



MEETING OF THE TOWN BOARD
Town Board Room
807 Mountain Avenue
Town of Berthoud, Colorado
Tuesday, June 26, 2018 6:30 p.m.

I. Regular Meeting Called to Order

Mayor Karspeck called to order the regular meeting of the Town Board at 6:30 p.m. on June 26, 2018 at Town Hall Board Room.

II. Pledge of Allegiance

Mayor Karspeck lead the Pledge of Allegiance.

III. Roll call

Town Clerk Samora conducted a roll call. All were present.

IV. Citizen Participation

There were no citizens for this agenda item.

V. Scheduled Items

1. **Consent Agenda**

(a) Approval of Agenda

(b) Approval of Minutes: June 12, 2018

Trustee Tomassi Motioned to combine and approve the items on the Consent Agenda. Trustee Hardy Seconded the Motion. WITH ALL IN FAVOR THE MOTION CARRIED.

2. **Mosquito Spraying Discussion**

This was rescheduled for July 24, 2018.

3. **Appointments to Historic Preservation and PORT Committees**

Town Clerk Samora presented. The Historic Preservation Commission had one vacancy and the PORT Committee has two vacancies.

Historic Preservation Commission Applicant Doug Carlander of 545 Mayo Court was present and the only applicant for this position. He spoke in front of the board about his previous experience as a member and why he wants to be on the committee. He also talked about what would make him a good member.

Mayor Pro Tem Hindman Motioned to appoint Doug Carlander to the Historic Preservation Committee. Mayor Karspeck Seconded the Motion. WITH ALL IN FAVOR THE MOTION CARRIED.

PORT Committee applicants were not all able to be present at this meeting. The Board agreed to set it for the next meeting of July 10, 2018. They also agreed to accept applications that came in during this time.

The Board paused for moment to allow Trustee Dower to inform Brian Dodd who was in route that the process had been postponed to the next meeting.

The applications received for PORT prior to this meeting were Sylvia Chaney, Brian Dodd, and Chad Onthank.

4. 2017 Audited Financial Statements

Cindy Leach introduced our auditing firm Hinkle and Company. She stated they did our audit for 2017 and have presented their findings that was part of the board packet. The Town Administrator and herself the Senior Accountant accepted the final audit that was presented.

Wendy Swanhorst from Hinkle and Company talked about the audit. She explained what was presented in the board packet. She also stated that they did not identify any red flags. She commended Cindy Leach, on how far the accounting process for the Town of Berthoud has come a long way since Cindy took over.

Mayor Karspeck asked Ms. Swanhorst to clarify Capital Assets.

Ms. Swanhorst stated that it is a fairly new thing for small governments. There is some property that we have obtain some years and years ago that should be on the books.

Mayor Karspeck ask Ms. Swanhorst about the building department fees.

Ms. Swanhorst stated that they should be in a software program and not on an excel sheet. The building department is in the process of getting a software program.

Trustee Laak stated that he saw something on page 27 for the year ended December 31, 2017, the expenditures of the 1% Sales Tax Fund exceeded the amounts budgeted by \$21,049. Ask Ms. Swanhorst to explain.

Ms. Swanhorst stated that it is a legal technicality. State law states that we can only spend what was approved in the budget process. They did not see it as a significant issue. They see it a lot in governments where things come up unexpectedly at the end of the year.

Mayor Pro Tem Hindman to avoid that should we have done a supplemental appropriation prior to the expenditure or in January with the actual projected budget.

Ms. Swanhorst stated state law does not have a time limit on that.

Mayor Pro Tem Hindman asked how we avoid that in the future.

Cindy answered that we have a Resolution at the end of the year when we present the budget for adoption. There is an inclusion in there for the overages as a resolution. That the board approves.

Trustee Laak Motioned to accept the 2017 Audited Financial Statements. Mayor Karspeck Seconded the Motion. WITH ALL IN FAVOR THE MOTION CARRIED.

5. Supplemental 2018 Budget Appropriation

Cindy Leach came up and introduced the supplemental budget. She stated there were items budgeted in 2017 that were not completed. We request funds for these items be rolled over into the 2018 budget. We also have items that need to be added to the 2018 budget as outlined on the spreadsheet that was with the board packets.

