



Town Board Regular Meeting

December 9, 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:

Shane Hale, Town Manager
Dan Money, Town Attorney
Jess Humphries, Information Services Director
Eric Lucas, Deputy Town Manager
Scott Ballstadt, Planning Director
Dean Moyer, Finance Director
Kim Mihm, Deputy Town Attorney
Doug Roth, Civil Engineer
Kyra McKinley, Visual Media Coordinator
Karen Frawley, Town Clerk

2. Pledge of Allegiance

Mayor Cline asked Town Board Member Hallett 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 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.

4. Presentation

a. American Public Works Association (APWA) Colorado Chapter Asset Management Project Award

APWA Colorado Chapter Past President Mark Jackson will be in attendance to formally present the APWA Colorado Chapter Asset Management Project award to the Public Works Department.

5. Board Liaison Reports

Mayor Pro Tem Steinbach - Larimer County Behavioral Health Policy Council, Windsor Housing Authority

Mayor Pro Tem Steinbach reported that the Larimer County Behavioral Health Policy Council met on the 2nd, which was the one-year anniversary of the opening of the new facility. The meeting was a joint meeting of the policy council, the technical advisory committee, and the consumer advisory committee. There was over six thousand five hundred visits last year and there is still room for more beds, but do not have the staff to have more beds.

Mayor Pro Tem Steinbach reported that the Windsor Housing Authority has not met since the last provided update.

Town Board Member Jones - Historic Preservation Commission, Tree Board

Town Board Member Jones reported that the Historic Preservation Commission has not met since the last provided update.

Town Board Member Jones reported that the Tree Board held discussion on plans for 2025 that will continue into the next meeting. A theme for the Arbor Day poster contest was decided, which will be "We need trees". The 2025 calendars have come in and will be distributed to board members. The December meeting has been canceled.

Town Board Member Peltz - Clearview Library Board, Great Western Trail Authority

Town Board Member Peltz reported that both boards met on a day that she had a conflict and therefore there is no update.

Town Board Member Symsack – Parks, Recreation and Culture Advisory Board, Windsor Arts Commission

Town Board Member Symsack reported that the Parks, Recreation and Culture Advisory Board heard from the athletics division who had an exciting year with strong participation in all programs. Adult sports thrived with innovative additions like turkey ball, which is baseball but running backwards. They are wanting to branch out with other venues like 3 v 3 basketball tournaments. Youth sports remain the cornerstone and will have opportunities for competitive leagues for girls.

Town Board Member Symsack reported that the Windsor Arts Commission has not met since the last provided update.

Town Board Member Klimek - Chamber of Commerce, Water and Sewer Board

Town Board Member Klimek reported that neither board has met since the last provided update.

Town Board Member Hallett - Planning Commission, RE-4 School District, Windsor Downtown Alliance

Town Board Member Hallett reported that the Planning Commission has not met since the last provided update.

Town Board Member Hallett reported that the RE-4 School District has not met since the last provided update.

Town Board Member Hallett reported that the Windsor Downtown Alliance is on the agenda for the budget.

Mayor Cline - Poudre River Trail Corridor Authority, I-25 Coalition, North Front Range MPO, US34 Coalition & NoCo34 TMO

Mayor Cline reported that the Poudre River Trail Corridor Authority has not met since the last provided update.

Mayor Cline reported that the I-25 Coalition received some project updates and reviewed the Mulberry/I-25 interchange update and want to get a new study completed.

Mayor Cline reported that the North Front Range MPO elected its officers for 2025. The past President was Jon Mallo from Loveland, the new President is Johnny Olson from Greeley, and the Vice President is Kristin Stephens, Larimer County Commissioner. The annual review for the executive director was complete and he will stay on staff for 2025.

Mayor Cline reported that the US34 Coalition introduced the new executive director that was hired. The 2025 officers were elected, and the new Chair is Weld County Commissioner, Scott James, and the Vice Chair is Jon Mallo from Loveland, and the Treasurer is out of Estes Park. The MPO is working on obtaining the 501(3)(c) status and needs the officers to be designated.

6. 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 November 25, 2024 Town Board Regular Meeting Minutes - K. Frawley, Town Clerk

Approval of the meeting minutes.

2. Resolution No. 2024-79 - A Resolution Approving an Intergovernmental Agreement Between the Town of Windsor and Colorado Department of Transportation With Respect to the 7th Street Bridge Rehabilitation Project, Curtis Templeman, Public Works Superintendent - Engineer

7th Street bridge over the Poudre River was constructed over 40 years ago with the 7th Street (WCR 17) realignment. During a bi-annual bridge inspection, CDOT's consultant identified deterioration on the bridge structure lowering the rating on the bridge, requiring repairs to be made.

The IGA allows the Town of Windsor to receive up to \$330,275.00 of federal-aided funds to assist in completing the bridge repairs.

