

**BOARD OF TRUSTEES  
REGULAR MEETING  
July 14, 2015  
6:30 P.M.**

**Board Members Present:**

Mayor David Gregg  
Mayor Pro-Tem Jan Dowker  
Trustee Chris Buckridge  
Trustee Jennifer Baker  
Trustee Mike Henning  
Trustee Suzie White

Absent: Trustee Paul Alaback

**Staff Members Present:**

Town Administrator Mike Hart  
Town Clerk Mary Cowdin  
Town Attorney Greg Bell  
Town Planning Director Curt Freese  
Town Planner Sarah Chmielak  
Accountant Tech Melissa Colucco

Mayor Gregg led the Pledge of Allegiance.

**Citizen Participation**

None.

**Consent Agenda**

**Trustee White moved to approve the consent agenda that included the May 2015 Bills Allowed and the June 23, 2015 Meeting Minutes with corrections to those minutes. Trustee Buckridge seconded the motion. The motion passed unanimously.**

**Heron Pointe**

Planner Sarah Chmielak provided the Board with copies of two emails by citizens in regard to comments on Heron Pointe. Staff received the emails late in the day.

Administrator Hart reminded the Board that we need to establish a deadline for these emails. When they come late in the day as it does not give staff enough time to respond or make them available to the public.

Planner Chmielak presented a brief overview of the original concept plan and history for the property known as Heron Pointe. She explained that the new concept plan addresses some of the comments brought up by residents in the neighboring subdivision as well as town staff. Some of the items changed included moving the multi-family units north and west, added a 28 foot buffer along Colony Ridge, and moved the pocket park closer to the multi-family units. There are a total of 303 residential units with 179 being single-family and 124 multi-family units. The multi-family units are now a mix of 6-plexes and 8-plexes. In order to make these changes possible there is a rezoning request from R-1 Single-family to R-3 Multi-family.

Linda Ripley of Ripley Design Inc explained the changes are in compliance with the concept plan. The changes were directed from previous comments to the original concept plan and include moving the multi-family unit lots, deeper lots, and a more meaningful buffer. There was a request for a minimum of 7% open space and this new plan includes 23% of an open space mix of recreational opportunities.

Mayor Pro-Tem Dowker wanted to remind and note that there were concerns from citizens in regard to the access road into Colony Ridge.

There was discussion on connectivity, other access roads, emergency access and water flow capacity for the detention pond.

Steve Steinbicker of Architects West explained that the traffic study will give a clear idea and a better determination once it is conducted. They have already been reviewing water capacity.

Mayor Gregg opened the item to public comment at 6:55 pm. Seeing no one wishing to speak the item was closed at 6:55 pm.

**Mayor Pro-Tem Dowker moved to adopt Ordinance 1199 approving the Heron Pointe Rezoning of R-1 Single-family and R-3 Multi-family as shown on the Heron Pointe Zoning Map, finding that the proposed rezoning is in compliance with the Town's Comprehensive Plan Preferred Land Use Map. Trustee Buckridge seconded the motion. The motion passed unanimously.**

**Mayor Pro-Tem Dowker moved to approve the Heron Pointe Concept Plan, finding that the proposed plan meets the Concept Plan Review Criteria and is consistent with the proposed rezoning. Trustee Henning seconded the motion. The motion passed unanimously.**

#### **Recreation Center Update**

Attorney Bruce Fickel recapped on a previous discussion about adding a recreation facility in Berthoud. Attorney Fickel highlighted on the different properties that were considered with Waggener Park being a more suitable designation. The recreation center would be offered to the entire community with programs that are not typically offered in town. He explained that getting the facility built is time sensitive. In order to utilize the Jones Fund the completion date is December 21, 2017. There are two organizations that are interested in partnership for the recreation center. La Familia and the Boys and Girls Club both have great programs for the community and are willing to add the recreation center to

their budget. Attorney Fickel also added consideration for a recreation district. He and staff are asking for direction from the Board on whether Waggener Park is a suitable site and what the next steps are to move forward.

