



450 S. Parish Avenue
Johnstown, CO 80534
970.587.4664
JohnstownCO.gov

TOWN COUNCIL REGULAR MEETING
450 S. Parish, Johnstown, CO
Wednesday, September 04, 2024 at 7:00 PM

MINUTES

CALL TO ORDER

Mayor Duncan called the September 4, 2024 Council meeting to order and invited those able to join in the Pledge of Allegiance.

Pledge of Allegiance

ROLL CALL

Present:

Councilmember Berg
Councilmember Menzies
Councilmember Morris
Mayor Pro Tem Young
Mayor Duncan

Absent:

Councilmember Paranto
Councilmember Molinar, Jr.

AGENDA APPROVAL

Councilmember Menzies moved to approve the agenda amending to include employee introductions.

Councilmember Young seconded and the motion passed.

Councilmember Berg moved to approve the agenda as amended.

Councilmember Morris seconded and the motion passed.

SPECIAL PRESENTATIONS

Doug Gossett, Engineering Director, introduced a new member of the engineering team, Eric Jones, and Lucas Andrusyk, Water & Sewer System Lead, introduced Ruben Chavez, Water & Sewer Operator.

1. Business of the Month

Matt LeCerf, Town Manager, introduced B's Coffee as Business of the Month, noting the new owners purchased the business in late 2023.

The Community that Cares

2. Suicide Awareness and Prevention Month Proclamation

Councilmember Menzies read the proclamation declaring September 2024 Suicide Awareness and Prevention Month into the record and Front Range Behavioral Health accepted the proclamation.

PUBLIC COMMENT

A comment from Ginger Acierno regarding house purchases on Sandra Drive was read into the record.

A comment from Diane Eneboe regarding the taste of water in Johnstown was read into the record.

Mr. LeCerf noted that the properties in question on Sandra Drive were permitted based on updated engineering studies that provided evidence that with the development the storm water management would be achieved. The lots were platted as part of the original development and were reserved until such evidence that the storm water management could be achieved, however it is clear that the storm water management was not able to be achieved in those areas. It was noted the property purchases are estimated to be about 50% less expensive than any other solutions for this issue.

The water taste and smell was also noted and included details regarding the carbon filter being changed regularly, and the geosmin and MIB levels being below 7, more often than not below 3. It was noted that most palates can taste those elements at 15, and this item is the first compliant received all season and information will be put out online.

CONSENT AGENDA

Councilmember Morris moved to approve the consent agenda.

Councilmember Berg seconded and the motion passed.

3. August 19, 2024 Meeting Minutes

4. August 2024 List of Bills

TOWN MANAGER REPORT

5. Town Manager's Report

Mr. LeCerf presented the monthly report, noting the informational packet with an updated ordinance that addresses outdoor refuse burning as prohibited with other items being regulated by other agencies for the most part.

Council asked for follow up on the traffic surrounding the high school. Mr. LeCerf noted there are concerns about fender bender accidents with a 3-way stop signs and staff is waiting for information from the school district.

TOWN ATTORNEY REPORT

6. Town Attorney Report

Avi Rocklin, Town Attorney, noted the attached memo referring to legislation. Several items were noted, including occupancy limits and the recommendation to wait 6 months to pursue a code amendment.

Senate Bill 24-048 referencing Sober Living Homes, being codified as an acceptable use in residential areas.

Council asked if CAR provided any status updates with any Johnstown Sober Living Homes. Ms. Rocklin noted an upcoming seminar put on by CAR. Mr. LeCerf noted the existing sober living housing in Johnstown is required to inform Johnstown of their renewed license.

Council asked about the new bill regarding property tax. Ms. Rocklin noted an expected reduction in assessment rates and property tax, but it is not clear how it will impact Johnstown but staff will follow up with more information.

24-131 was noted regarding carrying firearms in sensitive places including local government areas. There is a provision that Council may adopt a law to opt out regarding concealed carry, in the Town Hall building but an exception would have to be carved out for the days that the Town Hall conducts Municipal Court.

