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## **TOWN COUNCIL REGULAR MEETING**

**450 S. Parish, Johnstown, CO**  
**Monday, April 15, 2024 at 7:45 PM**

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### **MINUTES**

#### **CALL TO ORDER**

1. Administer Oath of Office - Newly Elected Council Members and Mayor

Hannah Hill, Town Clerk, administered the Oath of Office for the following newly elected officials:

Mayor Michael P. Duncan, term ending April 2028  
Councilmember Chad Young, term ending April 2028  
Councilmember Damien Berg, term ending April 2028  
Councilmember Dee Anne Menzies, term ending April 2028  
Councilmember Andrew Paranto, term ending April 2026

Mayor Duncan called the meeting to order at 8:14 pm and led the Pledge of Allegiance.

#### **Pledge of Allegiance**

#### **ROLL CALL**

Present:

Councilmember Berg  
Councilmember Menzies  
Councilmember Morris  
Councilmember Molinar  
Councilmember Paranto  
Councilmember Young  
Mayor Duncan

#### **AGENDA APPROVAL**

Councilmember Morris moved to amend the agenda to include discussion of termination of the signage project and reallocation of those funds to a more immediate need as item 5A.

Councilmember Berg seconded and the motion passed.

*Councilmember Berg Moved To Approve The Agenda as amended*

Councilmember Paranto seconded and the motion passed.

#### **PUBLIC COMMENT**

A written comment from Shawn York was read into the record regarding procedure and reasons Council was elected.

Jay Baldwin spoke to an outdated animal at large Municipal Code and frustration with neighborhood cats.

*The Community that Cares*

Tammy Baldwin spoke to frustration of neighboring cat issues.

## **TOWN MANAGER REPORT**

Matt LeCerf, Town Manager, expressed congratulations to those who were newly elected.

## **TOWN ATTORNEY REPORT**

Avi Rocklin, Town Attorney, expressed congratulations to those newly elected.

## **NEW BUSINESS**

### **2. Appoint Mayor Pro Tem**

*Councilmember Morris moved to appoint Chad Young as Mayor Pro Tem*

Councilmember Menzies seconded the motion.

*Councilmember Molinar moved to appoint Damien Berg as Mayor Pro Tem*

Councilmember Paranto seconded the motion and a secret ballot was cast.

Chad Young received the majority of votes and was appointed Mayor Pro Tem.

### **3. Appoint Municipal Judge**

*Councilmember Berg moved to appoint Mike Lazar as Municipal Judge*

Mayor Pro Tem Young seconded and the motion passed.

### **4. Memorandum of Understanding of the Town of Johnstown and the Town of Milliken – Application to Change the Use of Shares of the Consolidated Hillsborough Ditch Company**

Mr. LeCerf presented this item, noting this agreement outlines the distribution of how the cost will be distributed. Mr. LeCerf noted several details are still being worked out, with exactly who would be included in the change case as several shareholders are still making the decision if they'd like to join. As such Staff asks for administration finalization when all those details are complete.

Council noted administrative spelling errors in Exhibit A, and asked for clarification if the MOU is new or continuing. Mr. LeCerf noted this is a new MOU, with this being the Town's first change case with Hillsborough.

Council asked if there was a time frame for allowing the shareholders to decide if they'd like to be included in the case. Mr. LeCerf expressed hope that in the next thirty days all items would be final.

*Councilmember Molinar moved to Approve the MOU as Presented and Authorize the Town Manager to*

*Finalize the Affiliation of Shares for Equitable Cost Distribution in Exhibit A.*

Councilmember Berg seconded and the motion passed.

### **5. Resolution 2024-20: Adoption of Level 2 Drought Condition Water Conservation Measures**

Ellen Hilbig, Utilities Director, presented the resolution to Council and noted that the Town's water portfolio is in a healthy position, but that the existing plant cannot treat the water fast enough to meet seasonal demand. The construction of the new water treatment plant will move the Town into 12 MGD, but noted that plant would not be complete for several years.

Ms. Hilbig noted the restrictions in drought level 2 measures and is recommending that residents stick with the schedule that they've had the past three years of watering 3 days a week. This approach should mitigate a lower snowpack than average and an increase in water leaving the Water Plant. This item is meant to be a proactive approach and encourage water conservation. Council expressed concern about hand-watering plants on the assigned watering day and asked if there would be amendments to allow hand watering as needed for potted plants, hanging baskets, or raised beds.

