

Board of Trustees
Regular Meeting
February 14, 2017

1. CALL TO ORDER

Mayor Mulvihill called the regular February 14, 2017 Board of Trustees meeting to order at 6:30 p.m. in the Board Room.

2. ROLL CALL

Town Clerk Alisa Darrow called the roll, those present were: Mayor Mulvihill, Mayor Pro Tem Buckridge, Trustee Baker, Trustee Dunkelberger, Trustee Hindman, Trustee Karspeck, and Trustee Laak.

3. PLEDGE OF ALLEGIANCE

Mayor Mulvihill led the Pledge of Allegiance.

4. CITIZEN PARTICIPATION

- a. John Vancil – Spoke about excessive speed problems on Welch Avenue between First and Third Streets. He suggested the Town install stop signs on Welch Avenue at Second Street to help control the speeds. He also mentioned that he was seeing increased truck traffic from construction using Welch to bypass the round about coming into Berthoud.

Administrator Hart explained the process involved in adding traffic control signs, he asked Sergeant Jim Anderson to speak on the subject.

Sergeant Anderson recalled targeted enforcement on Welch Avenue to watch for speeding and stated that they had not found a great number of drivers speeding. He was not able to speak directly to the issue of large trucks using Welch, but noted there was increased traffic.

5. CONSENT AGENDA

The Consent Agenda consisted of the January 24, 2017 minutes.

Mayor Pro Tem Buckridge moved, seconded by Trustee Dunkelberger, to approve the Consent Agenda. The motion carried 6:0, with Trustee Baker abstaining.

6. ECONOMIC DEVELOPMENT UPDATE

Economic Development Director Walt Elish presented on this item.

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Mayor Mulvihill asked what the economic impact of each business brought to Town would translate to on the Town side. He asked Mr. Elish to bring that information forward in the future.

Mr. Elish responded that the Board will be looking at a fiscal modeling tool that would do exactly that at the next meeting on February 21, 2017.

Trustee Laak inquired about the work plan item involving acting as an ombudsman.

Mr. Elish explained that he acts as an advocate for businesses with the Town when necessary.

Trustee Hindman asked if there had been discussion around a standard incentive package for businesses coming into Berthoud. He stated that he would support an incentive package based on sales tax and number of jobs brought in that could be marketed on the website.

Mr. Elish explained that other communities offer them, but they are not very specific because some items are negotiable and in most cases incentives are tailored to the specific business.

Trustee Hindman asked that a work item be added to work on a standard incentive package. He also noted that Berthoud Commons had been sitting vacant with infrastructure available for over 15 years. He wanted to see that site actively marketed. He recalled a CML Conference discussion where data was provided to help steer communities toward the types of businesses they were lacking. He remembered the reports would suggest a specific number of drug stores, gas stations, etc. He wondered if a community survey would help provide insight into what residents would like to see in town on the retail side. He wondered what the plans were for the corner of Taft and Highway 56.

Administrator Hart commented that the parcel had been in front of the Planning Commission for rezoning and a traffic study. He explained that the rezoning would be coming to the Board for consideration.

Mr. Elish explained how he worked to actively market all available sites in Berthoud, he noted that he used Jackson as an example in his presentation to help the Board understand how he worked with those sites.

Mayor Mulvihill moved to approve the 2017 Economic Development Work Plan. The motion failed for lack of a second.

Trustee Hindman asked the Board for the floor to ask three additional questions.

Mayor Mulvihill declined the request stating that he was in charge of running the meeting.

Trustee Hindman moved, seconded by Trustee Laak, to table the item and continue discussion at a future study session.

Mayor Pro Tem Buckridge indicated a preference to continue discussion of the item and work toward resolution at the current meeting. He suggested that Mr. Elish add quarterly updates to the Board on Economic Development to his 2017 Work Plan.

Mayor Mulvihill asked Trustee Hindman if he would amend his motion. He declined.

Vote was taken on the motion to table the item. The motion failed 2:5, with Trustees Baker, Buckridge, Dunkelberger, Karspeck and Mayor Mulvihill opposed.

