



# Town of Johnstown

## TOWN COUNCIL REGULAR MEETING

450 S. Parish, Johnstown, CO  
Monday, August 21, 2023 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

Absent:

Councilmember Dominguez

#### AGENDA APPROVAL

*Councilmember Paranto moved to approve the agenda.*

Councilmember Morris seconded and the motion passed.

#### SPECIAL PRESENTATIONS

1. Loveland Fire Rescue Authority Presentation - Proposed Mill Levy Increase

Chief Tim Sendelbach presented to Council, reviewing the Loveland Fire Rescue Authority's history and coverage area, and the proposed ballot question.

#### PUBLIC COMMENT

Bill Meier from United Power presented the annual credit check to Johnstown.

Comments from Carroll Davis were read into the record regarding the pool feasibility project, fiber optic internet and ADA compliant sidewalks.

A comment was read into the record from Shawn York regarding weeds at Purvis Farms.

Scott Pucket sent a comment to be read noting dog parks and sidewalks.

*The Community That Cares*

johnstown.colorado.gov

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## **CONSENT AGENDA**

2. August 7, 2023 Meeting Minutes
3. Resolution 2023-31 Approving Declaring the Intent of the Town of Johnstown, Colorado to Issue Revenue Bonds in Connection with Financing Residential Facilities for Low- & Middle-Income Families or Persons.
4. July 2023 Financial Statements

*Councilmember Molinar moved to approve the consent agenda*

Councilmember Berg seconded and the motion passed.

## **TOWN MANAGER REPORT**

Matt LeCerf, Town Manager, noted an update on the financial statements. It was noted the Town is in design phase for a trail system around County Road 46.5, and that dog park options are currently being explored.

## **TOWN ATTORNEY REPORT**

The Town Attorney did not have a report.

## **NEW BUSINESS**

5. Police Department Renovation and Expansion Construction Manager at Risk Contract Award

Chief Brian Phillips noted the Police Department has been gradually running out of space since being built in 2002, and a contract has been signed with D2C Architects for design. An RFP for a Construction Manager at Risk (CMaR) was issued, and out of 6 responses, three were interviewed. Mark Young Construction was selected due to their experience with police department construction projects.

Garrett Barrell- Mark Young Construction was in attendance.

*Councilmember Young moved to approve awarding the Construction Manager at Risk, pre-construction services to Mark Young Construction for an estimated \$14,700.*

Councilmember Morris seconded and the motion passed.

6. Equipment Purchase - Chassis for Snowplow

Jason Elkins, Public Works Director, asked for consideration of purchase of a chassis for snowplow. Mr. Elkins noted the equipment would be able to be used for this upcoming winter, and this purchase would be utilized for a tandem snowplow.

Council noted the item may require a budget amendment, which staff noted it is expected to be included in the 2023 adopted budget as it stands now.

*Councilmember Paranto moved to purchase a 2024 Freightliner 108SD and authorize the Town Manager to execute the purchase invoice as appropriate and necessary to procure the tandem snowplow vehicle.*

Councilmember Morris seconded and the motion passed.

7. RFP Award For Johnstown Annual Pavement Rehab Program, Phase I

Mr. Elkins noted McAtee Construction Company was selected as the lowest bidder for this RFP, out of 5 responses. Also for Council's consideration a change order as part of the Phase I project, which Council was asked to provide direction on including or not.

*Councilmember Berg moved to approve the Phase I Pavement Maintenance Program as presented, authorize the Town Manager to execute the contract, and include the addition of High Plains Boulevard provided quantities as bid are extended to this scope of work.*

Councilmember Young seconded and the motion passed.

8. Intergovernmental Agreement Between the Town of Johnstown and Weld County for On Demand Transit Program

Mr. LeCerf presented this item to Council noting a year ago Johnstown was included in the pilot program for Via Mobility and the project is now ready to begin. Mr. LeCerf noted 50% of the payment would be made this year, and the remaining would be paid in 2024.

*Councilmember Young move to approve the Intergovernmental Agreement for the Weld County On-Demand Transit Program to Operate in the Town of Johnstown in Order to Provide Service for Residents of the Town*

Councilmember Morris seconded and the motion passed.

## **PUBLIC HEARING**

9. Public Hearing - Resolution 2023-36 Approving the Final Subdivision Plat and Preliminary/Final Development Plan for The Row Townhomes at 2534

Mayor Mellon opened the public hearing.

Kim Meyer, Building and Planning Director, presented the resolution to Council, noting the location and background and that the 2534 PUD Design Guidelines would apply. The town homes would include 32 units in total. Planning and Zoning Commission recommends approval of this plan.

The applicant, Nico Campangia, owner of Alamosa Builders noted the plan would be to build and own these units.

Mayor Mellon opened public comment in the public hearing to those in favor of or opposed to this item, to which there was none.

Mayor Mellon closed the public hearing.

*Councilmember Berg moved based on findings and analysis presented at this hearing, I move to approve Resolution 2023-36 approving the Final Subdivision Plat and Final Development Plan for The Row Townhomes at 2534 Subdivision.*

Councilmember Morris seconded and the motion passed.

10. Resolution 2023-32 Approving the Service Plan for High Plains Estates Metropolitan District

Mayor Mellon opened the public hearing.

Ms. Rocklin noted the Town has retained Carolyn Steffl of Dietze and Davis, P.C., as special counsel who presented this item to Council. This is for a single standalone district and Ms. Steffl noted all requirements for notice were met. 120 acres are proposed to be included in this district, with a future population of seventeen hundred. Council clarified that as soon as someone owns property or resides in the district, they are eligible to run for the metro district board, and it is a 5-person board.