There was discussion by the Board of Waggener Park being the most suited designation for the recreation center. There were questions on the process of building a recreation district and suggestions of putting together a concept plan as well as looking at phasing the project.

Administrator Hart suggested direction in putting up the smaller buildings that are needed then tie them to the bigger projects. Focus on getting the building then we would have two years to form the recreation district.

Mayor Gregg suggested that the next step should be a detailed action plan with dates, deadlines and deliverables in the form of a bill structure. Administrator Hart stated it made sense strategically with giving a vision by the form of phases showing the full vision and bringing in consultants to start building those master plans.

Attorney Fickel added to schedule a future presentation from the Boys and Girls Club and La Familia.

#### **Strategic Plan Update**

Claire Thomas from Slate Communications provided some background by explaining that the Town and Board met last April for strategic planning. The goal of the meeting was to identify what's important to Town Trustees and their constituents. Due to some unforeseen situations out of staff control there had been a lag in meetings. There is a request to decide on the next meeting and if Trustees agree with the suggested timeline and steps to produce the strategic plan.

The Board chose the date of Tuesday, August 4, 2015 at 6:00 pm for the next Strategic Plan Meeting.

#### **GOCO Grant**

Comm. Dev. Director Curt Freese explained that the Town had been awarded a planning grant through Great Outdoors Colorado (GOCO) in the amount of \$40,000 to use to update the Town's parks, open space and recreation and trails (PORT) Plan. Staff is seeking to acquire a part time consultant to assist with the new PORT Plan and the grant will be used for doing so. One of the requirements for the grant is to designate a Town Staff member to sign the grant agreement. Staff is looking for a resolution to authorize Town Administrator Hart to sign the paperwork for the GOCO Grant.

**Trustee Henning moved to adopt Resolution 15-15 for the GOCO planning grant to update the PORT Plan and authorize Administrator Hart to sign the paperwork. Trustee Baker seconded the motion. The motion passed unanimously.**

**Mayor Gregg called for a 5 minute break.**

#### **Draft Mosquito Control Policy and Public Communicator Plan**

Town Parks and Recreation Director Jeremy Olinger presented the board with a draft of the Mosquito Control Policy and Public Communication Plan. Director Olinger touched on some of the highlights to the plan in regard to recommendations to spray from Larimer County when County Vector Indexes reach a level of .5, estimated costs of emergency spraying and public notice of emergency spraying.

**Trustee Henning moved to approved resolution 15-16 adopting the Mosquito Control Policy and Public Communication Plan. Trustee Buckridge seconded the motion. The motion passed unanimously.**

#### **Berthoud Common**

Town Attorney Bell presented the Board with a request for an ordinance allowing the sale of the Berthoud Common Property to the school district. State Statute does require staff to provide an ordinance allowing the sale.

**Mayor Pro-Tem Dowker moved to approve Ordinance 1200 regarding the sale of the Berthoud Common property. Trustee Buckridge seconded the motion. The motion passed unanimously.**

#### **Award Pavement Project**

Town Clerk Mary Cowdin presented the board with bids for this year's Pavement Maintenance project. Most of the work is along Massachusetts Avenue and 8<sup>th</sup> Street. Four bids were submitted. The lowest bidder was Coulson Excavating whom the Town has worked with before. Town staff is requesting the bid be awarded to Coulson Excavating in the amount of \$325,007.00 and allowing Town Administrator Hart to sign the agreement.

**Trustee Henning made a motion giving authorization to Town Administrator Hart in executing the agreement with Coulson Excavating and awarding the bid in the amount of \$325,007.00. Mayor Pro-Tem Dowker seconded the motion. The motion passed unanimously.**

#### **Vendor licensing updates**

Town Clerk Mary Cowdin gave a brief history of some difficulties the Town has experienced in regard to vender licensing. Some of the improvements include streamlining the process to make it less time consuming, changing time frames, better clarification on wording, and adding a section on community events. Currently every individual vendor is required to obtain a license. In reviewing the process with surrounding areas the event organizer holding the event gets one license that all venders fall under. There are two options presented to the Board. One option is to make changes to the current ordinance under individual event licensing. The other option is to make the changes listed under both community and individual events.

