Town Board Regular Meeting

April 27, 2026 - 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 7:00 p.m.

1. Roll Call

Present:	Mayor Julie Cline Mayor Pro Tem Ron Steinbach Brian Jones Lainie Peltz Ken Symsack Rick Klimek - virtual Jason Hallett
Also Present:	Shane Hale, Town Manager Dan Money, Town Attorney Eric Lucas, Deputy Town Manager Kim Mihm, Deputy Town Attorney Dean Moyer, Finance Director Evan Wendlandt, Economic Development Director Mark Price, Planner II Sandra Mezzetti, Senior Planner Jill Preston, Civil Engineer IV Scott Ballstadt, Planning Director Omar Herrera, Engineering Director Brian Rowe, Public Works Director Karl Gannon, Budget Analyst John Thornhill, Community Development Director Rece Lampe, Digital Communications 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 Hallett moved to approve the agenda as presented, 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. Proclamations

   a. Economic Development Week

      Mayor Cline read the proclamation aloud.

5. Outside Agency Report

   a. Windsor Severance Historical Society Statue Project - Kristie Melendez

      Former Mayor Kristie Melendez, President of the Windsor Severance Historical Society, presented a proposal for a bronze sculpture to be installed at Boardwalk Park.

      The proposed sculpture is a 19-foot, 2-inch bronze piece designed in the shape of a shovel set into the ground, with the height chosen to mark 1902, the year the sugar beet industry began in Windsor. The total project cost was estimated between $250,000 and $260,000, with the difference dependent on bronze casting costs at the time of production.

      The Board expressed broad support for the project. Mayor Cline noted that the Town's discretionary fund had already been reduced due to other capital demands and nonprofit commitments this year, but confirmed the Board's consensus to commit $10,000. The Board indicated further support could be considered as the year progressed and through the next budget cycle.

6. Public Invited to be Heard

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

B. CONSENT CALENDAR

1. Approval of the April 13, 2026 Town Board Regular Meeting Minutes - K. Frawley, Town Clerk

   Approval of the meeting minutes.

2. Resolution No. 2026-20 - A Resolution Approving the Weld County Threat Assessment Group Memorandum of Understanding - K. Clow, Police Commander

   The Weld County Threat Assessment Group is a multi-jurisdictional, multi-disciplinary group that is newly formed in Weld County. It follows a model used in many counties, including Larimer County, where the Windsor Police Department has participated in that Threat Assessment Group for several years. The idea is to bring together service providers in a regional on a regular basis to share information about individuals who may be displaying concerning and threatening behaviors. This information sharing allows group members to be aware of these individuals, make sure they are receiving the services they need, and make sure there is monitoring and intervention, if required. This model has proven to be successful nationally in identifying, monitoring, and preventing violence from individuals who have exhibited indicators of violence. There is no financial obligation to be part of this group and the MOU is similar to the one we have signed and are operating under with the Larimer County TAG.

3. Resolution No. 2026-21 - A Resolution Accepting and Ratifying an Easement for the Oklahoma Drainage Basin - D. Roth, Civil Engineer

   The 2026 Capital Improvement Program includes the Oklahoma Drainage Basin Interim Improvements at Weld County Road 17. The project involves installing an early flood warning system near the culvert crossing of WCR 17 at the arroyo just north of WCR 60. Based on engineering analysis, WCR 17 is at risk of overtopping where the culvert is located.

During design of the warning system, it was discovered that defined easements did not exist for portions of the historic box culvert extending outside WCR 17 ROW. Staff worked with the warning system designer as well as the property owner west of WCR 17 to determine necessary easement limits. A proposed utility and drainage easement was drafted that covers the box culvert extension on the west side of WCR 17 and also all the flood warning system components. The property owner has signed the easement and has not requested any compensation for the easement.

