



**TOWN BOARD OF TRUSTEES  
REGULAR MEETING MINUTES  
OCTOBER 10, 2017  
BOARD ROOM  
6:30 P.M.**

1. Call to Order

Mayor Steve Mulvihill

2. Roll Call

Christian Samora, Town Clerk, called the roll call. Mayor Mulvihill, Pro Tempore Buckridge, Trustee Baker, Trustee Dunkelberger, Trustee Karspeck, Trustee Laak, Mike Hart and Gregg Bell were present at the meeting. Trustee Hindman was absent.

3. Pledge of Allegiance

Mayor Steve Mulvihill

4. Motion to Approve Agenda

Motion to approve as amended.

Hart explained that the irrigation agreements were pulled from the agenda and that the agenda should be approved as amended to reflect the water regulation ordinance on the agenda. Hart explained further that the correct materials were in the packet; however, the incorrect agenda item title was listed on the agenda.

**Trustee Laak motioned to approve the agenda as presented. Dunkelberger seconded the motion. With all in favor, THE MOTION CARRIED.**

5. Citizen Participation

Kelsey Byron thanked the Board for the time to present her concerns. She explained that there are approximately 500 residents that need infrastructure changes to Welch and 1<sup>st</sup> Avenue. She stated that a petition was circulated for ten days and received over 200 signatures. Byron stated that the petition was delivered to the Town staff and Mayor both in person and by mail. Byron stated that the citizens are looking to have a safe route to school because the crossing at the turning circle was not safe. Byron stated that there are many citizens that have many needs and are unable to travel on the existing infrastructure.

Byron had a map that illustrated where there are not currently existing sidewalks. She stated that if some of the simple changes were made, there would be a benefit of the citizens being able to travel for many different reasons.

Natalie Vogt stated her background was in construction and thought she could help do it in a way that does not cost the Town a significant amount of money. She stated that after meeting with Town officials and she felt that they reached a solution that will actually work very well.

Mulvihill stated that staff will come back with a plan.

Pro Tempore Buckridge thanked the citizens. He stated that there is also a school crossing program that could use some volunteers.

Trustee Laak thanked the citizens for spearheading the issue.

6. Consent Agenda

All matters listed under Item 5, Consent Agenda, are considered to be routine by the Town Board and will be enacted with a single vote. There will be no separate discussion of these items. If discussion is deemed necessary, that item should be removed from the Consent Agenda and considered separately.

- A. Minutes
- B. Financials August 2017
- C. Bills Allowed August 2017

Trustee Baker suggested a clarification be made in the reports section of the minutes.

**Pro-Tempore Buckridge motioned to combine and approve the items on the Consent Agenda as revised. Dunkelberger seconded the motion. With all in favor, THE MOTION CARRIED.**

7. Ordinance Revisions

Hart/ Zilis

Hart gave an introduction and provided background information.

Zilis explained various changes that are proposed in the code to clarify. In addition, Zilis provided a red-line copy of the proposed changes.

Trustee Laak asked if there will be times that the Town does not do the analysis. Zilis stated that it would be required that the Town does it. He stated that when the fees in lieu are paid, it will be designated as potable and not potable water.

**Trustee Laak motioned to adopt the Code changes as presented. Dunkelberger seconded the motion. With all in favor, THE MOTION CARRIED.**

8. Oil & Gas Leases

Bell

Bell gave an introduction and provided background information.

Bell stated that what is before the Board has nothing to do with drilling. Bell stated that if you agree to lease the mineral interest and the lease would pay a certain amount if they drill within the lease period. Bell stated that they are only tying up the rights. Bell clarified that the lease does not inherently mean that they can drill.

Bell stated that they can also pool the right and drill even without a lease. Bell stated that the pooling can occur regardless. Bell clarified that if they start drilling, the Town would receive a percentage as a royalty.

Bell stated that to start drilling, they would need surface rights. Trustee Laak asked if it would be fracking. Bell stated that the other existing well is deep and is from fracking, otherwise the well would not produce.

Trustee Karspeck stated that there should be a renewable energy fee and wanted to make sure that everyone had enough information to make an informed decision.

Bell stated that if they are drilling within the Town boundaries, the Town will have a lot to do with it.

**Dunkelberger motioned to authorize staff to seek a counterproposal to include the attached addendum and that (A) That the bonus be \$1,300 per net mineral acre for a 3-year paid-up lease, OR raised to \$1,600 per net mineral acre for a 5-year paid up lease; and (B) Countering with a royalty rate of 20%. Pro Tempore Buckridge seconded the motion. With all in favor, THE MOTION CARRIED.**

Service Center Building

Hart

Hart explained that there was information in the packet. He stated that CIRSA has issues with the current condition of the building. Hart stated that there are no indoor spaces for the Public Works department to work on equipment. Hart stated that the Town needs take care of the equipment and the staff needs a place to work on the equipment.

Hart stated that there has been conversation regarding several sights. He stated that they felt the CR 10E location was the best.

Trustee Laak asked what would happen to the brick building. Hart stated that it could be surplus.

Pro Tempore Buckridge stated that the wastewater plant was planned to accommodate future growth and wanted to build something that can be expanded as it is needed.

Trustee Baker stated that she looked at the property and as the Town is growing, there are more demands and asked if there was ability to get match grant funding.

Hart stated that there is a possibility.

Mayor Mulvihill asked where the \$900k figure came from. Hart stated that it is a ballpark figure that Scott in Public Works provided by looking at construction costs. Mulvihill would like to see a breakdown of what the budget will be.

Laak suggested having the budget and to build within the budget.

There was discussion regarding the exact purpose of the Public Facilities Fund and what it can be used for. Leach stated that there will be additional detail brought forth at the next meeting.

