



TOWN BOARD REGULAR MEETING

January 25, 2016 - 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

Mayor Vazquez called the regular meeting to order at 7:03 p.m.

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 Town Clerk/Assistant to Town Manager Communications/Assistant to Town Manager Chief of Police Director of Engineering Associate Planner Chief Planner Director of Planning Director of Parks, Recreation and Culture Deputy Town Clerk	Kelly Arnold Ian McCargar Patti Garcia Kelly Unger John Michaels Dennis Wagner Paul Hornbeck Carlin Barkeen Scott Ballstadt Eric Lucas Krystal Eucker
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2. Pledge of Allegiance

Town Board Member Rose 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 Adams motioned to approve the agenda 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.

4. Board Liaison Reports

- Mayor Pro Tem Baker – Water & Sewer Board; North Front Range/MPO alternate
Mayor Pro Tem Baker had no report.
- Town Board Member Morgan – Parks, Recreation & Culture; Great Western Trail Authority
Town Board Member Morgan had no report.

- Town Board Member Melendez – Downtown Development Authority; Chamber of Commerce
Town Board Member Melendez reported the Downtown Development Authority met on January 20, 2016 which was the first meeting with new Executive Director. A meeting regarding the Library Feasibility study is scheduled for January 27, 2016 and the Library has noted a 5th site as a possibility. The Executive Director recommended and the Board approved submitting an application for the Main Street Program as there are many opportunities within the program. The Marketing Committee is preparing for the Chamber of Commerce After Hours event on February 9, 2016 from 5:00 p.m.-7:00 p.m. at the Art and Heritage Center.
- Town Board Member Rose – Clearview Library Board
Town Board Member Rose had no report.
- Town Board Member Bishop-Cotner – Historic Preservation Commission; Planning Commission
Town Board Member Bishop-Cotner - Absent
- Town Board Member Adams – Tree Board; Poudre River Trail Corridor Board
Town Board Member Adams had no report.
- Mayor Vazquez – Windsor Housing Authority; North Front Range/MPO
Mayor Vazquez had no report for the MPO but was informed via email that the grant application with respect to flood mitigation for bridge improvements was denied.

Mr. Adams inquired if there will be a publication on who was awarded the grant money.

Mr. Vazquez stated at this point there was an email circulating that the application had been denied but more information should come out at the next meeting.

5. Invited to be Heard

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

Mr. Arnold reported the School Board is interested in attending meetings and reaching out to the Town Board on a more regular basis.

B. CONSENT CALENDAR

1. Minutes of the January 11, 2016 Regular Town Board Meeting – K. Eucker
 2. Advisory Board Appointments – P. Garcia
 3. Resolution No. 2016-06 – A Resolution Approving and Accepting a Deed of Easement for Water Line Facility in the Windsor Commons Second Filing, Lot 3, in the Town of Windsor, Colorado – J. Olhava
 4. Resolution No. 2016-08 - A Resolution Approving an Intergovernmental Agreement between the Town of Windsor and the Colorado Department of Transportation with Respect to Improvements being Undertaken by the Great Western Trail Corridor Authority – I. McCargar
- Town Board Member Melendez motioned to approve the consent calendar as presented; Mayor Pro Tem Baker 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. 2016-1516 – An Ordinance Fixing the Compensation of the Municipal Court Judge and Municipal Court Clerk for the Town of Windsor in Compliance with Sections 13-10-107 and 13-10-108, C.R.S., and Section 2-4-90 of the Windsor Municipal Code
Super-majority vote required for adoption on second reading
 - Second Reading
 - Legislative action
 - Staff presentation: Ian McCargar, Town Attorney

Town Board Member Adams motioned to approve Ordinance No. 2016-1516 – An Ordinance Fixing the Compensation of the Municipal Court Judge and Municipal Court Clerk for the Town of Windsor in Compliance with Sections 13-10-107 and 13-10-108, C.R.S., and Section 2-4-90 of the Windsor Municipal Code; Mayor Pro Tem Baker seconded the motion.

Town Attorney Ian McCargar stated the ordinance presented for second reading will adopt and reaffirm the appropriations that have been approved for the 2016 budget for the compensation of the Municipal Court Judge and the Municipal Court Clerk. The ordinance was approved on first reading and the ordinance presented for second reading remains unchanged.

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

2. Ordinance No. 2016-1517 - Repealing, Amending and Readopting Article XV, Chapter 17 of the Windsor Municipal Code regarding Road Impact Fees
Super-majority vote required for adoption on second reading
 - Second Reading
 - Legislative action
 - Staff Presentation: Scott Ballstadt, Director of Planning

Mayor Pro Tem Baker motioned to approve Ordinance No. 2016-1517 - Repealing, Amending and Readopting Article XV, Chapter 17 of the Windsor Municipal Code regarding Road Impact Fees; Town Board Member Melendez seconded the motion.

