

**BOARD OF TRUSTEES
REGULAR MEETING
January 26, 2016
6:30 P.M.**

Board Members Present: Mayor David Gregg
Mayor Pro-Tem Jan Dowker
Trustee Chris Buckridge
Trustee Jennifer Baker
Trustee Suzie White
Trustee Dick Shepard

Absent: Trustee Paul Alaback

Staff Members Present: Town Administrator Mike Hart
Town Clerk/Assistant Town Administrator Alisa Darrow
Community Development Director Curt Freese
Accounting Technician Melissa Colucco

Mayor Gregg led the Pledge of Allegiance.

Citizen Participation

None.

Consent Agenda

The Consent Agenda consisted of the December 8, 2015 Board Meeting Minutes, January 12, 2016 Board Meeting Minutes, November 2015 Financial Statements and November 2015 Bills Allowed.

Mayor Pro-Tem Dowker moved to approve the Consent Agenda. Trustee Buckridge seconded the motion. The motion passed unanimously.

Public Hearing-Ordinances 1194, 1202 and 1205 Regarding Implementation of Water Dedication Requirements in Town Development Code

Mayor David Gregg opened the item to public hearing at 6:35 p.m. Seeing no one wishing to speak closed the item at 6:35 p.m.

Town Administrator Hart gave a brief history on the item explaining that this ordinance is just a follow up to implement the Water Dedication requirements in the Town Development Code that were recently passed by Resolution.

Trustee Buckridge moved to approve Ordinance #1209 to be adopted by the Town of Berthoud Board of Trustees. Trustee Baker seconded the motion. The motion passed unanimously.

Berthoud Lake Enclave Final Plat and Development Agreement

Community Development Director Curt Freese presented the Board with a packet pertaining to the Berthoud Lake Enclave Final Plat and Development Agreement. Mr. Freese explained the findings necessary for the final plat. The property is located north of Larimer County Road 10E and the proposed plat will create 12 single-family lots. The Planning Commission recommended approval at the November 12, 2015 meeting.

Applicant Alex Hoime of 824 West County Road 10E was present for questions.

Trustee Shepard moved to approve the Berthoud Lake Enclave Final Plat and Development Agreement, finding that the proposed plat meets the Final Plat review criteria. Trustee Buckridge seconded the motion. The motion passed unanimously.

Public Hearing Hammond Metro District Service Agreement and Resolution

Mayor Gregg opened the item to public hearing at 6:44 p.m. He explained that there was a request to continue the item until the February 9, 2016 meeting.

Town Attorney Bell added that staff needed more time to review the final versions with special counsel Mr. Pogue.

Trustee Shepard moved to continue all action to the February 9th meeting to allow submission of staff reports and recommendations. Mayor Pro-Tem Dowker seconded the motion. The motion passed unanimously.

Heron Lakes Development Agreement

Attorney Bell explained that this Development Agreement was solely for the golf course to be located at the Heron Lakes site. This will allow the owner to move forward and obtain necessary permits.

Project Planner Jim Birdsall of The Birdsall Group added that there are no public utilities crossing with the golf course.

Trustee Shepard moved to approve the Heron Lakes Golf Course Development Agreement, finding that the proposed agreement meets the Final Plat. Trustee Buckridge seconded the motion. The motion passed unanimously.

Resolution Ballot Language re: Lodging Tax

Assistant Town Administrator Alisa Darrow presented the Board with a proposal for a 3 percent Lodging Tax that had been brought forward at the request of the Board of Trustees in anticipation of expanded lodging services.

Trustee White had some concerns in regard to the interpretation of wording on the Ballot Title.

Some corrections were made to the Ballot Title changing the questioned statement to read "...including but not limited to streets, traffic, water, wastewater, utilities, economic development and tourism." Another change was moving the effective date to January 1, 2017.

Mayor Pro-Tem Dowker moved to approve Resolution # 2-16 submitting to the registered electors voting in the Berthoud Municipal Election to be held on April 5, 2016, a ballot issue concerning whether the Town of Berthoud should impose and assess an excise tax on the short-term rental of any hotel room, motel room, lodging room, motor hotel room, guest house, or other similar temporary accommodation of less than thirty consecutive days as amended by this discussion. Trustee Buckridge seconded the motion. The motion passed unanimously.

Resolution Ballot Language re: Police Services Mill Levy Continuation

Assistant Town Administrator Alisa Darrow presented the Board with a resolution to set ballot language relating to a Police Services Mill Levy Continuation at the rate of 3 mills. This would make the mill levy permanent instead of having a 10 year sunset.

