

The Town Council of the Town of Johnstown met on Monday, March 20, 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, Molinar Jr. and 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.

Public Comment

Vernice Thomas - United Way

Julie Cozad, Weld County Commissioner District #2- gave an update on the County Commissioners 2016 accomplishments

Charles Vaden – ADA requirements

Consent Agenda

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

- March 6, 2017 Council Meeting Minutes
- Payment of Bills
- February Financial Statements
- Resolution No. 2017-06, Approving an Extension of the Infrastructure Reimbursement Agreement between the Town of Johnstown and Thompson Crossing Metropolitan District No. 1

Motion carried with a unanimous vote.

New Business

A. Public Hearing – New Hotel and Restaurant License for Bad Daddy’s Burger Bar - This is a Public Hearing to receive comments regarding the new hotel and restaurant license for Bad Daddy’s Burger Bar, located at 4914 Thompson Parkway. The Town Council acts as the local licensing authority.

Mayor James opened the Public Hearing at 7:21 p.m. Having no public comments the hearing was closed at 7:36 p.m.

Councilmember Mellon made a motion seconded by Councilmember Mitchell to approve the issuance of a Hotel and Restaurant License for Bad Daddy's Burger Bar. Motion carried with a unanimous vote.

B. Consider Town of Johnstown's Financial Commitment Toward Improvements to the State Highway 34 and State Highway 402 Interchanges as part of the Colorado Department of Transportation's North I25 Design-Build Project - CDOT represented that, if the Town is willing to partner on funding to improve the Interchanges along with other local governments, there is a window of opportunity for improvements to the Interchanges to be included in the project scope for the North I-25 Design-Build Project, which will result in significant cost efficiencies. CDOT represented that it is significantly less expensive to include the Interchange improvements to the existing North I-25 Design-Build Project rather than construct those improvements separately at a later date. Based on the presentation from CDOT, Town Council passed Resolution 2017-01, a Resolution Affirming the Town's Support of Including Improvements to the Interstate 25 and State Highway 34 Interchange and Interstate 25 and State Highway 402 Interchange as part of the Colorado Department of Transportation's North I-25 Design-Build Project. While the Resolution set forth the Town's general commitment to assist and provide funds, the Resolution did not specify a specific financial commitment. To move the bidding process along, CDOT is now requesting that the Town solidify the amount of the financial commitment. CDOT estimates that the cost of the improvements to the Interchanges will be \$54 million, and is seeking local matching contributions of \$14 million. The City of Loveland passed a resolution on March 7, 2017, committing \$6 million to the project. Loveland's resolution is contingent on "an amount from the Town of Johnstown at least equal to the City of Loveland's contribution." Loveland's resolution further provides that the contribution will be paid during the 2017, 2018 and 2019 calendar years, with one-third, or \$2 million, presumably payable during the 2017 calendar year. If CDOT is seeking the funds during the 2017 calendar year, the Town will be required to amend the 2017 Budget to account for the expenditure.

Councilmember Mitchell made a motion to commit \$6 million, payable in annual installments of \$2 million, toward improvements to the Interstate 25 and U.S. Highway 34 and State Highway 402 Interchanges as part of the Colorado Department of Transportation's North I-25 Design-Build Project and authorize the Town Attorney to prepare a resolution affirming the Town's financial commitment. The motion died due to a lack of a second.

Councilmember Mellon made a motion to commit \$2 million, payable in annual installments of \$666 thousand, toward improvements to the Interstate 25 and U.S. Highway 34 and State Highway 402 Interchanges as part of the Colorado Department of Transportation's North I-25 Design-Build Project and authorize the Town Attorney to prepare a resolution affirming the Town's financial commitment. The motion died due to a lack of a second.

Councilmember Lebsack made a motion seconded by Councilmember Mellon to commit \$1.2 million payable in annual installments of \$400 thousand, toward improvements to the Interstate 25 and U.S. Highway 34 and State Highway 402 Interchanges as part of the Colorado Department of Transportation's North I-25 Design-Build Project and authorize the Town Attorney to prepare a resolution affirming the Town's financial commitment. The motion passed with Councilmembers Lebsack, Mellon, Young and Mayor James voting in favor. Councilmembers Davis, Mitchell and Molinar Jr. voted no.

Council recessed at 9:45 p.m. for a 10 minute break.

C. Consider Selection of Johnstown Community Recreation Center Operating Partner – a statement of Qualifications was advertised and also sent to the following organizations: University of Colorado Health System, Banner Health System of Northern Colorado and YMCA of Boulder Valley. Mayor James, Councilmembers Mellon and Davis stated they each have a Conflict of Interest and in the nature of their private interest and the public trust they recused themselves from the meeting. Councilmember Young made a motion seconded by Councilmember Molinar Jr. to select YMCA of Boulder Valley as the Operating Partner for the Johnstown Community Recreation Center and direct the Town Attorney to prepare a Memorandum of Understanding with the Operating Partner. Motion carried with a unanimous vote.

D. Discussion of Roosevelt Swimming Pool Funding – Thompson Rivers Park and Recreation District – The Thompson Rivers Park and Recreation District is requesting the town contribute \$15,000 for the 2017 pool season and anticipates requesting another \$15,000 in 2018 also. Councilmember Mitchell made a motion seconded by Councilmember Molinar Jr. to contribute \$7,000 to the Thompson Rivers Park and Recreation District to support the 2017 pool season. Councilmembers Lebsack, Mellon, Young and Mayor James voted no. Councilmembers Davis, Mitchell and Molinar Jr. voted yes.

There being no further business to come before Council the meeting adjourned at 10:40 p.m.

Mayor

Town Clerk/Treasurer