



**Garden
Spot of
Colorado**

MEETING MINUTES OF THE TOWN BOARD

**Town Board Room
807 Mountain Avenue
Town of Berthoud, Colorado
Tuesday, November 22, 2022, 6:30 p.m.**

I. REGULAR MEETING CALLED TO ORDER – Mayor William Karspeck

Mayor Karspeck called the meeting to order.

II. PLEDGE OF ALLEGIANCE – Mayor William Karspeck

Mayor Karspeck led the Pledge of Allegiance.

III. ROLL CALL – Mayor William Karspeck

The following Board Members were present:

William Karspeck, Mayor
Karl Ayers, Trustee
Tim Hardy, Trustee
May Soricelli, Trustee
Sean Murphy, Trustee

The following Board Members were absent:

Mike Grace, Mayor Pro-Tem
Jeff Butler, Trustee

The following were also present:

Chris Kirk, Town Administrator
Christian Samora, Town Clerk
Erin Smith, Town Attorney
Michelle Adams, Deputy Town Clerk
Cindy Leach, Finance Director
Jim Anderson, LCSO Sergeant

IV. CITIZEN PARTICIPATION

Linda Wilson of Berthoud spoke regarding the 2023 Annual Budget.

Ryan Pierre of Berthoud spoke regarding PrairieStar and related sewer issues.

V. SCHEDULED ITEMS

1. Consent Agenda

Consent Agenda items are considered to be routine by the Town Board and will be enacted with a single vote. There will be no separate discussion of these items. If discussion is deemed necessary, that item should be removed from the Consent Agenda and considered separately.

- a) November 22, 2022, Meeting Agenda
- b) November 8, 2022, Meeting Minutes
- c) Resolution 2022-13 Approving an Extension of Oil & Gas Administrative Suspension
- d) City of Fort Collins FLEX Agreement

- e) Termination of 2007 Development Agreement with Safeway and M&K Investments
- f) Berthoud Community Library Board Appointments
- g) October 2022 Board Update

Trustee Hardy requested the City of Fort Collins FLEX agreement be removed from the Consent Agenda.

Trustee Ayers moved to combine and approve the items on the Consent Agenda. Trustee Murphy seconded the motion. In a 5-0 roll call vote, THE MOTION CARRIED.

2. FLEX Contract

Hardy asked if the FLEX site could be revised to include easier to find information on the FLEX website.

Murphy suggested additional outreach in the community.

Kirk confirmed that both requests can be accommodated.

Trustee Hardy moved to approve the City of Fort Collins FLEX Agreement. Trustee Murphy seconded the motion. In a 5-0 roll call vote, THE MOTION CARRIED.

3. Youth Advisory Commission Presentation

Grazia Novak, Kenyan Clarkson, and Scarlet provided an informational presentation regarding the 2022 Scorch Fest event. The Town Board thanked the Commission for the information and presentation. Kirk indicated that there are funds in the budget for an event in 2023.

4. Larimer County Sale of Little Thompson Farm

Daylan Figgs Director of the Larimer County Department of Natural Resources provided an update regarding the sale of Little Thompson Farm. .

5. Family Medical Leave Insurance Opt-Out

Resolution 2022-12 – Approving opt out from participation in the Family and Medical Leave Insurance Program

Leach provided and introduction and provided background information.

Trustee Hardy moved to approve Resolution 2022-12, a resolution of the Town of Berthoud approving an opt out in the Family Medical Leave Insurance Program. Trustee Ayers seconded the motion. In a 5-0 roll call vote, THE MOTION CARRIED.

1. Authorization of Newell Farm Purchase – Public Hearing

Ordinance 1312 – An Ordinance of the Town of Berthoud, Colorado, authorizing the purchase of real property located at 236 E State Highway 56, Berthoud, Colorado

Attorney Smith gave an introduction and background information.

Mayor Karspeck opened the Public Hearing.

There was not any comment.

Mayor Karspeck closed the Public Hearing.

Trustee Hardy moved to approve Ordinance 1312, an ordinance of the Town Board of the Town of Berthoud, authorizing the purchase of real property located at 236 E State Highway 56, Berthoud, Colorado. Trustee Murphy seconded the motion. In a 5-0 roll call vote, THE MOTION CARRIED.

