

BOARD OF TRUSTEES
REGULAR MEETING
June 28, 2016
6:30 P.M.

Board Members Present: Mayor Pro Tem Chris Buckridge
Trustee Jeff Hindman
Trustee William Karspeck
Trustee Brian Laak
Trustee Jennifer Baker
Trustee Kelly Dunkelberger

Board Members Absent: Mayor David Gregg

Staff Members Present: Town Administrator Mike Hart
Town Clerk Alisa Darrow
Town Attorney Greg Bell
Business Development Manager Walt Elish
Parks and Recreation Director Jeremy Olinger
Senior Accountant Cindy Leach
Community Development Director Curt Freese
Police Chief Jim Anderson

Mayor Pro Tem Buckridge led the Pledge of Allegiance.

Citizen Participation

Maureen Dower, 1608 Hollyberry Street, requested that the Board consider accepting her late application for the Recreation/PORT Committee. She explained that she had been on vacation and did not know about the deadline until she returned.

Consent Agenda

The Consent Agenda consisted of the June 7, 2016 minutes and the June 14, 2016 minutes.

Trustee Laak commented that he wished to clarify in the minutes that Trustee Hindman would furnish and pay for the materials and labor to build a shade structure at the Skate Park. He was not sure if that was the intent of Trustee Hindman's proposal.

Trustee Hindman responded that the minutes accurately reflected his intentions.

Trustee Baker moved, seconded by Trustee Karspeck, to approve the Consent Agenda with the June 14, 2016 minutes amended. The motion passed 6:0, with Mayor Gregg absent.

2015 Audit Presentation

Town Administrator Hart introduced Senior Accountant Leach who gave a brief introduction of the item and then turned the presentation over to Wendy Swanhorst representing Swanhorst & Associates. Ms. Swanhorst reviewed the highlights of the audit that were summarized in the management letter.

Trustee Hindman asked if there were a suggested practice to help reduce the number of journal entries in the future as this had been called out as an issue.

Ms. Swanhorst commented that the Senior Accountant was somewhat new and with time she would find efficiencies and fine tune processes that would help keep them to a minimum. She noted that there were some journal entries that were always done on an annual basis, usually around year-end and had to do with accruals. She also responded to a question regarding a letter from management that other municipalities include with the audit to explain some of the items called out by the auditors. She noted that larger cities always included a letter, while smaller towns sometimes would choose not to due to the staff time involved. Ms. Swanhorst also pointed out that there had been turnover in staff that slowed the process of correcting processes noted in past audits.

Trustee Laak asked if there was a specific item that she would ask the Town to focus on, he wondered if the recommendations were standard for other small towns.

Ms. Swanhorst stated that the journal entries were highest on the list of priorities and she suggested that some processes could be automated to reduce errors in the future.

Administrator Hart gave some history on how far staff had come in cleaning up Town processes and reducing the number of journal entries that were made in the past. He also stated that staff and the auditors did not necessarily agree on all the issues and recommendations and that all the recommendations take staff time and additional funds to correct. He also pointed out that there were software limitations involved.

Trustee Hindman suggested that the Town Administrator follow-up with the Board on how staff would correct some of the items in the audit later in the year.

No action was taken on this item.

Public Hearing: Vantage Final Plat

Community Development Director Freese gave a presentation on the staff findings related to the final plat and the recommendation from the Planning Commission.

Bill Zeck, Developer for the Vantage project, was available to answer questions from the Board. He commented on why he wanted to change the plat to allow for larger lots, his opinion was that the new layout provided for better views and offered varying lot sizes for families. He also pointed out that the new layout would provide for more landscaping along County Road 7, making it more attractive than a wall of fencing as was shown in the original plat.

Trustee Laak noted that the Town had hired a forester and wondered if they had spoken to staff about tree types that thrive in the area. He wondered who paid for landscaping and Mr. Zeck explained that the Metro District would provide landscaping and maintain it as well. The Town would only be responsible for any portions of the development that were dedicated to the Town once the development was complete and inspected.

Trustee Karspeck asked if the trails would be plowed in the winter months.