Mayor Karspeck asked what the difference was between Park development fund, the park development master plan and then when you go to open space the 1% sales tax that says Rec Center.

Town Administrator Chris Kirk answered that we would talk in more detail about the Parks Master Plan later in the agenda. Our expected cost came in higher than originally reported for the master plan for the six park facilities identified. We want to also to do additional survey work. The \$50,000 is for the master plan of the rec center.

Mayor Karspeck asked that the Handy Ditch also be explained.

Town Administrator Chris Kirk answered \$200,000 dollars for attorney fees to take the Handy Ditch Shares from Heron Lakes through our court.

Cindy Leach also responded that we received that money last year. However, it was not earmarked for that purpose. The \$200,000.00 was received as revenue in 2017. However, the attorney fees were never budgeted. We are going to be spending that money out of beginning fund balance.

Mayor Pro Tem Hindman asked why we would not want to look at the raw water fee.

Town Administrator Chris Kirk answered that the raw water fee is working very well for us right now. As you can we have a significant fund balance and those fees are covering our cost for purchasing water.

Cindy Leach also followed up by stating that they are working on an updated master plan for source of supply. Once that is completed we will have a better idea of the future.

Mayor Pro Tem Hindman then confirmed that we are doing a master plan specifically for raw water.

Cindy Leach answered yes.

Mayor Pro Tem Hindman then asked there is almost \$40000.00 on water operations; is that because of the construction projects? He overall stated he wanted to know why there is so much in water operations?

Stephanie Brothers answered that there was money funded for 2017 and that was a rollover that had not been spent in 2017. The improvements were for new water valves to get rid of the old valves. She also explained that they had underestimated their meters and that they are going to replace all of the old meters in town. That is a total of 900 meters originally thought to be 500 meters. After sending all the data out it came out to 900 total meters. That extra money is to get everything in town on the same radio frequency.

Mayor Pro Tem Hindman then asked why it was 50/50 between the two.

Stephanie Brothers then answered because in water we already budgeted some money. The \$50,000 is in addition. Then we split it with wastewater.

Mayor Pro Tem Hindman also asked if the money for county road 17 was also being funded from somewhere else.

Stephanie Brothers answered yes.

Trustee Tomassi Motioned to approve Resolution 2018-22, a resolution of the Town Board, Town of Berthoud making a supplemental appropriation of funds and adopting budget amendments to account for roll over and supplemental items. Trustee Dower Seconded the Motion. WITH ALL IN FAVOR THE MOTION CARRIED.

6. Rose Farm Conceptual Plan

Curt Freese gave an introduction. He stated we are talking about the 8.67 acres offering three different types of uses... townhouses, duplexes and single-family dwelling units. He also stated that the Planning Commission unanimously approved the Rose Farm Concept Plan at its June 14, 2018 meeting with the following conditions... Detached sidewalks and tree lawns are provided along Blue Bell; shared private driveway is removed due to site distance concerns; the applicant conducts a parking study. There was substantial discussion involving parking, and whether there was enough parking within the subdivision for visitors. The concerns for parking were made as a recommendation for a parking study which the applicant has provided with this Town Board Submittal and is found in the Staff report.

Lee Martin with Landmark Engineering on 3521 West Eisenhower Blvd; Loveland got up and spoke he reiterated what Curt said earlier. He stated that they did focus on streets and parking along with a few other items that came up. The zoning is R3. He pointed out that they are proposing 70 units from an urban design and they have a great mix. He also pointed out the central park.

Trustee Dower asked about the width of the street where there is designated parking on just the one side is the curbs going to be extended to make it obvious that it is parking just on the one side of the street.

Lee Martin answered that there would actually be parking on two sides of the street along the northern private drive. He pointed out the plan and explained how that allowed the parking.

Trustee Dower main concern was public safety. She also had concern about the corner needing to be open for visibility for drivers on the corner of Spartan and 10th Street.

Lee Martin explained that there would be some kind of signage or indication of parking that it would just not allow parking anywhere.

Trustee Hardy asked why the park was moved from the greenbelt to more of the middle.