Ms. Steffl noted the difference in the model service plan on this item is requesting a water resources fee. In addition, a one-time development fee and an ongoing requested operations and maintenance fee per month, per unit.

Eve Velasco, representing the High Plains district from White Bear Ankele Tanaka & Waldron presented the project. The district is planning to finance roads, water, sewer, drainage and park, with an election every two years. This district would not have an HOA.

Council asked for clarification on the Water Resource Fee. Ms. Velasco noted this would be the operations and maintenance fee. Ms. Velasco spoke to the costs associated with the metro district, and the ability to finance the water through the public markets.

Joe Shifter, Colorado Land Acquisition (CoLa) spoke to Council's questions, noting all actions being taken were in an effort to achieve lower costs.

Mayor Mellon opened public comment in the public hearing to those in favor of or opposed to this item, to which there was none.

Mayor Mellon closed the public hearing.

*Councilmember Berg moved to approve Resolution No. 2023-32 a Resolution Approving the Service Plan for High Plains Estates Metropolitan District with the following conditions*

- 1) water resource fee will be solely used to repay the debt for the purchase of water revenue bond*
- 2) 100\$ operations monthly fee will be capped at 4 years. Upon 4 years it needs to be voted on by the citizen bond or brought to Town Council.*

The motion died with no second.

*Councilmember Paranto moved to approve Resolution No. 2023-32 a Resolution Approving the Service Plan for High Plains Estates Metropolitan District with the following conditions*

- 1) water resource fee will be solely used to repay the debt for the purchase of water revenue bond*
- 2) removal of the \$100 monthly operation fee.*

The motion died with no second.

*Councilmember Berg moved to reopen the public hearing.*

Councilmember Paranto seconded and the motion passed.

Discussion centered around specific items Council may or may not be receptive to in the Service Plan.

Mayor Mellon opened public comment for comments for or against this item, to which there was none.

Mayor Mellon closed the public hearing.

*Councilmember Young moved to continue the public hearing to September 6, 2023.*

Councilmember Berg seconded and the motion passed.

11. Resolution 2023-33 Approving the Amended and Restated Service Plan for High Plains Metropolitan District No. 3 (Welty Ridge Metropolitan District No. 1)

Mayor Mellon opened the public hearing.

Mayor Mellon recommended to continue this hearing until September 6, 2023.

Mayor Mellon opened public comment in the public hearing to those in favor of or opposed to this item, to which there was none.

Mayor Mellon closed the public hearing.

*Councilmember Berg moved to continue the hearing until September 6, 2023.*

Councilmember Paranto seconded and the motion passed.

12. Resolution 2023-34 Approving the Amended and Restated Service Plan for High Plains Metropolitan District No. 4 (Welty Ridge Metropolitan District No. 2)

Mayor Mellon opened the public hearing.

Ms. Rocklin noted this is a commercial district, and the district has changed their name to Welty Ridge Metropolitan District No. 2. Special Council Ms. Steffl noted the new service plan follows current service plans guidelines.

Council asked for clarification on who would be on the board, which Mr. Davis noted that some parcel of property would have the developer hold onto the property and create a contract for an employee to buy a divided interest in their property which would qualify them as a voter.

Michael Davis, General Counsel for High Plains Metropolitan District No. 3 and District No. 4, noted that these districts were consolidated 15 years ago, an incorporated 660 acres. This area has mostly become the Revere development, and the commercial district is directly south of where Buc'ees is located.

Mayor Mellon opened public comment in the public hearing to those in favor of or opposed to this item, to which there was none.

Mayor Mellon closed the public hearing.

*Councilmember Berg moved to approve Resolution No. 2023-34 a Resolution Approving the Amended and Restated Service Plan for High Plains Metropolitan District No. 4 (Welty Ridge Metropolitan District No. 2).*

Councilmember Young seconded and the motion passed.

## **NEW BUSINESS**

13. Water and Sewer Service Agreement for The Row Townhomes at 2534, with MNC Holdings, LLC

Mr. LeCerf noted this item supports the Row Town Homes which were presented earlier on the agenda.

Council asked for clarification this would come out of the 2534 shares.

*Councilmember Molinar moved to approve the Water and Sewer Service Agreement for The Row Townhomes at 2534, with MNC Holdings, LLC.*

Councilmember Morris seconded and the motion passed.

## **COUNCIL REPORTS AND COMMENTS**

Councilmember Molinar commented on recent Housing Authority meetings.

## **MAYOR'S COMMENTS**

Mayor Mellon noted that staff has met with staff in Milliken regarding senior services, noting a suggestion of a consolidated Senior Services program. Mitzi McCoy, Deputy Town Manager, reviewed recent conversations with neighboring partners.

Mayor Mellon noted support of anything that improves services, duplication of services may not be efficient, but looking for what is right for the community seniors.

Mayor Mellon asked for Council's thoughts on supporting the presented LFRA's tax question with a resolution.

## **INFORMATIONAL ITEMS**

14. Informational Items

Informational items were included in the packet.

**EXECUTIVE SESSION**

15. An executive session to discuss the purchase of real property pursuant to C.R.S. Section 24-6-402(4)(a)

*Councilmember Berg An executive session to discuss the purchase of real property pursuant to C.R.S. Section 24-6-402(4)(a)*

Councilmember Molinar seconded and Council recessed into executive session at 10:11 p.m.

Council reconvened at 10:22 p.m.

Mayor Mellon noted nothing was discussed outside of the motions and no decisions were made.

**ADJOURN**

Mayor Mellon adjourned the August 21, 2023 Council meeting at 10:23 p.m.

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Troy D. Mellon, Mayor

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Hannah Hill, Town Clerk