Mr. Zeck responded that the Metro District would have to answer that question, he was only in charge of the development side and Vantage was a sub-district within the larger management district. He pointed out that he was not a member of the Board for the district which required members be a resident of the State of Colorado and he was not comfortable answering for them. He did note that there would be portions of the trail dedicated to the Town and those would be maintained by Town staff who would determine the maintenance received in winter months.

There was discussion related to the setbacks with County Road 17 and it was noted that these were increased when the development changed hands. There was also discussion about the tree lawns in the development and it was clarified that all the tree lawns would be seven to ten feet in width.

Mayor Pro Tem Buckridge opened the public hearing at 7:12 p.m.

Len Guldenpfennig asked how wide the bike lanes in the development would be, he was specifically concerned about safety. It was noted that the trail would be ten feet wide and the bike lanes would be of sufficient width to allow for parking and safe riding.

John Ridout asked if there was a concept map the public could access. He was interested primarily because the project was right next to his property. He wondered what the multi-family portion of the development would look like and where it was located.

Community Development Director Freese offered to print the maps and mail them to him, he pointed out on the digital map where the multi-family portion would be located.

There being no further speakers, the public hearing was closed at 7:17 p.m.

Trustee Hindman expressed concern that the higher property taxes in a Metro District might make it more difficult to pass an item on the ballot to help fund a recreation district.

Mayor Pro Tem Buckridge praised the work to bring several developments together and the improvements from previous plans the Board had considered.

Mr. Zeck spoke about the detention areas and the engineering that went into decisions related to storm drainage. He stated that there would be a shared cost with the Town if improvements or oversizing were required.

Trustee Hindman moved, seconded by Trustee Dunkelberger, to approve the Vantage Final Plat as per the findings of the Staff Report included: the final plat meets all applicable requirements of the Comprehensive Plan, Development Code and PORT Plan, the final plat

creates a logical extension of land use and the design of utilities and infrastructure are adequate, and the final plat satisfies all applicable requirements of the Subdivision Standards. The motion passed 6:0, with Mayor Gregg absent.

Draft Business Development Strategic Plan

Business Development Manager Walt Elish presented on this item and reviewed the highlights of the strategic plan.

Trustee Laak commented on his attendance at CML's conference and recalled a recommendation that one percent of the budget should be devoted to business development. He asked what staff thought of the recommendation.

Administrator Hart responded that if staff tracked all the time put into business development activities, it would likely be well above the one percent. Mr. Elish commented on the team approach staff had when working on bringing businesses to Berthoud.

Trustee Laak made a point of complimenting the Town on how well staff works with business owners and tries to make it easy for new businesses to come in. He spoke from his experience being a small business owner in Berthoud and recalled a good interaction with the Fire District as well.

Administrator Hart discussed how funds would flow through the Town with the increased development and future retail. He pointed out that property tax would likely continue to be the most reliable revenue source due to being located between two larger cities with established retail. He did not think the Town would see big retail for quite some time and noted that the commercial side with job creation was a primary focus in relation to business development.

Trustee Laak expressed that better signage in the downtown area at pedestrian crossings would be a huge benefit to visitors and businesses.

Chief Anderson responded that Mountain Avenue is also a state highway and it can be difficult to get CDOT to approve signage and get them to pay for installation. He noted that the crosswalk near the grocery store had the most pedestrian traffic due to it being in close proximity to Turner Middle School. He would prioritize push button and flashing light signs to notify drivers of a pedestrian crossing at the top of the list. He also noted that there was a crosswalk near the high school that was heavily used and he would like to see one there as well.

Trustee Hindman expressed support for increased signage at crosswalks as well. There was discussion about how Longmont was able to increase signage on Highway 287 and it was mentioned that it was a function of funds availability and the City paying for what was desired.

There was discussion about the bus service provided between Ft. Collins, Loveland, Berthoud and Longmont. Trustees Karspeck and Hindman expressed that they would like to see a direct route to Boulder from Berthoud. Administrator Hart explained how the program was funded at the Federal, State and local levels of government and with the limitations in funding might not allow for a direct route. Currently, riders change buses in Longmont to continue on to Boulder.