There was some discussion on clarifying the meaning of an event within the policy.

Trustee White mentioned some thought being put into the costs of having events. If it is a special event that requires Town staff time, the costs should not be passed to the Town or residents. People holding the event should be liable for the cost.

Trustee Henning added that we should not discourage these events by adding costs. The events help promote our economic development.

Mayor Pro-Tem Dowker added it is great to have economic development but as we grow we should look at the hard costs the Town may be absorbing.

Mayor Gregg added that the intangible benefit as well as sales tax revenue contributes to the recognition of the Town.

Clerk Cowdin asked about the bricks and mortar businesses within Town limits and whether they would be exempted from needing a vending license. The Board adamantly stated they would not be exempted from needing a vendor license should they decide to vend at another location.

**Trustee Buckridge moved to adopt Ordinance 1201 to amend Section 13.15 of the Berthoud Municipal Code with changes as noted regarding community events and individual licensing. Trustee Henning seconded the motion. The motion passed unanimously.**

### **Reports**

Trustee Buckridge attended the Historic Preservation Advisory Committee meeting. Most of the discussion was around strategic planning. There are two openings for the Historic Preservation Advisory Committee and they are reviewing applications.

Mayor Pro-Tem Dowker reported she attended the MPO meeting. There was discussion and updates on I-25.

Mayor Gregg presented the Board with Town Administrator Hart's evaluation. There will be a future meeting to recap with Administrator Hart after review.

Trustee White asked for an update on the sound system and an update from Walt Elish on positive outcomes in regard to economic development.

Town Clerk Cowdin advised that the bids for the new sound system are due back this Friday.

Attorney Bell provided an introduction to looking at Metropolitan Districts. Attorney Pogue will be providing more detail at the next meeting. The Town has been receiving a number of proposals for Metro Districts. Attorney Bell explained that at this stage there are a lot of policy issues and wanted to present the pros and cons as well as a definition to Metro Districts. He explained that Metro Districts are a governmental entity. They need to come to the Board for approval to form a district within the Town. If it is out of Town, they would need approval from both the Town and County. They have taxing powers

and are subjected to an annual audit. One main purpose of a Metro Districts is that it provides essential infrastructure or maintenance services to properties in its boundaries. It provides for multiple uses and is not intended for a single service and provides a service plan. Some examples could include maintains greenbelts, sewer or running non potable irrigation systems. Something to think about is the additional taxation powers they have, and some question on what you can control to approve.

Mayor Gregg requested seeing policies in the same manner set in development agreements, and to note specific parameters.

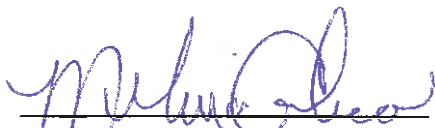
Administrator Hart reported that the next community chat is tomorrow morning at 9:30 am and he will be attending. He made mention that there was previous discussion to discontinue the morning chats due to attendance and requested there be no further morning meetings noticed, but continue with evening meetings every other month.

Administrator Hart requested that the meeting minutes reflect that separate accounts have been set up with Adams Bank and Trust for the purpose of the Love's and Wilson Ranch agreement. Adams Bank and Trust requires a motion from the Board authorizing the accounts.

**Mayor Pro-Tem Dowker moved to approve authorization to open accounts at Adams Bank and Trust for the Love's and Wilson Ranch agreement. Trustee Henning seconded the motion. The motion passed unanimously.**

Administrator Hart added that he distributed a letter from the fire department thanking the Town for helping them obtain their ISO rating.

Mayor Gregg adjourned the meeting at 9:52 pm.

  
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Mayor David Gregg  
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Melissa Colucco  
Administrative Court Clerk