



MEETING MINUTES OF THE TOWN BOARD

Town Board Room

807 Mountain Avenue

Town of Berthoud, Colorado

Tuesday, October 22, 2019 6:30 p.m.

The full discussion of the Agenda items can be found by going to the Video archives on

<https://www.berthoud.org/government/Board-of-trustees/trustee-meeting-videos/archived-trustee-meeting-videos>

- I. **REGULAR MEETING CALLED TO ORDER** – Mayor Karspeck called into session at 6:30 p.m.
- II. **PLEDGE OF ALLEGIANCE** – Mayor Karspeck lead the Pledge of Allegiance.
- III. **ROLL CALL** –Town Clerk Samora called the roll.

The following were present:

Mayor Karspeck

Mayor Pro Tem Hindman

Trustees: Alaback, Dower, Hardy, Laak, Tomassi

The following were absent:

IV. **CITIZEN PARTICIPATION**

No citizen participation.

V. **SCHEDULED ITEMS**

- 1. **Consent Agenda**
 - a) Approval of October 22, 2019 Agenda

Trustee Laak Motioned to combine and approve the items on the Consent Agenda. Trustee Tomassi, Seconded the Motion.

WITH ALL IN FAVOR THE MOTION CARRIED.

- 2. **Hammond Farm Preliminary Plat 5th Filing**

Community Development Director Freese: Zoning of this property is R4 which is mixed use. 31 lots with a pocket park in the middle. There is a walking trail along the southern property line. This will have cedar plank fencing. This was submitted in January of this year. Old 10E will have to be deeded over to the property owner from Larimer County. There will be detached sidewalks. This area is 33 acres. The Planning Commission approved this six to one.

Kristen Turner with TB Group: They have been working with Mr. Hammond on this development. It is an oddly shape property that has had some issues to work through. They feel they have worked through these and continue to do so. They have pulled the on off ramp out. They are going to focus on the single family for now. The pocket park will be .79 acre and centrally located. The trail will be a soft surface trail and concrete trail. Nicholson and Timberlake will provide safe access to County Road 10E. They have big buffers all along the property more than what is required.

Lynn Hammond: Is supporting the subdivision. The future of 10E when it gets developed out is his only concern.

Trustee Tomassi Motioned to approve the Hammond Farm Fifth Filing Preliminary Plat with the following findings...

- **Finding that it is consistent with the requirements for Preliminary Plats in Section 30-6-107 of the Berthoud**

Municipal Code.

- **The Applicant will extend Nicholson Street and Timberlake Drive to County Road 10E with curb, gutter and asphalt surface.**
- **The Applicant will construct the connection between the two access streets along County Road 10E with a road standard that is satisfactory to the Town and the Fire District.**
- **The Applicant will extend the two existing cul-de-sacs on County Road 10 from Nicholson and Timberlake with a road standard that is satisfactory to the Town and the Fire District to access properties south of County Road 10E. The access shall be noted and shown on the final plat as an easement access for ingress and egress or as a private road.**
- **The Board is recommending that the sidewalk be moved to interior of the tree lawn.**

Trustee Laak Seconded the Motion.

WITH ALL IN FAVOR THE MOTION PASSES.

3. Newspaper of Record

Mayor Karspeck: this was brought to a retreat to change the paper of record. Then it was brought up in reports at the last two meetings. The last meeting the Board requested it to be brought to the meeting.

Town Administrator Kirk: both newspapers meet the statutory requirements. The Town uses both papers based on timelines.

The Board listened to the comments of the citizens regarding this matter.

Trustee Dower Motioned that we strip any title of paper of record and direct the staff to use the most expedient method of publishing public notices, with the newspaper of staff's choice. Trustee Laak Seconded the Motion. Trustee Laak, Alaback, Dower, Mayor Pro Tem Hindman and Mayor Karspeck Voted YES. Trustee Tomassi Voted NO. Trustee Hardy ABSTAINED. THE MOTION PASSES.

VI. ELECTED OFFICIAL REPORTS

Administrator Kirk: He will not be here on November 12, 2019. We will have a Board meeting with the Board's approval on November 5 and November 19, 2019. The asphalt maintenance work that the Board approved two months ago is underway. The Town had to do some tree trimming and hired an arborist within the budget for the project to do that. The town has also started work on the Dog Park, for the surface pea gravel will be used. Berthoud Reservoir is moving along, we have all the submittals approved. We are on target for a spring opening. We have also received some submittals on the comp plan phase, that was one of the goals the Board set for the town. We do not have a Comp Plan Consultant selected, we need the Board to vote on them. November 5, 2019 we will be bringing that to the Board. We have also received bids on the Town Hall security enhancements, that was included in the budget last year, that will also be coming to the Board. Waggener Farm Park the Town is still working on that. We are working with Colorado Open Lands, who is doing some legal research and will provide a written opinion on their perspective. Finally, a press release went out today, the Town was awarded through International Economic Development Council, that Walt Elish our Business Development Director received last week. It was for some business promotional materials that we developed last year. The business promotional materials are very graphic rich, a lot of info graphics for better data presentation. It is nice to be recognized by peers for what we consider to be outstanding work.

