

The Town Council of the Town of Johnstown met on Wednesday, February 22, 2017 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 were: Councilmembers Davis, Lebsack, Mellon, Mitchell and Molinar Jr.

Those absent: Councilmember Young

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 Mellon made a motion seconded by Councilmember Lebsack to approve the Agenda as submitted. Motion carried with a unanimous vote.

Consent Agenda

Councilmember Mellon made a motion seconded by Councilmember Molinar Jr. to approve the Consent Agenda with the following item included:

- February 6, 2017 Town Council Meeting Minutes
- Payment of Bills
- January Financial Statements

Motion carried with a unanimous vote.

New Business

A. Public Hearing – Amended Subdivision Development and Improvement Agreement – Thompson River Ranch, Filing No. 5 – The Final Plat and Development Agreement for Thompson River Ranch Filing No. 5 was approved in 2015. The Developer, Oakwood Homes has requested that Exhibit B-3 to the Agreement be amended to change the completion date for the River Ranch Community Park/Pool from June 30, 2017 to the “500th building permit”. Also to continue the completion of the neighborhood park until a school is built on the school site.

Mayor James opened the Public Hearing at 7:07 p.m. After hearing from the applicant and numerous residents of Thompson River Ranch subdivision Mayor James closed the Public Hearing at 8:06 p.m. A motion was made by Councilmember Davis and seconded by Councilmember Lebsack to reopen the Public Hearing at 8:29 p.m. Motion carried with a unanimous vote. After hearing additional comments from the applicant and residents The Public Hearing was closed at 8:50 p.m.

Councilmember Mitchell made a motion seconded by Councilmember Lebsack to approve the amended subdivision development and improvement agreement for Thompson River Ranch Filing No. 5 with conditions: 1. The date to build the community building and swimming pool moved to 6/30/2018 if the Board of Directors of the appropriate metro district provides supporting financial documents to verify if the district has the funds to operate the building and pool, 2. Neighborhood park to be completed by 12/31/2019 or the 250th building permit; and upon the Developer obtaining the 120th building permit in the Thompson River Ranch Development, exclusive of Filing Nos 1,2,3 and 4, Developer shall have completed construction to improve Larimer County Road 3. Motion carried with a unanimous vote.

B. Consider Water and Sewer Service Agreement – Thompson River Ranch, Filing No. 6 – The Developer submitted a Water and Sewer Demand Analysis, and based upon the analysis with the proposed construction of 29 residential lots with landscape irrigation, the average water demand for Filing No. 6 with 6.18 Acres is calculated at 11.9 acre feet per year. The Developer, Oakwood Homes will dedicate sufficient water shares of Home Supply. Councilmember Lebsack made a motion seconded by Councilmember Mitchell to approve the Water and Sewer Service Agreement for Thompson River Ranch Filing No. 6. Motion carried with a unanimous vote.

C. Public Hearing – Thompson River Ranch PUD Filing No. 6 Final Plat – Oakwood Homes has submitted a request for approval of a final subdivision plat for approximately 6 acres in the WRFG Annexation and part of the approved Thompson River Ranch Preliminary Plat. Filing No. 6 includes 29 lots and is zoned Planned Unit Development-Mixed Use for residential.

Mayor James opened the Public Hearing at 9:06 p.m. Mayor James closed the hearing at 9:15 p.m.

Councilmember Lebsack made a motion seconded by Councilmember Davis to approve the Thompson River Ranch PUD, Filing No. 6 Final Plat. Motion carried with a unanimous vote.

D. Consider Subdivision Development and Improvement Agreement – Thompson River Ranch, Filing No. 6 – Councilmember Mellon made a motion seconded by Councilmember Lebsack to approve the public improvements development agreement for Thompson River Ranch Filing #6 with the condition that the completion of the River Ranch Community Building, Pool and Park on Exhibit B-3 is consistent with the revised Exhibit B-3 for Filing #5 which was approved earlier in the meeting. Motion carried with a unanimous vote.

E. Consider Resolution No. 2017-03, Approving and Adopting of Johnstown Model Multiple District Service Plan – The Model Service Plan shall provide general guidance regarding Town Council's intent with respect to development, but the Town shall retain flexibility to modify the terms of Model Service Plan as the Town deems appropriate for each specific development – Councilmember Lebsack made a motion seconded by Councilmember Mitchell to have the Town Attorney amend the Model Service Plan to reflect the Town Council may impose an Operating and Maintenance (O & M) mill levy cap. Motion carried with a unanimous vote.

F. Consider Award of Contract to Concrete Express Inc. for North Second Street Improvement Project – The North Second Street project encompasses Parish Avenue west to Greeley Avenue and consists of water line replacement, removal of existing concrete sidewalks, curb and gutter, and asphalt to include furnishing and installing new concrete walks, access ramps, curb and gutter and asphalt. Councilmember Mitchell made a motion seconded by Councilmember Mellon to award the contract for the North Second Street Improvement Project to Concrete Express Inc., in a total amount not to exceed \$1,308,232 and include Alternate A (high school sidewalk) and Alternate B (concrete crosswalks) and also, authorize the Town Manager to approve change orders in an amount not to exceed ten (10%) percent of the contract amount. Motion carried with a unanimous vote.

G. Consider Professional Services Agreement with Sink Combs Dethlefs for Architect Design Services for the Johnstown Community Recreation Center – The proposed agreement is a modified version of the American Institute of Architect’s Standard Form of Agreement between Owner and Architect. The Agreement provides that the fee for the architectural services, including services for landscape, engineering and aquatic design, shall total \$1,098,000 plus reimbursable expenses shall not exceed \$33,099 based on the proposal submitted to the Town of Johnstown on January 19, 2017. Councilmember Lebsack made a motion seconded by Councilmember Davis to approve the Agreement between the Town of Johnstown and Sink Combs Dethlefs, P.C, and authorize the Mayor to sign it. Motion carried with a unanimous vote.

H. Consider Resolution No. 2017-04, A Resolution Appropriating Additional Sums of Money to Defray Expenses and Transfers in Excess of Amounts Budgeted for the Town of Johnstown, Colorado – Councilmember Mitchell made a motion seconded by Councilmember Mellon to approve Resolution No. 2017-04. Motion carried with a unanimous vote.

Mayor’s Comments

Councilmember Mitchell made a motion seconded by Councilmember Davis to have the Town Attorney draft a Non –Binding Memorandum with UC Health as an operating partner for the Johnstown Community Recreation Center. Motion carried with Mayor James and Councilmembers Mitchell and Davis voting in favor. Councilmember Lebsack opposed and Councilmembers Mellon and Molinar Jr. did not cast a vote.

There being no further business to come before Council the meeting adjourned at 10:33 p.m.

Mayor

Town Clerk/Treasurer