3. November Report of Bills - D. Moyer, Finance Director

Town Board Member Hallett moved to approve the consent calendar as written, 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. Ordinance No. 2024-1707 - An Ordinance Amending Portions Chapter 14, 15, 16, and 17 of the Town of Windsor Municipal Code Concerning Land Use

Executive Summary

Chapters 14 through 17 of the Town's Municipal Code, which collectively make up the Town's Land Use Code, were updated in February 2024. Recent state house bills require the need to update several sections within the code, described herein. Additionally, there is a need to amend some areas to address corrections or clarifications to resolve ongoing issues with the current code.

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

Town Board Member Hallett moved to approve Ordinance No. 2024-1707, 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.

2. Ordinance No. 2024-1708 - An Ordinance Repealing, Amending and Readopting Portions of Article III of Chapter 13 of the Windsor Municipal Code with Respect to Stormwater Basin Fees Imposed by The Town's Stormwater Drainage Utility Enterprise

The Storm Drainage Fund is, by classification, a self-funding enterprise of the Town of Windsor. Revenues must generally be adequate to cover both operating and capital expenditures.

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

Town Board Member Hallett moved to approve Ordinance No. 2024-1708, 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.

3. Ordinance No. 2024-1709 - An Ordinance Approving Deed of Dedication for Public Road Right-of-Way Between the Town of Windsor and Weld County Concerning Weld County Road 72

First reading of Ordinance No. 2024-1709 was approved by the Town Board on November 25, 2024. Ordinance No. 2024-1709 is an Ordinance Approving Deed of Dedication for Public Road Right-of-Way Between the Town of Windsor and Weld County Concerning Weld County Road 72 right of way.

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

Town Board Member Hallett moved to approve Ordinance No. 2024-1709, 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.

4. Ordinance No. 2024-1710 - An Ordinance approving the execution of a quitclaim deed between and among the Town of Windsor, the Town of Eaton, the Town of Severance and the Fort Collins-Loveland Water District to grant real property rights to the Cobb Lake Regional Water Treatment Authority

For the purposes of creating the Cobb Lake Regional Water Treatment Authority, the Town of Windsor, Town of Eaton, Town of Severance and the Fort Collins-Loveland

Water District bought land to be conveyed to and to be utilized by CLRWTA. Each entity making up CLRWTA will go to their Board to approve a quitclaim deed to transfer this property. Mayor Cline opened the meeting up for public comment, to which there was none.

Town Board Member Hallett moved to approve Ordinance No. 2024-1710, 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.

5. Resolution No. 2024-72 - A Resolution Approving The 2025 Windsor Downtown Development Authority Budget; Making Annual Appropriations For The Windsor Downtown Development Authority For The Fiscal Year Ending December 31, 2025; And Fixing The Mill Levy For The Windsor Downtown Development Authority District For The Fiscal Year Ending December 31, 2025

This item was continued from the November 25th Town Board Regular Meeting. Mayor Cline opened the meeting up for public comment.

Dan Stauss from 201 Cattail Bay in Windsor addressed the board regarding the DDA mil levy for 2025 and a petition for permeant removal of the DDA mil levy.

Brent Phinney from 920 Palomino Way in Windsor addressed the board regarding the DDA mil levy for 2025 and permeant removal of the DDA mil levy.

Cindy Peterson from 505 and 503 Main Street in Windsor addressed the board regarding the DDA mil levy and expanding the DDA boundaries.

Craig Peterson from 505 and 503 Main Street in Windsor addressed the board regarding the DDA mil levy and expressed gratitude to the board for listening to the concerns that were brought up.

Town Board Member Hallett moved to approve Resolution No. 2024-72, 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. 2024-1712 - An Ordinance Amending Section 2-10-20 of the Windsor Municipal Code to Update the Number of Commissioners for the Windsor Housing Authority and the Duration Served for each Commissioner

The Windsor Housing Authority ("WHA") wishes to increase the number of its commissioners from five to seven. It also desires to shorten the term of service from five years to four years. This change would require that the Windsor Municipal Code be amended by Ordinance.

Town Board Member Hallett moved to Ordinance No. 2024-1712, 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.

7. Ordinance No. 2024-1713 - An Ordinance Imposing A Temporary Moratorium On The Submission, Acceptance, Processing, And Approval Of Applications For The Establishment Of A Business That Cultivates, Processes, Or Dispenses Natural Medicine And The Establishment Of Any Business, Occupation, Or Operation For Healing Centers

Proposition 122 established the Natural Medicine Health Act of 2022. This Act allows natural healing centers to use psilocybin and psilocin as natural medicine in the treatment of mental health. The Act prohibits municipalities from outlawing natural medicine completely, but it does allow municipalities to create reasonable laws and zoning restrictions around these centers and uses. The State begins licensing this use on January 1, 2025. In order to draft responsive zoning laws and regulations surrounding this new use, the Town wishes to impose a temporary moratorium on the business use and cultivation of psilocybin and psilocin. The attached Ordinance establishes that moratorium.

