



Town Board Regular Meeting

September 23, 2024 - 7:00 PM

Town Board Chambers, 301 Walnut Street, Windsor, CO 80550

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MINUTES

A. CALL TO ORDER

Mayor Cline called the meeting to order at 7:00 p.m.

1. Roll Call

Present:

Mayor Julie Cline
Mayor Pro Tem Ron Steinbach
Brian Jones
Lainie Peltz
Ken Symsack
Rick Klimek
Jason Hallett

Also Present:

Dan Money, Town Attorney
John Thornhill, Community Development Director
Kim Emil, Deputy Town Attorney
David Eisenbraun, Long Range Planner
Ben Bodiker, Visual Media Supervisor
Karen Frawley, Town Clerk

2. Pledge of Allegiance

Mayor Cline asked Town Board Member Peltz to lead 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 Hallett moved to approve the agenda as presented, Town Board Member Steinbach seconded the motion. Roll call on the vote resulted as follows; Yeas - Julie Cline, Ron Steinbach, Brian Jones, Lainie Peltz, Ken Symsack, Rick Klimek, Jason Hallett; Nays - None; Motion Passed.

4. Proclamations

a. A Proclamation Honoring Sophia Smith for Her Contributions to the U.S. Women's National Soccer Team 2024 Gold Medal Victory

Mayor Cline read the proclamation aloud.

5. Presentations

a. APWA Asset Management Award

APWA Colorado Chapter President Mark Jackson will be in attendance to formally

present the 2024 APWA Asset Management Award to the Public Works Department.

6. Public Invited to be Heard

Mayor Cline opened the meeting up for public comment.

Lisa Dobel, Thomas Drouin, Cara Thorsen, Petra Dourin, Carol Carpenter, and Jill Steele all addressed the board regarding a proposed legislation they would like to see in Windsor banning store that sell pets obtained from puppy mills.

B. CONSENT CALENDAR

1. Approval of the September 9, 2024 Town Board Regular Meeting Minutes - K. Frawley, Town Clerk

Approval of the September 9th regular town board meeting minutes.

2. Resolution No. 2024-54 - A Resolution Initiating Annexation Proceedings for the Hayden Annexation to the Town of Windsor, Colorado - C. Malone, Chief Planner

Dax Hayden, owner/petitioner/applicant of Hayden Outdoors LLC, represented by Dan Brunk, also of Hayden Outdoors LLC, has filed a Petition to Annex dated September 9, 2024, proposing the annexation of approximately 40.161 acres of property to the Town of Windsor. The property is currently within unincorporated Weld County and the rectangular-shaped property boundary is contiguous with Windsor Corporate Limits along a portion of its eastern boundary. The property is immediately adjacent to and north of State Highway 392, south of Jacoby Road (Weld County 68.5), and west of the Haas Annexation, Weakland Annexation, and 17th Street, in Windsor. The property is within the Town's Growth Management Area (GMA), meaning, the Town had anticipated this area being annexed to the Town.

3. Resolution No. 2024-55 - A Resolution Creating an Ad Hoc Charter Review Committee and Appointing District Representatives to the Committee - D. Money, Town Attorney

The Town would like to establish an Ad Hoc Charter Review Committee to review the Town Charter and to propose any revision that may be needed to best serve the community. This review would look for ambiguity or inconsistencies in the Charter language that might be revised to prevent uncertainty in the interpretation of the Charter.

The Ad Hoc Charter Review Committee would consist of Board Members, Staff, and Representatives from each Town District. A Resolution establishing the committee and appointing the District Representatives is attached to this memo.

Town Board Member Hallett reported that the minutes should be amended under his report for Weld RE-4 changing the word chemical to mechanical.

Town Board Member Hallett moved to approve the consent calendar as amended, Town Board member Peltz seconded the motion. Roll call on the vote resulted as follows; Yeas - Julie Cline, Ron Steinbach, Brian Jones, Lainie Peltz, Ken Symsack, Rick Klimek, Jason Hallett; Nays - None; Motion Passed.

