

**BOARD OF TRUSTEES  
REGULAR MEETING  
NOVEMBER 5, 2013  
BOARD ROOM  
6:30 P.M.**

**Board Members Present:**

Mayor David Gregg  
Mayor Pro Tem Jan Dowker  
Trustee John Bauer  
Trustee Suzie White  
Trustee Dick Shepard  
Trustee Thomas Jones  
Trustee Paul Alaback

**Staff Members Present:**

Town Administrator Mike Hart  
Attorney Greg Bell  
Town Clerk Mary Cowdin  
Deputy Town Clerk Tamiko Brewster  
Planner Tim Katers  
Accountant Faith Smith  
Streets Director Jerry Wilson  
Parks Director Jeremy Olinger  
Engineer Stephanie Brothers  
Interim Police Chief John Feyen  
Water/Waste Water Operations Manager James Taylor  
Economic Development Director Ron Schneider  
Administrative Clerk Jory Haslett

Mayor Gregg led the Pledge of Allegiance.

**Citizen Participation**

Joe Coons of 1045 7<sup>th</sup> Street Place addressed the Board regarding handicapped parking in Town and the enforcement of unauthorized parking in handicapped spots. He also addressed impaired driving, including under the influence of medical marijuana or prescription drugs.

Mayor Gregg asked that Staff follow up on these issues.

**Consent Agenda**

The consent agenda consisted of the October 15, 2013 and October 22, 2013 minutes and the Bills Allowed for September 2013.

**Trustee Shepard moved to approve the Consent Agenda. Trustee Bauer seconded the motion. The motion passed unanimously.**

### **Executive Session**

Mayor Gregg requested that an Executive Session be added to the Agenda.

**Mayor Pro Tem Dowker moved to adjourn the meeting to Executive Session for the purposes of determining matters that may be subject to negotiations, strategy, or instruction of negotiators. Trustee Bauer seconded the motion. The motion passed unanimously.**

Mayor Gregg adjourned the meeting to Executive Session at 6:38 PM. Mayor Gregg reconvened the meeting at 7:14 PM.

### **Resolution Accepting an Annexation Petition & Set Public Hearing**

Planner Katers presented the Resolution accepting the petition of ProSwing First Annexation, Serials 1, 2 and 3. Unfortunately, the public hearing notice was not made by Town staff after ProSwing's initial petition's approval on September 10, 2013.

**Trustee Shepard moved to approve Resolution 16-13 amending Resolution 11-13 and finding an Annexation Petition for the Pro Swing First Annexation – Serials 1, 2, and 3 and to set a public hearing for December 10, 2013. Trustee Jones seconded the motion. The motion passed unanimously.**

### **Update on Historic Residential District**

Planners Katers presented an update of the Historical Residential District process. The feedback from residents in the proposed district so far has been excellent.

Currently the Historic Preservation Advisory Committee (HPAC) is currently working on a mailing to the residents in the proposed district to gather more information of whether or not a district should be formed, and if so, where the boundaries should be located.

The HPAC is also working to submit a grant to the State of Colorado for assistance in surveying properties should there be interest in forming a district. The grant does not require a local match. The grant application is due on November 15, 2013.

The HPAC has also sent out non-binding bid requests for the historical surveys.

Trustee Shepard asked Planner Katers how many residents would have to opt-in in order to move forward with the creation of a historical district. Planner Katers stated that 50% of the residents would have to opt-in; however, the district boundaries could be drawn to reflect the area of

interest. There could be multiple districts created and the same set of building standards would probably be used across all historical districts.

**Trustee Bauer moved to direct staff and HPAC to continue the public outreach effort and to submit the grant application, as well as authorizing Mayor Gregg to sign the grant application. Trustee Shepard seconded the motion. The motion passed unanimously.**

### **Review Portions of 2014 Budget**

Accountant Smith presented the updated 2014 Budget to the Board and reviewed changes that were made since it was first presented.

Staff reviewed the budget deficit and made some adjustments to capital and staffing expenditures, however the budget still was not balanced so fee schedules were revisited for several departments.

The Cemetery Fund would have a negative balance in 2015 without any adjustments to the fee schedule. With the updated fee schedule, the Cemetery Fund will have a positive fund balance in five years.

Trustee Jones pointed out that the City of Loveland charges by the square foot for street cuts.

The Waste Water lift station maintenance fees were not enough to cover the costs of operations. There is now a flat rate for System Lift Station Fee of \$4.10. Some customers will see a slight increase and others will have a slight decrease. Staff will continue to monitor the costs and to update the flat rate as needed.

The gear switches at the Waste Water Plant were damaged by the flooding in September. Currently staff is working with the insurance company for replacements.

The new budget includes costs for flood related repairs as well as insurance reimbursements and FEMA payments. The sale of Town owned property has also been included in the budget.

Trustee Alaback stated that it might be advisable to set aside some money for the treatment of the Emerald Ash Tree borer infestation, as early treatment would be a cost savings in the long run.

Park Director Olinger stated that due to the inventory work completed by the Tree Board, the Town has the advantage of knowing where the trees are located that will need to be treated. The treatment plan will be presented to the Board in the near future, but a budget item for the tree issues is important to discuss during the budget process. The average cost to treat the Town owned trees would be approximately \$170 per tree for the approximately 300 Ash Trees that the Town owns.



John Goreski, Chairman of the Tree Advisory Committee, addressed the Board and stated that he has put together preliminary costs for the cemetery and several Town parks.

Town Clerk stated that the Budget will not be adopted as an emergency ordinance on November 19, 2013, however 6 members voting in support of the budget and related ordinances is required.

### Reports

Administrator Hart asked about preferences from the Board regarding the retreat. It was the consensus to have the Board retreat on Saturday. He also reported that the Town is getting closer to being able to repair the bridges that were damaged by the flooding. He did not have a recent update of the Comprehensive Plan review, however the committee is ready to begin the process of working from the information the consultant provided.

Mayor Gregg reported on the Xcel issue and stated the Town is continuing to work on relocating the right-of-way out of Town owned properties to road right-of-ways. The Board asked Attorney Bell to draft a resolution outlining the Town's desires for the right-of-way locations as well as supporting the county residents.

Mayor Pro Tem Dowker reported that there is Future of I-25 for Business Owners meeting tomorrow and there is also a NFRMPO meeting on Thursday in Greeley. Friday is the Berthoud Community Library grand re-opening. She also reported on the flags hung on Mountain Avenue by the American Legion Auxiliary and the flag retiring ceremony by the Boy Scouts next week.

Trustee Bauer reported that there is an I-25 Coalition Meeting tomorrow.

Trustee Jones thanked Planner Katers and the HPAC for their work on the proposed historical district.

Trustee Alaback thanked the Tree Advisory Committee for their work on the Ash Tree issue.

Trustee White asked Interim Chief Feyen how he was settling in at Berthoud. He stated that things are going well.

Mayor Gregg adjourned the meeting at 8:57 PM.

  
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Mayor David Gregg  
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Jory Kate Haslett  
Administrative Clerk