



## MEETING MINUTES OF THE TOWN BOARD

Town Board Room  
807 Mountain Avenue  
Town of Berthoud, Colorado  
Tuesday, July 9, 2019 6:30 p.m.

### I. REGULAR MEETING CALLED TO ORDER

Mayor Karspeck called the meeting to order.

### II. PLEDGE OF ALLEGIANCE

Mayor Karspeck led the pledge of allegiance.

### III. ROLL CALL

All members of the Town Board were present.

### IV. CITIZEN PARTICIPATION

There was not any public comment.

### V. SCHEDULED ITEMS

#### 1. Consent Agenda

(Christian Samora)

*Consent Agenda items are considered to be routine by the Town Board and will be enacted with a single vote. There will be no separate discussion of these items. If discussion is deemed necessary, that item should be removed from the Consent Agenda and considered separately.*

- a) Approval of July 9, 2019 Agenda
- b) Approval of Minutes – June 25, 2019
- c) May 2019 Financial Information
- d) National Night Out Proclamation

Trustee Laak commented that it was interesting that the tax revenue appears to be up and asked if building permits are slowing down. Administrator Kirk stated that it may be a timing issue with some neighborhoods wrapping up, while others are just now beginning construction.

Trustee Laak motioned to combine and approve the items on the Consent Agenda. Trustee Hardy seconded the motion.

With all in favor, THE MOTION CARRIED.

#### 2. Larimer County Transportation Funding Strategy

Larimer County Commissioner Tom Donnelly and the Larimer County Manager Linda Hoffmann gave a presentation regarding future transportation funding in Larimer County.

**3. Berthoud 160 Rezoning**

(Curt Freese)

Ordinance 1271 – An ordinance of the Town of Berthoud to rezone a portion of property known as “Berthoud 160” from Planned Use Development (PUD) to Residential Zone 1 (R1) and Residential Zone 2 (R2)

Director Freese gave a presentation and provided background information. The initial presentation was followed by additional information from the applicant. Both staff and the applicant’s representatives answered questions by the Board of Trustees.

Mayor Karspeck opened a Public Hearing.

Don Schleicher at 1005 W CR 4E stated that there is a PUD approved and there was no traffic report done. He stated that he estimates that there will be 5000 trips per day out of that neighborhood. Schleicher felt that people may be zig zagging down to County Line Rd and that should be taken into consideration.

Bill Johnson at 985 S Berthoud Parkway stated that the lower portion would be directly east of the property that he owns. He stated that the homestead is on the corner. Johnson asked about the drainage and if that should have been considered during the final vote of the Heritage Ridge development. He stated that the right to farm requires a lot of consideration of the parties involved.

Deb Wilson at 1220 S County Rd 17 stated that the surroundings will be changing. She stated that they are passionate about taking care of the land and what happened in California should not be allowed to happen here. Wilson stated that the roads cannot handle the traffic and the schools are overloaded. She stated that in Erie they bought the land to preserve it as open space.

Leslie Tassi at 925 N 4<sup>th</sup> Street played the sounds of birds and wildlife that she recorded in Hillsdale Park. She suggested taking time to enjoy the views and the experience in the park.

Carolyn Hobson at 817 Greenwood Dr spoke regarding the impact on schools. She stated that changing the zoning opens the possibility for higher density development. She stated that if half have students, it would add over 100 new students, and that should be taken into consideration.

Jim Righeimer at 444 Mountain Avenue stated that they are really happy that the whole conversation came up. He stated that he felt they exceeded the standard. He stated that they were fine with R1, but they were asked by the Town to add the attainable housing options.

Mayor Karspeck closed the Public Hearing.

The Board of Trustees discussed the application following the Public Hearing. The following motion was made after the conclusion of that discussion.

**Mayor Pro-Tem Hindman motioned to deny the rezoning with the findings that it is not consistent with the current PUD, the Town’s Comprehensive Plan, and is not compatible with the surrounding neighborhood. Trustee Dower seconded the motion.**

**In a 6-1 roll call vote, THE MOTION CARRIED. Trustee Tomassi had the dissenting vote.**

**4. Amending Weed and Brush Code, 2<sup>nd</sup> Reading**

(Christian Samora)

Ordinance 1269 – An ordinance of the Town of Berthoud, Colorado amending Chapter 16 of the Berthoud Municipal Code regarding weed and brush growth

Clerk Samora gave a presentation and provided background information.