Mayor Mulvihill opened the floor for another motion.

Trustee Buckridge moved, seconded by Trustee Laak, to approve the 2017 Economic Development Work Plan with the addition of regular updates on the progress related to all available properties.

Trustee Hindman offered a friendly amendment to adopt the 2017 Work Plan with the addition of plans to outline basic standard incentives, target for marketing Berthoud Commons, the intersection of Highway 56 and Highway 287 and any other available annexed commercial land, and to specifically target restaurants and do research on services needed in the Berthoud community.

Mayor Pro Tem Buckridge suggested investigating incentive packages rather than the very specific amendments offered by Trustee Hindman.

Trustee Hindman accepted the change on incentive plans, but felt that given the work plan was a very specific document, his preference was to give very specific direction to staff.

Trustee Hindman pointed out that additional discussion would help clarify the desires of the Board.

Mayor Pro Tem Buckridge did not accept the friendly amendment. He preferred more general statements if the motion were to be amended.

Administrator Hart reiterated what he heard in the motion and indicated that staff could provide updates at regular intervals and asked the Board to consider that Economic Development is a one-person department.

Trustee Hindman requested to formally amend the main motion, Trustee Laak seconded.

Mayor Mulvihill moved to end discussion on the agenda item and vote on the motion on the floor. The motion failed 2:5, with Trustees Baker, Dunkelberger, Hindman, Karspeck and Laak opposed.

Trustee Hindman clarified that his request to be more specific was out of concern for areas of the Town that were in great need of development. He suggested the Town go through a retail leakage study to document missing services and needs.

Vote was taken on the amendment to the main motion. The amendment failed 1:6, with Trustees Baker, Buckridge, Dunkelberger, Karspeck, Laak and Mayor Mulvihill opposed.

Trustee Hindman offered a friendly amendment to the main motion requesting a work plan item related to a standard incentive package. Mayor Pro Tem Buckridge accepted the friendly amendment, Trustee Laak also accepted the friendly amendment.

Vote was taken on the main motion with the friendly amendment regarding standard incentive packages. The motion passed 6:1, with Trustee Hindman opposed.

7. 2016 BOARD RETREAT WRAP-UP

Mayor Mulvihill agreed to suspend the rules of procedure and introduced retreat facilitator Heather Bergman to lead the discussion. Ms. Bergman reviewed the Board work items identified in the 2016 retreat for follow-up and protocols for the Board in general. She also handed out a summary of Board survey results she received.

Ms. Bergman began with the work plan item of affordable housing and summarized the Board's desires as needing to understand the options available to the Board around the topic and identify a specific strategy for next steps on the chosen goal.

Trustee Hindman admitted to not taking the survey and suggested an RFP be written for the former Town Hall site to be developed into an affordable housing site. He was in favor of a general RFP that would attract creative responses that might be different than those staff might bring forward.

Mayor Mulvihill wondered what affordable housing meant to the Board and hoped they could define the term and provide clarity to staff regarding next steps.

Trustee Laak supported Trustee Hindman's suggestion. Trustee Hindman amended his request to hold a study session on the topic.

Trustee Karspeck agreed that a study session would be helpful as he was not ready to look at specific sites.

Mayor Pro Tem Buckridge agreed with Trustee Karspeck.

Administrator Hart reminded the Board that they had directed staff to lease the old Town Hall building and he wanted to make sure he was supposed to continue down that path.

The Board clarified that they were not changing that direction, but looking at future options was a continuing discussion. The discussion related to affordable housing was separate from the old Town Hall discussion. Affordable Housing would be brought back as a study session item.

Administrator Hart agreed to late second quarter or early third quarter for this study session.

Ms. Bergman moved on to the second item, recreational marijuana. She noted that the Board wanted to understand the legal issues around recreational marijuana and if using a ballot question to determine if the voters would support its sale in Berthoud was desired over blanket Board approval.

Mayor Mulvihill commented that the educational component for the Board and public would be different based on whether or not the issue was on a ballot or was a Board decision. He stated that he wanted to understand the revenue and expense issues associated with allowing the sale of recreational marijuana.