4. Resolution No. 2026-22 - A Resolution Accepting a Deed of Dedication for Right of Way from the Winter Farm Metropolitan District No. 2 to the Town of Windsor Concerning Pagosa Drive - D. Roth, Civil Engineer

   During design of the King Soopers site plan, located northeast of the intersection of SH 392 and Hollister Lake Road, it was determined that additional off-site ROW was needed to support planned improvements. ROW for the northern portion of Pagosa Drive was dedicated during platting of Winter Farm Subdivision, but a greater ROW width is needed to support the planned street and sidewalk cross-section. Pagosa Drive will be extended south across the King Soopers property to SH 392. The area of deficient ROW is on Pagosa Drive just south of Sundance Drive. Two narrow strips of ROW are needed from the Winter Farm Metropolitan District No. 2 so that Pagosa Drive can be constructed with adequate sidewalks and bike lanes.

   The King Soopers Team coordinated with Town staff on ROW dedication format and language. Staff directed the King Soopers Team to have the ROW dedicated from Winter Farm Metropolitan District No. 2 to the Town of Windsor. The King Soopers Team then directly coordinated with Winter Farm Metropolitan District No. 2 and obtained ROW dedication signoff from Winter Farm Metropolitan District No. 2.

5. Resolution No. 2026-23 - A Resolution Accepting a Deed of Dedication of Right of Way from Janel and Scott Gromer to the Town of Windsor Concerning the Realignment of Weld County Road 13/Colorado Boulevard Near Kyger Reservoir - S. Pearson, Transportation Engineer

   Engineering has been working to acquire right-of-way (ROW) necessary to build the Realignment of Weld County Road 13/Colorado Boulevard project near Kyger Reservoir and Jacoby Rd. The parcel in this agenda item will secure ROW necessary for public use as a perpetual right-of-way for street, road, and utility purposes following the new roadway alignment. Town Board approval of the deed of dedication is needed so the Town can get CDOT ROW clearance and CDOT concurrence to advertise for construction.

6. Resolution No. 2026 - 24 - A Resolution Approving and Adopting an Intergovernmental Agreement Between the Town of Windsor and the Colorado Department of Transportation Concerning the Maintenance of State Highways within the Town of Windsor - B. Rowe, Director of Public Works

   The Town has established an agreement with the Colorado Department of Transportation (CDOT) to maintain CDOT- owned roads and infrastructure within the Town's jurisdiction. The specific segments include State Highway 257, from Mile Marker 9.590

to Mile Marker 12.000, encompassing 9.64 lane miles, and State Highway 392, from Mile Marker 100.500 to Mile Marker 104.470, encompassing 19.85 lane miles, for a total of 29.59 lane miles maintained by the Town. This agreement enables the Streets and Storm Drainage Division to uphold CDOT-owned roads at the Town's standard level of service (LOS), which typically exceeds CDOT's LOS. Additionally, the Town can respond more promptly in most cases rather than waiting for CDOT.

The existing intergovernmental agreement (IGA) with CDOT is set to expire on June 30, 2026. Negotiations for the renewal of this IGA for another five-year term have been ongoing. The proposed new five-year IGA will increase the annual reimbursement rate from $1,450 per lane mile, totaling $42,760.50, to $1,595 per lane mile, totaling $47,036.50, reflecting a 10% increase. The updated IGA will align with the State Fiscal Year and will be effective from FY2027 to FY2031.

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. Public Hearing - Request for a Conditional Use Permit to allow for the temporary keeping of animals on a lot smaller than 2.5 acres within the Estate Residential (ER) zone district for Westwood Village Subdivision 7th Filing, Lot 16 (636 Southwood Lane) - Adam Luckeroth, Applicant/Property Owner

   Mayor Julie Cline recused herself from Board Action Items 1 and 2, citing proximity to the subject property, and stepped away from the dais. Mayor Pro Tem Ron Steinbach presided over these items.

   Town Board Member Hallett stated "Mayor Cline, for the record, I would like to point out that in my capacity as Town Board liaison to the Planning Commission, I was present at the Planning Commission meeting during which this matter was previously presented. I wish to state that my participation in the Planning Commission proceeding has in no way influenced me in my capacity as a Town Board member this evening. I will make my decision and cast my vote this evening based solely on the evidence presented during this public hearing."

   Planner II Mark Price presented the application. The property at 636 Southwood Lane (Lot 16, Westwood Village 7th Filing) is 1.457 acres and is zoned Estate Residential (ER). The original application sought a Conditional Use Permit (CUP) to allow the keeping of 6 goats, or alternatively 2 horses, on the property. However, the applicant subsequently removed all goats from the property as of April 19, 2026, and revised his request to seek approval to keep 1 large domestic animal on the property indefinitely.

