



**TOWN BOARD REGULAR MEETING**  
July 11, 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.

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MINUTES

A. CALL TO ORDER

Mayor Melendez called the meeting to order at 7:05 p.m.

- |              |                        |                                                                                                          |
|--------------|------------------------|----------------------------------------------------------------------------------------------------------|
| 1. Roll Call | Mayor<br>Mayor Pro Tem | Kristie Melendez<br>Myles Baker<br>Christian Morgan<br>Paul Rennemeyer<br>Brenden Boudreau<br>Ivan Adams |
|              | Absent                 | Ken Bennett                                                                                              |

Also Present:	Town Manager	Kelly Arnold
	Town Attorney	Ian McCargar
	Communications/Assistant to Town Manager	Kelly Unger
	Town Clerk/Assistant to Town Manager	Patti Garcia
	Chief of Police	John Michaels
	Administrative Lieutenant	Rick Klimek
	Director of Parks, Recreation and Culture	Eric Lucas
	Director of Finance	Dean Moyer
	Director of Planning	Scott Ballstadt
	Senior Planner	Josh Olhava
	Detective	Andrew Stanger
	Communications Manager	Katie Van Meter
	Senior Planner	Paul Hornbeck
	Town Prosecutor	Kim Emil
	Chief Planner	Carlin Barkeen
	Deputy Town Clerk	Krystal Eucker

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

**Mayor Pro Tem Baker 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, Rennemeyer, Boudreau, Adams, Melendez; Nays- None; Motion passed.**

4. Optimist Club Presentation

Andrew Stanger on behalf of the Optimist Club of Windsor presented Chief John Michaels with a Lifetime Achievement award.

5. Proclamation - National Parks & Recreation Month

Mayor Melendez read the proclamation.

6. Board Liaison Reports

- Mayor Pro Tem Baker – Parks, Recreation & Culture Advisory Board; North Front Range/MPO alternate  
Mayor Pro Tem Baker reported Parks, Recreation and Culture met on July 5, 2016 and received a presentation from a recent Windsor High School graduate on the importance of non-competitive activities, specifically intermural sports and the role that they play. Discussion also took place regarding the Cultural Department and programming for the future. The 2017 budget was discussed and the topic of summer camps and additional special events was discussed.
- Town Board Member Morgan – Water & Sewer Board; Clearview Library Board  
Town Board Member Morgan reported the Library Board met on June 30, 2016. There are several staff vacancies that need to be filled at the library. The first reading of the proposed bylaws was completed; and amendment of terms limits would extend term limits for board members through the duration of capital improvement projects with a five year cap. Through the month of May the library district has collected 79% of the yearly revenue and has made 36% of their expenditures.
- Town Board Member Bennett – Planning Commission; Windsor Housing Authority  
Absent- No Report
- Town Board Member Rennemeyer – Historic Preservation Commission; Great Western Trail Authority  
Town Board Member Rennemeyer reported the Great Western Trail Authority discussed the trail manager position; two interviews have been completed and three additional interviews will be conducted.
- Town Board Member Boudreau – Chamber of Commerce; Planning Commission alternate  
Town Board Member Boudreau had no report.
- Town Board Member Adams – Tree Board; Poudre River Trail Corridor Board  
Town Board Member Adams reported the Tree Board visited approximately 50 sick trees. Mr. Adams reported the Poudre River Trail Board discussed repairs from flooding and the estimated damage repair costs are \$100,000-\$120,000. Discussion took place regarding the Poudre River Trail being rerouted through the Raindance property; a letter was sent to Martin Lind from the Board inquiring on who the responsible entity will be.
- Mayor Melendez – Downtown Development Authority; North Front Range/MPO  
Mayor Melendez reported the Downtown Development Authority is moving their regular meeting to July 27, 2016.  
Ms. Melendez reported the North Front Range MPO met in Severance and the My Big Blue Sky promotion was introduced; combining car trips for better air. A rotating banner will be displayed in communities in northern Colorado. The Highway 34 Coalition reported the project between Estes and Loveland will create over 34 shutdowns in the fall; the MPO will offer vanpools to help elevate some traffic and congestion. The MPO requested input from

TAC members regarding congestion along the corridors that make up the North Front Range MPO which include I-25, Highway 392 and the Highway 34 corridor; all directly affecting Windsor. The Fastlane Grant for roadway improvements was not granted and it is unknown at this time if Colorado will receive the TIGER Grant.

