



Town of Johnstown

TOWN COUNCIL REGULAR MEETING

450 S. Parish, Johnstown, CO
Monday, April 17, 2023 at 7:00 PM

MINUTES

CALL TO ORDER

Mayor Lebsack called to order the April 17th, 2023 Regular Council meeting at 7:00 p.m. and led the Pledge of Allegiance.

Pledge of Allegiance

ROLL CALL

Present:

Councilmember Berg
Councilmember Mellon
Councilmember Molinar
Councilmember Morris
Councilmember Young
Mayor Lebsack

Absent:

Councilmember Dominguez

AGENDA APPROVAL

Councilmember Berg moved to approve the agenda.

Councilmember Morris seconded and the motion passed.

SPECIAL PRESENTATIONS

1. Arbor Day Proclamation

Mayor Lebsack read the Arbor Day Proclamation, proclaiming April 28th, 2023 as Arbor Day in the Town of Johnstown.

2. Weld County Department of Public Health and Environment Presentation

Eric Aakko presented the key findings overview from the Weld County Community Health Department. Council asked for follow-up on specific data related to Johnstown and Milliken, which Mr. Aakko noted he would send via email.

PUBLIC COMMENT

Pamela Douglas spoke on behalf of Weld County GOP, extending an invitation for a dinner event.

Joe Ciancio introduced himself, noting he has been hired as an additional position as a Parks and Recreation Director for TRPR.

CONSENT AGENDA

The Community That Cares

johnstown.colorado.gov

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

Councilmember Morris moved to approve the consent agenda.

Councilmember Berg seconded and the motion passed.

3. April 3, 2023 Meeting Minutes
4. Resolution 2023-20: Opposing Statewide Land Use And Zoning Preemptions In Senate Bill 23-213
5. Agreement For Disaster-Emergency Mutual Aid and Disaster-Emergency Funding Assistance
6. Water & Sewer Service Agreement - Sunbelt Rentals with MPV SBR Investors III, LLC
7. March 2023 Financial Statements

TOWN MANAGER REPORT

Matt LeCerf, Town Manager, noted inside the informational packet was a memo from Milliken Hillsborough Change Case.

TOWN ATTORNEY REPORT

There was no Town Attorney report.

OLD BUSINESS

8. Resolution 2023-16: Findings Of Fact and Conclusions Based Thereon With Respect to the Archdiocese Annexation Nos. 1-3

Kim Meyer, Planning and Building Director, presented this resolution, noting a few changes in the annexation as it has gone through the process with Council.

Councilmember Mellon moved to approve Resolution 2023-16 Findings of Fact and Conclusions based thereon with respect to the Archdiocese Annexation No. 1-3.

Councilmember Morris seconded and the motion passed.

NEW BUSINESS

9. Discussion - Water Policy

Mr. LeCerf presented this item, noting the Council discussed this item at their Council Retreat, with the intent to see if Council would like present this item to the voters in the April 2024 election as a change to the Home Rule Charter.

Discussion took place regarding the language in the proposed water policy, providing direction to Mr. LeCerf to proceed with a possible ballot question.

PUBLIC HEARING

10. Ordinance 2023-244 regarding the Archdiocese Annexation Nos. 1-3

Mayor Lebsack opened the public hearing for this item.

Ms. Meyer noted the location of the annexation. Planning and Zoning Commission, the Town Review Committee and the Town of Milliken have reviewed this annexation and the Planning and Zoning Commission recommends approval.

The Project Developer for SunShare, Liz Scanlan-Rye, noted after annexation the desire would be to be permitted for a solar field.

Jared Laraway, representing Archdiocese of Denver, spoke to the land use and purpose of the annexation to provide lower cost electricity to lower income schools, parishes', and residential community within the Catholic Church. Ms. Scanlan-Rye noted the solar use would be discussed later on the agenda.

Mayor Lebsack opened public comment to parties of interest for those in favor of this item, to which there was none.

Mayor Lebsack opened public comment to parties of interest for those opposed to this item, to which there was none.

Mayor Lebsack closed the public hearing.

Councilmember Morris moved to approve Ordinance 2023-244 on first reading.

Councilmember Young seconded and the motion passed.

