



Town Board Regular Meeting

October 28, 2024 - 7:00 PM

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

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MINUTES

A. CALL TO ORDER

Mayor Cline opened the meeting at 7:09 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:

Shane Hale, Town Manager
Dan Money, Town Attorney
Eric Lucas, Deputy Town Manager
Aaron Lopez, Police Commander
Dean Moyer, Finance Director
Leif Lesoing, Water Resource Administrator
Kim Lambrecht, Senior Planner
Laura Browarny, Culture Supervisor
Ben Bodiker, Visual Media Supervisor
Karen Frawley, Town Clerk

2. Pledge of Allegiance

Mayor Cline asked Mayor Pro Tem Steinbach 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 Symsack moved to amend the agenda by moving item B.5 from consent to board action as item number C.1 and renumber all remaining agenda items, Town Board Member Hallett 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. Proclamation recognizing October 28, 2024 as National First Responders Day

b. Proclamation recognizing the week of November 4, 2024 as Colorado Law Enforcement Records Personnel Week

c. Proclamation Recognizing November 11, 2024 as Veterans Day

Mayor Cline read the proclamations aloud.

5. Public Invited to be Heard

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

B. CONSENT CALENDAR

1. Approval of the October 14, 2024 Town Board Regular Meeting Minutes - K. Frawley, Town Clerk

Approval of the meeting minutes.

2. Approval of the October 21, 2024 Town Board Special Meeting Minutes - K. Cinnamon, Deputy Town Clerk

Approval of the meeting minutes.

3. Board and Commission Appointment - K. Frawley, Town Clerk

During the week of October 15th, Mayor Cline and Town Board Member Klimek conducted Board and Commission interviews for vacant seats on the Windsor Downtown Alliance, Tree Board, Windsor Arts Commission, Parks, Recreation and Culture Advisory Board, and Board of Adjustment/Appeals.

4. Resolution No. 2024-58 - A Resolution Updating Liquor Licensing Fees for Liquor Licenses within the Town's Corporate Limits - K. Cinnamon, Deputy Town Clerk

At the September 23, 2024, Work Session, staff presented a legislative update on the 2024 Liquor Code changes. Part of the legislative update pertained to Colorado Revised Statute ("C.R.S.") Sec. 44-3-505 regarding the increase in local license fees. Within that statute, the legislature raised local liquor licensing fees for most licenses. Therefore, an updated fee schedule will be required to align with the state statute. The attached fee schedule updates the fees accordingly.

5. Resolution No. 2024-60 - A Resolution Ratifying the Clearview Library District's Interview Committee Selection of Jeromey Balderrama to Serve a Second Three-Year Term and Lisa Gagliardi to Serve a Three-Year Term on the Clearview Library District Board Pursuant to Section 4 of the District's Bylaws - D. Money, Town Attorney

The Town and the Weld Re-4 School District ("School District") formed the Windsor-Severance Library District, now known as the Clearview Library District ("Library District"). The Library District's Bylaws require that an Interview Committee ("Committee") be formed to assist the Library District in filling Library Board vacancies, such Committee consisting of School District appointees, a Town of Severance appointee, a Town Board appointee, and a member appointed by the Library District. The Committee interviewed qualified candidates for two (2) available board member positions and has recommended the reappointment of Jeromey Balderrama and the appointment of Lisa Gagliardi to fill these positions, commencing on January 1, 2025. The Library District Board has approved the Committee's selection, and has requested that the Windsor Town Board ratify these appointments.

Town Board Member Hallett moved to approve the consent calendar as amended, 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.

C. BOARD ACTION

1. Resolution No. 2024-59 A Resolution Approving The 2024 New Cache Catlin Agreement Between And Among The Town Of Windsor, Kern Reservoir And Ditch Company, The New Cache La Poudre Irrigating Company And The Cache La Poudre Reservoir Company - L. Lesoing, Water Resource Administrator

The Town of Windsor ("Town") and the Kern Reservoir and Ditch Company "Kern" jointly filed a water court application for the change of use of 42.25 New Cache la Poudre Irrigation Company Shares ("New Cache") and 27.5 shares of Cache La Poudre Reservoir Company Shares "Reservoir Company" in Case No. 2021CW3093. The Town and Kern will use the changed shares for augmentation. New Cache and the Reservoir Company have company bylaws that require the Companies approval of the change of use in shares. This provision is commonly referred to as a "Catlin Agreement." This bylaw protects all shareholders in a mutual ditch company.

The changed water rights will yield about 400 acre-feet to the Town's non-potable supplies.

Town Board Member Hallett moved to approve Resolution No. 2024-59, 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.

2. Public Hearing - Ordinance 2024-1705 - Designation of 411 Main Street as a Local Historic Landmark - Chris and Annie Lloyd, Owners; Maya Barboa-Ojinaga and Sam Sedoryk (Town of Windsor Museum Education Specialists), Applicants.

Ms. Maya Barboa-Ojinaga and Mr. Sam Sedoryk (Town of Windsor Museum Education Specialists), on behalf of Chris and Annie Lloyd, owners of 411 Main Street, have submitted a nomination to designate the above referenced property as a local historic landmark.

The building was built in 1911 by Mr. George E. Osterhout and originally operated as F.A. Foster's barber shop, after having been the location of Mr. Osterhout's lumberyard, hardware and farm machinery sales operation. The building has been home to a number of other different businesses over the years, including an insurance agency, a record shop, a shoe repair shop, a coffee shop, a hair salon and now a tattoo parlor.

Town Board Member Jones stated "I am the Town Board liaison for the Historic Preservation Commission. I was in attendance when both properties were talked about, however that will not sway my decision-making whatsoever."

