



MEETING MINUTES OF THE TOWN BOARD

Town Board Room
807 Mountain Avenue
Town of Berthoud, Colorado
Tuesday, July 10, 2018 6:30 p.m.

I. REGULAR MEETING CALLED TO ORDER

Mayor Karspeck called the meeting to order at 6:30 P.M.

II. PLEDGE OF ALLEGIANCE

Mayor Karspeck led the pledge of allegiance.

III. ROLL CALL

The Town Clerk, Christian Samora called roll and the following officials were present: William Karspeck, Mayor, Jeff Hindman, Mayor Pro-Tem; Brian Laak, Trustee; Pete Tomassi, Trustee; Tim Hardy, Trustee; Maureen Dower, Trustee; Paul Alaback, Trustee, Chris Kirk, Town Administrator; Greg Bell, Town Attorney; and Michelle Adams, Deputy Town Clerk.

IV. CITIZEN PARTICIPATION – 3-minute time limit. *Citizen participation is for items not on the agenda and for agenda items that are not scheduled public hearings.*

Kurt Worrell of Berthoud stated that the Berthoud Robotics program has been very successful and that the teams have been successful in State competitions. Worrell expressed appreciation for the space at the old Town Hall that the robotics teams have been using.

V. SCHEDULED ITEMS

1. Consent Agenda

(Christian Samora)

- a) Approval of Agenda
- b) Approval of Minutes: June 26, 2018
- c) Bargain Storage Appeal Finding and Decision

Trustee Alaback suggested two changes regarding the June 26, 2018 Minutes; one clarification in the Rose Farm discussion and a correction in the Mountain Avenue Overlay sections of the minutes.

Pro-Tem Hindman motioned to combine and approve the items on the Consent Agenda with the changes to the minutes as described by Trustee Alaback. Trustee Dower seconded the motion. With all in favor, **THE MOTION CARRIED.**

2. Appointments to the PORT Committee

(Christian Samora)

Samora gave an introduction and provided background information.

Sylvia Chaney was absent from the selection process.

Brian Dodd stated that he has been in Berthoud for approximately 21 years and has raised three children in the Berthoud community. He continued to state that he has coached in the recreation program. Dodd has also been involved in the Berthoud Chamber of Commerce Board.

Trustee Tomassi asked what his vision was for the PORT committee.

Dodd stated that he went through a lot of the PORT committee minutes. He stated that growth is inevitable and smart growth is essential for the community.

He stated that all the activities should be centered around the center of Town, around the Downtown.

Trustee Laak asked if he had a chance to take a look at the PORT plan.

Dodd asked when the PORT was formed. Karspeck and Hindman clarified that it began in 2015 and in 2016 three subcommittees met and gave recommendations. The PORT committee, as it now exists, was formed in the spring of 2017.

Trustee Dower felt that Dodd would be an asset on the committee with his background in sports and working with the kids.

Mayor Pro-Tem Hindman stated that he felt it was important to participate in the interview process if you were invited.

Mayor Pro-Tem Hindman motioned to appoint Chad Onthank and Brian Dodd to the Port Committee for a three-year term. Trustee Dower seconded the motion. With all in favor, THE MOTION CARRIED.

- 3. Adoption of 2018 International Fire Code** (Christian Samora)
Ordinance 1241 adopting by reference the International Fire Code 2018 Edition, promulgated by the International Code Council, certain fire code standards, appendices and modifications thereto

Samora gave an introduction and provided background information.

Mayor Karspeck opened the public hearing.

Michael Bruner from the Berthoud Fire Protection District spoke and encouraged the Board of Trustees to adopt the fire code.

Trustee Laak asked if there are any provisions regarding smudge fires.

Bruner stated that people must burn only light woods and things that burn cleanly without excessive smoldering.

Trustee Alaback stated that he was reading about barbecue grills in the proposed ordinance and realized that the exemption for single family homes is at the end of the section, which may be confusing.

Bruner stated that the regulation is not for single family dwellings. He stated that it is only for multi-family dwellings where there are combustible materials around the area where the grill is to be used.

Trustee Alaback stated that perhaps composite should be included in the language as a non-combustible decking material.

Trustee Dower asked if there are consequences should a fire start in in a multi-family structure.

Bell stated that it is a part of the criminal code and that people can be cited under the code.

Trustee Alaback also referenced the section that covers weeds. He suggested that it could be worded so that weeds are defined as non-grass type vegetation that is regarded in the opinion of the Town as a nuisance. He stated that it should also define what tall grass is.

Bell suggested completely removing the phrase regarding the opinion of the Town.

Tomassi motioned to approve Ordinance 1241, an ordinance of the Town Board, Town of Berthoud, adopting by reference the International Fire Code 2018 Edition, promulgated by the International Code Council, certain fire code standards, appendices and modifications thereto as amended by removing the language regarding the opinion of the Town, defining tall grass, including composite decking and moving the barbecue exemption to the beginning of the section that it is in. Trustee Alaback seconded the motion. With all in favor, THE MOTION CARRIED.

- 4. Kostka Annexation Findings of Fact** (Curt Freese)
Resolution 2018-23 setting forth findings of fact and determinations regarding the eligibility for annexation of the Kostka Annexation pursuant to CRS § 31-12-114(10)

Freese gave an introduction and provided background information.

