



# Town of Johnstown

**TOWN COUNCIL REGULAR MEETING  
450 S. Parish, Johnstown, CO  
Monday, July 19, 2021 at 7:00 PM**

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## MINUTES

### CALL TO ORDER

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

### ROLL CALL

#### PRESENT

Mayor Gary Lebsack  
Councilmember Damien Berg  
Councilmember Troy Mellon  
Councilmember Jesse Molinar  
Councilmember Chad Young

#### ABSENT

Councilmember Bill Stevens  
Councilmember Amy Tallent

Staff Present: Matt LeCerf, Town Manager, Avi Rocklin, Town Attorney, Chief Brian Phillips, Kim Meyer, Planning Director, Mitzi McCoy, Finance Director, Marco Carani, Public Works Director and Sarah Crosthwaite, Economic Development Manager.

### AGENDA APPROVAL

Motion made by Councilmember Berg, seconded by Councilmember Mellon to approve the agenda. Motion carried with a unanimous vote.

### SPECIAL PRESENTATIONS

2020 Financial Audit Presentation – Mr. John Cutler of Cutler and Associates presented the 2020 Audit to the Town Council.

### CONSENT AGENDA

Motion made by Councilmember Berg, seconded by Councilmember Mellon to approve the Consent Agenda. Motion carried with a unanimous vote.

- Minutes July 7, 2021
- June 2021 Financial Statements
- List of Bills - July 2021
- Second Reading: Ordinance No. 2021-202 An Ordinance Authorizing the Issuance of Revenue Bonds to Provide for Improvements to the Wastewater System and Establishing Covenants in Connection with the Financing for the Payment of the Bonds from Wastewater Revenues; and Approving Other Matters in Connection with the Financing.

- Second Reading: Ordinance 2021-203 Disconnecting portions of the Maxfield Annexation No. 1 from the Town of Johnstown
- Water Sewer Service Agreement - Johnstown Plaza Apartments 5150 Ronald Reagan Boulevard

## **PUBLIC HEARING**

1. Ordinance 2021-204 Annexing property known as the North Ridge Annexation - Mayor Lebsack opened the public hearing at 7:16 p.m. and heard from staff. The Town received a petition for annexation from Ridge Co II, LLC for the North Ridge Annexation. The property encompasses approximately 36.971 acres. Representatives of the applicant Mr. Mark Hunter and Mr. Roy Bader were present to answer questions from Council. Having no public comments, the hearing was closed at 7:27 p.m. Motion made by Councilmember Berg, seconded by Councilmember Molinar Jr. to approve Ordinance 2021-204 Annexing the 36.971-acre North Ridge Annexation on First Reading. Motion carried with a unanimous vote.
2. Ordinance 2021-205 Approving the Establishment of PUD-MU Zoning for the North Ridge Annexation – Mayor Lebsack opened the public hearing at 7:28 p.m. and heard from staff. This is a request to establish zoning for the 36.971-acre to PUD-MU (Planned Unit Development-Mixed Use). There being no public comments, the hearing was closed at 7:33. Motion made by Councilmember Young, seconded by Councilmember Molinar Jr. to approve Ordinance 2021-205 approving PUD-MU Zoning for the property known as North Ridge Annexation on First Reading. Motion carried with a unanimous vote.
3. Ordinance 2021-206 Approving the North Ridge P.U.D. Outline Development Plan- Mayor Lebsack opened the public hearing at 7:34 p.m. and heard from staff. The North Ridge Outline Development Plan encompasses the 36.971 acres along with additional land for a total of 60 acres. The additional acreage is land previously annexed into Johnstown known as the 402 Exchange-Business Park Annexation. The proposed ODP clarifies and identifies the proposed mix of uses and densities. Councilmember Mellon expressed concerns with the number of access points along the Frontage Road proposed on the ODP along with the compatibility with the existing residential that borders the property. Councilmember Berg also stated concerns with making sure the residential portion of the project provides options for homebuyers. Councilmember Young would like to see the proposed residential blend with the surrounding properties. Mr. Tom Powell, resident in Thompson River Ranch stated he would like to see the residential development be compatible to the existing residential development that borders the project. He also had concerns about the height limit being proposed for the commercial portion, and the reflection of the lights from the commercial area. Marsha Buckley, property owner neighboring the development also expressed concerns with the number of access points, increase in traffic, and reminded Council of the existing farming uses around the development. The applicant's representatives Mark Hunter, Roy Bader and Amber Morris were present to answer questions. Having no further comments, the public hearing closed at 8:20 p.m. Motion made by Councilmember Berg, seconded by Councilmember Mellon to reopen the public hearing at 8:30 p.m. due to additional comments. Motion carried with a unanimous vote. Councilmember Berg stated he would like to see things in place to protect surrounding properties. Councilmember Young also would like to see a

variety and the standard small lots are not a variety. Mr. Powell again address Council and stated he does not have a problem with the 1 or 2 story homes he does not want the 3-story carriage home product in this project. Having no further comments, the public hearing closed at 8:46 p.m. Motion made by Councilmember Mellon, seconded by Councilmember Berg to continue the public hearing on Ordinance Number 2021-206 until August 16, 2021 at 7:00 p.m. Motion carried with a unanimous vote.

## **NEW BUSINESS**

1. North Ridge Annexation Agreement – Motion made by Councilmember Mellon, seconded by Councilmember Young to approve the Annexation Agreement for the North Ridge Annexation. Motion carried with a unanimous vote.
2. 2021 Old Town Street and Drainage Rehabilitation Project – This is a request to award the construction contract for the 2021 Old Town Street and Drainage Rehabilitation project. The project includes the installation of a storm drainage system in North Greeley from 1<sup>st</sup> Street to 2<sup>nd</sup> Street, in the alley from N Greeley Avenue to N Estes Avenue, and N Estes Avenue from Charlotte Street to North 2<sup>nd</sup> Street. The project will also include replacement of street paving, curb and gutter, sidewalk, landscaping and sanitary sewer main replacement. The Town advertised the project and received 3 bids. After review of the bids, staff is recommending awarding the project to DeFalco Construction Co. Motion made by Councilmember Berg, seconded by Councilmember Mellon to award DeFalco Construction Co., as the Contractor for the 2021 Old Town Street and Drainage Rehabilitation in an amount not to exceed \$2,693,750 budgeted for the project and authorize the Mayor to sign the contract in final form after it is approved by the Town Attorney and Town Manager. Motion carried with a unanimous vote.
3. Resolution 2021-22 A Resolution of the Town of Johnstown, Colorado, Amending Revenues for the Fiscal Year 2021 Budget. Councilmember Mellon made a motion seconded by Councilmember Molinar Jr. to approve Resolution 2021-22 Amending Revenues for the Fiscal Year 2021 Budget. Motion carried with a unanimous vote.
4. Application Requesting a Fractional Water Share Sale for 5 S. Raymond Avenue -Council approved Resolution 2020-42 which establishes a water bank designating 16-acre feet of water which can be used by persons who are required to dedicate a relatively small amount of raw water to the Town. The applicant who owns the property at 5 So. Raymond is requesting a fractional water share for the purposes of connecting to water and sewer on the property. Motion made by Councilmember Mellon, seconded by Councilmember Young to approve the Application of Fractional Water Sale to be attached to 5 S. Raymond Avenue parcel number 105905400012 consisting of 0.33-acre feet of water in the amount of \$23,250.00. Motion carried with a unanimous vote.

## **ADJOURN**

The meeting adjourned at 9:29 p.m.

Mayor

Town Clerk