



## TOWN BOARD REGULAR MEETING

November 24, 2014 - 7:00 P.M.

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

### MINUTES

#### A. CALL TO ORDER 7:08 pm

##### 1. Roll Call

Mayor  
Mayor Pro Tem

John Vazquez  
Myles Baker  
Christian Morgan  
Jeremy Rose  
Kristie Melendez  
Ivan Adams

Absent:

Robert Bishop-Cotner

Also present:

Town Manager  
Town Attorney  
Assistant to the Town Manager/Town Clerk  
Director of Finance  
Chief of Police  
Director of Parks  
Director of Engineering  
Director of Planning  
Associate Planner  
Management Assistant  
Arts and Heritage Manager

Kelly Arnold  
Ian McCargar  
Patti Garcia  
Dean Moyer  
John Michaels  
Melissa Chew  
Dennis Wagner  
Joe Plummer  
Josh Olhava  
Kelly Unger  
Andrew Dunehoo

##### 2. Pledge of Allegiance

Town Board Member Morgan 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; Mayor Pro Tem Baker seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Rose, Melendez, Adams, Vazquez; Nays – None; Motion passed.**

##### 4. Board Liaison Reports

- Mayor Pro-Tem Baker – Water & Sewer Board  
Mayor Pro Tem Baker stated the Water & Sewer Board met last week to review the budget. Several Town Directors were there to answer any questions from Board members in regards to the proposed budget.
- Town Board Member Morgan – Parks, Recreation & Culture (PReCAB); Great Western Trail Authority (GWTA)  
Town Board Member Morgan reported that neither board met since his last report. There are members of PReCAB here tonight and he is glad to see them in attendance
- Town Board Member Melendez – Downtown Development Authority (DDA); Chamber of Commerce

Town Board Member Melendez reported that the DDA met last week and they approved their 2015 budget including increasing their mills to 3 for 2015. In December, they are discussing back lots and the mill feasibility study and deciding the next steps for those properties. In February they are planning a four hour Board retreat. At the retreat they will create strategic plans for next 2 to 5 years. Last, they are looking at what it might look like to incorporate Wi-Fi into downtown.

The Chamber of Commerce Windsor Wonderland is coming to Town on 12/6/14 and Santa Claus is arriving by train. The event runs from 12:00 pm – 5:00 pm on 5<sup>th</sup> Street by the museum.

- Town Board Member Rose - Clearview Library Board  
Town Board Member Rose report they met Wednesday and had the second reading of their budget. They approved changing their current Internet Service Provider to a fiber optic plan of 80 mega-bits. Last they looked at options regarding a proposed expansion of the library and if they want to consider it or not.
- Town Board Member Bishop-Cotner –Historic Preservation Commission; Planning Commission  
No report - Absent
- Town Board Member Adams – Poudre River Trail Corridor Board (PRTCB); Tree Board  
Town Board Member Adams reported that the Tree Board meets tomorrow and it is a lengthy agenda.

PRTB also haven't met for a couple of months but had a volunteer appreciation function which was well attended.

- Mayor Vazquez – Windsor Housing Authority (WHA); North Front Range/MPO  
Mayor Vazquez reports that the North Front Range MPO will meet in December and will have board elections for the 2015 year.

WHA updated with events happening there.

#### 5. Public Invitation to be Heard

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

Mr. Arnold recognized Patti Garcia for her Colorado Municipal Clerks Association award that she received last week at their annual conference for “Outstanding Contributions to her Municipality” for 2014.

#### B. CONSENT CALENDAR

1. Minutes of the November 10, 2014 Regular Town Board Meeting – P. Garcia
2. Advisory Board Appointment – P. Garcia
3. Resolution 2014-69 - A Resolution Appointing the Presiding Judge and Associate Judge for the Town Of Windsor Municipal Court, and Confirming the Term of Office for Each – I. McCargar

4. Resolution No. 2014-70 - Resolution Approving Deed of Dedication and Temporary Construction Easement from Extraction Oil & Gas, LLC, to the Town Of Windsor, and Authorizing the Mayor to Execute Same – I. McCargar
5. Resolution No. 2014-71 - A Resolution Approving The Expansion Of The Future Inclusion Area Of The Amended Consolidated Service Plan For Great Western Metropolitan Districts NOS. 1-7 – I. McCargar

**Town Board Member Melendez motioned to approve the Consent Calendar as presented; Town Board Member Morgan seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Rose, Melendez, 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. 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  
*Super-majority vote required for adoption on second reading*
  - Second reading
  - Legislative action
  - Staff presentation: Josh Olhava, Associate Planner

Staff Presentation:

**Town Board Member Melendez motioned to approve Ordinance 2014-1487; Town Board Member Morgan seconded the motion.**

Staff Presentation:

Per Mr. Olhava, at the November 10, 2014 regular meeting, the Town Board approved Ordinance No. 2014-1487 on first reading and a super majority vote is required to approve on second reading. Staff recommends that the Town Board approve Ordinance No. 2014-1487 on second reading as presented.