   Planner Price explained that the current ER zoning district, which consolidated several prior E-1 and E-2 districts, requires a minimum lot size of 2.5 acres for the keeping of large domestic animals. When the applicant purchased the property, the prior code (Ordinance 1999-1044) permitted 1 large animal per acre. The property, at 1.457 acres, falls below the current 2.5-acre threshold. The applicant also referenced an adjacent parcel he leases, which would bring the combined acreage to approximately 2.457 acres—still short of the 2.5-acre minimum. The Planning Commission, at its April 15, 2026 meeting, forwarded a recommendation of denial to the Town Board.

The applicant, Adam Luckeroth, addressed the Board, explaining that his original intent in purchasing the property was to keep horses for his family. He stated that horses had been kept consistently on the property through 2023, with intermittent presence in 2024, before being donated. He expressed that had he been aware of the zoning change, he would have maintained a horse on the property continuously to preserve any nonconforming use rights. He asked the Board to consider the original zoning framework under which he purchased the property. His wife, Dana Luckeroth, added that the family was unaware of the zoning code changes, noting that notification had been published in ways that were not apparent to them.

Town Attorney Dan Money outlined the two primary legal hurdles facing the application. First, regarding legal nonconforming use: the code provides that if a nonconforming use is discontinued for 12 consecutive months or 18 cumulative months within any 3-year period, the property must conform to current zoning. Based on information provided by the applicant, it appeared that horses may have been absent from the property for a period that could trigger this discontinuation. Second, regarding the CUP itself: Town Attorney Money noted that the ER zone district does not explicitly list any conditional uses, unlike other zone districts in Windsor. The code requires that a conditional use be explicitly listed as such in the applicable zone district. Because large domestic animals are listed as an accessory use—not a conditional use—in the ER district, granting a CUP for horses may not be legally defensible under the current code.

Planning Director Scott Ballstadt clarified that the CUP process had been initiated because the original request was for goats, which are not defined as large domestic animals under the code. Now that only horses were being requested, he confirmed there is no CUP application pathway for horses; they are an accessory use subject to the acreage minimum. Town Manager Shane Hale suggested the Board take final action on the pending application and offered to return with a range of potential code solutions for the Board's future consideration—such as revising the acreage threshold, adding large animals as an explicit conditional use in the ER district, or providing a pathway for leased property to count toward acreage minimums.

Town Attorney Money advised that the Board should take final action on the application as submitted in order to preserve the right of any party to appeal. The Board concurred.

The public hearing was opened and subsequently closed.

2. <u>Consideration - Request for a Conditional Use Permit to allow for the temporary keeping of animals on a lot smaller than 2.5 acres within the Estate Residential (ER) zone district for Westwood Village Subdivision 7th Filing, Lot 16 (636 Southwood Lane) - Adam Luckeroth, Applicant/Property Owner</u>

   Please refer to the public hearing item memorandum.

   Town Board Member Hallett moved to motion to approve a request for a conditional use permit to allow for the temporary keeping of animals on a lot smaller than 2.5 acres within the estate residential (ER) zone district for Westwood Village Subdivision, Town Board Member Symsack seconded the motion. Roll call on the vote resulted as follows; Yeas - None; Nays - Ron Steinbach, Brian Jones, Lainie Peltz, Ken Symsack, Rick Klimek, Jason Hallett; Motion Failed.

   Mayor Julie Cline returned to the dais following the conclusion of these items.

3. Ordinance No. 2026-1744 Adopting the 2025 Colorado Wildfire Resiliency Code and Corresponding Map and Revising the Windsor Municipal Code Accordingly

   This item was presented by Planning Director Scott Ballstadt as the second reading. He confirmed there were no changes from the first reading. He noted the ordinance is a state-mandated requirement and will take effect July 1, 2026.

   Mayor Cline opened the meeting to public comments, to which there were none.

   Town Board Member Hallett moved to approve Ordinance No. 2026-1744, 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.