Ms. Rocklin noted the resolution notes irrigation of lawns, and hand watering would be allowed. It was noted Council could approve the resolution pending modification of clarification in the resolution.

Council asked for information on the enforcement of this issue. Chief Oglesby noted Enforcement Officers issue violations as they're out during the day and see offenders.

Council noted the wording of "drought" and requested the wording be updated to note "watering schedule."

Mr. LeCerf noted that water conservation is what the Town is trying to promote. Staff is looking to revisit this area of the code and review what is allocated for residents. Staff recommends making those adjustments after the summer season while emphasizing the intent of water conservation with the watering schedule.

*Councilmember Menzies moved to Approve Resolution 2024-20, adoption of Level 2 Drought Condition Water Conservation Measures.*

Councilmember Morris seconded and the motion passed.

#### 5A. Termination and Reallocation of Funds from the Signage Project

Council noted the signage project was on pause. Mr. LeCerf noted the funding for this project is currently in the Capital Improvements Fund. The columnar sign is paused indefinitely, or until direction from Council is given. The funds for the "J" and the curved sign were allocated in the 2023 budget. Phase II was bid out but not awarded. It was noted if Council wants to allocate the funding for something else, Staff would ask for clear direction on what those funds should be spent on.

Council asked if any of the funds were received from grants and Mr. LeCerf noted those funds were generated from 1% of Use Tax, which is collected from building permits.

Council asked if there were legal issues with ending the contract, which Mr. LeCerf noted the contract would have a termination clause. Council asked if there was a time that they could discuss where the where the funding could go to, which Mr. LeCerf noted a work session would be appropriate.

Council inquired about changing the project as opposed to eliminating it immediately, and if there was a time that Council could look at other options as well. Mr. LeCerf noted Phase I in its current form is completed, with the columnar sign not being completed and not moving forward at this time.

Council asked for a survey to be sent to the public related to where the funding could go, and signage opinions.

Council directed to have a work session related to this item.

### **PUBLIC HEARING**

#### 6. Yellow Roof Annexation – Case No. ANX23-0002

A. Resolution 2024-18: Accepting the Findings of Fact and Conclusions for the Yellow Roof Annexation

B. Ordinance 2024-250: Approving the Annexation of Certain Unincorporated Lands Located in Larimer County Known as the Yellow Roof Annexation

C. Ordinance 2024-251: Approving the Establishment of I-1 (Industrial, Light) Zoning on the Property Known as the Yellow Roof Annexation

Mayor Duncan opened the public hearing.

Jeremy Gleim, Planning and Development Director, presented the item to Council, reviewing the history of the project.

Council asked what is allowed in light industrial zoning. Mr. Gleim noted items such as gas stations or convenience marts would be appropriate.

The applicant Tracey Letzring noted appreciation of annexation into the Town.

Council asked who would be developing the area, which the applicant noted there was no intent to sell at this time.

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

Mayor Duncan closed the public hearing.

*Councilmember Paranto moved to Approve Resolution No. 2024-18 accepting the Findings of Fact and Conclusions for the Yellow Roof Annexation*

Mayor Pro Tem Young seconded and the motion passed.

*Councilmember Berg moved to Approve Ordinance No. 2024-250 Approving Annexation of Approximately 5.7 Acres, Known as the Yellow Roof Annexation*

Councilmember Morris seconded and the motion passed.

*Councilmember Berg moved to Approve Ordinance No. 2024-251 Approving I-1 Zoning for the Property Known as the Yellow Roof Annexation*

Councilmember Molinar seconded and the motion passed.

## **COUNCIL REPORTS AND COMMENTS**

Councilmember Menzies reminded everyone of Roosevelt's High blood drive on May 1, 2024 and it was also noted April 27, 2024 is the track dedication at Roosevelt High. Birthday wishes were extended to Mayor Duncan.

Mayor Pro Tem Young requested work sessions for a summit with Milliken, Fire District, School Board, YMCA.

Councilmember Morris expressed congratulations to all newly elected officials.

Councilmember Paranto expressed thanks for residents coming out and voting.

## **MAYOR'S COMMENTS**

Mayor Duncan expressed thanks for patience for the first Council meeting and the residents for coming to the meeting.

## **INFORMATIONAL ITEMS**

Informational items were included in the packet.

### **7. Informational Items**

## **ADJOURN**

Mayor Duncan adjourned the meeting April 15, 2024, at 9:34 pm.

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Michael P. Duncan, Mayor

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Hannah Hill, Town Clerk