

**TOWN OF WINDSOR, CO
TOWN BOARD REGULAR MEETING
Monday, March 22, 2010 - 7:00 P.M.
Town Board Chambers – 301 Walnut Street
Windsor, CO 80550**

MINUTES

A. CALL TO ORDER

1. Roll Call

Mayor Vazquez called the regular meeting of the Windsor Town Board to order on Monday, March 22, 2010 at 7:00 p.m. in the Board Room at Town Hall, 301 Walnut Street, Windsor, CO.

The following Town Board members were present:

Mayor John Vazquez
Mayor Pro-Tem Richard Drake
Robert Bishop-Cotner
Michael Kelly
Matthew O'Neill
Jon Slater
Nancy Weber

Also present:

Town Attorney	Ian McCargar
Town Manager	Kelly Arnold
Director of Finance	Dean Moyer
Director of Engineering	Dennis Wagner
Director of Planning	Joe Plummer
Director of Parks & Recreation	Melissa Chew
Director of Public Works	Terry Walker
Deputy Town Clerk	Mary Lee

2. Pledge of Allegiance

Town Board Member Bishop-Cotner 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 O'Neill moved to approve the agenda as presented; Town Board Member Slater seconded the motion. Roll call on the vote resulted as follows:

Yeas – Bishop-Cotner, Drake, Kelly, O'Neill, Slater, Vazquez, Weber

Nays – None. Motion carried.

4. Board Liaison Reports

- Chamber of Commerce; Historic Preservation Commission – Town Board Member Bishop-Cotner reported the Historic Preservation Commission held a joint meeting with the Windsor-Severance Historical Society to discuss how the groups can work cooperatively. The HPC also completed their Certified Local

Government training at that same meeting. The Chamber of Commerce held their breakfast last week, but Mr. Bishop-Cotner was unable to attend.

- Cache La Poudre Trail Board – Town Board Member Kelly reported the Board will discuss golf cart issues at their next meeting.
 - Water and Sewer Board – Mayor Pro-Tem Drake had no report
 - Library Board; Planning Commission; 2010 Census Complete Count; NFR/MPO Alternate – Town Board Member O’Neill reported the Library Board meets next week. Planning Commission items discussed at their most recent meeting are part of tonight’s agenda. Census forms are in the mail.
 - Tree Board; Windsor Housing Authority – Town Board Member Slater reported the Tree Board meets tomorrow night. The Windsor Housing Authority reviewed their annual audit which looked good.
 - Parks & Recreation Board – Town Board Member Weber reported the next PRAB meeting will take place early in April.
 - North Front Range/MPO; Youth Advisory Board - Mayor Vazquez reported the NRF/MPO will meet early next month. The Youth Advisory Board is working on the Spring Fling event, and will meet next Wednesday.
5. Brian Martens Presentation – Mayor Vazquez presented a plaque to former Fire Chief Brian Martens, thanking him for his dedication to the community. Mr. Martens noted the cooperative spirit of the Board, especially during the tornado recovery, and thanked them for their efforts.
 6. Ed Duggan Presentation – Mr. Duggan was ill, and could not attend this meeting. This presentation will be rescheduled for a future date.
 7. Public Invited to be Heard – there was no public comment.

B. CONSENT CALENDAR

1. Minutes of the March 8, 2010 Regular Town Board – P. Garcia
2. Authorize the Mayor to sign an Agreement Regarding the Covenant Park Pump House – M. Chew
3. A Resolution Designating the Windsor Beacon as the Primary Publisher of Legal Publications for the Town and Designating Northern Colorado Communications Group as the Town’s Secondary Publisher – I. McCargar (Resolution No. 2010-20)

Town Board Member Slater moved to approve the Consent Calendar as presented; Town Board Member O’Neill seconded the motion. Roll call on the vote resulted as follows:

**Yeas – Bishop-Cotner, Drake, Kelly, O’Neill, Slater, Vazquez, Weber
Nays – None. Motion carried.**

C. BOARD ACTION

1. Public Hearing - Amendments to the Windsor Municipal Code to add open or surface mining operations for the development or extraction of solid materials as a conditional use in all zoning districts and to add regulations regarding such operations – J. Plummer

Town Board Member O'Neill moved to open the public hearing; Mayor Pro-Tem Drake seconded the motion. Roll call on the vote resulted as follows:

**Yeas – Bishop-Cotner, Drake, Kelly, O'Neill, Slater, Vazquez, Weber
Nays – None. Motion carried.**

Mr. Plummer commented this Ordinance would allow open or surface mining in all zoning districts, and will add Design Criteria and Development Standards for mining operations. The State allows mining operations in all jurisdictions.

There was no discussion. Mayor Vazquez noted it is not the intent of this Ordinance to encourage mining in residential neighborhoods – just to streamline the mining process.

Town Board Member Slater moved to close the public hearing; Town Board Member Kelly seconded the motion. Roll call on the vote resulted as follows:

**Yeas – Bishop-Cotner, Drake, Kelly, O'Neill, Slater, Vazquez, Weber
Nays – None. Motion carried.**

2. Ordinance Amending the Windsor Municipal Code to add open or surface mining operations for the development or extraction of solid materials as a conditional use in all zoning districts and to add regulations regarding such operations – First Reading – J. Plummer (Ordinance No. 2010-1372)

Town Board Member O'Neill moved to approve Ordinance 2010-1372; an Ordinance Amending the Windsor Municipal Code to add open or surface mining operations for the development or extraction of solid materials as a conditional use in all zoning districts and to add regulations regarding such operations; Town Board Member Slater seconded the motion.

Mr. Plummer noted the Planning Commission recommends adoption of this Ordinance as presented. There was no additional discussion.

