



TOWN BOARD REGULAR MEETING
February 14, 2010 - 7:00 P.M.
Town Board Chambers – 301 Walnut Street
Windsor, CO 80550

MINUTES

A. CALL TO ORDER

1. Roll Call

The following Town Board members were present:

Mayor John Vazquez
Kristie Melendez
Jon Slater
Don Thompson

Excused:

Mayor Pro-Tem Matthew O'Neill
Robert Bishop-Cotner
Mike Carrigan

Also present:

Town Manager
Town Attorney
Director of Finance
Director of Planning
Town Clerk

Kelly Arnold
Ian McCargar
Dean Moyer
Joe Plummer
Patti Garcia

Excused:

Director of Engineering
Director of Parks & Recreation
Director of Public Works
Chief of Police

Dennis Wagner
Melissa Chew
Terry Walker
John Michaels

2. Pledge of Allegiance

Town Board Member Melendez 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

Due to the lack of opportunity for a super majority vote with only four Town Board members present, Town Board Member Slater motioned to postpone Item C.4., second reading of Ordinance No. 2011-1401 to February 28, 2011; Town Board Member Melendez seconded the motion. Roll call on the vote resulted as follows:

**Yeas – Melendez, Slater, Thompson, Vazquez
Nays – None. Motion carried.**

Town Board Member Slater motioned to approve the agenda as amended; Town Board Member Thompson seconded the motion. Roll call on the vote resulted as follows:

**Yeas – Melendez, Slater, Thompson, Vazquez
Nays – None. Motion carried.**

4. Board Liaison Reports

- Town Board Member Bishop-Cotner – Historic Preservation Commission; Planning Commission Alternate - No report.
- Town Board Member Carrigan – Water & Sewer Board - No report.
- Mayor Pro-Tem O'Neill – Library Board; Planning Commission; North Front Range/MPO Alternate – No report.

- Town Board Member Melendez – Chamber of Commerce; Cache La Poudre Trail Board
Town Board Member Melendez reported the Chamber of Commerce met on February 2. Items discussed included the partnership between UNC/SBDC which will have students developing a business plan and focusing on ways to bring business to Windsor with a report back on April 27, the lodging tax ballot question will be postponed until April, 2012, and the Chamber Annual Dinner scheduled for June, 2011.

There was no report for the Cache La Poudre Trail Board.

- Town Board Member Slater – Tree Board; Windsor Housing Authority
Town Board Member Slater reported the Tree Board would be meeting next week. He also noted the Windsor Housing Authority reviewed the Colorado Municipal Retention Schedule and shredded documents that were no longer required to be kept.
- Town Board Member Thompson – Parks & Recreation Board, Great Western Trail Board
Town Board Member Thompson stated the Parks & Recreation Board met the first Tuesday of the month and toured recreational facilities in Loveland and Greeley in anticipation of the upcoming survey being conducted.

Mr. Thompson reported the Great Western Trail Board would be meeting on Tuesday at 7 a.m.

- Mayor Vazquez – North Front Range/MPO; Student Advisory Leadership Team (SALT)
Mayor Vazquez stated the MPO would be meeting the first Thursday of the month and that representatives from SALT would be present at the February 28 meeting.

5. Public Invited to be Heard

Mayor Vazquez opened the meeting for items of concern not on the agenda; hearing none, Mayor Vazquez moved on to the next agenda item.