Trustee Buckridge moved to approve Resolution # 3-16 submitting to the registered electors voting in the Berthoud Municipal Election to be held on April 5, 2016, a ballot issue concerning whether the Town of Berthoud shall continue to impose a maximum of three (3) mills upon taxable real property within the Town, such revenues to be collected, retained, and spent for the support of the police and law enforcement functions. Trustee White seconded the motion. The motion passed unanimously.

Ordinance: Snow Removal

Assistant Town Administrator Alisa Darrow informed the Board that the policy regarding removal of snow and ice from walkways had not been included in the Municipal Code. Attention was brought to staff by the Larimer County Sheriff's Office. The proposed ordinance adds language required allowing enforcement of the policy and also requires that snow and ice removed from sidewalks not be placed in public right-of-way.

There was some discussion on citizen concerns with street snow removal and questions on who is responsible for sidewalk snow removal in certain areas.

Mayor Pro-Tem Dowker wanted to address a citizens concern in regard to not having snow removal in a cul-de-sac.

Public Works Director Stephanie Brothers explained that it is very difficult to plow snow in cul-de-sac areas. There is no place to put the snow without blocking driveways. Ms. Brothers also explained other issues of where to place the plowed snow and not being able to plow due to parked vehicles being in the way. Ms. Brothers also added that staff just completed an updated Snow Removal Plan that is currently awaiting approval. The plan is based on a priority tier system.

Mayor Pro-Tem Dowker commented on the importance of keeping citizens informed as to the reasons why some areas may not be plowed. Ms. Dowker suggested utilizing social media such as the newsletter and Towns Facebook or website page. She emphasized the importance of positive and respectful communication on this topic.

Mayor Gregg opened to item to public comment at 7:37 p.m.

Yvonne Dawdy of 420 Michigan Avenue voiced her concern with the snow being plowed back onto the sidewalks after they had been shoveled. Ms. Dawdy explained that there is a concern of liability to her if someone should get hurt and the risk for injury with students walking to school.

Mayor Gregg closed the item from public comment at 7:42 p.m.

Trustee Shepard moved to approve emergency Ordinance # 1210 requiring the clearing of ice and snow from public walks by property owner and providing remedies for failure to perform. Trustee White seconded the motion. The motion passed unanimously.

2016 Agenda Posting Location

Assistant Town Administrator Alisa Darrow informed the Board that every year a motion is needed to designate an official agenda posting location. Town Hall will be the official agenda posting location.

Trustee Shepard moved to designate Town Hall, 328 Massachusetts as official agenda posting location for the Board of Trustee Meeting Agendas. Trustee Buckridge seconded the motion. The motion passed unanimously.

Resolution Amending and Restating the ICMA-RC Document

Assistant Town Administrator Alisa Darrow presented the Board with reinstating the ICMA-RC Plan Document. This document pertains to a 401 Plan for full time Town employees. Ms. Darrow explained that there are no changes to the plan that have not previously been approved by the Town through amendments to the prior Plan Document. Every six years the plans are reviewed by the IRS and it takes three years to be approved. ICMA-RC requires documentation to show those previously approved amendments are adopted into a resolution.

Trustee Buckridge moved to approve Resolution # 4-16 amending and restating the ICMA-RC Plan Document. Mayor Pro-Tem Dowker seconded the motion. The motion passed unanimously.

Reports

Mayor Pro-Tem Dowker reported she will be attending the North Front Range MPO meeting on February 4, 2016. Ms. Dowker also informed the Board she had decided not to run in the upcoming election.

Trustee White mentioned that she had a conflict for the upcoming CML Policy Meeting and would not be able to attend.

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Trustee Shepard reported that he attended the Berthoud Area Chamber of Commerce Installation Dinner on Saturday, January 23, 2016.

Town Attorney Bell suggested the Board might want to think about making Development Agreements standard and more efficient as staff is looking to amend them. Mr. Bell also informed the Board that Berthoud Storage did submit an appeal to the district court.

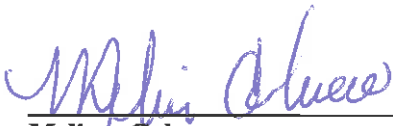
Town Administrator Hart reminded the Board that Unity in the Community will be February 25, 2016. Staff will need some help that night with participation. The Northern Colorado 287 Corridor Coalition Meeting is also on February 25, 2016 and staff will be putting together a presentation.

Assistant Town Administrator Darrow reported the list of candidates for the upcoming elections. Running for Mayor is Pete Cowdin. The candidates for Trustee are Jeff Hindman, William Karspeck, Kevin Pischke, Patrick Dillon, Brian Young, Kelly Dunkelberger, Lorna Greene, Richard Shepard, and Brian Laak.

Mayor Gregg adjourned the meeting at 8:00 p.m.



Mayor David Gregg



**Melissa Colucco
Accounting Technician**