



**Garden
Spot of
Colorado**

MEETING MINUTES OF THE TOWN BOARD

**Town Board Room
807 Mountain Avenue
Town of Berthoud, Colorado
Tuesday, February 23, 2021 6:30 p.m.**

This was a VIRTUAL MEETING hosted by Zoom

I. REGULAR MEETING CALLED TO ORDER – Mayor William Karspeck at 6:30 p.m.

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
Maureen Dower, Mayor Pro-Tem
Jeff Hindman, Trustee
Tim Hardy, Trustee
Lonnie Stevens, Trustee
Mike Grace, Trustee
May Soricelli, Trustee

The following were also present:

Chris Kirk, Town Administrator
Christian Samora, Town Clerk
Erin Smith, Town Attorney

Before Citizen Participation Mayor Karspeck addressed the emails that had been sent to the Board.

"I just wanted to address a considerable amount of emails that the board of trustees have received and the phone calls I received today. They are respectful emails for the most part. There seems to be a common theme that the board is working to cancel our contract with the sheriff's office. This is not the case. I would encourage anyone who's thinking such a thing to watch the video over the February 9 meeting, which is posted to the town's website, or you may also review the minutes that are in tonight's packet. On the ninth after receiving the presentation from the sheriff, the board overwhelmingly decided to not hire a third party to investigate the rallies and the protests. On the contrary, we decided unanimously to look ahead at opportunities between the town and the sheriff's office to look into ways to mitigate unnecessary complications between any attendees. We are not investigating anyone nor considering ending any contract. I think it's safe to say that we are all looking forward to moving on past the rallies and the protests. And I think you will find when this comes back to us, that we're really working to maximize the system's ability to speak at the same time looking for ways to keep the rally safe as possible for any public gathering."

IV. CITIZEN PARTICIPATION

There was no Citizen Participation.

V. SCHEDULED ITEMS

1. Executive Session

The Board did not go into Executive Session for Waggener Farm Conservation Easement.

Jane Vielehr Trustee of the Michael Waggener Trust, Carmen Farmer Colorado Open Lands and Anton Dworak Attorney spoke to the Board about the easement described in item 2 of the agenda.

Mayor Karspeck opened it for public comment and the following spoke:

Dave Melanson of Berthoud.

2. Resolution Regarding Waggener Farm Conservation Easement

Administrator Kirk and the property owners gave an introduction.

Trustee Stevens moved to approve Resolution 2021-13, a resolution of the Town Board of the Town of Berthoud supporting the pursuit of the conservation easement for Waggener Farm.

Trustee Grace seconded the motion. In a 7-0 roll call vote the Motion Carried.

3. Consent Agenda

(Christian Samora)

Consent Agenda items are 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) February 23, 2021 Meeting Agenda
- b) February 6, 2021 Meeting Minutes
- c) Resolution 2021-07 – A Resolution correcting the record regarding the approval of the Trails at Creekview Neighborhood Masterplan
- d) Resolution 2021-08 – A Resolution adopting a Signage and Façade Grant
- e) Resolution 2021-09 – A Resolution designating 609 5th Street as a historic landmark
- f) Resolution 2021-10 – A Resolution designating 426 Bimson Avenue as a historic landmark
- g) Resolution 2021-11 – A Resolution designating 348 Turner Avenue as a historic landmark

Trustee Grace moved to combine and approve the items on the Consent Agenda, removing item (g).

Mayor Pro Tem Dower seconded the motion. In a 7-0 roll call vote the Motion Carried.

4. (g) Resolution 2021-11 – A Resolution designating 348 Turner Avenue as a historic landmark

Trustee Grace moved to approve item (g). Mayor Pro Tem Dower seconded the motion. In a 6-0 roll call vote, with Trustee Hindman abstaining, the motion carried.

5. Tree Committee Appointments

(Mayor Karspeck)

Mayor Pro Tem Dower moved to fill the existing vacancies by appointing Josef Nesvara III for a term of two years, expiring 09/30/2023 and Marie Baker for a term of three years, expiring 09/30/2024.

Trustee Grace seconded the motion. In a 7-0 roll call vote the Motion Carried.

6. Youth Advisory Commission Appointments

(Mayor Pro Tem Dower)

Mayor Pro Tem Dower moved to fill the existing vacancies on the Youth Advisory Commission by appointing the following Zoe Schoo, Daniel Hatton, Maddox Peterson, Hallie Cook and Kenyan Clarkson to the Youth Advisory Commission for a term of two years. In addition, assignments to the PORT Committee would be Zoe Schoo and assignment to the Tree Committee would be Kenyan Clarkson. Trustee Hardy seconded the motion. In a 7-0 roll call vote the Motion Carried.

7. Economic Study of Town Owned Properties

(Walt Elish)

At the direction of the Board, staff was assigned the task of researching and determining the redevelopment potential of the two Town owned sites in our downtown. The former town hall and Berthoud Feed Supply lots and former public works garage and current skateboard park lots. EPS Andrew Knudtsen and Tim Morzel presented their preliminary findings.

Mayor Karspeck opened public comment, and the following spoke:

Dave Melanson of Berthoud
Karl Ayers of Berthoud
Brian Laak and Rick Rupp on behalf of...
Melissa Feldbush Chamber of Commerce
Whitney Way City Star Brewing
Wishful Living
Energy Logic
The Ranchers Wife
Wildfire Arts Center
Elizabeth Lamb Kearney PC
Sirenhouse Salon and Barber
Rise Artisan Bread

Charlotte Zink Metal Art
Ben Zink Berthoud Bicycle
Gary Maggi
Berthoud Pizza
Tracy Briggs of Berthoud Historical Society
Mark French of Berthoud Historical Society
Christina Dabney American Family Insurance
Bruce Fickel

Christine Torres of Larimer County

This will be going to a Study Session.

