



Town of Johnstown

TOWN COUNCIL REGULAR MEETING
450 S. Parish, Johnstown, CO
Monday, June 6, 2022 at 7:00 PM

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 Damien Berg

Councilmember Troy Mellon

Councilmember Jesse Molinar Jr.

Councilmember Dianne Morris

Councilmember Chad Young

Absent

Councilmember Vanessa Dominguez

AGENDA APPROVAL

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

SPECIAL PRESENTATIONS

Ace Hardware was honored as June Business of the Month

PUBLIC COMMENT

Robin Denman of 601 N. 1st Street shared concerns about the noise and dust caused from the construction on her street, also expressed concerns about the rooster that constantly crows and can be heard in her neighborhood.

Pam Douglas of 5 Lindenwood shared her concerns about the current growth in the town, decline in the quality of homes and neighborhoods that are currently under construction.

CONSENT AGENDA

Motion made by Councilmember Molinar Jr., seconded by Councilmember Berg to approve the consent agenda. Motion carried with a unanimous vote.

- May 16, 2022 minutes
- Subdivision Development and Improvement Agreement Whitehall Subdivision Filing No. 1
- Subdivision Development and Improvement Agreement Thompson River Ranch Filing No. 15

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PUBLIC HEARING

1. Resolution 2022-20 Approving Amendments to the Iron Horse Design Guidelines – Mayor Lebsack opened the public hearing at 7:15 and heard from staff. This is a request from Centerra Commercial, LLC to amend some minor items and address a number of additional issues. Representatives from the developer was present to answer questions. Having no public comments, the hearing closed at 7:48 p.m. Motion made by Councilmember Mellon the conditional use for motor vehicle sales be removed and returned to the list of non-permitted uses. The motion died due to a lack of a second. Motion made by Councilmember Molinar Jr., seconded by Councilmember Morris to approve Resolution 2022-20. Motion carried with 5 votes in favor, Councilmember Mellon voted no.

Councilmember Mellon excused himself from the rest of the meeting.

Councilmember Morris recused herself from the meeting as her home is in close proximity of the Purvis Farm development.

2. Resolution 2022-21, Approving the Preliminary/Final Subdivision Plat and Final Development Plan for Purvis Farm – Mayor Lebsack opened the public hearing at 7:59 p.m. and heard from staff. The developer 6037 Johnstown, LLC is requesting consideration of the Preliminary and Final Subdivision Plat and Development Plan for 109.8 acres. The development will be a mixed use of residential and commercial. Representatives from the development were present to answer questions. Numerous neighbors of the development spoke against the project. Concerns were drainage, devaluation of their homes, not quality development, traffic concerns, and the developer not being a good neighbor in reference to not maintaining the weeds growing in the development. Having no further comments, the hearing closed at 9:46 p.m. Based upon findings and analysis presented at this hearing, motion made by Councilmember Berg, seconded by Councilmember Molinar Jr. to approve Resolution 2022-21. Motion carried with 3 votes in favor, Councilmember Young voted no.

Mayor Lebsack recessed the meeting for 5 minutes at 9:46 p.m.

3. Resolution 2022-22 Approving the Preliminary/Final Subdivision Plat and Preliminary/Final Development Plan for Pautler Farms Estates – Mayor Lebsack opened the public hearing at 10:06 p.m. and heard from staff. The developer PFI Properties, is requesting consideration of the Preliminary and Final Subdivision Plat and Development Plan for approximately 12 acres adjacent to the Pioneer Ridge subdivision for 11 single-family homes. Having no public comments, the hearing closed at 10:10 p.m. Based upon findings and analysis presented at this hearing, motion made by Councilmember Morris, seconded by Councilmember Young to approve Resolution 2022-22. Motion carried with a unanimous vote.

4. Resolution 2022-23 Approving the Amended and Restated Service Plan for Ledge Rock Center Residential Metropolitan District No. 1 – Mayor Lebsack opened the public hearing at 10:11 p.m. and heard from staff. A Service Plan for the Ledge Rock Center Residential Metropolitan District No. 1 was previously approved by Town Council, with a provision the district was not entitled to issue debt until the Town Council approves an Amended and Restated Service Plan. Having no comments, the public hearing closed at 10:21 p.m. Motion made by Councilmember Young, seconded by Councilmember Molinar Jr. to approve Resolution No. 2022-23, a Resolution Approving the Amended and Restated Service Plan for Ledge Rock Center Residential Metropolitan District No. 1 and authorize the Town Attorney and Town Manager to make minor modifications to the service plan. Motion carried with a unanimous vote.

