



TOWN BOARD REGULAR MEETING

October 12, 2020 - 7:00 PM

Town Board Chambers, 301 Walnut Street, Windsor, CO 80550 Zoom Meeting, Click on the link <https://windsorgov.zoom.us/j/96029271735?pwd=aXp4SElCbWVhZ1hQUE1nVy90blcrUT0> OR join by telephone at (888) 788-0099 or (877) 853-5247 - Webinar ID:960 2927 1735

MINUTES

A. CALL TO ORDER

Mayor Rennemeyer called the meeting to order at 7:01 p.m.

1. Roll call

Mayor Paul Rennemeyer
Mayor Pro Tem Ken Bennett
Scott Charpentier
Barry Wilson
Julie Cline
Victor Tallon
David Sislowski

Also Present:

Shane Hale, Town Manager
Ian McCargar, Town Attorney
Jessica Humphries, Admin Services Director
Aaron Lopez, Police Commander
Scott Ballstadt, Director of Planning
John Thornhill, Community Development Director
Carlin Malone, Chief Planner
Stacy Miller, Economic Development Director
McKenzie Payne, Visual Media Coordinator
Karen Frawley, Town Clerk

2. Pledge of Allegiance

Mayor Rennemeyer asked that all rise for the Pledge of Allegiance.

3. Review of Agenda by the Board and Addition of Items of New Business to the Agenda for Consideration

Town Board Member Sislowski moved to approve the agenda as presented, Town Board Member Tallon seconded the motion. Roll call on the vote resulted as follows; Yeas - Bennett, Charpentier, Cline, Rennemeyer, Sislowski, Tallon, Wilson; Motion Passed.

4. Proclamation

- Proclamation - National Community Planning Month

Mayor Rennemeyer read aloud the National Community Planning Month Proclamation.

5. Board Liaison Reports

- Town Board Member Charpentier - Chamber of Commerce, Clearview Library Board

Town Board Member Charpentier reported that the Clearview Library Board is focusing on determining their new location.

Town Board Member Charpentier reported that the Chamber of Commerce will meet on Thursday morning.

- Town Board Member Wilson - Planning Commission, Larimer County Behavioral Health Policy Council

Town Board Member Wilson reported that the Planning Commission met on October 7th regarding three items that will be coming before the Town Board.

Town Board Member Wilson reported that the Larimer County Behavioral Health Policy Council met on Monday, October 5th. There is a new advisory committee called the Consumer Advisory Committee comprised of service consumers who give feedback regarding the ease/difficulty in which to gain needed services in today's current environment. The annual report was discussed as well as the 2020 year in review. In December, there will be a groundbreaking for the new facility; once there is a confirmed date, it will be passed on.

- Mayor Pro Tem Bennett - Water and Sewer Board, 34, 74 and I-25 Coalition's

Mayor Pro Tem Bennett reported that the Water and Sewer Board will meet this Wednesday morning with two key items on the agenda. There will be a presentation and request for recommendation regarding a power sewer lift process for the commercial properties on Village East First Filing. There will also be some updated information on the MS4 permit process.

Mayor Pro Tem Bennett reported that the 34 Coalition did not meet this month, but have scheduled to meet the first Thursday in November.

Mayor Pro Tem Bennett reported that there is quite a bit of progress going on in the I-25 Corridor.

- Town Board Member Cline – Tree Board, Poudre River Trail Corridor Authority, Historic Preservation Commission

Town Board Member Cline reported that there is no report from the Tree Board as they have not met since the last meeting.

Town Board Member Cline reported that Historic Preservation Commission will be meeting this Wednesday and will have an update at the next meeting.

Town Board Member Cline reported that the Poudre River Trail Corridor Authority has begun meeting twice a month and has established various subcommittees. At the last meeting, an additional board member was confirmed for the City of Greeley; the Town of Windsor appointee is still being processed. The Authority is looking at possibly changing their name and removing the word "Trail" from the name. There is a full-time employee who works for the Poudre River Trail; the Authority has been reviewing the job description to see if the role needs to be revised. The Authority will be reviewing the financial updates and begin having quarterly reports.

- Town Board Member Tallon - Parks, Recreation and Culture Advisory Board, Great Western Trail Authority

Town Board Member Tallon reported that the Parks, Recreation, and Cultural Board met last week and reviewed next year's budget and discussed options for the Poudre River.

- Town Board Member Sislowski - Windsor Housing Authority, Windsor Severance Fire District

Town Board Member Sislowski reported that the Housing Authority will be meeting on the 20th of this month so there is no report since the last meeting.

