



TOWN BOARD REGULAR MEETING

June 25, 2018 // 7:00 p.m. // Town Board Chambers
301 Walnut Street, Windsor, CO 80550

AGENDA

A. CALL TO ORDER

Mayor Melendez called the meeting to order at 7:12 p.m.

1. Roll Call

Mayor
Mayor Pro Tem

(Absent)

Kristie Melendez
Ken Bennett
Myles Baker
Barry Wilson
Paul Rennemeyer
Thomas Jones
David Sislowski

Also Present: Town Manager
Town Attorney
Communications/Assistant to Town Manager
Director of Finance
Accounting Manager
Budget Analyst
Economic Development Director
Planning Director
Senior Planner
Planning Technician
PR&C Director
Assistant Town Attorney
Chief of Police
Deputy Town Clerk

Shane Hale
Ian McCargar
Kelly Houghteling
Dean Moyer
Cheryl Turner
Vicki Miller
Stacy Johnson
Scott Ballstadt
Millissa Berry
Devin King
Eric Lucas
Kim Emil
Rick Klimek
Amanda Mehlenbacher

2. Pledge of Allegiance

Town Board Member Jones 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 Rennemeyer moved to approve the agenda as presented; Town Board Member Baker seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Bennett, Rennemeyer, Jones, Sislowski, Melendez; Nays-None; Motion passed.

4. Award Presentation-Shane Hale, Town Manager

Town Manger Mr. Hale, presented Kelly Houghteling with the 2018 Colorado City and County Managers Association Assistant of the Year Award.

5. Board Liaison Reports

- Town Board Member Baker – Tree Board, Historic Preservation Commission
Town Board Member Baker had no update.

- Town Board Member Wilson – Parks, Recreation & Culture Advisory Board; Poudre River Trail Corridor Board
Town Board Member Wilson was absent.
 - Mayor Pro Tem Bennett – Water & Sewer Board
Town Board Member Bennett reported that there is one returning member and one new member being appointed to the Water & Sewer Board.
 - Town Board Member Rennemeyer – Chamber of Commerce
Town Board Member Rennemeyer reported that the All Town BBQ was a great success and the Chamber of Commerce is showing interest in providing food for next year's first concert of the year.
 - Town Board Member Jones – Windsor Housing Authority; Great Western Trail Authority
Town Board Member Jones reported that the Windsor Housing Authority is expecting to close on the property in Windshire for the new Senior Housing next month and is also looking to name the property should the community have any suggestions. The Windsor Housing Authority has requested the Town Board consider hiring a full-time Housing Authority Manager as there will be over 300 units to manage. Dr. Jones reported the Great Western Trail Authority received seven applications for a part-time Trail Manager and will be conducting interviews in the near future.
 - Town Board Member Sislowski –Clearview Library Board; Planning Commission
Town Board Member Sislowski reported the Clearview Library will be meeting June 28, 2018 at 5:30 p.m. and due to attending the CML Conference, missed the Planning Commission Meeting.
 - Mayor Melendez – Downtown Development Authority; North Front Range/MPO
Mayor Melendez reported that the North Front Range MPO has not had a meeting and will not be meeting in the month of July. For those interested in learning about the I-25 expansion project there will be a public meeting held on June 27, 2018 from 5:30 p.m. – 7:30 p.m. at the Ranch in Loveland where CDOT will be present to answer questions. Ms. Melendez further reported that the DDA has met and discussed the purchase of the 512 Ash Street property and the Backlot project with Brinkman. The Town Board has signed an agreement with the DDA for the Mill Project with an anticipated opening date of July 2019. A façade improvement program will be put in place for small businesses and the DDA has been looking at a Wayfinding project opportunity and the parking and crosswalk issues within the Town of Windsor.
6. Public 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 11, 2018 Regular Meeting and June 18, 2018 Special Meeting – Amanda Mehlenbacher
2. Advisory Board Appointments – Scott Ballstadt
3. Resolution No. 2018-65– A Resolution of the Town Board of the Town of Windsor Appointing a Director to the Boards of Directors for the Ptarmigan West Metropolitan District Nos. 1-3 – Ian McCargar

Town Board Member Rennemeyer moved to approve the consent calendar

as presented; Town Board Member Jones seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Bennett, Rennemeyer, Jones, Sislowski, Melendez; Nays- None; Motion passed.

