

***TOWN COUNCIL***

***MEETING***

***PACKET***

**November 7, 2016**



Town Council

*Agenda*  
Monday November 7, 2016  
Town Hall, Council Chambers  
450 So. Parish Avenue  
7:00 PM



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**MISSION STATEMENT**-*"The mission of the government of the Town of Johnstown is to provide leadership based upon trust and integrity, commitment directed toward responsive service delivery, and vision for enhancing the quality of life in our community."*

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*Members of the audience are invited to speak at the Council meeting. Public Comment (item No. 5) is reserved for citizen comments on items not contained on the printed agenda. Citizen comments are limited to three (3) minutes per speaker. When several people wish to speak on the same position on a given item, they are requested to select a spokesperson to state that position. If you wish to speak at the Town Council meeting, please fill out a sign-up sheet and present it to the Town Clerk.*

- 1) **CALL TO ORDER**
  - A) Pledge of Allegiance
- 2) **ROLL CALL**
- 3) **AGENDA APPROVAL**
- 4) **RECOGNITIONS AND PROCLAMATIONS**
  - A) Recognition of Cub Scout Packs 561 and 505
- 5) **PUBLIC COMMENT (three-minute limit per speaker)**

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*The "Consent Agenda" is a group of routine matters to be acted on with a single motion and vote. The Mayor will ask if any Council member wishes to have an item discussed or if there is public comment on those ordinances marked with an \*asterisk. The Council member may then move to have the subject item removed from the Consent Agenda for discussion separately.*

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- 6) **CONSENT AGENDA**
    - A) Town Council Meeting Minutes –October 17, 2016
    - B) Resolution No. 2016-10, Adopting Economic Incentive Policy
    - C) First Amendment to Agreement between the Town of Johnstown and Waste Management of Colorado, Inc.
  - 7) **STAFF REPORTS**
  - 8) **OLD BUSINESS**
  - 9) **NEW BUSINESS**
    - A) Consider Club Liquor License Renewal for J&M Post Veterans Club
    - B) Consider Hotel and Restaurant Liquor License Renewal for Ajuua Mexican Restaurant
    - C) **\*Public Hearing** – Report of Change of Ownership of Johnstown Liquor, Inc.
    - D) **\*Public Hearing** – Change of Location Permit and Temporary Modification of Premises for Johnstown Liquor, Inc.
    - E) Consider Proposal by J-M Chamber of Commerce for Use of the Town Building Located at 16 South Parish Avenue
  - 10) **COUNCIL REPORTS AND COMMENTS**
  - 11) **MAYOR'S COMMENTS**
  - 12) **ADJOURN**
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**NOTICE OF ACCOMODATION**

If you need special assistance to participate in the meeting, please contact the Town Clerk at (970) 587-4664. Notification at least 72 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to the meeting.

**AGENDA ITEM 4A**

**RECOGNITION  
OF  
CUB SCOUTS  
(Packs 561 and 505)**

**AGENDA ITEMS 6A-C**

**CONSENT**

**AGENDA**

- **Council Minutes – October 17, 2016**
  - **Resolution No. 2016-10**  
**(Adopting Economic Incentive Policy)**
    - **First Amendment**  
**(Waste Management of Colorado Agreement)**

**TOWN COUNCIL AGENDA COMMUNICATION**

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**AGENDA DATE:** November 7, 2016

**ITEM NUMBER:** 6A-C

**SUBJECT:** Consent Agenda

**ACTION PROPOSED:** Approve Consent Agenda

**PRESENTED BY:** Town Clerk

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**AGENDA ITEM DESCRIPTION:** The following items are included on the Consent Agenda, which may be approved by a single motion approving the Consent Agenda:

- A) Council Meeting Minutes - October 17, 2016
- B) \*Resolution No. 2016-10, Adopting Economic Incentive Policy
- C) \*\* First Amendment to Agreement between the Town of Johnstown and Waste Management of Colorado, Inc.

\*An economic incentive policy affirming the Town's support of economic development and creating tools to attract new businesses to the community, retain and promote the expansion of existing businesses in the community and diversify the local economy.

\*\* The Town entered into an agreement with Waste Management for refuse removal services on August 15, 2001. The first amendment to the agreement extends the term for an additional five (5) years and adjusts the rates. The remaining terms of the agreement remain in full force and effect. The Town Attorney drafted the first amendment to the agreement.

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**LEGAL ADVICE:** The entire Consent Agenda may be approved by a motion of the Town Council approving the Consent Agenda, which automatically approves each and every item listed on the Consent Agenda. If a Council member wishes to have a specific discussion on an individual item included with the Consent Agenda, they may move to remove the item from the Consent Agenda for discussion.

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**FINANCIAL ADVICE:** N/A

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**RECOMMENDED ACTION:** Approve Consent Agenda

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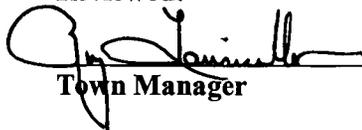
**SUGGESTED MOTION:**

**For Approval:** I move to approve the Consent Agenda.

**For Denial:**

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**Reviewed:**

  
Town Manager

**COUNCIL  
MINUTES**

The Town Council of the Town of Johnstown met on Monday, October 17, 2016 at 7:00 p.m. in the Council Chambers at 450 S. Parish Avenue, Johnstown.

Mayor James led the Pledge of Allegiance.

Roll Call:

Those present: Councilmembers Davis, Lebsack, Mellon, Mitchell and Young

Those absent: Councilmember Molinar Jr.

Also present: Avi Rocklin, Town Attorney, Roy Lauricello, Town Manager John Franklin, Town Planner, Brian Phillips, Police Chief and Diana Seele, Town Clerk/Treasurer

Agenda Approval

Councilmember Lebsack made a motion seconded by Councilmember Young to approve the agenda with the following changes; remove Item 10. Executive Session and add Item 9.D. Thompson Crossing Metro District #2 Bond issuance. Motion carried with a unanimous vote.

Consent Agenda

Councilmember Mellon made a motion seconded by Councilmember Lebsack to approve the Consent Agenda with the following items included:

- October 3, 2016 - Town Council Meeting Minutes
- Payment of Bills
- September Financial Statements
- Oil and Gas Lease Agreement – Kerr McGee Oil & Gas Onshore LP

Motion carried with a unanimous vote.

New Business

A. Consider 3.2% Beer Retail License (Off Premises) Renewal for 7-Eleven Store 34316A – Councilmember Mellon made a motion seconded by Councilmember Davis to approve the 3.2% Beer Retail License (Off Premises) renewal for 7-Eleven Store 34316A. Motion carried with a unanimous vote.

B. Consider Resolution No. 2016-09, Adopting the Larimer County 2016 Multi-Jurisdictional Hazard Mitigation Plan – The new Hazard Mitigation Plan updates the prior hazard mitigation plan and by adopting the new plan the Town agrees to participate in maintenance of the Plan. Councilmember Mellon made a motion seconded by Councilmember Lebsack to approve Resolution No. 2016-09, adopting the Larimer County 2016 Multi-Jurisdictional Hazard Mitigation Plan. Motion carried with a unanimous vote.

C. Consider Water and Sewer Service Agreement for Spanos Corporation (GatewayII) – The Developer, Spanos Corporation submitted a Water and Sewer Demand Analysis. Based upon the analysis with the proposed construction of multi-family residential with clubhouse and pool, the

water requirement is 69.85 acre feet per year. Water credits will come from Gerrard Family Limited Partnership LLLP and Thompson Ranch LLLP who previously dedicated water rights into a "water bank" under a prior agreement with the Town. Councilmember Lebsack made a motion seconded by Councilmember Young to approve the Water and Sewer Service Agreement for Gateway II Apartments at 2534 and authorize the Mayor to sign the agreement. Motion carried with a unanimous vote.

D. Information from Thompson Crossing Metro District No. 1 & 2 –  
Mr. Gary Gerrard representing Thompson Crossing Metro District 2 advised Council of the status of the refinancing of its General Obligation Bonds.

There being no further business to come before Council the meeting adjourned at 7:48 p.m.

Mayor

Town Clerk/Treasurer

**RESOLUTION**

**No. 2016-10**

**TOWN OF JOHNSTOWN, COLORADO  
RESOLUTION NO. 2016-10**

**ADOPTING ECONOMIC DEVELOPMENT INCENTIVE POLICY**

**WHEREAS**, the Town of Johnstown, Colorado (the “Town”) is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the Town’s Home Rule Charter; and

**WHEREAS**, the Town supports economic development to sustain the fiscal health of the community, promote employment opportunities and enhance the quality of life in the Town; and

**WHEREAS**, the Town desires to create tools to assist economic development in order to attract new businesses to the community, retain and promote the expansion of existing businesses in the community and diversify the local economy; and

**WHEREAS**, to further the Town’s economic development goals and in accordance with the laws of the State of Colorado and the Town’s Home Rule Charter, the Town desires to adopt an economic development incentive policy; and

**WHEREAS**, the Town Council hereby finds that adoption of an economic development incentive policy is in the best interest of the Town and the citizens of the Town.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, THAT:**

1. The Economic Development Incentive Policy, attached hereto as Exhibit A, is hereby approved and adopted.
2. The Economic Development Incentive Policy shall be in effect from the date hereof and shall remain in effect until amended or rescinded by further action of Town Council.

PASSED, SIGNED, APPROVED, AND ADOPTED this 7th day of November, 2016.

**ATTEST:**

**TOWN OF JOHNSTOWN, COLORADO**

By: \_\_\_\_\_  
Diana Seele, Town Clerk

By: \_\_\_\_\_  
Scott James, Mayor

**ECONOMIC  
DEVELOPMENT  
INCENTIVE POLICY**

## **ECONOMIC DEVELOPMENT INCENTIVE POLICY**

### **GOAL STATEMENT**

The Town of Johnstown (“Town”) supports economic development to sustain the fiscal health of the community, promote employment opportunities and enhance the quality of life in the Town. To further those goals, the Town desires to create tools to assist economic development in order to attract new businesses to the community, retain and promote the expansion of existing businesses in the community and diversify the local economy.

### **ELIGIBLE PROJECTS**

The Town may consider providing economic incentives to businesses that offer extraordinary long-term benefits to the Town. In determining whether to grant an economic incentive, the Town is guided by whether an economic incentive is likely to attract new, sustainable and desirable development to the community, whether a proposed development that is attractive to the community would locate in the Town without an economic incentive, whether an existing business desires to expand in a manner that would be beneficial to the Town or whether an existing business is actively seeking to relocate outside the Town. The Town shall be particularly inclined to grant economic incentives to businesses with a strong sales tax base or to businesses within the historic downtown area.

Based on those broad principles, the Town considers the following criteria in determining whether to grant an incentive:

- Potential to generate sales tax revenue
- Substantial capital investment in the Town
- Creation of new employment
- Above-average wages
- Diversification of businesses that enhance quality of life
- Desirable retail establishments
- Vital industry with a long term commitment to the Town
- Uniqueness of a project deemed advantageous and beneficial to the Town
- Location of new sales tax generating business
- Potential to induce other desirable businesses to locate in the Town
- Quality of the proposed improvements and use

## **POTENTIAL INCENTIVES**

For eligible development projects, the Town may consider the following potential economic incentives based upon the magnitude and attractiveness of the project:

Use Tax. The Town may waive, reimburse or defer payment of a portion of the use tax generated by a development if the funds are otherwise used to assist in the payment of the cost of the public improvements associated with the development project.

Development Fees. The Town may waive, reimburse or defer payment of building permit and inspection fees if the funds are otherwise used to assist in the payment of the cost of the public improvements associated with the development project.

Sales Tax. The Town may consider a rebate, or share-back, of a portion of the sales tax generated to reimburse a developer for the cost of public improvements associated with the development project.

Impact Fees. The Town may consider deferral of all or a portion of the transportation facilities development fees, the public facilities development fees or the police facilities development fees from the application for a building permit to the issuance of a certificate of occupancy.

Metropolitan Districts. The Town may consider a service plan for the formation of a metropolitan district under the Special District Act, Title 32, Article 1, C.R.S., allowing the metropolitan district to finance, design, plan, construct, install and/or complete public improvements. When appropriate, the Town may authorize the metropolitan district to collect public improvement fees on sales transactions to pay for debt associated with public improvements.

Personal Business Property Tax. The Town does not impose a personal business property tax.

Downtown Façade Grant Program. The Town may provide financial assistance for improvement projects to building façades in the downtown area to encourage revitalization of private and commercial properties. See [www.townofjohnstown.com/309/historic-downtown](http://www.townofjohnstown.com/309/historic-downtown).

Coordination with Economic Development Agencies. The Town may actively assist and help coordinate efforts to obtain grants and financial assistance from other economic development agencies, such as Upstate Colorado Economic Development and the Colorado Office of Economic Development and International Trade.

Weld County Enterprise Zone. Pre-certified companies that locate or expand within the Town's portion of the Weld County Enterprise Zone may be eligible to earn a variety of state income tax credits.

For purposes of this economic development incentive policy, public improvements include public infrastructure improvements, such as street improvements, traffic signalization, sidewalks or trails, water and sanitary sewer lines, storm sewer lines, drainage improvements, parking facilities or water quality improvements, and also include improvements to public spaces, public art, landscaping and the construction of unique or enhanced elements of streetscape and the built-environment.