Mary Jo Kostka stated that she is the owner of the property to be annexed. She stated that she bought the plot from a woman that she was taking care of. Kostka stated that it would upgrade the neighborhood to build a few new homes on the land.

Mayor Karspeck opened the public hearing.

There was not any additional comment from the public.

Mayor Karspeck closed the public hearing.

Mayor Pro-Tem Hindman motioned to approve Resolution 2018-23, a resolution of the Town Board, Town of Berthoud, setting forth findings of fact and determinations regarding the eligibility for annexation of the Kostka Annexation pursuant to CRS § 31-12-114(10). Trustee Tomassi seconded the motion. With all in favor, THE MOTION CARRIED.

Mayor Pro-Tem Hindman motioned to approve Ordinance 1247, an ordinance of the Town Board, Town of Berthoud, annexing property known as the Kostka Annexation to the Town of Berthoud, Colorado. Trustee Tomassi seconded the motion. With all in favor, THE MOTION CARRIED.

Mayor Pro-Tem Hindman motioned to approve Ordinance 1248 to establish zoning of the property known as the Kostka Annexation, newly annexed to the Town of Berthoud. Trustee Tomassi seconded the motion. With all in favor, THE MOTION CARRIED.

VI. ELECTED OFFICIAL REPORTS

Trustee Laak stated that he recently received the CML Newsletter. He stated that it could be a good venue to show the Emerald Ash Bore Program. Trustee Laak felt that the Town should start trying to get people on Board with the program for the following year.

Laak also reported that another bollard was knocked over along Mountain Avenue. He stated that staff should get them back up as soon as possible.

Kirk stated that he spoke to Scott about mounting them to a more portable base. He will be reaching out to CDOT to see if they have an issue with it.

Trustee Laak stated that the Youth Advisory Commission met last week and the new principal, Dr. Bliss, was present at the meeting.

Mayor Pro-Tem Hindman stated that in the June CML Newsletter there is a downtown tour in Fort Collins and Windsor. He stated that it would be a fantastic opportunity and the planning

commission should be invited.

Trustee Dower stated that there was a PORT meeting the night before the Trustee Meeting. There was a presentation by Wenk and they presented the general plans and concepts. During the meeting they explored different ideas for Richardson, Knieval, Waggner Farm and Bein Parks. Dower stated that Bein Park seems to be an appropriate use of the space and did not believe there would be a lot of redevelopment.

Dower stated that when they looked at Town Park, it was determined that it may not be the best location for a replacement pool for many reasons including the fact that the park may not be large enough to accommodate a pool of an appropriate size to accommodate growing community.

Dower encouraged the public to attend the Open House on Thursday night to see what Wenk has suggested for the different parks in Town. They also suggested open space areas in Knieval Park. A more active use was suggested for Richardson and Waggner Park.

Kirk added that staff recommended that Bein Park be taken out of the plan.

The next open house will be the 12th at 5:30 PM. It's an opportunity for the public to provide commentary of notes so that the consulting team can come back to the public.

The next meeting will be at the Farmers market to capture feedback that way.

August 15th is the next date that the matter will come back to the PORT. Following that, the Board will be reviewing a recommendation in mid to late August.

Trustee Tomassi asked if it will be a presentation similar to the presentation that was made for Berthoud Reservoir. Kirk stated that it will be the same, the reservoir plan was basically finished when it came back to the Board.

Trustee Alaback agreed that the Farmers Market is an excellent way to get input.

Trustee Dower stated that the public was very positive and very engaged in the project. She stated that Wenk is doing an outstanding job and felt that there will be very strong plans to move forward with.

Trustee Alaback stated that he would like to follow up on the Emerald Ashbore Program. He stated that one of the biggest challenges for the program is public engagement. Alaback continued to state that he spoke to the Town Forester and learned that a number of treatment applications were for some of the most valuable trees in town.

Trustee Tomassi reported that the Historic Preservation Advisory Committee met last night and came up with a process to put plaques on homes. He stated that the plaque says when it was built and includes a brief history. He stated that it is a matter of time before the depot is condemned and torn down. The tenants made significant changes to the structure that significantly weakened it.

Mayor Karspeck referenced providing a letter of support for the Northern Front Range Metropolitan Planning Organization's BUILD Grant application.

Mayor Karspeck had previously distributed a memorandum regarding raw water. He asked that it be a conversation for a meeting in August.

Mayor Pro-Tem Hindman stated that he would like to discuss the issue in executive session.

Kirk suggested that Paul Zilis give a water 101 to the Town Board.

The bike and pedestrian program will be sharing the program that was implemented in Fort Collins. The meeting will be at the Windsor community Center.

EXECUTIVE SESSION

Mayor Pro-Tem Hindman motioned to adjourn in Executive Session Pursuant to C.R.S. § 24-6-402(4)(e)(I) to determine positions relative to matters that may be subject to negotiations and the following details are provided: Old Town Hall. Trustee Alaback seconded the motion. With all in motion, THE MOTION CARRIED.

VII. ADJOURN

The Meeting Adjourned at 7:57 P.M.

Michelle G Adams
Christian R. Samora, Town Clerk

*Deputy Town Clerk
on Behalf of Town Clerk*

[SEAL]

William Karspeck
William Karspeck, Mayor

