



# Town of Johnstown

## TOWN COUNCIL REGULAR MEETING

450 S. Parish, Johnstown, CO  
Monday, October 03, 2022 at 7:00 PM

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### MINUTES

#### CALL TO ORDER

##### Pledge of Allegiance

Mayor Gary Lebsack called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

#### ROLL CALL

Present:

Mayor Lebsack

Councilmember Berg

Councilmember Mellon

Councilmember Morris

Councilmember Young

Absent:

Councilmember Dominguez

Councilmember Molinar

#### AGENDA APPROVAL

*Councilmember Mellon moved to approve the agenda.*

Councilmember Berg seconded and the motion passed.

#### SPECIAL PRESENTATIONS

##### 1. October Business of the Month

Sarah Crosthwaite, Economic Development Manager, presented Lift Coffee Bar as the October Business of the Month.

#### PUBLIC COMMENT

Robert Spurling spoke to animal policy and control within Town limits.

Bill Stevens spoke to metro district boards.

**CONSENT AGENDA**

*The Community That Cares*

[johnstown.colorado.gov](http://johnstown.colorado.gov)

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2. August 29, 2022 Town Council Special Meeting Minutes
3. September 7, 2022 Town Council Regular Meeting Minutes
4. Water and Sewer Service Agreement - Evergreen Flex Industrial, with Triple Covid Confidence, LLC
5. Water and Sewer Service Agreement - Ledge Rock Center Commercial Phase I, with Ledge Rock Center, LLC
6. Water and Sewer Service Agreement - Lockard Gateway Storage (355 Mountain View Dr.), with Lockard Development Group, Inc.
7. August 2022 Financial Statements and Sales Tax Report
8. Resolution 2022-39 Acknowledging Receipt of the Fiscal Year 2023 Preliminary Budget
9. September 2022 List of Bills

*Councilmember Mellon moved to adopt the consent agenda.*

Councilmember Young provided the second and the motion passed unanimously.

#### **TOWN MANAGER REPORT**

##### **10. Town Manager's Report**

Council inquired about the branding project survey set to close at the end of the month, and Ms. Crosthwaite informed Council there were over 250 surveys submitted at this time.

#### **TOWN ATTORNEY REPORT**

There was no Town Attorney report.

#### **OLD BUSINESS**

There was no Old Business discussed.

#### **NEW BUSINESS**

##### **11. Amendment to Water Treatment Plant Design Agreement with Burns & McDonnell**

Ellen Hilbig, Utilities Director, presented a request to approve design Addendums 1, 2, and 3 to the project scope for the Water Treatment Plant (WTP) design that was awarded to the engineering consultant, Burns & McDonnell, during the September 8, 2021 Council Meeting. The additional design services to the WTP project scope result in a total additional cost of \$1,145,495 to the project.

*Councilmember Mellon moved to approve addendums 1, 2 & 3 to the Water Treatment Plant design agreement with Burns & McDonnell for a total cost not to exceed \$1,145,945 and authorize the Town Manager to approve the use of the \$350,000 as needed for contingency funds.*

Councilmember Berg seconded and the motion passed.

##### **12. Resolution No. 2022-42: Resolution Terminating A Local Disaster Emergency**

Mr. LeCerf noted the impacts of COVID-19 are substantially lower than when the resolution declaring a local disaster emergency was approved. It was noted that the declaration has been left in place for opportunities to receive federal funding, and that time has ended.

Council clarified the date in Section 5 of the resolution referencing the passage date of Resolution 2020-07.

*Councilmember Morris moved to approve Resolution 2022-42 to terminate the Local Disaster Emergency as presented with the correction of the date noted.*

Councilmember Berg seconded and the motion passed.

**13. Resolution 2022-43: Authorizing the Town Manager to Execute All Documents to Effectuate the Sale of the Real Property, Known as Tract A and Lots 2-5, West Ledge Rock Center Subdivision Filing No. 1**

Mr. LeCerf noted this item was administrative in nature, as a transfer of the tract and lots listed, in order to allow staff to be proactive with this project. Avi Rocklin, Town Attorney, noted the sale of the land would transfer back to the Town should the bonding not go through.

*Councilmember Berg moved to approve Resolution 2022-43 authorizing the Town Manager to complete the sale of Tract A and Lots 2-5 of the West Ledge Rock Center Subdivision Filing No. 1 to Ledge Rock Center, LLC.*

Councilmember Mellon provided the second and the motion passed unanimously.

**PUBLIC HEARING**

**14. Resolution 2022-40 Approving an Amendment to the 2534 P.U.D. Design Guidelines Land Use Plan on 2.1 Acres, to allow Multifamily**

Mayor Lebsack opened the public hearing.

Kim Meyer, Planning Director, presented the 2.1-acre parcel that is currently land use B-1, and requested the land use change to B-2. The proposed change would offer various housing options and be more compatible with adjacent property. Planning Commission recommended to approve the land use change.

Council expressed concerns regarding traffic and the use of the road, offering comments regarding future development plans and traffic issues.

Mayor Lebsack opened the public hearing for comment for residents wishing to speak in favor of the item, to which there was none. Mayor Lebsack opened the public hearing for comments opposed, to which there was none.

*Councilmember Mellon moved to approve Resolution 2022-40 Approving the Amendment to the 2534 Design Guidelines Land Use Plan.*

Councilmember Young seconded and the motion passed unanimously.

**15. Resolution 2022-41 Approving the Final Subdivision Plat for Johnstown Farms Filing No. 2**

Ms. Meyer requested this item to be continued to a date certain.

Mayor Lebsack opened the public hearing for comment for residents wishing to speak in favor of the item, to which there was none. Mayor Lebsack opened the public hearing for comments opposed, to which there was none. Mayor Lebsack left the public hearing open.

*Councilmember Young moved to continue the Public Hearing for Resolution 2022-41 for the Final Subdivision Plat for Johnstown Farms Filing No. 2 until October 17, 2022.*

Councilmember Morris seconded, and the motion passed.

## **COUNCIL REPORTS AND COMMENTS**

Councilmember Morris spoke to increasing auto crime.  
Councilmember Young noted the upcoming Cemetery Crawl.  
Councilmember Mellon noted upcoming MPO and US34 meetings.

## **MAYOR'S COMMENTS**

The Mayor stated the new Diver Diamond over Highway I-25 and 60 was open.

## **INFORMATIONAL ITEMS**

### **16. Informational items**

Informational items were included in the packet.

## **EXECUTIVE SESSION**

- 17. An executive session to discuss matters subject to negotiations and to instruct negotiators pursuant to C.R.S. Section 24-6-402(4)(e) regarding an economic development project.**

*Councilmember Berg moved to adjourn to an executive session to discuss matters subject to negotiations and to instruct negotiators pursuant to C.R.S. Section 24-6-402(4)(e) regarding an economic development project.*

Councilmember Mellon seconded and Council recessed to executive session.

At 8:12 p.m. Council reconvened and Mayor Lebsack noted no decision was made in the executive session.

## **ADJOURN**

Mayor Lebsack adjourned the October 3, 2022 Regular Meeting at 8:12 p.m.

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Gary Lebsack, Mayor

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Hannah Hill, Town Clerk