C. BOARD ACTION

1. Site Plan Presentation – Water Valley South 25th Filing – Good Samaritan Society Assisted Living Facility and Memory Care Assisted Living – Greg Amble, The Evangelical Lutheran Good Samaritan Society, owner; Heather Scott, Boulder Associates Architects, authorized representative; Jon Sweet, TST, authorized representative

- Staff presentation: Millissa Berry, Senior Planner

Ms. Berry introduced the applicant and presented the PowerPoint presentation included in the packet materials, with the following information: The property owner, Mr. Greg Amble, is proposing an assisted living and memory care assisted living facility in the Water Valley South Subdivision 25th Filing. The site of the proposed assisted living facility is located on the southeast corner of the intersection of New Liberty Road and 7th Street just north of the existing Good Samaritan Senior Living Resort Independent Living Facility. The site is zoned Residential Mixed Use (RMU) and is located adjacent to other RMU-zoned properties.

The original site plan was reviewed at the March 21, 2018 Planning Commission meeting. Since that meeting, there have been revisions made to the building and site grading that warrant a second view of the project.

- Originally, the air conditioner system was to be internal to the building. Due to costs, the applicant is now proposing exterior ground-mounted condensing units.
 - 55 units
 - The units are 2wx2dx2t
 - Units are grouped to specific areas to avoid a continuous row of units along the building
 - Staff is working with the applicant to use evergreen shrubs in addition to the previously
 - proposed landscaping to screen the units from the street
- The retaining wall with railing that was originally proposed along the east side of the building is being removed and replaced with a slope.

Overall development characteristics include:

- Total lot area of 2.93 acres
- 55,000 square foot (sf) building total; 36,313 sf footprint (~31% of the site)
 - One-story 16-bed licensed Memory Care Assisted Living at the southern portion of the building
 - Two-story 40-bed licensed Assisted Living Facility at the northern portion of the building.
 - Enclosed trash and utility area
- 33 parking spaces (1 stall per 2 beds required – 28 stall minimum; plus shared parking with independent living facility for employees and visitors)
 - Applicant received a parking determination in March 2018 to allow the amount proposed
- Approximately 23% landscaped area (20% required)

Building characteristics include:

- Building materials are a mix of fiber cement board and batten siding, fiber cement lap siding, and
- asphalt shingles
- Building height:
 - One-story at 28 feet (24 feet with 4 foot roof feature)
 - Two-story at ~ 42 feet (~38 feet plus 4 foot roof feature)

Ms. Berry indicated there is no recommendation, as this item is for presentation purposes.

Mayor Melendez requested clarification on the landscaping being used as a screen to cover the air conditioner units.

Ms. Berry confirmed the landscaping which will consist of evergreens so that there will be year-round screening.

Town Board Member Rennemeyer inquired as to why the retaining wall was initially recommended and is now not necessary.

Ms. Berry responded that it was an option and requested to be changed in order to help reduce cost.

2. Public Hearing – Conditional Use Grant to allow temporary storage container in the Single Family Residential (SF-1) zone district – Mountain View School Subdivision 1st Filing, Lot 2 – Clearview Library – Ann Kling, Clearview Library District, Library Director, applicant

- Quasi-judicial Action
- Staff presentation: Devin King, Planning Technician

Town Board Member Bennett moved to open the public hearing; Town Board Member Rennemeyer seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Bennett, Rennemeyer, Jones, Sislowski, Melendez; Nays-None; Motion passed.