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5. Resolution 2022-24 Approving the Amended and Restated Service Plan for Ledge Rock Center Residential Metropolitan District No. 2 – Mayor Lebsack opened the public hearing at 10:22 p.m. Having no public comments, the hearing closed at 10:26 p.m. A Service Plan for the Ledge Rock Center Residential Metropolitan District No. 2 was previously approved by Town Council, with a provision the district was not entitled to issue debt until the Town Council approves an Amended and Restated Service Plan. Having no public comments, the hearing closed at 10:26 p.m. Motion made by Councilmember Berg, seconded by Councilmember Young, to approve Resolution 2022-24, a Resolution Approving the Amended and Restated Service Plan for Ledge Rock Center Residential Metropolitan District No. 2 and authorize the Town Attorney and Town Manager to make minor modifications to the service plan. Motion carried with a unanimous vote.

6. Resolution 2022-25 Approving the Amended and Restated Service Plan for Ledge Rock Center Commercial Metropolitan District – Mayor Lebsack opened the public hearing at 10:27 p.m. and heard from staff. A Service Plan for the Ledge Rock Center Commercial Metropolitan District was previously approved by Town Council, with a provision the district was not entitled to issue debt until the Town Council approves an Amended and Restated Service Plan. Having no public comments, the hearing closed at 10:37 p.m. Motion made by Councilmember Berg, seconded by Councilmember Morris, to approve Resolution 2022-25, a Resolution Approving the Amended and Restated Service Plan for Ledge Rock Center Commercial Metropolitan District and authorize the Town Attorney and Town Manager to make minor modifications to the service plan. Motion carried with a unanimous vote.

NEW BUSINESS

1. Subdivision Development and Improvement Agreement for Ledge Rock Center Commercial, with Ledge Rock Center, LLC and the Ledge Rock Center Commercial Metropolitan District – This agreement addresses obligations related to specific public improvements which directly impact the commercial areas of Ledge Rock Center. Motion made by Councilmember Molinar Jr., seconded by Councilmember Young to approve the Subdivision Development and Improvement Agreement for Ledge Rock Center Commercial, with Ledge Rock Center, LLC, and Ledge Rock Center Commercial Metropolitan District. Motion carried with a unanimous vote.

2. Escrow Agreement (2022 Special Revenue Series A and Series B Bonds Ledge Rock Center Commercial Metropolitan District) The Escrow Agreement directs how the bond funds will be released to the Ledge Rock Center Commercial Metropolitan District and the developer. Motion made by Councilmember Young, seconded by Councilmember Berg to approve the Escrow Agreement for Ledge Rock Center Commercial, authorize the Town Manager and Town Attorney to revise the 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 Escrow Agreements. Motion carried with a unanimous vote.

3. Operations and Maintenance Intergovernmental Agreement for Ledge Rock Center Commercial – This agreement sets forth the Ledge Rock Center Commercial Metropolitan District's obligations regarding the public improvements at the Ledge Center commercial development. Motion made by Councilmember Molinar Jr., seconded by Councilmember Morris to approve the Operations and Maintenance Intergovernmental Agreement for Ledge Rock Center Commercial and authorize the mayor to execute both agreements. Motion carried with a unanimous vote.

4. Subdivision Improvement and Development Agreement with Pautler LLC for Pautler Farms Estates Subdivision – The agreement is the Town’s standard agreement and requires payment of fees and taxes, and construction of all improvements in accordance with Town-approved development plans and construction plans. Motion made by Councilmember Berg, seconded by Councilmember Young to approve the Subdivision Development and Improvement Agreement for Pautler Farms Estates. Motion carried with a unanimous vote.

5. Water and Sewer Service Agreement with Pautler LLC for Pautler Farms Estates Subdivision – Motion made by Councilmember Young, seconded by Councilmember Molinar Jr. to approve the Water and Sewer Service Agreement for Pautler Farms Estates. Motion carried with a unanimous vote.

Councilmember Dianne Morris recused herself from the meeting.

6. Subdivision Development and Improvement Agreement for Purvis Farm – 6037 Johnstown LLC – The agreement is the Town’s standard agreement and requires payment of required fees and taxes, and construction of all improvements in accordance with Town- approved development plans and construction plans. Motion made by Councilmember Berg, seconded by Councilmember Molinar Jr. to approve the Subdivision Development and Improvement Agreement for Purvis Farm. Motion carried with 3 votes in favor, Councilmember Young voted no.

7. Water and Sewer Service Agreement – Purvis Farm 6037 Johnstown, LLC – Motion made by Councilmember Molinar Jr., seconded by Councilmember Berg to approve the Water & Sewer Service Agreement for Purvis Farm. Motion carried with a unanimous vote.

EXECUTIVE SESSION

Motion made by Councilmember Berg, seconded by Councilmember Young to convene into Executive Session at 11:19 p.m. to discuss the purchase, of real property interest under C.R.S. Section 24-6-402(4)(a). Motion carried with a unanimous vote.

Mayor Lebsack reopened the meeting at 11:28 p.m. and stated the only item discussed is what was stated in the motion.

ADJOURN

The meeting adjourned at 11:28 p.m.

Mayor

Town Clerk