



# Town of Johnstown

## TOWN COUNCIL REGULAR MEETING

450 S. Parish, Johnstown, CO  
Monday, March 06, 2023 at 7:00 PM

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### MINUTES

#### CALL TO ORDER

Mayor Gary Lebsack called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

#### Pledge of Allegiance

#### ROLL CALL

Present:

Mayor Lebsack

Councilmember Dominguez

Councilmember Mellon

Councilmember Molinar

Councilmember Morris

Councilmember Young

Absent:

Councilmember Berg

#### AGENDA APPROVAL

*Councilmember Young moved to approve the agenda.*

Councilmember Mellon seconded and the motion passed.

#### SPECIAL PRESENTATIONS

1. Business of the Month

Sarah Crosthwaite, Economic Development Manager presented Crumble Cookie with Business of the Month.

#### PUBLIC COMMENT

A comment from was read into the record regarding vehicle thefts.

#### CONSENT AGENDA

*Councilmember Mellon moved to approve the consent agenda.*

Councilmember Molinar seconded and the motion passed.

2. February 22, 2023 Meeting Minutes
3. Ordinance 2023-242 Amending Article II of Chapter 11 of the Johnstown Municipal Code concerning Use and Excavation of Public Right-of-way.
4. Resolution 2023-12 Approving the Right of Way Dedication depicted on the 2534 West Second Filing Subdivision Plat
5. Resolution 2023-14, Resolution Approving Johnstown Village Metropolitan District No. 2's Request for a Recurring Fee for a Limited Duration

*The Community That Cares*

johnstown.colorado.gov

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6. February 2023 List of Bills
7. Updated December 2022 FS

#### **TOWN MANAGER REPORT**

8. Town Manager's Report

Matt LeCerf, Town Manager, presented the monthly report. Council requested more information on the Town's website compliance and a first quarter sales tax report.

#### **TOWN ATTORNEY REPORT**

There was no Town Attorney report.

#### **NEW BUSINESS**

9. Resolution 2023-11 Amending the Town of Johnstown Fee Schedule

Devon McCarty, Finance Director, the updated fee schedule for 2023, noting the most changed were fees for Municipal Court and right-of-way fees that was finalized earlier on this agenda.

*Councilmember Morris moved to approve Resolution 2023.-11 amending the Consolidated Town Fee Schedule as presented.*

Councilmember Mellon seconded and the motion passed.

10. Construction Contract with Morton Electric Inc for SH 60 and Carlson Blvd Intersection Improvements

Troy White, Public Works Director, reviewed the budget for this project, noting there were four bids submitted.

*Councilmember Mellon moved to approve the construction contract with Morton Electric, INC. for the SH 60 and Carlson Blvd Intersection Improvements in the amount of \$714,670.70.*

Councilmember Molinar provided the second and the motion passed.

11. Design contract with JWO Engineering for the Design of Interim Improvements to the SH 60 and Colorado Blvd.

Mr. White presented this item noted some preliminary design work needed to be done for this project as the current angle of the intersection is skewed.

*Councilmember Mellon approve the design contract with JWO Engineering for the design of Interim Improvements to the SH 60 and Colorado Blvd Intersection in the amount of \$431,435.00.*

Councilmember Young seconded and the motion passed.

#### **PUBLIC HEARING**

12. Ordinance 2023-243: An Ordinance Concerning Municipal Court Procedures

Mayor Lebsack opened the public hearing. Avi Rocklin, Town Attorney, reviewed the proposed municipal code procedures that were listed in the agenda packet.

Mayor Lebsack opened the public hearing for comment for residents wishing to speak in favor of the item, to which there was none.

Mayor Lebsack opened the public hearing for comments opposed, to which there was none.

Mayor Lebsack closed the public hearing.

*Councilmember Young moved to approve Ordinance 2023-243, an Ordinance concerning Municipal Court procedures; Amending Sections 2-74, 8-26 and 8-83 of the Johnstown Municipal Code concerning respectively Fines, Court Costs and Surcharges, Judgments of Liability by Default and Mandatory Truck Route Fines; Adding Sections 2-75 and 2-76 to the*

*Johnstown Municipal Code concerning respectively Alternatives in Sentencing and Collection of Unpaid Monetary Sentences; Omitting Sections 8-46, 8-81 and 8-82 from the Johnstown Municipal Code.*

Councilmember Morris seconded and the motion passed.

13. Resolution 2023-13 Approving the Site Development Plan for Uncle Benny's Marketplace

Mayor Lebsack opened the public hearing. Kim Meyer, Planning Director presented this hearing noting the location and design elements of the plan. Ms. Meyer noted the site plan is in conformance with Town codes, standards and regulations and the Planning Zoning Board does recommend approval.

Council asked for clarification on the color scheme being complementary to surrounding areas.

The applicant, Jason Hepp, Aegis Construction Management, spoke to Council on the process and history of the proposed project.

Mayor Lebsack opened the public hearing for comment for residents wishing to speak in favor of the item, to which there was none.

Mayor Lebsack opened the public hearing for comments opposed, to which there was none.

Mayor Lebsack closed the public hearing.

*Councilmember Morris moved based on findings and analysis presented at this hearing, I move to approve Resolution 2023-13 approving the Site Development Plan for Uncle Benny's Marketplace.*

Councilmember Young seconded and the motion passed.

**COUNCIL REPORTS AND COMMENTS**

Councilmember Young reported on an upcoming Historical Society fundraiser.

Councilmember Mellon reported on transportation meetings and on meetings with the YMCA director.

Councilmember Molinar reported on the Senior Housing Authority.

**MAYOR'S COMMENTS**

Mayor Lebsack noted it was time for the Town Manager Performance Review and asked for Councilmembers to provide their reports to him prior to the next meeting.

**EXECUTIVE SESSION**

14. An executive session under C.R.S. Section 24-6-402(4)(f) for the Request for Proposal regarding a Relief Judge for Municipal Court

*Councilmember moved to recess to Executive Session under C.R.S. Section 24-6-402(4)(f) regarding the Request for Proposal regarding a Relief Judge for Municipal Court.*

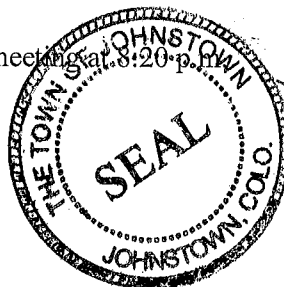
Councilmember seconded and the motion passed.

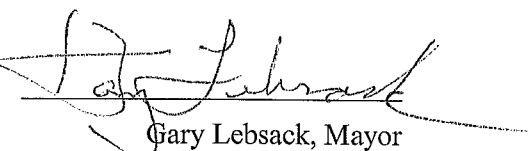
Council recessed into executive session at 8:05 pm.

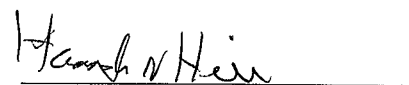
Council reconvened at 8:19 p.m.

**ADJOURN**

Mayor adjourned the March 6, 2023 Council meeting at 8:20 p.m.



  
Gary Lebsack, Mayor

  
Hannah Hill, Town Clerk