## **COORDINATED AND EXPEDITED REVIEW**

A request for an economic incentive shall be evaluated on a case-by-case basis to determine the overall benefit and impact to the community. In reviewing a request, the Town commits to expedited review, superior customer service and a quality development review process.

A developer or business (“applicant”) seeking an economic incentive shall submit a written request to the Town. Upon receipt of the written request, Town staff shall review the request and schedule an in-person review meeting with the applicant. As a part of the review process, Town staff shall perform a cost-benefit analysis of the requested economic incentive, identifying and calculating the benefits to the community compared with the costs and impacts. When appropriate, Town staff may require that the applicant obtain a cost-benefit analysis from an independent outside consultant to determine the viability of the requested economic incentive.

Once Town staff and the applicant have finalized discussions and negotiations, regardless of whether Town staff and the applicant have reached agreement on the economic incentive request, the applicant shall have an opportunity to appear before Town Council to request the economic incentive. At that time, Town staff shall present its findings and also make a recommendation to Town Council. Town Council retains full discretion and final authority to approve or deny an economic incentive, and may do so on any basis that it deems to be proper and appropriate and in the best interests of the Town.

**FIRST  
AMENDMENT  
(Waste Management of Colorado Inc.)**

**FIRST AMENDMENT TO AGREEMENT  
BETWEEN THE TOWN OF JOHNSTOWN AND  
WASTE MANAGEMENT OF COLORADO, INC.**

THIS FIRST AMENDMENT TO AGREEMENT is entered into this \_\_\_ day of November, 2016, by and between the Town of Johnstown, Colorado ("Town") and Waste Management of Colorado, Inc. ("Waste Management") (collectively, the "Parties").

WHEREAS, on or about August 15, 2011, the Town and Waste Management entered into an agreement for the collection, removal and transportation of ashes, trash and other waste materials within the Town ("Agreement"); and

WHEREAS, the Agreement was for a five-year term, commencing on September 1, 2011 and terminating on August 31, 2016; and

WHEREAS, the Parties desires to extend the term of the Agreement for an additional five (5) years.

NOW, THEREFORE, in consideration of the mutual covenants and stipulations hereinafter set forth, it is agreed as follows:

1. Term of Agreement. The term of the Agreement is hereby extended for an additional five (5) years, commencing on November 1, 2016 and terminating on August 31, 2021. At the conclusion of the Agreement, the Parties, in their discretion, may continue to operate under the terms of the Agreement on a month to month basis at the then-existing rates.

2. Exhibit A. Exhibit A to the Agreement, setting forth the trash service rates, is hereby replaced with, and superseded by, the form of Exhibit A that is attached hereto and incorporated herein.

3. Validity of Agreement. Except as expressly modified herein, the Agreement shall remain in full force and effect.

DONE AND DATED this \_\_\_ day of November, 2016.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: \_\_\_\_\_  
Diana Seele, Town Clerk

By: \_\_\_\_\_  
Scott James, Mayor

## EXHIBIT A

### Weekly Curbside Collection of 95-gallon poly cart starting (all trash must be in container):

November 1, 2016	\$10.50/month
September 1, 2017	\$10.82/month
September 1, 2018	\$11.14/month
September 1, 2019	\$11.47/month
September 1, 2020	\$11.81/month

### Weekly Curbside Collection Senior Rate 65-gallon cart:

November 1, 2016	\$7.71/month
September 1, 2017	\$7.94/month
September 1, 2018	\$8.18/month
September 1, 2019	\$8.42/month
September 1, 2020	\$8.68/month

### Bi-weekly collection for curbside recycling

November 1, 2016	\$7.40 /month*
September 1, 2017	\$7.62/month*
September 1, 2018	\$7.85/month*
September 1, 2019	\$8.09/month*
September 1, 2020	\$8.33/month*

\*A participation rate of at least 900 homes required for recycling program.

Per month cost for additional cart	\$3.00/month
All Town parks, facilities, (including Library, and Fire Station)	No Cost
Portable toilets for parks	\$28.26/unit/month
Spring Clean-Up 30 Yard Roll Offs	\$259/Haul (4 free hauls)
Special Event port-o-lets	\$34/unit (5 unit minimum)



**AGENDA ITEM 9A**

**CLUB  
LIQUOR LICENSE  
RENEWAL  
(J&M Post Veterans Club)**

**TOWN COUNCIL AGENDA COMMUNICATION**

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**AGENDA DATE:** November 7, 2016

**ITEM NUMBER:** 9A

**SUBJECT:** Consider Club Liquor License Renewal - J&M Post Veterans Club

**ACTION PROPOSED:** Approve Club Liquor License Renewal

**PRESENTED BY:** Town Clerk

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**AGENDA ITEM DESCRIPTION:** Mr. Steven Kroh, operating manager of the J&M Post Veterans Club, has submitted a renewal application to the Town Clerk for a Club Liquor License for the Club located at 104 SE 1<sup>st</sup> Place, Johnstown. The required fees have been submitted to the Town. According to the Johnstown Police Department, the establishment has cooperated with law enforcement officials and there have been no violations of the liquor code during the last licensing period (refer to attachment).

The Town Council acts as the Local Licensing Authority and is responsible for reviewing and issuing liquor licenses.

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**LEGAL ADVICE:** N/A

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**FINANCIAL ADVICE:** N/A

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**RECOMMENDED ACTION:** Approve the Club Liquor License Renewal.

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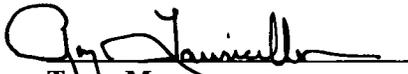
**SUGGESTED MOTIONS:**

**For Approval:** I move to approve the Club Liquor License renewal for the J&M Post Veterans Club.

**For Denial:** I move to deny approval of the Club Liquor License renewal for the J&M Post Veterans Club.

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**Reviewed:**

  
Town Manager

**RENEWAL  
APPLICATION**

**RETAIL LIQUOR OR 3.2 BEER  
 LICENSE RENEWAL APPLICATION**

Fees Due	
Renewal Fee	\$308.75
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
<b>Amount Due/Paid</b>	

J & M POST CLUB  
 PO BOX 729  
 JOHNSTOWN CO 80534

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

**PLEASE VERIFY & UPDATE ALL INFORMATION BELOW**

**RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE**

Licensee Name <b>J &amp; M POST VETERANS CLUB</b>		DBA <b>J &amp; M POST CLUB</b>	
Liquor License # <b>14095490000</b>	License Type <b>Club License (city)</b>	Sales Tax License # <b>14095490000</b>	Due Date <b>11/16/2016</b>
Operating Manager <b>STEVEN Kroh</b>	Date of Birth <b>11-2-1952</b>	Home Address <b>1022 N 1ST ST Johnstown Co 80534</b>	
Manager Phone Number <b>970 405 8619</b>	Email Address <b>JMPOST@Qwestoffice.net</b>		
Street Address <b>104 S E 1ST PL JOHNSTOWN CO 80534</b>			Phone Number <b>9705874500</b>
Mailing Address <b>PO BOX 729 JOHNSTOWN CO 80534</b>			

- Do you have legal possession of the premises at the street address above?  YES  NO  
 Is the premises owned or rented?  Owned  Rented\* \*If rented, expiration date of lease \_\_\_\_\_
104. Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested.  YES  NO  
**NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS:** If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
- Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation.  YES  NO
- Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation.  YES  NO
- Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation.  YES  NO

**AFFIRMATION & CONSENT**

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business <b>STEVEN Kroh</b>	Title <b>MANAGER</b>
Signature <i>Steven Kroh</i>	Date <b>9-24-16</b>

**REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY**

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. THEREFORE THIS APPLICATION IS APPROVED.

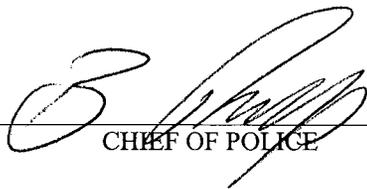
Local Licensing Authority For	Date
Signature	Title
	Attest

**POLICE  
REPORTS**

**TOWN OF JOHNSTOWN POLICE DEPARTMENT**

**Information 3.2% Beer or Liquor Application**

- Name and address of Applicant} J & M Post Veterans Club  
PO Box 729  
Johnstown, CO 80534
1. Trade Name and Address} J & M Post Club  
104 S.E. 1<sup>st</sup> Place  
Johnstown, CO 80534
2. Date of Application } 09-29-2016
3. Type of Application: Club Liquor License
4. Documents Accompanying Application  
A. Local and State License Fees} Submitted with application  
B. Evidence of Correct Zoning} CBD  
C. Building Plans and or Sketch of Interior} N/A  
D. Distance from School as per State} N/A  
E. Deed or Lease or Assignment of Lease or Ownership} owned
5. Evidence of Public Notice  
A. Posting of Premises} N/A  
B. Legal Publication } N/A
6. Investigation: Police Department Case#}  
A. Applicant has made application for renewal of their Club Liquor License  
B. J & M Post Club has operated legally during its last license period.  
C. Cooperation with law enforcement has been good.
8. Findings of fact:  
A. J & M Post Club presently holds license 14-09549-0000 that expires December 31, 2016  
B. The required fees were submitted.  
C. It is my recommendation that the renewal be approved.

  
\_\_\_\_\_  
CHIEF OF POLICE

10/19/16  
\_\_\_\_\_  
DATE

**JOHNSTOWN POLICE DEPT.  
LIQUOR LICENSE RENEWAL INFORMATION SHEET**

APPLICANT: **J & M Post Veterans Club**

ADDRESS: **104 SE 1<sup>st</sup> Place Johnstown**

TYPE LICENSE: **Club License**

POLICE CALLS FOR SERVICE AT THIS LOCATION: **0**

LIQUOR VIOLATIONS AT THIS LOCATION: **0**

ARRESTS DUE TO ALCOHOL AT THIS LOCATION: **0**

JPD RECOMMENDATION FOR RENEWAL: YES XXX NO \_\_\_\_\_

REPORTING OFFICER:



DATE: **10/19/16**

ADDITIONAL INFORMATION: **4 EMPLOYEES ATTENDED LAST MONTH'S  
TRAINING.**



**AGENDA ITEM 9B**

**HOTEL  
RESTAURANT  
LIQUOR LICENSE  
RENEWAL  
(Ajuua Mexican Restaurant)**

**TOWN COUNCIL AGENDA COMMUNICATION**

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**AGENDA DATE:** November 7, 2016

**ITEM NUMBER:** 9B

**SUBJECT:** Consider Hotel and Restaurant Liquor License Renewal for Ajuua Mexican Restaurant

**ACTION PROPOSED:** Approve Hotel and Restaurant Liquor License

**PRESENTED BY:** Town Clerk

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**AGENDA ITEM DESCRIPTION:** Mr. Liberato Garcia, Managing Partner, has submitted a renewal application to the Town Clerk for a hotel and restaurant liquor license (malt, vinous and spirituous) for the Ajuua Mexican Restaurant located at 257 Johnstown Drive Unit 104, Johnstown. The required fees have been submitted to the Town. According to the Johnstown Police Department, the establishment has cooperated with law enforcement officials and there have been no violations of the liquor code during the last licensing period.

The Town Council acts as the Local Licensing Authority and is responsible for reviewing and issuing liquor licenses.

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**LEGAL ADVICE:** N/A

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**FINANCIAL ADVICE:** N/A

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**RECOMMENDED ACTION:** Approve the hotel and restaurant liquor license renewal

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**SUGGESTED MOTIONS:**

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**For Approval:** I move to approve the hotel and restaurant liquor license renewal for Ajuua Mexican Restaurant.

**For Denial:** I move to deny approval of the hotel and restaurant liquor license renewal for Ajuua Mexican Restaurant.

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**Reviewed:**

  
Town Manager

**RENEWAL  
APPLICATION**

## RETAIL LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

Fees Due	
Renewal Fee	\$500.00
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
<b>Amount Due/Paid</b>	<b>\$ 500.00</b>

AJUUA MEXICAN RESTAURANT  
 257 JOHNSTOWN DR UNIT 104  
 JOHNSTOWN CO 80534

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

**PLEASE VERIFY & UPDATE ALL INFORMATION BELOW**

Licensee Name <b>AJUUA JUNIOR LLC</b>		DBA <b>AJUUA MEXICAN RESTAURANT</b>		
Liquor License # <b>35316990000</b>	License Type <b>Hotel &amp; Restaurant (city)</b>	Sales Tax License # <b>35316990000</b>	Expiration Date <b>12/08/2016</b>	Due Date <b>10/24/2016</b>
Operating Manager <i>Liberato Garcia</i>	Date of Birth <b>3-23-1949</b>	Home Address <i>221 Garfield LN Erie Co 80516</i>		
Manager Phone Number <b>970-587-2909</b>	Email Address <i>Do NOT have an e-mail address</i>			
Street Address <b>257 JOHNSTOWN DR UNIT 104 JOHNSTOWN CO 80534</b>				Phone Number <del>7200870552</del> <b>303-579-6845</b>
Mailing Address <b>257 JOHNSTOWN DR UNIT 104 JOHNSTOWN CO 80534</b>				

1. Do you have legal possession of the premises at the street address above?  YES  NO  
 Is the premises owned or rented?  Owned  Rented\* \*If rented, expiration date of lease \_\_\_\_\_
158. Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested.  YES  NO  
**NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS:** If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
3. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation.  YES  NO
4. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation.  
 YES  NO
5. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation.  YES  NO

**AFFIRMATION & CONSENT**

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business <i>Liberato Garcia</i>	Title <i>Manager</i>
Signature <i>[Signature]</i>	Date <i>10/7/16</i>

**REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY**

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. THEREFORE THIS APPLICATION IS APPROVED.

