



# Town of Johnstown

**TOWN COUNCIL REGULAR MEETING**  
**450 S. Parish, Johnstown, CO**  
**Monday, February 07, 2022 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 Jesse Molinar  
Councilmember Bill Stevens  
Councilmember Amy Tallent  
Councilmember Chad Young

#### ABSENT

Councilmember Damien Berg  
Councilmember Troy Mellon

Staff present: Matt LeCerf, Town Manager, Avi Rocklin Town Attorney, Kim Meyer, Planning Director, Sarah Crosthwaite, Economic Development Manager, Troy White, Public Works Director, Ellen Hilbig, Utilities Director, Brian Phillips, Chief of Police

### AGENDA APPROVAL

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

### SPECIAL PRESENTATIONS

1. Business of the Month – Candlelight Dinner Playhouse was honored as February Business of the Month.
2. Climate Change Lobby - Pauline Migliore addressed the Council to request the establishment of a Sustainability Advisory Board.

### PUBLIC COMMENT

Mr. Eric Ryplewski from Hilltop Broadband shared with Council information about Hilltop Broadband. They are an internet service provider located in Berthoud, with approximately 2,500 customers.

### CONSENT AGENDA

Motion made by Councilmember Molinar, seconded by Councilmember Young to approve the Consent Agenda. Motion carried. Councilmember Tallent abstained.

- Minutes - January 3, 2022

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- List of Bills - January 2022
- December 2021 Financial Statements
- Second Reading - Ordinance No. 2022-220 Amending Subsection 16-302(d) Concerning Planned Unit Development Mixed Use Districts
- Second Reading - Ordinance No. 2022-221 Amending Article XII of Chapter 17 of the Johnstown Municipal Code Concerning Impact Fees, Specifically Section 17-224 Transportation Facilities Development Fee, Section 17-225 Parks and Recreation Facilities Development Fee, Section 17-226, Public Facilities Development Fee, Section 17-227, Library and Cultural Facilities Development Fee, and Section 17-228, Police Facilities Development Fee
- Second Reading Ordinance 2022-222- An Ordinance Adding Article XV to Chapter 17 of the Johnstown Municipal Code to Establish a Special Fee to be Paid by the Owners of Property within Close Proximity to the Reconstructed Interchange at the Intersection of Interstate 25 and State Highway 402
- Resolution 2022-02 Amending the Town of Johnstown Fee Schedule
- Resolution 2022-03 - Authorizing the Town Manager to Execute All Documents to Effectuate the Sale of the Real Property, Located at Lot 2 of Replat of Block 2, Town of Johnstown, County of Weld, State of Colorado, Known by Street Address As 16 North Parish Avenue, To Grows, LLC
- Johnstown Reservoir Dam Repair Project

## **PUBLIC HEARING**

1. Ordinance 2022-223 Approving Rezoning of the Property known as East Ledge Rock Center to PUD-MU, consisting of approximately 155 acres.

Mayor Lebsack opened the public hearing at 7:35 p.m. and heard from staff. The applicant, Ledge Rock Center, LLC applied to rezone the property known as East Ledge Rock Center, consisting of approximately 155 acres, from PUD-R and PUD-B to PUD-MU development with commercial and mixed density residential areas. Mr. Mike Schlup owner and developer of the development was present to answer any questions. Having no public comment, the mayor closed the hearing at 7:39 p.m. Based upon findings and analysis presented at this hearing a motion was made by Councilmember Young, seconded by Councilmember Tallent to approve Ordinance 2022-223, Approving the East Ledge Rock Center Rezoning to Planned Unit Development- Mixed Use (PUD-MU). Motion carried with a unanimous vote.

2. Ordinance 2022-224 Approving P.U.D. Outline Development Plan for Ledge Rock Center, consisting of approximately 221 acres.

Mayor Lebsack opened the public hearing at 7:41 p.m. and heard from staff. The proposed Ledge Rock Center Planned Unit Development encompasses approximately 221 acres. The proposed Outline Development Plan would apply to development within this PUD, and provide guidance on land uses, areas of development, and basic design standards. The proposed ODP proposes 1440 dwelling units and over 100 acres of commercial/retail along the Hwy 60 frontage. Having no public comment, the mayor closed the hearing at 7:49 p.m. Based upon findings and analysis presented at this hearing, motion was made by Councilmember Molinar Jr., seconded by Councilmember Young to approve Ordinance 2022-224 Approving the Outline Development Plan (ODP) for Ledge Rock Center P.U.D. Motion carried with a unanimous vote.

