

The Town Council of the Town of Johnstown met on Monday, December 5, 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, Molinar Jr. and Young

Also present: Avi Rocklin, Town Attorney, Roy Lauricello, Town Manager John Franklin, Town Planner, Aaron Sanchez, Police Commander and Diana Seele, Town Clerk/Treasurer

Agenda Approval

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

Recognitions and Proclamations

Mayor James recognized the Roosevelt Ladies Cross Country Team for the outstanding season this year.

Public Comment

Mr. Jason Johnston, 4218 Angelica Place, Johnstown addressed the Johnstown Council in support of Johnstown Resolution No. 2016-10A, Opposing Stroh Pit Quarry Use by Special Review.

Consent Agenda

Councilmember Mellon made a motion seconded by Councilmember Lebsack to remove Resolution No. 2016-11 for further discussion and approve the amended Consent Agenda with the following items included:

- November 21, 2016 - Town Council Meeting Minutes
- Resolution No. 2016-10A, Opposing Stroh Pit Quarry Use by Special Review (USR 01Z1379)

Motion carried with a unanimous vote.

Councilmember Mitchell made a motion seconded by Councilmember Davis to approve Resolution No. 2016-11, Committing Funds for the Construction of a Community Recreation Center during the 2018 Calendar Year. Motion carried with a unanimous vote.

New Business

A. Resolution No. 2016-12, A Resolution Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget for the Town of Johnstown, Colorado for the Calendar Year Beginning on the First Day of January 2017 and Ending on the Last Day of December, 2017 – Councilmember Mellon made a motion seconded by Councilmember Young to approve Resolution No. 2016-12.

B. Resolution No. 2016-13, A Resolution Appropriating Sums of Money to the Various Funds and Spending Agencies in the Amounts and for the Purposes as Set Forth, for the Town of Johnstown, Colorado for the 2017 Budget Year – Councilmember Lebsack made a motion seconded by Councilmember Molinar Jr. to approve Resolution No. 2016-13. Motion carried with a unanimous vote.

C. Resolution No. 2016-14, A Resolution Levying General Property Taxes for the Year 2017, to Help Defray the Costs of Government for the Town of Johnstown, Colorado for the 2017 Budget Year – Councilmember Mellon made a motion seconded by Councilmember Davis to approve Resolution No. 2016-14. Motion carried with a unanimous vote.

D. Public Hearing – Amendment to 2534 Design Guidelines Proposed Land Use Plan (Multi-Family Use) – Gerrard Family Partnership on behalf of Continental Properties - This is a request by the property owner, Gerrard Family Partnership, LLC on behalf of Continental Properties, for approval of an amendment to the 2534 Design Guidelines Land Use Plan. The amendment would include Multi-Family Residential and accessory uses on Lots 1 & 2 of Block 9, 2534 9th Filing. As part of the application and to enhance the residential environment, Gerrard and Continental agreed to develop the private open space area east of the site as a high-quality park with concrete walks, landscaping, picnic facilities and benches. The owner also agreed to re-designate Lots 4 & 5, 2534 Filing No. 12 to the east for Office Flex and Retail Uses.

Mayor James opened the Public Hearing at 7:30 p.m. Those who spoke in favor of the amendment: Gary Gerrard and Ryan Schaeffer stated the land use is compatible with existing uses in the 2534 development. With no further comments Mayor James closed the Public Hearing at 8:21 p.m.

Councilmember Young made a motion seconded by Councilmember Lebsack to approve the Amendment to the 2534 Design Guidelines to change the Land Use Plan for Lots 1 & 2, Block 9, 2534 Subdivision 9th Filing, from C. Light Industrial, Office, Flex and Retail uses to B.2 Office, Flex, Retail and Multi-Family, and to change the Land Use Plan for Lots 4 and 5, 2534 Filing No. 12 from C. Light Industrial, Flex, Office and Retail to B.1 Office, Flex and Retail Uses subject to the following Planning and Zoning conditions: 1. The development of the adjoining private open space into a quality amenity shall be concurrent with the development of the multi-family project. 2. The quality of the overall project including architecture and amenities shall be equal or better than the representations provided with the request, including use of stucco and stone/brick. 3. Potential impacts of the proposed multi-family such as parking lots and drives, and site lighting on the nearby single family neighborhoods will need to be considered in the final design. Motion carried with a unanimous vote.

Council recessed at 8:24 p.m. until 8:30 p.m.

E. Continued Public Hearing – Report of Change of Ownership of Johnstown Liquor, Inc. – Councilmember Mellon made a motion seconded by Councilmember Lebsack to reopen the Public Hearing at 8:31 p.m. The Town Council conducted a Public Hearing on November 7, 2016 and passed a motion in favor of the applicant's request for a change of ownership. At the conclusion of the hearing, Town Council passed a motion in favor of the applicant's request. On November 9, 2016, Johnstown

Liquor Inc. filed a request to reopen the public hearing to allow additional evidence. The Public Hearing closed at 9:02 p.m. Councilmember Mitchell made a motion seconded by Councilmember Lebsack 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. Motion carried with an aye vote. Councilmember Young voted no.

F. Continued Public Hearing – Change of Location Permit and Temporary Modification of Premises for Johnstown Liquor, Inc. – Councilmember Mellon made a motion seconded by Councilmember Lebsack to open the Public Hearing at 9:04 p.m. The Town Council conducted a Public Hearing on November 7, 2016 and passed a motion in favor of the applicant’s request to change the location of the premises from 21 S. Parish Avenue to 257 Johnstown Center Drive, Units 101, 102 & 103. At the conclusion of the hearing, Town Council passed a motion in favor of the applicant’s request. On November 9, 2016, Johnstown Liquor Inc. filed a request to reopen the public hearing to allow additional evidence. The Public Hearing closed at 9:06 p.m. Councilmember Lebsack made a motion seconded by Councilmember Mellon to approve the Application for Change of Location Permit for Johnstown Liquor Inc. Motion carried with an aye vote. Councilmembers Davis and Mitchell voted no.

10. Executive Session

A. Conference with the Town Attorney Pursuant to C.R.S. Section 24-6-402(4)(b) Regarding Johnstown Plaza Metropolitan District’s Improvements along Thompson Parkway - Councilmember Mellon made a motion seconded by Councilmember Lebsack to recess into Executive Session at 9:08 p.m.

Mayor James reopened the meeting at 9:28 p.m. and stated the only item discussed was to obtain legal advice regarding Johnstown Plaza Metropolitan District’s construction of public improvements along Thompson Parkway.

There being no further business to come before Council the meeting adjourned at 9:35 p.m.

Mayor

Town Clerk/Treasurer