

Board of Trustees
Regular Meeting
January 24, 2017

1. CALL TO ORDER

Mayor Steve Mulvihill called the regular January 24, 2017 Board of Trustees meeting to order at 6:30 p.m. in the Board Room.

Mayor Mulvihill invited outgoing Judge Easley to make comments about his 39-year career in Berthoud. He then invited incoming Judge Olive to also give remarks regarding his acceptance of the position.

2. ROLL CALL

Town Clerk Alisa Darrow called the roll, those present were: Mayor Mulvihill, Mayor Pro Tem Buckridge, Trustee Dunkelberger, Trustee Hindman, Trustee Karspeck, and Trustee Laak. Trustee Baker was absent.

3. PLEDGE OF ALLEGIANCE

Mayor Mulvihill led the Pledge of Allegiance.

4. CITIZEN PARTICIPATION

- a. Jeremy Franz – Spoke about the Mosquito Control Policy concerned about the pesticides used when the policy was executed. He had researched the minutes from meetings when the policy was created and came to a different conclusion regarding how the policy would be implemented. He also created an informal Facebook poll which showed 60% of respondents did not wish to be sprayed with poison. He felt there was a conflict of interest when Colorado Mosquito Control was allowed to participate in the decision making process.

Mayor Mulvihill informed Mr. Franz that there would be meetings to review the policy before mosquito season begins.

5. CONSENT AGENDA

The Consent Agenda consisted of the December 13, 2016 minutes, November, 2016 Financials and November, 2016 Bills Allowed.

Mayor Pro Tem Buckridge moved, seconded by Trustee Dunkelberger, to approve the Consent Agenda. The motion carried 6:0, with Trustee Baker absent.

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6. SLATE COMMUNICATIONS CONTRACT

Public Information Officer Claire Bouchard presented on this item.

Trustee Karspeck thanked Ms. Bouchard for her work and engagement with the community.

Mayor Pro Tem Buckridge recalled communication issues from the past and noted that she had filled the gap between the Town and community.

Trustee Karspeck moved, seconded by Trustee Dunkelberger, to approve the 2017 Communications Support Contract with Slate Communications. The motion carried 6:0, with Trustee Baker absent.

7. HERITAGE RIDGE PRELIMINARY

Community Development Director Freese presented on this item.

Ms. Turner spoke on behalf of the applicant, she invited the Board to visit the neighborhood and look at the homes and surrounding area. She provided background for the project and how it had evolved over time. She explained why the multi-family component had been moved to the east side of the development. She noted that it changed how the traffic would flow and provide better access to amenities within the development for those living in townhomes. She pointed out that the regional trail would be along 5th Street and that trail would be built at the beginning of this phase.

Trustee Karspeck asked if the number of units in the multi-family component would be the same as what was approved previously.

Community Development Director Freese responded that the number of units was unchanged.

There was discussion about grading and topography issues in the development that presented challenges and brought about the desire to move the multi-family to the east.

Trustee Karspeck expressed hope that the multi-family component would not be pushed too far into the future, he was concerned about the minimal inventory of multi-family units in Berthoud.

Trustee Hindman asked about pedestrian access points to the trails provided around the development.

The applicant noted that the opening to the southeast was access to an adjacent property and not necessarily a trail connection. She explained how the railroad crossing would eventually be moved and the access point was required for the adjacent homeowner.

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Trustee Hindman recalled an access point from Hillsdale to the High School that was lost when a homeowner fenced it in and commented that he did not want to see that happen again.

Ms. Turner explained that the access point was owned by the Home Owner's Association and would not be owned by the adjacent property owner.

Trustee Hindman asked if the Town could require a pedestrian access point in the southeast portion of the development. Ms. Turner responded that one could be included and added that low open fencing would be required along trails and greenbelts.

Trustee Hindman asked if the developer would have to come back to the Board if they wanted to make changes to the future phase involving multi-family. Mr. Freese confirmed that they would have to come to the Board.

Trustee Hindman discussed the importance of connecting Spartan to the east end of the Town to provide safe traffic flow for drivers and children in the area walking to and from school.

Public Works Director Brothers explained how impact fees would be utilized to accomplish the extension of Spartan and moving the railroad crossing.

Mayor Pro Tem Buckridge commented on the PORT Plan ties in the development plan. Trustee Dunkelberger agreed and noted that they were not required.

Trustee Hindman asked if adding a pedestrian access point would need to be included in the motion.

Ms. Turner suggested placing access points in the area of the future phase that would include multi-family rather than at the southeast corner. She pointed out that when the multi-family was developed in the future, those access points might move depending on the design.

Trustee Hindman moved, seconded by Trustee Karspeck, to approve the Planning Commission's recommendations of:

- A. Conditional upon a note on the PDP and FDP stating that no building permits will be issued on the lots within the floodplain until a LOMR is granted;
- B. The Preliminary Plat represents a functional system of land use and complies with the approved Concept Plan;
- C. The Preliminary Plat complies with the Code, Comprehensive Plan, and PORT Plan;
- D. The Preliminary Plat has been designed with appropriate infrastructure and will not cause negative impacts on adjacent land uses within the Town; and
- E. The Preliminary Plat fills a need within the community and helps achieve a balance of housing type.

An additional central pedestrian access point being added in the final plat. The motion carried 4:0, with Mayor Mulvihill and Trustee Laak recusing themselves, and Trustee Baker absent.

