



Town of Johnstown

**TOWN COUNCIL REGULAR MEETING
450 S. Parish, Johnstown, CO
Monday, September 20, 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 Jesse Molinar, Jr.
Councilmember Bill Stevens
Councilmember Amy Tallent
Councilmember Chad Young

ABSENT

Councilmember Troy Mellon

Staff Present: Matt LeCerf, Town Manager, Avi Rocklin, Town Attorney, Ellen Hilbig, Interim Public Works Director, Mitzi McCoy, Finance Director, Kim Meyer, Planning Director and Brian Phillips, Chief of Police.

AGENDA APPROVAL

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

SPECIAL PRESENTATIONS

1. Wastewater Revenue Bond Overview, Series 2021 - Stacey Berlinger of Stifel, Nicholas & Company Inc. was present to give Council an overview of the \$46,585,000 Wastewater Revenue Bonds, Series 21, that were recently sold to assist with the cost of updating the current wastewater treatment facilities and related sanitary sewer improvements.

PUBLIC COMMENT

Tim Lucas of 1769 Suntide Drive representing an informal group of pickle ball players, asked Council to consider building some dedicated pickle ball courts in the Town.

Dana Pelon of 406 Sycamore Avenue had questions in reference to the Waste Connections contract and the amount that they are charging the residents for recycling and regular weekly pickup.

CONSENT AGENDA

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

- Minutes - September 8, 2021
- List of Bills - September 2021
- August 2021 Financial Statements

PUBLIC HEARING

1. Resolution 2021-31 Approving the Consolidated Service Plan for Granary Metropolitan District Nos.1-9 - Mayor Lebsack opened the public hearing at 7:13 p.m. and heard from staff. An application for approval of a Consolidated Service Plan was submitted for Granary Metropolitan District Nos. 1-9 by Hartford Acquisitions, LLC. The service area consists of approximately 294 acres. Representatives from the Town and applicant were available to answer questions. Having no public comments, the public hearing closed at 7:22 p.m. Motion made by Councilmember Tallent, seconded by Councilmember Young to move to approve Resolution 2021-31 a Resolution Approving the Service Plan for Granary Metropolitan District Nos. 1-9. Motion carried with a unanimous vote.

2. Resolution 2021-32 Approving the Consolidated Service Plan for Riverbend Estates Metropolitan District Nos 1-3 - Mayor Lebsack opened the public hearing at 7:25 p.m. and heard from staff. An application for approval of a Consolidated Service Plan was submitted for Riverbend Estates Metropolitan District nos. 1-3 by George L. Seward and Riverbend Development Company, LLC. The district's service area consists of approximately 167 acres. Representatives from the Town and the applicant were present to answer any questions. Having no public comment, the public hearing closed at 7:37 p.m. Motion made by Councilmember Molinar, seconded by Councilmember Berg to approve Resolution 2021-32, a Resolution Approving the Service Plan for Riverbend Estates Metropolitan District Nos. 1-3. Motion carried with a unanimous vote.

3. Resolution 2021-33 Approving the Consolidated Service Plan for Podtburg Metropolitan District Nos. 1-6 - Mayor Lebsack opened the public hearing at 7:30 p.m. and heard from staff. An application for approval of a Service Plan was submitted for Podtburg Metropolitan District Nos 1-6 by Podtburg Dairy Limited Partnership, LLLP. The total area proposed to be in the district is 449 acres. The district is proposed to be commercial and residential with a 290-acre golf course. Representatives from the Town and the applicant were present to answer questions. Having no public comment, the hearing closed at 7:48 p.m. Motion made by Councilmember Young, seconded by Councilmember Molinar, Jr. to approve Resolution No. 2021-33, a Resolution Approving the Service Plan for Podtburg Metropolitan District Nos. 1-6. Motion carried with a unanimous vote.

4. Resolution 2021-34 and Ordinance 2021-207 regarding the Held Farm Annexation – Mayor Lebsack opened the public hearing at 7:49 p.m. and heard from staff. This is a request from the applicant Platte Land & Water, LLC to annex approximately 122.71 acres known as the

Held Farm Annexation. Representatives of the applicant were present to answer any questions. Having no public comment, the public hearing was closed at 7:55 p.m.

Motion made by Councilmember Berg, seconded by Councilmember Young to approve Resolution 2021-34, Findings of Fact and Conclusions Based Thereon with Respect to the Held Farm Annexation. Motion carried with a unanimous vote.