4. Ordinance No. 2026-1745 - An Ordinance of the Town of Windsor, Colorado, Authorizing the Issuance and Sale of the Town of Windsor Wastewater Enterprise Revenue Bonds, Series 2026; Providing for the Source of Payment of Such Bonds, and Providing Other Details Concerning the Bonds

   Finance Director Dean Moyer presented this item as the second reading. He explained that approval of the ordinance would allow the Town to complete the financing process for the wastewater treatment plant expansion project. There were no changes from the first reading. The closing of the bonds is targeted for May 28, 2026, at which time proceeds will be invested and drawn upon to pay project costs. Director Moyer also noted that an outstanding state loan from 2011, which was used for prior sewer plant work, must be paid off from existing funds before the new bonds can be issued—a step he confirmed is underway.

   Mayor Cline opened the meeting to public comments, to which there were none.

   Board members acknowledged the significance of issuing debt and expressed appreciation for the thorough documentation provided.

   Town Board Member Hallett moved to approved Ordinance No. 2026-1745, 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.

5. Ordinance No. 2026-1747 - An Ordinance Amending Certain Portions of Chapter 11 of the Windsor Municipal Code, Concerning the Use of the Public Right of Way, Permitting, and Requirements Thereto within the Town of Windsor, Colorado

   This item was presented as the second reading. A member of the public came forward to address a specific concern regarding a provision in the ordinance that would effectively prohibit rubber curb ramps—rubber devices placed at the base of residential driveways to ease the transition over the curb—in residential areas. The resident stated she and her partner had used such ramps for three years without incident, and that similar devices are widely used in nearby communities. She proposed that the ordinance be amended to make clear that curb ramps which do not extend into the street and are designed to allow the free flow of water runoff would remain permissible.

   Director of Engineering Omar Herrera acknowledged that public works staff had raised concerns about rubber curb ramps interfering with street sweeping and snow plowing operations, and noted that hundreds of such ramps exist throughout Windsor. He confirmed that a permitted modification process for curb and gutter already exists, though it involves ADA compliance requirements and is more costly. Director Herrera further noted that his department is actively surveying the Town to identify the scope of the issue.

Board members engaged in substantive discussion. Board Member Klimek noted that such ramps had historically been problematic for public works operations. Board Member Hallett observed that the prior code changes regarding gutter clearing obligations may already address some of those concerns and suggested the matter warranted further research. Mayor Cline expressed a desire not to leave residents without options and suggested the Board could require minimum standards—such as homeowner maintenance responsibility and liability—while allowing the devices to remain in some form.

The Board determined that staff should conduct additional research and return with a refined ordinance provision that could accommodate well-maintained rubber curb ramps with appropriate standards, rather than an outright prohibition.

Town Board Member Hallett moved to continue Ordinance No. 2026-1747 to a date certain of May 11, 2026, 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. <u>Resolution No. 2026-25 - A Resolution Adopting the 2026 Town of Windsor Housing Needs Assessment</u>

   Senior Planner Sandra Mezzetti introduced the item and noted that the Housing Needs Assessment (HNA) had been previously presented to the Board, at which time questions were raised and submitted to the consultant. Those questions were addressed and incorporated into the final document. The Planning Commission reviewed the updated assessment on April 15, 2026 and offered no objections, noting only that the work was well done.

   Town Board Member Hallett moved to approve Resolution No. 2026-25, 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.

7. <u>Resolution No. 2026-26 - A Resolution Approving the Intergovernmental Agreement between the Town of Windsor and Northlake Metropolitan District Nos. 1-5 Concerning the North Sewer Line Extension</u>

   Town Manager Shane Hale presented this item, noting it represented the culmination of a long-term effort that began with a 2017 intergovernmental agreement between the Town, the Town of Severance, and Northlake Metropolitan District to construct a sewer line to serve the northern growth corridor, ultimately extending to what became the Future Legends sports complex.

   Under the revised agreement, Northlake Metropolitan Districts Nos. 1-5 will fund the final phase of construction—the segment from County Road 72 to Harmony Road—by depositing nearly $5,000,000 with the Town, representing the full construction estimate plus a 5% contingency. The Town will serve as project manager and will invoice Northlake monthly. A replenishment trigger is built into the agreement: should project costs exceed the deposit and the balance fall below 10%, Northlake is obligated to contribute additional funds to cover the shortfall.