B. CONSENT CALENDAR

1. Minutes of the January 24, 2011 Regular Town Board Meeting – P. Garcia
2. Liquor License Special Event Application – United Way of Weld County – P. Garcia
3. List of Bills – D. Moyer

Town Board Member Slater motioned to approve the Consent Calendar as presented; Town Board Member Thompson seconded the motion. Roll call on the vote resulted as follows:

**Yeas – Melendez, Slater, Thompson, Vazquez
Nays – None. Motion carried.**

C. BOARD ACTION

1. Public Hearing – Amendment to Chapter 17 of the Windsor Municipal Code to adopt certain land uses and design standards for developments within the Corridor Activity Center at the intersection of the Interstate 25 and Colorado State Highway 392 – J. Plummer

Town Board Member Slater motioned to open the public hearing; Town Board Member Thompson seconded the motion. Roll call on the vote resulted as follows:

**Yeas – Melendez, Slater, Thompson, Vazquez
Nays – None. Motion carried.**

Director of Planning Plummer reported on the intergovernmental agreement with Fort Collins which outlined land uses, boundaries of the Corridor Activity Center (CAC) and noted that any future developments within the CAC would be required to adhere to the four design standards which were included in the ordinance related to masonry levels, roofs, building height and sign standards.

Representatives from BASF, Parex USA, and Sto Corp. addressed the town board with their concerns related the prohibition of synthetic stucco and related materials that was included in the design criteria of the ordinance.

Bill Pellissier, Sto Corp., requested the allowed use of acrylic stucco and noted one of the main accomplishments of the product is that it keeps energy costs low. He also stated that restricting building materials would raise construction costs.

Jim Whitfield, Parex USA, noted prohibiting materials affects employees and plasterers in the area and would restrict the livelihoods of those that live in this area.

Mark Austin, BASF, noted several projects along I-25 currently in progress that are using the prohibited materials. He provided a list of 25 uses of stone/stucco along the I-25 corridor which employs many local citizens.

Mr. Plummer stated that synthetic stucco would be allowed but not on the exterior of a building facing a public right of way or at the first floor or entry level of the façade of a building; synthetic stucco could be used as an accent.

The Town Board discussed the issue noting industry standards, aesthetics for consistency standards along the corridor and the desire to not preclude an industry, but to have aesthetic standards for the gateway to the community.

Town Manager Arnold recommended the conversation be continued at a later date to provide time for staff to meet with those in the industry.

Town Attorney McCargar stated the ordinance could be approved on first reading and amendments could be made prior to second reading and after meeting with industry representatives along with discussing with Fort Collins.

Industry representatives noted they had not had conversations with Fort Collins yet.

Mayor Vazquez stated the criteria is not about excluding an industry but branding an appearance and image. He requested those in attendance to educate Windsor and Fort Collins on the industry.

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

Yeas – Melendez, Slater, Thompson, Vazquez

Nays – None. Motion carried.

2. Ordinance amending Chapter 17 of the Windsor Municipal Code to adopt certain land uses and design standards for developments within the Corridor Activity Center at the intersection of the Interstate 25 and Colorado State Highway 392, First Reading – J. Plummer (Ordinance No. 2011-1402.)

Town Board Member Slater motioned to approve Ordinance No. 2011-1402, Ordinance amending Chapter 17 of the Windsor Municipal Code to adopt certain land uses and design standards for developments within the Corridor Activity Center at the intersection of the Interstate 25 and Colorado State Highway 392 on First Reading; Town Board Member Thompson seconded the motion.

Director of Planning Plummer reported staff would meet with industry representatives and noted that the Planning Commission had reviewed the ordinance and recommended approval.

Roll call on the vote resulted as follows:

Yeas – Melendez, Slater, Thompson, Vazquez

Nayes – None. Motion carried.

3. An Ordinance Amending the Windsor Municipal Code with Respect to the Assessment of Court Costs in Certain Cases Filed in the Windsor Municipal Court, First Reading – I. McCargar (Ordinance No. 2011-1403)

Town Board Member Slater motioned to approve Ordinance No. 2011-1403, An Ordinance Amending the Windsor Municipal Code with Respect to the Assessment of Court Costs in Certain Cases Filed in the Windsor Municipal Court on First Reading; Town Board Member Melendez seconded the motion.

Town Attorney McCargar reviewed the ordinance and noted that it provides that, upon conviction, anyone who appears or enters a plea due to a plea agreement or are found guilty at trial will pay court costs of \$20.