Local Licensing Authority For	Date
Signature	Title
	Attest

**Attachment to DR 8400**

Establishment - Ajuua Junior LLC - Ajuua Mexican Restaurant

License Number - 35-31699

**Question 5**

Owner is also a shareholder in the following restaurants in Colorado which have liquor licenses:

- LG, RG & SG Inc - 14150 East Iliff Ave, Aurora, CO 80014
- Garcia's of Niwot Inc - 7960 Niwot Rd, Unit D-11, Niwot, CO 80503

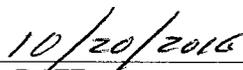
**POLICE  
REPORTS**

**TOWN OF JOHNSTOWN POLICE DEPARTMENT**

**Information 3.2% Beer or Liquor Application**

- Name and address of Applicant} Liberato R. Garcia  
221 Garfield Lane  
Eric, CO 80516
1. Trade Name and Address} AJUUA Mexican Restaurant  
257 Johnstown Center Drive Unit 104  
Johnstown, CO 80534
2. Date of Application: 10-7-2016
3. Type of Application: Hotel & Restaurant
4. Documents Accompanying Application  
A. Local and State License Fees} Submitted with application  
B. Evidence of Correct Zoning} CBD  
C. Building Plans and or Sketch of Interior} N/A  
D. Distance from School as per State} N/A  
E. Deed or Lease or Assignment of Lease or Ownership} Rented
5. Evidence of Public Notice  
A. Posting of Premises} N/A  
B. Legal Publication } N/A
6. Investigation: Police Department Case#}  
A. Applicant has made application for renewal of their Hotel & Restaurant License  
B. AJUUA Mexican Restaurant has operated legally during its last license period.  
C. Cooperation with law enforcement has been good.
8. Findings of fact:  
A. AJUUA Mexican Restaurant presently holds license 35316990000 that expires 12-8-2016  
B. The required fees were submitted.  
C. It is my recommendation that the renewal be approved.

  
\_\_\_\_\_  
CHIEF OF POLICE

  
\_\_\_\_\_  
DATE

**JOHNSTOWN POLICE DEPT.  
LIQUOR LICENSE RENEWAL INFORMATION SHEET**

APPLICANT: **AJUUA JUNIOR LLC**

ADDRESS: **257 Johnstown Center Drive Unit 104**

TYPE LICENSE: **Hotel & Restaurant**

POLICE CALLS FOR SERVICE AT THIS LOCATION: *0*

LIQUOR VIOLATIONS AT THIS LOCATION: *0*

ARRESTS DUE TO ALCOHOL AT THIS LOCATION: *0*

JPD RECOMMENDATION FOR RENEWAL: YES XXX NO \_\_\_\_\_

REPORTING OFFICER: *B. [Signature]*

DATE: *10/20/2016*

ADDITIONAL INFORMATION: *1 EMPLOYEE ATTENDED TRAINING*



**AGENDA ITEM 9C**

**CHANGE  
OF  
OWNERSHIP  
(Johnstown Liquor)  
(\*Public Hearing)**

\*PUBLIC HEARING PROCEDURE – Change of Ownership of Johnstown Liquor, Inc.

Relevant inquiry: Moral Character of the Applicant.

See attached Liquor Regulation 47-301 containing a non-exclusive list of items a liquor licensing authority may consider in determining character.

Limiting evidence: The licensing authority may limit the presentation of evidence and cross-examination so as to prevent repetitive or cumulative evidence or cross-examination. C.R.S. § 12-47-311(5)(c).

1. Open public hearing.
2. Receive information from staff.
3. Receive information from applicant.

*(The applicant is represented by counsel. The applicant's counsel may elicit testimony from the applicant. The applicant may call other character witnesses.)*

4. Receive information from “parties in interest.” Parties in interest may also cross-examine the applicant.

*(“Parties in interest” include: (1) adult residents of the designated neighborhood, (2) the owner or manager of any business located within the designated neighborhood, and (3) the representative of any school within 500 feet of the proposed license. In addition, the representative of any organized neighborhood group within the designated neighborhood may present evidence, but may not cross-examine witnesses.)*

5. Additional questions from Council, if any. *(Council may ask questions at any time until the hearing is closed.)*
6. Close the public hearing. *(No more questions from Council.)*
7. Discussion and deliberation among Council.
8. Make a decision and/or motion from Council.

SUGGESTED MOTIONS

For Approval:

I move to approve the change of ownership of Johnstown Liquor, Inc. for liquor licensing purposes and allow Mr. Arnold Martinez to hold the privileges associated with Liquor License No. 14-72739-0000.

For Denial:

I move to deny approval of the change of ownership of Johnstown Liquor, Inc. to Mr. Arnold Martinez.

**Regulation 47-309. Sports and Entertainment Venues.**

- A. This regulation shall apply to licensees at facilities owned by a municipality, county, or special district, or at publicly or privately owned sports and entertainment venue with a minimum seating capacity of one thousand five hundred (1,500) seats.
- B. Licensees authorized to sell alcohol beverages in these venues may sell or provide alcohol beverages in sealed containers to adult occupants of areas within the licensed premises that have limited public access.
- C. Licensees are otherwise responsible for any violations of the Colorado Liquor Code within such limited public access areas and shall not prevent inspection of the premises by any law enforcement official.
- D. The licensee shall not allow any person to bring alcohol beverages onto the licensed premises that were not purchased from the licensee, or allow any person to leave the licensed premises with a container of alcohol beverage that was purchased from the licensee.

**Regulation 47-310. Application - General Provisions.**

- A. All applications for state licenses for the manufacture or sale of alcohol beverages shall be made upon forms prescribed by the Department of Revenue, Liquor Enforcement Division. No application will be considered which is not complete in every material detail, nor which is not accompanied by a remittance in full for the whole amount of the annual state license fee, and eighty five percent of the local license fee. Each application for a new retail license shall contain a report of the local licensing authority of the town, city, county, or city and county, in which the applicant proposes to conduct its business, which report shall show the opinion of the local licensing authority concerning the reasonable requirements of the neighborhood and the desires of the adult inhabitants with respect to the issuance of the license applied for and the character of a new applicant.
- B. If the applicant for a license is a partnership, except as between a husband and wife, it shall submit with the application a certificate of co-partnership.
- C. Upon request of any licensing authority, each applicant for license shall provide suitable additional evidence of its citizenship, residence, and good character and reputation, and also of the reasonable requirements of the neighborhood and the desires of the adult inhabitants. Applicants and licensees shall also submit upon request of any licensing authority all required information concerning financial and management associations and interests of other persons in the business, and the deed, lease, contract, or other document governing the terms and conditions of occupancy of the premises licensed or proposed to be licensed.
- D. All information submitted to any licensing authority, by application for license or otherwise, shall be given fully, faithfully, truthfully and fairly.
- E. When a licensing authority is required to make a determination as to the character, record and reputation of existing licensees or applicants for new licenses, including transfers of ownership of existing licenses, the authority may consider the following factors, which may include but not be limited to the following:
  - 1. Subject to 24-5-101, C.R.S., the applicant or licensee has knowingly submitted false applications, made willful misrepresentations and/or knowingly committed fraudulent acts;
  - 2. The applicant or licensee has a criminal history of crimes of moral turpitude. By way of example, crimes of moral turpitude shall include but not be limited to, murder, burglary, robbery, arson, kidnapping, sexual assault, illegal drugs or narcotics convictions;
  - 3. The applicant or licensee has had previous alcohol beverage licenses denied or revoked as a result of violations of law, resulting in a finding of bad moral character by any licensing authority;

4. The applicant or licensee has been found to be currently delinquent in the payment of any state or local taxes, and record of such tax delinquency has been filed in a court having jurisdiction, or has been made a public record by some other lawful means;
  5. The applicant or licensee has an established pattern of multiple statutory violations which resulted in the revocation or denial of any other professional license, leading to the finding of bad moral character by any licensing authority.
- F. Pursuant to 24-5-101, C.R.S., when making a determination as to the character, record or reputation of a licensee or applicant as required by title 12, articles 46, 47 and 48, the licensing authority shall also consider evidence of rehabilitation. Such evidence may include, but not be limited to, evidence of no criminal history record information, educational achievements, financial solvency, community standing, lack of additional arrests or convictions, or the lack of parole or probation violations since the date of last conviction.
- G. When considering whether the applicant for a special event permit is of good moral character and record, the state or local licensing authority shall determine, at a minimum, whether the applicant failed to conduct past special events in compliance with applicable liquor laws. Officers of the organization or of a political candidate making application shall not be required to submit individual history applications and fingerprint cards unless the state or local licensing authority determines that such information is necessary to establish the good moral character of the applicant.

#### **Regulation 47-312. Change of Location.**

- A. When a licensee for the manufacture or sale of alcohol beverages desires to change the location of its licensed premises from that named in an existing license, it shall make application to the applicable licensing authorities for permission to change location to the place where such license is to be exercised, except that an application for change of location shall not be required for the demolition and reconstruction of the building in which the original licensed premises was located.
- B. Applications to change location shall be made upon forms prepared by the state licensing authority and shall be complete in every detail. Each such application shall state the reason for such change, and in case of a retail license, shall be supported by evidence that the proposed change will not conflict with the desires of the adult inhabitants and the reasonable requirements of the neighborhood in the vicinity of the new location. An application to change the location of a retail license shall contain a report of the local licensing authority of the town, city, county, or city and county in which the license is to be exercised. Such report shall describe the findings of the local licensing authority concerning the reasonable requirements of the neighborhood and the desires of the adult inhabitants with respect to the new location, except that in the change of location for a club license, the needs of the neighborhood need not be considered. When a licensee is required by lease, lease renewal, condemnation, or reconstruction to move its licensed premises to a new address that is located within the same shopping center, campus, fairground, or similar retail center, the local or state licensing authority may, at its discretion, waive the neighborhood needs and desires assessment requirements should it determine that the new location remains within the same neighborhood as the old location.
- C. For retail licenses, no change of location shall be permitted until the state licensing authority has, after approval of the local licensing authority, considered the application and such additional information as they may require, and approved of such change. The licensee shall, within sixty (60) days of approval, change the location of its licensed premises to the place specified therein. Once at the new location, the licensee shall no longer conduct the manufacture or sale of alcohol beverages at the former location. A local licensing authority may, at its discretion, extend the time to change the location of the licensed premises, for good cause shown. However, no extension that is beyond twelve (12) months from the original date of approval shall be granted.
- D. For those licensees not subject to approval by the local licensing authority, no change of location shall be permitted until the state licensing authority has considered the application and such additional information as it may require, and approved of such change. The licensee shall, within sixty (60) days of approval, change the location of its

## TOWN COUNCIL AGENDA COMMUNICATION

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**AGENDA DATE:** November 7, 2016

**ITEM NUMBER:** 9C

**SUBJECT: \*Public Hearing:** Report of Change of Ownership of Johnstown Liquor, Inc.

**ACTION PROPOSED:** Consider Report of Change of Ownership of Johnstown Liquor, Inc.

**PRESENTED BY:** Town Attorney, Town Clerk and Chief of Police

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**AGENDA ITEM DESCRIPTION:** Johnstown Liquor, Inc. (the "Licensee") holds Liquor License No. 14-72739-0000. Benjamin Fisher is the sole officer of the Licensee and the only person authorized to exercise the privileges associated with the Liquor License. Based on a series of alleged violations of the Colorado liquor code and rules, the Department of Revenue commenced an investigation of Ben Fisher. The alleged violations also implicate Alan Hershey, the prior holder of the license who is currently in jail, and Renee Molinar, his girlfriend. Alan Hershey's uncle, Robert Hershey, owns the building where the liquor store is located.

On or about July 25, 2016, the Department of Revenue entered into a Stipulation, Agreement and Final Agency Order ("Stipulation") with Mr. Fisher. The Stipulation required that, within 60 days, Mr. Fisher either surrender the Liquor License or "initiate a transfer of retail liquor store license 14-72739-0000 to a third party, completely and wholly independent of Licensee, Fisher, Molinar, Hershey, and who otherwise meets the approval of the state and local licensing authorities."

Within the 60 day period, Ben Fisher entered into a stock purchase agreement with Arnold Martinez, transferring 100% of the stock of Johnstown Liquor, Inc. on the condition that the local licensing authority approve the transfer of the rights associated with the liquor license to Mr. Martinez and approve a change of location of the premises (the application for a change of location is a separately-scheduled agenda item). The Department of Revenue advised that the transfer of the stock ownership to Mr. Martinez satisfied the provision of the Stipulation requiring the Licensee to "initiate a transfer of retail liquor store ... to a third party, completely and wholly independent of Licensee."

Per the Stipulation and the liquor code, Mr. Martinez must "meet the approval of the state and local licensing authorities" to hold the privileges associated with the liquor license. The license fees have been paid and the hearing was properly noticed. The remaining inquiry is whether Mr. Martinez is of "good moral character" to hold the liquor license.