Lee Martin said that it was to create additional parking including handicap parking.

Mayor Karspeck asked about the exterior fencing and there was none.

Lee Martin answered that there potentially could be along county road 17.

Mayor Pro Tem Hindman wanted to clarify that the fourplex would have front facades and front doors that faced Spartan with the parking in the back. He also clarified that the pedestrian access was between the fourplexes.

Lee Martin answered that is correct.

Trustee Tomassi direct a question towards Sargent Anderson about traffic incidents along county road 17 and Spartan.

Sargent Anderson answered that there has not been that many incidents in that location. He did state that there is a lot of work traffic in that area. He also stated that when they took out the trees it really helped.

Trustee Alaback thinks it is great that we are looking at more multi-family dwellings. He wants us to really look at the design. He lives at Berthoud Commons and parking is a real issue for them and driving down that street when people are parking on both sides makes the street very narrow. He feels that if we can get that extra parking that would be really important. He also stated he liked the design and having the park in the center was great by providing kids and adults living in multi-family housing better and safer access to the pocket park.

John Keller on 311 Cheyenne Drive citizen came up and spoke. He stated that his property backs up to Spartan. Stated that the proposed houses would be significantly closer to the street than what the current houses are. He wanted the board to understand he did not object the project at all. His main concern is the traffic. He also had concern about the hill as you head south on county road 17 there is a blind spot. That there has already been an accident since construction started.

Mayor Pro Tem Hindman suggested that maybe we look at lowering the speed limit in that area.

Trustee Tomassi Motioned to accept the Planning Commission recommendation to approve the Rose Farm Tract "A" Concept Plan with the following conditions:

- **Detached sidewalks and tree lawns provided along Blue Bell**
- **The shared private driveway is removed due to site distance concerns.**

Trustee Hardy Seconded the Motion. WITH ALL IN FAVOR THE MOTION CARRIED.

7. Mountain Avenue Overlay Plan

Curt Freese introduced this. He stated when we did the development code one of the recommendations was to consider a downtown Mountain Avenue plan. We put that out as an RFP. We thought the bids were going to come in lower but they did not. We interviewed the firms for signage, Gateway signage and for design overlay of the Mountain Avenue Corridor. The corridor is from I-25 to Highway 287. The idea was to preserve the Mountain Avenue because it is the heart of Berthoud. This would set the stage for Berthoud for the next 50 years. Three firms were interviewed. Staff is recommending BHA Design from Fort Collins. Town Administrator Chris Kirk stated they were chosen because they best saw our vision for Berthoud and understood what we wanted. This is a 12-14-month process with significant public interaction. This equates to professional paid employee with salary benefits that could do the level of work we are looking for.

Mayor Pro Tem Hindman made a comment that he really liked having the plan from I-25 to Highway 287. He felt that it does need a lot of experts because we have four or five different areas. Felt it was a good use of one time building fee funds and strongly supports it.

Trustee Laak also commented on the experience BHA design has and the projects that they have under their belt. He also stated he was really impressed with their approach and really appreciated that as well. He appreciated that they did not take the cookie cutter approach like some of our neighboring towns.

Trustee Hardy like how they were taking an artistic approach. We have a clean slate and he wants us to take advantage of that. He as well liked that they were not taking the cookie cutter approach. He would like to see them incorporate some of the things that our town was built on like agriculture and the railroad.

Trustee Laak followed up with a quote from the trade..." Bad things happen quick and good things happen slow."

Trustee Alaback stated he was glad to see this project. That we are looking at the future and we are identifying that we have unique downtown with lots of character. That we want to think about how people identify with Berthoud and how they will spend their time here. That the downtown is our common area and so many of our events occur here. Studies have shown that it is really important to communities. Communities that do well are maintaining their main Street commercial areas.

Trustee Dower stated that this particular firm has done a lot for Fort Collins. Disney has based its main street on downtown Fort Collins. She stated she has confidence in what has been presented by them. She also stated that business that support us through sales tax deserve this.

Mayor Karspeck asked if there would be numbers associated with this plan to show what it would cost to do say a 100 feet of Main Street.

