

The Town Council of the Town of Johnstown met on Monday, March 6, 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 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 Mellon made a motion seconded by Councilmember Lebsack to approve the Agenda as submitted. Motion carried with a unanimous vote.

#### Recognitions and Proclamations

Mayor James presented a Mayor's Do Good Proclamation to students from Milliken Middle School who participated in the T-Shirt Fundraiser to help raise funds for Mr. Darian Burns, Milliken Middle School Teacher, who is undergoing cancer treatments.

#### Consent Agenda

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

- February 13,2017 Special Council Meeting Minutes
- February 22, 2017 Regular Council Meeting Minutes

Motion carried with a unanimous vote.

#### New Business

A. Public Hearing – New Beer and Wine License for LUX Nailbar – This is a Public Hearing to receive comments regarding the new beer and wine license for LUX Nailbar, located at 4924 Thompson Parkway. The Town Council acts as the local licensing authority.

Mayor James opened the Public Hearing at 7:14 p.m. Having no public comments the hearing was closed at 7:28 p.m.

Councilmember Mellon made a motion seconded by Councilmember Young to approve the issuance of a new beer and wine license for LUX Nailbar. Motion carried with a unanimous vote.

B. Consider Retail Liquor Store Renewal for Johnstown Liquor, Inc. – Councilmember Lebsack made a motion seconded by Councilmember Mellon to approve the Retail Liquor Store License renewal for Johnstown Liquor, Inc. Motion carried with a unanimous vote.

C. Public Hearing – Amendment to 2534 Design Guidelines Proposed Land Use Plan – Lot 2, 2534 West – Property owners, 2534 Development, Inc. is seeking approval of an amendment to the 2534 Guidelines Land Use Plan, to change the land use designation of Lot 2, Block 2, 2534 West Subdivision 1<sup>st</sup> Filing, from Retail and Outdoor and Indoor Family Entertainment to Retail and Office. The developer originally had a prospective buyer of the property, which was strictly office use, they have recently withdrawn their obligation to the property. The Planning and Zoning Commission held a public hearing on February 8, 2017 when the prospective buyer was still interested in the property.

Mayor James opened the Public Hearing at 7:35 p.m. The applicant's representative Lee Martin presented the request and answered questions. Dale Boehner also discussed the history of the property. Mayor James closed the hearing at 8:01 p.m.

Councilmember Mellon made a motion seconded by Councilmember Lebsack remand the request back to the Planning and Zoning Commission for a re-hearing. Motion carried with a unanimous vote.

D. Consider Agreement for Professional Services for North Second Street Improvements between the Town of Johnstown and TTG Engineers, Inc. - Council awarded a construction contract for North Second Street Improvement project. TTG proposes to act as the Town's representative during the construction phase of the project. The Town and TTG Engineers will enter into the Professional Services Agreement for North Second Street Improvements. According to the Agreement TTG seeks payment based on an hourly rate plus expenses, in an amount not to exceed the cost of \$89,274 excepting the cost of additional services, if needed and defined in the agreement. Councilmember Young made a motion seconded by Councilmember Davis to approve the Agreement for Professional Services for North Second Street Improvements between the Town of Johnstown and TTG Engineers, Inc. Motion carried with a unanimous vote.

E. Consider Resolution No. 2017-05 Authorizing the Town of Johnstown to Enter into an Intergovernmental Agreement with the State of Colorado, for the Use and Benefit of the Colorado Department of Transportation, for Improvements to North Interstate 25 and Intergovernmental Agreement with the State of Colorado – The Intergovernmental Agreement involves an expenditure of \$250,000 per year through 2020. The Colorado Department of Transportation intends to make improvements to I-25 between State Highway 14 and State Highway 402. CDOT requested local contributions from jurisdictions that will be positively impacted by the Project due to the increased capacity. Council approved Resolution No. 2016-07, affirming its support for the Project and their intent to provide funds to support the project in the total amount of \$1,000,000 payable annually at the end of April in the amount of \$250,000 for the 2017-2020 calendar years. Councilmember Mitchell made a motion seconded by

Councilmember Mellon to approve Resolution No. 2017-05, Authorizing the Town of Johnstown to Enter into an Intergovernmental Agreement with the State of Colorado, for the Use and Benefit of the Colorado Department of Transportation, for Improvements to North Interstate 25 and authorize the Mayor to sign the Intergovernmental Agreement with the State of Colorado. Motion carried with a unanimous vote.

There being no further business to come before Council the meeting adjourned at 8:32 p.m.

Mayor

Town Clerk/Treasurer