C. BOARD ACTION

1. Resolution No. 2024-56 - A Resolution Referring a Proposed Ordinance to the Registered

Electors of the Town of Windsor, Colorado

On Sunday, August 4, 2024, the Town Clerk received a citizen initiative petition, an initiative to strictly regulate, control and permit a limited number of state-authorized retail marijuana businesses within the Town of Windsor. The proponents were required to obtain at least 1,535 signatures in order to have a valid petition. The proponents collected and submitted 2,534. The clerk's office had 30 days to validate the signers on the petition, at which time, on September 3rd, an initial determination was submitted to the proponents. The initial determination deemed that there were 1,926 valid signers and therefore the petition was deemed valid and sufficient. The Town Clerk is required to bring the item before the Town Board for action within 20 days after the expiration of the protest period, as long as no protests are received, or no later than October 3, 2024.

Town Board agreed that the election date should be Tuesday, February 18th.

Town Board Member Hallett moved to approve Resolution No. 2024-56 with board recommended date, Town Board Member Jones seconded the motion. Roll call on the vote resulted as follows; Yeas - Julie Cline, Ron Steinbach, Brian Jones, Lainie Peltz, Ken Symsack, Rick Klimek, Jason Hallett; Nays - None; Motion Passed.

D. COMMUNICATIONS

1. Communications from Town Attorney

Per Mr. Money, he and Mr. Colin, town paralegal attended the Colorado Municipal League attorney conference last week and the sessions attended were very relevant to current issues.

a. Barry Wilson Ethics Complaint Update

On May 10, 2024, an ethics complaint against Barry Wilson was sent to the Town Attorney's Office, in accordance with the Town Charter ethics provisions. This complaint addressed an allegation that Barry Wilson did not disclose his employment with the Poudre River Trail Corridor (PRTC), nor did he recuse himself from the vote, at the time that he voted on the 2024 Town Budget as a Town Board Member. The budget voted upon included Town funding for the PRTC.

Under Charter provisions, the Town was obligated to employ an advisory judge to appoint a special prosecutor to conduct an investigation into the allegations and render findings upon this investigation. The special prosecutor was appointed, conducted an investigation, and submitted a report. The advisory judge subsequently closed the matter.

The special prosecutor's findings found that Mr. Wilson did fail to disclose and recuse himself during the vote on the budget. The Town Charter would require Mr. Wilson to do so under its ethics rules. However, the special prosecutor found that the Town suffered no financial harm and Mr. Wilson did not gain an additional benefit outside his normal salary, from his failure to disclose and recuse. Thus, the special prosecutor found no action or financial penalty was warranted against Mr. Wilson in this matter.

The Complaint, Findings and Judge's Order are attached. Per Mr. Money, the findings of

the ethics complaint against Barry Wilson were included in the packet. The findings were that Mr. Wilson did violate the charter, but all board members knew he was the executive director of the Poudre River Trail Corridor Authority and there was no financial gain to Mr. Wilson nor any harm to the town by not disclosing or recusing himself from voting on the budget.

2. Communications from Town Staff

a. Windsor Police August 2024 Statistics

3. Communications from Town Manager

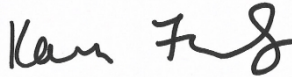
4. Communications from Town Board

Per Mayor Cline, Mr. Hale, Mr. Wendlandt and myself will be attending an Economic Development conference in Raleigh, Carolina at the end of the week which will be hosted by Tribe Development.

E. ADJOURN

Town Board Member Hallett moved to adjourn, Town Board Member Symsack seconded the motion. Roll call on the vote resulted as follows; Yeas - Julie Cline, Ron Steinbach, Brian Jones, Lainie Peltz, Ken Symsack, Rick Klimek, Jason Hallett; Nays - None; Motion Passed.

Upon a motion duly made, the meeting was adjourned at 7:46 p.m.



Karen Frawley, Town Clerk