Town Administrator Chris Kirk answered this is a planning plan not a capital improvement plan. This is looking at it from different perspectives. To help create appropriate regulation so that development occurs to what we want to reflect. That way we have appropriate overlay zoning or overlay development code to an architectural guidelines as private development occurs.

Mayor Karspeck concern that we approve this we need to take it seriously. That we need to also take action. Trustee Dower also wants to see it to be actionable as well.

Town Administrator Chris Kirk reassured Mayor Karspeck and board that this was not just to paint a pretty picture but to also put action to it through our development code.

Mayor Pro Tem Hindman Motion to award a contract to BHA Design for the Mountain Avenue Overlay Plan and authorize the Town Administrator to execute the contract. Trustee Hardy Seconded the Motion. WITH ALL IN FAVOR THE MOTION CARRIED.

8. Old Town Hall Revitalization (Informational Only)

Walt Elish gave the History on how this came to be.

Mike Schroetlin with Schroetlin Custom Homes gave a summary. They are proposing to redevelop the half acre site by adding four residential townhomes along 3rd Street and approximately 7,250 sq. ft. of commercial space in a new two-story building along Massachusetts Ave. The Plan is to keep the existing bank building and develop the new commercial space with as much flexibility as possible, allowing potential users to finish the interiors as they require. He redirected the board to the presentation that was put in their board packet.

Mayor Pro Tem Hindman stated to Mike given the restraints you were given he really appreciated him putting together a proposal. This gives us a really good idea on how we can blend residential with new commercial which would really help that street.

Trustee Tomassi asked Mike how he arrived at the offer price of \$150,000.00.

Mike Schroetlin based off how all numbers worked out if we kept it as is. To also make it a win win situation.

Trustee Tomassi stated that he assumed demolition was also the considering factor for this price.

Mike Schroetlin responded right.

Trustee Dower asked Mike what his timeline was.

Mike Schroetlin stated he would like to see sooner than later but he could slow down the process.

Town Administrator Chris Kirk stated that we could use this as a model plan of what we would like downtown Berthoud to look like.

It was acknowledged that this would be some type of partnership with Mike Schroetlin and that we needed to get some kind of decision back to him since his original proposal was brought back in February of this year.

The Board directed this agenda item be for an EXECUTIVE SESSION due to the sensitivity of information that could not be openly discussed due to Towns Ownership of this property.

9. Public Works Facility Design Consultant

Stephanie Brothers presented that we got approval for an RFP for consultants on the future Public Works Building to be built on the North side of the water treatment plant. We have 11 acres that we can build on. We received seven proposals and selected three to interview. Staff selected Halcyon Design based on prior experience with similar priced projects. This firm is also familiar with products and design to meet energy efficient guidelines.

Mayor Karspeck stated that this is out of all the ones tonight definitely this is the most needed, especially with what CIRSA was saying about the old facility. He appreciated that it was modest on what we need now.

Trustee Laak had question about what staff will do.

Stephanie Brothers stated that we would do the survey and it will be done ahead of time.

Trustee Tomassi asked about the \$74,000 and where that was coming from.

Town Administrator Chris Kirk responded that we have budgeted funds for this project already that will come from a variety of funds; because it will be used by a variety of departments. We also talked about having a masterplan for the site for future growth.

Mayor Pro Tem Hindman commented that he was really impressed that we paid attention to long term energy efficiency and looking at long term in the design.

Trustee Alaback wanted to second what Mayor Pro Tem Hindman stated. He as well was impressed with the energy efficiency and what a great thing to be moving forward on.

Mayor Pro Tem Hindman Motioned to award a contract to Halcyon Design for the design of the Public Works building and authorize the Town Administrator to execute the contract. Mayor Karspeck Seconded the Motion. WITH ALL IN FAVOR THE MOTION CARRIED.

10. Park Master Plan Design Consultant

Jeremy Olinger introduced this RFP was an overall Park Master Plan and Rec Center Concept along with providing cost estimates to those amenities in the parks and rec center. In addition, five properties developed and undeveloped were identified in this master plan for the park system. We also requested that they deliver a recreation facility location is undetermined by using one of those properties. As well we requested an aquatic facility whether it be phased or attached to the rec center or as an outdoor amenity as a replacement idea or concept to our current season pool. We had seven proposals came back and narrowed it down to three that we interviewed with the help of PORT. Staffed recommends Wenk because of our relationship already with them. They also have six team members with different experiences and are highly respected.