7. Invited to be Heard

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

B. CONSENT CALENDAR

1. Minutes of the June 27, 2016 Town Board Meeting – K. Eucker
2. Advisory Board Appointments – P. Garcia
3. Resolution No. 2016-50 – A Resolution Approving and Accepting a Deed of Slope Easement for Widening Harmony Road at Weld County Road 13 – D. Wagner
4. Resolution No. 2016-51 – A Resolution Approving and Accepting a Deed of Dedication for Right of Way from Raindance Aquatic Investments, LLC for Street, Road and Utility Purposes for the Extension of New Liberty Road – I. McCargar
5. Report of Bills for June 2016 – D. Moyer

**Town Board Member Adams motioned to approve the consent calendar as presented; Town Board Member Rennemeyer seconded the motion. Roll call on the vote resulted as follows: Yeas –Baker, Morgan, Rennemeyer, Boudreau, Adams, Melendez; Nays- None; Motion passed.**

C. BOARD ACTION

1. Ordinance No. 2016-1521 - An Ordinance Approving the Disconnection of a One-Half Mile Stretch of Northbound Weld County Road 15 South of Weld County Road 60. Being a Remnant of the Zeiler Farms Second Annexation Pursuant to the Colorado Municipal Annexation Act of 1965

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

- Second reading
- Legislative action
- Staff presentation: Kimberly Emil, Assistant Town Attorney

Per Ms. Emil there is nothing new to report on the ordinance and there have been no changes since the first reading.

**Town Board Member Boudreau motioned to approve Ordinance No. 2016-1521 - An Ordinance Approving the Disconnection of a One-Half Mile Stretch of Northbound Weld County Road 15 South of Weld County Road 60, Being a Remnant of the Zeiler Farms Second Annexation Pursuant to the Colorado Municipal Annexation Act of 1965; Mayor Pro Tem Baker seconded the motion. Roll call on the vote resulted as follows: Yeas –Baker, Morgan, Rennemeyer, Boudreau, Adams, Melendez; Nays- None; Motion passed.**

2. Public Hearing – An Ordinance Annexing and Zoning Certain Territory known as the Labue Farm Annexation to the Town of Windsor, Colorado – TROLLCO Inc., VIMA Partners LLC., and Weld RE-4 School District, applicants/ Patrick McMeekin, applicant’s representative
  - Legislative action
  - Staff presentation: Josh Olhava, Senior Planner

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

Per Mr. Olhava the applicants, represented by Mr. Patrick McMeekin, are requesting to annex approximately 155.4 acres to the Town of Windsor. The property is divided amongst three separate property owners: VIMA Partners, LLC; TROLLCO, Inc.; and the Weld RE-4 School District. The applicants are requesting Recreation and Open Space (O) zoning for the entire property. The property is surrounded by residential uses; both residential mixed use as well as estate zoning.

The Town Board previously approved the applicant’s request to reallocate the majority of the sewer capacity from this property to the adjacent RainDance property to the west. This will allow for increased density of residential and commercial development on the RainDance Property and will limit development of the subject property. Future plans for the subject site include, exploring the potential for a regional park to serve the community, and a future school site on the 50-acre parcel owned by the school district. The northwestern portion of the site includes a large oil and gas pad that has been active for the past few years and may include at least one additional future well.

The applicant’s representative held a neighborhood meeting on November 17, 2015, in the Banquet Room at the Pelican Lakes Golf & Country Club. There were approximately four neighbors from the Hilltop Estates Subdivision present. The few questions and comments by the neighbors pertained to future development plans for the site and the timing of any new development. As no development is currently planned for the site, there were no concerns or additional questions specific to the Labue Farm Annexation from the neighbors. On July 6, 2016, the Planning Commission held a Public Hearing and made a recommendation to the Town Board on the Labue Farm Annexation. There was no public in attendance and the Planning Commission did not have any questions or comments.

The application is consistent with various goals of the 2016 Comprehensive Plan as well as the Vision 2025 document.

