



Town of Johnstown

TOWN COUNCIL REGULAR MEETING

450 S. Parish, Johnstown, CO
Monday, February 06, 2023 at 7:00 PM

MINUTES

CALL TO ORDER

Mayor Lebsack called to order the February 6, 2023 Regular Council meeting at 7:00 p.m. and led the Pledge of Allegiance.

Pledge of Allegiance

ROLL CALL

Present:

Berg
Dominguez
Mellon
Morris
Young
Lebsack

Absent:

Molinar

AGENDA APPROVAL

Councilmember Mellon moved to approve the agenda.

Councilmember Berg provided the second and the motion passed.

SPECIAL PRESENTATIONS

1. Business of the Month

Sarah Crosthwaite, Economic Development Manager, presented Business of the Month to TBK Bank.

PUBLIC COMMENT

There was no public comment.

CONSENT AGENDA

Councilmember Mellon moved to approve the consent agenda.

Councilmember Morris seconded and the motion passed with all in favor.

2. January 18, 2023 Meeting Minutes
3. Ordinance 2023-238 Approving the North Ridge PUD Outline Development Plan Amendment No 1, on Second Reading
4. Ordinance 2023-239 Annexing Rieder Farm on Second Reading
5. Ordinance 2023-40 Zoning the Rieder Farms property, on Second Reading

The Community That Cares

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6. Annexation Agreement for Rieder Farm Annexation, with Platte Land and Water, LLC
7. January 2023 List of Bills

TOWN MANAGER REPORT

8. Town Manager's Report

Matt LeCerf, Town Manager, noted Council was provided a copy of a recent letter sent to Xcel Energy.

TOWN ATTORNEY REPORT

There was no Town Attorney Report.

OLD BUSINESS

There was no old business on the agenda.

PUBLIC HEARING

9. New Fermented Malt Beverage Liquor License Application for CF Altitude LLC dba Alta #6332.

Mayor Lebsack opened the public hearing for this item.

Hannah Hill, Town Clerk, presented staff findings of the liquor application.

Patrick Mahooney, Alcohol Petitioning Services, spoke to the needs and desires petition, noting it was completed between January 13, and January 23rd, 2023.

Dennis Dirkse, Vice President Operation for Alta #6332, made a statement to Council noting training and ID verification.

Council requested clarification on violations for underage selling.

Mayor Lebsack opened public comment to parties of interest for those in favor of this item, to which there was none.

Mayor Lebsack closed the public hearing.

Councilmember Mellon moved to approve the Fermented Malt Beverage Liquor License for CF Altitude LLC dba Alta #6332 and authorize the Mayor to sign the Order Granting a Fermented Malt Beverage License.

Councilmember Young seconded and the motion passed.

10. Resolution 2023-06 Setting a Public Hearing for Archdiocese Annexation No 1 and No 2

Mayor Lebsack opened the public hearing.

Town Attorney Rocklin noted this item is not a public hearing item and noted it should be heard as a resolution to set the date for the public hearing.

Mayor Lebsack closed the public hearing.

Kim Meyer, Planning and Building Director, noted the location of this item.

Councilmember Mellon moved to approve Resolution 2023-06 finding substantial compliance for initiating the Archdiocese Annexations No. 1 & 2 and setting a public hearing date.

Councilmember Berg provided the second and the motion passed.

11. Public Hearing - Resolution 2023-07 Approving the Preliminary/Final Subdivision Plat and Preliminary/Final Development Plan for East Ledge Rock Center Subdivision Filing No. 3

Mayor Lebsack opened the public hearing for Resolution 2023-07.

Ms. Meyer noted this resolution is for the single family development and noted major streets and infrastructure will be provided with adjacent developments. Council asked for clarification on the development of the open space, and where the multi-family apartments would be located.

Mayor Lebsack opened public comment for those in favor of this item, to which there was none.

Mayor Lebsack opened public comment for those opposed to this item.

Jim Hatfield, Johnstown resident, spoke in opposition of this resolution.

Mayor Lebsack closed the public hearing.

Councilmember Morris moved based on findings and analysis presented at this hearing, I move to approve Resolution 2023-07.