Mayor Karspeck asked how this was different from Green Play two years ago.

Jeremy Olinger explained that we are going to get the cost side of it, construction cost and a better design. That before it was more conceptual and basic and not all the detail.

Mayor Pro Tem Hindman also responded that Greenplay was just the survey and the outreach and the standards part of it. He stated that he sees this as finishing what was not finished before. That this is actually going to nail it down set a long-range plan.

Mayor Karspeck stated that it is very crucial to have robust public input session. That the PORT committee was created for a reason. The PORT committee should be updated throughout this process. He feels we need to be very cautious how we move forward from here.

Trustee Dower stated that based on experience you can reach out to the community for public input and invite them as many times as you would like and still not get any greater response than those people who are really eager to look at the plans. She feels the town is very aware of that. She also feels a key thing is applying for grants which we cannot do until we have the numbers to put with it. She feels if we make this investment in this proposal we are setting ourselves up in getting these grants.

Trustee Laak also felt that one of the big selling points for him is that it would help us get grants. Therefore, if we do want to do something with Wagner Farm Park we have a master plan and they can all tie together. It could also help us tap into some volunteerism from people with the skills to do the job. That it would help us start getting things accomplished.

Jeremey Olinger stated that he agreed with Mayor Karspeck and that we do need to communicate the process with PORT and the community that it is extremely important.

Trustee Tomassi stated that he does not feel we are anywhere close to being ready for an indoor aquatic center in this town. He feels we do not have the money and we have other pressing needs. Town park pool has extended its life, baseball field that need expanded. This will get us moving in the direction of knowing what we can and cannot do.

Town Administrator Chris Kirk addressed the boards concerns and what having this plan does to help us plan for the future. We will be able to identify the improvements we can afford and to prioritize based on the results of this plan.

Jeremy Olinger also stated that one of the plus reasons for selecting Wenk and their team was their forefront in providing those numbers to what those cost estimates could be early in the process. Normally that comes later. Wenk will be providing them upfront because of their ability to do that.

Trustee Tomassi had clarified that the proposal from Wenk would also include annual operating maintenance expenses and operating expenses.

Town Administrator Chris Kirk answered that the sub-contractor that is working for Wenk does all the estimated ongoing operations expenses, maintenance expenses including lifecycle costs of equipment and facilities. They also put together operation plans. That will help us make valued decisions.

Milan Karspeck 706 8th Street stated that this is a lot of money. His term on the Board that they were never close to spending that much money on a consulting project. He also stated that they had plans after port plans and a rec center plan under Jeff. That just sat on the shelf. He came here with the concern that it all looks good and we got a lot of pretty pictures but it does not really affect action. His question is it really worth the money to put into it? He stated that the history is no. He can go back over a lot of plans of many of which he still has that were never used. He doesn't feel the board has thought about the cost enough and what it means for the citizens to have to pay for this thing.

Mayor Pro Tem Hindman acknowledge that it does go back a long way. That there is a lot of reasons why the previous plan did not go through. He stated that we cannot make this a rec center plan. It might give people the expectation we can afford one. As of right now we have a long list of priorities like ball fields, trails, the swimming pool before, we can get to building a rec center. We need to see what we can afford in order for us to know what the options are.

Trustee Laak also stated that we are going to have recreational marijuana funds. One of the things the funds can be used on is parks and trails.

Trustee Alaback stated that he feels the planning is really critical. That he is excited about this proposal that gives a plan to do stuff.

Trustee Dower Motion to award a contract to Wenk and Associates for the Berthoud Recreation Center and Park Master Plan Development and authorize the Town Administrator to execute the contract and authorize unforeseen expenditures not to exceed 10%. Mayor Pro Tem Hindman Seconded the Motion. WITH Trustee

Hardy, Trustee Dower, Trustee Alaback, Trustee Tomassi, Trustee Laak, Mayor Pro Tem Hindman IN FAVOR THE MOTION CARRIED. Mayor Karspeck was NOT IN FAVOR.