C.R.S. § 12-47-307(1)(a)(II) provides that no liquor license shall be issued to or held by "any person who is not of good moral character."

Subsection (3)(a) provides that the local licensing authority shall have access to an applicant's criminal history and, if the licensing authority takes into consideration information concerning the applicant's criminal history record, "the local licensing authority shall also consider any information provided by the applicant regarding such criminal history record, including but not limited to evidence of rehabilitation, character references, and educational achievements, especially those items pertaining to the period of time between the applicant's last criminal conviction and the consideration of the application for a license." C.R.S. § 12-47-307(3)(a).

C.R.S. § 12-47-307(1)(b)(I) further provides that, in making a determination as to character or when considering the conviction of a crime, a licensing authority shall be governed by the provisions of C.R.S. § 24-5-101. In turn, C.R.S. § 24-5-101 provides that:

Whenever any . . . local agency is required to make a finding that an applicant for a license . . . is a person of good moral character as a condition to the issuance thereof, the fact that such applicant has, at some time prior thereto, been convicted of a felony or other offense involving moral turpitude, and pertinent circumstances connected with such conviction, shall be given consideration in determining whether, in fact, the applicant is a person of good moral character at the time of the application. The intent of this section is to expand employment opportunities for persons who, notwithstanding that fact of conviction of an offense, have been rehabilitated and are ready to accept the responsibilities of a law-abiding and productive member of society.

In short then, the local licensing authority may consider an applicant's past criminal convictions, but must also consider the pertinent circumstances of the conviction with a general presumption of expanding employment opportunities for individuals who have been rehabilitated.

The Town Council acts as the local licensing authority and is responsible for reviewing and issuing liquor licenses, for determining the moral character of an applicant and for permitting a transfer of ownership of the liquor license.

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**LEGAL ADVICE:** N/A

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**FINANCIAL ADVICE:** N/A

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**RECOMMENDED ACTION:** Consider Report of Change of Ownership of Johnstown Liquor, Inc.

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**SUGGESTED MOTION:**

**For Approval:** I move to approve the change of ownership of Johnstown Liquor, Inc. for liquor licensing purposes and allow Mr. Arnold Martinez to hold the privileges associated with Liquor License No. 14-72739-0000.

**For Denial:** I move to deny approval of the change of ownership of Johnstown Liquor, Inc. to Mr. Arnold Martinez.

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**Reviewed:**

  
Town Manager

**APPLICATION  
CHANGE OF OWNERSHIP**

**CORPORATION, LIMITED LIABILITY  
 COMPANY AND PARTNERSHIP  
 Liquor and 3.2 Beer Licenses**

(2355)  LLC/PARTNERSHIP  
 (2350)  CORPORATION

SEE INSTRUCTIONS AND  
 FEE SCHEDULE ON PAGE 2

1. Corporate/L.L.C./Partnership Name Johnstown Liquor, Inc.		2. State Tax Account Number 2680 2931-0000		3. State Liquor License Number 14727390000	
4. Trade Name Johnstown Liquors		5. Telephone Number 970-587-2929			
6. Address of Licensed Premises 21 S. Parish Ave.		City Johnstown		State ZIP Code CO 80534	
7. Mailing Address if different than above		City		State ZIP Code	

**8. LIST ALL officers, directors (corporation) or Managing Members (L.L.C.) or General Partner(s). Each Officer, Director, Managing Member or Partner MUST FILL OUT a DR 8404-I (Individual History Record).**

Position Held	Names	Home Address	DOB	Replaces
Pres.	Arnold Martinez	1325 42nd Ave. Greeley CO 80634	11/11/57	Benjamin Fisher
Secy.				
Treas.				
Director				

**9. LIST ALL 10% (or more) Stockholders or 10% (or more) Members or 10% (or more) Limited Partners. Each person listed Must Fill out a DR 8404-I (Individual History Record)**

Stockholders/Members/Partners owning 10% (or more) of business	% Owned	Home Address	DOB	Replaces
Arnold Martinez	100%	1325 42nd Ave Greeley CO 80634	11/11/57	Benjamin Fisher

10. Registered Agent Arnold Martinez	Address For Service 21 S Parish Ave Johnstown CO 80634
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**OATH OF APPLICANT**  
*I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge.*

11. Authorized Signature <i>Arnold Martinez</i>	Title President	Date 9/20/2016
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**REPORT OF LOCAL LICENSING AUTHORITY**  
 The foregoing changes have been received and examined by the Local Licensing Authority.

12. Local Licensing Authority For  County  Town/City

Signature	Title	Date
Attest		Date

**DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY**

LIABILITY INFORMATION			
License Account Number	Period	Cash Fund	TOTAL
		-100 (999)	

**INDIVIDUAL HISTORY RECORD**  
**MR. ARNOLD MARTINEZ**

## Individual History Record

To be completed by the following persons, as applicable: sole proprietors; general partners regardless of percentage ownership, and limited partners owning 10% or more of the partnership; all principal officers of a corporation, all directors of a corporation, and any stockholder of a corporation owning 10% or more of the outstanding stock; managing members or officers of a limited liability company, and members owning 10% or more of the company; and any intended registered manager of Hotel and Restaurant, Tavern and Lodging and Entertainment class of retail license

**Notice:** This individual history record requires information that is necessary for the licensing investigation or inquiry. All questions must be answered in their entirety or the license application may be delayed or denied. If a question is not applicable, please indicate so by "N/A". **Any deliberate misrepresentation or material omission may jeopardize the license application.** (Please attach a separate sheet if necessary to enable you to answer questions completely)

1. Name of Business Johnstown Liquor, Inc.	Home Phone Number (970) 302-4050	Cellular Number (970) 302-4050
2. Your Full Name (last, first, middle) Martinez Arnold Larry	3. List any other names you have used N/A	
4. Mailing address (if different from residence)	Email Address	

5. List current residence address. Include any previous addresses within the last five years. (Attach separate sheet if necessary)

Street and Number	City, State, Zip	From	To
Current 1325 42nd Ave.	Greeley CO 80634	03/01/15	<i>Pres.</i>
Previous 2220 Mountain Lane	Greeley CO 80634	07/01/92	03/01/15

6. List all employment within the last five years. Include any self-employment. (Attach separate sheet if necessary)

Name of Employer or Business	Address (Street, Number, City, State, Zip)	Position Held	From	To
Gordons Liquor Mart	2521 11th Ave Greeley CO 80634	Manager	06/01/07	09/17/16

7. List the name(s) of relatives working in or holding a financial interest in the Colorado alcohol beverage industry.

Name of Relative	Relationship to You	Position Held	Name of Licensee
Teresa Martinez	Wife	Owner, President	Gordons Liquor Mart Greeley
Brandon Martinez	Son	Onsite Manager	Gordons Liquor Mart Greeley

8. Have you ever applied for, held, or had an interest in a Colorado Liquor or Beer License, or loaned money, furniture, fixtures, equipment or inventory to any licensee? (If yes, answer in detail.)  Yes  No

Previous Part owner of Gordons Liquor Mart 6/2007 to 2008  
 Previous Onsite Manager Gordons Liquor Mart 6/2007 to 09/17/2016

9. Have you ever received a violation notice, suspension, or revocation for a liquor law violation, or have you applied for or been denied a liquor or beer license anywhere in the United States? (If yes, explain in detail.)  Yes  No

10. Have you ever been convicted of a crime or received a suspended sentence, deferred sentence, or forfeited bail for any offense in criminal or military court or do you have any charges pending? (If yes, explain in detail.)  Yes  No

Plead Guilty to 2nd Degree Felony Assault April 1979, Weld County CO, 6 month work release sentence and 5 years probation completed, and released from probation early

11. Are you currently under probation (supervised or unsupervised), parole, or completing the requirements of a deferred sentence? (If yes, explain in detail.)  Yes  No

12. Have you ever had any professional license suspended, revoked, or denied? (If yes, explain in detail.)  Yes  No

**Personal and Financial Information**

Unless otherwise provided by law, the personal information required in question #13 will be treated as confidential. The personal information required in question #13 is solely for identification purposes.

a. Date of Birth	b. Social Security Number	c. Place of Birth	d. U.S. Citizen
		Alamosa CO	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
e. If Naturalized, state where		f. When	g. Name of District Court
h. Naturalization Certificate Number		i. Date of Certification	j. If an Alien, Give Alien's Registration Card Number
k. Permanent Residence Card Number			
l. Height	m. Weight	n. Hair Color	o. Eye Color
5'9"	220 lb	brown	brown
p. Gender	q. Race	r. Do you have a current Driver's License/ID? If so, give number and state.	
M	H	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No # _____ State Colorado	

14. Financial Information. Up to a total of \$542,500.00 including Gift up to \$60,000  
 a. Total purchase price or investment being made by the applying entity, corporation, partnership, limited liability company, other. \$ initial \$10,000 plus approximate \$482,500 due to Seller upon approval of Stock transfer

b. List the total amount of the personal investment, made by the person listed on question #2, in this business including any notes, loans, cash, services or equipment, operating capital, stock purchases or fees paid up to \$542,500.  
 \* If corporate investment only please skip to and complete section (d)  
 \*\* Section b should reflect the total of sections c and e

c. Provide details of the personal investment described in 14b. You must account for all of the sources of this investment. (Attach a separate sheet if needed)

Type: Cash, Services or Equipment	Account Type	Bank Name	Amount
Cash	Checking	Chase	\$10,000.00
Cash/Gift from Teresa Martinez	Checking	Cache Bank	up to \$60,000.00

d. Provide details of the corporate investment described in 14 (a). You must account for all of the sources of this investment. (Attach a separate sheet if needed)

Type: Cash, Services or Equipment	Loans	Account Type	Bank Name	Amount

e. Loan Information (Attach copies of all notes or loans)

Name of Lender	Address	Term	Security	Amount
Benjamin Fisher		approx. 9 mo.*	UnSecured	\$482,500.00*
*Unsecured Promissory Note and	Stock Purchase Agreement			
are attached to this Application	additional payments are			
contingent upon approval of State and	Local Liquor Licensing			

**Oath of Applicant**

I declare under penalty of perjury that this application and all attachments are true, correct, and complete to the best of my knowledge.

Authorized Signature <i>Arnold Martinez</i>	Print Signature Arnold Martinez	Title President	Date 09/20/16
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**PERMIT APPLICATION  
MANAGER REGISTRATION**

## Permit Application and Report of Changes

**Current License Number** 14727390000

**All Answers Must Be Printed in Black Ink or Typewritten**

**Local License Fee \$** \_\_\_\_\_

1. Applicant is a <input checked="" type="checkbox"/> Corporation ..... <input type="checkbox"/> Individual <input type="checkbox"/> Partnership ..... <input type="checkbox"/> Limited Liability Company		Present License Number  14727390000
2. Name of Licensee Johnstown Liquor, Inc.		3. Trade Name Johnstown Liquor
4. Location Address 21 S Parish Ave.		
City Johnstown	County Weld	ZIP 80634

**SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.**

Section A – Manager reg/change	Section C
<ul style="list-style-type: none"> <li>• License Account No. _____</li> <li><input checked="" type="checkbox"/> Manager's Registration (Hotel &amp; Restr.) ..... \$75.00</li> <li><input type="checkbox"/> Manager's Registration (Tavern) ..... \$75.00</li> <li><input type="checkbox"/> Manager's Registration (Lodging &amp; Entertainment) ..... \$75.00</li> <li><input type="checkbox"/> Change of Manager (Other Licenses pursuant to section 12-47-301(8), C.R.S.) NO FEE</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Retail Warehouse Storage Permit (ea) ..... \$100.00</li> <li><input type="checkbox"/> Wholesale Branch House Permit (ea) ..... 100.00</li> <li><input type="checkbox"/> Change Corp. or Trade Name Permit (ea) ..... 50.00</li> <li><input type="checkbox"/> Change Location Permit (ea) ..... 150.00</li> <li><input type="checkbox"/> Change, Alter or Modify Premises \$150.00 x _____ Total Fee _____</li> <li><input type="checkbox"/> Addition of Optional Premises to Existing H/R \$100.00 x _____ Total Fee _____</li> <li><input type="checkbox"/> Addition of Related Facility to Resort Complex \$75.00 x _____ Total Fee _____</li> </ul>
Section B – Duplicate License	
<ul style="list-style-type: none"> <li>• Liquor License No. _____</li> <li><input type="checkbox"/> Duplicate License ..... \$50.00</li> </ul>	

**Do Not Write in This Space – For Department of Revenue Use Only**

Date License Issued	License Account Number	Period

The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.