Roll call on the vote resulted as follows:

**Yeas – Bishop-Cotner, Drake, Kelly, O'Neill, Slater, Vazquez, Weber
Nays – None. Motion carried.**

3. A Resolution Approving an Intergovernmental Agreement Between the Town of Windsor and the Weld County School District RE-4 for the Purpose of Assuring the Availability of Facilities for Emergency Disaster Response – J. Michaels (Resolution No. 2010-21)

Town Board Member Slater moved to approve Resolution 2010-21; a Resolution Approving an Intergovernmental Agreement Between the Town of Windsor and the Weld County School District RE-4 for the Purpose of Assuring the Availability of Facilities for Emergency Disaster Response; Town Board Member O'Neill seconded the motion.

Mr. McCargar clarified; this Resolution would formalize unwritten agreements for Disaster Response between the Town and the School District. The agreement has been reviewed by RE-4 and staff, and all recommend its approval. There was no additional discussion.

Roll call on the vote resulted as follows:

**Yeas – Bishop-Cotner, Drake, Kelly, O’Neill, Slater, Vazquez, Weber
Nayes – None. Motion carried.**

4. A Resolution Approving and Adopting a Mission Statement for the Town of Windsor Museum – M. Chew (Resolution No. 2010-22)

Town Board Member Weber moved to approve Resolution 2010-22; a Resolution Approving and Adopting a Mission Statement for the Town of Windsor Museum; Mayor Pro-Tem Drake seconded the motion.

Ms. Chew noted the Parks and Recreation Advisory Board assisted in the development of the Mission Statement, and did so at the request of the Board; PRAB recommends its adoption. Ms. Weber noted three options were drafted, and this Mission Statement is a compilation of those three statements. She congratulated Ms. Knight on her diligence in completing this project.

Roll call on the vote resulted as follows:

**Yeas – Bishop-Cotner, Drake, Kelly, O’Neill, Slater, Vazquez, Weber
Nayes – None. Motion carried.**

5. A Resolution Approving the Deaccessioning of Museum Property Donated in 2003 to the Town of Windsor, Colorado, by the Windsor-Severance Historical Society – M. Chew (Resolution No. 2010-23)

Town Board Member Weber moved to approve Resolution 2010-23; a Resolution Approving the Deaccessioning of Museum Property Donated in 2003 too the Town of Windsor, Colorado, by the Windsor-Severance Historical Society; Town Board Member Slater seconded the motion.

There was no discussion.

Roll call on the vote resulted as follows:

**Yeas – Bishop-Cotner, Drake, Kelly, O’Neill, Slater, Vazquez, Weber
Nayes – None. Motion carried.**

6. Authorize the Mayor to sign the Windsor Mill Grant Application and Letter of Support – K. Arnold

Town Board Member Weber moved to authorize the Mayor to sign the Windsor Mill Grant Application and Letter of Support, and direct staff to follow-through with the application for the grant; Town Board Member Kelly seconded the motion.

Mr. Arnold reviewed the construction/rehabilitation project at the Windsor Mill, noting the details of the grant, and reiterating the Town will act as the sponsor of the application. Upstate Colorado administers the current grant, and Mr. Arnold would recommend they act as administrators of this grant, if awarded, as well.

Ms. Torp, owner of the Mill was in attendance. She thanked the Board for their support. She also reviewed past construction efforts, and highlighted what is planned for the future. The Mayor remarked a private/public partnership will strengthen the application, adding no money from the Town will be applied to this project, and that there are a series of checks and balances in place to protect the Town from a financial liability with regard to the project. Mr. Kelly questioned if the applicant can fulfill all the grant requirements. Ms. Torp answered they can, adding they have contracted a historic architectural firm who will oversee compliance with the grant guidelines. She added thewindsormill.com shows plans for the project, and encouraged the Board to take a look.

Roll call on the vote resulted as follows:

Yeas – Bishop-Cotner, Drake, Kelly, O’Neill, Slater, Vazquez, Weber

Nayes – None. Motion carried.

D. COMMUNICATIONS

1. Communications from the Town Attorney

Mr. McCargar reviewed the proceedings of the Medigrow trial, noting a ruling on the motion to dismiss will be available by or before April 21. The Board of Adjustment will meet on March 25 to consider the appeal related to occupancy of that location. On April 22 the District Court in Greeley will hear evidence regarding a preliminary injunction against Medigrow. There may be a need for Board Members or staff to testify on the Town’s behalf, but that has not been determined at this time.

2. Communications from Town Staff

Ms. Chew encouraged the Board to view the public art piece on display in the entrance to the Community/Recreation Center. She also noted the lecture from the Germans from Russia Society held at the Art and Heritage Center was very well received, with a standing room only crowd in attendance.

Mr. Walker thanked the Board for sponsorship to the emergency management conference he recently attended, noting the presentations were well worth while. Mr. Walker returned to Windsor with DVDs of the lectures and presentations for future reference.

3. Communications from the Town Manager

Mr. Arnold updated the Board on Town Hall construction, noting the elevator will be installed on Thursday, and the benches for the Board Room will arrive this week. He added a test pour for concrete at the PD was a success, and bricks for that facility have arrived.

Mr. Arnold noted, the April 5 Work Session has no discussion topics assigned at this time. The Economic Development group will meet on Tuesday. The Board can expect an update on Downtown discussions next week.

4. Communications from Town Board Members

There were no further communications.

E. ADJOURN

Town Board Member Kelly moved to adjourn; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows:

Yeas – Drake, Bishop-Cotner, Kelly, O’Neill, Slater, Vazquez

Nays – None. Motion carried.

The meeting was adjourned at 7:30 p.m.

/s/Mary Lee, Deputy Town Clerk