**The Board agreed to move forward and staff will bring back more detail.**

9. Cemetery Budget

Leach

Leach gave an introduction and provided background information.

Hart provided additional information regarding the cost of maintenance.

**The Board agreed to proceed with Option 2 to include Out of Town increases.**

10. Budget Overview: General Fund

Leach

Leach gave an introduction and provided background information. Hart suggested having a discussion with the new manager regarding the PIO. Hart stated that he has asked Slate to stay on board until there is a new administrator.

Trustee Baker stated that she remembered the discussion and was supportive of a full time PIO position.

There was discussion regarding an additional corporal in the Berthoud Squad. It would be a regular deputy and the corporal could fill in.

There was discussion regarding the request from the Tree Board. Jeremy Olinger stated that six of the twelve trees have been identified to be the worst. Olinger stated that they would be taken down over time.

Baker referenced elm trees that are not in good condition and asked if they needed to be removed. Olinger stated that they did not see others that needed to be removed.

Karspeck stated that he is not sure about covering the cost of insurance. Hart suggested having the trees done this year and worry about the insurance another time. Pro Tempore Buckridge was in agreement.

Mulvihill suggested paying half if the Tree Board paid the other half.

**The Town Board was in agreement to pay for half the tree cost and the water.**

11. Advisory Committees

Hart

Hart gave an introduction and provided background information. He stated that if one committee is allowed to come forward and address the Board directly, then all of the committees should be allowed to come forward.

Mayor Mulvihill stated that he did not feel the policy needs to be modified, but exceptions could be made. He stated that the Board was just curious what the PORT Committee's priorities were.

Trustee Baker stated that she did not know what the priorities were. She suggested an annual update. Hart stated that there are annual updates from each of the committees.

Hart stated that when the email came from Len, Hart's response back was to perhaps they could work on a program and work with staff and have a game plan. Hart felt that staff and the advisor committee should be in line.

Karspeck agreed that there was not meaning to bypass staff; but rather, how the budget works and what they are going for.

Hart stated that the outdoor pools are losing popularity and the splash parks are becoming more popular and there could be an aquatic center in Wagner park. He stated that it is all a discussion that goes on at a staff level and with the PORT committee.

Pro Tempore Buckridge stated that the advisory committee needs to work things out with staff and get everything ironed out at that level and the Board should not be getting involved in the advisory committees. Mulvihill stated that he agreed and it is the job of the advisory committee to let the Board know what their priorities are. Mayor Mulvihill stated that the committees gather the information from the public and relay that information to the Board.

Buckridge stated that the whole purpose of the advisory committee is to work with the public ideas and working with staff to see if they are feasible ideas.

Karspeck suggested that perhaps the conversation needs to be had with the PORT committee and have a conversation with staff about that.

Staff will be working with the PORT Committee.

## 12. Reports

Hart distributed the administrator report along with supporting information.

Elish thanked the Council for participating in Oktoberfest. He stated that the Town Hall subcommittee meeting will be in the Board Room.

Hart will be signing a lease at the Old Town Hall for some office space.

Elish stated that there is a public campaign for Amazon and you can tell Amazon why Colorado is special to you.

Trustee Baker thanked him for setting up the booths at Oktoberfest.

Hart stated that there is a school crossing at CR14 and there should be a sign installed and functional by the end of the week.

Pro Tempore Buckridge asked if the crossing guards will be compensated. Hart explained that they are volunteers.

Hart stated that there will be a four way stop at 2<sup>nd</sup> and Welch.

Trustee Laak reported that he went to the PORT Committee Meeting.

Trustee Dunkelberger was at Oktoberfest and the weather was ideal. The Youth Advisory Committee had a meeting to plan for the event. They will be meeting 10/11/2017 to discuss groups and collaboration.

Trustee Karspeck also attended the PORT Committee meeting. Karspeck stated that there was great information about the passenger railway and there will be a Bustang bus on HWY 287. Karspeck also reported that Fort Collins is looking at becoming all electric for the public transportation.

Karspeck stated that the CML Meeting was an outstanding job; Baker also mentioned that the meeting was done very well.

Trustee Baker asked about getting a housing authority on a study session sometime.

Pro Tempore Buckridge reported that HPC met and there is another house they are doing evaluations on. There are discussions on how it can be synced up with the historic society.

Mayor Mulvihill stated that he received several compliments on Brookside Gardens. He stated that he met a lot of new residents at Oktoberfest.

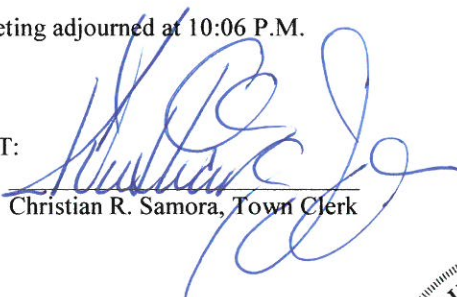
Mayor Mulvihill asked if it would possible to identify unspent funds for 2017. Hart stated that the ending balance is what is unspent at the end of the year. Mulvihill clarified that he was asking about unrestricted amounts. Hart stated that the information would be brought back to the Board. Mulvihill asked if there was an inventory of Town land. Hart stated that there is a land inventory. Mulvihill asked if the PORT Committee had seen the list. Hart stated that he would have Curt Freese update the list.

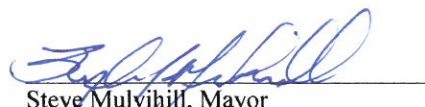
### 13. Adjourn

The meeting adjourned at 10:06 P.M.

Approved this 10<sup>th</sup> Day of October, 2017.

ATTEST:

  
Christian R. Samora, Town Clerk

  
Steve Mulvihill, Mayor