Mr. King introduced the applicant and presented the PowerPoint presentation included in the packet materials, with the following information: The applicant, Clearview Library District is requesting a Conditional Use Grant (CUG) to allow one temporary storage container in the SF-1 zone district, located at Mountain View School Subdivision 1st Filing, Lot 2. A conditional use grant is required because the proposed use is not specifically included as an accessory use or a use-by-right in the SF-1 zone district per Section 16-12-20(2) of the Town of Windsor Municipal Code.

The applicant is requesting allowance of the storage container for storage of miscellaneous items such as special event and craft supplies that are currently stored offsite at employee's homes due to insufficient storage space at the library. The container is proposed to be located on the west side of the parking lot in the last two parking stalls in the middle row leaving a total of 46 off-street parking spaces available. In 2008 when the administrative site plan was approved, the Planning Commission determined 48 off-street parking spaces met the off-street requirement, but at the time, 9 on-street spaces were going to be provided by diagonal striping on 3rd St. These 9 diagonal on-street spaces were reduced to parallel parking with the removal of striping years ago. If parking becomes an issue at the library, the Planning and Engineering Departments will reevaluate whether or not these 9 spaces should be restriped to add parking spaces and help alleviate any parking problems.

Since library parking is not enumerated in the Code, Section 16-10-30(a)(7) states: “*Uses not enumerated. In any case where there is a question as to the parking requirements for a use or where such requirements are not specifically enumerated, the Planning Commission shall convene a public hearing to determine the appropriate application of the parking requirements to the specific situation, applying the criteria set forth above and in keeping with sound land use planning principles.*” Therefore, the Planning Commission determined at the June 20 regular meeting that 46 off-street parking spaces met the parking requirement for the library.

At its regular June 20 meeting, the Planning Commission forwarded to the Town Board a recommendation of approval of the conditional use grant with the following condition:

- The conditional use of the storage container is permitted for three (3) years, which upon the arrival of, the applicant will be required to renew via the conditional use grant process to retain the storage container on the premises for an additional allotment of time.

Staff requests that the following be entered into the record:

- Application and supplemental materials
- Staff memorandum and supporting documents
- All testimony received during the public hearing
- Recommendation

Mayor Melendez asked if there were any questions or comments from Town Board Members.

Town Board Member Baker inquired if there will be any type of screening around the container.

Mr. King responded that there is an island on one side of the container with landscaping and on the adjacent side will be parking, therefore, screening the container from the street.

Town Board Member Jones inquired if the storage container will be used frequently.

Ann Kling, Clearview Library District, Library Director, stated that the container may be used multiple times on a daily basis in order to access materials.

Town Board Member Sislowski inquired about the diagonal parking spaces located near the Library.

Ms. Kling stated that the diagonal parking spaces are owned by the school which the Library can use only during the summer.

Mayor Melendez asked if anyone from the audience wished to speak on this matter.

There were none.

Mayor Melendez asked if the applicant had anything further to add.

Per Ms. Kling; Nothing further.

Town Board Member Rennemeyer moved to close the public hearing; Town Board Member Bennett seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Bennett, Rennemeyer, Jones, Sislowski, Melendez; Nays-None; Motion passed.

3. Conditional Use Grant to allow temporary storage container in the Single Family Residential (SF-1) zone district – Mountain View School Subdivision 1st Filing, Lot 2 – Clearview Library – Ann Kling, Clearview Library District, Library Director, applicant

- Quasi-judicial Action
- Staff presentation: Devin King, Planning Technician

Mayor Melendez asked if Mr. King had anything further he wished to add.
Per Mr. King; Nothing Further

Mayor Melendez asked if there were any questions or comments from Town Board Members.
There were none.

Town Board Member Rennemeyer moved to approve the Conditional Use Grant as presented; Town Board Member Baker seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Bennett, Rennemeyer, Jones, Sislowski, Melendez; Nays- None; Motion passed.

4. Resolution No. 2018-66 - A Resolution Appropriating Additional Sums of Money to Defray Expenses in Excess of Amounts Budgeted for the Town of Windsor, Colorado, for 2017, an Addendum to Resolution No. 2018-29.