### 3. Ledge Rock Center P.U.D. Design Handbook

Mayor Lebsack opened the public hearing at 7:51 p.m. and heard from staff. The proposed Design Handbook would apply to development within this PUD, accordance with the proposed Ledge Rock Center Outline Development Plan. Having no public comment, the mayor closed the hearing at 8:01 p.m. Based upon findings and analysis presented at this hearing, motion was made by Councilmember Tallent, seconded by Councilmember Stevens to approve the Design Handbook for Ledge Rock Center P.U.D. as presented. Motion carried with a unanimous vote.

### 4. Ordinance 2022-225: An Ordinance Authorizing the Conveyance of Real Property Located at Lot 2, Oxy Land Subdivision, In the Northwest ¼, Section 11, Township 4 North, Range 68 West of the 6th P.M., Town of Johnstown, County of Weld, State of Colorado, Consisting of Approximately 33.22 Acres, To Ledge Rock Center, LLC

Mayor Lebsack opened the public hearing at 8:02 p.m. and heard from staff. Ledge Rock Center, LLC has requested the Town cooperate in the development of Ledge Rock Center Commercial, by conveying 33 acres of land owned by the Town to the Developer for nominal consideration. The property was conveyed to the Town by Kerr-McGee Oil & Gas Onshore LP. The terms and conditions of the proposed conveyance are addressed in the Agreement Concerning Purchase and Sale of Real Property for Ledge Rock Center Commercial that will be attached to the Ordinance. Having no public comment, the hearing was closed at 8:07 p.m. Motion made by Councilmember Tallent, seconded by Councilmember Molinar Jr. to approve Ordinance No. 2022-225, an Ordinance Authorizing the Conveyance of Real Property located at Lot 2, Oxy Land Subdivision, in the Northwest ¼ of Section 11, Township 4 North, Range 68 West of the 6<sup>th</sup> P.M., Town of Johnstown, County of Weld, State of Colorado, Consisting of Approximately 33.22 Acres, to Ledge Rock Center, LLC. Motion carried with a unanimous vote.

### **NEW BUSINESS**

1. Authorization to Develop an MOU with Allo Communications for Regional Broadband -This is a request to authorize town staff to begin engaging with Allo Communications to develop an MOU for broadband deployment in Johnstown. Motion made by Councilmember Molinar Jr., seconded by Councilmember Young to authorize the Town Manager to develop an MOU with Allo Communications for broadband deployment in the Town of Johnstown to be considered at a future Town Council meeting. Motion carried with a unanimous vote.

2. Request for Acceptance of the Dedication of 2.5 Shares Capital Stock in the Consolidated Hillsborough Ditch Company in Exchange for Water Credits in the Platte Land and Water, LLC Water Bank held by the Town of Johnstown – Motion made by Councilmember Young, seconded by Councilmember Tallent to authorize the Town Manager to sign the Water Dedication and Water Bank Agreement between the Town of Johnstown and Platte Land & Water LLC and provide for 150 AF water credit. Motion carried with a unanimous vote.

3. Downtown Johnstown Parklet Program – Update- Staff has been working with CDOT to revise the parklet program and has received approval from the grant review committee to modify the grant request. Motion was made by Councilmember Young, seconded by Councilmember Tallent to table this item to February 23, 2022. Motion carried with a unanimous vote.

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4. Discussion: Letford Elementary School Site – This is a discussion item only.

#### **EXECUTIVE SESSION**

An Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) Economic Incentive.

Motion made by Councilmember Young, Seconded by Councilmember Tallent to convene into Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and or instructing negotiators, under C.R.S. Section 24-6-401(4) (e) at 8:43 p.m. Motion carried with a unanimous vote.

The mayor reconvened the regular meeting at 9:01 p.m. and stated the only item discussed was what was stated in the motion.

#### **ADJOURN**

The meeting adjourned at 9:04 p.m.