



Town of Johnstown

TOWN COUNCIL REGULAR MEETING

450 S. Parish, Johnstown, CO

Wednesday, September 06, 2023 at 7:00 PM

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
Mayor Mellon

Absent:

Councilmember Dominguez
Councilmember Young

AGENDA APPROVAL

Councilmember Berg moved to approve the agenda.

Councilmember Molinar seconded and the motion passed.

SPECIAL PRESENTATIONS

1. Business of the Month

Sarah Croswaite, Economic Development Director, presented the September 2023 Business of the month to Drip Bar.

2. Proclamation - Suicide Awareness and Prevention Month

Mayor Mellon read into the record the proclamation which declares September Suicide Awareness and Prevention Month

PUBLIC COMMENT

Shawn York spoke to weed issues in the Town, mainly on developer lots.

Mike and Rebecca Knowlton spoke to drainage issues in Country Acres Subdivision and asked for an update on the study on the issue. Staff noted an engineer's proposal to perform the study was sought. Later on the agenda a contract for consideration would be presented to Council.

A comment from Shannon Kindred was read into the record regarding Town streetlamps.

The Community That Cares

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CONSENT AGENDA

Councilmember Berg moved to accept the consent agenda with the August 21, 2023 Meeting Minutes to be amended to reflect discussion that occurred on mowing for developer's land in Town limits and follow up on Charlotte Street and Sandra Drive

Councilmember Morris seconded and the motion passed.

3. August 21, 2023 Meeting Minutes
4. Resolution No. 2023-37 Adopting Town of Johnstown Elected Official Social Media Policy
5. Resolution 2023-39 Amending the Intergovernmental Agreement with the Larimer Emergency Telephone Authority (LETA) to include Jackson County Colorado
6. Water and Sewer Service Agreement for Lots 1, 2, and 3 of Spring Meadows Development, LLC
7. August 2023 List of Bills

TOWN MANAGER REPORT

8. Town Manager's Report

Matt LeCerf, Town Manager, noted additional information in the packet regarding Loveland Fire Rescue Authority, and a draft resolution for Council's consideration. Mr. LeCerf also recognized Kim Meyer, current Planning and Building Director for her work in Johnstown.

TOWN ATTORNEY REPORT

There was no Town Attorney Report.

NEW BUSINESS

9. Subdivision Development and Improvement Agreement for The Ridge at Johnstown Filing No 3

Kim Meyer, Planning and Director, introduced this item and noted the subdivision would create a single buildable lot. Prior to any Certificates of Occupancy are issued, Ms. Meyer noted all infrastructure improvements would need to be completed.

Council asked for clarification on the single lot being subdivided. Ms. Meyer noted it is currently a multi-family site

Councilmember Molinar moved that the Town Council approve the Subdivision Development and Improvement Agreement with J-25 Land Holdings, LLC., and the Villages at Johnstown Metropolitan District No. 1 for The Ridge at Johnstown Subdivision Filing No. 3

Councilmember Paranto seconded and the motion passed.

10. Country Acres Drainage Mitigation Study Award

Jason Elkins, Public Works Director, noted the drainage issues in Country Acres. Staff met with a team of experts at Alfred Benesch & Company to create a study that will conduct sub-regional hydrology and hydraulics analysis to develop a conceptual drainage plan that identifies and quantifies various mitigation options.

Council spoke to Mr. Olson, representing the consultant, regarding the issues with fixing the drainage. Mr. Olson noted there would be significant evaluation in this project to find a good solution to fix the issue long term. Council inquired about the research conducted, including visiting the site. Mr. Olson noted the company has walked the site and looked at ariels of the ditch. It was noted that studying video and pictures will assist in knowing how the drainage effected the property owners.

Council noted they would like to know what the short and long-term communication plan for the project would be.

Councilmember Morris moved to approve the contract with Alfred Benesch & Company for the Country Acres Drainage Mitigation Study and authorize the Town Manager to execute the contract.

Councilmember Paranto seconded and the motion passed.

PUBLIC HEARING

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

Councilmember Berg moved to reopen the hearing

Councilmember Molinar seconded and the motion passed.

Mayor Mellon re-opened the public hearing that was continued from August 21, 2023

Carolyn Steffl of Dietze and Davis, P.C., reviewed the publication and notices of the item as well as an overview of the amended service plan. The proposed brings the service plan up to date with Council's current requirements. Ms. Steffl noted this proposal has approximately 53 acres with 492 residential units upon full build out.

Michael Davis, General Counsel for Welty Ridge Metropolitan District No. 1 addressed Council, noting that this item is part of a multi-district structure. That structure was defined in 2008, however development didn't occur and all four of the original districts have redefined their boundaries and development in this proposal.

Council asked for clarification on the cost of the public improvements verses the amount of what would be borrowed. Mr. Davis noted it was not expected to come back to Council at this time, and the developer is expecting to bring funds to the table for improvements that will not be financed.

Council expressed appreciation for items that were removed by the board regarding fees and structure.

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

Mayor Mellon closed the public hearing.