<b>TOTAL AMOUNT DUE</b>	\$	.00
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<b>Change of Manager</b>	<p><b>8. Change of Manager or to Register the Manager</b> of a Tavern, Hotel and Restaurant, Lodging &amp; Entertainment liquor license or licenses pursuant to section 12-47-301(8).</p> <p>(a) Change of Manager (attach Individual History DR 8404-I H/R, Tavern and Lodging &amp; Entertainment only)                  Former manager's name <u>Don Fisher</u>                  New manager's name <u>Arnold martinez</u></p> <p>(b) Date of Employment <u>09/20/16</u>                  Has manager ever managed a liquor licensed establishment?..... Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>                  Does manager have a financial interest in any other liquor licensed establishment?..... Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>                  If yes, give name and location of establishment <u>Former manager and part owner Gordons Liquor Mart Greeley</u></p>
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<b>Modify Premises or Addition of Optional Premises or Related Facility</b>	<p><b>9. Modification of Premises, Addition of an Optional Premises, or Addition of Related Facility</b></p> <p><b>NOTE:</b> Licensees may not modify or add to their licensed premises until approved by state and local authorities.</p> <p>(a) Describe change proposed _____                  _____</p> <p>(b) If the modification is temporary, when will the proposed change:                  Start _____ (mo/day/year) End _____ (mo/day/year)</p> <p><b>NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00</b></p> <p>(c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?                  (If yes, explain in detail and describe any exemptions that apply) ..... Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>(d) Is the proposed change in compliance with local building and zoning laws? ..... Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>(e) If this modification is for an additional Hotel and Restaurant Optional Premises or Resort Complex Related Facility, has the local authority authorized by resolution or ordinance the issuance of optional premises?                  ..... Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>(f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises.</p> <p>(g) Attach any existing lease that is revised due to the modification.</p>
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**Oath of Applicant**

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge

Signature <u>Arnold Martinez</u>	Title President	Date 09/20/16
-------------------------------------	--------------------	------------------

**Report and Approval of LOCAL Licensing Authority (CITY / COUNTY)**

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the applicable provisions of Title 12, Articles 46 and 47, C.R.S., as amended. **Therefore, This Application is Approved.**

Local Licensing Authority (City or County)	Date filed with Local Authority
--	---------------------------------

Signature	Title	Date
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**Report of STATE Licensing Authority**

The foregoing has been examined and complies with the filing requirements of Title 12, Article 47, C.R.S., as amended.

Signature	Title	Date
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**STIPULATION FROM  
DEPARTMENT OF REVENUE**

**BEFORE THE EXECUTIVE DIRECTOR, DEPARTMENT OF  
REVENUE  
STATE OF COLORADO**

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**STIPULATION, AGREEMENT, AND FINAL AGENCY ORDER**

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**IN THE MATTER OF:**

**JOHNSTOWN LIQUOR, INC.  
D/B/A JOHNSTOWN LIQUOR  
21 SOUTH PARISH AVENUE  
JOHNSTOWN, COLORADO 80534**

**LICENSE NO. 14-72739-0000**

---

The Colorado Department of Revenue, Liquor Enforcement Division ("Division") and Johnstown Liquor, Inc. d/b/a Johnstown Liquor ("Licensee"), having consulted with their respective counsel, stipulate and agree as follows:

1. Licensee has been the subject of an investigation conducted by the Division. Agents of the Division allege violations of the Colorado Liquor Code (Article 47 of Title 12, Colorado Revised Statutes) and the Colorado Liquor Rules (1 C.C.R. 203-2) including violations of §§ 12-47-301, 307(1)(a), 407(2), 901(1)(h)(I), C.R.S., and Regulation 47-310(D), and Regulation 47-408, 1 C.C.R. 203-2.

**IT IS ALLEGED THAT:**

- A. Benjamin O. Fisher ("Fisher"), the sole officer of Licensee and only person associated with this license permitted Renee Molinar ("Molinar") and/or Alan Timothy Hershey ("Hershey") to exercise the privileges of the license in violation of § 12-47-301(3)(a), C.R.S. and that the true owner of Licensee is not Fisher but Hershey and/or Molinar.
- B. Licensee failed to report to the State Licensing Authority a transfer or change of financial interest in the license representing Hershey and/or Molinar's ownership interest in Licensee to the state and local licensing authorities in violation of § 12-47-310(7), C.R.S.
- C. Licensee transferred ownership of the license to Hershey and/or Molinar in violation of § 12-47-303, C.R.S.

- D. Fisher, Molinar, and Hershey each are not of good moral character or satisfactory character, record, or reputation to the State Licensing Authority to hold a license pursuant to § 12-47-307(1)(a)(II), (V), and (VI), C.R.S.
- E. Licensee purchased alcohol beverages from persons not licensed to sell at wholesale in violation of § 12-47-901(5)(f), C.R.S. and Regulation 47-408, 1 C.C.R. 208-2.
- F. Fisher consumed malt, vinous, or spirituous liquor on the licensed premises in violation of § 12-47-901(1)(h)(I) and (III), C.R.S.
- G. Licensee failed to provide full and truthful information regarding ownership to the licensing authorities on its license application in violation of Regulation 47-810, 1 C.C.R. 208-2.
2. Licensee acknowledges receipt of sufficient notice, advisement of rights, and process of the proceedings and wishes to resolve all issues which were the subject of the investigation by entering into this Stipulation, Agreement, and Order ("Order").
3. The Division and Licensee have discussed the merits of the investigation and allegations, and they have come to a mutual agreement and understanding to jointly propose to the State Licensing Authority a resolution of the allegations in lieu of administrative proceedings including the issuance of an Order to Show Cause by the State Licensing Authority and conducting a hearing on the merits of the allegations.
4. The terms and conditions of this Order are subject to approval by the State Licensing Authority. It is the intent of the parties and the purpose of this Order to provide for settlement of all allegations set forth in Paragraph 1 without the necessity of formal administrative proceedings. This Order constitutes the entire agreement between the parties, and there are no other agreements or promises, written or oral, express or implied, that modify, interpret, construe, or affect this Order. This Order does not resolve any other cases, complaints, or matters, known or unknown to the parties, as of the effective date of this Order.
5. Licensee understands and acknowledges the following:
- a. Licensee has the right to be represented by an attorney of Licensee's choice, and Licensee is so represented in this matter;
  - b. Licensee has the right to a formal disciplinary hearing pursuant to section 12-47-601, C.R.S.;

- c. By entering into this Order, Licensee is knowingly and voluntarily giving up the right to a hearing, does not contest the facts contained in this Order, and relieves the Division of its burden of proving such facts;
- d. Licensee is knowingly and voluntarily giving up the right to present a defense by oral and documentary evidence and to cross-examine witnesses who would testify on behalf of the Division; and
- e. Licensee is knowingly and voluntarily waiving the right to seek judicial review of this Order.

6. Without any admission of wrongdoing by Licensee, in order to expediently resolve the allegations in Paragraph 1 without the necessity of further proceedings, Licensee and the Division desire to enter this Order.

7. To resolve the alleged violations of the Colorado Liquor Code and Rules, Licensee agrees to:

- a. Within sixty (60) days of the date of this Order, Licensee shall initiate a transfer of retail liquor store license 14-72739-0000 to a third-party, completely and wholly independent of Licensee, Fisher, Molinar, and Hershey, and who otherwise meets the approval of the state and local licensing authorities;
- b. If a transfer of retail liquor store license 14-72739-0000 has not commenced within sixty (60) days of the date of this Order, Licensee shall execute an Affidavit of Surrender of State Liquor License No. 42-72739-0000 within ten (10) days and Licensee's right to transfer the license shall terminate;
- c. Benjamin O. Fisher agrees that for a period of three (3) years from the date this Order is approved by the state licensing authority, neither Licensee nor Benjamin O. Fisher will create any financial interest, directly or indirectly, in any entity making application for a Colorado liquor license; and, that Benjamin O. Fisher will not assist in the control of operations related to any liquor-licensed establishment nor act as a registered manager of any liquor-licensed establishment; notwithstanding the above, this provision shall not prevent Mr. Fisher from acting as an employee of a liquor licensed establishment so long as such employment is not in a managerial position.

8. Licensee acknowledges that any violation of this Order shall constitute a violation of the Colorado Liquor Code subject to discipline pursuant to section 12-47-601, C.R.S. If the Division has reasonable grounds to believe that Licensee has violated this Order, the Division may seek issuance of a Show Cause Order against Licensee from the State Licensing Authority or pursue any other legal remedy available to the State Licensing Authority.

9. If the Division makes a satisfactory showing through future investigation or otherwise, that Licensee has engaged in a violation of this Order, this Order shall be admissible as evidence in future proceedings concerning any alleged violation of this Order. In the event an alleged violation of this Order is taken to hearing and the State Licensing Authority determines that the allegations are unproven, then the Division shall take no further action and this Order shall remain operative and in full force and effect.

10. During the pendency of any action arising out of this Order, the obligations herein shall be in full force and effect and shall not be tolled.

11. This Order and all its terms shall have the same force and effect as an order entered after a formal hearing pursuant to section 12-47-601, C.R.S., except that it may not be appealed. Failure to comply with the terms of this Order may be sanctioned by the State Licensing Authority as set forth in sections 12-47-103(9)(b) and 12-47-601, C.R.S.

12. Licensee agrees that this Order is intended for the sole purpose of settling the allegations herein without further administrative or court action, and nothing herein shall be used in any other proceeding, civil, criminal, or administrative, except that the Division may use this Order for the reasons and in the manner provided in this Order, or for the purpose of enforcing this Order.

13. Licensee acknowledges that the terms of this Order were mutually negotiated and agreed upon.

14. Licensee acknowledges that it understands the legal consequences of this Order, enters into this Order voluntarily, and agrees that no term or condition of this Order is unconscionable. In the event that any provision of this Order is deemed unenforceable by a court of competent jurisdiction, such provision shall be severed and the remainder of this Order shall be given full force and effect.

15. All of the costs and expenses incurred by Licensee to comply with this Order shall be the sole responsibility of the Licensee, and shall not in any way be the obligation of the Division.

16. This Order shall be effective on the date approved and ordered by the Executive Director of the Department of Revenue, as the State Licensing Authority.

17. Upon approval and order of the State Licensing Authority, this Order shall become a permanent part of the record, and shall be open to public inspection and published pursuant to the Division's standard policies and procedures or applicable law.

Patrick Maroney  
Patrick Maroney  
Director  
Colorado Liquor Enforcement Division

07-19-16  
Date

By: Ben Fisher  
Benjamin O. Fisher for  
Johnstown Liquor, Inc.

7-18-16  
Date

Approved as to form:

Lynda Atkins  
Lynda Atkins, #39363  
Assistant Attorney General  
Counsel for the Department of Revenue  
Liquor Enforcement Division

7/19/16  
Date

Douglas Richards  
Douglas Richards, # 42148  
Richards Carrington  
Attorney for Johnstown Liquor, Inc. and  
Benjamin O. Fisher

7/15/16  
Date

Approved and Ordered this 25<sup>th</sup> day of July, 2016

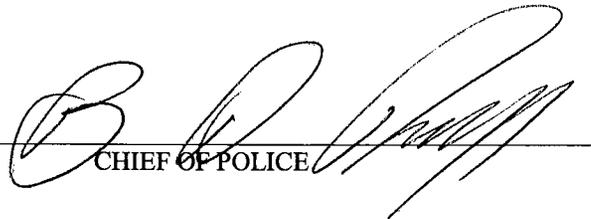
Barbara J. Brohl  
Barbara J. Brohl  
Executive Director  
Department of Revenue, State Licensing Authority

# **POLICE REPORT**

**TOWN OF JOHNSTOWN POLICE DEPARTMENT**

**Information 3.2% Beer or Liquor Application**

- Name and address of Applicant} Arnold Martinez  
1325 42<sup>nd</sup> Avenue  
Greeley, CO 80634
1. Trade Name and Address} Johnstown Liquor, Inc.  
21 S. Parish Avenue  
Johnstown, CO 80534
2. Date of Application: 09/20/2016
3. Type of Application: Retail Liquor Store
4. Documents Accompanying Application  
A. Local and State License Fees} Submitted with application  
B. Evidence of Correct Zoning} CBD  
C. Building Plans and or Sketch of Interior} N/A  
D. Distance from School as per State} N/A  
E. Deed or Lease or Assignment of Lease or Ownership} Lease
5. Evidence of Public Notice  
A. Posting of Premises} Posted October 27, 2016  
B. Legal Publication } Johnstown Breeze October 27, 2016
6. Investigation: Police Department Case#}  
A. Applicant has made application for a Change of Ownership .  
B. Background Investigation: Applicant submitted an Individual History Record and a background check was done.
8. Findings of fact:  
A. The required fees were submitted.  
B. It is my recommendation the Change of Ownership be approved.

  
\_\_\_\_\_  
CHIEF OF POLICE

10/27/16  
\_\_\_\_\_  
DATE



**AGENDA ITEM 9D**

**CHANGE OF LOCATION PERMIT  
AND  
TEMPORARY MODIFICATION OF  
PREMISES**

**(Johnstown Liquor)**

**(\*Public Hearing)**

**\*PUBLIC HEARING PROCEDURE – Change of Location and Temporary Modification of Premises for Johnstown Liquor, Inc.**

*Relevant inquiry for permanent change of location: Reasonable requirements of the neighborhood, the desires of the adult inhabitants of the neighborhood and the number, type and availability of alcoholic beverage outlets located in or near the neighborhood under consideration.*

1. Open public hearing.
2. Receive information from staff.
3. Receive information from applicant.
4. Receive information from “parties in interest.” Parties in interest may also cross-examine the applicant.

*(“Parties in interest” include: (1) adult residents of the designated neighborhood, (2) the owner or manager of any business located within the designated neighborhood, and (3) the representative of any school within 500 feet of the proposed license. In addition, the representative of any organized neighborhood group within the designated neighborhood may present evidence, but may not cross-examine witnesses.)*

5. Additional questions from Council, if any. *(Council may ask questions at any time until the hearing is closed.)*
6. Close the public hearing. *(No more questions from Council.)*
7. Discussion and deliberation among Council.
8. Make a decision and/or motion from Council.

