



MEETING MINUTES OF THE TOWN BOARD

Town Board Room

807 Mountain Avenue

Town of Berthoud, Colorado

Tuesday, December 10, 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, Laak, Tomassi

The following were absent:

Trustees: Dower, Hardy

IV. CITIZEN PARTICIPATION

There was none.

V. SCHEDULED ITEMS

1. Consent Agenda

- a) Approval of December 10,2019 Agenda
- b) Approval of November 19,2019 Minutes
- c) October 2019 Financial Information
- d) Larimer County Statement of Work
- e) 603 3rd Street Property Purchase Contract

Mayor Pro Tem Hindman Motioned to combine and approve the items on the Consent Agenda. Trustee Tomassi Seconded the Motion. With all in favor, THE MOTION CARRIED.

2. Library District Presentation

Amie Pilla Library CEO: The Library Board chooses Library Board members for themselves. Any appointments made by the Library Board need to be cleared by the Town Board and County Commissioners. She was there to ask the Board to approve the appointment of Natalie Vogt to fill a second term as library trustee, from January 1,2020 to December 31,2023. Ms. Vogt was the Vice President for the Library Board this year 2019.

Mayor Pro Tem Hinman Motioned to appoint Natalie Vogt for a four-year term to the Library District. Trustee Tomassi Seconded the Motion. With all in favor, THE MOTION CARRIED.

Amie Pilla: Thanked the Board and announced that there is still another spot open on the Library Board.

She stated that she is speaking on behalf of the staff and the Library Board and is happy to tell us that they provide this community with a lot of contemporary library services. They have 25,000 items available for checkout in their building. They are part of 112 libraries around the state, so they can get a hold of what people want. In addition, they have research resources which includes specially trained staff. They also have online research tools available for use, technology access via computers and Wi-Fi and tech coaching for those who do not know how to use their devices. They also have a lot of

classes. The example she gave was in October they ran 42 separate classes or events and in November another 30.

They are out of space and knows that is not a surprise to anyone especially to anyone who has been in the building lately. They have 5500 square feet and it is not adequate for the volume of services they offer.

She stated that she is there to ask for a possible partnership opportunity that can work together to get a Library into a space that will serve the members of the community. They already know how much space they need they need to know where they go. That is where the partnership would come in. They need a new spot if they are going to build a new Library or in addition a space to put it on.

Administrator Kirk: Stated that him and Amy have met a couple times about a couple of different partnership opportunities, utilizing town properties and discussed several different locations. The question is what the priorities are, and how closely do they want to stay to the core of downtown, how much space and what are the potential uses in the future that the Town a Library can partner on. With the support of the Board it would make sense if we could provide them land to build the Library on.

The Board was in support of partnering with the Library.

3. 2020 Town of Berthoud Budget Adoption, Public Hearing

The Board was presented with a draft budget in October and then had an opportunity to go through a more refined version in November. Staff went back and made changes based on the Board's feedback.

This was a public hearing and the Mayor opened it for public comment. There was no public comment.

Mayor Pro Tem Hindman Motioned to approve Resolution 2019-22, a resolution of the Town Board, authorizing the expenditure of funds in excess of the 2019 Budget. Trustee Tomassi Seconded the Motion. With all in favor, THE MOTION CARRIED.

Mayor Pro Tem Hindman Motioned to approve Resolution 2019-23, a resolution of the Town Board, Town of Berthoud appropriating sums of money to various funds in the amounts and for purpose as set, with the exception that the internal loan for the Wagner Park project would come from the general fund, instead of the water source supply fund. Trustee Laak Seconded the Motion. With Mayor Pro Tem Hindman, Trustee Laak, Trustee Laak, Trustee Alaback and Mayor Karspeck in Favor. With Trustee Tomassi Against. THE MOTION CARRIED.

Mayor Pro Tem Hindman Motioned to approve Resolution 2019-24, a resolution of the Town of Berthoud summarizing expenditures and revenues for each fund and Adopting a Budget for the Town of Berthoud for the calendar year being in the first day of January 2020 and ending on the last day of December 2020, with the exception that the internal loan for the Wagner Park project is from the general fund and not from the water source of supply. Trustee Laak Seconded the Motion. With Trustee Alaback, Mayor Pro Tem Hindman, Trustee Laak and Mayor Karspeck in Favor. With Trustee Tomassi Against. THE MOTION CARRIED.

Mayor Pro Tem Hindman Motioned to approve Resolution 2019-25 a resolution of the Town Board, Town of Berthoud adopting a fee schedule for all town fees as provided in the Berthoud Municipal Code. Trustee Laak Seconded the Motion. WITH ALL IN FAVOR. THE MOTION CARRIED.