Mayor Cline opened the public hearing.

Staff presented on the designation of 411 Main Street as a Local Historic Landmark.

Mayor Cline closed the public hearing.

3. Ordinance No. 2024-1705 - An Ordinance Designating 411 Main Street, Windsor, Colorado, as a Local Historic Landmark Pursuant to the Requirements of Article XVI of Chapter Fifteen of the Windsor Municipal Code - Chris and Annie Lloyd, Owners; Maya Barboa-Ojinaga and Sam Sedoryk (Town of Windsor Museum Education Specialists), Applicants.

Please refer to the information and attachments found in the previous Public Hearing item.

Town Board Member Hallett moved to approve Ordinance No. 2024-1705, 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.

4. Public Hearing - Ordinance 2024-1706 - Designation of 513 Main Street (Yancy Block) as a Local Historic Landmark - Four Eyes Holding LLC (Dr. Brent Phinney), Owner; Maya Barboa-Ojinaga and Sam Sedoryk (Town of Windsor Museum Education Specialists), Applicants.

Ms. Maya Barboa-Ojinaga and Mr. Sam Sedoryk (Town of Windsor Museum Education Specialists), on behalf of Dr. Brent Phinney (Four Eyes Holding LLC), owner of 513 Main Street (Yancy Block), have submitted a nomination to designate the above referenced property as a local historic landmark.

The building was constructed in 1905 by architect Alice M. Felmlee, for Mr. Charles A. Yancy an influential community member of the time. While the building itself provides historical significance, Mr. Yancy's legacy also contributes to its fundamental foundation as a historic landmark. While Mr. Yancy did not operate any businesses from Yancy Block, the building was home to many businesses and activities such as: an armory for the Colorado National Guard, a tire shop, laundry/cleaners, a furniture store, billiards room and confectionary. The second floor initially operated as a hotel, until its conversion to apartments in the mid 19th century.

Mayor Cline opened the public hearing.

Staff presented on the designation of 513 Main Street as a Local Historic Landmark.

Mayor Cline closed the public hearing.

5. Ordinance No. 2024-1706 - An Ordinance Designating the Yancy Block Building, located at 513 Main Street, Windsor, Colorado, as a Local Historic Landmark Pursuant to the Requirements of Article XVI of Chapter Fifteen of the Windsor Municipal Code - Four Eyes Holding LLC (Dr. Brent Phinney), Owner; Maya Barboa-Ojinaga and Sam Sedoryk (Town of Windsor Museum Education Specialists), Applicants.

Please refer to the information and attachments found in the previous Public Hearing Item.

Town Board Member Hallett moved to approve Ordinance No. 2024-1706, 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.

6. Ordinance No. 2024-1703 - An Ordinance Repealing and Reenacting Article III of Chapter 4 Sales and Use Tax, Amending Article VI Chapter 4, and Amending Article III of Chapter 6 Business Regulations of the Windsor Municipal Code

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

Town Board Member Hallett moved to approve Ordinance No. 2024-1703, Town Board Member Klimek 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.

7. Ordinance No. 2024-1704 - An Ordinance Amending Section 6-1-50 and 6-5-40 of the Windsor Municipal Code Concerning Recent Legislative Changes Converting The Lodging and Entertainment Facility License Into Separate Licenses for Lodging Facilities and Entertainment Facilities

At the September 23, 2024 work session, staff presented a legislative update on the 2024 Liquor Code changes. SB 24-131 was a very large bill that made many changes to the state liquor code. Part of these changes included converting the Lodging and Entertainment Facility License into two (2) separate licenses: Lodging Facility License and an Entertainment Facility License. Therefore, the Town needs to amend the Municipal Code to reflect these changes. The attached Ordinance amends and converts any reference to the Lodging and Entertainment Facility License into the two separate licenses, and updates the references within our Code to align with the state statute. Mayor Cline opened the meeting up for public comment, to which there was none.

Town Board Member Hallett moved to approve Ordinance No. 2024-1704, 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.

8. Resolution 2024-61 - A Resolution of The Town Of Windsor, Colorado, Consenting To The Dissolution Of East Fossil Creek Ranch Metropolitan District No. 1

Town Board Member Hallett moved to approve Resolution No. 2024-61, 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.

9. Resolution No. 2024-62 - A Resolution Approving An Agreement For Development Incentives Between the Town of Windsor, Colorado and King Soopers.

Economic Development staff began meeting with King Soopers over 8 years ago to discuss expanding their facility. Currently, the existing King Soopers location is doing 2 ½ times the volume the store was designed for, which causes long lines and continual restocking of inventory. In addition, 27% of Windsor residents leave town to do their grocery shopping, resulting in a loss of tax revenue and increased traffic.

King Soopers Expansion project overview:

Total Project Investment	\$43,000,000
Land	22 acres
Building	123,000 SF
New Full-time Jobs	175
New Part-time Jobs	100

10-year net fiscal economic impact \$22,561,483

Town Board Member Hallett moved to approve Resolution No. 2024-62, 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.

D. COMMUNICATIONS

1. Communications from Town Attorney

2. Communications from Town Staff

a. September 2024 Windsor Police Statistics

3. Communications from Town Manager

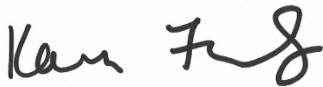
Per Mr. Hale, a reminder of the Weld County dinner on Wednesday, October 30th, and the Eastman Park Wetlands Experience ribbon cutting will be taking place Tuesday, October 29 from 4:00 to 5:00 p.m.

4. Communications from Town Board

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 8:38 p.m.



Karen Frawley, Town Clerk