



450 S. Parish Avenue  
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JohnstownCO.gov

**TOWN COUNCIL REGULAR MEETING**  
**450 S. Parish, Johnstown, CO**  
**Monday, March 18, 2024 at 7:00 PM**

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**MINUTES**

**CALL TO ORDER**

Mayor Mellon called the meeting to order and led the Pledge of Allegiance.

**Pledge of Allegiance**

**ROLL CALL**

Present:

Councilmember Berg  
Councilmember Molinar  
Councilmember Morris  
Councilmember Paranto  
Councilmember Young  
Mayor Mellon

**AGENDA APPROVAL**

*Councilmember Young Moved To Approve The Agenda*

Councilmember Morris seconded and the motion passed.

**PUBLIC COMMENT**

There was no public comment.

**CONSENT AGENDA**

*Councilmember Berg moved to approve the consent agenda*

Councilmember Paranto seconded and the motion passed.

1. March 4 2024 Meeting Minutes
2. Resolution 2024-15: Inclusion of Property into The Villages at Johnstown Metropolitan Districts
3. Water & Sewer Service Agreement Settler's Crossing Irrigation
4. Water & Sewer Service Agreement – Larch Industry LLC
5. February 2024 Financials and 2023 Sales Tax Summary

**TOWN MANAGER REPORT**

Matt LeCeref, Town Manager, offered to answer any questions Council may have.

**TOWN ATTORNEY REPORT**

There was no Town Attorney report.

**NEW BUSINESS**

6. Amended and Restated Operations and Maintenance Intergovernmental Agreement for Johnstown Plaza, Johnstown, Colorado and District/Developer Operations and Maintenance Agreement for Johnstown Plaza, Johnstown, Colorado

*The Community that Cares*

Town Attorney, Avi Rocklin, noted this is related to the public improvements in Johnstown Plaza going forward. Special Counsel, MaryAnn McGeady of McGeady Becher P.C. and David O'Leary representing the District were present.

Mr. O'Leary, Spencer Fane LLP, representing Johnstown Plaza Metropolitan District, spoke to the process of the O&M agreement.

*Councilmember Paranto moved to approve Amended and Restated Operations and Maintenance Intergovernmental Agreement for Johnstown Plaza, Johnstown, Colorado, and the District/Developer Operations and Maintenance Agreement for Johnstown Plaza, Johnstown, Colorado, and authorize the Mayor to sign the agreements.*

Councilmember Molinar seconded and the motion passed.

7. Amended and Restated Operations and Maintenance Intergovernmental Agreement for Ledge Rock Center Commercial, Johnstown, Colorado and District/Developer Operations and Maintenance Agreement for Ledge Rock Center Commercial, Johnstown, Colorado

Ms. Rocklin noted that there was nothing to add to this item that was not noted from the previous item.

*Councilmember Morris moved to approve Amended and Restated Operations and Maintenance Intergovernmental Agreement for Ledge Rock Center Commercial, Johnstown, Colorado, and the District/Developer Operations and Maintenance Agreement for Ledge Rock Center Commercial, Johnstown, Colorado, and authorize the Mayor to sign the agreements.*

Councilmember Young seconded and the motion passed.

8. Consider Approval of the Xcel Energy Off-Site Distribution Line Extension Agreements Between the Town of Johnstown and Xcel Energy for the Water Treatment Plant Expansion

Ellen Hilbig, Utilities Director, presented this item to Council speaking to the Water Treatment Plant construction project and infrastructure improvements needed for the electrical infrastructure.

Ms. Hilbig noted staff supports the agreement and requested Council provide authorization the Town Manager to sign any approve modifications, if any, by the Town Attorney to the agreement.

*Councilmember Berg moved to approve the Xcel Energy Off-Site Distribution Line Extension Agreements in the amount of \$571,434,31 as presented and authorize the Town Manager to sign the Agreement pending any mortifications or adjustments to the agreement made by the Town Attorney*

Councilmember Molinar seconded and the motion passed.

9. Consider a Request from Johnstown YMCA to Construct a Shade Structure Adjacent to Existing Ball Fields on the Town of Johnstown Recreation Center Property

Jeremey Gilham, Planning Director, presented the proposal to Council on behalf of the YMCA to build a shade structure on the YMCA grounds.

*Councilmember Morris moved to approve the construction of a shade structure on the Johnstown YMCA property.*

Councilmember Young seconded and the motion passed.

10. A Change Order to Town Alleyway Aesthetic Improvements for BHA Design, Inc.

Jason Elkins, Public Works Director, noted the location of this project and referenced the design included in the project. Roger Sherman from BHA Design was present to answer any questions.

Council asked for clarification on the parking lot re-design of S. First. Mr. Elkins noted it is on CDOT's right-of-way and there would be access to the alley coming from the south going north for deliveries. Council spoke to inquiries of trash cans and acquisition of parking spaces behind businesses.