Mayor Pro Tem Hindman Motioned to approve Ordinance 1278, an ordinance of the Town Board, Town of Berthoud levying the taxes for the year 2020 to defray cost of municipal government Berthoud Colorado for the fiscal year beginning January 1, 2020 and ending December 31,2020. Trustee Tomassi Seconded the Motion.
WITH ALL IN FAVOR, THE MOTION CARRIED.

4. Adoption of Codes by Reference

Community Development Director Freese: This was brought to the Board on their direction to modernize codes related to development, including building codes. Staff took the Boards recommendations, worked with Pro-Code our current building inspection company to modernize building processes and update the codes. Staff also held an open house with Builders to discuss the changes. There was no real concern with the builders because they have to follow these codes in other municipalities. The changes include some of the following...

- 2018 International Energy Code with amendments with January 9,2020 as the effective date.
- 2018 International Residential Code
- 2018 International Existing Building Code
- 2018 International Building Code
- 2017 National Electrical Code adding Electric Vehicle requirements
- 2018 International Fuel Gas Code
- 2018 International Plumbing code
- Adopting Control Regulation 86, Gray Water Systems

- 2018 International Mechanical Code
- 2018 International Property Maintenance Code
- 2018 International Swimming Pool and Spa Code

Highlights...

- Passive Radon Systems
- Conduit for Solar will be required
- Conduit for Electric Charging Vehicles will be required
- Multi-Family and Commercial Buildings will have required charging station requirements
- Adding Gray Water Requirements
- Adoption of Property Maintenance Standards
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Kelly Dykstra with Pro Code was at the meeting to answer board questions.

Mayor Pro Tem Hindman Motioned to approve Ordinance 1279 an ordinance amending chapter 11, of the Municipal Code of the Town of Berthoud, for the purposes of adopting the 2018 International Building Code by reference with amendments, the 2018 International Residential Code by reference with amendments, the 2018 Existing Building Code by reference, the 2018 National Electrical Code by reference with electric vehicle amendments, the 2018 International Plumbing Code by reference with amendments, the 2018 International Fuel Gas Code, Gray Water Systems Adopting Control Regulation 86 by reference, the 2018 International Mechanical Code by reference with amendments, the 2018 International Energy Code by reference with amendments, the 2018 International Swimming Pool And Spa Code by reference. Trustee Tomassi Seconded the Motion. WITH ALL IN FAVOR, THE MOTION CARRIED.

5. Cost Share Program for Sidewalks

Administrator Kirk Presented: In front of the board was the draft for the sidewalk cost share program. The Town conducted an extensive evaluation of the sidewalk network throughout town focusing on older areas of town. To bring the town up to current standard it would be in the 10's of millions of dollars which is not practical. We currently budget \$100,000.00 a year for sidewalk replacement. When we do street maintenance projects where we do asphalt, mill and overlay, chip seal project we are required by law to upgrade to ADA (Americans with Disabilities Act) standards. Hillsdale is a good example: We went through removed and replaced all the non-compliant curb ramps. In an effort to expedite sidewalk repair and replacement we are suggesting for consideration a sidewalk cost share program. It does not remove the responsibility to maintain the sidewalk from the property owner under our code as will state statute requires the property owner to maintain their sidewalks to be in good condition adjacent to their home. The cost share does give the homeowner an opportunity to split that cost with the Town, through an application process. This would only be applicable to single family residences. The multifamily apartments, commercial project would have to replace and repair sidewalks on their own that are operated as a business. Those that are single homeowners may not be able to fund the several thousand dollars that it might take to remove and replace. The idea is if you have a failed sidewalk you could approach the town anytime you submit a form to us. The Town would go out and inspect the sidewalks, this is the instance of being proactive, we would determine whether or not it has failed, or which portions have failed. Then at the discretion of the Town Public Works Director we would then agree to pay for a portion of the work that was done. They would not get paid until the work was complete and inspected by the Town to confirm that it complies with the standards set.

The Board directed staff to bring it back and to look at the following...

- The old flagstone historic preservation may want them.
- Look at possibility of a Bond
- Look at other municipalities like Denver who has a chart for means and what it will cost
- Who pays for the ramp to be ADA compliant?
- Would like to change from thirty days to ninety days for compliance.

VI. ELECTED OFFICIAL REPORTS

Administrator Kirk: The Legal Services RFP closed we received three proposals. It will be the Mayor and the Mayor Pro Tem Hindman will do the interviews.

