

TOWN OF BERTHOUD
BOARD OF TRUSTEES
REGULAR MEETING
FEBRUARY 26, 2008
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The Board of Trustees of the Town of Berthoud met for a regular meeting on Tuesday, February 26, 2008 in the Board Room at Town Hall. Mayor Karspeck called the meeting to order at 7:00 p.m.

MEMBERS PRESENT: Mayor Milan Karspeck
Mayor Pro-Tem Don Ashcraft
Trustee Louis Gervasi
Trustee Peder Thorstensen
Trustee Glen Buckingham
Trustee Michael Patrick

MEMBERS ABSENT: Trustee Chase Sommars

STAFF PRESENT: Town Administrator Jim White
Town Clerk Mary Cowdin
Planning Director Robert Anderson
Police Chief Glenn Johnson
Public Works Director Tony Huerta
Town Attorney Bruce Fickel
Deputy Town Clerk Charlene Reed

PLEDGE OF ALLEGIANCE

Mayor Karspeck led the pledge of allegiance.

CITIZEN PARTICIPATION

There were no topics presented by members of the audience.

REPORTS

Administrator White announced the CML Legislative Sessions will be held on Wednesday, February 27, 2008 in Denver. The CML Policy Committee will then meet on Thursday, February 28, 2008 and Trustee Patrick or Administrator White will represent the Town.

Administrator White announced that candidate petitions are due on Friday for the municipal election. Mayor Karspeck read the list of candidates who have announced their intention to run, including mayoral candidate Tom Patterson, and trustee candidates, John Bauer, Dick Shepard, Brian Anderson, Paul Jones, Herb Meeker, David Gregg and Clyde Merrow. There are three trustee positions open.

Administrator White announced that the ceremony to dedicate the wastewater treatment plant to Thomas C. Jones will be held on Saturday, March 1, 2008 at 10:00 a.m. at the plant. Public Works Director Huerta presented information regarding the ceremony and invited the Board, staff and the public to attend.

Administrator White announced that Lehman Communications will hold a groundbreaking ceremony for their new facility on Friday, March 14, 2008 at 3:30 p.m.

Administrator White announced that the Town will have our seventh group of international visitors coming from Russia on March 17, 2008.

Mayor Karspeck noted the passing of Mike Weggener and announced that a memorial fund has been set up at Home State Bank. The monies raised will be used to create a memorial in the park and he encouraged members of the public to come up with ideas for the memorial and bring them to the Board.

Mayor Karspeck congratulated Administrator White on his election to the CCCMA Board. He also congratulated the Berthoud High School Wrestling Team for their success at the State competition in Denver.

Administrator White asked the Board for a modification of the holiday schedule for 2008. Staff typically has Christmas Eve and Christmas Day, and this year, Christmas Eve falls on Wednesday. He asked the Board to allow staff to take the holidays on Christmas Day and the day after, which would give staff a four day holiday. Board members agreed to the change.

CONSENT AGENDA

The Consent Agenda consisted of the minutes of the regular meeting from February 12, 2008 and the financial statement for January 2008. Trustee Patrick asked for a correction to the minutes.

Mayor Pro-Tem Ashcraft moved to approve with the minutes as modified. Second by Trustee Thorstensen. The motion passed unanimously.

PUBLIC HEARING – RESIDENTIAL AND NON-RESIDENTIAL ARCHITECTURAL STANDARDS & GUIDELINES (ADOPT BY REFERENCE)

Mayor Karspeck opened the public hearing.

Planner Anderson noted staff is recommending that the Board approve the proposed changes, amendments and re-titling of Chapter 30-15 Design Guidelines by reference.

The Board is also being asked to approve the non-standard residential guidelines as a housekeeping item, as they were never officially adopted. He noted the Planning and Zoning Commission forwards these standards and guidelines with their unanimous recommendation for adoption.

At the request of the Board, Planner Anderson identified the changes to the document. The Planning and Zoning added code language and increased the options available to developers to allow more flexibility in the code. From a design perspective, the standards have remained fairly consistent and there are no significant changes that have occurred. With the addition of code language, these standards become measurable and enforceable.

Trustee Buckingham arrived at 7:20 p.m.

Planner Anderson explained that guidelines are suggestions. At the next meeting, the Board will be considering adding guidelines for a “Dark Sky Ordinance” to the development code. Because this is a new concept, developers will be encouraged to follow these guidelines, and not required to do so.

Mayor Karspeck read the title of the proposed ordinance and opened the floor for public comment. There were no comments.

Mayor Pro-Tem Ashcraft moved to approve Ordinance 1082 by reference, changes, amendments and re-titling of Chapter 30-15 Design Guidelines to Chapter 30-15 Design Standards and Guidelines with the staff recommended corrections of the necessary typographical, grammatical and clerical errors. Second by Trustee Buckingham. The motion passed unanimously.

**PUBLIC HEARING – BERTHOUD COMMON COMMERCIAL
AMENDMENT TO THE DEVELOPMENT PLAN**

Mayor Karspeck opened the public hearing.

Planner Anderson explained that Clarkson Land, the property owner and applicant is requesting consideration to amend the PDP/FDP in the following manner:

- 1) To adjust the location of the sidewalk and tree lawn along Mountain Avenue to meet CDOT standards; and
- 2) To allow a single family loft apartment/condominium in each building.

Carl Cross of Design One Consultants addressed the Board and explained the changes requested. CDOT is requiring a 14 foot clear vision zone from the back of the curb to the

white line which means there cannot be trees in the area. He also explained the changes they are requesting to allow them to put two lofts above the building. Board members asked what arrangements have been made to provide water for the addition of the two residential units. Planner Anderson explained that traditionally, commercial developments use a master meter, but with the addition of the two residential units, two residential taps will be included. It was confirmed that parking is adequate for both the commercial and the residential development, and that the Town Arborist has evaluated and approved the trees that are being used in the development.

Mayor Karspeck opened the floor for public comment and there was none.

Planner Anderson noted that staff added one condition. We did not have a response from the Berthoud Fire Protection District regarding this submission, and if they respond with conditions at a later date, the applicant will be required to address those conditions.

Trustee Buckingham moved to approve the Berthoud Commons Commercial Center Amended PDP/FDP application with the Planning and Zoning Commission's recommendations and with staff's recommendation regarding the Fire District, finding that the request is consistent with the criteria for preliminary development plan and final development plan. Second by Trustee Patrick. The motion passed unanimously.

DISPATCH SERVICES IGA WITH CITY OF LOVELAND

Administrator White noted the Berthoud Police Department is making the necessary changes and purchases to begin using the Communications Center of the Loveland Police Department for dispatching police calls. Once this is approved by our Board, it will be reviewed by the Loveland City Council and once both Boards have approved the contract, we will go forward with this change.

Police Chief Johnson explained that we will continue to use our own dispatch services during normal business hours and the Loveland Police Department will provide this service after hours and on weekends. He explained the changes that were required in order to make this transition and asked the Board to approve the contract so this change can go forward.

Board members asked for clarification regarding the costs involved in this process. There was also some concern about the termination clause, which allows either party to cancel the arrangement in 90 days, since this transition has taken much longer than 90 days. Chief Johnson explained that with the changes we have made, a future change would not take an extended period of time. Board members expressed concern about future increases in costs. Chief Johnson noted any future increases are tied to increases in our usage of their system.

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Trustee Buckingham moved to approve the contract with Loveland Police Department for police dispatch services. Second by Trustee Thorstensen. The motion passed unanimously.

With no further business before the Board, the meeting adjourned at 8:25 p.m.

Mayor Milan Karspeck

Deputy Town Clerk Charlene Reed