Town Board Member Sislowski reported that the Windsor Severance Fire District did meet on October 8th. The current staffing at the Windsor Severance Fire District is seventy total staff members. Of that, forty-nine are full-time, ten are part-time, and eleven are volunteers. The year to date incident report shows one thousand nine hundred and ninety-three incident call outs. The District did look at their financial report for all of Q3 plus August and September and showed revenues a little bit behind because of the delay in the oil and gas collections. The District did respond by sending crews and equipment to the Cameron Peak Fire.

- Mayor Rennemeyer - Downtown Development Authority, North Front Range MPO

Mayor Rennemeyer reported that the Downtown Development Authority has not had a meeting since the last Board meeting. Matt Ashby, the Director of the DDA is sending out a weekly update to the DDA Board members which is being forwarded to the Town Board monthly.

Mayor Rennemeyer reported that the North Front Range MPO had their meeting on the 1st of October; there was a presentation from The Regional Air Quality Council. An executive session is scheduled at the November meeting regarding the Executive Director's contract for 2021.

6. Public Invited to be Heard

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

B. CONSENT CALENDAR

1. Minutes of the September 14, 2020 Regular Town Board Meeting - K. Frawley, Town Clerk
2. Minutes of the September 21, 2020 Town Board Special Meeting - K. Frawley, Town Clerk
3. Minutes of the September 28, 2020 Town Board Regular Meeting - K. Frawley, Town Clerk
4. Report of Bills September 2020
5. Resolution No 2020-77 A Resolution Approving an Intergovernmental Agreement Between the Town of Windsor and The Windsor-Severance Fire Rescue District Regarding Shared Geographic Information System (GIS) Data and Services, and Authorizing the Town Manager to Execute Same - J. Humphries, Administrative Services Director

The Town was approached by the Windsor-Severance Fire Rescue (WSFR) for the purposes of sharing GIS data for use in their new pre-planning software for operational awareness called FirstDue. The FirstDue platform compiles information such as structural information, addresses, water system information, shutoff locations, etc. from multiple sources such as the Assessor, Building Departments, and local municipalities and presents that information in a succinct application that helps emergency services to quickly gain operational awareness before arriving at any given scene. FirstDue is a GIS-centric application that relies on GIS data from these various sources.

Windsor-Severance Fire Rescue has identified the Town as one of these sources and has requested that the town share the following GIS data in support of this venture:

- GIS Address Points list that can be linked with the county/local assessor data using a unique key like PINs (Parcel Identification Numbers), AIN (Assessor Identification Numbers), or another internal key. It is also very helpful if this list contains address components, units, zip code, and city.
- Parcel layer
- Shapefile of their Fire Protection District.
- Hydrant data (Rest Service, Feature Layer, Shapefile, Geodatabase or CSV)
- Any Rest Service Layers. Examples include:
 - ArcGIS Imagery or Basemaps (Optional)

- Flood Plain layers
- Utility layers
- Fire Station Districts

The WSFR Board will be presented this IGA on the October 8th meeting by District staff. It is anticipated to be approved with no changes.

Town Board Member Tallon moved to approve the consent calendar as presented, Town Board Member Wilson seconded the motion. Roll call on the vote resulted as follows; Yeas - Bennett, Charpentier, Cline, Rennemeyer, Sislowski, Tallon, Wilson; Motion Passed.

C. BOARD ACTION

1. Public Hearing - Conditional Use Grant (CUG) for a Temporary Modular Classroom - Water Valley South 6th Filing Lot 2 - Joe Luethmers, Timberline Windsor Church, Applicant

Please see attached memorandum.

Town Board Member Sislowski moved to open the public hearing, Mayor Pro Tem Bennett seconded the motion. Roll call on the vote resulted as follows; Yeas - Bennett, Charpentier, Cline, Rennemeyer, Sislowski, Tallon, Wilson; Motion Passed.

Town Board Member Wilson stated "Mr. Mayor, in my capacity as the Town Board Liaison to the Planning Commission, that my participation in the Planning Commission proceedings have no way influenced me in my capacity as a Town Board Member. I will make her decision and cast my vote as a Town Board Member based solely on the evidence presented during this public hearing."

Per Ms. Malone, this item is for a Conditional Use Grant to allow for a temporary modular classroom at Timberline Windsor Church. This was previously approved in 2017 by the Town Board for a period of three years. This request has since expired and the applicant is asking to renew this request for another three years. On October 7, 2020, the Planning Commission forwarded a recommendation of approval to the Town Board of the Conditional Use Grant application, as presented, for a period of three years from the approval date.