Attorney Bell: He will complete the log for October and will bring it back at the November 5, 2019 meeting. The property acquisition for the Spartan extension that was authorized has been agreed upon.

Trustee Hardy: Has nothing to report. Main Street the website updates are coming along. The shop local Saturday event will be coming up and they are working with the Town on that. They will be having their meeting this Thursday. He encourages everyone to keep your business local as possible.

Trustee Laak: He toured the Jaworski property felt it was a beautiful piece of real estate with a lot of potential and thanked the Town for taking them out there.

Trustee Alaback: Tree Advisory met yesterday. The forester program is going very well. Next year will start the replacement program. The EAB has been located close to Berthoud. Feels that the outreach is going to change because it is now here. An incentive for people to have their trees treated and participate in the cost share program is that it will be more expensive to

remove a tree that has the EAB versus just treating the tree. He stated we need to do some good communication on that. School Property has not been treated on school property. He would like the Town to facilitate with the school superintendent to have those trees treated. The majority of the Board agreed that the Town should work with them. There are still two openings on the Tree Committee.

Trustee Dower: Trustee Dower Moved that the second-place candidate in the PORT Committee interviews, be appointed to the PORT Committee immediately and attend the next meeting, the first Wednesday, November 6, 2019. Trustee Alaback Seconded the Motion.
WITH ALL IN FAVOR THE MOTION PASSES.

Trustee Tomassi: Stated that there has been a number of emails received regarding the vacancies on various committees. They are requesting that the Board reconsider the decision that had been made regarding the eligibility requirements for the committee's that were restricted to be within the town limits. He feels at some point they should reconsider, because there is a challenge on filling some of the positions.

Trustee Hindman: He stated that we may want to consider on the committees, (not the Planning Commission) that we consider having five members instead of seven members. He received a Letter from RAFT requesting a meeting with Board and Staff. Staff will be meeting with them. The Colorado Municipal League (CML) is supporting proposition CC, which is to let the state keep the extra labor money instead of giving small tax refunds to everybody. The money would be used for K through 12 higher education, roads and mass transit. They are also supporting proposition DD the referendum to allow sports betting in Colorado. The proceeds would be used for water projects and water issues. That is a huge priority to secure our water future on the Front Range, because we do not have unlimited water. He urges people to go on to the CML website, under 2019 ballot propositions and read the detailed information about both of those issues. Everybody should remember to VOTE. As we just discovered, one or two votes can make a big difference.

HPAC meeting was canceled because there was not a quorum.

Mayor Karspeck: He thanked Chris and staff for attending the Berthoud Walk audit. There was a great turn out and we were well represented by Northern Colorado staff, in different communities. Also, special districts attended, Berthoud School District, Fire District and Sheriff. They were also able to get an employee from CU Boulder who has a perspective from being in a wheelchair. He brought down five professional wheelchairs that everyone tried out. He will bring back the findings of that event.

He also attended the Commuter Rail meeting in Loveland. They are talking about putting something on the ballot next November. Some of the committee feels that there is not enough information such as requirements and cost. Then there is some of the committee who wants to push as hard as they can to get something done. He has informed repeatedly that Berthoud wants to be part of the conversation.

He also attended an event for the Sierra Club and League of Women Voters. He heard from a complete different set of panelists, two with PhD's and a Longmont Council Member. They talked about the Berthoud Oil and Gas moratorium. It was the second time that we received a room full of applause on our moratorium. He saw a list of new studies, including a new one showing short term illnesses related to well heads within 2000 feet of residential units.

He will be attending the Historical Preservation Regional Meeting in Longmont on Thursday.

There will be a Legislative tour of Mission Homes tomorrow morning.

He did a proclamation for A little help last weekend. They had a great turnout for their first event.

VII. ADJOURNED FROM REGULAR MEETING AT 9:16 P.M

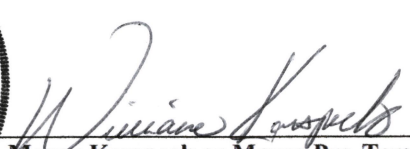
VIII. EXECUTIVE SESSION

Mayor Pro Tem Hindman Motioned that the Town Board enter executive session pursuant to C.R.S. § 24-6-402(4)(b) for a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions. The Following details are provided: Potential Litigation. Trustee Tomassi Seconded the Motion.

WITH ALL IN FAVOR THE MOTION CARRIED


Town Clerk or Deputy Town Clerk




Mayor Karspeck or Mayor Pro-Tem Hindman