



# Town of Johnstown

## TOWN COUNCIL REGULAR MEETING

450 S. Parish, Johnstown, CO

Monday, December 18, 2023 at 7:00 PM

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### MINUTES

#### CALL TO ORDER

Mayor Mellon called the meeting to order at 7:00 pm and led the Pledge of Allegiance.

#### Pledge of Allegiance

#### ROLL CALL

Present:

Councilmember Berg  
Councilmember Molinar  
Councilmember Morris  
Councilmember Paranto  
Councilmember Young  
Mayor Mellon

Absent:

Councilmember Dominguez

#### AGENDA APPROVAL

*Councilmember Molinar move to approve the agenda.*

Councilmember Berg seconded and the motion passed.

#### PUBLIC COMMENT

There was no public comment.

#### CONSENT AGENDA

*Councilmember Paranto to approve the consent agenda.*

Councilmember Young seconded and the motion passed.

1. November 27, 2023 Meeting Minutes
2. December 4 2023 Meeting Minutes
3. Consider Resolution 2023-061 Finding substantial compliance for initiating annexation proceedings and setting a public hearing for Town Council on February 5, 2024.
4. Resolution No. 2023-62 Authorizing a Mail Ballot Election for the Town of Johnstown's Regular Municipal Election Scheduled on April 2, 2024
5. Resolution 2023-63 Amending the Town of Johnstown Fee Schedule

The Community That Cares

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6. Intergovernmental Agreement - Town of Johnstown and Little Thompson Water District
7. Contract Award to Mark Young Construction
8. Contribution Agreement Mountain View West Master Association
9. November 2023 Financial Statements

### **TOWN MANAGER REPORT**

Matt LeCerf, Town Manager, noted Police Chief, Brian Phillips, will be retiring from the organization and send him all the best in his future endeavors.

Council spoke to the accomplishments Chief Phillips has done in his time with the Town. Chief Phillips expressed appreciation to the support from Council.

Mr. LeCerf noted the final phases of the Charlotte Street project.

### **TOWN ATTORNEY REPORT**

There was no Town Attorney report.

### **NEW BUSINESS**

10. Consider Adopting the Town of Johnstown Strategic Plan

Mitzi McCoy, Deputy Town Manager spoke to the Strategic Plan. Ms. McCoy noted the areas in the plan that were updated related to Council's input at a prior Work Session. These areas included additions to the Safe & Welcoming Community goal section and the narrative in Natural and Built Environment.

Council noted the goals are representative of what Council has asked for, and will provide good bench marks for evaluating.

*Councilmember Morris moved to adopt the Town of Johnstown Strategic Plan as presented*

Councilmember Berg second and the motion passed.

### **PUBLIC HEARING**

11. Ordinance 2023-264: An Ordinance Submitting To The Registered Electors Of The Town Of Johnstown At The General Municipal Election To Be Held On April 2, 2024, A Charter Amendment Conforming The Limits On Allowing Persons With Felony Convictions To Hold Council Office To Those Set Forth In The Colorado Constitution

Mayor Mellon opened the public hearing.

Avi Rocklin, Town Attorney, referenced prior discussion at the last Council meeting, noting Colorado Constitution provides that with very limited exceptions, those that have served and completed a felony sentence are entitled to hold public office. The Town's Charter does conflict with this, and this item would send this item to the ballot conforming the Home Rule Charter as to what is required in the Constitution.

Mayor Mellon opened public comment for those opposed or in favor of this item, of which there was none.

Mayor Mellon closed the public hearing.

*Councilmember Berg moved to approve Ordinance No. 2023-264 upon first reading.*

Councilmember Paranto seconded and the motion passed.

12. Ordinance 2023-265: An Ordinance Submitting To The Registered Electors Of The Town Of Johnstown At The General Municipal Election To Be Held On April 2, 2024, A Charter Amendment Setting Forth The Source Of The Population Count For Councilmember Residency

## Qualifications And Providing For The Election Of Councilmembers From Three Electoral Districts Rather Than From Two Districts And Four Wards

Mayor Mellon opened the public hearing.

