



**TOWN BOARD REGULAR MEETING**

February 23, 2015 - 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.

**MINUTES**

**A. CALL TO ORDER**

Roll Call Mayor Vazquez called the meeting to order at 7:07 p.m.

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

- |               |   |   |
|---------------|---|---|
| Also present: | Town Manager<br>Town Attorney<br>Town Clerk/Assistant to the Town Manager<br>Communications/Assistant to the Town Manager<br>Chief of Police<br>Director of Planning<br>Director of Economic Development<br>Director of Parks, Recreation & Culture<br>Director of Engineering<br>Director of Public Works<br>Director of Human Resources<br>Associate Planner<br>Associate Planner | Kelly Arnold<br>Ian McCargar<br>Patti Garcia<br>Kelly Unger<br>John Michaels<br>Joe Plummer<br>Stacy Johnson<br>Melissa Chew<br>Dennis Wager<br>Terry Walker<br>Mary Robins<br>Josh Olhava<br>Paul Hornbeck |
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2. Pledge of Allegiance  
**Town Board Member Adams 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 Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Rose, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.**
4. Board Liaison Reports
  - Mayor Pro Tem Baker – Water & Sewer Board; North Front Range/MPO alternate  
Mayor Pro Tem Baker reported the Water & Sewer Board met on February 11; they reviewed the Water Master Plan from 2009 and are preparing to have it updated. They also approved a cash in lieu amount of \$38,000 per acre foot based on last Big Thompson purchase of 26,600. They will be meeting with local developers at their March 11 meeting to discuss future water supplies.
  - Town Board Member Morgan – Parks, Recreation & Culture; Great Western Trail Authority

- Absent – no report.
- Town Board Member Melendez – Downtown Development Authority (DDA); Chamber of Commerce  
Town Board Member Melendez reported that the Chamber of Commerce will be scheduling a retreat and noted that the DDA met on February 18 at which time they discussed clean up and maintenance of the DDA area before summer concert series. They will also be scheduling a date to continue their board retreat.
  - Town Board Member Rose – Clearview Library Board  
Town Board Member Rose reported the Library Board would be meeting on Thursday at 5:30 p.m.
  - Town Board Member Bishop-Cotner – Historic Preservation Commission; Planning Commission  
Town Board Member Bishop-Cotner reported that the items discussed at the Planning Commission meeting were included on the Town Board agenda.
  - Town Board Member Adams – Tree Board; Poudre River Trail Corridor Board (PRTCB)  
Town Board Member Adams reported that the Tree Board would be meeting tomorrow at 5 p.m. and that the PRTCB meets next Thursday.
  - Mayor Vazquez – Windsor Housing Authority; North Front Range/MPO  
Mayor Vazquez stated that he was not able to attend the last meeting of the MPO.

5. Invited to be Heard

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

B. CONSENT CALENDAR

1. Minutes of the February 9, 2015 Regular Town Board Meeting – P. Garcia
2. Resolution No. 2015-13 - A Resolution Approving The First Amendment To Agreement For Extraterritorial Municipal Utility Services Between The Town Of Windsor And Windsor Renewal 1, LLC, And Authorizing The Mayor To Execute Same – I. McCargar
3. Resolution No. 2015-14 - A Resolution Approving The Fifth Amendment To An Intergovernmental Agreement Between The Town Of Windsor And The Poudre Tech Metropolitan District, And Authorizing The Mayor To Execute Same – I. McCargar
4. Resolution No. 2015-15 - A Resolution Appointing Kimberly A. Emil As Windsor Town Prosecutor, and Further Appointing Ms. Emil Assistant Town Attorney For The Town Of Windsor, Colorado – I. McCargar

**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, Rose, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.**

C. BOARD ACTION

1. Site Plan Presentation – South Gate Business Park Subdivision Fifth Filing, Lot 1 – Aims Community College - Public Safety Institute – Michael Millsapps of Aims Community College, applicant
  - Staff presentation: Josh Olhava, Associate Planner

Associate Planner Olhava stated the project for South Gate Business Park had been reviewed in accordance with Article IX of Chapter 17 of the Municipal Code.

Mr. Olhava reported that the applicant, Mr. Michael Millsapps of Aims Community College has proposed a new building and site upgrades in the General Commercial zoning district in the South Gate Business Park Subdivision, located at 1120 & 1130 South Gate Drive. Mr. Olhava provided the site vicinity and site proximity zoning maps and explained that the new building will serve as a Public Safety Institute which will include site improvements to make an overall campus feel. Mr. Olhava noted the site characteristics:

- an approximately 43,000 square foot, 2 story building;
- architectural elements to match existing Automotive Tech. building, with additional accent colors;
- plazas, landscaping and walkways;
- an outdoor, 4-story, fire training tower and training site;
- a future expansion area for buildings and parking; and
- over 150 off street parking spaces, including accessible parking spaces.

Mr. Olhava stated that there were no conditions related to the subdivision process and that they are in compliance with all height requirements.

