

**BOARD OF TRUSTEES
REGULAR MEETING
JUNE 10, 2014
BOARD ROOM
6:30 P.M.**

Board Members Present:

Mayor David Gregg
Trustee Chris Buckridge
Trustee Jennifer Baker
Trustee Suzie White
Trustee Mike Henning
Trustee Paul Alaback

Board Members Absent:

Mayor Pro Tem Jan Dowker

Staff Members Present:

Town Administrator Mike Hart
Town Clerk Mary Cowdin
Parks and Recreation Director Jeremy Olinger
Attorney John Bell
Engineer Stephanie Brothers
Deputy Town Clerk Tamiko Brewster
Administrative Clerk Jory Haslett

Mayor Gregg led the Pledge of Allegiance.

Citizen Participation

None.

Consent Agenda

The consent agenda consisted of the Minutes of May 20, 2014 and the February and March 2014 Financial Statements.

Trustee Buckridge moved to approve the Consent Agenda. Trustee White seconded the motion. The motion passed unanimously.

Vendor Licensing Update

Administrator Hart presented the vendor licensing update and the current issue in Fickel Park and asked for direction for modification of the ordinance.

Clerk Cowdin stated that there is some concern among Town staff regarding having regular vendors in the park and the damage that has occurred.

Jim Alden, 619 Mountain Ave, addressed the Board and stated that he believes that the current popcorn vendor is not detrimental to the park and he thinks that up to four vendors would be acceptable so long as there was not any damage to the park. He stated that he has not noticed any traffic issues.

Jack Balas, 825 4th Street, addressed the Board and stated that he enjoys Fickel Park and does not support any vendors in the park unless there is a special event. He does not think that the cost of a vending license is not reflective of the location and does not believe it is an appropriate use of the park. He has also noticed damage at the park from the continuous vending and is concerned about damage to the artwork in the park. He thinks that if the vendor is located completely on the street, it would be an acceptable compromise.

Keith Hancock, owner of Popping Kettle Drum, residing at 328 Bimson Ave, addressed the Board and stated that the question is whether or not vendors are allowed in Fickel Park. He stated that he could easily go back to parking on the street, but there is more visibility when he has a tent up.

Parks and Recreation Director Olinger stated that the concern for staff is maintenance of the park and the scheduling involved.

Trustee Alaback stated that he is in favor of these types of businesses, but there has to be a balance with the Town's responsibilities. He wants to make sure that the process is fair.

Trustee Buckridge agreed that the promotion of the vendors is important, but maintenance of the park is also important. He believes that this particular license was a miscommunication of "at" Fickel Park and could be clarified. He believes that food truck vendors should be kept at curbside to avoid future conflicts.

Trustee Baker stated that she agrees that the license should be clarified. She also agrees that promotion of these types of business in Berthoud is important, but that at this time curbside is a better solution in order to accommodate maintenance and other events.

Mayor Gregg also agreed that curbside is a better solution, but he also agreed that the license location could be clearer; however it is clear that it is for a mobile food truck.

Trustee White pointed out that the application states that mobile food trucks should be in the street. She believes that mobile food vendor should be in the street. She thinks that the language could be clarified so that it is not subject to interpretation.

Trustee Henning stated that mobile food trucks are a benefit to the Town and he would like to keep the message positive. He thinks that going back to the curbside truck is an acceptable solution.

Mayor Gregg suggested a partnership with the Chamber for an event in Fickel Park like a "Thursday Night Out". Administrator Hart suggested a hard surface location.

Attorney Bell stated that there could be an event license that is separate from the street vending license.

Mosquito Control

Director Olinger presented the Town's Mosquito Management Program and introduced Jessica Schurich of Colorado Mosquito Control, who gave a brief presentation about prevention and the effectiveness of the Town's current mosquito control plan.

Administrator Hart asked Ms. Schurich if Berthoud should implement both methods given its agricultural location. She stated that the spatial approach is fine, as the Town can rely on information from surrounding cities to guide spraying decisions.