They have finalized the agreement plan tools, the consulting firm that is going to do the comp plan for us will be kicking that project off after the new year. The plan is to have a study session with the board as the project kicks off hand have a clear focus or direction of that plan.

This Thursday will be a Transportation Summit with RAFT, the County and other organizations that have an impact on transit services specifically for seniors and adults with disabilities. We will get to talk about some solutions to common interesting ever-changing environment and immediate issues and long-term planning.

He met with Larimer County Public Health Department and City Managers from other communities to discuss HB19-1033 that is legislation that gave local agencies the ability to raise the minimum age of tobacco and nicotine products to twenty-one. We can also go through and issue tobacco licenses for nicotine and tobacco licenses for retailers, and maybe impose some specific restrictions on how those can be marketed and other things. The county is looking to take the lead on that. The county will come in January to present their thoughts and ideas to the board.

The dog park has been delayed because of weather, but we do have all the material and fencing lined up. Bein Park playground improvements, we swapped out the playground equipment, added some new fencing, made some ADA improvements and poured some concrete. The things left to do is spruce up the landscaping and put some benches and picnic tables in. Berthoud Reservoir is on its way. The fencing has been removed and they have done some surveying. We did get the impact fee report updated, it was delivered last week with some updated numbers related to trails consistent with the board's direction. It did increase the impact fees substantially. He hopes to bring it back to the Board in January. He also thanked the Street crew for their efforts after the big storm. We will be talking about the big storm we had and update our snow removal plan. He also thanked the Parks crew for getting the Christmas decorations up.

Attorney Bell: April 7,2020 election anything tabor they have to have at the very beginning of January.

Trustee Tomassi: Tomorrow starts SnowFest. This Saturday they will start the carving of the snow. They pack it into forms and then the artists get out there and carve it. After that is done there is judging, parade and lighting on Saturday.

Trustee Alaback: Hand nothing to report.

Trustee Laak: Youth Advisory will be participating in SnowFest.

Mayor Karspeck and him had a meeting with Clear lighthouse. They met some of the others that volunteer and on their board. He felt it was a very good meeting.

Mayor Pro Tem Hindman: They had a Historic Preservation meeting last night. They had three new members. They also elected their chair, vice chair, secretary and outlined some goals and project that they want to start working on. Their number one priority is Foursquare church. He encouraged anybody that could attend the Transportation Summit to attend, he feels that they can find ways to work together. He will also be attending a Water Now Alliance with Mayor Karspeck on Friday morning in Denver. This is open to anyone that is interested. It is a meeting on how to better support the Colorado Water Plan. There is still a huge funding gap, and this is to strategize about how to fully fund the Colorado Water Plan. That will be at 8 a.m. to 12 p.m.in Denver.

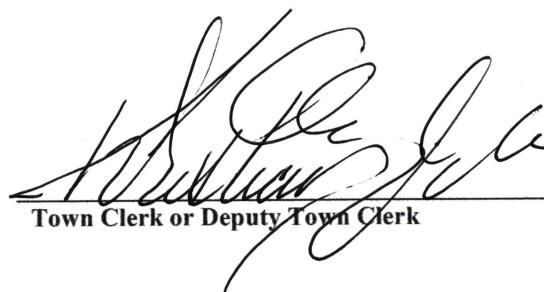
Mayor Karspeck: Stated he looked forward to the Colorado Water Plan meeting as well. Last week he attended the Colorado Ag Water Alliance, that Berthoud was well represented in. He heard about the water issues and upcoming future of CBT and there was a presentation on alternative transfer mechanisms and water sharing. MPO first meeting of the year will be January 9, 2020 and will be hosted at Town Hall and starts at 5:30 p.m. He also appreciated staff and what they did with streets snowplowing. He thought it was awesome seeing staff though the next day just keep going. He also thanked Jones excavating for volunteering their equipment to help the town out.

He mentioned the fracking between Longmont and Erie and that it blew up. Eleven of the workers were hospitalized. He stated he is more frustrated. He will be sending an email out regarding a fracking discussion.

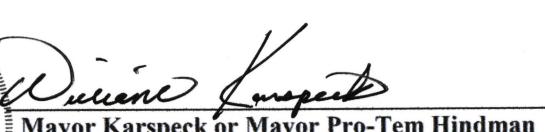
He also mentioned that Eaton did a special election for Fiber Optics. He will bring this up in an email as well.

NEXT MEETING DECEMBER 17,2019

VII. ADJOURNED FROM REGULAR MEETING AT 9:55 P.M



Town Clerk or Deputy Town Clerk



Mayor Karspeck or Mayor Pro-Tem Hindman