



Town of Johnstown

**TOWN COUNCIL REGULAR MEETING
450 S. Parish, Johnstown, CO
Wednesday, July 07, 2021 at 7:00 PM**

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 Troy Mellon
Councilmember Jesse Molinar
Councilmember Amy Tallent
Councilmember Chad Young

ABSENT

Councilmember Damien Berg

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

AGENDA APPROVAL

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

SPECIAL PRESENTATIONS

Business of the Month - Sarah Crosthwaite, Economic Development Manager introduced Hiroshi Teriyaki Grill as the July Business of the Month.

PUBLIC COMMENT

Mr. Terry Eady of 2210 Podtburg Circle, addressed Council with concerns about the easement between the Purvis Property and Podtburg Subdivision along Podtburg Circle. He stated the HOA had been maintaining this area and it is now being neglected.

CONSENT AGENDA

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

- Minutes June 21, 2021
- Minutes June 24, 2021 Special Meeting
- Second Reading Ordinance 2021-199 an Ordinance Amending Section 10-61 and Section 10-71 of the Johnstown Municipal Code Concerning the Jurisdictional Limit for Criminal Mischief and Theft

- Ordinance 2021-200 Approving P.U.D. Outline Development Plan (ODP) for Purvis Farm
- Resolution 2021-20 Adopting Larimer County Multi-Jurisdictional Hazard Mitigation Plan (2021)

SWEAR IN NEW COUNCIL MEMBER

Bill Stevens was sworn in as the new councilmember.

PUBLIC HEARING

1. New Tavern Liquor License - The Immortal Bar, LLC-

Mayor Lebsack opened the public hearing at 7:10 p.m. and heard from staff. This is a request for a Tavern License for The Immortal Bar, LLC, located at 1 N. Parish. The applicant, Mr. Dallas Williams was present to answer Council's questions. Having no public comments, the hearing closed at 7:17 p.m. Motion made by Councilmember Mellon, seconded by Councilmember Tallent to approve the Tavern License to The Immortal Bar, LLC and authorize the Mayor to sign the Order Granting a Tavern License. Motion carried with a unanimous vote.

2. First 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.

Mayor Lebsack opened the Public Hearing at 7:18 p.m. and heard from staff. Ordinance No. 2021-202 provides for the issuance of revenue bonds to fund capital projects in the Sanitary Sewer Fund. The town's wastewater treatment plants are in need of upgrades along with the expansion of the sewer interceptor. The town is working with consultants to issue bonds to assist with the cost of these projects. The bonds will be structured as revenue bonds in the Sanitary Sewer Enterprise Fund with a maturity date in 2051. Having no public comments, the hearing closed at 7:26 p.m. Motion made by Councilmember Tallent, seconded by Councilmember Young to approve Ordinance 2021-202 Authorizing the Issuance of Revenue Bonds to Provide for Improvements to Its Sanitary Sewer System; Establishing Covenants in Connection with the Financing and Providing for the Payment of the Bonds from Sanitary Sewer Revenues; and Approving Other Matters in Connection with the Financing. Motion carried with a unanimous vote.

3. First Reading: Ordinance 2021-203 Disconnecting portions of the Maxfield Annexation No. 1 from the Town of Johnstown

Mayor Lebsack opened the Public Hearing at 7:28 p.m. and heard from staff. Ordinance 2021-203 disconnects certain portions of property located in the Maxfield Annexation. Having no public comments, the hearing closed at 7:31 p.m. Motion made by Councilmember Young, seconded by Councilmember Tallent to approve Ordinance 221-203 Disconnecting portions of the Maxfield Annexation No. 1 from the Town of Johnstown on first reading. Motion carried with a unanimous vote.

NEW BUSINESS

1. Town Solid Waste and Recycling Services - The current agreement with Waste Management expires in September 2021. After reviewing 3 proposals, staff felt Waste Connections was the best fit for the Town. Motion made by Councilmember Young, seconded by Councilmember Molinar to approve the award of the Solid Waste and Recycling Services to Waste Connections and consider a future fee schedule amendment of a flat rate to residents for the 5-year term of the agreement. Motion carried with a unanimous vote.
2. 2021 Pavement Management Program Award – This is a request to award three projects for the 2021 Pavement Management Program; 1. pavement preventive maintenance treatment called HA5 or High-Density Mineral Bond, will be used on the town's streets to help extend the life of them; 2. crack seal the streets in advance of the HA5 application; 3. seal coat application at the Senior Center and Police Station parking lots. Motion made by Councilmember Mellon, seconded by Councilmember Young to authorize the Mayor to sign the professional services agreement for the three projects identified, HA5, crack seal, and seal coat for the 2021 Pavement Management Program as presented for a total not to exceed \$412,218.51. Motion carried with a unanimous vote.
3. Resolution 2021-21, Declaring Its Official Intent to Reimburse Itself with the Proceeds of the Issuance of Municipal Bonds for Certain Capital Expenditures Undertaken or to be Undertaken by the Town; Generally Identifying the Capital Expenditures; and Providing Certain Other Matters In Connection Therewith – This resolution will allow the Town to use bond proceeds for payments related to improvement projects in the Sanitary Sewer Fund made not earlier than 60 days prior to the effective date of this Resolution. Motion made by Councilmember Mellon, seconded by Councilmember Young to approve Resolution 2021, A Resolution of the Town Council of the Town of Johnstown, Acting by and Through Its Sanitary Sewer Utility Enterprise, Declaring Its Official Intent to Reimburse Itself With the Proceeds of the Issuance of Municipal Bonds for Certain Capital Expenditures Undertaken or to be Undertaken by the Town; Generally Identifying the Capital Expenditures; and Providing Certain Matters in Connection Therewith. Motion carried with a unanimous vote.

EXECUTIVE SESSION

Motion made by Councilmember Mellon, seconded by Councilmember Molinar Jr. to recess into Executive Session regarding matters subject to negotiation, developing a strategy for negotiations and instructing negotiators pursuant to C.R.S. § 24-6-402(4)(b) related to railroad crossing license agreement. The executive session began at 8:11 p.m. and ended at 9:11 p.m. Mayor Lebsack reopened the meeting and stated the only item discussed was what was stated in the motion.

ADJOURN

The meeting adjourned at 9:22 p.m.