Trustee Hindman suggested that the greater Berthoud area population was a far more impressive number to promote than the in-town population in Berthoud. He wondered if the information and demographics in the plan could be updated. Administrator Hart answered affirmatively. Trustee Hindman asked for updates to the plan on a regular basis, he asked to be included in the business emails and asked if he could get a list of businesses that Town staff had met with year to date. He had heard from some business owners that there wasn't a direct connection with Town staff and asked that the breakfast meetings continue with an effort to increase attendance.

There was further discussion about specific points in the strategic plan and the implementation process. Trustee Hindman requested updates to the Board related to larger parcels, specifically along Highway 287. Administrator Hart gave a brief overview of what had been happening with some of the parcels along Highway 287 and what some of the challenges were with developing the area. He also explained that some discussions would remain confidential until staff was ready to come to the Board with a set of incentives or to announce there were firm plans for the business to move operations to Berthoud. He cautioned the Board against activities that are better meant for land brokers to deal with and the complications of the Town involving itself in brokering land.

There was discussion on incentives and what the Town can and cannot do to bring business into Berthoud, specifically how to overcome some of the obstacles identified in the SWOT analysis. Infrastructure needs were mentioned as one of the items the Town could address, there were financial considerations that the Board would need to consider in the budgeting process if they were going to direct staff to start working toward providing utility services to undeveloped sites.

Trustee Hindman was interested in understanding what offer was made to a business owner in the County to try to get them to annex their property into the Town of Berthoud. He asked if staff would reach out to the business owner again to find out what it would take. He was specifically interested in the additional sales tax dollars that the Town might capture.

Administrator Hart asked that the Board as a whole provide direction to staff if that was the desire.

Mayor Pro Tem Buckridge suggested that the item come back as an agenda item for further discussion as it didn't directly relate to the adoption of the Business Development Strategic Plan.

Trustee Baker expressed that she would like to see more primary jobs for Berthoud residents. Mr. Elish responded that there were challenges with the price of land in Berthoud, but primary jobs were a big focus in his field.

Mr. Hart pointed out that the Town had most of the same recreational amenities as other larger cities, but they were not developed which sometimes put Berthoud at a disadvantage when competing with the larger cities in the area. He pointed to the Parks, Open Space, Recreation and Trails planning process that was in progress as a means to resolve this particular challenge. He talked about the opportunities that would follow when the Love's Travel Center was developed at I-25 which could spur other development activity at the I-25 Berthoud exit.

Trustee Dunkelberger complimented staff on their efforts and noted that the Board's role was to work at a higher level and allow staff to do their jobs and bring forth information when it was

available and thoroughly thought out. She did not feel the Board needed to hear all the details of discussions with specific business owners or potential business owners until the time was right.

Administrator Hart suggested staff perform an assessment and propose a plan for moving forward with the Business Strategic Plan along with more thorough and informative quarterly reports.

No action was taken on this item.

Resolution: Train Horns

Town Administrator Hart introduced this item and gave a brief history on why the Board was being asked to approve the Resolution.

Trustee Dunkelberger moved, seconded by Trustee Hindman, to approve Resolution No. 11-16, regarding Federal Railroad Administration Rules and Procedures on train horn noise. The motion passed 6:0, with Mayor Gregg absent.

Resolution: Committing Funding to CDOT for I-25

Administrator Hart introduced this item and reviewed the information included in the Board packet.

Trustee Laak moved, seconded by Trustee Dunkelberger, to approve Resolution No. 12-16, authorizing a \$250,000 contribution toward matching funds for the Fastlane or TIGER grant application seeking funds to expedite the improvement and expansion of I-25 in Northern Colorado. The motion passed 6:0, with Mayor Gregg absent.

Advisory Recreation/PORT Committee

Administrator Hart introduced Community Development Director Freese who presented on the item and asked the Board to make appointments to the Advisory Recreation/PORT Committee.

Administrator Hart mentioned that GreenPlay would give their final presentation on the PORT Plan on July 26, 2016. He discussed the purpose and scope of the committee given it was being setup as advisory. He pointed out that the Board had selected three Trustees to the Committee and they would assist in facilitating the committee.

Trustees commented on the high caliber of applicants received during the application period.

Mayor Pro Tem Buckridge suggested accepting all applicants on the committee and running several sub-committees all at once on different aspects of the planning process. He felt more could be accomplished in a shorter timeframe with several groups working parallel to one another on different topics within the PORT Plan.