Trustee Alaback asked for clarification regarding the requirement to store trash containers on private property. Samora stated the intent was to prohibit the storage of trash containers along the street, unless they were out for collection.

Trustee Hardy asked for clarification regarding the height restriction of vegetation. Samora explained that the height of all vegetation is restricted to twelve inches; however, vegetation that is within maintained landscape features is exempt from the requirement.

**Trustee Laak motioned to approve Ordinance 1269, an ordinance of the Town of Berthoud, Colorado amending Chapter 16 of the Berthoud Municipal Code regarding weed and brush growth. Trustee Alaback seconded the motion.**

**With all in favor, THE MOTION CARRIED.**

5. **Special Election Ballot Language** (Christian Samora)  
Resolution 2019-13 A resolution of the Town of Berthoud, Colorado, submitting to the registered electors voting in the Special Election to be held September 10, 2019 a proposed ordinance initiated by citizens

Clerk Samora gave an introduction and provided background information.

Mayor Pro-Tem Hindman clarified that voting on the resolution was a formality to approve the ballot language and was not approving the ballot question.

**Mayor Pro-Tem Hindman motioned to approve Resolution 2019-13, a resolution of the Town of Berthoud, Colorado, submitting to the registered electors voting in the Special Election to be held September 10, 2019 a proposed ordinance initiated by citizens. Trustee Laak seconded the motion.**

**With all in favor, THE MOTION CARRIED.**

## **VI. ELECTED OFFICIAL REPORTS**

1. Town Board – Jeff Hindman, Brian Laak, Maureen Dower, Pete Tomassi, Tim Hardy and Paul Alaback.
2. Mayor Pro Tem Hindman-
3. Mayor – William Karspeck

Administrator Kirk referenced the fireworks show and what a success it was. The event also helped economically by attracting visitors to the community. The Board retreat will be on Thursday and into the first half of Friday. Kirk also stated that he will be sending out the admin report for June in the morning.

Trustee Hardy complimented the fireworks display.

Trustee Dower stated the fireworks were excellent. She stated that people from out of town were there to enjoy it as well and felt it should always be on July 3<sup>rd</sup>. There is a PORT meeting on July 10<sup>th</sup>. The meeting will be at Town Park at 6:15 PM. Trustee Dower mentioned the newsletter and that there are multiple projects including the pier at Roberts Lake, TPC and Berthoud Reservoir.

Trustee Laak stated that he drove down 4E and stated that half the bolts on the development notice sign have been undone.

Trustee Alaback stated that he attended the Habitat Open house and learned a lot about the energy efficient construction. He stated that he has only heard positive things about the fireworks.

Mayor Pro-Tem Hindman stated that the fireworks were a success and that it helps make Berthoud a destination. Hindman suggested that there be sponsors for the event next year.

Mayor Karspeck stated that he learned about new urbanist projects, with an example being Prospect.

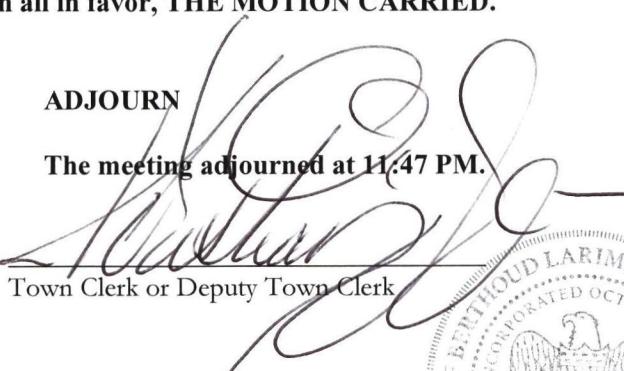
## VII. EXECUTIVE SESSION

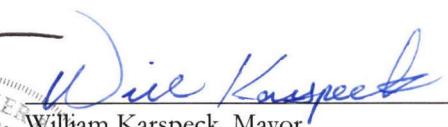
Trustee Hardy motioned to enter into Executive Session for a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) concerning and the following details are provided: Water Dedication Ordinance. Trustee Laak seconded the motion.

With all in favor, THE MOTION CARRIED.

## VIII. ADJOURN

The meeting adjourned at 11:47 PM.

  
Town Clerk or Deputy Town Clerk

  
William Karspeck, Mayor

