



# Town of Johnstown

## TOWN COUNCIL REGULAR MEETING

450 S. Parish, Johnstown, CO  
Monday, April 03, 2023 at 7:00 PM

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### MINUTES

#### CALL TO ORDER

Mayor Gary Lebsack called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

#### Pledge of Allegiance

#### ROLL CALL

Present:

Mayor Lebsack

Councilmember Mellon

Councilmember Molinar

Councilmember Morris

Councilmember Young

Absent:

Councilmember Dominguez

Councilmember Berg

#### AGENDA APPROVAL

*Councilmember Mellon moved to approve the agenda.*

Councilmember Molinar seconded and the motion passed.

#### SPECIAL PRESENTATIONS

1. Business of the Month

Sarah Crosthwaite, Economic Development Manager presented Connected Chiropractic with Business of the Month.

#### PUBLIC COMMENT

Bob Cogswell spoke to crime in Johnstown.

Frank Eubanks sent in a comment regarding Mallard Ridge maintenance fee.

#### CONSENT AGENDA

*Councilmember Mellon moved to approve the consent agenda.*

Councilmember Morris seconded and the motion passed.

2. March 6, 2023 Meeting Minutes

3. March 20, 2023 Minutes

The Community That Cares

[johnstown.colorado.gov](http://johnstown.colorado.gov)

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO 80534 | F: 970.587.0141

4. Ordinance 2023-243 An Ordinance concerning Municipal Court procedures
5. Resolution No. 2023-15 Appointing Deputy Municipal Judges for the Municipal Court
6. Resolution 2023-19 Amending the Fiscal Year 2022 Budget
7. First Amendment to the Intergovernmental Agreement with Larimer County for Contributions to Roadway Improvements Concerning Maintenance of Public Roadway (LCR 14)
8. Second Amendment to Intergovernmental Agreement Between the Town Of Johnstown and the Little Thompson Water District
9. Intergovernmental Agreement with Larimer County For County Road 3
10. Agreement to perform an emergency repair on the WTP North Ground Storage Tank  
Emergency Repair with Tanco Engineering, Inc.
11. Water and Sewer Agreement for Trade at 2534, Amendment 1, Lot 3
12. Water and Sewer Service Agreement for Front Range Fire Rescue Station #1
13. February 2023 Financial Statements
14. March 2023 List of Bills

#### **TOWN MANAGER REPORT**

15. Town Manager's Report

Matt LeCerf, Town Manager, presented the monthly report. Mr. LeCerf asked Council if they would like staff to present a resolution in opposition of Senate Bill 2023-213.

#### **TOWN ATTORNEY REPORT**

There was no Town Attorney Report.

#### **NEW BUSINESS**

16. An Agreement Between the Town of Johnstown and D2C Architects for the Design and Expansion of the Police Department

Brian Phillips, Chief of Police, presented this agreement and noted it was a pre-design and proposed expansion for the Police Department. Chief Phillips noted the current lack of storage and office space or community room.

Council inquired on the timeline of the project, and expressed concern on ensuring that needs going forward will be met.

Eric Combs, Vice President of D2C Architects, noted they may be breaking ground early 2024 if not before, and are looking to design to the Police Department's future needs.

*Councilmember Morris moved to approve the Standard Form Agreement Between the Town and D2C Architects.*

Councilmember Mellon seconded and the motion passed.

17. A Guaranteed Maximum Price (GMP) Construction Award to Moltz Construction for the Central Wastewater Treatment Plan

Ellen Hilbig, Utilities Director, provided a history and overview of this project to Council.

*Councilmember Mellon moved to award the Construction Contract for the Central Wastewater Treatment Plant to Moltz Construction, Inc. for a Guaranteed Maximum Price (GMP) of \$52,804,817.00*

Councilmember Young seconded and the motion passed.

18. An Amendment to Construction Engineering Services with Aqua Engineering for the Central Wastewater Treatment Plant

Ms. Hilbig noted this additional amount covers the extended construction schedule.

*Councilmember Molinar moved to amend the Construction Engineering Services Contract with AQUA Engineering, Inc. with an additional amount not to exceed \$1,016,537.00.*

Councilmember Morris seconded and the motion passed.

19. RFP Award for Aquatic Center Feasibility Study

Mitzi McCoy, Deputy Town Manager, presented this proposal to Council and noted four bids were received to the Request for Proposal.

Council asked for confirmation that the community is interested in serving on the committee, which Ms. McCoy confirmed several applications have been received.

*Councilmember Mellon moved to approve awarding the Aquatic Center Feasibility Study to OLC Architecture, Interiors and Aquatics for a total amount not to exceed \$78,980.*

Councilmember Morris seconded and the motion passed.