Director of Planning Scott Ballstadt stated the ordinance presented for second reading will amend the Municipal Code to remove the look back provision from the Road Impact Fees and maintain all other aspects of the Road Impact Fee ordinance that apply to building permits and new expanded square footage of traffic generating uses. The ordinance presented would eliminate the tracking of previous uses in pre-existing buildings which has been found to be a disincentive to redevelopment in some cases.

The ordinance presented will also tie the rate of interest paid on road impact fee refunds to the prime rate.

There have been no changes since first reading.

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

3. Ordinance No. 2016-1518 - Repealing, Amending and Readopting Section 16-10-20 of the Windsor Municipal Code and Adopting Section 16-7-85 of the Windsor Municipal Code regarding Home Occupations involving tutoring or instruction
Super-majority vote required for adoption on second reading
 - Second Reading
 - Legislative action
 - Staff Presentation: Paul Hornbeck, Senior Planner

Town Board Member Adams motioned to approve Ordinance No. 2016-1518 - Repealing, Amending and Readopting Section 16-10-20 of the Windsor Municipal Code and Adopting Section 16-7-85 of the Windsor Municipal Code regarding Home Occupations involving tutoring or instruction; Mayor Pro Tem Baker seconded the motion.

Senior Planner Paul Hornbeck stated the ordinance presented for second reading would amend the Municipal Code relating to home occupations involving tutoring or instruction. The Municipal Code currently limits the number of students to two at any one time. The proposed amendment would allow three to eight students at any one time with approval of a Conditional Use Grant which consists of seven different conditions. Two changes have been made to the ordinance since first reading; listing the Planning Commissions position of denial and recommendation to the Town Board to deny passage of the ordinance and condition number one of the Conditional Use Grant would exclude individuals over the age of 18.

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

4. Resolution No. 2016-07 – A Resolution Approving an Intergovernmental Agreement Between the Town of Windsor and the RainDance Metropolitan District No. 1 Regarding Improvements to New Liberty Road, and Authorizing the Mayor to Execute Same
 - Legislative action
 - Staff presentation: Kelly Arnold, Town Manager

Town Board Member Melendez motioned to approve Resolution No. 2016-07; Town Board Member Morgan seconded the motion.

Town Manager Kelly Arnold stated discussions have taken place over the last few years regarding the completion of New Liberty Road. The completion of New Liberty Road qualifies for use of Town Road Impact Fees since it is an expansion of the major road system. The Town Board budgeted for the project in the 2016 budget with the understanding that the RainDance Metro District would participate in the project at the same time for their primary utilities. The timing of this project is beneficial to both Town and Raindance Metro District because all utilities and infrastructure will be installed at the same time by one contractor.

Director of Engineering Dennis Wagner stated New Liberty Road is a minor arterial and will provide an important east-west link between County Line Road and Highway 257. The one-mile section of New Liberty Road will be constructed on an alignment that will bring it to an intersection with County Line Road at the existing Steeplechase Drive. Steeplechase Drive is an east-west link from County Line Road to Highland Meadows Parkway. The road will include curb and gutter, one vehicle lane in each direction, a center landscape median, bicycle lanes in each direction and a 10-foot wide detached bike/pedestrian path. Included in the overall project will be a 12 inch water line under the road. Upon future development of the adjacent Raindance Subdivision, the developer will construct a 5-foot sidewalk on the side opposite the 10-foot bike/pedestrian path. There will be approximately three four-way intersections along that one mile stretch and one "T" intersection that will connect with future streets within the RainDance development.

Town Attorney Ian McCargar stated TST Consulting Engineers is contracting with the Town of Windsor to complete the design of the project and before construction commences, the RainDance Metropolitan District will reimburse 1/3 of the design cost. After the design phase, construction will begin of the roadway, 10 foot recreation trail and the oversized water line. The developer will reimburse their portion of the water line when the first subdivision plat is approved in RainDance. The five foot sidewalk will be completed as development occurs which may in turn result in a patch sidewalk for some time. There is a final deadline date that the sidewalk must be completed by; if development should stall in RainDance, there is a certainty that the sidewalk will be completed.

Mr. Vazquez inquired as to the 10 foot recreational trail to be paid entirely by Metro District prior to construction; that doesn't ensure that it will be completed with the construction of the road.

Mr. McCargar stated the Town will build the 10 foot recreation trail at the same time as the roadway and waterline. The Metropolitan District will pay that cost to the Town as a condition before construction commences and that is when the notice to proceed is issued to the contractor.

Mr. Vazquez inquired if the roadway will have a 10 foot recreational trail and a five foot sidewalk.

Mr. McCargar stated the 10 foot recreation trail goes in upfront; the five foot sidewalk is constructed in segments as development occurs.

Mr. Vazquez confirmed the five foot sidewalk could be patchy as development occurs and the 10 foot will be complete.

Mr. McCargar that is correct.