Trustee Karspeck agreed with the approach.

Trustee Hindman commented that he was concerned with the dynamics of a large group and was not in favor of the sub-committee process. He noted that he had sent an email earlier in the evening outlining some options he would like to consider. He gave a brief overview of the options he proposed and who might fill *ex-officio* roles if his suggestions were utilized.

Trustee Baker stated a preference for the approach Mayor Pro Tem Buckridge proposed.

Trustee Laak asked how the Board had come to the initial number of members for the committee. He thought twenty members might be too many if consensus was the goal. He preferred to utilize a smaller committee that could move quickly.

Mr. Freese suggested that having one meeting up front and one meeting at the end with the larger group would allow the sub-committees to meet on their time and get down to business.

Trustee Dunkelberger agreed with the sub-committee approach.

Trustee Karspeck moved, seconded by Trustee Dunkelberger, to create a larger committee comprised of all applicants broken into smaller subcommittees as the makeup of the Recreation/PORT Committee. The motion passed 4:2, with Trustees Hindman and Laak opposed and Mayor Gregg absent.

Trustee Karspeck moved, seconded by Trustee Laak, to accept the application of Maureen Dower presented to the Board at the meeting. The motion passed 6:0, with Mayor Gregg absent.

Reports

Town Administrator Hart informed the Board that there would not be a meeting on August 9, 2016 due to the Special Election for Mayor. He commented that staff would make a recommendation at the next meeting after agenda items were reviewed and if needed, the Board could schedule a special meeting on another week. He informed the Board that Berthoud Reservoir was out to bid and would come to the Board in August. He had met with Love's Travel Center last week and they would be moving dirt in August with above ground construction occurring in August, 2017. He informed the Board of upcoming agenda items related to water and the Skate Park. He also mentioned he would be out of the office next week to take care of some home improvement projects.

Del Hunter, Information Technology, gave a brief update on the launch of the new website for the Town of Berthoud. He talked about the improvements with the new website over the previous design.

Trustee Hindman complimented the new website and had no report items.

Trustee Baker thanked staff for removing the island on S. 8th Street. She asked if an Affordable Housing Authority could be put in the agenda process for discussion at a future meeting. She noted she had attended the MPO meeting and the CML conference.

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Trustee Karspeck commented that he had also attended CML and took a finance and budget session. He reviewed his experience at a meeting related to train horn noise and comments on the rule at the Federal level. He was encouraged by information from the meeting that quiet zones might not be as expensive as originally thought.

Trustee Dunkelberger also attended CML and joined the Colorado Women in Government Board.

Trustee Laak spoke about Tree Board, concerns about the Emerald Ash Borer, and the possibility of the Town creating a nursery in the future. The Tree Board was interested in better communication to the public about EAB through the website and other methods. He mentioned that he also attended the CML conference and was amazed at the amount of information available. He suggested that others look into the Supreme Court case of Reed v. Town of Gilbert and how it related to local ordinances on signage, his take away was that less was more due to some groups looking for violations of their First Amendment rights. He commented that he would have liked to get business cards prior to the CML conference. Trustee Laak recalled an interaction with the Town's Meter Technician and how informative it was for him.

Trustee Laak wondered why staff chose to send an item to the Planning Commission that was able to be approved administratively. Administrator Hart noted that there was not a process for looking at compatibility and he wanted to get a recommendation from Planning Commission before he signed off on it. There was discussion about adding a review process for compatibility that would include land owners within a radius of the site in question and proposed use, thus giving them an opportunity to comment.

Community Development Director Freese discussed the process for making changes to the Development Code, creating additional levels of review and the possible complications of doing so.

Trustee Hindman agreed there were compatibility issues from the past that could have been prevented if there was a review process in place.

Mayor Pro Tem Buckridge commented about how passionate the Trustees are about various topics and asked the public to understand that with passion there can be heated debate.

Becky Justice-Hemmann with the Berthoud Surveyor reminded the Board that on July 7, 2016 there would be a Mayoral Candidate Forum at the Berthoud Community Center located at 275 Mountain Avenue.

Mayor Pro Tem Buckridge adjourned the meeting at 10:15 p.m.



Mayor David Gregg



Alisa R. Darrow

**Alisa R. Darrow
Town Clerk**