Roll call on the vote resulted as follows:

Yeas – Melendez, Slater, Thompson, Vazquez

Nayes – None. Motion carried.

4. An Ordinance Creating and Establishing the Windsor Downtown Development Authority in the Town of Windsor, Colorado, Second Reading – I. McCargar (Ordinance No. 2011-1401)
(Super-majority vote required for adoption on second reading)

Postponed until February 28, 2011.

5. Resolution Approving An Intergovernmental Agreement Between The Town Of Windsor And The County Of Weld With Respect To The Sharing Of Costs For The County's Efforts At Increasing Distributions From The Department Of Local Affairs – I. McCargar (Resolution No. 2011-07)

Town Board Member Slater motioned to approve Resolution No. 2011-07; Town Board Member Thompson seconded the motion.

Town Attorney McCargar reviewed the resolution and intergovernmental agreement and explained the process which was outlined in the memorandum included in the town board packet. Weld County has requested that Windsor share in the cost of Bill Jerke's service of locating and reporting mineral extraction employees. Mr. McCargar stated it is a fair and reasonable way to us to contribute to the project.

Roll call on the vote resulted as follows:

Yeas – Melendez, Slater, Thompson, Vazquez

Nayes – None. Motion carried.

6. Financial Report – D. Moyer

Director of Finance Moyer provided an overview of the financial report to the Town Board. Mr. Moyer noted sales tax was up over January 2010 and that the Town issued 18 single family permits and one commercial permit in January. He stated the most encouraging news was the increase in grocery sales tax receipts.

Mr. Moyer noted the 2011 budget calendar in the communications section of the packet.

7. Discussion of possible 2011 Customer Service Survey – K. Arnold
Town Manager Arnold reported on the Customer Service Survey information from National Research Center. He reviewed the email included in the town board packets which indicated an average response rate of 25-40%. Mr. Arnold stated the Web Survey would be done after the initial 1200 mailed surveys were completed.

After discussion, the Town Board directed staff to move forward with the survey as included in the 2011 budget.

Town Manager Arnold also stated the YMCA survey would be going that week to 3,000 households.

D. COMMUNICATIONS

1. Communications from the Town Attorney
No report.

2. Communications from Town Staff
No report.

4. Communications from the Town Manager
Town Manager Arnold stated there would be no meeting or work session on February 21. There is a joint meeting of the town, school and library boards on February 22 at the school district and the next work session scheduled for February 28 would begin at 5:30 p.m. in the first floor conference room.

Mr. Arnold also reported that information regarding the Lauren Project would be included on the Town's website. People working on the Lauren Project will be in the community on February 28 from 10-1 asking citizens if they have a CO detector.

5. Communications from Town Board Members – none
Mayor Vazquez inquired as to activity at Peakview Estates. He requested a timeline via email of what the residents can anticipate as he wants to be more involved and represent the citizens.

Town Board Member Melendez asked if the finance reports could include the same information that is provided to the Chamber of Commerce related to sales tax collections. Director of Finance Moyer indicated he would include the information in future packets.

E. EXECUTIVE SESSION

An Executive Session pursuant to C.R.S § 24-6-402 (4) (e) for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators; large retail prospect – K. Arnold

Town Board Member Slater motioned to go into an Executive Session pursuant to C.R.S § 24-6-402 (4) (e) for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators; large retail prospect; Town Board Member Thompson seconded the motion.

Roll call on the vote resulted as follows:

Yeas – Melendez, Slater, Thompson, Vazquez

Nays – None. Motion carried.

Upon returning to the regular meeting, Mayor John 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 Meeting Law, such concerns should now be stated. Hearing none, the regular meeting resumed.

F. ADJOURN

Town Board Member Slater motioned to adjourn; Town Board Member Thompson seconded the motion.

Roll call on the vote resulted as follows:

Yeas – Melendez, Slater, Thompson, Vazquez

Nays – None. Motion carried.

Patti Garcia

Patti Garcia, Town Clerk