2. **Park Hours Code Amendment – Public Hearing**

Ordinance 1311 – Amending the Berthoud Municipal Code regarding the hours of public parks, Open Space, Recreational Areas and permitting to grant exclusive use thereof

Sergeant Anderson gave an introduction and provided background information.

Mayor Karspeck opened the Public Hearing.

Lynn Larsen of Berthoud spoke and suggested clarification with regard to the definition of Dusk and Dawn.

Mayor Karspeck closed the Public Hearing.

Trustee Soricelli moved to approve Ordinance 1311, an ordinance of the Town Board of the Town of Berthoud amending the Berthoud Municipal Code regarding the hours of public parks, Open Space, Recreational Areas and permitting to grant exclusive use thereof, with an amendment to change the terms Dusk and Dawn to Sunset and Sunrise respectively. Trustee Murphy seconded the motion. In a 5-0 roll call vote, the MOTION CARRIED.

3. **Introduction of Ordinance Adopting Codes by Reference**

Ordinance 1313 – An Ordinance amending Chapter 11, of the Municipal Code of the Town of Berthoud, for the purposes of adopting the 2021 International Building Code by reference with amendments, the 2021 International Residential Code by reference with amendments, the 2021 Existing Building Code by reference with amendments, the 2021 Energy Code by reference with amendments, the 2020 National Electrical Code by reference with electric vehicle amendments, the 2021 International Plumbing Code by reference with amendments, the 2021 International Mechanical Code by reference with amendments, the 2021 International Fuel Gas Code by reference with amendments, Graywater Systems Control Regulation 86 by reference with amendments, the 2021 International Mechanical Code by reference with amendments, and the 2021 International Swimming Pool And Spa Code by reference with amendments.

Freese gave an introduction and provided background information.

Trustee Ayers moved to schedule a public hearing for the purpose of adopting codes by reference as provided by Ordinance 1313 and ordering notice of such hearing to be published in accordance with CRS Section 31-16-203. Trustee Murphy seconded the motion. In a 5-0 roll call vote, THE MOTION CARRIED.

4. **2023 Annual Budget Update**

Kirk provided a brief update on the progress of the 2023 Annual Budget.

VI. ELECTED OFFICIAL REPORTS

1. Town Board – Tim Hardy, May Soricelli, Mike Grace, Sean Murphy, Karl Ayers, and Jeff Butler.

Trustee Murphy reported:

He appreciates the FLEX service and has used it a lot.

The Tree Committee Meeting was held on the preceding evening.

Trustee Hardy Reported:

Small Business Saturday will be occurring the coming weekend along with the parade.

Hardy expressed concern regarding a light on the new Fickel Park light.

2. Mayor – William Karspeck

Mayor Karspeck stated that the Administrator review is progressing.

3. Staff – Town Administrator, Attorney

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Kirk reported:

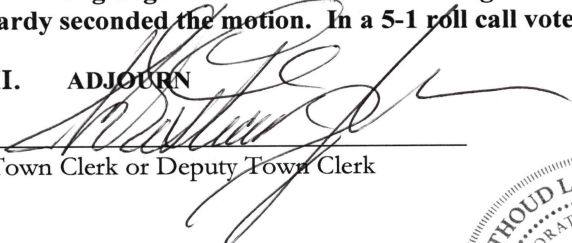
Kirk provided an update on a receipt program that Walt Elish has worked to organize.

The Neighborhood Services Department will be holding a Holiday Lighting Contest.

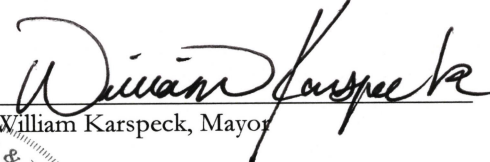
VII. EXECUTIVE SESSION

Trustee Ayers moved to enter into Executive Session pursuant to C.R.S. § 24-6-402(4)(e)(I) to determine positions relative to matters that may be subject to negotiations, developing a strategy for negotiations, and instructing negotiators. And the following details are provided: Potential Development Incentives. Trustee Hardy seconded the motion. In a 5-1 roll call vote, THE MOTION CARRIED.

VIII. ADJOURN



Town Clerk or Deputy Town Clerk



William Karspeck, Mayor