**SUGGESTED MOTIONS**

*Application to Permanently Change Location of Premises:*

**For Approval:** I move to approve the Application for Change of Location Permit for Johnstown Liquor, Inc.

**For Denial:** I move to deny approval of the Application for Change of Location Permit for Johnstown Liquor, Inc.

*Application for a Temporary Modification of Premises:*

**For Approval:** I move to approve the Application for a Temporary Modification of Premises for Johnstown Liquor, Inc.

**For Denial:** I move to deny approval of the Application for a Temporary Modification of Premises for Johnstown Liquor, Inc.

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**TOWN COUNCIL AGENDA COMMUNICATION**

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**AGENDA DATE:** November 7, 2016

**ITEM NUMBER:** 9D

**SUBJECT: \*Public Hearing:** Change of Location Permit and Temporary Modification of Premises for Johnstown Liquor, Inc.

**ACTION PROPOSED:** Consider Application for Change of Location Permit and Application for Temporary Modification of Premises for Johnstown Liquor, Inc.

**PRESENTED BY:** Town Attorney, Town Clerk and Chief of Police

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**AGENDA ITEM DESCRIPTION:** Johnstown Liquor, Inc. holds Liquor License No. 14-72739-0000. Johnstown Liquor, Inc. submitted an application to permanently change the location of the premises from 21 S. Parish Avenue to 257 Johnstown Center Drive, Units 101, 102 & 103. Johnstown Liquor, Inc. also submitted an application for a temporary modification of premises during construction.

With respect to both applications, Johnstown Liquor, Inc. paid the required fees and notice was properly published and posted.

*Application to Permanently Change Location of Premises*

Town Council acts as the local licensing authority and, in determining whether to permit a change of location of the premises, is required to consider the reasonable requirements of the neighborhood, the desires of the adult inhabitants and the number, type and availability of alcoholic beverage outlets located in or near the neighborhood under consideration. C.R.S. § 12-47-312(2)(a). The applicant is also required to state the reason for the change. Liquor Regulation 47-312. The applicant has conducted a survey of the neighborhood and intends to present those results during the public hearing.

If approved, the lease for the new premises commences on December 1, 2016.

*Application for a Temporary Modification of Premises*

The owner of the current premises, Mr. Robert Hershey (uncle of Alan Hershey, a previous holder of the liquor license), desires to repair the building. The lease for the current premises terminates in May of 2017. The applicant desires to remove the liquor inventory during the construction.

The applicant applied to the Colorado Department of Revenue and received a Retail Warehouse Storage Permit to store the wine and distilled spirits during the construction. The state-issued permit does not authorize remote storage of malt beverages. To store the beer during the construction period, the applicant desires a temporary modification of the premises, for the period from November 8, 2016 to December 31, 2016, to place a storage shed on the north east corner of the building. The owner of the property upon which the storage shed would be placed consents to the temporary placement of the shed.

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**LEGAL ADVICE:** N/A

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**FINANCIAL ADVICE:** N/A

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**RECOMMENDED ACTION:** Consider Application for Change of Location Permit for Johnstown Liquor, Inc. and Application for Temporary Modification of Premises

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**SUGGESTED MOTIONS:**

*Application to Permanently Change Location of Premises*

**For Approval:** I move to approve the Application for Change of Location Permit for Johnstown Liquor, Inc.

**For Denial:** I move to deny approval of the Application for Change of Location Permit for Johnstown Liquor, Inc.

*Application for a Temporary Modification of Premises*

**For Approval:** I move to approve the Application for a Temporary Modification of Premises for Johnstown Liquor, Inc.

**For Denial:** I move to deny approval of the Application for a Temporary Modification of Premises for Johnstown Liquor, Inc.

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**Reviewed:**

  
**Town Manager**

**PERMIT APPLICATION  
CHANGE OF LOCATION**

FOR DEPARTMENT USE ONLY

## PERMIT APPLICATION AND REPORT OF CHANGES

**CURRENT LICENSE NUMBER** 14727390000  
**ALL ANSWERS MUST BE PRINTED IN BLACK INK OR TYPEWRITTEN**  
**LOCAL LICENSE FEE \$** \_\_\_\_\_  
**APPLICANT SHOULD OBTAIN A COLORADO LIQUOR & BEER CODE BOOK TO ORDER CALL (303) 370-2165**

1. Applicant is a		<b>PRESENT LICENSE NUMBER</b>
<input checked="" type="checkbox"/> Corporation ..... <input type="checkbox"/> Individual <input type="checkbox"/> Partnership..... <input type="checkbox"/> Limited Liability Company		14727390000
2. Name of Licensee Johnstown Liquor, Inc.	3. Trade Name Johnstown Liquor	
4. Location Address 21 S Parish Ave.		
City Johnstown	County Weld	ZIP 80534

**SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.**

**Section A – Manager reg/change**

**Section C**

- License Account No. \_\_\_\_\_
- 1983-750 (999)  Manager's Registration (Hotel & Restr.)...\$75.00
- 2012-750 (999)  Manager's Registration (Tavern).....\$75.00
- Change of Manager (Other Licenses) NO FEE

- 2210-100 (999)  Retail Warehouse Storage Permit (ea) \$100.00
- 2200-100 (999)  Wholesale Branch House Permit (ea).... 100.00
- 2260-100 (999)  Change Corp. or Trade Name Permit (ea) . 50.00
- 2230-100 (999)  Change Location Permit (ea)..... 150.00

**Section B – Duplicate License**

- Liquor License No. \_\_\_\_\_
- 2270-100 (999)  Duplicate License .....\$50.00

- 2280-100 (999)  Change, Alter or Modify Premises  
\$150.00 x \_\_\_\_\_ Total Fee \_\_\_\_\_
- 2220-100 (999)  Addition of Optional Premises to Existing H/R  
\$100.00 x \_\_\_\_\_ Total Fee \_\_\_\_\_
- 1988-100 (999)  Addition of Related Facility to Resort Complex  
\$75.00 x \_\_\_\_\_ Total Fee \_\_\_\_\_

**DO NOT WRITE IN THIS SPACE – FOR DEPARTMENT OF REVENUE USE ONLY**

DATE LICENSE ISSUED	LICENSE ACCOUNT NUMBER	PERIOD
-750 (999)	-100 (999)	The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.
<b>TOTAL AMOUNT DUE</b>		<b>\$ .00</b>

STORAGE PERMIT

**5. Retail Warehouse Storage Permit or a Wholesalers Branch House Permit**

- Retail Warehouse Permit for:
  - On-Premises Licensee (Taverns, Restaurants etc.)
  - Off-Premises Licensee (Liquor stores)
- Wholesalers Branch House Permit

Address of storage premise: \_\_\_\_\_

City \_\_\_\_\_, County \_\_\_\_\_, Zip \_\_\_\_\_

Attach a deed/ lease or rental agreement for the storage premises.  
 Attach a detailed diagram of the storage premises.

CHANGE TRADE NAME OR CORPORATE NAME

**6. Change of Trade Name or Corporation Name**

- Change of Trade name / DBA only
- Corporate Name Change (Attach the following supporting documents)
  1. Certificate of Amendment filed with the Secretary of State, or
  2. Statement of Change filed with the Secretary of State, and
  3. Minutes of Corporate meeting, Limited Liability Members meeting, Partnership agreement.

Old Trade Name	New Trade Name
Old Corporate Name	New Corporate Name

**7. Change of Location**

**NOTE TO RETAIL LICENSEES:** An application to change location has a local application fee of \$750 payable to your local licensing authority. You may only change location within the same jurisdiction as the original license that was issued. Pursuant to 12-47-311 (1) C.R.S. Your application must be on file with the local authority thirty (30) days before a public hearing can be held.

Date filed with Local Authority September 26, 2016 Date of Hearing \_\_\_\_\_

(a) Address of current premises 21 S Parish Ave.

City Johnstown County Weld Zip 80534

(b) Address of proposed New Premises (Attach copy of the deed or lease that establishes possession of the premises by the licensee)

Address 257 Johnstown Center Drive UNITS 101, 102 & 103

City Johnstown County Weld Zip 80534

(c) New mailing address if applicable.

Address 257 Johnstown Center Drive

City Johnstown County Weld State CO Zip 80534

(d) Attach detailed diagram of the premises showing where the alcohol beverages will be stored, served, possessed or consumed. Include kitchen area(s) for hotel and restaurants.

CHANGE OF LOCATION



CHANGE OF MANAGER

**8. Change of Manager or to Register the Manager of a Tavern or a Hotel and Restaurant liquor license.**

(a) Change of Manager (attach Individual History DR 8404-I H/R and Tavern only)

Former manager's name \_\_\_\_\_

New manager's name \_\_\_\_\_

(b) Date of Employment \_\_\_\_\_

Has manager ever managed a liquor licensed establishment?..... Yes  No

Does manager have a financial interest in any other liquor licensed establishment?..... Yes  No

If yes, give name and location of establishment \_\_\_\_\_

**9. Modification of Premises, Addition of an Optional Premises, or Addition of Related Facility**

**NOTE:** Licensees may not modify or add to their licensed premises until approved by state and local authorities.

(a) Describe change proposed \_\_\_\_\_

(b) If the modification is temporary, when will the proposed change:

Start \_\_\_\_\_ (mo/day/year) End \_\_\_\_\_ (mo/day/year)

**NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00**

(c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?

(If yes, explain in detail and describe any exemptions that apply) ..... Yes  No

(d) Is the proposed change in compliance with local building and zoning laws? ..... Yes  No

(e) If this modification is for an additional Hotel and Restaurant Optional Premises or Resort Complex Related Facility, has the local authority authorized by resolution or ordinance the issuance of optional premises?

..... Yes  No

(f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises.

(g) Attach any existing lease that is revised due to the modification.

MODIFY PREMISES OR ADDITION OF OPTIONAL PREMISES OR RELATED FACILITY

**OATH OF APPLICANT**

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

Signature <i>Chanel Martens</i>	Title President	Date 9/26/2016
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**REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY / COUNTY)**

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the applicable provisions of Title 12, Articles 46 and 47, C.R.S., as amended. **THEREFORE, THIS APPLICATION IS APPROVED.**

Local Licensing Authority (City or County)	Date filed with Local Authority
--	---------------------------------

Signature	Title	Date
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**REPORT OF STATE LICENSING AUTHORITY**

The foregoing has been examined and complies with the filing requirements of Title 12, Article 47, C.R.S., as amended.

Signature	Title	Date
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**MAP**



**SUMMARY**

**REPORTS**

**(Detailing results of petitions)**

**ESQUIRE PETITIONING SERVICES, LLC**  
**Liquor Licensing Specialists**  
**2792 South Race Street**  
**Denver, Colorado 80210**  
**Telephone: (303)331-8600**  
**Facsimile: (303)331-9048**  
**Email: kpietrs@comcast.net**

October 31, 2016

To: Town of Johnstown City Council- Liquor Licensing Authority  
Re: Summary report of petition circulation methods and results in the application for  
A change of location of a Retail Liquor Store License

Applicant: Johnstown Liquor, Inc.  
Trade Name: Johnstown Liquor  
Current Location: 21 S. Parish Avenue  
Proposed Location: 257 Johnstown Center Drive, Units 101, 102, 103  
Johnstown, Colorado 80534

Methods:

1. The petition circulation was conducted under the control of Esquire Petitioning Services, L.L.C. ("Esquire").
2. Circulators were driven to the proposed site and became familiar with the Applicant's proposed location.
3. Petitions were pre-filed according to the Licensing Authority's local rules.
4. Esquire prepared all of the petition circulation materials. Each circulator carried a clipboard and petition packet consisting of the following: a. a map of the designated neighborhood with neighborhood boundaries outlined and the proposed location of the outlet denoted by an "X"; b. a petition cover sheet stating: the Applicant's name, the trade name, the proposed location, the type of license application, the qualifications for signing the petition and the information concerning the public hearing; c. signature sheets that provided eligible persons the opportunity to sign the petition in support of, or in opposition to, the application; and d. data sheets on which to record all responses by address.



c. Reasons Stated for Signing In Opposition to the License:

	<b>Totals</b>	<b>% of people signing:</b>
Does not drink alcohol:	0	0.0 %
Neutral:	0	0.0 %
Sufficient number of outlets:	0	0.0%
<b>TOTAL:</b>	<b>0</b>	<b>0.0 %</b>

d. Results analyzed on a needs and desires basis:

Signatures supporting the issuance of the license because the eligible contacts desired the license to issue because the existing outlets are not sufficient to meet the needs of the neighborhood.	166	100 %
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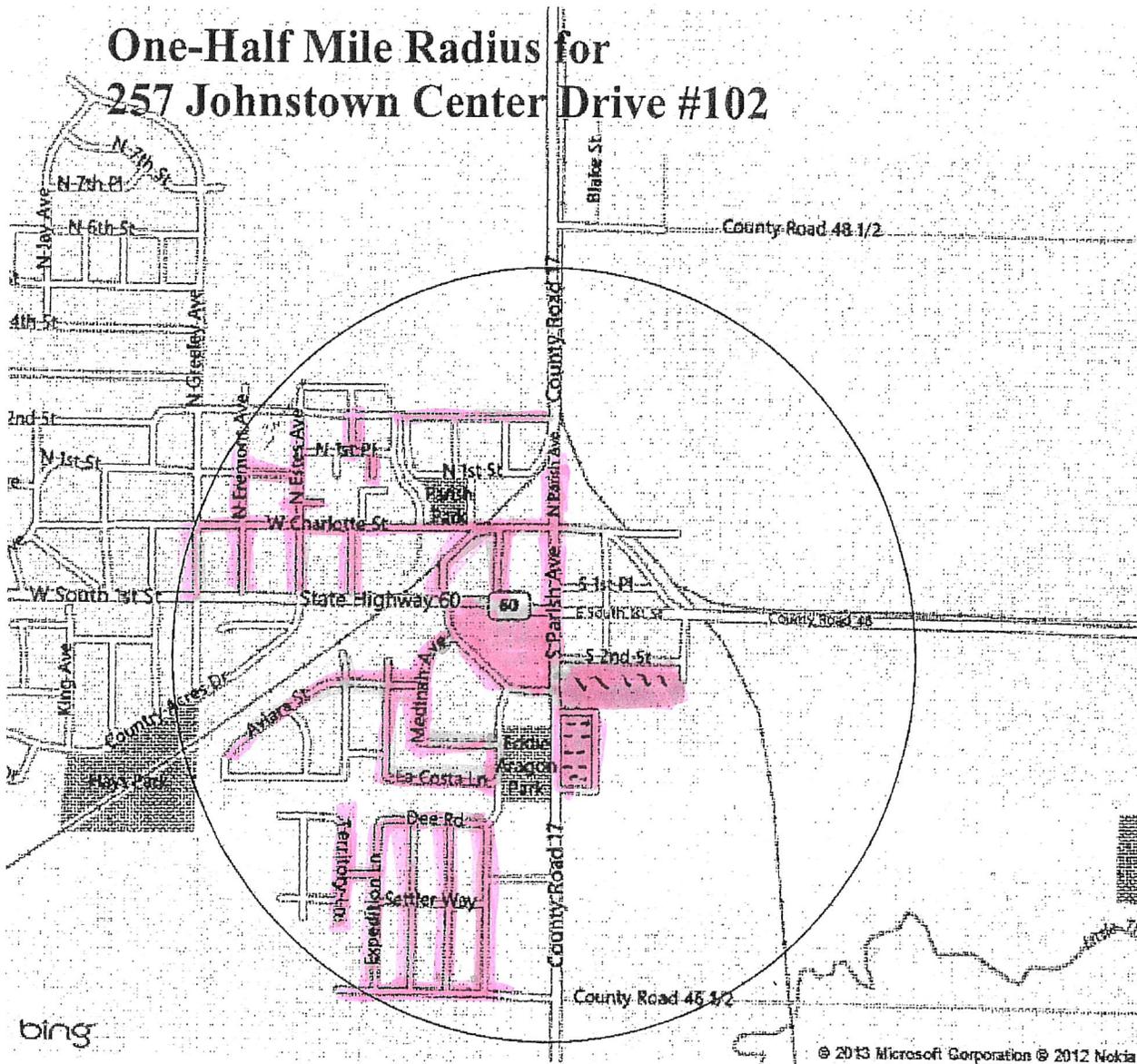
Signatures opposing the issuance of the license because the eligible contacts did not desire the license to issue because the existing outlets are sufficient to meet the needs of the neighborhood.	0	0.0 %
--	---	-------

<b>Total:</b>	<b>166</b>	<b>100 %</b>
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e. Reasons stated for declining to sign the petition

Preferred to remain neutral	1
No interest in application:	8
Does not drink alcohol:	2
Too busy to sign:	4
Against corporate policy:	0
Does not sign Petitions	1
Other:	4
<b>TOTAL:</b>	<b>20</b>

# One-Half Mile Radius for 257 Johnstown Center Drive #102



Master Map

Residents

+

Business

## MAP OF THE DESIGNATED AREA CONCERNING A CHANGE OF LOCATION OF A RETAIL LIQUOR STORE LICENSE

Applicant: JOHNSTOWN LIQUOR, INC.  
 Trade Name: JOHNSTOWN LIQUOR  
 Current Location: 21 S. PARISH AVENUE  
 Proposed Location: 257 JOHNSTOWN CENTER DR., UNITS 101, 102, 103  
 JOHNSTOWN, COLORADO 80534

**PERMIT APPLICATION  
TEMPORARY MODIFICATION  
OF PREMISES**

## Permit Application and Report of Changes

**Current License Number** 1427390000  
**All Answers Must Be Printed in Black Ink or Typewritten**  
**Local License Fee \$** \_\_\_\_\_

1. Applicant is a		Present License Number
<input checked="" type="checkbox"/> Corporation .....	<input type="checkbox"/> Individual	1427390000
<input type="checkbox"/> Partnership .....	<input type="checkbox"/> Limited Liability Company	
2. Name of Licensee Johnstown Liquor, Inc.	3. Trade Name Johnstown Liquors	
4. Location Address 21 S Parish Ave		
City Johnstown	County Weld	ZIP 80534

**SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.**

Section A – Manager reg/change	Section C
• License Account No. _____ <input type="checkbox"/> Manager's Registration (Hotel & Restr.).....\$75.00 <input type="checkbox"/> Manager's Registration (Tavern).....\$75.00 <input type="checkbox"/> Manager's Registration (Lodging & Entertainment).....\$75.00 <input type="checkbox"/> Change of Manager (Other Licenses pursuant to section 12-47-301(8), C.R.S.) NO FEE	<input type="checkbox"/> Retail Warehouse Storage Permit (ea).....\$100.00 <input type="checkbox"/> Wholesale Branch House Permit (ea) ..... 100.00 <input type="checkbox"/> Change Corp. or Trade Name Permit (ea) ..... 50.00 <input type="checkbox"/> Change Location Permit (ea) ..... 150.00 <input checked="" type="checkbox"/> Change, Alter or Modify Premises \$150.00 x _____ Total Fee _____
Section B – Duplicate License	
• Liquor License No. _____ <input type="checkbox"/> Duplicate License ..... \$50.00	<input type="checkbox"/> Addition of Optional Premises to Existing H/R \$100.00 x _____ Total Fee _____ <input type="checkbox"/> Addition of Related Facility to Resort Complex \$75.00 x _____ Total Fee _____ <input type="checkbox"/> Tavern Conversion ..... No Fee

**Do Not Write in This Space – For Department of Revenue Use Only**

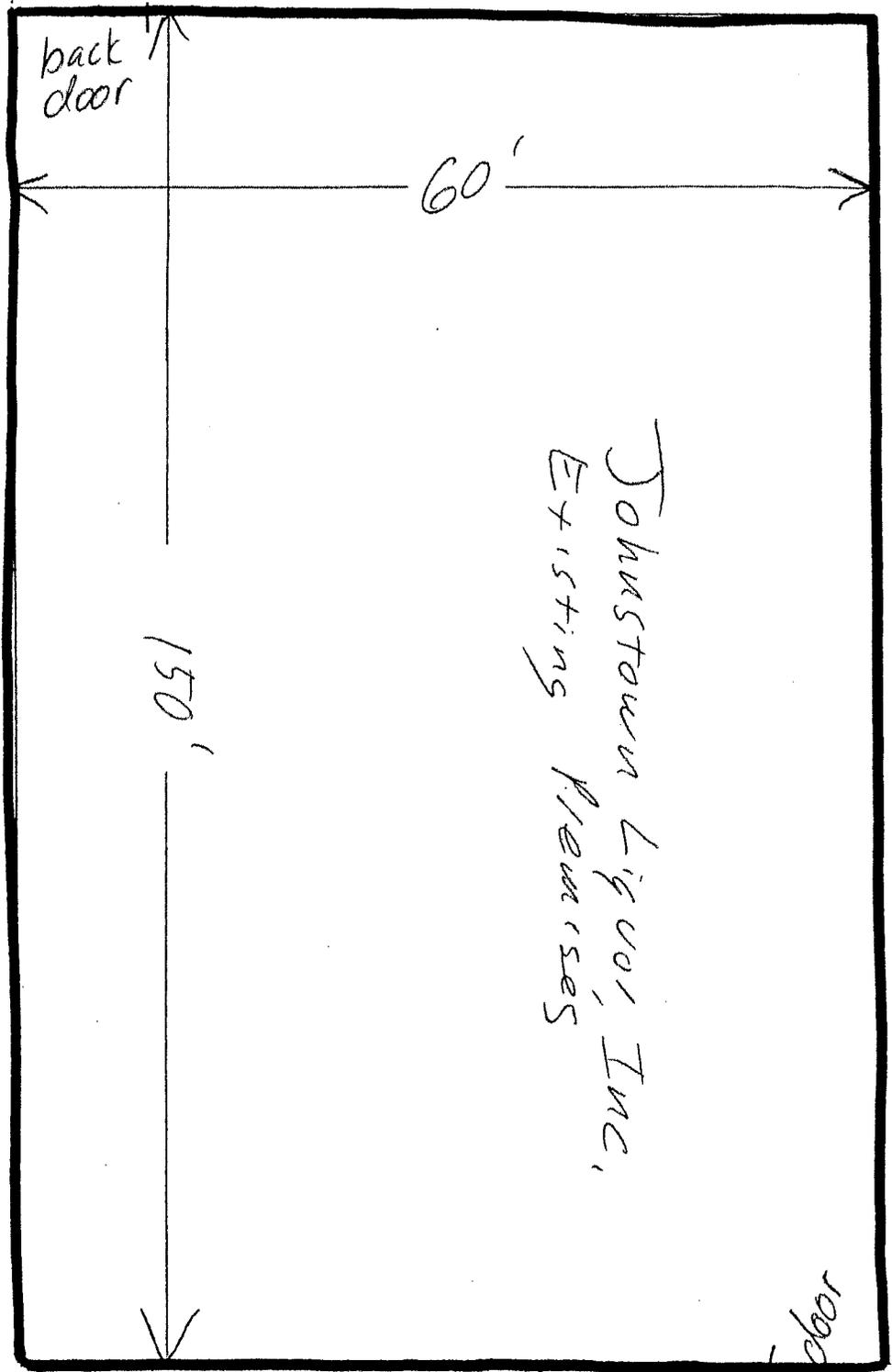
Date License Issued	License Account Number	Period

The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.

**TOTAL AMOUNT DUE** \$ \_\_\_\_\_ .00

Change of Manager	<p><b>8. Change of Manager or to Register the Manager</b> of a Tavern, Hotel and Restaurant, Lodging &amp; Entertainment liquor license or licenses pursuant to section 12-47-301(8).</p> <p>(a) Change of Manager (attach Individual History DR 8404-I H/R, Tavern and Lodging &amp; Entertainment only)</p> <p>Former manager's name _____</p> <p>New manager's name _____</p> <p>(b) Date of Employment _____</p> <p>Has manager ever managed a liquor licensed establishment?..... Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Does manager have a financial interest in any other liquor licensed establishment?..... Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If yes, give name and location of establishment _____</p>
 Modify Premises or Addition of Optional Premises or Related Facility	<p><b>9. Modification of Premises, Addition of an Optional Premises, or Addition of Related Facility</b></p> <p>NOTE: Licensees may not modify or add to their licensed premises until approved by state and local authorities.</p> <p>(a) Describe change proposed <u>Temporary request to store Beer in storage Unit adjacent to the existing Premises</u>                  Existing Premises are being repaired and landlord is requiring removal of all product during construction. Storage Unit is approximately 130 sq ft. Licensee has requested a change of location, if granted beer will be moved to new location</p> <p>(b) If the modification is temporary, when will the proposed change:                  Start <u>11/8/16</u> (mo/day/year) End <u>12/30/16</u> (mo/day/year)</p> <p>NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00</p> <p>(c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?                  (If yes, explain in detail and describe any exemptions that apply) .....Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>(d) Is the proposed change in compliance with local building and zoning laws?.....Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>(e) If this modification is for an additional Hotel and Restaurant Optional Premises or Resort Complex Related Facility, has the local authority authorized by resolution or ordinance the issuance of optional premises?                  .....Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>(f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises. <u>attached</u></p> <p>(g) Attach any existing lease that is revised due to the modification. <u>n/a</u></p>
Tavern Conversion	<p><b>10. Tavern Conversion</b></p> <p>(Note* Must be completed by August 10, 2017 as the Tavern conversion will no longer be permitted. Only Tavern licenses issued before August 10, 2016, that do not fit the definition of a tavern as defined in section 12-47-103(38), C.R.S. may convert to a different license type.) Please pick one of the following choices:</p> <p>(a) I wish to convert my existing Tavern Liquor License # _____ to a Lodging and Entertainment Liquor License?..... Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>(b) I wish to convert my existing Tavern Liquor License # _____ to a _____ Liquor License?..... Yes <input type="checkbox"/> No <input type="checkbox"/></p>