20. Downtown Johnstown Branding & Wayfinding Project - Final Brand Presentation

Ms. Crosthwaite presented this item overviewing the project timeline and noted over 900 residents voted on the brand options. The Johnstown Downtown Development Association also reviewed the brand options and offer their support.

Council expressed support of the large, iconic "J", colors being used in the brand and asked for clarification on signage.

*Councilmember Mellon moved to support the adoption of the Downtown Johnstown Brand & Logo to be utilized for marketing purposes and representation of the Downtown Corridor.*

Councilmember Morris seconded and the motion passed.

21. Resolution 2023-16 Findings of Fact and Conclusions Regarding the Archdiocese Annexation No. 1 and Archdiocese Annexation No. 2

Kim Meyer, Planning and Building Director, noted needed mortifications have been brought up and asked that the Archdiocese Annexation items be continued to April 17, 2023.

*Councilmember Mellon moved to table this item to April 17, 2023*

Councilmember Young seconded and the motion passed.

## **PUBLIC HEARING**

22. Ordinance 2023-244 regarding the Archdiocese Annexation No. 1 and Archdiocese Annexation No. 2

Mayor Lebsack opened the public hearing.

Ms. Meyer asked that this item be continued to April 17, 2023 Council meeting.

Mayor Lebsack closed the public hearing.

*Councilmember Mellon moved to table Ordinance 2023-244 Regarding Archdiocese Annexation No. 1 and Archdiocese Annexation No. 2 until April 17, 2023*

Councilmember Morris seconded and the motion passed.

23. Ordinance 2023-245 Approving H-A Zoning for the property known as Archdiocese Annexation No. 1 and PUD-MU Zoning for the property known as Archdiocese Annexation No. 2

Mayor Lebsack opened the public hearing.

Ms. Meyer asked that this item be continued to April 17, 2023 Council meeting.

Mayor Lebsack closed the public hearing.

*Councilmember Molinar moved to table Ordinance 2023-245 until April 17, 2023*

Councilmember Mellon seconded and the motion passed.

24. Ordinance 2023-246 Approving the Outline Development Plan for Dove Solar

Mayor Lebsack opened the public hearing.

Ms. Meyer asked that this item be continued to April 17, 2023 Council meeting.

Mayor Lebsack closed the public hearing.

*Councilmember Young moved to table Ordinance 2023-246 until April 17, 2023*

Councilmember Mellon seconded and the motion passed.

25. Resolution 2023-17 Approving a Use by Special Review for the Dove Solar Array

Mayor Lebsack opened the public hearing.

Ms. Meyer asked that this item be continued to April 17, 2023 Council meeting.

Mayor Lebsack closed the public hearing.

*Councilmember Morris moved to table Resolution 2023-17 Approving a Use by Special Review for the Dove Solar Array to the April 17, 2023 meeting*

Councilmember Young seconded and the motion passed.

26. Resolution 2023-18 Approving the Preliminary/Final Subdivision Plat for Iron Horse Filing No. 3 (SUB21-0016)

Mayor Lebsack opened the public hearing.

Ms. Meyer presented this resolution to Council, noting the location was annexed in 2006. The Planning and Zoning Commission recommends approval and staff does not have any remaining concerns.

Mayor Lebsack opened the public hearing for comment for residents wishing to speak in favor of the item, to which there was none.

Mayor Lebsack opened the public hearing for comments opposed, to which there was none.

Mayor Lebsack closed the public hearing.

*Councilmember Mellon moved that the Town Council approve Resolution 2023-18 approving the Preliminary/Final Subdivision Plat for Iron Horse Filing No. 3.*

Councilmember Molinar seconded and the motion passed.

## **COUNCIL REPORTS AND COMMENTS**

Councilmember Morris expressed appreciation of the UCHealth Campus.

Councilmember Young noted the library is starting a remodel and updating landscaping.

Councilmember Mellon noted upcoming transportation meetings and the recent Johnstown Veterans Memorial dedication.

## **MAYOR'S COMMENTS**

There were no comments from Mayor Lebsack.

## **INFORMATION ONLY**

### **27. Informational Items**

Informational items were included in the packet.

## **EXECUTIVE SESSION**

### **28. For discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) to Discuss Town Manager Evaluation**

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

*Councilmember Young moved to adjourn into executive session per C.R.S. Section 24-6-402(4)(f) to Discuss Town Manager Evaluation and discuss the purchase of real property pursuant to C.R.S. Section 24-6-402(4)(a).*

Councilmember Molinar seconded and the motion passed.

Council reconvened at 8:51 and Mayor Lebsack noted nothing was discussed other than what was moved to be discussed and no action was taken.

## **ADJOURN**

Mayor Lebsack adjourned the April 3, 2023 Council meeting at 8:51 p.m.

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Gary Lebsack, Mayor

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Hannah Hill, Town Clerk