

**TOWN OF BERTHOUD
BOARD MEETING MINUTES
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**BOARD OF TRUSTEES
REGULAR MEETING
August 25, 2015
6:30 P.M.**

Board Members Present: Mayor David Gregg
Mayor Pro-Tem Jan Dowker
Trustee Chris Buckridge
Trustee Suzie White

Absent: Trustee Jennifer Baker
Trustee Mike Henning
Trustee Paul Alaback

Staff Members Present: Town Administrator Mike Hart
Town Clerk Mary Cowdin
Town Attorney Greg Bell
Building and Planning Clerk Patti Swiger

Mayor Gregg led the Pledge of Allegiance.

Citizen Participation

Brian Laak, 706 7th Street spoke of concerns with pedestrian safety, traffic and signage. Chief Anderson has bids out for flashing signs on the crosswalk by 8th Street and by 3rd Street on Mountain Avenue. Mr. Laak would also like more education for both students and adults on how to safely cross the street.

Consent Agenda

Mayor Pro-Tem Dowker moved to approve the consent agenda that included the July 28, 2015 Meeting Minutes, July 2015 Bills Allowed and the July 2015 Financial Statements. Trustee Buckridge seconded the motion. The motion passed unanimously. It should be noted that Mayor Pro-Tem Dowker pointed out an error in spelling on the minutes. Upon further review it was determined that the spelling was correct for that location.

Berthoud Historical Society

Sherrie Merrow gave an update on the Historical Society.

Ms. Merrow explained there is a focus on business memberships and currently the Historical Society has received eight new business memberships. The backyard courtyard at the Pioneer Museum has

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been completed and they are looking to add an ADA restroom. A grant has paid for a portion of the restroom and they are raising the rest of the money. Last year the Pioneer Museum received almost 2000 visitors and the McCarty-Fickel Home had 350 visitors. Wildfire has partnered with Pioneer Museum and has held plays in the McCarty-Fickel Home. A concert was held in the courtyard of the Pioneer Museum in partnership with City Star Brewery. She added having events that involve the community is a goal of the Historical Society. They partner with the schools and other organizations for involvement with programs and volunteer opportunities.

Ms. Merrow thanked the Town for the sponsorship of the Calendar and she said they would like more sponsorship from the Town. An example would be for the Town to sponsor a concert.

A major fundraiser coming up on September 19th is the Gala. This will be a nice venue with food, wine and a silent auction.

The Historical Society would like to be part of the special district that the Board spoke of at a previous meeting. Ms. Merrow will contact the Mayor in reference to that.

Public Hearing-Heritage Ridge Metropolitan District-Continuation

Attorney Bell gave a brief history explaining that this is a follow up from the initial July 28, 2015 meeting. The applicant presented the Board with a request for an approval of a Metro District. A number of changes were made to the service plan and are in this version except for the lower mill levy cap. The applicant is still requesting 50 mills for capital improvements and the 15 mill O&M.

Allen Pogue, law firm of Icenogle, Seaver and Pogue, special counsel to the Town for Metro District review explained the applicant did submit a revised service plan based on the discussion from the previous meeting. The decision for the Board to make is the cap of 50 Mills for the debt and the 15 mill for operating expenses. The caps are not based on statutory maximums but on economics. The entire concept for a metro district for a new development is that the metro district has no ability to generate any revenue through property taxes if there is no development. What happens is that usually a developer will loan money to a metro district by either straight loaning the funds or by building improvements on the metro districts behalf. The metro district will repay that when it has the financial ability to do so which is entirely dependent on the real estate development and the timing of that dictates whether your cap is 20 or 50 mills.

Megan Becher with McGeady Sisneros, P.C. is representing attorney for the Metro District. Representing the developer is Jim Righeimer, applicant with Arbor Capital for Heritage Ridge, Ken Mitchell and Zach Bishop. They were happy to integrate the majority of the comments that were discussed at the last meeting. They are asking for consistency with the mill levy cap and the rest of the projects that have been approved. They do think it is important to have the separate mill levies particularly with the improvements that are hoping to be done with this community. The hope is to bring this to a conclusion this evening because this is the last chance for approval so they can move forward with an election this fall.

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The item was opened for questions.

Trustee White asked for clarification on the separate caps on the debt and the operating. Ms. Becher said the caps are 50 mill on the debt and 15 mill on the operations.

Administrator Hart added that staff has no issues.

Trustee Buckridge asked how these caps have worked with existing developments. Administrator Hart said that we only have Prairie Star and that they only have a few rooftops but there have been no problems.

Trustee White made the motion to pass resolution 17-15, approving the Service Plan for the Heritage Ridge Subdivision and authorizing the negotiation of an IGA with such District after its formation. Mayor Pro-Tem Dowker seconded the motion. The motion passed unanimously.