**DIAGRAM**  
**CURRENT LICENSED**  
**PREMISES**



21 S. Parish Ave

S. Parish Ave.

rope / = Temporary Location

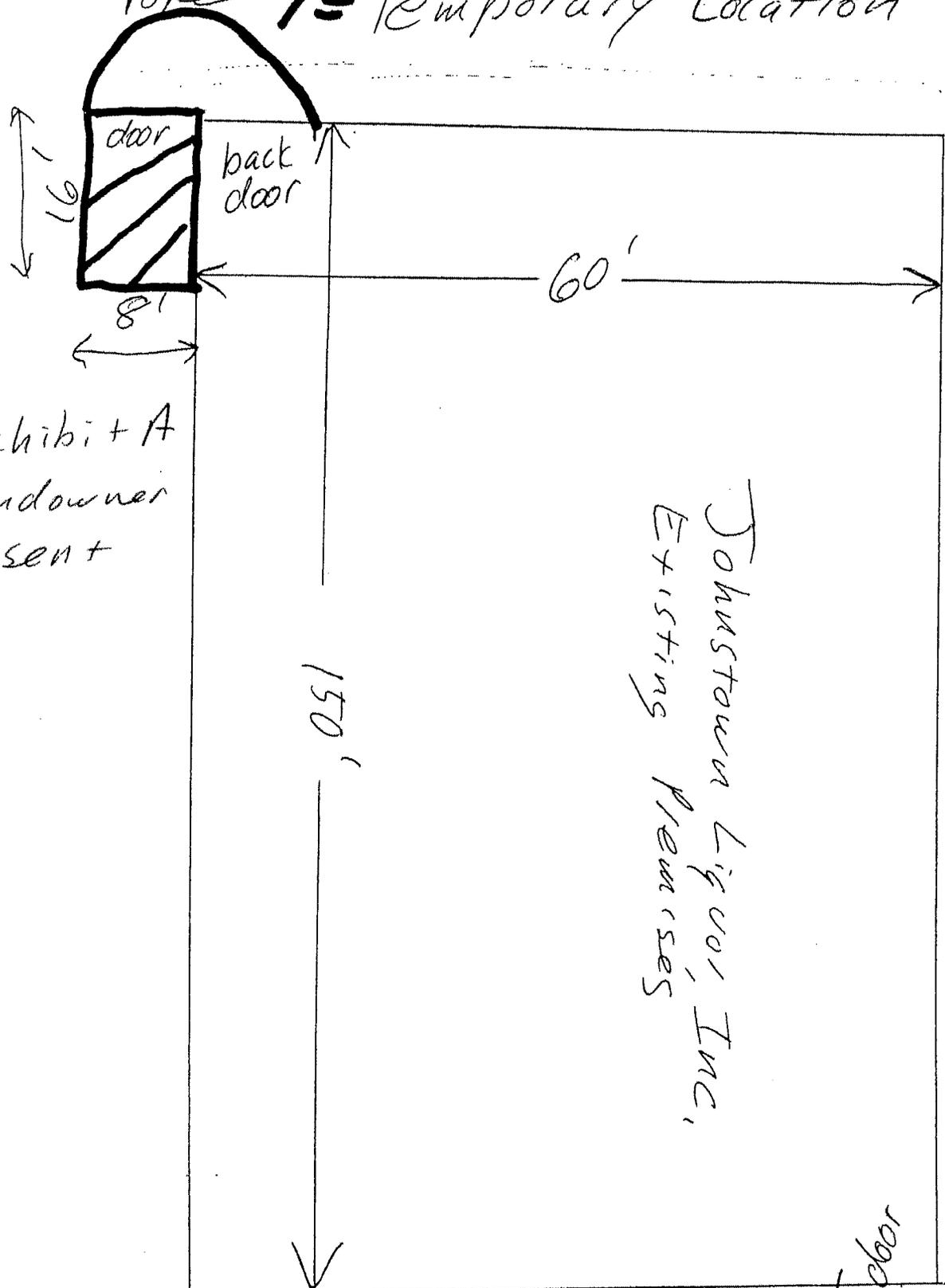


Exhibit A  
Landowner  
Consent

Johnstown Liquor, Inc.  
Existing Premises

19 1/2 S.  
Parish Ave

21 S. Parish Ave

S. Parish Ave.

door

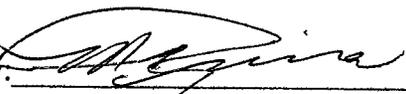
**EXHIBIT A**  
**LANDOWNER CONSENT**

## LANDOWNER CONSENT

Mercy Rivera as the "Landowner" of 19 ½ S Parish Ave Johnstown Colorado ("Premises") hereby grants permission to Johnstown Liquor, Inc. to place an approximate 8 ft. x 16 ft. Storage Unit on the South East Corner of the Premises ("Temporary Location") for the purpose of storing alcohol beverages as part of a Temporary Modification of Johnstown Liquor, Inc. located at 21 S Parish Ave Johnstown Colorado. This permission will allow Johnstown Liquor, Inc. to store Malt Beverage products in the Temporary Location and shall be effective as of the date the Temporary Modification of Johnstown Liquor, is approved by State and Local Liquor Authorities and shall terminate on the earlier of the approval of a location where Johnstown Liquor may store Malt Beverage products or January 15, 2017. The approximate location of the Temporary Location is attached hereto as Exhibit A

Agreed to this 26 day of October, 2016.

**LANDOWNER:**

By:   
\_\_\_\_\_  
Mercy Rivera

**RETAIL WAREHOUSE  
STORAGE PERMIT  
APPROVED BY STATE**

**COLORADO DEPARTMENT OF REVENUE**  
LIQUOR ENFORCEMENT DIVISION  
1881 PIERCE STREET, SUITE 108  
LAKEWOOD, CO 80214

**State of Colorado**  
**Department of Revenue**

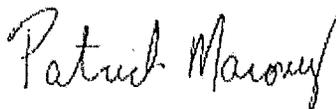
**ALCOHOL BEVERAGE LICENSE**

**RETAIL WAREHOUSE STORAGE PERMIT**

Licensee Name <b>JOHNSTOWN LIQUOR</b>	
Liquor License Number <b>14727390000</b>	License Type <b>LIQUOR STORE (CITY)</b>
Location of Retail Storage Warehouse Permit <b>JOHNSTOWN SELF STORAGE</b> <b>316 BASHER DRIVE UNIT 01-00702</b> <b>BERTHOUD CO 80513 – LARIMER COUNTY</b>	
Approval Date <b>OCTOBER 24, 2016</b>	

This permit is issued subject to the laws of the State of Colorado and especially under the provisions of Title 12, Articles 46 or 47, CRS 1973, as amended. This permit is nontransferable and shall be conspicuously posted with the Alcohol Beverage License issued to the licensee above, until a new or renewal license is issued. Any questions concerning this permit should be addressed to: Colorado Liquor Enforcement Division, 1881 Pierce Street, Suite 108, Lakewood, CO 80214.

In testimony whereof, I have hereunto set my hand. 10/24/16 pjr



Division Director



Executive Director



**AGENDA ITEM 9E**

**J-M  
CHAMBER  
OF  
COMMERCE  
PROPOSAL  
(16 So. Parish Avenue)**

**TOWN COUNCIL AGENDA COMMUNICATION**

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**AGENDA DATE:** November 7, 2016

**ITEM NUMBER:** 9E

**SUBJECT:** Consider Proposal by J-M Chamber of Commerce for Use of the Town Building Located at 16 So. Parish Avenue

**ACTION PROPOSED:** Consider Proposal by J-M Chamber of Commerce

**PRESENTED BY:** Councilman Mitchell

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**AGENDA ITEM DESCRIPTION:** Councilman Mitchell has requested that Council consider the proposal submitted to the Town by the J-M Chamber of Commerce for use of the town facility located at 16 So. Parish Avenue for its new home (please refer to attached proposal). The proposal provides, in part, for the following:

- An estimated one-time investment by the Town of \$14,500 for building improvements.
- A three (3) year lease agreement beginning in November, 2016 at \$1 per year.

The Town presently leases the "old" library located at 1011 Jay Avenue to the LifeBridge Christian Church. The lease agreement provides for a monthly rental fee of \$600, and a deposit of \$1,200. The tenant is also responsible for the payment of utilities, routine maintenance and insurance.

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**LEGAL ADVICE:** If approved, the Town Attorney will need to draft a lease agreement for Council's consideration.

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**FINANCIAL ADVICE:** The Chamber is requesting an investment by the Town of \$14,500 for improvements to the building.

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**RECOMMENDED ACTION:**

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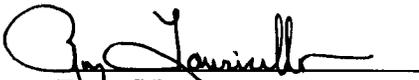
**SUGGESTED MOTION:**

**For Approval:** I move to accept the proposal submitted by the J-M Chamber of Commerce and authorize the Town Attorney to draft a lease agreement.

**For Denial:** I move to deny the proposal submitted by the J-M Chamber of Commerce.

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**Reviewed:**

  
Town Manager

# **PROPOSAL**



J-M Chamber of Commerce  
PO Box 501  
Johnstown, CO 80534  
August 23, 2016

### **Proposal to home the Chamber at 16 N Parish Ave. Johnstown**

The J-M Chamber of Commerce mission is to promote the business interests of its members and to enhance the economic well-being of its community.

To do this effectively we must:

- Grow a membership base that achieves financial health.
- Deliver the right business resources to foster strong economic growth.
- Lead our business members to help sponsor a strong and vibrant sense of community.

#### **Delivering Value:**

Business research proves that:

**Chamber membership increases consumer preference.** A strong chamber foundation and membership will increase economic development. Johnstown is the right location to build this foundation.

**Chamber membership needs to be a business strategy** for both large and small local businesses as a way to integrate with the community. By applying the right chamber resources, local business can participate in community events, subscribe to giving/donation programs, and use chamber resources to better reach out to the community.

**Chamber members expect** that they have access to the right local business growth resources, have access to changing economic conditions, and have a voice in the local community. The J-M Chamber will be able to build and meet these expectations from a solid location in the heart of Johnstown.

J-M Chamber of Commerce strategy will continue to center on:

- Building strong community programs through local events.
- Delivering awareness/preference programs that keep consumer dollars local.
- Hosting events focused on growing Business to Business within the local community.

The J-M Chamber of Commerce is on a growth path to build an organization that would fulfill our mission.

## Membership Goals

150 business member by the end of 2017

180 business member by the end of 2018

## Financial Goals

\$70K income in 2017

\$100K income in 2018

Our Board of Directors recognizes that a strong Chamber organization with a visible central location is the critical way to meet these goals. Taking over the 16 S. Parish Ave. facility would allow the chamber to operate in the best interest of our business members and our community.

## Year to Date Results

In the past 12 months the J-M Chamber has:

- Invested in a successful staff comprised of an Executive Director and a part-time administrator.
- Grown active business members over 35%
- Doubled the size of our Ambassador team who are focused on member relationships.
- Delivered the 2016 Community Directory focused on advertising businesses to local residents.
- Delivered the first Relocation package targeting an employment base for new local business.
- Built a successful *Business After Hours* program targeting B2B growth.

**With the Chamber being housed in this building, some of the benefits to the business community and community at large would be:**

- Offer a central location for Welcoming both business organizations and residents
- Higher visibility and vibrancy to North side of town
  - Friday pm patio party
    - Increased B2B networking
    - 10 times throughout the year
      - Plan on 20 to 25 business attendees
- Meeting space availability for members
  - Conference room available free of charge
- Hosting SBDC
  - They can have a room and meet with clients
  - Currently works with 8 to 10 clients
    - Opportunity to work with 20 to 40 clients through the year
- Seminars
  - Training
    - Certificate program
      - Marketing, Operations, Finance
  - Monthly guest speaker
    - Lunch and learn – monthly
    - Expect 5 to 10 attendees

- BBB
      - Expect 10 to 15 attendees
- Host special events
  - Speakers
- Ongoing chamber activities
  - Lunch with Executive Director and Board President
    - Quarterly basis
    - Invite 10 business owners
  - New membership orientation
    - Quarterly
    - All new members attend
  - Ribbon cuttings for new members
    - Approx. 15 to 20 per year

**Implementation details and budget plan**

- A one time investment for building improvements will be needed.

**Estimate for basic improvements to 16 N Parish facility for CoC use.**

Signage		
Building Entrance (not lighted)	\$3,000	
Main Johnstown Intersection	\$1,000	
<b>Total Signage</b>		<b>\$4,000</b>
Front Office		
Wall removal (assume no structure issues.)	\$4,000	
Concrete floor resurface	\$500	
Electrical	\$500	
Carpet	\$1,500	
<b>Total Front Office</b>		<b>\$6,500</b>
Décor		
Cleaning/Painting material(volunteer labor)	\$500	
Furniture	\$3,500	
<b>Total Décor</b>		<b>\$4,000</b>
	<b>Improvements Budgetary Estimates</b>	<b>\$14,500</b>

These improvement costs are not-to-exceed budgetary estimates provided by a local commercial property management company. Permitting/engineering are not included and may not be required. It is assumed that there are no structural load bearing changes to the building.

**Lease Terms**

To the Town of Johnstown, please consider providing the space at 16 N. Parish Ave. the J-M Chamber of Commerce as its new home with a 3 year agreement starting in November 2016 at \$1 per year. The building agreement will be subject to review yearly.

The Chamber will play a vital role in the Economic Development of Johnstown and the surrounding communities as our business and residential base grows.

Kind regards,

Edgar Schramma

President

J-M Chamber of Commerce