Mr. McCargar stated once the roadway is complete, it will be dedicated to the Town of Windsor and it will be maintained by the Town. The landowner/developer of Raindance will dedicate to the Town the full width of right-of-way for this roadway even though the developer is not a party to this agreement. Lastly, as RainDance opens up to development, there will be roadways that serve those developments; neighborhood streets and some other improvements. The Town does not customarily bear any of that expense.

Mr. Morgan inquired as to who will maintain the sidewalk and recreation trail.
Mr. McCargar stated once it is dedicated to the Town, it becomes the Town's responsibility.

Mr. Morgan inquired who would remove snow off the 10 foot recreation trail.
Mr. McCargar stated under this agreement that would be a town amenity, a town owned easement.
Mr. Arnold stated that if it is a designated trail, even though it goes through a Metropolitan District, it will be maintained by the Town.

Mr. Arnold stated currently the cost estimate is \$2.65 million which is above the \$2 million budgeted.

Mr. Arnold inquired as to the validity of the cost estimates.
Mr. Wagner stated the cost estimates look good and are up to date at this point.

Mr. Arnold stated if the bids come back at a \$3 million project, the Town has the option to complete the project for that price or to cancel the project. The RainDance Metro District has met and approved the IGA.

Mr. Baker inquired if the New Liberty Road will be a bypass or shortcut to the commercial area.
Mr. Arnold stated that is exactly what that road will be.
Mr. Wagner stated the road will be classified as a major collector. The road will go from County Line Road to Highlands Meadows Parkway continuously so it is intended to move people from one north-south major road to another.

Mr. Baker inquired as to the speed.
Mr. Wagner stated the speed will be 35.

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

5. Community Development Report

- Staff presentation: Scott Ballstadt, Director of Planning

Mr. Ballstadt gave an overview of the Community Development Report and stated there are some adjustments that need to be made to the report and anticipates adding a third page to the report in the upcoming months.

- A Comprehensive Plan Community Open House will be scheduled in February or March
- Comprehensive Plan Public Hearings will be scheduled in February or March
- The I-25/SH392 Corridor Activity Center (CAC) Community Open House was held on January 21, 2016 with 100 citizens in attendance.
- CAC Joint Town Board / Fort Collins City Council work sessions is scheduled for February 1, 2016.
- 285 Single Family Building Permits were issued in 2015; up from 241 in 2014.
- Multi-Family permits increased from 3 in 2014 to 69 in 2015.

Mr. Adams inquired if the 285 permits issued in 2015 include the homes around the new fitness center in Water Valley South.

Mr. Ballstadt stated they would be included.

Mr. Adams inquired if the Town is working in the direction of smart growth in regards to future industrial parks, restaurants, and buildings.

Mr. Ballstadt stated any new commercial project will be included on the Community Development Report.

Mr. Vazquez inquired about infrastructure planning within the town.

Mr. Wagner stated all the sanitary sewer basins have been master planned according to the Town's Comprehensive Plan. The standard gross water flows from certain types of developments have been sized according to the master plan and that is what is being built as infrastructure is built out from the waste water treatment plant.

Mr. Vazquez inquired if that is the same for the water infrastructure.

Mr. Wagner stated that it is similar but also a little different. The master plan calls for a 12 inch line for a section line, 10 inch line for quarter section lines and an eight inch line for the distribution lines.

Mr. Arnold stated the Comprehensive Plan that is currently being worked on takes all the technical plans and incorporates that information to identify where the strategic corridors of growth are going to happen and what type of growth that may be. The Comprehensive Plan ties what the Town has been working on for future goals to layout a map for the Town and future developers.

Mr. Vazquez stated the infrastructure is secure for future growth as the sewer is master planned for full build out. The water is oversized as policies are in place that regulates the standard line sizes for certain sections.

6. Land Use Development Project Workflows

- Staff presentation: Josh Olhava, Senior Planner

Director of Planning Scott Ballstadt stated the Land Use Development Project Workflows were updated to clearly convey the steps in the development review process to applicants and citizens, staff has modernizing the outdated development review workflows. All of the guides will serve as 'living documents' that are updated as processes or code updates are made.

D. COMMUNICATIONS

1. Communications from the Town Attorney

Mr. McCargar stated the eminent domain case for the Law West Tributary Project and an agreement has been reached in principle to settle in that matter.

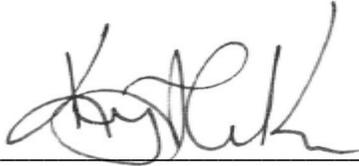
Mr. McCargar also stated the roadway and reservation of right-of-way on the Breniman property is being worked on. An agreement is being worked on as well.

2. Communications from Town Staff
None
3. Communications from the Town Manager
None
3. Communications from Town Board Members
None

E. ADJOURN

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

The meeting was adjourned at 8:15 p.m.



Krystal Eucker, Deputy Town Clerk