented.

Mr. Olhava stated at their November 5, 2014 Regular Meeting, the Planning Commission forwarded a recommendation of approval to the Town Board of the proposed code amendment language and Ordinance No. 2014-1487, and staff concurs with this recommendation.

The language is the same as presented in the work session.

Mayor Vazquez stated that these changes only going to affect architectural standards and exterior elevation appearances and the standards that they will comply with. 50,000 square feet is the beginning threshold.

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

**Town Board Member Melendez motioned to close the public hearing; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.**

12. Ordinance No. 2014-1487 – An Ordinance Amending the Design Criteria and Procedures in Article XIII, Chapter 17 of the Windsor Municipal Code for the purpose of adding language pertaining to design criteria for large entertainment establishments
  - First reading
  - Legislative action
  - Staff presentation: Josh Olhava, Associate Planner

**Town Board Member Bishop-Cotner motioned to approve Ordinance No. 2014-1487; Mayor Pro Tem Baker seconded the motion.**

Staff Presentation:

Mr. Olhava stated he had nothing further to add from Agenda Item 11.

**Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.**

13. Public Hearing – An Ordinance Amending the Sign Regulations in Article IX, Chapter 16 of the Windsor Municipal Code for the purpose of adding language pertaining to the design criteria for signs that contain electronic message centers
- Legislative action
  - Staff presentation: Josh Olhava, Associate Planner

**Town Board Member Adams motioned to open the public hearing; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.**

Staff Presentation:

Mr. Olhava presented staff report Item C.13.14.a.

Notes code section and read it – 16-9-60. Mr. Olhava stated at their November 5, 2014 Regular Meeting, the Planning Commission forwarded a recommendation of approval to the Town Board of the proposed code amendment language and Ordinance No. 2014-1488, and staff concurs with this recommendation.

Staff has worked to incorporate language that (2) The maximum allowed size of an electronic message center in a freestanding sign shall be no greater than fifty percent (50%) of the total allowed sign area. And (8) Building-mounted electronic message centers shall only be permitted when displaying time and temperature or when displaying fuel pricing on a fueling station canopy, and shall remain subject to the size limitations of Section 16-9-100 (b) for building-mounted signs, or not to exceed twenty (20) square feet, whichever is less.

Mr. McCargar stated that this is not for temporary town owned messaging in which the restrictions do not apply.

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

**Town Board Member Melendez motioned to close the public hearing; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.**

14. Ordinance No. 2014-1488 – An Ordinance Amending the Sign Regulations in Article IX, Chapter 16 of the Windsor Municipal Code for the purpose of adding language pertaining to the design criteria for signs that contain electronic message centers
- First reading
  - Legislative action
  - Staff presentation: Josh Olhava, Associate Planner

**Town Board Member Melendez motioned to approve Ordinance No. 2014-1488; Town Board Bishop-Cotner Member seconded the motion.**

Staff Presentation:

Mr. Olhava stated he had nothing further to add from Agenda Item 13.

**Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.**

15. Public Hearing – Request to exceed the maximum height for a structure in the Residential Mixed Use (RMU) zoning district in accordance with Section 16-10-50(c) of the Windsor Municipal Code – Highland Meadows Golf Course Subdivision, Eighth Filing, Lot 6 – Dennis Fulgenzi, applicant; Cathy Mathis, TB Group, applicant’s representative
- Quasi-judicial action
  - Staff presentation: Josh Olhava, Associate Planner

**Town Board Member Melendez motioned to open the public hearing; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.**

Staff Presentation:

Mr. Olhava presented staff report Item C.15.16.a.

The maximum height allowed in the RMU zoning district is thirty-five (35) feet, in accordance with Sec. 16-24-40(4). The building is proposed to have a maximum ridge height of thirty-seven (39) feet. This is on the south east corner of the 8<sup>th</sup> filing of the Highland Meadows golf course.

Mr. Olhava stated at their November 5, 2014 Regular Meeting, the Planning Commission forwarded a recommendation of approval to the Town Board for the proposed height to not exceed forty (40) feet to allow for minor variations in the field during construction, subject to compliance with all building and fire code requirements, and staff concurs with this recommendation.

Applicant present to answer any questions.

Jon Turner, applicant, stated that they initially submitted at 38’ to allow for the height required for tennis tournaments. Mr. Turner stated that it will be a burden to not have the allowance.