Mayor Gregg asked if spraying can be targeted to mitigate non-target die-off, such as bees. Ms. Schurich stated that she defers to local bee keepers, but that the spray is toxic to bees. The spray that they use is ultra-low volume and sprayed after dusk, when bees have typically returned to the hive.

Mayor Gregg asked if larval control outside of Town limits could assist in mosquito control. Ms. Schurich stated that Loveland has a one-mile buffer zone outside city limits for larval control and it is effective.

Trustee White asked if the mosquito population has grown in the last several years. Ms. Schurich stated that since she has been managing the City of Fort Collins mosquito program, the numbers have decreased, in part because of regional mosquito mitigation programs.

Rich Grossman from the Larimer County Health Department addressed the Board and explained the West Nile Virus warning mechanism and the related triggers. He stated that, if necessary, Larimer County will spray highly populated areas adjacent to Town limits.

Administrator Hart asked if the Board would like to see a policy from staff regarding spraying.

Mayor Gregg stated he would like to see a broader larvicide program and no spraying.

Trustee Henning stated that he believes that there should be something definitive in the policy, either trigger points based upon information from the County or no spraying at all.

Administrative Hart stated that there are two issues, the preventative program and the trigger point policy.

Trustee Alaback stated that a county-wide critical health issue should be the trigger for spraying. He wanted to know if there could be an opt-out possibility.

Trustee Buckridge stated that spraying in concert with other communities might be more effective. He also does not have an issue with a nuisance trigger.

Trustee Baker would like a critical health trigger so that the issue can be addressed immediately. She would also like to review an opt-out policy.

Mayor Gregg stated that he would not like to spray. He also thinks that the opt-out issue could be very difficult to address.

Trustee White stated that she thinks there needs to be a critical health trigger. She believes that communication with Town residents is critical, perhaps utilizing a reverse 911 call. She doesn't know if an opt-out policy would work.

Trustee Henning asked if there is enough time this year for adequate communication to the residents. He thinks that a discussion for spraying next year is warranted, but that he would not like to spray this year.

Prairie Star Development Amended Agreement

Engineer Brothers presented the Prairie Star Amended Development Agreement, which includes a new location for the point of water service.

Trustee Henning moved to approve the Amended Prairie Star Development Agreement, Addendums B and C. Trustee Alaback seconded the motion. The motion passed unanimously.

Water Policy

Administrator Hart introduced Jon Turner, 639 Crooked Stick in Windsor, who gave a presentation regarding water policies, specifically CBT based policies. He recommends utilizing the Town's Handy Ditch Company water shares and proposed an agreement with Heron Lakes to dedicate Handy Ditch Company shares.

Reports/Requests

Mayor Gregg requested that a working group be assembled comprising of Staff and Trustees to discuss communications and community outreach. He would like to meet as soon as possible.

Trustee White reported on the BMX meeting, which was constructive and enthusiastic.

Trustee Henning reported on the regional outreach meeting that was held in Loveland, where there was discussion regarding the Fort Collins-Loveland Airport and the Colorado Cities and Towns week. He also attended the Regional Elected Officials meeting, where the Open Space Tax was discussed, along with recent water conservation district efforts.

Attorney Bell reported on the well head bill, which has become law. There are now bills pending to reverse that law. He also reported that the citations regarding the tire pile have been sent.

Administrator Hart reported on the status of the sale of the former BMX site. He would like direction from the Board regarding moving forward. Trustee Alaback would like to have an open house with the Town residents. The Board concurred.


Administrator Hart reported that the website RFP is ready to go out. He also reported on the utility billing system, which could be redesigned to include a flyer. He then reported on the Town's water bank and transfer system.

Trustee Alaback reported on Pioneer Museum open house that was held in conjunction with Berthoud Day. He also reported on the status of the farmer's market.

Trustee Buckridge reported on the Historical Preservation presence at Berthoud Day.

Trustee Baker reported on the Town booth at Berthoud Day.

Mayor Gregg adjourned the meeting at 9:38 PM.



Mayor David Gregg



Jory Kate Haslett
Administrative Clerk