



TOWN BOARD REGULAR MEETING
February 22, 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 7:01 p.m.

Roll Call	Mayor	John Vazquez
	Mayor Pro Tem	Myles Baker
		Christian Morgan
		Kristie Melendez
		Ivan Adams
	Absent	Robert Bishop-Cotner
	Absent	Jeremy Rose

Also Present:	Town Manager	Kelly Arnold
	Town Attorney	Ian McCargar
	Town Clerk/Assistant to Town Manager	Patti Garcia
	Communications/Assistant to Town Manager	Kelly Unger
	Chief of Police	John Michaels
	Director of Engineering	Dennis Wagner
	Director of Planning	Scott Ballstadt
	Director of Economic Development	Stacy Johnson
	Chief Planner	Carlin Barkeen
	Senior Planner	Josh Olhava
	Senior Planner	Paul Hornbeck
	Deputy Town Clerk	Krystal Eucker

1. Pledge of Allegiance
Town Board Member Melendez led the Pledge of Allegiance.
2. 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, Melendez, Adams, Vazquez; Nays- None; Motion passed.
1. Board Liaison Reports
 - Mayor Pro Tem Baker – Water & Sewer Board; North Front Range/MPO alternate
Mayor Pro Tem Baker had no update.
 - Town Board Member Morgan – Parks, Recreation & Culture; Great Western Trail Authority
Town Board Member Morgan had no update.

- Town Board Member Melendez – Downtown Development Authority; Chamber of Commerce
Town Board Member Melendez reported the DDA met and several items were discussed. One of the items discussed was updating the Strategic Plan and putting details with the five key initiatives; The Mill revitalization, Clearview Library development, DDA growth and sustainability and the Boardwalk back lot development. The Executive Director will begin working with the Town of Windsor to determine what options will be available for The Mill. The Library also concluded a tour of five proposed locations. A meeting is scheduled for February 24, 2016 from 6:30 p.m. - 8:30 p.m. at the Library for citizen input on what they are looking for in a new library. Ms. Melendez stated the DDA is now officially part of the Main Street Program which enables access to many resources. Regarding the farmers market, an RFP will be put out for a Research Market Manager and if that individual is found quickly, the farmers market will be on a limited basis this year with the goal of having a full time farmers market in 2017.
Ms. Melendez reported the Chamber of Commerce had their annual retreat and at the meeting the board completed a team activity called Thinking Wavelength. The team activity gave a perspective on individual's personalities which consisted more of thinkers and visionaries. From the exercise, two groups were developed; one group that studies the composition of the Chamber and the other will work on clear plans and goals.
- Town Board Member Rose – Clearview Library Board
Town Board Member Rose – Absent
- 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 reported the Tree Board will be meeting on February 23, 2016 and will be judging the Arbor Day posters and poems. Arbor Day activities will be held at Mountain View Elementary on April 14, 2016 and at Tozer Elementary on April 15, 2016. The 5K run/walk will be held on April 16, 2016 with the tree sale following.
- Mayor Vazquez – Windsor Housing Authority; North Front Range/MPO
Mayor Vazquez had no report.

2. Public Invited to be Heard

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

B. CONSENT CALENDAR

1. Minutes of the February 8, 2016 Regular Town Board Meeting – K. Eucker
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, Melendez, Adams, Vazquez; Nays- None; Motion passed.

C. BOARD ACTION

1. Public Hearing – Resolution No. 2016-11 – A Resolution Recommending Planning Commission Adoption of the 2016 Town of Windsor Comprehensive Plan
 - Staff presentation: Scott Ballstadt, Director of Planning

Town Board Member Morgan motioned to open 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.

Per Mr. Ballstadt, the Town Board and Planning Commission kicked off the Comprehensive Plan process almost a year ago on March 2, 2015. The Comprehensive Plan is the guiding and policy document for land use decisions for the next 15-20 years. Throughout 2015 numerous meetings were scheduled for citizen input as well as having the Comprehensive Plan website available for community outreach.

The Town Board and Planning Commission have reviewed the draft Plan section by section. Also the Comprehensive Plan Advisory Committee that was appointed early on in the process held a wrap up meeting to complete their involvement in the process. Based on the outcome of the joint meeting of the Town Board and Planning Commission, the Plan has been revised to address the comments received by both boards. The Comprehensive Plan draft has been placed on the Town of Windsor website with notification sent out to the public that it is available for review. The Plan has also been sent to neighboring jurisdictions for their review as well as the two military installations.

Mr. Baker inquired as to how the online participation was and if it was quantified.

Mr. Ballstadt stated the exact hit numbers are not available but there were several maps generated through a tool on the website.