Capacity allocations for the entire basin have been calculated based on acreage, totaling 4,203 units. An additional charge of approximately $1,400 per unit will be assessed on future connections to the line, allowing both Northlake and the Town to be reimbursed for their respective investments over time. Town Manager Hale noted the Town had already performed advance work in the corridor to avoid costly disruption to landscaping being installed by Hartford Homes.

Town Board Member Hallett moved to approve Resolution No. 2026-26, 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. 2026-27 - A Resolution Appropriating Additional Sums of Money to Defray Expenses in Excess of Amounts Budgeted For the Town of Windsor, Colorado, for 2025

   Finance Director Dean Moyer presented this resolution as a second amendment to the 2025 budget, explaining that the primary need arose from costs associated with the open space land acquisition completed in March 2025. While a supplemental budget had been approved in February 2026 to address the bulk of those costs, a review in preparation for the 2025 audit revealed that certain ancillary acquisition costs—including surveying and title expenses—had not been captured in the earlier amendment. The resolution corrects this oversight and ensures the Town remains in compliance with state budget laws and avoids any audit findings for fiscal year 2025.

   Town Board Member Hallett moved to approve Resolution No. 2026-27, 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.

9. Administration of Oath of Office to Newly Elected Town Board Members

   Town Clerk Karen Frawley administered the Oath of Office to the newly elected Town Board members. Following the swearing-in, Mayor Cline and the newly sworn members offered brief remarks expressing gratitude to Windsor voters and enthusiasm for continued service.

D. COMMUNICATIONS

1. Communications from Town Attorney

   Town Attorney Dan Money congratulated the Mayor and Board on their continued service and reminded the Board of the executive session to follow the open meeting.

2. Communications from Town Staff

   a. Monthly Police Statistical Report for March 2026

3. Communications from Town Manager

Town Manager Shane Hale congratulated the Mayor and Board members and expressed appreciation for their commitment to the community and the work ahead in the coming four years.

4. Communications from Town Board

   Mayor Cline noted her attendance at a Friends of the Library author event featuring a local author whose book is a prequel retelling the story of Lady Macbeth, available in audiobook with Scottish accent narrators. She also announced that the Town Board's strategic retreat is scheduled for later in the week, at which the Board will define its priorities for the coming years.

E. EXECUTIVE SESSION

1. An Executive Session Pursuant to Colorado Revised Statutes §24-6-402 (4)(b) and (e)(I) for a Conference with an Attorney for the Town Board to Receive Legal Advice on Specific Legal Questions and for the Purpose of Determining Positions Relative to Matters that may be Subject to Negotiations; Developing Strategy for Negotiations; and Instructing Negotiators Concerning Greeley Annexation

   Town Board Member Hallett moved to enter into an executive session pursuant to Colorado Revised Statutes §24-6-402 (4)(b) and (e)(I) for a conference with an attorney for the Town Board to receive legal advice on specific legal questions and for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators concerning Greeley annexation, 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.

   The Town Board entered into an executive session at 9:29 p.m.

   Upon a motion duly made, the executive session was closed and the Town Board returned to the regular meeting at 10:31 p.m.

   Upon returning to the regular meeting, Mayor Cline advised that if any participants in the executive session believed the session contained any substantial discussion of any matters not included in the motion to convene the executive session, or believed any improper action occurred during the session in violation of the open meetings law; such concerns should now be stated. Hearing none, the regular meeting resumed at 10:31 p.m.

F. RETURN TO OPEN MEETING

1. A Motion to Give Direction to the Town Manager or Town Attorney Resulting from Tonight's Executive Session

   Town Board Member Jones moved to to authorize the Town Attorney to engage in litigation council to represent the Town of Windsor in the Greeley Annexation matters under his direction and to take such additional actions as consistent with the attorney client deliberations and executive session, 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.

G. ADJOURN

Town Board Member Peltz moved to adjourn, 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.

Upon a motion duly made, the meeting was adjourned at 10:33 p.m.

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Karen Frawley, Town Clerk