Councilmember Mellon seconded and the motion passed.

12. Ordinance 2023-241 Approving the Outline Development Plan for High Plains Estates PUD

Mayor Lebsack opened the public hearing for this item.

Ms. Meyer reviewed the history and location of this property, and noise concerns that were brought up at the Planning and Zoning Commission, noting that a noise study would be conducted. A neighborhood meeting was held in October 2022 along with the Planning and Zoning Commission hearing on January 25, 2023.

The applicant, Tim Buschar, Project Director from View Homes, presented to Council. Mr. Buschar reviewed current subdivisions and current developments before reviewing the proposed architecture of various home types.

Mayor Lebsack opened public comment for those in favor of this item, to which there was none.

Mayor Lebsack opened public comment for those opposed to this item, to which there was none.

Councilmember Berg moved based on findings and analysis presented at this hearing, that the Council approve Ordinance 2023-241, approving the Outline Development Plan (ODP) for High Plains Estates P.U.D. on first reading.

Councilmember Morris seconded and the motion passed.

NEW BUSINESS

13. Agreement Between the Town of Johnstown and MWH Constructors, Inc for Professional Services Related to Construction Manager at Risk Services for the Water Treatment Plant Expansion

Ellen Hilbig, Utilities Director, presented this item to Council noting the request for proposal process and expressed recommendation to approve the bid to MWH Constructors.

Tom Hall, from MWH Constructors out of Broomfield Colorado was also present.

Council asked for justification on the cost evaluation that was submitted. Mr. Hall noted the numbers provided were maximum numbers.

Councilmember Mellon moved to approve the Agreement between the Town of Johnstown and MWH Constructors, Inc for Construction Manager at Risk professional services on the Water Treatment Plant Expansion project in the amount of \$259,080.00

Councilmember Young seconded and the motion passed with one abstaining.

14. Subdivision Development and Improvement Agreement for East Ledge Rock Center Filing No. 3

Ms. Meyer presented this item and noted a future need for a water tank on the west side of Johnstown, and this subdivision would be contingent on the East Ledge Rock Center Filing No. 2.

Councilmember Berg moved to approve the Subdivision Development and Improvement Agreement for East Ledge Rock Center Subdivision Filing No. 3

Councilmember Morris seconded and the motion passed.

15. Water and Sewer Service Agreement for East Ledge Rock Center Filing No. 3

Ms. Meyer noted this item is water that is coming out of an existing developer water bank. Council noted this developer is coming with water.

Councilmember Mellon moved to approve the Water & Sewer Service Agreement for East Ledge Rock Center Subdivision Filing No. 3.

Councilmember Young seconded and the motion passed.

16. Consideration of Resolution 2023-08 approving the Economic Incentive Agreement Between The Town of Johnstown and Project Arsenal

Ms. Crosthwaite noted the applicant has leased a warehouse in the 25/34 area to be utilized as an ecommerce fresh food distribution center. This would bring 160 employee opportunities dependent on market demand and growth. Ms. Crosthwaite also noted the requirements the applicant would be required to meet to qualify for the incentive.

Chadrick Garcia, the representative for Project Arsenal, noted the anticipated go live date to customers would be the end of February.

Councilmember Morris moved to approve Resolution 2023-08 regarding the Economic Incentive Agreement Between the Town of Johnstown and Project Arsenal

Councilmember Berg seconded and the motion passed.

COUNCIL REPORTS AND COMMENTS

Councilmember Dominguez expressed birthday wishes to Councilmember Morris.

Councilmember Morris thanked Town Staff for the snow removal.

Councilmember Mellon asked for clarification on the information section of the packet for the Loveland Fire Rescue Authority and asked the Town Manager to seek information on a Councilmember seat on that board as well.

MAYOR'S COMMENTS

Mayor Lebsack noted the invitation for Loveland Fire Rescue Authority appreciation dinner.

INFORMATIONAL ITEMS

Informational items were included in the packet.

17. Informational Items

ADJOURN

Mayor Lebsack adjourned the February 6, 2023 meeting at 8:48 pm.

Gary Lebsack, Mayor

Hannah Hill, Town Clerk