



Town of Johnstown

TOWN COUNCIL SPECIAL MEETING

450 S. Parish, Johnstown, CO
Monday, August 29, 2022 at 6:00 PM

MINUTES

CALL TO ORDER

Mayor Gary Lebsack called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL

Present:

Mayor Lebsack

Councilmember Berg

Councilmember Mellon

Councilmember Young

Councilmember Dominguez

Absent:

Councilmember Molinar

Councilmember Morris

AGENDA APPROVAL

It was moved by Councilmember Mellon and seconded by Councilmember Berg to approve the agenda.

The motion was carried with a unanimous vote.

PUBLIC COMMENT

There was no public comment.

CONSENT AGENDA

1. Second Reading: Ordinance 2022–237. An Ordinance Amending The Town Of Johnstown Municipal Code Concerning Town Sales Taxes To Provide A Credit Against Sales Tax If A Certain Public Improvements Fee Has Been Paid In Connection With The Development Known As Ledge Rock Center; Repealing And Replacing Ordinance No. 2022-231

It was moved by Councilmember Mellon and seconded by Councilmember Young to accept the consent agenda.

The motion carried.

NEW BUSINESS

2. Resolution 2022-38: A Purchase & Sale Agreement Between The Town of Johnstown and Anadarko E&P Onshore LLC

Sarah Crosthwaite, Economic Development Manager, noted the Town is looking to purchase this property regarding the commercial development of Ledge Rock. Ms. Crosthwaite stated if this agreement was approved there would be 60-day contingency period to allow items such as onsite inspections.

A motion was made by Councilmember Berg to approve Ordinance 2022-38.

Councilmember Mellon provided the second, and the motion was approved.

3. Second Amended And Restated Development And Reimbursement Agreement Ledge Rock Center Commercial Johnstown, Colorado

Avi Rocklin, Town Attorney, presented the substantive agreement relating to the Ledge Rock project. Ms. Rocklin noted there were several items in the contract to finalize and asked Council to approve the agreement subject to minor amendments. Elisabeth Cortese, Special Counsel, spoke to the substance of the agreement speaking to the requirements of the developer.

Councilmember Mellon moved to approve the Second Amended and Restated Development and Reimbursement Agreement, Ledge Rock Center Commercial, Johnstown, Colorado, as may be amended by the Town Manager and Town Attorney, without modifying the substance, and authorize the Mayor to execute the final form of agreement

Councilmember Young seconded and the motion passed.

4. Water and Sewer Service Agreement - Ledge Rock Center Multi-Family South

Matt LeCerf, Town Manager, noted this agreement area is commonly referred to as Lots A and Tracts F of the East Ledge Rock Subdivision Filing No. 2.

Councilmember Beg moved to approve the Water and Sewer Service Agreement for Ledge Rock Center Multi-Family South

Councilmember Mellon provided the second and the motion passed.

5. Amended and Restated Agreement Concerning Purchase and Sale Of Real Property For Ledge Rock Center Commercial

Mr. LeCerf reviewed the proposed amendment to the purchase and sale agreement will convey 7.835 acres Tracts A, Lots 2-5 of the attached document to the packet. The remaining property would remain the Town of Johnstown for use, which the Towns hopes will be in Phase Two.

Councilmember Mellon moved to approve the Amended and Restated Agreement Concerning Purchase and Sale of Real Property For Ledge Rock Center Commercial.

Councilmember Young provided the second and the motion passed.

6. Developer Contribution Agreement with attached Covenants Securing Funding Commitment

Ms. Rocklin noted this agreement sets forth the developers agreement to provide the developer short fall funding advance to the developer fund account.

Councilmember Berg moved to approve the Developer Contribution Agreement, as may be amended by the Town Manager and Town Attorney, without modifying the substance, and authorize the Mayor to sign the final form of agreement and the Covenants Securing Funding Commitment.

Councilmember Mellon provided the second and the motion passed.

7. Amended And Restated Escrow Agreement (2022 Limited Tax General Obligation Bonds Ledge Rock Center Commercial Metropolitan District)

Ms. Rocklin presented to Council this agreement which relates to the first fund issuance, noting it had been amended to take into account the new circumstances.

Councilmember Young moved to approve the Amended and Restated Escrow Agreement for Ledge Rock Center Commercial, authorize the Town Manager and Town Attorney to revise the Amended and Restated Escrow Agreement, if warranted, after the issuance of bonds by the Ledge Rock Center Commercial Metropolitan District to modify the allocation of bond proceeds between the Bond Proceeds Account and Developer Funds Account, and thereafter authorize the Mayor to execute the Amended and Restated Escrow Agreement.

Councilmember Mellon provided the second and the motion passed.

COUNCIL REPORTS AND COMMENTS

Councilmember Dominquez noted recent events in Greeley.

MAYOR'S COMMENTS

Mayor Lebsack also noted events in Greeley.

ADJOURN

Mayor Lebsack adjourned the August 29, 2022 Special Meeting at 6:39 pm.

Gary Lebsack, Mayor

Hannah Hill, Town Clerk