- Legislative Action
- Staff Presentation: Dean Moyer, Director of Finance

Mr. Moyer reported that as recently discovered during the 2017 audit process, the Town Board meeting on March, 12, 2018 did not include the Community Recreation Center Expansion refunding bonds transaction in Resolution # 2018-29 nor the Kern Reservoir refinancing. Tonight's resolution provides for a Supplement to the 2017 Budget to appropriate additional sums of money to the Community Recreation Center Expansion Fund and the Water Fund for these transactions.

The Town of Windsor refunded the existing Series 2015 sales and use tax revenue bonds in December of 2017. The Town also refinanced the original Kern Reservoir dredging loans in July 2017. To properly account for this transaction, we need to record both revenue and an expense for the dollar value of this transaction.

Staff recommends the Town Board approve the 2017 Supplemental Budget as presented.

Mayor Melendez asked if there were any questions or comments from Town Board Members.

There were none.

Town Board Member Sislowski moved to approve Resolution No. 2018-66 as presented; Town Board Member Jones seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Bennett, Rennemeyer, Jones, Sislowski, Melendez; Nays- None; Motion passed.

5. 2017 Audit Presentation-Randy Watkins, CPA, Anton Collins Mitchell LLP

- Staff presentation: Dean Moyer, Director of Finance

Randy Watkins of Anton Collins Mitchell LLO, CPAs, presented the 2017 Audit Report.

Town Board Member Sislowski inquired about the Significant Deficiencies and if that was new in this year's audit.

Mr. Watkins responded that it may not have been something they focused on in prior years.

Mr. Sislowski inquired about the line item, small equipment, with the description including, cost of resurfacing.

Mr. Watkins responded that resurfacing can be difficult to decide if it's extending the life of a capitol asset or maintaining a capitol asset, therefore, typically it's considered maintenance on an asset with regards to the roads versus repaving or expanding.

Mayor Melendez inquired about the Sales and Use Tax fee and the payoff.

Mr. Moyer responded that during the refinancing that took place in 2017, the Town set aside an escrow account in order to pay off the original bonds and the rest was taken through an installment loan. In 2021 the Town can start paying without penalty.

Mayor Melendez thanked Mr. Moyer, Ms. Turner and Ms. Miller for all their hard work preparing the budget.

6. Resolution No. 2018-67 - A Resolution Accepting the Audit Report for 2017 Prepared by Anton Collins Mitchell LLP, Certified Public Accountants.
 - Legislative Action
 - Staff Presentation: Dean Moyer, Director of Finance

Mayor Melendez asked if Mr. Moyer had anything further he wished to add.
Per Mr. Moyer; Nothing further.

Town Board Member Rennemeyer moved to approve Resolution No. 2018-67 as presented; Town Board Member Bennett seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Bennett, Rennemeyer, Jones, Sislowski, Melendez; Nays- None; Motion passed.

7. Ordinance No. 2018-1561- An Ordinance Amending Sections 4-3-350 And 4-3-490 of the Windsor Municipal Code to Align its Terms with Tax Measures Approved by the Voters with Respect to Expansion of the Windsor Community Recreation Center
 - Second reading
 - Legislative action
 - Staff presentation: Kimberly A. Emil, Assistant Town Attorney

This is a housekeeping matter to correct the Windsor Municipal Code Sections 4-3-350 and 4-3- 490 to reflect the correct sales tax rates. In the November, 2014 election, the Town's sales tax rate was changed from 3.2% to 3.95% to facilitate the Community Recreation Center expansion. As a direct result, Windsor Municipal Code Chapter 4, Article 2 was amended by Ordinance to create the Community Recreation Center Expansion Fund (4-2-20). Chapter 4, Article 3 was amended to impose sales tax (4-3-110) and use tax (4-3-120) at the new rate of 3.95%. Both of these sections also revert to taxes of 3.4% after the debt service on revenue bonds or refunding bonds issued for the expansion have been paid in full. During a recent review, it was discovered that two sections still reflected the old rate of 3.2% and need to be amended to the correct rate of 3.95% and 3.4% thereafter, to align with the language approved in the election, and eliminate inconsistencies within the Code. This Ordinance amends these sections accordingly. There have been no changes since first reading.