Trustee Hindman noted that Berthoud had voted on the issue previously and he felt a study session would be needed to bring the Board up to speed on local and federal issues with the topic. There would also need to be financial impact analysis brought forward with the information.

Mayor Pro Tem Buckridge wanted to understand the full process of putting the question on a ballot.

Mayor Mulvihill wondered if educators and other stakeholders could be included.

Trustee Hindman wanted to hear about special taxes other communities had put in place for recreational marijuana.

Trustee Karspeck commented that he would also like to hear from someone in the industry to ensure that all sides would be heard.

Mayor Pro Tem Buckridge suggested that the discussion of recreational marijuana would need to come before affordable housing based on the timeframe for putting items on the ballot.

Attorney Bell explained the process for putting an item on a ballot.

Trustee Hindman noted that the Board would still need a study session to understand the topic before a decision could be made related to putting the question on a ballot.

Attorney Bell clarified that he could put out a high level memo answering most of the questions so the Board could decide whether or not to have a study session on recreational marijuana or not before deciding how to proceed.

Ms. Bergman moved on to the third item, youth, senior and veteran services. She asked the Board what success would look like on this item. She pointed out that the three groups identified had very different needs.

Administrator Hart expressed concern that there was no clarity on this item and the Board wasn't in agreement on how to tackle the subject.

Trustee Karspeck agreed with tapping the Youth Advisory Committee for suggestions.

Ms. Bergman suggested asking members of those groups to provide insight into what their needs were and how the Town could address those needs.

Mayor Mulvihill suggested holding a study session to clarify what information the Board would like on the topic.

Ms. Bergman responded that staff could bring forward information and citizen committees could also be formed to bring forward ideas.

Trustee Baker noted that her research proved that every community had a unique solution to provide assistance to youth, seniors and veterans and her hope was that the Town of Berthoud would come up with its own.

Trustee Dunkelberger was working with different groups in Town addressing youth and she was doing all she could to bring them together. She was also working on a mentorship program between seniors, veterans and youth. She noted that this was fluid at the moment and with time she believed a solution would come forward. She also pointed out that many funding options were available and most of them preferred to work with non-governmental organizations.

Trustee Baker commented that there was a lot going on for youth in Town, she didn't think there was an emphasis on seniors and veterans. She wanted to see some kind of community buy-in with a monetary component coming from the Town.

Mayor Pro Tem Buckridge wondered if it would be a good idea to let the grassroots programs continue to grow with the hope that they would come to the Town when the time was right to ask for support.

Trustee Dunkelberger agreed to that approach.

Trustee Laak noted that he had discussed the item with Trustees Baker and Dunkelberger, his concern was that the grassroots effort might go away when the Trustees were no longer on the Board.

Trustee Baker explained that the effort would hopefully come to a solution that would live well beyond any Board, she was thinking a non-profit or other kind of organization might be an

outcome. She preferred to have a discussion on the use of the Old Town Hall as a possible solution or if the Board preferred to continue on the path of leasing it out.

Mayor Mulvihill stated that the youth were in need of a place to go after school and his preference was to put them first and then move to seniors and veterans.

Administrator Hart pointed out that there was an opportunity cost involved in every decision, his example was to ask how the Board would spend \$450,000.

There was general consensus that the Board would take a wait and see approach, let the ideas come together, when the time was right a group would be welcome to bring forward ideas to the Board with a request.

Ms. Bergman moved to the second item on her list, Board procedures and protocols. She reviewed what agreements were made at the retreat and the presentation from CIRSA related to liability. She reviewed the feedback compiled from the surveys and suggested the Board hold a study session with the attorney from CIRSA around roles and responsibilities.

Trustee Buckridge agreed that a study session to clear up Board frustrations, clarify roles and get on the same page so as not to confuse staff going forward would be good.

Trustee Hindman agreed a work session would be helpful, but was not in favor of bringing in an attorney to facilitate that discussion. He pointed out that the Board never prioritized the staff list of items, the three items from the Board were simply items not on the staff list. He felt there were items on the staff list that were more important than the three items identified by the Board.