Mr. Housel stated about 197 resident questionnaires were submitted online and approximately 50 business questionnaires were submitted with 200 points of interest identified on the map tool.

Ms. Melendez inquired if developers submitted comments pertaining to the Comprehensive Plan.

Mr. Ballstadt stated early on in the process stakeholder interviews were scheduled which included several local builders and developers. The interviews were conducted directly with the Comprehensive Plan consultants and did not include town staff.

Ms. Melendez inquired if any comments were received on the final draft of the Comprehensive Plan.

Mr. Ballstadt stated in general conversation positive comments have been received regarding the Comprehensive Plan but nothing in writing.

Mr. Adams commended that the Planning Staff and the consultants for the great work done on the open house prior to the Town Board meeting.

Mr. Vazquez invited individuals that wish to address the Town Board Regarding this particular agenda item to which there was none.

Mr. Vazquez inquired if Mr. McCargar had anything further to add to which he did not.

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

2. Resolution No. 2016-11 – A Resolution Recommending Planning Commission Adoption of the 2016 Town of Windsor Comprehensive Plan
 - Legislative action
 - Staff presentation: Scott Ballstadt, Director of Planning

Town Board Member Adams motion to approve Resolution No. 2016-11; Town Board Member Morgan seconded the motion.

Mr. Ballstadt stated in accordance with the state statutes, it is the duty of the Planning Commission to make and adopt a master plan for the town. Therefore staff recommends approving Resolution 2016-11 and forwarding a recommendation of approval of the 2016 Comprehensive Plan to the Planning Commission subject to all remaining Town Board and Planning Commission comments being addressed in the plan.

Mr. Ballstadt stated the land use depictions on the Ptarmigan properties within the Corridor Activity Center (CAC) and the Great Western Industrial Park property between SH 257 and the former Kodak campus would currently remain as depicted on the existing land use map and would not reflect the draft map within the Comprehensive Plan, as Planning staff is currently working with both respective property owners and, once those plans have been finalized, the land use depictions will need to come before the Planning Commission for approval in the future.

Mr. Ballstadt explained that the Comprehensive Plan will include a process that allows for periodic updates to both text and maps. That process allows for a property owner to propose changes for consideration as well as allow the Town to perform more comprehensive annual updates to reflect changes that occur.

Mr. Vazquez inquired as to special districts and if there were comments regarding their impact.
Mr. Ballstadt stated all of the special districts were involved in the stakeholder interviews.

Mr. Vazquez inquired if there was any opposition or concerns to be aware of.
Mr. Ballstadt stated all concerns have been addressed.

Mr. Adams inquired if the Comprehensive Plan could be amended as needed.
Mr. Ballstadt stated the Comprehensive Plan itself has an amendment process which is reviewed annually for any text or map changes that need to be updated. Individual property owners can propose amendments to the Comprehensive Plan.

Mr. Vazquez commented that the Comprehensive Plan can be modified on a case by case basis but in essence, the Comprehensive Plan is a 10 year vision and not something that can or should be arbitrarily changed. Mr. Vazquez believes a subarea plan on the Harmony Corridor needs to be completed in the weeks ahead.

Mr. Morgan commented that the Harmony corridor is an important component and feels there needs to be input from surrounding jurisdictions.

Mr. Vazquez inquired if there is an IGA with Severance and Timnath.

Mr. Arnold stated a discussion has taken place with Timnath; the subarea plan was brought up and they are interest in that process.

Mr. Baker commented that a call for projects was put out at the last MPO meeting and Harmony Road was one mentioned.

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

3. Resolution No. 2016-12 - A Resolution Approving and Authorizing the Execution of an Intergovernmental Agreement with the Weld County Board of County Commissioners for Funding of Improvements to Weld County Road 62 Adjacent to the Town of Windsor, Colorado
 - Legislative action
 - Staff presentation: Kelly Arnold, Town Manager

Town Board Member Melendez motion to approve Resolution No. 2016-11; Town Board Member Morgan seconded the motion.

Per Mr. Arnold, the Town of Windsor will be installing a new traffic signal on Crossroads Boulevard and County Line Road later this year. During 2015 the Town Board communicated with both Larimer County and Weld County regarding interest with these jurisdictions to participate in the funding of the signal since both unincorporated Larimer County and Weld County are adjacent to the signal.

Staff followed up with the communication and Larimer County has agreed to participate up to \$100,000 for the funding of the signal in exchange of maintaining a section of Crossroads west of the intersection. The Town Board accepted this proposal and has entered into an agreement with Larimer County.