Staff recommends the approval of the attached Ordinance No. 2018-61 Amending Sections 4-3-350 and 4-3-490 of the Windsor Municipal Code to align its Terms with Tax Measures Approved by the Voters with Respect to Expansion of the Windsor Community Recreation Center.

Mayor Melendez asked if there were any questions or comments from Town Board Members.

There were none.

Town Board Member Bennett moved to approve Ordinance No. 2018-1561 as presented; Town Board Member Rennemeyer seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Bennett, Rennemeyer, Jones, Sislowksi, Melendez; Nays- None; Motion passed.

8. Ordinance No. 2018-1562– An Ordinance Repealing, Amending and Re-Adopting Section 4-3-30 of the Windsor Municipal Code to Make Certain Definitions Consistent With Statewide Standards Recommended by the Colorado Municipal League
 - First Reading
 - Legislative action
 - Staff presentation: Ian D. McCargar, Town Attorney; Dean Moyer, Director of Finance

Mr. McCargar reported that in response to a request by the Colorado Municipal League, this Ordinance adopts some (but not all) of the uniform sales and use tax definitions developed by CML for use by municipalities. The uniform definitions were developed by CML in collaboration with its members as a means of bringing consistency and uniformity to sales tax collections across the state.

The uniform definitions being adopted by Windsor in this Ordinance are words and phrases that are already being used in the Sales and Use Tax Code and in the state-level exemptions incorporated by reference into the Sales and Use Tax Code. By adopting the uniform definitions, we are bringing our existing usages into alignment with the CML model.

The CML model also contains a number of defined terms that are not currently found in Windsor's Sales and Use Tax Code nor in the state-level exemptions incorporated therein. These definitions are not being included in the Ordinance before you this evening, thus avoiding defined terms that are not used in the body of our Code and its incorporated exemptions. The Finance Director and I feel we should not include definitions that have no place in our code. These remaining definitions will be considered for inclusion when the Finance Department undertakes its 2019 plan for a full update to the Sales and Use Tax Code.

In response to comments during the June 11, 2018, work session, the definition of *School* has been modified to incorporate the statutory definition of public schools and Charter schools, while retaining private schools that provide education for students K-12. This definition does not extend to home-school environments, however.

One definition that may be removed prior to second reading is *Food for Home Consumption*. After discussion with Mr. Hale and Mr. Moyer, it doesn't appear to belong in our Code because that definition is more suitable for municipalities that exempt food for home consumption from sales tax.

Mr. McCargar recommends the Town Board approve the Ordinance, with the understanding that it may come back for second reading with the *Food for Home Consumption* definition omitted.

Mayor Melendez asked if there were any questions or comments from Town Board Members.

Mayor Melendez inquired as to whether taxing food is an example of how the Home Rule powers are used in the Town of Windsor.

Mr. McCargar responded that because the Town of Windsor taxes food, the definition better fits a community that exempts Food for Home Consumption.

Town Board Member Sislowski thanked Mr. McCargar for the addressing his detailed commentary he sent in regards to this Ordinance.

Town Board Member Jones moved to approve Ordinance No. 2018-1562 as presented; Town Board Member Rennemeyer seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Bennett, Rennemeyer, Jones, Sislowski, Melendez; Nays- None; Motion passed.

9. Ordinance No. 2018-1563 – An Ordinance Repealing Article I of Chapter 18 of the Windsor Municipal Code, Making Certain Findings of Fact, and Adopting a Park Open Space and Trail Development Fee as Article XVIII of Chapter 17 of the Windsor Municipal Code.
- First Reading
 - Legislative action
 - Staff presentation: Eric Lucas, Director of Parks, Recreation & Culture

Mr. Lucas reported that in 2003, the Parks, Recreation, Trail and Open Lands Master Plan “highlighted that existing financial resources were falling short of meeting the increased service demands for parks a result of new growth and development”. This statement precipitated a Park Impact Study being commissioned with the premise that as new growth and development added rooftops / residents, that necessitated the need for neighborhood parks as well as proportional costs of improving community park sites to serve broader areas.