Town Board Member Sislowski stated that in the application, it shows the need would be for one to two years and asked applicant Luethmers if there is going to be a permanent solution at the end of the three years. Mr. Luethmers stated that they hope to have a new facility on their new property.

Mayor Pro Tem Bennett moved to close the public hearing, Town Board Member Tallon seconded the motion. Roll call on the vote resulted as follows; Yeas - Bennett, Charpentier, Cline, Rennemeyer, Sislowski, Tallon, Wilson; Motion Passed.

2. Conditional Use Grant (CUG) for a Temporary Modular Classroom - Water Valley South 6th Filing Lot 2 - Joe Luethmers, Timberline Windsor Church, Applicant

Please refer to public hearing item (C.1) memorandum, exhibit, and presentation.

Town Board Member Tallon moved to approve the Conditional Use Grant for a temporary modular classroom, Town Board Member Sislowski seconded the motion. Roll call on the vote resulted as follows; Yeas - Bennett, Charpentier, Cline, Rennemeyer, Sislowski, Tallon, Wilson; Motion Passed.

3. Consideration of Resolution 2020-76, A Resolution Approving and Adopting the October 12, 2020 Intergovernmental Agreement between the Town of Windsor and Larimer County with respect to COVID-19 Testing Services

Larimer County has been working with the State of Colorado/CDPHE to allow CSU to conduct local COVID-19 testing as the turnaround from the state has been slow. While the state has been supportive of this direction, the feedback that Larimer County received is that the State didn't have the money to pay the full cost of each test (\$100), and has asked Larimer County to split the cost 50/50. The idea right now is that the municipalities will contribute towards the testing with CARES Act money based on a pro rata/population share, and then the County will be responsible for continued funding into 2021 as the CARES dollars will be gone.

Per Mr. Hale, the Town received \$405,000 for the Larimer County portion of the CARES Act funding with our share of this program being around \$13,000.00. Staff recommends that the Board approve Resolution 2020-76.

Town Board Member Sislowski asked if this is a potentially reimbursable CARES Act expense. Mr. Hale stated that he believes the Town will receive the entire \$13,000.00 back. Town Board Member Sislowski asked for clarification on who Larimer County is testing with this money and the cost per the Town is paying per test? Mr. Hale responded that it is for all Larimer County residents to be tested; the tests go to the CSU lab. Town Board Member Sislowski asked whether anybody who wanted to be tested, could potentially go and be tested. Mr. Hale responded that he believes that anybody who would be tested at a State lab would be eligible to go to a Larimer County lab.

Town Board Member Wilson moved to approve Resolution No. 2020-76 as presented, Town Board Member Tallon seconded the motion. Roll call on the vote resulted as follows; Yeas- Bennett, Charpentier, Cline, Rennemeyer, Sislowski, Tallon, Wilson; Motion Passed.

4. Resolution 2020-78 - A Resolution Objecting to Abandonment of Planning Efforts for the "O Street Connection" between U.S. 85 and I-25

As can be seen in the attached history of O Street efforts document (prepared by City of Greeley staff), Weld County, Greeley and Windsor had the foresight to identify and begin planning for the O Street corridor dating back to studies beginning in the early 2000s. The Crossroads/O Street Extension Study was completed in 2005 and the O Street Arterial Corridor Study, initiated by Weld County, was completed in 2008.

As stated in Weld County's Resolution Accepting the O Street Arterial Corridor Study (attached), "accepting this recommendation will allow Weld County and/or affected municipalities to preserve needed rights-of-way for the recommended arterial so as to allow construction when the optimal alignment is needed, and allows for implementation in an orderly fashion with the goal of minimizing impacts to adjacent properties in the future."

Based upon the preferred O Street route identified in the 2008 study, Weld County, Greeley and Windsor have been planning and acquiring or reserving rights-of-way for more than a decade, and capital investments have been made to incrementally improve the O Street corridor. The O Street corridor has been included in all of Windsor's adopted Comprehensive Plans and Transportation Master Plans since 2006.

In 2017, Weld County and Great Western Industrial Park (GWIP) partnered with the Town in a successful grant application for \$200,000 in Energy and Mineral Impact Assistance Program funding through the Department of Local Affairs for a total project estimated at \$428,500. The project funded preparation of initial designs through the GWIP. Windsor subsequently acquired right-of-way through much of the property as part of recent annexations and as development in the area continues, plans to finalize designs for O Street. Windsor currently has 60% plans from SH 257 to WCR 23 and are awaiting public/private opportunities with adjacent development to continue forward.