Motion made by Councilmember Berg, seconded by Councilmember Young to approve Ordinance 2021-207 Annexing certain unincorporated lands located in the Southwest Quarter of Section 4, Township 4 North, Range 67 West of the 6th P.M., County of Weld, State of Colorado, known by site address as 8062 County Road 48 1/2, County of Weld, State of Colorado, consisting of approximately 122.71 acres, and known as the Held Farm Annexation. Motion carried with a unanimous vote.

5. Ordinance 2021-208 Approving the Establishment of H-A Zoning for the Held Farm Annexation - Mayor Lebsack opened the public hearing at 7:57 p.m. and heard from staff. The applicant Platte Land & Water, LLC is requesting an H-A zoning for the property known as Held Farm Annexation. Having no public comment, the public hearing was closed at 7:58 p.m. Motion made by Councilmember Young, seconded by Councilmember Tallent to approve Ordinance No. 2021-208 Approval of H-A Zoning of the property known as the Held Farm Annexation located in the Southwest Quarter of Section 4, Township 4 North, Range 67 West of the 6th P.M., County of Weld, State of Colorado, known by site address as 8062 County Road 48 1/2, County of Weld, State of Colorado, consisting of approximately 122.71 acres. Motion carried with a unanimous vote.

6. Resolution 2021-35 and Ordinance 2021-209 regarding the Whitehall Annexation – Mayor Lebsack opened the public hearing at 8:00 p.m. and heard from staff. This is a request from the applicant, Sauer Phantom 5, LLC and Sauer-Whitehall, LLC to annex approximately 240.96 acres known as the Whitehall Annexation. Having no public comment, the public hearing was closed at 8:07 p.m.

Motion made by Councilmember Berg, seconded by Councilmember Molinar Jr. to approve Resolution 2021-35 Findings of Fact and Conclusions Based Thereon with Respect to the Whitehall Annexation. Motion carried with a unanimous vote.

Motion made by Councilmember Berg, seconded by Councilmember Young to approve Ordinance No. 2021-210 Annexing certain unincorporated lands located in the East Half of the Southwest Quarter and Southeast Quarter of Section 12, Township 4 North, Range 68 West of the 6th P.M., County of Weld, State of Colorado, known by site address as 5631 County Road 46, County of Weld, State of Colorado, Consisting of Approximately 240.96 acres, and known as the Whitehall Annexation. Motion carried with a unanimous vote.

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7. Resolution 2021-36 Approving the Final Plat for Thompson River Ranch Filing No. 12- Mayor Lebsack opened the public hearing at 8:13 p.m. and heard from staff. The applicant, Clayton Properties Group, Inc. is requesting final subdivision approval of 57.062 acres of land. The proposed subdivision includes 164 lots for single family detached homes. Representatives from the applicant was present to answer questions. Having no public comment, the hearing closed at 8:23 p.m. Motion made by Councilmember Berg, seconded by Councilmember Molinar Jr. to approve Resolution 2021-36 Approving Thompson River Ranch Filing No. 12 with conditions as stated within the resolution. Motion carried with a unanimous vote.

NEW BUSINESS

1. Water and Sewer Service Agreement Thompson River Ranch Filing No. 12 – Motion made by Councilmember Tallent, seconded by Councilmember Molinar to approve the Water and Sewer Service Agreement for Thompson River Ranch Filing No. 12. Motion carried with a unanimous vote.

2. Subdivision Development and Improvement Agreement Thompson River Ranch Filing No. 12 – The Developer, Clayton Properties Group II, Inc. dba Oakwood Homes, received final approval of a final subdivision plat for 164 single family home and carriage lots. The proposed agreement is based upon the Town's standard agreement and requires construction of improvements in accordance with the approved development plans and construction plans. Motion made by Councilmember Tallent, seconded by Councilmember Berg to approve the Subdivision Development and Improvement Agreement for Thompson River Ranch Filing No. 12. Motion carried with a unanimous vote.

EXECUTIVE SESSION

Motion made by Councilmember Berg, seconded by Councilmember Young to convene into Executive Session to receive legal advice from the Town attorney pursuant to C.R.S. Section 24-6-402(4)(b) regarding acquisition of rights-of-way/easements.

To discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. 24-6-402(4)(a) Sale of Real Property.

Motion carried with a unanimous vote. Councilmember Amy Tallent excused herself from the discussion of Sale of Real Property.

The mayor reconvened the Regular Meeting at 9:37 p.m. and stated the only items discussed was what was stated in the motion.

ADJOURN

The meeting adjourned at 9:37 p.m.

Mayor

Town Clerk