Councilmember Paranto move to approve Resolution No. 2023-33, a Resolution Approving the Amended and Restated Service Plan for High Plains Metropolitan District No. 3 (Welty Ridge Metropolitan District No. 1),

Councilmember Molinar seconded and the motion passed with a 4-1 vote

No Vote: Morris

12. Resolution No. 2023-32 approving Service Plan for High Plains Estates Metropolitan District, public hearing continued from August 21, 2023

Councilmember Berg moved to reopen and continue the hearing.

Councilmember Paranto seconded and the motion passed.

Mayor Mellon re-opened the public hearing.

Ms. Steffl noted the previous meeting and all notices and publications were met. It was noted the basics of the plan had not changed. The redline changes proposed are as below, being the three issues Council expressed concern with:

- Development Fee- onetime fee paid before the building permit issued was changed from \$3,000 to \$2,500 maximum fee.
- The Water Resources Fee- language was added that notes the fee would only be used to the purchase of water, must be paid before building permit is issued and is a one time fee, and if for any reason the decision is made to not finance raw water purchase the overall debt would go from \$39 million to \$29 million.
- The recurring fee was changed with two items: a) recurring fee was decreased to per unit fee of a mx of \$660 per year, exception of alley loaded add on in home, \$180 maximum. lanauge would be limited to four years -unless a majority of the board are residents or homeowners approve continuing the fee, or the town approve continuing the fee beyond the four years.

Avi Rocklin, Town Attorney, noted the recurring fee was proposed to be down from \$492 not \$660, plus \$180 for an alley loaded property. Eva Valsco, representing the High Plains Estes Metro District noted the operations budget estimate of \$41 a month per unit to cover the short fall.

Council asked at what point the reserve is funded. Joe Shifter with CoLa noted the reserves are typically fund the reserves so they are funded about the time replacement is expected to be required, noting is more of a capital reserve which the board can change at any time.

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

Mayor Mellon closed the public hearing.

Councilmember Molinar move to approve Resolution No. 2023-32 a Resolution Approving the Service Plan for High Plains Estates Metropolitan District, with the change to the recurring fee from \$660 to \$492

Councilmember Paranto seconded and the motion passed with a 4-1 vote.

No Vote: Morris

13. Public Hearing: Resolution 2023-40 Approving Amended and Restated Service Plan for Encore on 34 Metropolitan District Nos. 1-3 and Service Plan for Encore on 34 Metropolitan District Nos. 4-7

Mayor Mellon opened the public hearing, noting the applicants have requested a continuation until September 18, 2023.

Mayor Mellon asked for public comment in favor or opposed to this item, to which there was none.

Mayor Mellon closed public hearing.

Councilmember Berg moved to continue the public hearing Resolution 2023-40 until September 18, 2023.

Councilmember Morris seconded and the motion passed.

14. Resolution 2023-38 Approving the Final Plat for The Ridge at Johnstown Subdivision Filing No. 3

Mayor Mellon opened the public hearing.

Ms. Meyer introduced Tony LeFevre, Planning Department, who reviewed the location of the subdivision. Mr. LeFevre noted the 4 tracts for future development. All other improvements will be addressed as lots/tracts develop. The main item will be sewer, stormwater and grading improvements in this filing.

Jonathan Sweet, TST Inc on behalf of J-25 Land Holdings noted no further comments, but happy to address any concerns from Council.

Council asked if any retaining walls were expected- which was noted it was a 4-1 grass slope, but there's an opportunity to review with the landscape architect. Inquiries about trees and further landscaping, which the applicant noted it would be addressed in future filings.

Mayor Mellon opened the hearing for public comment in favor or opposed, to which there was none.

Mayor Mellon closed the public hearing.

Councilmember Molinar moved to approve Resolution 2023-38 Approving the Final Plat for The Ridge at Johnstown Subdivision Filing No. 3.

Councilmember Berg seconded and the motion passed.

COUNCIL REPORTS AND COMMENTS

Councilmember Morris noted residents concerns regarding weed control, and noted the remaining portion of the Purvis development that is not mowed, and noted Ledge Rock that is not mowed. Mr. LeCerf noted that a bid was not received by an insured individual, however the contacts that were directed to Mr. LeCerf did not provide insurance, and a second individual who contacted the Town Manager ceased communication.

Mr. LeCerf noted the Town mitigated our property, and has been following up with the Public Works Director to ensure it was complete.

Communication was received that Purvis was not 100% complete, and the Town Manager noted it would be followed up on to make sure it was mitigated.

It was reiterated that someone inquired on conducting this work for \$500, but they did not provide insurance. The individual who contacted the Town Manager communicated about questions, but never responded with a bid or quote.

Mr. LeCerf noted he will continue to communicate that this issue does need to be resolved per Town Code.

MAYOR'S COMMENTS

Mayor Mellon noted the draft ordinance regarding Council attendance presented in the packet, and requested that the ordinance take effect after the next municipal election.

The new high-school ribbon cutting was noted.

Mayor Mellon noted a recent complaint about bee swarms near a local bank and the owner has noted he would relocate the bees when the weather is cooler. Council noted they would consider if any next steps were needed.

INFORMATIONAL ITEMS

15. Informational Items

Informational items were included in the packet.

ADJOURN

Mayor Mellon adjourned the September 6, 2023 meeting at 8:39 p.m.

Troy D. Mellon, Mayor

Hannah Hill, Town Clerk