8. **Intergovernmental Agreement with Johnstown, Mead, Milliken
for a Broadband Feasibility Study**

(Chris Kirk)

In November 2020, Town voters approved Measure 3B, approving an exemption from SB152 which prohibits municipalities from the expenditure of funds for broadband projects. That ballot measure was approved by roughly a 77% - 23% margin in support of the exemption.

Funds for broadband service analysis were not included in the FY 2021 budget, staff was approached recently by other administrators from the communities of Johnstown, Milliken, and Mead about working collaboratively on a feasibility study for regional public broadband services. The proposed study would include two primary analyses: 1) the feasibility of Berthoud developing its own broadband service and 2) the feasibility of partnering with Johnstown, Milliken, and Mead to develop a regional broadband service.

The cost obligations of each entity are also shown below and were allocated based on the population percentage by measuring the individual Town populations against the total population of the four towns in the IGA.

Town Percentage Cost Obligation

- Berthoud 24%
- Johnstown 41%
- Milliken 22%
- Mead 13%

Mayor Karspeck opened public comment. There was none.

Trustee Grace moved to approve the Intergovernmental Agreement concerning a Regional Broadband Needs Assessment and Feasibility Study. Trustee Hardy seconded the motion. In a 7-0 roll call vote the Motion Carried.

VI. ELECTED OFFICIAL REPORTS

Town Administrator Kirk: They are starting to see a lot of interest in commercial development. He feels that it was appropriately pointed out that retail is in an interesting place right now. However, there are some industries that have not seen negative effects from COVID. They are starting to see Berthoud as a really viable economic location and opportunity.

Berthoud Reservoir is open. We hope to have power to the building in March.

They have received approval from CDOT to expedite bidding for the Safe Routes to School Project.

Attorney Smith: Nothing to Report

Trustee Hardy: Nothing to Report

Trustee Grace: Nothing to Report

Trustee Stevens: Appreciated Mayor Karspeck comments at the beginning of the meeting. It was obvious that people were misinformed or misunderstood. He liked the direction to look at the meeting itself and to really understand where we were going with the Sheriff's Department. Last meeting, he mentioned really supporting the First Amendment, which we all do. He stated that was not directed at anybody not supporting the First Amendment. In his opinion it sounded like he was jumping on Jeff and that was not it at all. He openly apologized to Jeff if that was the way he took it. He feels everybody has the constitutional right to say what they want. He apologized again.

Trustee Stevens also agree with Trustee Soricelli that they should revisit House of Neighborly Services that we owe them a discussion or give them an idea of where we are going.

Trustee Hindman: He had to leave quite early one day this week, right after the snow and just want to commend the streets department. In the past there been snow piled up on the south side of Mountain Avenue in front of one of the business and doesn't get removed. Then it turns into a pile of slush when the salt is dumped. At 4:20 a.m. last Thursday all the snow had been removed from the bank on fourth street all the way down to habitat. He stated that was awesome to see that staff is out really taking care of our businesses and making sure they have good access for their customers. He stated that is a big change from the past.

He feels we are behind in our commercial design standards and urges staff, before the commercial developments get to far along, to go to the Board. Especially if they are a national chain and they are coming with their standard designs. He really urges us to get the commercial design guidelines updated before processing a lot of commercial developments that are not going to be supported by the community.

Trustee Soricelli: Nothing to Report

Mayor Pro Tem Dower: Appreciated Mayor Karspeck comments at the beginning of the meeting and agreed with Trustee Stevens, it was nice for him to explain everything and encourage people to watch the meeting so they could

understand what exactly the Board did.

She also wanted the Trustees who have not had the opportunity to check out the streetlights on Mountain Avenue to check them out. There are a few streetlights that are examples of Dark Sky compliant that we will hopefully switching over to. So, if you have an opportunity to go downtown, look for the lights that are a little bit more yellowish in tone. If you like one over another (they are all withing a couple blocks of each other) let Jeremy Olinger know which one you prefer.

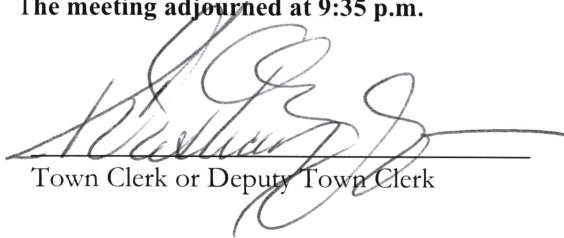
Mayor Karspeck: He attended the Tree Committee Meeting last night. They were excited to have been able to have a meeting. They decided to focus on some advocacy for EAB replacement program and primarily right now look into Arbor Day. In light of COVID how they go about doing that. They will be losing four people in September when their term is up.

He stated he attended a meeting with Leaders in Northern Colorado regarding the Infrastructure Bill, which could be a once in a lifetime massive amount of money. They discussed what they want to see done with that. Examples were the rail, to treat sewer infrastructure. Mayor Karspeck stated he brought up the rail, I-25 lanes, Front Range Trail, and he stated he supported the City of Fort Collins Bus Rapid Transit. It was a very preliminary discussion.

Tomorrow night is the Main Street meeting that Trustee Hardy and himself will be attending. They will have Pastor Esteban from the Foursquare Church to discuss improvements to that building and the possible grant opportunities.

VII. ADJOURN

The meeting adjourned at 9:35 p.m.



Town Clerk or Deputy Town Clerk



Maureen Dower, Mayor Pro-Tem