Bader Preliminary Development Plan

Planner Sarah Chmielak presented the plan to the Board. Ms. Chmielak explained the differences between this Preliminary Plan and the Conceptual Plan are the absence of the buffer strip between Colony Ridge and this phase. The neighbors had expressed concern about having a buffer. The applicant instead created larger lots. Another difference is the reduction of a big park land. Instead there is a sizable park in which you could have a recreation field. And there is a smaller amenity park. They are showing sizable parks in future development areas. Since there is flexibility in the original development plan and there is future phasing on this project, staff is comfortable going forward with this configuration. Open space and parks would be maintained by the Metro District. The roads would be dedicated and maintained by the Town. The property is zoned PUD. The Comprehensive Land Use Plan shows this area as moderate density residential. On the east and south of this property is higher density, mixed use residential and commercial office. Future phases of this project will be in compliance with the Comprehensive Plan. The only concern has come from Anadarko about an agreement for their mineral rights and they are working that out with the applicant. The Planning Commission recommends approval with their only concern being connectivity at High Country Road.

Applicant Jim Birdsall of the Birdsall Group and representative of the owner addressed the Board. He spoke of the neighborhood meeting. He addressed the connectivity issue to the west and stated that they would look for direction from the Town. The connection to the east which would have a roundabout would benefit both subdivisions especially when making left hand turns onto Taft/LCR 17.

Mayor Gregg opened the matter for public comment. There being no one wishing to speak the matter was brought back before the Board.

Trustee Buckridge moved to approve the Bader Preliminary Development Plan and Preliminary Plat finding that the proposed plan meets the Planned Unit Development Criteria. Mayor Pro-Tem Dowker seconded the motion. The motion passed unanimously.

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School Resource Officer

Chief Jim Anderson presented the Board with a proposal for an additional School Resource Officer (SRO) for Turner Middle School. Administrator Hart spoke with Dr. Scheer from the Thompson School District, and he agreed that Berthoud needs another SRO. Administrator Hart said that they want to present a package to the Board and get direction on how to implement it. The additional Resource Officer approval would have to go to the County and School Board for approval. The Sheriff's Department will cover the expense for the additional SRO for the rest of 2015. The total expense of the SRO would be about \$108,000 with half the expense being the Towns responsibility and the other half at the School Districts expense. There is a \$62,000 one-time expense with getting an officer in a uniform with a car. This would be a 2016 cost. Not sure if the district would participate in this or not. So the Town may have a \$62,000 cost addition to our \$54,000. Administrator Hart is proposing a transaction fee on Medical Marijuana sales now to cover the \$54,000. It would be about \$2.00 per transaction.

Our existing agreement with the Larimer County Sheriff's Office runs out in April of next year. Administrator Hart proposes negotiating a five year agreement starting in January of 2016. What we are looking for is a package that next year's budget would reflect \$54,000 for a School Resource Officer and a onetime fee of \$64,000, unless we can get the district to pay part. We would renegotiate our agreement with the Larimer County Sheriff's Department. Administrator Hart would like to bring the Board an agreement for five years beginning on January 1st. We would also bring to you a resolution or ordinance to increase the transaction fee. Due to the generosity of the Sheriff's Department for 2015 and that the charge would not occur until 2016, we would be able to put it in the budget for 2016.

Mayor Gregg commended the Sheriff's Department on the job they have done in Berthoud. He was pleased that we could get a SRO into the middle school right away. Trustee White spoke in favor of the transaction fee. Mayor Pro-Tem Dowker also was pleased with the additional SRO and in favor of the five year agreement. Trustee Buckridge wanted to make sure that everything was properly communicated to the public and that there would be a chance for public feedback. Trustee White suggested increasing the transaction fee to \$3.00 and to use the additional money for drug education resources.

Attorney Bell said there did not need to be a motion on this matter.

Economic Development 2nd Quarter Update

Business Development Manager Walt Elish shared what was done in the 2nd Quarter Update. He commended Administrator Hart, Staff, and the Board for getting the word out that Berthoud is a great place to live, work and do business in. He spoke of upcoming events that are great outreach efforts. An event that Berthoud and Milliken are participating in is the Metro Denver Site Selectors Conference coming up September 18, 2015. Mayor Gregg and Mayor Pro-Tem Dowker can attend and will reach out to other trustees who are not in attendance tonight.

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Mr. Elish discussed primary jobs, retail for our downtown corridor, looking at broadband infrastructure and the inventory of building sites.

Mr. Elish will be on the panel for an upcoming commercial real estate conference. Panel members will be talking about what their communities have that make them great to do business in. This conference will be attended by commercial real estate brokers from the metro area.