At their July 6, 2016 regular meeting, the Planning Commission forwarded a recommendation of approval of the Labue Farm Annexation to the Town Board, as presented, and staff concurs with this recommendation.

At this time staff requests the following be entered into the record:

- Application and supplemental materials
- Staff memorandum and supporting documents
- All testimony presented during the presentation

- Recommendation

Mr. Arnold inquired if the annexation will take some of the right of way on Crossroads Boulevard.

Mr. Olhava stated it looks as though the annexation will take the majority of the Crossroads right of way.

Mr. Baker inquired as to what sewer capacity is left on the property.

Mr. Olhava stated there is enough sewer capacity for the school.

The applicant, Mr. McMeekin stated there are enough sewer unit capacity for a school as well as some bathrooms if a park is developed on the property.

Mr. Morgan inquired as to the Town's responsibility to maintain the open space.

Mr. Olhava stated the land is privately owned and the Town would not have any maintenance responsibilities.

Mr. Morgan inquired as to how much dedicated open space the Town has at this time.

Mr. Lucas stated it is currently 66 acres.

Mr. McMeekin stated the site will remain agriculture use and be farmed until the school district commences development.

Mr. Adams inquired as to what the school district is proposing.

Mr. McMeekin stated the school district has discussed a middle school and a high school but no decisions have been finalized. The Raindance project has an elementary school within the boundaries of the project.

Ms. Melendez inquired if the entire site is being used for agricultural use.

Mr. McMeekin stated the entire site will be utilized for agricultural use except for the space containing oil and gas pads.

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

3. Resolution No. 2016-52 – A Resolution Making Certain Findings and Conclusions Pursuant to Section 31-12-110 C.R.S., Concerning the Labue Farm Annexation to the Town of Windsor, Colorado – TROLLCO Inc., VIMA Partners LLC., and Weld RE-4 School District, applicants/ Patrick McMeekin, applicant's representative
  - Legislative action
  - Staff presentation: Josh Olhava, Senior Planner

Mr. Olhava stated the application is in accordance with 31-12-110 of the Colorado Revised Statutes that requires upon completion of the public hearing and prior to the Town Board making an action on the annexation ordinance for Labue Farm that the Town Board approves a

resolution making certain findings and conclusions concerning the Labue Farm Annexation to the Town of Windsor.

Staff recommends approval of Resolution No. 2016-52.

**Town Board Member Adams motioned to approve Resolution No. 2016-52; Town Board Member Rennemeyer seconded the motion. Roll call on the vote resulted as follows: Yeas –Baker, Morgan, Rennemeyer, Boudreau, Adams, Melendez; Nays- None; Motion passed.**

4. Ordinance No. 2016-1522 - An Ordinance Annexing and Zoning Certain Territory known as the Labue Farm Annexation to the Town of Windsor, Colorado – TROLLCO Inc., VIMA Partners LLC, and Weld RE-4 School District, applicants/ Patrick McMeekin, applicant’s representative
  - First reading
  - Legislative action
  - Staff presentation: Josh Olhava, Senior Planner

Mr. Olhava stated second reading will be July 25, 2016 and the Planning Commission recommended approval of the annexation as presented.

**Town Board Member Rennemeyer motioned to approve Ordinance No. 2016-1522 - An Ordinance Annexing and Zoning Certain Territory known as the Labue Farm Annexation to the Town of Windsor, Colorado – TROLLCO Inc., VIMA Partners LLC, and Weld RE-4 School District, applicants/ Patrick McMeekin, applicant’s representative; Mayor Pro Tem Baker seconded the motion. Roll call on the vote resulted as follows: Yeas –Baker, Morgan, Rennemeyer, Boudreau, Adams, Melendez; Nays- None; Motion passed.**

5. Site Plan Presentation – Highlands Industrial Park Subdivision 4<sup>th</sup> Filing, Lot 1 – Greenfield at Crossroads, 4265 Greenfield Drive – Greenfield at Crossroads LLC, applicant/ John Baker, Baker Western Group LLC., applicant’s representative
  - Staff Presentation: Josh Olhava, Senior Planner

Per Mr. Olhava, the applicant, represented by Mr. John Baker, is proposing a new site development in the Highlands Industrial Park Subdivision. The site is zoned Limited Industrial (I-L) and surrounded by other industrial users and industrial zoned property on all sides.