The O Street corridor is the only alternative truck route between US 34 and SH 392, and if it is removed from plans, it will only increase the reliance on those existing corridors and exacerbate future traffic issues, including continued truck traffic through downtown Windsor. It is not a multi-year project, but rather a multi-decade project, and requires all of the jurisdictions to stay the course. The key today is to continue preserving the corridor right-of-way so that future generations have the ability to build on the planning and investment that has gone into the corridor to date. Although O Street would likely be constructed by the municipalities, it is imperative that Weld County include the corridor in their long-range plans so that Greeley and Windsor have some assurance that their respective investments are not in vain.

Years of planning and investment should not be thrown away over details that can be easily addressed. Concerns such as nuisance lighting over the road and traffic may warrant further study, but they should not be used as a basis to simply dismiss the sound planning to date and the regional benefit that the O Street connection would provide.

Therefore, staff recommends that Town Board approve Resolution 2020-78 urging the Weld County Board of Commissioners to continue its ongoing partnership with Windsor and Greeley and continue to include the O Street regional connection on the County's Functional Classification map, and continue to preserve right-of-way for the corridor as development in the area occurs.

Per Mr. Ballstadt, Windsor, Greeley, and Weld County all have been partners in the O Street Corridor since the early 2000's. Identifying an East/West Corridor between I-25 and US-85 as being one of the last opportunities to relieve some of the congestion on State Highway 392 and US-34. A study that was completed identified a potential route which represents the last good alternate between Highway 392 and US-34. Now, the Weld County Commissioners are considering undoing previous work by removing the road from their transportation map. Staff has spoken with Weld County, as well as Greeley staff. Staff is all on the same page that this road is still as important as it ever has been and that it remain in everyone's long range plans. Therefore, staff recommends the Town Board approve the Resolution as a message that O Street remains a critical regional connection that should be preserved and removal of the connection from long range transportation plans would be a mistake.

Town Board Member Sislowski stated that in the presentation, it was stated that O Street was set to be an alternative to what we have today, but does not remember that discussion. If he knew that O Street was going to become a route to relieve truck traffic on Main Street, he would be supportive. Mr. Ballstadt stated that the study reviewed the potential deflection of 392 down to Crossroads Blvd.; that deflection would not serve the purpose that was intended going into the study of reducing truck traffic in downtown Windsor. The study does, however, reinforce the existing O Street Corridor that has been in the plans for the last fifteen years which would substantially relieve traffic on 392 and would serve as an alternative corridor for truck traffic. Town Board Member Sislowski stated that if in fact O Street was the solution for us, it would be great and makes sense. Town Board Member Sislowski stated that his concern is regarding the reasoning behind the Board of County Commissioners determining that this may not be a good idea. He stated that it feels that going forward with a decision may be premature without knowing the rationale or reason the Commissioners are against it and that they may have a very good reason. If the Board adopts this resolution and comes forward publicly, after which the Commissioners give their sound reasoning, the Board is going to look foolish. Town Board Member Sislowski stated that he just doesn't have enough understanding behind why Weld County would be taking it out when they have invested just as much in the study, and feels that this is being brought to the Board a little prematurely.

Mayor Pro Tem Bennett asked if staff was notified by Weld County as to when they were contemplating removing O Street from their transportation Master Plan. Mr. Ballstadt stated that staff had a virtual meeting with Weld County Public Works Transportation Planning staff about a month and a half ago. At that time, it wasn't brought up about removing it. Staff followed-up by email the following week and asked what the intentions with the Western portion of O Street and didn't receive a response back for a couple of weeks. It was about two and a half weeks ago that staff followed-up a third time and received word that the Commissioners had recently had some work sessions and during those meetings decided to remove that portion of O Street from their plan. Mayor Pro Tem Bennett asked for clarification reiterating that after fifteen years of working together and over \$600,00.00 of Windsor money, no notification was given from Weld County that they were considering removing O Street connection from their transportation master plan? Mr. Ballstadt stated that was correct. Mayor Pro Tem Bennett asked if Weld County had provided any reasoning as to why they might be considering removing O Street. Mr. Ballstadt stated that there was nothing that he could share as an official conversation from Weld County. Mayor Pro Tem stated that he has been told that CDOT informed Greeley they would not do any enhancements to the O Street connection at 85, but does not know if that is accurate as it did not come from CDOT. For the last several months, he has had indications that something was going on with O Street.