Mayor Pro Tem Buckridge suggested it may be advantageous to have a third party at the study session on protocols in case the discussion became heated.

Trustee Karspeck agreed with Trustee Hindman, he was fine with Attorney Bell assisting with the discussion on Board proceedings and protocols. Trustee Laak agreed that an outside attorney was not required for the discussion.

Administrator Hart noted that there were legal issues in other surrounding cities and towns that CIRSA was involved in that could serve as cautionary tales to the Board.

Attorney Bell suggested that an outside attorney could provide another perspective and speak frankly with the Board.

Mayor Mulvihill agreed that there was no need for an outside attorney from CIRSA to attend. He wanted to have another conversation about how items were prioritized and added to the agenda. The Board agreed to hold a study session on adding items to an agenda and Board procedures and protocols.

The study session on Board protocols would be held on the first Tuesday in March, Administrator Hart noted he would be out of town, but his attendance was not required. The Board also agreed to hold a more in-depth discussion on the staff work plan on the earliest agenda possible.

8. REPORTS

Trustee Hindman attended the Open Lands Advisory Board two weeks ago, but could not discuss items from an executive session.

Trustee Baker had no report.

Mayor Pro Tem Buckridge attended the Historic Preservation Advisory Committee, some of the members had attended the Saving Places Conference in Denver and made great contacts and good information. They met an architectural historian with experience receiving grants for historical structures and she was interested in looking at the Lyons Club and Foursquare Church. There was also discussion about how historic homes could be listed on the website, HPAC would work with IT to get information on the website. There were grant workshops at the conference and they learned there were grants for kiosks that give historic district information to visitors. He also noted there would be another historic listing coming to the Board. HPAC would also be establishing goals for the year at an upcoming meeting.

Trustee Karspeck received an email from a citizen related to the FLEX Express route and getting a stop in Berthoud for that service, he wondered who to communicate with about the request. He had asked some questions of staff about employment applications and his research had proven that the Town was doing the right thing in not asking for criminal background information on an employment application. He was looking forward to attending Unity in the Community. He was interested in information from Windsor on quiet zones and wayside horns. He also was interested in virtual tours of Berthoud, he was aware of one the National Park Service was using and he wanted to be able to use it for historical homes.

Trustee Dunkelberger attended the 287 Coalition, FLEX was in attendance and there was a presentation on ridership by community. There was discussion of routes and stops from Fort Collins to Boulder, there was a possibility that Berthoud could have a stop added.

Trustee Hindman pointed out there was no direct route to Boulder without a transfer in Longmont at this time.

Trustee Dunkelberger recalled other discussions on commuter trains in northern Colorado at the same meeting. She also attended the Planning Commission meeting.

Trustee Laak commented on an article from Loveland on their plan related to Emerald Ash Borer and he was proud of the work Berthoud was doing as a small Town on the issue. He attended the PORT Committee meeting with Trustees Hindman and Dunkelberger. He commented that the lines painted on Mountain looked very nice and were more visible. He had seen more

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activity at the Skate Park recently. He also had citizens interested in speaking on the mosquito issue when it came to the Board.

Mayor Mulvihill attended the Legislative Workshop and CML Policy Committee, his takeaway was that the State of Colorado had budget shortfalls and did not have a clearly defined solution. He attended the Alternative to Violence meeting and the Boys & Girls Club breakfast.

Administrator Hart provided an updated agenda calendar and a written manager's report.

Sergeant Anderson noted there was an incident at the High School this morning at 3:30 a.m. when a vehicle drove through a glass breezeway damaging the building. LCSO had worked with Knights of Columbus to provide 40 coats to students in Berthoud who were in need.

Attorney Bell is working on the RFP for an executive search firm related to the upcoming vacancy in the Town Administrator position. He mentioned an article from Superior related to one-on-one meetings with developers outside of a public meeting.

9. ADJOURN

There being no further business to come before the Board at this time, the meeting was adjourned at 10:13 p.m.

Approved this 28th day of February, 2017.

APPROVED BY:



Mayor Steve Mulvihill

ATTEST:



Alisa R. Darrow, Town Clerk

