



Town of Johnstown

TOWN COUNCIL REGULAR MEETING

450 S. Parish, Johnstown, CO

Monday, November 01, 2021 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 Amy Tallent

Councilmember Chad Young

ABSENT

Councilmember Troy Mellon

Councilmember Jesse Molinar

Councilmember Bill Stevens

Staff Present: Matt LeCerc, Town Manager, Avi Rocklin, Town Attorney, Mitzi McCoy, Finance Director, Kim Meyer, Planning Director, Sarah Crosthwaite, Economic Development Manager, Ellen Hilbig, Utilities Director, Brian Phillips, Chief of Police.

AGENDA APPROVAL

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

SPECIAL PRESENTATIONS

1. November 11, 2021 Veterans Day Proclamation – Councilmember Damien Berg read the proclamation.
2. Johnstown Lunch Box was honored as Business of the Month for November by Sarah Crosthwaite, Economic Development Manager
3. Johnstown Downtown Development Association - 3rd Quarter Presentation – Stephanie Podtburg and Jacob Bachman provided an update of activities.

PUBLIC COMMENT

Pauline Migliore, 337 Granite Way, asked Council to include electric vehicle charges in downtown Johnstown.

Loveland Fire Rescue Chief Sendelbach introduced himself to Council.

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CONSENT AGENDA

Motion made by Councilmember Berg, seconded by Councilmember Tallent to approve the Consent Agenda. Motion carried with a unanimous vote.

- Minutes - October 18, 2021
- First Amendment to Subdivision Development and Improvement Agreement For Town Of Johnstown (Johnstown Farms Filing No. 3)
- Second Reading Ordinance No. 2021-211, Approving P.U.D. Outline Development Plan Amendment 1 for Welty Ridge located in the Northeast Quarter of Section 10, Township 4 North, Range 68 West of the 6th P.M. County of Weld, State of Colorado Except that portion conveyed in Book 1570 at Page 620, consisting of approximately 144 acres.
- Resolution 2021-41 Adopting Weld County Multi-Jurisdictional Hazard Mitigation Plan (2021)

PUBLIC HEARING

1. Resolution 2021-42 Approving the 2021 Johnstown Area Comprehensive Plan - Mayor Lebsack opened the public hearing at 7:24 p.m. and heard from staff. The Planning and Zoning Commission is authorized to prepare a master plan for the Town and after approval refer the plan to the Town Council for consideration. Having no public comment, the hearing was closed at 7:44 p.m. Motion made by Councilmember Tallent, seconded by Councilmember Berg to approve Resolution 2021-42 Resolution Approving the 2021 Johnstown Area Comprehensive Plan. Motion carried with a unanimous vote.

2. Ordinance 2021-213 Approving the Rezoning of the Riverbend Estates to Planned Unit Development Residential (PUD-R) – Mayor Lebsack opened the public hearing at 7:44 p.m. and heard from staff. This is a request from the applicant Riverbend Estates Partners, LLC to change the zoning of the property to PUD-R Zone District in order to develop the property as a residential development. Mr. Lee Lowrey representing the applicant was present to answer questions. Kris Mott, 1602 Goldeneye Drive spoke in opposition of the development, his concerns are: is there a flood plan for the property, water pressure issues in Pioneer Ridge, traffic concerns on WCR 17, quality of life affected and overcrowding of the schools. Randy Rader, 1532 Goldeneye Drive also asked how is the developer going to address the flood plain, would like to see nicer homes in the development and how does this development fit the future of Johnstown. Having no further public comment, the hearing closed at 8:00 p.m. Based on findings and analysis presented at the meeting a motion was made by Councilmember Berg, seconded by Councilmember Young to approve Ordinance 2021-213 Approving the Riverbend Estates Rezoning to Planned Unit Development Residential (PUD-R). Motion carried with a unanimous vote.