Mayor Vazquez asked if there have been any significant changes since first reading.

Per Mr. Olhava no changes have been made since the first reading.

Public Comment:

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, Adams, Vazquez; Nays – None; Motion passed.**

2. 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  
*Super-majority vote required for adoption on second reading*

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

**Mayor Pro Tem Baker motioned to approve Ordinance 2014-1488; Town Board Member Morgan seconded the motion.**

Staff Presentation:

Per Mr. Olhava, at the November 10, 2014 regular meeting, the Town Board approved Ordinance No. 2014-1488 on first reading and a super majority vote is required to approve on second reading.

Staff recommends that the Town Board approve Ordinance No. 2014-1488 on second reading as presented.

Mayor Vazquez asked if there have been any significant changes since first reading.

Per Mr. Olhava no changes have been made since the first reading.

Public Comment:

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

**Yeas – Baker, Morgan, Rose, Melendez, Adams, Vazquez; Nays – None; Motion passed.**

3. Ordinance No. 2014-1489 - Ordinance Annexing Certain Municipally-owned Land Pursuant to the Provisions of § 31-12-106, C.R.S.
  - First reading
  - Legislative action
  - Staff presentation: Ian D. McCargar, Town Attorney

**Town Board Member Melendez motioned to approve Ordinance 2014-1489; Town Board Member Adams seconded the motion.**

Staff Presentation:

Per Mr. McCargar, the annexation of certain Municipally-owned land is presented for approval and, assuming final adoption, will bring the Kyger property into Windsor. Annexation of municipally-owned property is governed by § 31-12-106, C.R.S., under which the annexation of the Kyger property may be accomplished by ordinance. No public hearings or publication is required. In short, this annexation ordinance is handled just as any other ordinance under the Charter.

Mayor Vazquez asked why municipalities don't have the same rules as private property for annexation.

Per Mr. McCargar the legislature has made a distinction between municipally owned land and other land.

**Yeas – Baker, Morgan, Rose, Melendez, Adams, Vazquez, Vazquez; Nays – None; Motion passed.**

4. Community Recreation Center Expansion – Review timeline and scope of services with Barker Rinker Seacat Architecture who will be present to share information and answer any questions
  - Staff presentation: Melissa M. Chew, CPRP, Director of Parks, Recreation & Culture
  - BRS Presentation: Dave Hammel, Principal, BRS

Staff Presentation:

Per Ms. Chew, the Town has elected to continue to work with Barker Rinker Seacat Architecture (BRS) for the design, construction documents and through construction of the Community Recreation Center expansion.

Dave Hammel, principal project manager from Barker Rinker Seacat Architecture, spoke of design aspects including the aquatics areas. He also spoke of his sub-contractors and their qualifications for this project. Mr. Hammel stated that they are also including an energy and sustainability consultant on the project. Mr. Hammel also discussed the proposed timelines which is fairly aggressive with a goal of being completed by August of 2016.

Mayor Vazquez asked how they would handle any unforeseen set backs on the timeline.

Mr. Hammel believes that their early start times of the project will help keep the project on track.

Mr. Morgan asked Mr. Hammel to keep in mind the high school across the street so ingress and egress will cause issues with construction traffic and school traffic.

Mr. Baker, asked about any impact to the existing building and parking because it is a busy center.

Mr. Hammel stated that the goal is to keep the facility open and much of the work is around the perimeter which should help keep the operations functioning.

Mayor Vazquez asked Mr. Moyer about when he plans to go to market with the bonds while considering the schedule set forth.

Mr. Moyer stated he is meeting with a representative from George K. Baum in December in order to decide the best plan. Right now they are leaning towards earlier in 2015. With the face value of bonds at \$16.1 million, getting the best interest rate possible is the priority.

Mr. Adams stated his thanks to the efforts of Ms. Chew and her staff along with those volunteers who were all very involved in this ballot issue.

5. Resolution 2014-72 - A Resolution Approving And Adopting Revised Guidelines For The Use Of The Town Of Windsor's Mobile Show Stage By Third Parties
  - Staff presentation: Melissa M. Chew, CPRP, Director of Parks, Recreation & Culture

**Town Board Member Melendez motioned to approve Resolution 2014-72; Mayor Pro Tem Baker seconded the motion.**

Staff Presentation:

Per Mr. Dunehoo, at the work session on November 10, 2014, there was a discussion about the Show Stage Rental Guidelines and changes to exclude out of town rentals. The proposed Resolution makes reference to ceasing such rentals, and the guidelines reflect that change in

policy. Only three inquiries had been received for 2015, all of whom were advised that the stage might not be available for out of town rentals. All have since been notified.