Applicants were present and provided a brief presentation and stated they are building on what is currently on the site. They provided an overview of the building diagram, colors and view of the main lobby.

Mayor Vazquez thanked outgoing Aims President Marsi Liddell for her work in the community and congratulated her on her retirement.

2. Site Plan Presentation – Windsor Commons Subdivision Third Filing, Lot 2, Block 2 – Tru-Balance / Design Logic – James H. Andersen, applicant / Richard Hazel, applicant’s representative

- Staff presentation: Paul Hornbeck, Associate Planner

Associate Planner Hornbeck provided information regarding the site plan which is being reviewed in accordance with Article IX of Chapter 17 of the Municipal Code. The site is on Automation Drive, south of Garden Drive. Mr. Hornbeck noted the site plan and elevations and stated the front of the building was dressed up with masonry.

The applicant, Mr. James H. Andersen, represented by Mr. Richard Hazel, has proposed to construct a new building in the Limited Industrial zoning district in the Windsor Commons Subdivision.

Mr. Hornbeck noted the following site characteristics:

- 1.14 acre property;
- 10,400 square foot metal building;
- Off-street parking; and
- Landscaped area of 27,926 square feet

Jim Anderson spoke on behalf of the applicant and stated there are currently two separate buildings which will become one; all the storage will be inside the building.

3. Resolution No. 2015-16 – A Resolution Approving and Authorizing the Town Manager to Waive Certain Development Fees Associated With the Construction of the Windsor Charter Academy, and Directing that such Fees be Accounted for as Provided by Law

- Legislative action
- Staff presentation: Joe Plummer, Director of Planning

**Town Board Member Melendez motioned to approve Resolution No. 2015-16; Town Board Member Baker seconded the motion.**

Director of Planning Plummer stated that at the February 9, 2015 town board meeting, the applicant, the Windsor Charter Academy (WCA), proposed to construct a new charter school which will be located at 810 Automation Drive. The new school will be 49,400 square-feet in area and will serve as a Middle and High School that will accommodate grades six through ten, with additional space for grades eleven and twelve being added as the need arises.

Mr. Plummer referred to a letter and spreadsheet which was included in the Town Board packet noting the applicant's representative, Mr. Greg Lockwood of Roche Constructors had requested that the following fees be waived for the project:

- Administrative fee: \$ 4,361
  - Water Plant Investment fee: \$42,300
  - Sewer Plant Investment fee: \$23,273
  - Drainage fee: \$17,511
- Total: \$87,445

Leonard Wiest, representing the applicant, stated that a public school would issue bonds to build it along with a mill levy; there is no community funding for a charter school and he felt this would be a fair way to gain community involvement in building the school. Mr. Wiest stated that if they had gone through the state process the fees would not have been collected at the local level.

Town Manager Arnold stated that the school district has never had any fees backfilled by the Town of Windsor; as example, when Grandview Elementary was built all fees were paid by the school district. The discretion is if fees are waived, they would need to be backfilled to the appropriate enterprise fund. Mr. Arnold requested direction from the Town Board to identify where to backfill funds, if the waiver request was approved.

Mayor Vazquez voiced support in the waiving of fees as recommended by staff; the work was done and a balance was found. Mayor Pro Tem Baker also voiced support and recommended backfilling the respective enterprise fund using the Capital Improvement Project fund. Town Boards Member Rose and Melendez also spoke in support with Mr. Rose stating that he believes there are other fees that could be waived including the Road Impact Fee.

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

D. COMMUNICATIONS

1. Communications from the Town Attorney

Town Attorney McCargar stated that Consent Calendar Item B.4 was the appointment of Kim Emil as the Assistant Town Attorney who will start on March 2, 2015.

2. Communications from Town Staff

Director of Public Works Walker updated the Town Board on his departments work during the snow storm; he noted staff time used, miles plowed and the amount of de-icer used. Mayor Vazquez requested an update on the budget status – he would like to have the information tracked with an update to the Town Board.

Director of Planning Plummer reported on his retirement and thanked the Town Board for their service and noted he had served five Town Boards during his tenure. The Town Board members each expressed their gratitude for Mr. Plummer's service to the Town and wished him the best of luck during his retirement.

Director of Parks, Recreation and Culture Chew stated that she would be submitting two grants to the Poudre Heritage Alliance.

4. Communications from the Town Manager

Town Manager Arnold provided an overview of a new recognition from the Town's PRIDE committee; the best nomination for the month will receive a game ball with the 125<sup>th</sup> Anniversary logo and will be signed by the Town Board members. The first game ball will be presented to Officer Jason Mendoza.

5. Communications from Town Board Members

Town Board Member Melendez requested that discussion of SB15-177, known as the construction defects bill, be added to the Future Meetings Agenda.

E. ADJOURN

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

The meeting was adjourned at 7:58



Patti Garcia  
Town Clerk/Assistant to the Town Manager