Town Board Member Sislowski asked what percentage, if plans are drawn out with the O Street Connector, is in Weld County versus Greeley or Windsor? Mr. Ballstadt responded that there are small segments that are part of the County. The real risk of removing this from the map is once the County approves development in between, Windsor and Greeley will not be able to make the connection. This is very similar to the lost opportunities if we wanted to implement a bypass around downtown. Town Board Member Sislowski stated that he understands that the Board of County Commissioners also approved for an agriculture heritage overlay in a lot of the

property where O Street was going to go, that creates it almost as a historic district, thereby restricting development or improvements he thinks.

Mayor Pro Tem Bennett stated that he hasn't heard anything official, but that there is some rumors about an industrial park going North of the learning center. However, he again reiterated, that it is all hearsay and nothing official. Mayor Pro Tem Bennett stated that he is more than willing to go speak at the next County Commissioner meeting depending on what the Town Board feels. The fact that they have discredited fifteen years and hundreds of thousands of dollars without notification to the Town is problematic. If it is their decision to remove O Street, then what comes next as the need is still there? If they remove that portion of the O street connector, the Town has a right to know what the plan is and what their commitment is to a new plan.

Mayor Rennemeyer stated that he was highly disappointed in this when he heard about it. What is very disheartening which the whole board needs to understand is that as soon as Weld County takes O Street out of their transportation master plan, they can very quickly remove all of the easements that were granted to these properties - basically completely nullifying and voiding the whole project. It is a very quick dissolution of the whole project; Windsor alone has more than \$600,000.00 invested in this project. Mayor Rennemeyer stated that he is highly disappointed and is willing to go with Mayor Pro Tem Bennett to the Board of County Commissioners meeting next Monday to get further clarification from them.

Town Board Member Wilson stated that he agrees with what Mayor Rennemeyer and Mayor Pro Tem Bennett said and that the whole lack of communication is troubling. Town Board Member Wilson stated that he feels disrespected as a Board and as a Town, being a major player in this and is on board to attend the meeting as well to speak up.

Town Board Member Tallon stated that he remembers having this plan in 2004 and everyone being excited because they knew it needed to happen. Town Board Member Tallon stated that this doesn't surprise him with the County Commissioners as they have been doing this for over twenty years since he has been on the Planning Commission. He too would also speak at the upcoming meeting as he is pretty upset with this.

Mayor Pro Tem Bennett asked if the resolution is passed, what will be done with it. Mr. Ballstadt stated that staff would take the executed resolution over to Weld County's Planning staff to be included in the future meeting packets so the County Commissioners would have the information to consider.

Board Member Cline moved to approve Resolution No. 2020-78, Town Board Member Tallon seconded the motion. Roll call on the vote resulted as follows; Yeas - Bennett, Charpentier, Cline, Rennemeyer, Tallon, Wilson; Nays - Sislowski; Motion Passed.

D. COMMUNICATIONS

1. Communications from Town Attorney

Per Mr. McCargar, no communications.

2. Communications from Town Staff

Per Commander Lopez, the Police Department would like to remind the public that on October 24th from 8:00 a.m. to 12:00 p.m. they are hosting The Drug Take Back Day when the public can come in and get rid of unused prescription medication safely.

3. Communications from Town Manager

Per Mr. Hale, the Monthly Board Report is attached to the packet and he is available if there are any questions. Earlier today, he sent out a 4th Street concept with a drawing and wanted to make sure that everyone saw it and again, is available if there are any questions or concerns. The Monthly Talking Points for October were placed at the diocese as well as sent out electronically.

a. Monthly Board Report

4. Communications from Town Board

Town Board Member Sislowksi inquired about the status of patio dining during the winter months. Mr. Hale responded that there are a handful of restaurants who have expressed an interest in continuing outdoors. Staff is working with them on an individual basis, working with Ayers Associates and the DDA to figure out solutions.

Mayor Rennemeyer expressed his appreciation to the facilities staff for making the partitions for the diocese.

E. ADJOURN

Town Board Member Tallon moved to adjourn, Town Board Member Wilson seconded the motion. Roll call on the vote resulted as follows; Yeas - Bennett, Charpentier, Cline, Rennemeyer, Sislowksi, Tallon, Wilson; Motion Passed.

Upon a motion duly made, the meeting was adjourned at 8:07 p.m.



Karen Frawley, Town Clerk