Town Board Member Hallett moved to Ordinance No. 2024-1713, 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.

8. Resolution No. 2024-80 - A Resolution in Opposition to the Town of Windsor Referred Ballot Issue Proposing the Sale of Recreational Marijuana Within The Town on the February 18, 2025 Special Election

On November 25, 2024, the Town Board called for a special election due to a petition for an initiative that would allow for the cultivation, testing and retail sale of marijuana within the Town. This special election is set for February 18, 2025. The Town Board wishes to adopt a resolution in opposition to this ballot issue.

Town Board Member Steinbach moved to amend the resolution and strike the word financial from the sixth whereas, Town Board Member Jones seconded the motion. Roll call on the vote resulted as follows; Yeas - Julie Cline, Ron Steinbach, Brian Jones, Lainie Peltz, Rick Klimek, Jason Hallett; Nays - Ken Symsack; Motion Passed.

Town Board Member Hallett moved to approve Resolution No. 2024-80 as amended, Town Board Member Klimek seconded the motion. Roll call on the vote resulted as follows; Yeas - Julie Cline, Ron Steinbach, Brian Jones, Rick Klimek, Jason Hallett; Nays - Lainie Peltz, Ken Symsack; Motion Passed.

9. Resolution No. 2024-81 - A Resolution in Support of the Referred Ballot Issue Proposing Amendments to Sections 3.1(C), (D), 3.3(A), (B), 3.5, 3.7(A), (B), 4.7(B), 4.9(B) and 6.4(B) of the Town of Windsor Home Rule Charter on the February 18, 2025 Special Election

On November 25, 2024, the Town Board initiated an Ordinance sending to the Windsor electorate amendments to the Town Charter. These amendments will be voted on at a special election set for February 18, 2025. The Board wishes to adopt a Resolution in support of these amendments.

Town Board Member Hallett moved to approve Resolution No. 2024-81, 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

2. Communications from Town Staff

3. Communications from Town Manager

Per Mr. Hale, the monthly board report for focus area updates were included in the packet. Staff is working on implementing the new plan in Enviro, which will happen in December. In January, the board will see the new plan.

a. Monthly Board Report - Focus Area Updates

1. Strategic Growth

Assess and address long-term capital facilities needs (50% completed)

The Town Board approved the 2025 budget, which includes \$5M to remodel the former police station into a new community development center.

2. Sustainable Infrastructure

Partner with regional/ state/ federal agencies to design and implement a well-connected, efficient, safe multi-modal public transportation network (59.17% completed)

- Staff continues to move forward with design plans for the SH392 Widening Project (west of Colorado Blvd/WCR13 to Highland Meadows Parkway), in hopes of getting the project shovel-ready to be competitive for future funding opportunities. The design is 60% complete, and the design team is currently working to modify the preliminary construction plans based on plan reviews from CDOT, Larimer County, and Town staff. Staff is also working on resubmitting an application for the RAISE Grant. Applications are due January 2025.
- Efforts to improve traffic flow at the intersection of SH392/SH257 have been put on hold. Staff is slated to finish the plan set by the end of the year and then shelve the plans until further notice.
- Harmony Road widening/improvements from CR15 to SH257 are on hold until 2025.

3. Vibrant and Healthy Economy

Enhance and expand downtown vitality (85% completed)

Staff is working with the WDA (Windsor Downtown Alliance) to establish a redevelopment incentive to encourage development in the downtown region. They are also working on the redevelopment of sites in our downtown to help new businesses prosper in our community. Sip and Flip - a family-friendly and family-run retro pinball and video game arcade located in the heart of downtown opened for business and another restaurant is soon to follow. Brownfields grants for the 4th Street gas station site are being explored as well. The EPA's Brownfields Program provides grants and technical assistance to communities and others to assess, safely clean up, and sustainably reuse contaminated properties.

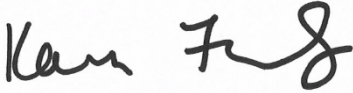
4. Communications from Town Board

Per Mayor Cline, thank you to those who put together the Windsor Winter Wonderland on Saturday. It was very packed, great weather, and a nice event that was put on by the Town. Wreaths Across America will take place on Saturday, December 14th at 10 a.m. at the cemetery.

E. ADJOURN

Town Board Member Hallett moved to adjourn, 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.

Upon a motion duly made, the meeting was adjourned at 8:22 p.m.

A handwritten signature in black ink, appearing to read "Karen Frawley". The signature is written in a cursive, flowing style. The first name "Karen" is written in a larger, more prominent script, and the last name "Frawley" follows in a similar but slightly smaller script. The signature is positioned on a light gray rectangular background.

Karen Frawley, Town Clerk