Council requested staff bring forward an ordinance to pursue that opt out option and provide information on retired military carrying.

PUBLIC HEARING

7. Archdiocese Annexation & Zoning

A. Resolution 2024-34 Findings of Fact and Conclusions for The Archdiocese Annexation No. 4 - 5

B. Ordinance 2024-255 Annexing Certain Unincorporated Lands Located in Weld County Known as The Archdiocese Annexation No. 4 - 5

C. Ordinance 2024-256 Approval of H-A (Holding Agriculture) Zoning on the Property Known as The Archdiocese Annexation No. 4 - 5

Mayor Duncan opened the public hearing.

Jeremy Gleim, Planning and Development Director, presented the hearing to Council noting the location of the proposed annexation. A zoning request was submitted as well, with H-A, Holding Agriculture, as no development is currently planned. The Planning and Zoning Commission did fully approve and offer recommendation of the annexation.

Council asked for clarification on Section 4 of the annexation, which Mr. Gleim answered that Section 4 goes to the reservoir but does not go across.

Council also asked for clarification on what the previous annexation of Archdiocese and how many acres the previous annexation is, with what zoning it is. Mr. Gleim did note that annexation does have a solar field close to County Road 19.

Ms. Rocklin noted the previous annexation is zoned H-A and a portion PUD MU.

The attorney for Hillsborough Reservoir noted they are under contract to purchase the north section that will remain in the County and noted they do not represent the Archdiocese, but offered to answer questions from Council.

Mayor Duncan opened public comment for this item of those in favor or those opposed, to which there was none.

Mayor Duncan closed public comment.

Mayor Duncan closed the public hearing.

Councilmember Morris moved to approve Resolution No. 2024-34, Accepting the Findings of Fact and Conclusions for The Archdiocese Annexation No. 4-5

Mayor Pro Tem Young seconded and the motion passed

Councilmember Berg moved to Approve Ordinance No. 2024-255, Approving the Annexation of Approximately 22.21 Acres, Known as The Archdiocese Annexation No. 4-5

Councilmember Morris seconded and the motion passed.

Mayor Pro Tem Young moved to Approve Ordinance No. 2024-256, Approving H-A Zoning for the Property Known as The Archdiocese Annexation No. 4-5

Councilmember Morris seconded and the motion passed.

COUNCIL REPORTS AND COMMENTS

Councilmember Menzies asked for clarification regarding Facebook and web live streaming. It was also asked about the tax refund checks, which Mitzi McCoy, Deputy Town Manager, did note checks should be in the mail in the upcoming week.

MAYOR'S COMMENTS

Mayor Duncan expressed gratitude to the Police Department for their work.

INFORMATIONAL ITEMS

8. A revision to the ongoing discussion regarding an ordinance regarding burning items within town limits. The new version addresses the original nexus of the complaint without the need to address the individual exceptions.

EXECUTIVE SESSION

9. An Executive Session to Receive Legal Advice from the Town Attorney Pursuant to C.R.S. Section 24-6-402(4)(b) Regarding 2 Jay Avenue

Councilmember Berg moved to recess into An Executive Session to Receive Legal Advice from the Town Attorney Pursuant to C.R.S. Section 24-6-402(4)(b) Regarding 2 Jay Avenue and An Executive Session to Discuss the Purchase of Real Property Pursuant to C.R.S. Section 24-6-402(4)(a) - Larimer County Open Space Sales Tax Purchase

Mayor Pro Tem Young seconded and the motion passed.

10. An Executive Session to Discuss the Purchase of Real Property Pursuant to C.R.S. Section 24-6-402(4)(a) - Larimer County Open Space Sales Tax Purchase

This item was moved with the previous.

Council reconvened at 8:18 pm and the Mayor noted no items were discussed outside of those noted in the motion and no action was taken.

ADJOURN

Mayor Duncan adjourned the meeting at 8:18 pm



Michael P. Duncan, Mayor

Hannah Hill, Town Clerk