Mayor Vazquez then made a written request to the Weld County Commissioners for \$50,000 in exchange of maintenance of a small section of Crossroads east of this intersection. This week Windsor received a letter and draft of an Intergovernmental Agreement (IGA) from the Weld County Commissioners. The IGA is for \$10,000 for participation in the traffic signal in exchange of maintenance of Crossroads.

Since Mayor Vazquez has sent the request letter, the LaBue annexation paperwork has been submitted and reviewed. The proposed annexation includes most of the proposed section of

Crossroads. As a result, when the LaBue annexation is accepted this section of Crossroads will be in Windsor so maintenance of this section of road will probably occur sometime in the near future.

Some members of the Town Board were disappointed in the proposal from the Weld County Commissioners.

Mr. Vazquez commented that if Windsor is taking on the liability, obligation and maintenance then why accept any funds from Weld County.

Mr. Adams commented that Weld County should assist Windsor as Windsor has done with Weld County but the Board needs to take into consideration the recommendation of the staff.

Mr. Vazquez stated several months ago when the conversation took place with the Weld County Commissioners they were excited to participate in the project but then after a petition to run for County Commissioner was filed, they were not as willing to participate. Mr. Vazquez feels as though Windsor is being penalized.

Mr. Baker commented that Windsor shouldn't turn away money and also inquired if there is a way to strike the provision that Windsor will accept the \$10,000 but not be responsible for the road since that section will be annexed into Windsor soon anyway.

Mr. Arnold stated that won't accomplish anything and they would probably take away their \$10,000.

Mr. Baker inquired if \$10,000 is the standard for Weld County.

Mr. Arnold stated there has not yet been follow up with Weld County.

Ms. Melendez inquired if there is more to the answer than this is what is typically provided to municipalities and what is Windsor's financial obligation if the \$10,000 is accepted.

Mr. Arnold stated the road will be annexed so as a result there is no financial obligation.

Mr. Adams inquired if there will be maintenance responsibility.

Mr. Arnold stated there would be. Once the road is annexed into Windsor, the maintenance will then be Windsor's responsibility.

Mr. Morgan inquired about the Weld County Commissioners process; do they review the letter and proposal together.

Mr. Arnold stated there has been no follow-up since the letter was received.

Mr. Morgan inquired if this would have been a blanket decision from one to two people or would there have been some discussion that the Town Board can review to receive some basis for their decision.

Mr. Arnold stated the letter does not note being carbon copied to the other commissioners.

Mr. Arnold stated an option could be on behalf of the Mayor to ask for more explanation for the rationale upon arriving at the decision of the Commissioners.

Mr. Arnold stated the entire project has been budgeted so there are funds available.

Mr. Arnold summarized the consensus of the board as follows:

1. Follow up with Weld County to understand the rationale of the decision;
2. How is this decision comparable to other municipalities;
3. Did the Weld County Commissioners vote on the decision?

The consensus of the Board is to revisit this agenda item at a later date. Mr. Vazquez inquired from Mr. McCargar on how to proceed.

Mr. McCargar suggested the Board make a motion to postpone the agenda item until further conversation takes place. No action will be taken on the pending motion but the agenda item can be brought back up at a later date.

Town Board Member Adams motioned to postpone Resolution No. 2016-12 to a date not certain; Mayor Pro Tem Baker seconded the motion. Roll call on the vote as follows: Yeas – Baker, Morgan, Melendez, Adams, Vazquez; Nays- None; Motion passed.

Mr. Baker confirmed that the decision made will not impact the project and it will still proceed.

Mr. Arnold stated that is correct.

4. Weld County Design Standards response

- Staff presentation: Kelly Arnold, Town Manager and Scott Ballstadt, Director of Planning

Per Mr. Arnold staff was directed to work cooperatively with Weld County representatives to arrive at an agreed set of common development standards by the conclusion of calendar year 2015, in accordance with the Coordinated Planning Agreement (CPA), Section 5 of the Agreement. Per Section 5 of the Agreement, the Town of Windsor and Weld County shall establish common development standards within one (1) year of the effective date of the CPA.

Staff has prepared proposed standards, with the cooperation of Weld County, as an initial step towards intergovernmental coordinated planning efforts. Weld has endorsed a model CPA, which is been used for developing similar CPAs, including development standards, with interested local jurisdictions for over two years.

Windsor requested when the time came for the Commissioners to consider and discuss the design standards presented that Windsor would be informed of that meeting. At the end of January, 2015 Windsor was notified via Weld County Planning Director that the Weld County Commissioners have considered, discussed and responded to the design standards and sent back a red line draft of the design standards that they would like Windsor to consider. A conference call was scheduled with the Planning Director to discuss the proposed design standards. There was acknowledgement that the information distributed to the Commissioners was informally discussed at a work session and the consensus was that they directed the Weld County Planning Director to respond back to Windsor with the document that was included in the packet this evening. The document was reviewed by Windsor's Planning Director, Mr. Ballstadt and the design standards are the design standards of Weld County.