11. Ordinance 2023-245 Approving PUD-MU Zoning for the properties known as Archdiocese Annexation Nos. 1-3

Mayor Lebsack opened the public hearing for this item.

Ms. Meyer noted the location, with the entire parcel being recommended to be zoned PUD-MU. The Johnstown Review Committee, Town of Milliken, and Weld County reviewed this application. Planning and Zoning Commission also reviewed this item, and recommend approval.

Mayor Lebsack opened public comment to parties of interest for those in favor of this item, to which there was none.

Mayor Lebsack opened public comment to parties of interest for those opposed to this item, to which there was none.

Mayor Lebsack closed the public hearing.

Councilmember Young moved to approve PUD-MU Zoning for the property known as Archdiocese Annexation Nos. 1, 2 and 3 on First Reading.

Councilmember Morris seconded and the motion passed.

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

Mayor Lebsack opened the public hearing for this item.

Ms. Meyer reviewed the parcel location of this plan for Dove Solar, noting current Municipal Code does not speak to solar use. This item does include minimum standards for the solar facility, including setbacks, fencing and seeding. Planning and Zoning Commission does recommend approval of this item.

Mayor Lebsack opened public comment to parties of interest for those in favor of this item, to which there was none. .

Mayor Lebsack opened public comment to parties of interest for those opposed to this item, to which there was none.

Mayor Lebsack closed the public hearing.

Councilmember Berg moved that the Town Council Ordinance 2023-246 Approving the Outline Development Plan for Dove Solar, on First Reading.

Councilmember Young seconded and the motion passed.

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

Mayor Lebsack opened the public hearing for this item.

Ms. Meyer introduced this item and reviewed the site plan, noting that a public comment at the Public Hearing during Planning and Zoning Commission was received regarding type of seeds used. Planning and Zoning Commission recommends approval of this item.

The applicant from SunShare, Liz Scanlon-Rye, reviewed the dual application noting they are the oldest community solar developer in the country. The project will be built as a part of Xcel's Solar Rewards Community program, and at the end of the project the land will be returned to current conditions.

Mayor Lebsack opened public comment to parties of interest for those in favor of this item, to which there was none.

Mayor Lebsack opened public comment to parties of interest for those opposed to this item, to which there was none.

Mayor Lebsack closed the public hearing.

Councilmember Young moved to approve Resolution 2023-17.

Councilmember Morris seconded and the motion passed.

14. Ordinance 2023-247 Repealing Chapters 15, 16 and 17 of the Johnstown Municipal Code, and Readopting Chapter 17 of the Johnstown Municipal Code to adopt the Johnstown Land Use & Development Code by Reference

Mayor Lebsack opened the public hearing for this item.

Ms. Meyer briefly reviewed the past discussions with Council, and noted the key changes in proposed code. Council inquired about parking requirements for areas such as apartments. Ms. Meyer clarified that it is not included in the ordinance as it stands but confirmed with Council that staff would look at what a good requirement would be.

The Impact Fee Schedule placement was noted for clarification as needing to be codified, not included in the Fee Schedule.

Mayor Lebsack opened public comment to parties of interest for those in favor of this item, to which there was none.

Mayor Lebsack opened public comment to parties of interest for those opposed to this item, to which there was none.

Mayor Lebsack closed the public hearing.

Councilmember Berg moved that the Town Council approve Ordinance No. 2023-247 Repealing Chapters 15, 16 and 17 of the Johnstown Municipal Code, and Readopting Chapter 17 of the Johnstown Municipal Code to adopt the Johnstown Land Use & Development Code by Reference

Councilmember Mellon moved and the motion passed.

COUNCIL REPORTS AND COMMENTS

Councilmember Mellon reported on a MPO meeting and lists of transportation projects.

Councilmember Berg noted the unveiling of the Veteran's Memorial and current progress on that project.

MAYOR'S COMMENTS

Mayor Lebsack announced his resignation as Mayor, effective at the May 1, 2023 Town Council meeting as he will no longer be a resident of Johnstown.

INFORMATIONAL ITEMS

Informational items were included in the packet.

15. Informational Items

ADJOURN

Mayor Lebsack adjourned the April 17, 2023 meeting at 9:26 pm.

Gary Lebsack, Mayor

Hannah Hill, Town Clerk