There was a change to our boundary with Colorado Enterprise Zone. It went from Mountain Avenue and 2nd Street to all of Berthoud Proper and the I-25 corridor. Administrator Hart said thanks to Upstate Colorado and Larimer County.

Mayor Pro-Tem Dowker commended Mr. Elish for bringing attention to what we need in our area and knowing what we have in our inventory.

Accept 1st draft of 2016 budget

Town Senior Accountant Leach asked if there were any comments or questions on the first draft. Trustee White asked if there was anything in the budget to address placing stop signs at unmarked intersections. Administrator Hart said that can be brought up in later budget discussions.

Mayor Gregg explained that accepting the first draft is a statutory requirement. The first draft needs to be accepted by a certain date to keep us on track.

Mayor Pro-Tem Dowker moved to accept the 1st draft of the 2016 Budget. Trustee White seconded the motion. The motion passed unanimously.

Review a portion of the 2016 draft budget

The 2016 budget will be presented in three parts. Senior Accountant Leach said that tonight is Part 1. The presentation will be for the ten Special Revenue Funds. The Special Revenue Funds are independent of each other and the General Fund. The following funds were presented: the Drainage Fund, the Park Development and Park Dedication Fund, the Public Facilities Fund, the Conservation Trust Fund, and the Larimer County Open Space Tax Fund. The Cemetery Endowment Fund for the maintenance of the Greenlawn Cemetery was also addressed as well as the Berthoud Area Transportation Fund (BATS) and the Road Impact Fees Fund. The 1998 1% Sales Tax Fund which is reserved for transportation and road improvements, purchase of land, and recreation centers was presented last. A brief description of the revenue and expenses for each fund was presented along with a 10 year projection.

Some funds had additional capital purchase requests such as a new street sweeper out of the Drainage Fund, a new mower and a heating system for the equipment storage shed out of the Cemetery Fund. A dump truck/snow plow tandem is requested out of the Road Impact Fund to assist in properly maintaining expected roads added with increased development.

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Goals for 2016 are to manage all finances based on approved budget, incorporate the strategic plan, develop master plans for all departments, address capital projects, and proactively maintain and repair. We do want to analyze revenues to make better projections for the future.

Appointments to volunteer Committees & Commission

Town Clerk Mary Cowdin said that as of August 31, 2015 the Town had the following vacancies on volunteer committees and commission:

Planning Commission – two openings

Historic Preservation – three openings

The Historic Preservation Advisory Committee will be finishing their interviews and their recommendations will be on a future agenda.

Applicants for the Tree Advisory and the applicants for the Planning Commission are current members of the Committees/Commissions so no interviews were needed.

Trustee Buckridge moved to appoint the following, with all terms to expire August 31, 2018: Bill Gilmore and Christine Celentano to the Planning Commission and Anthony Frederick and Allen Owen to the Tree Advisory Committee. Mayor Pro-Tem Dowker seconded the motion. The motion passed unanimously.

Reports

Administrator Hart said that the CML (Colorado Municipal League) representative has been Mayor Pro-Tem Dowker for years. She would like to give someone else a chance. Trustee White said she would attend.

Community Chats have not had a lot of attendance recently. Mayor Gregg said he would like more advanced notice and reminders of the chats. He does want trustees to commit to the remaining two chats this year. They are on October 21st and December 16th.

Administrator Hart said there will be no Board Meeting on September 8th. The next meeting will be on September 22, 2015.

Administrator Hart reported that Claire Thomas, with Slate Communications, has been working on Cities and Towns week which is September 14th to the 20th. She thought it could involve some open houses at the Water and Waste Water Plants on the morning of the 19th and then a hot dog and ice cream event with the trustees in the afternoon. If that date does not work then maybe consider a Booth at Oktoberfest. A booth at Oktoberfest would work better for the trustees.

Attorney Bruce Fickel will be talking about the boys and girls club and the recreation center at the September 22nd meeting.

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The CML District 2 meeting will be on Monday, October 5th in Severance. Further information will be sent out at a later date.

Trustee Buckridge said section 9 of the Development Code is being worked on by the Historic Preservation Advisory Committee. The main thing we are doing is coordinating the verbiage and the format with the state and federal historic requirements to better match our definitions to their definitions.

Trustee Buckridge said they are still doing interviews for the vacancy on the Historic Preservation Committee. Both applicants lived out of Town and could not be appointed as that would exceed the number of out of Town members allowed to the Committee.

Mayor Pro-Tem Dowker spoke about the State Transportation Advisory Committee meeting. The Planning and Zoning Commission meeting will be on August 27, 2015.

Mayor Gregg adjourned the meeting at 9:30 pm.



Mayor Pro-Tem Jan Dowker



Patti Swiger
Patti Swiger
Building and Planning Clerk