The result of the Park Impact Study was the refined definition of community parks and neighborhood park impact fees as well as the park fee in lieu of land. Additionally, the 2003 Parks, Recreation, Trail and Open Lands Master Plan recommended the goal of providing a neighborhood park within ½ mile of each home. Since that time the Town and Department have operated with this fee structure and park access goal.

- *Current Park Development Impact Fees*
 - Community Park: \$1,316
 - Neighborhood Park: \$3,897
 - Fee in Lieu of Land: \$52,970

- Note: Fees are currently adjusted annually based upon the Denver/Boulder CPI.

In late 2016, the Town Board adopted a Parks, Recreation & Culture Master Plan update that revealed that development and growth had achieved a very lofty 92% of all

residents were within a 10 minute walk of a recreation amenity (park or trail). Additionally the master plan identified a multitude of recommendations and action items (see attached Recommendations & Action Items) designed to continue moving the department forward into the foreseeable future (5 years). Among the recommendations and action items were the following:

- *Objective 1.1: Continue to provide equitable access to parks to the Town of Windsor*
 - Objective 1.1.b Evaluate park impact fees, park land dedication, and fees-in-lieu policy
 - To ensure that they continually cover expected cost.
- *Objective 1.5: Develop a system of prioritized growth and/or funding*
 - Objective 1.5.a Categorize growth opportunities by
 - Safety Issues
 - Impact of the Three Pillars of NRPA
 - Social Equity
 - Health and Wellness
 - Conservation
 - Available funding – is it dedicated and/or recurring?
 - Need and/or demand of service
 - Ability to generate revenue for the Department
 - Ability to partner
 - Potential impact (cost/benefit) to the
 - Department and to the Town
 - Equitable investment in divisions

As a result of the aforementioned recommendations and action items, staff determined that no further neighborhood parks were needed beyond the ones already having development agreements in place. Additionally staff determined that our focus moving forward should be on acquisition and buildout of community parks (see attached Developed Parks Buildout Map). This direction was adopted by the Town Board in April 2017 and identified what the Town's developed park system would look like at buildout. It does not identify final open space or trails at buildout.

With the end in mind, staff has been working to determine the cost to build-out the park the conclusion that we have accumulated enough funding in the neighborhood park fund to enable the Town to build them when they come online. Unfortunately, we do not have enough money to acquire and buildout our community parks and if we continue with our current fee structure the Town will realize a significant shortfall in the community park fund and an excess in the neighborhood park fund. Given that our code does not permit co-mingling of the funds the result would be that, we would have to refund the excess in funds once all neighborhood parks are built. Thus, the need to adjust how we collect the park impact fees from new development.

At the Town Board work session on March 26, 2018 staff showed the fund balances of both community and neighborhood park funds, the projected costs to buildout and the

impact of failing to take action by adjusting the impact. At that meeting, staff recommended that we modify our ordinance combines both fees (Neighborhood and Community Park) into one single park impact fee used for the development of any park, trail or open space in the Town of Windsor Park System. *The result is a net zero (\$0) effect to developers.* Until all funds are spent in the original fund accounts, this will result in three (3) funds to account for development and build out of our park system, the original funds (Neighborhood & Community Park) and the new Park Impact Fee Fund.

Town Board agreed and requested staff work with the Town Attorney to draft language that changes our park impact fees to a singular system and quickly return to Town Board for adoption. This occurred at a work session with Town Board on May 21, 2018 where the Board reviewed a draft ordinance that in effect repealed the current ordinance and created a new ordinance reflecting a single park development fee. The Board indicated consensus regarding the recommended code change. One key change to the proposed ordinance that staff was asked to examine was the use of the Denver/Boulder CPI as the annual inflation adjustment indicator. The Board indicated that we should consider using the Colorado Construction Cost Index provided by the Colorado Department of Transportation. Staff did examine this request and determined that it would be in the best interest of the Town to use the Construction Cost Index.