Site characteristics include:

- a new 14,776-square foot building, with approximately 30% office and 70% warehouse space;
- no outdoor storage;
- 27 dedicated, off-street parking spaces, including accessible parking spaces; and
- approximately 26% of the site to be landscaped.

Building and structural details include:

- varying rooflines on the office portion of the structure (abutting Crossroads Boulevard);

- the use of split-faced CMU block, synthetic stucco and vertical board and batten siding to dress up the façades facing or visible from Crossroads Boulevard;
- vertical metal panels on the warehouse portion of the structure; and
- 5 overhead garage doors facing Greenfield Drive with one serving as an elevated loading dock.

The application is within the Highlands Industrial Park Subdivision and part of the design standards require properties abutting Crossroads Boulevard and Highland Meadows Parkway to have improved elevation details for those facades adjacent to or visible from the two arterial roadways.

The current presentation is intended for the Town Board's information. Should the Town Board have any comments or concerns pertaining to this project, please refer such comments to staff during the presentation so that they may be addressed during staff's review of the project.

The application is consistent with various goals of the 2016 Comprehensive Plan and the Vision 2025 document.

Ms. Melendez inquired if there are potential occupants for the site.

The applicant, Mr. Baker stated there are currently three companies interested in the site; one local company and two are companies outside of Colorado. The intention is to house one company but the building could be split for the use of two different companies.

Ms. Melendez inquired as to the timeline of the site.

Mr. Baker stated they will break ground in the next 45-60 days and completion is estimated to be in December of 2016 or January of 2017.

6. Resolution No. 2016-53 – Ratifying, Approving and Confirming the Terms and Conditions of a Portion of the Windsor Highlands Master Plan – Fossil Ridge Subdivision – Tract W – TC56 LLC, applicant/ Mike Walker, The Birdsall Group, applicant's representative

- Legislative action
- Staff presentation: Paul Hornbeck, Senior Planner

Per Mr. Hornbeck, Mr. Mick Occhiato of TC56 LLC, represented by Mr. Mike Walker of The Birdsall Group, has submitted an amendment to a portion of the Windsor Highlands Master Plan for Tract W of the Fossil Ridge Subdivision 5th Filing.

In February 2016, the Planning Commission recommended denial of an amended master plan which proposed ten (10) lots for this same property. The denial was based largely on the lack of compatibility with the surrounding neighborhood due to the smaller lot sizes proposed. This revised master plan amendment reduces the number of lots from ten (10) to seven (7) and increases lot sizes, making it more compatible with the neighborhood.

This request is to increase the total number of residential lots from 290 to 297 and to increase the number of bonus dwelling units from 58 to 65. The majority of residential lots within the

Master Plan have been built out, but the subject property is a tract that was never developed. The subject property is zoned Estate Residential E-2, which requires a minimum lot area of one acre per unit, but allows for bonus units when open space is provided.

The residential portion of the Windsor Highlands Master Plan consists of 232.69 acres, with 119.54 acres dedicated as parks and open space. In this case, given that the open space provided is approximately 51% of the total land area, the number of bonus units allowed required Planning Commission determination. Through their previous approval of the Master Plan, Planning Commission granted 58 bonus units, which equates to a 25% bonus. The proposed amendment would add seven (7) lots, resulting in a 28% bonus.

The approved Master Plan shows four lots on the subject parcel, and the applicant has requested that number be increased to seven (7) lots. The four (4) lots originally shown were reallocated to other locations within the subdivision during the subdivision platting. The approved plat depicts the area as a location for a clubhouse. The clubhouse has never been built and the parcel has remained undeveloped. The clubhouse would have been an amenity for residents in the Fossil Ridge Subdivision, but it was not proposed in order to meet any Town of Windsor requirements.

A neighborhood meeting is not required with an Amended Master Plan; however, a required neighborhood meeting was held for the Preliminary Major Subdivision proposal for the subject property. The majority of neighbors in attendance at this meeting seemed supportive of the changes made by the applicant from the previous submittal.

The application is consistent with various goals of the Comprehensive Plan.

At their July 6, 2016 meeting the Planning Commission forwarded a recommendation of approval to the Town Board.