Mr. Vazquez commented that Weld County touts on the fact that that they give communities referrals and allow them to make comments. In previous referrals, numerous municipalities and municipal departments gave comments opposing a referral which was in turn approved by the five member Weld County Commissioners.

Mr. Arnold stated on advisement from the Windsor Planning Director, a small group of Town Board members should meet with the Weld County Commission liaison for Planning Julie Cozad, Weld County Planning Director, Windsor Planning Director and the Town Manager to discuss the design standards and to keep a line of communication open.

Mr. Vazquez suggested pushing the meeting until after the new mayor is seated.

Mr. Baker suggested postponing the issue until after the municipal election.

Ms. Melendez suggested postponing the issue until after the municipal election but also keeping the lines of communication open.

Mr. Baker inquired if there are other municipalities that feel the same way Windsor does.
Mr. Arnold stated years ago several municipalities worked together to address the Commissioners at that time.

Mr. Arnold stated there are communities that have gone through this process but have not reached the point that Windsor has.

Mr. Arnold suggested communicating with the Planning Director in Weld County that Windsor is going to table this issue at this time and revisit at a later date in hopes of better discussions and ideas.

Mr. Morgan stated over time, the design standards will be less and less important as the surrounding communities are growing towards Windsor.

5. Economic Development Report

- Staff presentation: Stacy Johnson, Director of Economic Development

Director of Economic Development Stacy Johnson provided an overview of the Economic Development Report. Meetings have taken place with the State regarding the Regional Tourism Act but there has not been much to report on. The Economic Development budget funds three other organizations; the Windsor Chamber of Commerce, Small Business Development Center (SBDC) and Upstate Colorado. Northern Colorado Economic Development Corporation has closed and merged into Colorado Economic Alliance. Windsor did have two invoices this year from the SBDC for \$5,000 and Upstate Colorado for \$10,000. They have not been paid yet but staff recommends paying those invoices and bringing these community members before the Town Board to present projects that are being worked on so the Board is aware of what the investments are going towards and in turn have the information to make further decisions about funding community partners.

Ms. Johnson would also like to bring back the business breakfast meetings as the information received by the Town Board members from local business was valuable.

Windsor Economic Development Committee will be moved from every other month to quarterly meetings.

Windsor's new Enterprise Zone consists of two tenants; Owens Illinois and Vestas. Meetings have taken place with both businesses to inform them that they are now located in an Enterprise Zone and can take advantage of state income credits if they have state income tax liability. Enterprise Zones are reviewed approximately every ten years.

Ms. Melendez inquired if there is a membership fee for Xceligent.

Ms. Johnson stated Windsor does pay a membership fee but it is twofold. Windsor also subscribes to Norther Colorado Commercial Real Estate which also gives the opportunity to attend networking events with realtors and subscribe with Xceligent through that which costs approximately \$1,000. If Windsor subscribes just through Xceligent, the costs would be \$2,500. Upstate Colorado has also joined and will submit on behalf of the Town of Windsor.

Ms. Johnson stated two firms were contact in regards to completing the analytical portion of the retail study. Proposals were received and those will be reviewed over the next week. The turnaround time for the report will be approximately 60 days.

D. COMMUNICATIONS

1. Communications from the Town Attorney
None
2. Communications from Town Staff
None
3. Communications from the Town Manager
Mr. Arnold stated there will be no meeting February 29, 2016. The meeting on March 7, 2016 will be the CAC design standards and IGA discussion. The meeting on March 21, 2016 will be a joint session with Parks, Recreation and Culture.
4. Communications from Town Board Members
Mr. Adams congratulated the high school students in their athletic accomplishments.

E. EXECUTIVE SESSION

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. Economic Development Incentives (Stacy Johnson)

Town Board Member Melendez motioned 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. Economic Development Incentives (Stacy Johnson); Town Board Member Adams seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Adams, Vazquez; Nays-None; Motion passed.

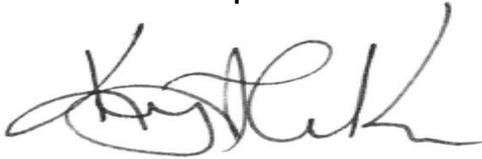
Upon a motion duly made, the Town Board returned to the regular meeting at 9:12 p.m.

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 at 9:12 p.m.

F. ADJOURN

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

A handwritten signature in black ink, appearing to read 'Krystal Eucker', written over a horizontal line.

Krystal Eucker, Deputy Town Clerk