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

**Town Board Member Melendez motioned to close the public hearing; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.**

16. Resolution No. 2014-67 – A Resolution approving a request to exceed the maximum height for a structure in the Residential Mixed Use (RMU) zoning district in accordance with Section 16-10-50(c) of the Windsor Municipal Code – Highland Meadows Golf Course Subdivision, Eighth Filing, Lot 6 – Dennis Fulgenzi, applicant; Cathy Mathis, TB Group, applicant’s representative
- Quasi-judicial action
  - Staff presentation: Josh Olhava, Associate Planner

**Town Board Member Bishop-Cotner motioned to approve Resolution No. 2014-67; Mayor Pro Tem Baker seconded the motion.**

Staff Presentation:

Mr. Olhava stated he had nothing further to add from Agenda Item 15.

Mayor Vazquez stated his support of this request due to the burden.

**Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.**

17. Resolution No. 2014-68 - A Resolution approving and adopting revisions to the schedule of certain development-fee related fees imposed by the Town of Windsor to include a fee for review and approval of accessory dwelling units.
- Legislative action
  - Staff presentation: Joe Plummer, Director of Planning

**Town Board Member Bishop-Cotner motioned to approve Resolution No. 2014-68; Town Board Member Adams seconded the motion.**

Staff Presentation:

Mr. Plummer presented staff report Item C.17.a.

ADU's were approved last month on second reading. Review fee for ADU's is now before the Town Board. Staff has analyzed the amount of staff time to review the application and have decided that it is similar to Conditional Use Grant applications. They plan to use a phase in schedule. Mr. Plummer stated staff recommends adoption of Resolution 2014-68 as presented.

**Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.**

18. Consideration of Notification by New Cache la Poudre Irrigation Company for participation in Cornish Plains Reservoir leasing program. – I. McCargar

Mr. McCargar told the Board that the Town has received notification from the New Cache la Poudre Irrigation Company. Earlier at the Kern Board meeting, Mr. Grasmick, Kern Board Legal representative, recommended that the Kern Board decline to offer for leasing of the Kern's interest in Cornish Plains Reservoir. He also reviewed the Decree for the water right, and urged us to ask New Cache to allow the Kern to use its interest for augmentation, well depletions and return flows, and to receive it into Kern Reservoir for irrigation purposes.

Mr. McCargar asked for the Town Board to take consistent action with the Kern Board by authorizing counsel to decline the leasing program as well as reaching out to the New Cache la Poudre Irrigation Company to reaffirm that the Town is interested in keeping that water interest for augmentation as well as for irrigation purposes.

**Town Board Member Melendez motioned to approve the recommendations of Mr. Grasmick relative to the New Cache La Poudre irrigation shares; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.**

D. COMMUNICATIONS

1. Communications from the Town Attorney –  
Mr. McCargar stated we have an Executive Session following the meeting.

2. Communications from Town Staff -

Ms. Unger stated that tomorrow is Veterans Day and thanked all the veterans for their service.

3. Communications from the Town Manager

Mr. Arnold stated that next week there is no work session but a special meeting for the Town Manager and Town Attorney evaluations. Mr. Arnold asked for postponement at the November 24<sup>th</sup> Town Board Work Session of the downtown overlay parking district discussion. Staff believes that it needs some more work before moving forward.

Mr. Arnold also stated that the November 24<sup>th</sup> meeting will have the 125<sup>th</sup> anniversary update and the Housing Authority would like to meet with Town Board about potentially not seeking reimbursement of raw water fees. This might also be a good time to review the inquiry of the public invited to be heard regarding the COGCC hearing.

As of right now the December 22<sup>nd</sup> meeting is scheduled but we will review in 2 weeks to see if there is anything for the agenda.

4. Communications from Town Board Members

Mr. Bishop-Cotner will not be at the November 24<sup>th</sup> meeting.

Mr. Adams spoke of a salute the Veterans event at Windsor High School tomorrow at 10:45 am. Town Board is invited to attend.

- E. An executive session pursuant to § 24-6-402 (4) (e), C.R.S., for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators. - - VIMA Partners – K. Arnold

**Town Board Melendez made a motion to go into executive session pursuant to § 24-6-402 (4) (e), C.R.S., for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators. - - VIMA Partners; Mr. Adams seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Rose, Melendez, Bishop-Cotner, Adams; Nays – None; Motion passed.**

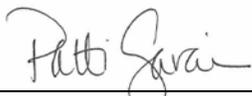
The meeting moved to Executive Session at 9:18 p.m.

**Town Board Member Bishop-Cotner made a motion to return to the regular meeting at 10:05 p.m.; Town Board Member Adams seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Rose, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.**

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

F. ADJOURN

Upon a duly made motion, the Regular Meeting was adjourned at 10:06 p.m.



Patti Garcia, Deputy Town Clerk