



**Garden  
Spot of  
Colorado**

## **MEETING MINUTES OF THE TOWN BOARD**

**Town Board Room  
807 Mountain Avenue  
Town of Berthoud, Colorado  
Tuesday, December 13, 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  
Mike Grace, Mayor Pro-Tem  
Karl Ayers, Trustee  
Tim Hardy, Trustee  
May Soricelli, Trustee  
Sean Murphy, Trustee  
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, Director of Finance and HR  
Curt Freese, Community Development Director  
Ken Matthews, Director of Water Utilities  
Brian Dubois, Assistant to the Town Administrator

### **IV. CITIZEN PARTICIPATION**

Butch Hause and Sarah Lincoln Reported that they are ready to close on the property being purchased by the Town.

### **V. SCHEDULED ITEMS and ESTIMATED TIMES FOR DISCUSSION**

#### **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)** December 13, 2022, Meeting Agenda
- b)** November 22, 2022, Meeting Minutes
- c)** Animal Control Intergovernmental and Service Agreement Amendments
- d)** Larimer County Sheriff's Office 2023 Statement of Work
- e)** Bike Lane Bid Award
- f)** Newell Farm Use and Occupancy Agreement
- g)** October 2022 Financial Information

**Mayor Pro-Tem Grace moved to combine and approve the items on the Consent Agenda with exception to the Bike**

*December 13, 2022, Meeting Minutes*

**Lane Bid Award and the LCSO Statement of Work.**

**Trustee Ayers seconded the motion. In a 7-0 roll call vote, THE MOTION CARRIED.**

**2. Bike Lane Bid Award and Larimer County Sheriff's Office Statement of Work**

**Trustee Murphy moved to approve items "d" and "e" on the Consent Agenda.**

**Trustee Ayers seconded the motion. In a 7-0 roll call vote, THE MOTION CARRIED.**

**3. Tree Committee Appointment**

Trustee Murphy gave an introduction and provided background information.

**Trustee Murphy moved to appoint Kathy Mitchell to the Tree Advisory Committee for a term to end on September 30, 2024.**

**Trustee Ayers seconded the motion. In a 7-0 roll call vote, THE MOTION CARRIED.**

**4. Trust for Public Lands Conservation Funding Request**

Hannah Redmon and Don Thorn gave an introduction and provided background information.

**The Board directed staff to support the Lewis Heritage Farm Project with a contribution of \$200,000 and to support collaboration with the project.**

**5. House of Neighborly Service Funding Request**

Dubois gave an introduction and provided background information. Jinger Tomassi further explained the request and how it will benefit the community.

**Trustee Soricelli moved to approve the agreement between the Town of Berthoud and House of Neighborly Services to provide utility assistance to residents.**

**Mayor Pro-Tem Grace seconded the motion. In a 7-0 roll call vote, THE MOTION CARRIED.**

**6. Adoption of Building and Energy Codes by Reference-Public Hearing (Curt Freese) (30 Min)**

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, the 2021 Energy Code 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 Fuel Gas Code, Gray Water Systems Adopting Control Regulation 86 by reference, the 2021 International Mechanical Code by reference with amendments, and the 2021 International Swimming Pool And Spa Code by reference.

Freese gave an introduction and provided background information.

Mayor Karspeck opened the Public Hearing.

There was not any comment from the public.

Mayor Karspeck closed the Public Hearing.

**Mayor Pro-Tem Grace moved to approve Ordinance 1313, an Ordinance of the Town Board 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, the 2021 Energy Code 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 Fuel Gas Code, Gray Water Systems Adopting Control Regulation 86 by reference, the 2021 International Mechanical Code by reference with amendments, and the 2021 International Swimming Pool And Spa Code by reference.**

**Trustee Hardy seconded the motion. In a 7-0 roll call vote, THE MOTION CARRIED.**

7. **Adoption of 2023 Annual Budget-Public Hearing**

Leach gave an introduction and provided background information.

Mayor Karspeck opened the Public Hearing.

There was not any comment from the public.

