



# Town of Johnstown

## **TOWN COUNCIL REGULAR MEETING**

**450 S. Parish, Johnstown, CO  
Monday, June 21, 2021 at 7:00 PM**

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### **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 Chad Young  
Councilmember Damien Berg  
Councilmember Jesse Molinar  
Councilmember Troy Mellon

##### **ABSENT**

Councilmember Amy Tallent

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

#### **AGENDA APPROVAL**

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

#### **PUBLIC COMMENT**

Diana Morris, 318 Estate Drive, shared concerns about the weed issues on the Purvis property. The lot is no longer being farmed and the weeds have grown out of control. She asked Council to address the weeds and have them mowed.

Karen Van Engelenburg, 2058 Parkwood, concerns with weeds on the Purvis property.

Wesley Haselhorst, 25 S. Raymond, every time there is a large rain or snow melt, water pools on the street at the SW corner of the property and into the neighbor's garage, does not feel the street was paved correctly to help the water drain towards 60, suggested a simple curb and leveling on the east side of the street would solve the problem. Also, would like to have a sidewalk installed along there.

Steven Cavender, 496 Expedition Lane, speeding concerns on Centennial Drive, Dee Road and Castle Pines in Johnstown Farms.

#### **CONSENT AGENDA**

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

- Minutes - June 7, 2021

- List of Bills - June 2021
- May 2021 Financial Statements
- Second Reading Ordinance No. 2021-198: An Ordinance Amending Article XIV of Chapter 16 of the Johnstown Municipal Code Concerning the Central Business District
- Water and Sewer Service Agreement - Trade at 2534 Lot 1, Building 1
- Water and Sewer Service Agreement - Trade at 2534 Lot 2, Building 2

## **PUBLIC HEARING**

1. 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 – This Ordinance will amend the Johnstown Municipal Code to increase the amount of jurisdictional limit for theft and adds a jurisdictional limit for criminal mischief to \$750.00. With the increase the Johnstown Police Department will be able to issue more summonses into the Johnstown Municipal Court.

Mayor Lebsack opened the public hearing at 7:11 p.m. and having no public comments, closed the hearing at 7:14 p.m. Motion made by Councilmember Berg, seconded by Councilmember Young to approve Ordinance No. 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. Motion carried with a unanimous vote.

2. Ordinance 2021-200: Approving P.U.D. Outline Development Plan (ODP) for Purvis Farm -This is a request to approve the Outline Development Plan. The ODP includes mixed use residential and 12.5 acres intended for commercial/retail uses. The concept plan illustrates a total of 387 units.

Mayor Lebsack opened the public hearing at 7:16 p.m. and heard from staff. Representatives for the developer were present to answer questions from Council.

The following residents addressed Council during public comment:

Diana Morris, 318 Estate Drive, expressed concerns with crime rates rising as Johnstown continues to grow, drainage issues within that area flooding basements, yards and patios, the lot sizes in Rolling Hills are larger than originally reported, the proposed development will lower their property values and traffic continues to be a problem on CR17 and doesn't believe traffic on CR 13 will get any better.

Bob Bixler, 1813 N. 3<sup>rd</sup> Street, concerns with the drainage from the Landings into Rolling Hills, and the release peak flow rate is double than what is allowed according to the Colorado drainage laws, and does not believe the new drainage ponds will be done correctly.

Ralph Ferrara, 327 Estate Drive, concerns with the traffic along Highway 60 and CR 13 as well as with the inlet/outlet on Highway 60.

Cynthia Mitts, 2306 Alysse Court, concerns of her basement getting flooded, already has had it happen 2 times previously.

Connie Dennis, 324 Estate Drive, concerns with drainage, asked who is responsible for maintaining the drainage pipe and grate that is constantly clogged with debris, traffic and the multiple egresses in the short ½ mile stretch between Rolling Hills and Colorado Blvd. Is encouraged by the larger lot sizes along the east side of the Purvis Development, but very concerned about the smaller lots throughout and worried they will be "trailer lots" or very small homes.

Shawn York, 301 McGregor Lane, echoed the same concerns as the others, and is concerned about water infrastructure and what that looks like for additional development.

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Roy Moore, 2223 Podtburg Circle, concerns with emergency access in the Landings Subdivision, drainage, the proposed development will lower property values of the current homes, water capacity for all the new homes.

Sue Powell, 406 Estate Drive, concerns with the number of homes being built in this proposal along with the Granary and Mallard Ridge and the impact on the schools and Town services, only starter homes are being proposed in the developments, weeds on the property, would like to see larger lot sizes.

JoAnn Keith, 2004 Crestview Drive, concerns with drainage and flooding that has affected her property.

Having no further comments, the hearing closed at 9:00 p.m. Motion made by Councilmember Mellon, seconded by Councilmember Molinar to approve Ordinance No 2021-200, Approving PUD Outline Development Plan (ODP) for Purvis Farm Located in the South Half of Section 6, Township 4 North, Range 67 West of the 6<sup>th</sup> Principal Meridian, Town of Johnstown, County of Weld, State of Colorado, Consisting of Approximately 111.0 Acres subject to the following changes: (1) Area A shall be revised to reflect lot sizes of no less than 6,000 square feet; (2) the eastern portion of Area A, abutting the Rolling Hills Ranch Subdivision, shall be revised to reflect lot sizes of no less than 15,000 square feet; and (3) language shall be added to reflect that the Town supports a maximum ½ movement (right-in/right-out) on State Highway 60. Motion carried with a unanimous vote.

3. Ordinance 2021-201: An Ordinance Amending Section 13-151(C) Of the Johnstown Municipal Code Concerning Level 2 Drought Restrictions; And Declaring an Emergency. This Ordinance will amend Section 13-151(c)(1) and (2) of Article IV of Chapter 13, which addresses Level 2 Drought Condition and provisions for the conservation of water. The water plant has a permitted level if 5MGD and the town is currently operating a daily flow of 4.7 MGD. As part of the operation of the water plant there is a peak demand currently of 6 MGD. Staff would like to control the water use during the day to ensure there is proper pressure on the system.

Mayor Lebsack opened the public hearing at 9:11 p.m. Having no public comment, the hearing closed at 9:33 p.m. Motion made by Councilmember Mellon, seconded by Councilmember Young to deny Ordinance 2021-201. Motion carried with a unanimous vote.

## **NEW BUSINESS**

1. Consider Appointment of Councilmember – Motion made by Councilmember Mellon, seconded by Councilmember Berg to appoint Bill Stevens to fill the vacant Councilmember position until the Regular April, 2022 election. Motion carried with a unanimous vote.

2. Resolution No. 2021-19: Declaring Level 2 Drought Condition – Motion made by Councilmember Mellon, seconded by Councilmember Berg to not consider approval of Resolution 2021-19. Motion carried with a unanimous vote.

## **ADJOURN**

The meeting adjourned at 9:51 p.m.

Mayor

Town Clerk