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

6. Public Hearing 2015 Budget

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

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

Staff Presentation:

Per Mr. Moyer, this public hearing for our 2015 Budget. The notice of budget was published in the Windsor Beacon on November 7 and November 14, 2014. The 2015 Budget was based on the strategic plan developed by the Town Board and the results of our budget workshop held on October 11, 2014. Expenditures were approved which supported the strategic plan and were within revenue constraints. Any increase in expenditures or range of service had to be tied to the strategic plan.

Public Comment:

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

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

7. Resolution No. 2014-73 - 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, 2015, And Ending On The Last Day Of December, 2015, 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 2015 Budget Year

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

**Town Board Member Adams motioned to approve Resolution No. 2014-73; Mayor Pro Tem Baker seconded the motion.**

Staff Presentation:

Mr. Moyer stated he had nothing further to add from agenda item C.6.

Mr. Baker thanked Town Manager and Staff for all the hard work

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

8. Resolution No. 2014-74 - A Resolution Levying General Property Taxes For The Taxable Year 2014 To Help Defray The Costs Of Government For The Town Of Windsor, Colorado, For The 2015 Budget Year (Weld County)
  - Legislative action
  - Staff presentation: Dean Moyer, Director of Finance

**Town Board Member Melendez motioned to approve Resolution No. 2014-74; Town Board Member Adams seconded the motion.**

Staff Presentation:

Mr. Moyer stated he had nothing further to add from agenda item C.6.

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

9. Resolution No. 2014-75 - A Resolution Levying General Property Taxes For The Taxable Year 2014 To Help Defray The Costs Of Government For The Town Of Windsor, Colorado, For The 2015 Budget Year (Larimer County)
  - Legislative action
  - Staff presentation: Dean Moyer, Director of Finance

**Mayor Pro Tem Baker motioned to approve Resolution No. 2014-75; Town Board Member Morgan seconded the motion.**

Staff Presentation:

Mr. Moyer stated he had nothing further to add from agenda item C.6.

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

10. Resolution No. 2014-76 - A Resolution of the Town Board of the Town of Windsor, Colorado, Approving the 2015 Windsor Downtown Development Authority Budget; Making Annual Appropriations for the Windsor Downtown Development Authority for the Fiscal Year Ending December 31, 2014; and Fixing the Mill Levy for the Windsor DDA District for the Fiscal Year Ending December 31, 2015
  - Legislative action
  - Staff presentation: Patti Garcia, Town Clerk/Assistant to Town Manager

**Town Board Member Melendez motioned to approve Resolution No. 2014-76; Town Board Member Adams seconded the motion.**

Staff Presentation:

Per Ms. Garcia, the Downtown Development Authority Board of Directors (DDA) approved their 2015 budget along with a mill levy increase to three mills at their November 19, 2014 regular meeting contingent upon Town Board consideration. Colorado State Statute requires that each year the DDA present their budget to the Town Board for review and approval.

The DDA is expecting to carry over an approximate \$343,151 balance at the end of 2014. The DDA Board is proposing to carry over that amount into their 2015 budget. They will use these

additional funds for the 2015 projects as specified in the to-be-completed 2015 Work Plan. The DDA is projecting \$14,326 in revenue from their property tax increment and \$11,566 in revenue from the property tax from the 3.0 mill levy that will be assessed on the DDA members.

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

#### D. COMMUNICATIONS

1. Communications from the Town Attorney –  
Mr. McCargar stated in early November the State Liquor Enforcement Division completed a compliance check where the State and Windsor Police Department had an underage . Of the 22 businesses with liquor license, six sold to the minor. All six are currently in the process of review by the Liquor Authority.
2. Communications from Town Staff -  
Ms. Garcia has received all of the official election results from the Weld County and Larimer County Clerk's offices. For Windsor in the November 2014 election on ballot question 2A there were 5,859 yes votes and 4,415 no voted for a total of 10,374 votes cast. In 2010 the total of votes cast was around was 7,350 cast.
3. Communications from the Town Manager  
Mr. Arnold stated that there is no work session next week (12/01/14.) He stated that Town Board will have dinner at their 12/08/14 meeting. Mr. Arnold further stated that unless a land issue arises there will be no reason not to cancel the 12/22/14 meeting.

For the 12/15/14 work session it will take place at the Community Recreation Center for and there will be a presentation on the demographics and housing study.

4. Communications from Town Board Members  
Mr. Morgan stated that he will be out of town on December 8<sup>th</sup> and will miss that meeting.

#### E. ADJOURN

Upon a duly made motion, the Regular Meeting was adjourned at 8:31 p.m.



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Bruce Roome, Deputy Town Clerk