Mr. Elkins noted designs for consolidation of trash enclosures and transformers have begun, with the goal to limit the number of parking spaces being taken away. It was noted no decisions have been made and all parties must be in agreement on the decisions.

*Councilmember Molinar moved to approve the change order from BHA Design, Inc. for \$63,570 and authorize the Town Manager to amend the Professional Services Agreement.*

Councilmember Morris seconded and the motion passed.

11. Contract Award for the 2024 Johnstown Concrete Repair Program

Mr. Elkins noted nine subdivisions have been identified in the concrete repair program.

Council asked for clarification on above-service concrete repair. Mr. Elkins noted it would be a full-depth repair, which Mr. Elkins noted the project would be systematically and the scope can be scaled back if needed.

*Councilmember Morris moved to approve the agreement with Lightfield Enterprises as presented with a 5% contingency, and authorize the Town Manager to execute the contract.*

Councilmember Molinar seconded and the motion passed.

**PUBLIC HEARING**

12. Ordinance 2024-242, Ordinance Amending Sections 10-251, 10-252, and 10-254 of the Johnstown Municipal Code Concerning Marijuana Regulation.

Mayor Mellon opened the public hearing.

Ms. Rocklin spoke to this ordinance code change, noting it is meant to clean up the Municipal Code, deleting some outdated Colorado legislative references.

Mayor Mellon opened the hearing for comments in favor or opposed to this item to which there was none.

Mayor Mellon closed the public hearing.

*Councilmember Berg moved to approve Ordinance No. 2024-242, an Ordinance Amending Sections 10-251, 10-252, and 10-254 of the Johnstown Municipal Code Concerning Marijuana Regulation.*

Councilmember Paranto seconded and the motion passed.

13. Ordinance 2024-243: Dedication of Rights of Way and Easements to the Colorado Department of Transportation

Mayor Mellon opened the public hearing.

Mr. LeCerb spoke to this ordinance addressing the right-of-way dedication, access control line, and two nonexclusive permanent easements. The item is related to the expansion of the I-25 corridor project and associated to the improvements made at the Highway 60 interchange.

Mayor Mellon opened the hearing for comments in favor or opposed to this item to which there was none.

Mayor Mellon closed the public hearing.

*Councilmember Young moved to approve Ordinance No. 2024-243 on first reading.*

Councilmember Morris seconded and the motion passed.

14. Front Range Fire Rescue Annexation

1. Resolution 2024-14: Findings Of Fact And Conclusions For The Front Range Fire Rescue Fire Protection District Annexation

2. Ordinance 2024-244: Annexing Certain Unincorporated Lands Located In The Southeast Quarter Of Section 6, Township 4 North, Range 67 West Of The 6th P.M., County Of Weld, State Of Colorado, Consisting Of Approximately 0.098 Acres And Known As The Front Range Fire Rescue Fire Protection District Annexation

3. Ordinance 2024-245: Approval Of PUD-R Zoning Of The Property Known As The Front Range Fire Rescue Fire Protection District Annexation, Located In The Southeast Quarter Of Section 6, Township 4 North, Range 67 West Of The 6th P.M., County Of Weld, State Of Colorado, Consisting Of Approximately 0.098 Acres

Mayor Mellon opened the public hearing.

Lilly Cory, Planner I, spoke to the background of this annexation and location which was noted to be next to Front Range Fire. Staff noted the annexation meets all requirements and requested a zoning of PUD-R.

Mayor Mellon opened the hearing for comments in favor or opposed to this item to which there was none.

Mayor Mellon closed the public hearing.

*Councilmember Paranto moved to approve Resolution No. 2024-14, accepting the Findings of Fact and Conclusions for the Front Range Fire Rescue Annexation*

Councilmember Berg seconded and the motion passed.

*Councilmember Young moved to approve Ordinance No. 2024-244 on first reading, approving the annexation of approximately 0.1 acres, known as the Front Range Fire Rescue Annexation.*

Councilmember Morris seconded and the motion passed.

*Councilmember Young moved to approve Ordinance No. 2024.245 on the first reading, approving the PUD-R Zoning for the Front Range Fire Rescue Annexation.*

Councilmember Berg seconded and the motion passed.

### **COUNCIL REPORTS AND COMMENTS**

Councilmember Young noted the Grand Opening of Buc-ee's.

Councilmember Morris noted the Grand Opening of Buc-ee's

### **MAYOR'S COMMENTS**

Mayor Mellon echoed the excitement of the grand opening of Buc-ee's.

### **INFORMATIONAL ITEMS**

Informational items were included the packet.

15. Informational Items

### **ADJOURN**

Mayor Mellon adjourned the March 18, 2024 meeting at 7:54 pm.

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Troy D. Mellon, Mayor

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Hannah Hill, Town Clerk