

The Town Council of the Town of Johnstown met on Wednesday, January 18, 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: 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. Motion carried with a unanimous vote.

Consent Agenda

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

- December 19, 2016 - Town Council Meeting Minutes
- Payment of Bills
- December Financial Statements
- 2<sup>nd</sup> Reading – Ordinance No. 2016-145, An Ordinance Repealing and Replacing Sections 13-11 through 13-20 and Repealing Section 13-28 of Article II of Chapter 13 of the Johnstown Municipal Code Concerning Sewers

Motion carried with a unanimous vote.

New Business

A. Consider Designation of Public Posting Areas – Councilmember Mellon made a motion seconded by Councilmember Molinar Jr. to designate front entryway of Johnstown Town Hall as a public notice posting area. Motion carried with a unanimous vote.

B. Consider 3.2% Beer Retail License (Off Premises) for Loan N’ Jug #12 – Councilmember Lebsack made a motion seconded by Councilmember Molinar Jr. to approve the 3.2% Beer Retail License (Off Premises) renewal for Loan N’ Jug #12. Motion carried with a unanimous vote.

C. Consider Tavern Liquor License Renewal for Cassidy’s Sports Grill – Councilmember Molinar Jr. made a motion seconded by Councilmember Lebsack to approve the tavern liquor license renewal for Cassidy’s Sports Grill. Motion carried with a unanimous vote.

D. Consider Request for Extension of Reimbursement Agreement for Thompson Crossing District No. 1 - On December 1, 2008, the Town of Johnstown entered into an Infrastructure Reimbursement Agreement with Thompson Crossing District No. 1. The purpose of the Agreement was to provide reimbursement for the cost of oversizing sewer lines to serve properties outside of the District. Per the agreement, the cost of oversizing the lines was determined to be \$1,190,000. The Town agreed to collect \$4,589 per building permit from benefited properties. The Agreement provides for a ten-year term from the date of completion of the construction and that Town Council, in its discretion, would thereafter consider a five-year extension. Councilmember Lebsack made a motion seconded by Councilmember Mitchell to approve the request for extension of the infrastructure reimbursement agreement for an additional five-year term and authorize the Town Attorney to prepare an amendment to the agreement. Motion carried with a unanimous vote.

E. Consider Oil and Gas Lease with Cub Creek Energy, LLC - The Town owns mineral rights in Clearview PUD consisting of approximately 6.462 net acres. Cub Creek Energy, LLC desires to enter into an oil and gas lease for the drilling and production of those mineral rights. The lease does not grant rights to the use of the surface of the leased premises, except that Cub Creek retains the right to use the public roads. The lease provides for a three-year primary term, extended by production for as long as oil and gas is produced in paying quantities. The lease further provides for a bonus payment of \$1,000.00 per mineral acre (\$6,462.00) and a royalty payment of 18.75% less a proportionate amount for taxes and costs of production. Councilmember Mellon made a motion seconded by Councilmember Davis to approve the Oil and Gas Lease with Cub Creek Energy, LLC subject to receipt of the bonus payment in the amount of \$6,462.00 and authorize the Mayor to sign it. Motion carried with a unanimous vote.

F. Discussion of Improvements to the Interstate 25 (I-25) and Highway 402 Interchange – Mr. Johnny Olson, CDOT Region 4 Transportation Director – Power Point Presentation was given.

#### Executive Session

Councilmember Mellon made a motion seconded by Councilmember Davis to adjourn into Executive Session at 8:30 p.m. for the Developing Strategy for Negotiations and Instructing Negotiators Related to Improvements to the Interstate 25 (I-25) – Highway 402 Interchange Pursuant to C.R.S. Section 24-6-402(4)(e) and Protecting the Confidentiality of the Procurement Process for the Improvements under C.R.S. Section 204-103-203 Pursuant to C.R.S. Section 24-6-402(4)(c). Motion carried with a unanimous vote.

Mayor James called the meeting back to order at 9:19 p.m. Councilmember Lebsack made a motion and seconded by Councilmember Davis to direct the Town Attorney to draft a resolution supporting I-25 – State Highway 34 Interchange and I-25 and State Highway 402 Interchange. Motion carried with a unanimous vote.

Council Reports

Mayor James requested Council's approval to reopen the Request for Qualifications for an Operational Partner for the proposed Recreation Center. Councilmember Lebsack made a motion seconded by Councilmember Mitchell to reopen the Request for Qualifications for an Operational Partner for the proposed Recreation Center. Motion carried with a unanimous vote.

There being no further business to come before Council the meeting adjourned at 9:32 p.m.

Mayor

Town Clerk/Treasurer