Staff recommends approval of the first reading of the ordinance-Repealing Article I of Chapter 18 of the Windsor Municipal Code, making certain findings of fact, and adopting a Park, Open Space and Trail Development Fee as Article XVIII of Chapter 17 of the Windsor Municipal Code.

Mayor Melendez asked if there were any questions or comments from Town Board Members.

Town Board Member Baker wished to confirm if we currently have a Trails Masterplan as well as an Open Space Masterplan.

Mr. Lucas responded that we do have a Trails Masterplan but do not currently have an Open Space Masterplan. Staff is working with consultants to create a scope of cost with the hope of bringing it back before the Town Board in the near future.

Mr. Baker inquired about the new fee being used for trails and if it would be used after parks are built as staff sees fit or does it happen concurrently.

Mr. Lucas responded that it could happen concurrently with one caveat, making sure we define the cost of the trail system.

Mr. McCargar added that this is a statutory requirement which in order to impose impact fees on new developments for new capital facilities, the statute requires that the costs be quantified. Therefore, until we quantify the cost of trails we will continue to collect the dollars but will not expend them until the quantification has been reviewed and approved by the Town Board. At that time we can then use this stream of revenue to build trails in addition to parks and open spaces.

Town Board Sislowski inquired that when the Article in the Section was changed if the cross references changed as well.

Mr. McCargar responded that Section 1 of this Ordinance says that we are repealing Article 1 of Chapter 18. In addition it states that it will be codified as reserved, meaning that we do not have to renumber the rest of Chapter 18.

Town Board Member Rennemeyer requested that staff give more detail on the Colorado Construction Cost Index according to CDOT.

Mr. Lucas responded that the index is put out quarterly by CDOT which looks at the cost of construction in the State and the fluctuation.

Mayor Melendez expressed that she is in favor of this Ordinance as it offers flexibility as we continue to move forward.

Town Board Member Rennemeyer moved to approve Ordinance No. 2018-1563 as presented; Town Board Member Bennett seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Bennett, Rennemeyer, Jones, Sislowski, Melendez; Nays- None; Motion passed.

10. Economic Development Report

- Staff Presentation: Stacy Johnson, Director of Economic Development

Ms. Jonson gave an overview of the Economic Development Report that was included in packet material.

Town Board Member Rennemeyer inquired about what is involved in a business retention visit.

Ms. Johnson responded that it's usually a one-on-one site visit where staff will tour the facility and discuss any issues they may be having or how the Town can assist them.

Town Board Member Sislowski inquired if the Town initiates the retention visits.

Ms. Johnson responded that at times the business owners will contact staff, however, the Economic Development Department is constantly maintaining the connectivity to the business industry and letting them know what services the town provides

Discussion also revolved around common questions from business owners, Regional Tours Authority and Broadband needs.

Ms. Johnson also reminded the Board of the upcoming Dutch Brothers Tour being held on June 29th at 10:00 a.m.

D. COMMUNICATIONS

1. Communications from the Town Attorney

Mr. McCargar wished to thank the community for sending him to the Colorado Municipal League Conference in Vail.

2. Communications from Town Staff

Mr. Lucas reminded the Town Board of the Farmers Market held on Saturday's and that the first night of the Farmers Market was a great success with three vendors selling out of product.

3. Communications from the Town Manager

None

4. Communications from Town Board Members

Mayor Melendez reviewed the future meetings calendar and also thanked the community for the Town Board's attendance to the Colorado Municipal League Conference.

E. ADJOURN

Town Board Member Rennemeyer moved to adjourn; Town Board Member Baker seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Bennett, Rennemeyer, Jones, Sislowski, Melendez; Nays-None; Motion passed.

The meeting was adjourned at 8:38 p.m.

A handwritten signature in blue ink that reads "Amanda Mehlenbacher". The signature is written in a cursive style with a large initial 'A'.

Amanda Mehlenbacher, Deputy Town Clerk