Mayor Karspeck closed the Public Hearing.

**Trustee Murphy moved to adopt Resolution No. 2022-15, a resolution summarizing expenditures and Revenues for each fund and adopting a budget for the Town of Berthoud, Colorado, for the calendar year beginning on the first day of January 2023 and ending on the last day of December 2023.**

**Trustee Hardy seconded the motion. In a 7-0 roll call vote, THE MOTION CARRIED.**

**Trustee Murphy moved to adopt Resolution No. 2022-16, a resolution appropriating sums of money to various funds, in the amounts and for the purposes set forth, for the Town of Berthoud, Colorado, for the 2023 Budget Year.**

**Trustee Hardy seconded the motion. In a 7-0 roll call vote, THE MOTION CARRIED.**

**Trustee Murphy moved to adopt Resolution No. 2022-17, a resolution of the Town of Berthoud adopting a fee schedule for all Town Fees as provided in the Berthoud Municipal Code.**

**Trustee Hardy seconded the motion. In a 7-0 roll call vote, THE MOTION CARRIED.**

**Trustee Murphy moved to adopt Ordinance 1314, an ordinance of the Town of Berthoud, Colorado levying the taxes for the year 2023 to defray the costs of the municipal government of Berthoud, Colorado, for the fiscal year beginning January 1, 2023 and ending December 31, 2023.**

**Trustee Hardy seconded the motion. In a 7-0 roll call vote, THE MOTION CARRIED.**

8. **1<sup>st</sup> Street Sewer Plan**

**(Ken Matthews)**

**(30 Min)**

**Trustee Murphy moved to direct staff to proceed with the 1st Street Sewer Capacity Improvement Project.**

**Mayor Pro-Tem Grace seconded the motion. In a 7-0 roll call vote, THE MOTION CARRIED.**

**VI. ELECTED OFFICIAL REPORTS**

**(10 Min)**

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

Trustee Ayers Reported:

The PORT Committee met the week prior and discussed a possible expansion at Pioneer Park as well as Richardson Park plans.

The bathroom at Fickel park is complete. Ayers clarified that the façade material is intended to rust.

Ayers stated that there has been positive feedback regarding the Recreation Center.

Trustee Murphy wished everyone Happy Holidays.

Trustee Hardy Reported:

The parade went well. Hardy stated he'd like to see stats to find out how many people were downtown.

SnowFest is in progress.

Mayor Pro-Tem Grace Reported:

Grace asked for the status of the broadband project. Kirk stated Loveland Pulse is

compiling information to help the Town understand what the cost and other considerations may be.

Grace asked about LETA. Kirk stated that the Town has had additional training

2. Mayor – William Karspeck

Mayor Karspeck Reported:

Attended a retreat at Union Station for the Metropolitan Planning organization.

3. Staff – Town Administrator, Attorney

Attorney Smith wished everyone happy holidays.

## VII. EXECUTIVE SESSION

Trustee Ayers moved to enter into Executive Session pursuant to C.R.S. § 24-6-402(4): (1) Subsection (a) for discussions related to the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest; (2) Subsection (e) to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators; and (3) Subsection (b) for a conference with legal counsel for the purpose of receiving legal advice on specific legal questions. And the following details are provided: Water rights. Trustee Murphy seconded the motion. In a 7-0 roll call vote, **THE MOTION CARRIED.**

1. Resolution 2022-18 - A Resolution to appropriate and beneficially use water on behalf of the Town of Berthoud, and authorizing the filing of a water court application for adjudication of such appropriation and beneficial use

Mayor Pro-Tem Grace moved to approve Resolution 2022-18, a resolution of the Town of Berthoud to appropriate and beneficially use water on behalf of the Town of Berthoud, and authorizing the filing of a Water Court application for adjudication of such appropriation and beneficial use.

Trustee Hardy seconded the motion. In a 7-0 roll call vote, **THE MOTION CARRIED.**

## VIII. ADJOURN

The meeting adjourned at 10:03 PM.

Town Clerk or Deputy Town Clerk



William Karspeck, Mayor