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8. RAMEY ENVIRONMENTAL CONTRACT

Public Works Director Brothers introduced Wayne Ramey, owner of Ramey Environmental Services, who presented on this item.

Trustee Dunkelberger thanked Mr. Ramey for all the work to clean up the plant and get the maintenance up to date.

Administrator Hart provided history on how the plant fell into disrepair and how Ramey Environmental came under contract with the Town as the ORC at the water and wastewater plants as well as fully operating the wastewater operations.

Trustee Hindman moved, seconded by Mayor Pro Tem Buckridge, to approve the contract with automatic renewable years for Ramey Environmental Services as the ORC for both Wastewater services. The motion carried 6:0, with Trustee Baker absent.

9. BERTHOUD RESERVOIR CHANGE ORDER

Administrator Hart and Public Works Director Brothers presented on this item.

Mayor Mulvihill asked if there would be any recreation allowed in the summer of 2017.

Public Works Director Brothers responded that there would not be recreation in 2017, staff would be looking for grant opportunities to allow fishing and recreation in future years. She also clarified that the road would be crushed and would only be used by staff accessing the reservoir.

Trustee Karspeck moved, seconded by Mayor Pro Tem Buckridge, to approve staff's recommendation of Western States to move forward with the attached change orders that were not foreseen with the initial Berthoud Reservoir Improvement Project. The motion carried 6:0, with Trustee Baker absent.

10. PROPERTY ACQUISITION

Administrator Hart presented on this item.

Trustee Hindman moved, seconded by Mayor Mulvihill, to approve the land purchase contract with Joyce Jones. The motion carried 6:0, with Trustee Baker absent.

11. AGENDA POSTING LOCATION

Town Clerk Darrow presented on this item.

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Trustee Hindman moved, seconded by Trustee Dunkelberger, to approve Resolution No. 1-17 designating 807 Mountain Avenue as the posting location for agendas for 2017. The motion carried 6:0, with Trustee Baker absent.

12. REPORTS

Trustee Hindman had no report, but suggested a study session be held on Economic Development. He mentioned a working group that came out of the MPO and suggested that staff and possibly a Trustee consider attending.

Mayor Pro Tem Buckridge mentioned he had attended HPAC in December and there would be another home coming forward to be on the registry. He requested an increase in the HPAC budget to pay for plaques on homes as they were added to the registry. He wanted to ensure the plaques were all uniform and good quality. Trustee Hindman expressed support for the request.

Trustee Karspeck had no report. He suggested a study session on the mosquito control policy.

Trustee Dunkelberger attended the Youth Advisory Commission and was amazed at the high level thinking the kids were capable of.

Trustee Laak attended the Tree Advisory Committee meeting, he was upset to hear that Ben Gratton had resigned his position with the Town. He suggested the Board consider a policy on requiring a diversity of tree species in new developments.

Mayor Mulvihill reported he met with the local Boy Scouts working on a merit badge, attended Loveland Chamber of Commerce meetings and the elected officials meeting the County held in Loveland. He asked the Board to approve hiring a professional firm to handle the recruitment for the Town Administrator position.

Trustee Hindman supported the use of an outside firm to assist with the recruitment and suggested the Town put out a general RFP to see what search processes were offered.

Trustee Karspeck noted that he thought it would cost approximately \$25,000 for such a search. It was clarified that the cost given was from a recent recruitment by the City of Boulder.

Mayor Pro Tem Buckridge suggested that Town Attorney Bell and Town Clerk Darrow work together to write the RFP.

Administrator Hart handed out a written report requesting RSVP's for the CML Conference and providing operational updates. He requested the Board reactivate the Parks and Recreation Advisory Committee to work on implementation of the PORT Plan and handed out copies of Resolution No. 4-11, the most recent document affirming the advisory committees and commissions of the Town.

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Trustee Hindman expressed support for reactivating the Parks and Recreation Advisory Committee and open the recruitment. He expressed a desire to revisit Resolution No. 4-11.

Mayor Pro Tem Buckridge agreed with Trustee Hindman and supported taking a second look at Resolution No. 4-11. Trustees Karspeck, Dunkelberger and Laak were also in agreement.

Administrator Hart passed out an invitation to the Boys & Girls Club annual breakfast. He also passed out a directive from President Trump putting a hold on EPA grant funding until the new administration was up to speed. There was a notice from the U.S. Department of the Interior stating that specific water sources passing through federal facilities could not be used in support of marijuana grow operations. He also passed out the Board Agenda Calendar for February and March. He reminded the Board about the Chamber Installation Dinner on Saturday and Unity in the Community in February. He also announced the Town was working with the school district to get crossing guards in place for each school, a total of three.

Sergeant Anderson updated the Board on the crossing guard issue, the upcoming speed study to be performed by CDOT, and informed the Board that CDOT only had two striping trucks and Mountain Avenue was on hold at the moment. He also informed the Board that CDOT would not allow the type of pedestrian signage seen in larger cities, they offered middle of the street options that would be a problem during snow plowing season.

Attorney Bell informed the Board that the remanded appeal on Bargain Storage would be coming to the Board in the next couple of months.

13. ADJOURN

There being no further business to come before the Board at this time, the meeting was adjourned at 9:35 p.m.

Approved this 14th day of February, 2017.

APPROVED BY:



Mayor Steve Mulvihill

ATTEST:



Alisa R. Darrow, Town Clerk