3. Ordinance 2021-214 Approving P.U.D. Outline Development Plan for Riverbend Estates PUD – Mayor Lebsack opened the public hearing at 8:06 and heard from staff. This is a request from the applicant to establish an updated Outline Development Plan (ODP) for the Riverbend Estates development to create a residential neighborhood, creating 363 single family lots. Mary Whonrade, with Wohnrade Partners, the engineer for the project answered Council's questions about FEMA and the revised flood plain map affecting the property. Having no further public comments, the hearing closed at 8:49 p.m. Based upon findings and analysis presented at this hearing, Councilmember Young made a motion, seconded by Councilmember Tallent to approve Ordinance 2021-214 Approving the P.U.D. Outline Development Plan for Riverbend Estates, with the following conditions, to be revised and updated prior to the Second Reading of the Ordinance, to include 1. FEMA approves the pending CLOMR; 2. Widen CR17 to

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include the bridge over the Little Thompson River and accommodate the existing pedestrian walking trail. Motion carried with a unanimous vote.

4. Public Hearing: First Reading of Ordinance 2021-215 Repealing and Readopting Article IV of Chapter 7 of the Johnstown Municipal Code Concerning Waste Collection - Mayor Lebsack opened the public hearing at 8:53 p.m. and heard from staff. Having no public comment, the hearing closed at 8:58 p.m. Motion made by Councilmember Berg, seconded by Councilmember Young to approve Ordinance 2021-215 Repealing and Readopting Article IV of Chapter 7 of the Johnstown Municipal Code Concerning Waste Collection upon first reading. Motion carried with a unanimous vote.

13. Public Hearing - 2022 Proposed Budget - Mayor Lebsack opened the public hearing at 9:00 p.m. and heard from staff, Finance Director, Mitzi McCoy gave a brief overview of the proposed 2022 Budget. Having no public comment, the hearing closed at 9:22 p.m.

NEW BUSINESS

1. Johnstown Reservoir Dam Repair – This is a request to authorize additional funds in the 2022 budget to provide additional services to complete the project. Motion made by Councilmember Berg, seconded by Councilmember Young to authorize the additional funds for a total amount of \$639,660.00 and make the necessary 2022 budget allocations for the Johnstown Reservoir Dam Repair project to provide the following additional services; 1) Dewater the Johnstown Reservoir (\$88,500), 2) Dredge the Johnstown Reservoir (\$479,750), 3) Change Order Construction Items required by the State Review of the Contract Documents (\$51,610) and 4) Phase 2 & Close Out Construction Admin Costs (\$19,800). Motion carried with a unanimous vote.

2. Award South Tank Waterline Distribution System Construction Project – This is a request to award the construction contract for the South Tank Water Distribution System to SMH West, LLC. The project consists of connecting the 1.5 million-gallon elevated south water tank being constructed near the intersection of WCR17 and WCR 40 with a new distribution line from Hwy 60 to the tank site and connection to the Pioneer Ridge development. Motion made by Councilmember Young, seconded by Councilmember Berg to award the construction contract in the amount of \$9,044,000 to SMH West, LLC approve the additional services for J-U-B Engineers, Inc. in the amount of \$768,000 for Additional Services Request 1 and \$305,000 for Additional Services Request 1, as well as provide access to the remaining budgeted amount of \$727,300 by authorization from the Town Manager to approve the use of additional funds for unforeseen construction expenses encountered on the project not to exceed the budgeted amount. Motion carried with a unanimous vote.

3. Award Bid for Downtown Johnstown Parklet Project- The Town was awarded a grant to install modular parklets in the downtown area. An RFP was issued, with three qualified proposals returned. Based upon the proposals, staff would like to award the project to Modstreet. Motion made by Councilmember Berg, seconded by Councilmember Tallent to approve the Town of Johnstown Small Vendor Contractor Agreement awarding a contract to Modstreet. Motion carried with a unanimous vote.

EXECUTIVE SESSION

17. An Executive Session to discuss the purchase of real property pursuant to C.R.S. Section 24-6-402(4)(a).

Motion made by Councilmember Young, seconded by Councilmember Berg to convene into Executive Session to discuss the purchase of real property pursuant to C.R.S. Section 24-6-402(4)(a) at 10:02 p.m. Motion carried with a unanimous vote.

The mayor reconvened the Regular Meeting at 10:20 p.m. and stated the only items discussed was what was stated in the motion.

ADJOURN

The meeting adjourned at 10:20 p.m.

Mayor

Town Clerk