At this time staff requests the following be entered into the record:

- Application and supplemental materials
- Staff memorandum and supporting documents
- Recommendation

Mr. Baker inquired as to the average size of the lots in the surrounding area.

Mr. Hornbeck stated the lots immediately surrounding the site range from approximately 10,000-18,000 square feet.

Mr. Morgan inquired if there were any other changes to the amended master plan that the Planning Commission took into consideration.

Mr. Hornbeck there was not.

Mr. Adams inquired if the applicants agreed to the changes that were recommended by the Planning Commission.

Mr. Hornbeck stated the changes were made by the applicant.

Ms. Melendez inquired as to the concerns from the neighborhoods meeting.

Mr. Hornbeck stated some neighborhood concerns included restricted views and one story homes were requested. Another concern was whether this development would join the HOA and therefore be subject to the same rules and architectural standards; the developer has agreed to join the HOA before the homes are sold to homeowners. The applicant, Mr. Occhiato stated the development will join the HOA.

Ms. Melendez inquired as to the open space and if there is a plan in place.

Mr. Hornbeck stated the residential subdivision is largely already built which includes approximately 120 acres of open space so there will be no additional open space.

Mr. Arnold stated the park in the area is the new Coyote Ridge Park.

Mr. Adams inquired as to what school district the lots are in.

Mr. Arnold stated they are in the Loveland School District.

**Town Board Member Morgan motioned to approve Resolution No. 2016-53; Mayor Pro Tem Baker seconded the motion. Roll call on the vote resulted as follows: Yeas –Baker, Morgan, Rennemeyer, Boudreau, Adams, Melendez; Nays- None; Motion passed.**

7. Financial Report May 2016

- Staff Presentation: Dean Moyer, Director of Finance

Mr. Moyer provided an overview of the May 2016 Financial Report.

- Sales tax collections of the 3.2% sales tax for May was a record at \$600,930
- Construction use tax through May is at 77.73% of the annual budget
- CRC Expansion tax barely missed the monthly budget requirement for May
- Single Family Residential building permits are at 259 through May; up from the May 2015 number of 125
- This time of the year it is ideal to be at 42% of the budget numbers which has been surpassed in three categories

D. COMMUNICATIONS

1. Communications from the Town Attorney

None

2. Communications from Town Staff

Chief Michaels stated a retirement party is scheduled on July 21, 2016 at 4:00 at the Community Recreation Center.

Mr. Lucas clarified the fundraiser for the Poudre River Trail Corridor; Party for the Poudre is scheduled for July 16, 2016.

3. Communications from the Town Manager

Mr. Arnold reported the official Chief of Police swearing in will be July 25, 2016 with a ceremonial swearing in on July 25, 2016 at 11:30 at the police station. A work session with the Weld County Commissioners is scheduled for July 12, 2016, and a work session will be with Larimer County Commissioners is scheduled for July 18, 2016. Excel Energy will be presenting at the work session on July 18, 2016.

4. Communications from Town Board Members

Mr. Adams commented on the citizen activity on the stage during the 4<sup>th</sup> of July celebration at Boardwalk Park and mentioned working on a plan for next year.

Ms. Melendez reported the North I-25 Collation meeting is hoping for the TYGER grant in lieu of the Fastlane grant. The Fix Colorado Roads Collation is reviewing the trans bonds issue and changing the funding mechanism. A legislative round up has been scheduled for December 7, 2016 to discuss transportation.

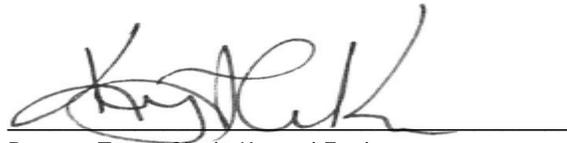
The Regional Leadership Breakfast discussed building relationships between municipalities.

Ms. Melendez thanked Chief Michaels for his role in the community and his years of service to Windsor.

E. ADJOURN

**Town Board Member Morgan motioned to adjourn; Town Board Member Boudreau seconded the motion. Roll call on the vote resulted as follows: Yeas –Baker, Morgan, Rennemeyer, Boudreau, Adams, Melendez; Nays- None; Motion passed.**

The meeting was adjourned at 8:23 p.m.

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

Deputy Town Clerk, Krystal Eucker