Ms. Rocklin noted the past discussion with Council, stating this item would send to the electors a proposal of a charter amendment to provide clarity as to when the population count reaches 20,000 based on the US Census. It also simplifies the process rather than having two districts and four wards, this proposal would be elected from three districts, with two councilmembers serving alternating terms per district.

Mayor Mellon opened public comment for those opposed or in favor of this item, of which there was none.

Mayor Mellon closed the public hearing.

*Councilmember Morris moved to approve Ordinance No. 2023-265 upon first reading.*

Councilmember Young seconded and the motion passed.

13. Ordinance 2023-266, An Ordinance Approving the Grant of a Cable Franchise to TDS Broadband Service, LLC, and Approving a Cable Franchise Agreement Between TDS Broadcast Service, LLC and the Town of Johnstown, Colorado

Mayor Mellon opened the public hearing.

Ms. McCoy presented this item, noting the franchise agreement with TDS is for a for ten-year term.

Council asked for clarification on streaming options from TDS for meetings. Ms. McCoy noted the agreement notes grant funding the Town can apply for.

Mayor Mellon opened public comment for those opposed or in favor of this item, of which there was none.

Mayor Mellon closed the public hearing.

*Councilmember Paranto moved to approve Ordinance No. 2023-266, an ordinance approving the grant of a cable franchise to TDS Broadband Service, LLC, and approving a cable franchise agreement between TDS Broadcast Service, LLC and the Town of Johnstown on first reading.*

Councilmember Molinar seconded and the motion passed.

### **COUNCIL REPORTS AND COMMENTS**

Councilmember Berg noted landscaping updates on the Veteran's Memorial. It was noted there were 221 wreaths laid on the veteran's graves in the Johnstown Cemetery.

Councilmember Young noted the sale of Letford bricks through the Historical Society website.

Councilmember Morris expressed holiday greetings to all.

*Councilmember Morris moved to require for employment the next Planning Director be required to live in the Town of Johnstown .*

Council asked for clarification on requirements for employees in a certain position living in Town limits. Ms. Rocklin noted it was with Council's authority to require.

Councilmember Young seconded and the motion failed 3-3.

NO VOTES: Molinar, Paranto, Mellon

YES VOTES: Berg, Young, Morris.

## **MAYOR'S COMMENTS**

Mayor Mellon expressed thanks to staff for their work this year, and Council's work with each other.

The Lacewood Street residents in Thompson River Ranch were applauded for their holiday decorations and community pride.

Mayor Mellon noted an attorney representing Councilmember Dominguez has been in contact and requested virtual attendance for the remainder of her term. Council noted requesting the attorney provide information by Friday December 15, 2023. It was noted the attorney requested additional time. Council requested a date certain, and the counsel for Councilmember Dominguez has not responded.

*Councilmember Berg moved to excuse for failure to attend the November 20, 2023 Town Council meeting and find that such absence would not be found against her for the purpose of attendance requirements in compliance with Ordinance No. 2023-254.*

Councilmember Young seconded and the motion passed.

Mayor Mellon called Council's attention to a letter from the Town Attorney noting fee services for 2024.

## **INFORMATIONAL ITEMS**

### 14. Informational Items

Informational items were included in the packet.

## **EXECUTIVE SESSION**

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

*Councilmember Berg moved to recess into an executive session to discuss the purchase of real property pursuant to C.R.S. Section 24-6-402(4)(a) and an executive session to discuss matters subject to negotiations and to instruct negotiators pursuant to C.R.S. Section 24-6-402(4)(e) regarding Project Solstice.*

Councilmember Young seconded and the motion passed.

Council reconvened from the Executive Session and Mayor Mellon noted no topics were discussed other than those mentioned and only instructions for negotiations were given.

### 16. An executive session to discuss matters subject to negotiations and to instruct negotiators pursuant to C.R.S. Section 24-6-402(4)(e) regarding Project Solstice.

## **ADJOURN**

Mayor Mellon adjourned the December 18, 2023 Council meeting at 8:23 p.m.

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Troy D. Mellon, Mayor

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Hannah Hill, Town Clerk