11. Public Policy Services Consultant Selection

Town Administrator Chris Kirk stated that staff was directed to study a ballot measure to fund capital improvements. Staff reached out to George K Baum and Associates and received a proposal from them to conduct research to further understand public opinion on recreation improvements, their associated costs, and possible funding. One of the things they can do is mail survey for gauging the public's opinion about bond measures to support recreational capital improvements. We are not talking a recreation center specifically but just an idea on if they are willing to pay for more recreation improvements. This is to get feedback from the community.

Trustee Dower asked if there was any thought to given to sending out to sub set of similar questions to the population around Berthoud.

Town Administrator Chris Kirk stated no because they would not be voting on a ballot measure. Our intent was to primarily look at registered voters.

Trustee Alaback wanted to know how the questions were going to be developed and what kind of process.

Town Administrator Chris Kirk stated that the survey has been drafted already and a fact sheet will be included with that survey. This will not be circulated until late July. Our expectation is to bring back the results at the survey at the August 28, meeting.

Mayor Pro Tem Hindman Motion to award a contract to George K. Baum and Associates for public policy and survey services and authorize the Town Administrator to execute the contract. Trustee Laak Seconded the Motion. WITH Trustee Hardy, Trustee Dower, Trustee Alaback, Trustee Tomassi, Trustee Laak, Mayor Pro Tem Hindman IN FAVOR THE MOTION CARRIED. Mayor Karspeck was NOT IN FAVOR.

VI. Executive Session

Mayor Karspeck Motioned to move at 10:04 p.m. that the Town Board enter into 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, developing a strategy for negotiations, and instructing negotiators. The following details are provided: Water Rights Purchase. Trustee Tomassi Seconded the Motion. WITH ALL IN FAVOR THE MOTION CARRIED.

Mayor Karspeck called the Regular meeting back to order at 10:14 p.m.

Mayor Pro Tem Hindman Motioned on behalf of the recommendation of the Town Administrator that the Town Administrator to execute the purchase agreement for four units of Colorado Big Thompson Water at a purchase price of \$30,000.00 per unit. Trustee Dower Seconded the motion. WITH ALL IN FAVOR THE MOTION CARRIED.

VII. Elected Official Reports

Trustee Laak reported that the Youth Advisory Commission did not meet. He also would like to see a video done on how to use a crosswalk. He stated that he did talk to Sargent Anderson about doing a low-tech video. He felt that Sargent Anderson would be a great face for the video because everyone knows and respects him and he has an awesome sense of humor.

Trustee Hardy I-25 Coalition Letters from Elizabeth were forwarded to the board. They are going to start construction on the express lanes from Johnstown to Fort Collins. CML was great. He won't be here July 10.

Trustee Dower the big thing from her for CML was speaking to former Governor Ritter. He had an excellent talk on New Energy Economy. When the bollards went up people emailed her thank her for them being up and how thrilled they were about us taking pedestrian safety seriously.

Greg Bell stated that he would have the written decision for the Bargain Storage.

Trustee Alaback he had a great time with the HOPs and Harley Fundraiser. He saw what a great community we live in. He said he was reflecting on that and how important volunteers are to a community. He would like to see us discuss volunteerism more. He is passionate about making volunteerism a more meaningful experience and utilizing them in the community.

Trustee Tomassi the Historic Preservation has not met since the last board meeting. We did appoint Doug tonight.

Mayor Pro Tem Hindman reported he enjoyed CML a lot and has a lot of take away from that. Think it is great to see everyone in non-meeting settings and feel that is important. This Thursday at 5 p.m. at the Loveland City Council Chambers is the Larimer County Open Lands Advisory Board.

Mayor Karspeck just want to thank everyone for being passionate. He also stated that he has heard Governor Ritter speak about the Energy Economy and found it enlightening and shocking at the same time.

The board all agreed to have another time to discuss their CML experience with everyone and what they got from it.

VIII. Adjournment

Mayor Karspeck adjourned the meeting at 10:29 p.m.


Christian R Samora, Town Clerk


William Karspeck, Mayor

