

The Town Council of the Town of Johnstown met on Monday, February 5, 2018 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, Molinar Jr., Tallent 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 Young 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:

- January 17, 2018 – Town Council Meeting Minutes
- Resolution No. 2018-01, Approving the Final Plat for Mountain View West Subdivision
- Resolution No. 2018-02, Approving the Amended Plat for Johnstown Heights Third Filing and Granting a Variance to Allow Emergency Access

Motion carried with a unanimous vote.

Staff Reports – Town Attorney Avi Rocklin informed council that she has received two (2) Metro District Service Plan Applications. The applicants are seeking a May 2018 election. Town Attorney Rocklin has been in contact with special counsel and a financial advisor to review the service plans and both are available to review the plans promptly. Councilmember Tallent made a motion seconded by Councilmember Davis to authorize the Town Attorney to move forward with the review of the service plans. The developers will pay the cost of the special counsel and financial advisor. Motion carried with a unanimous vote.

#### New Business

A. Public Hearing – Amendment to Iron Horse Design Guidelines – The owner of the industrial and commercial property known as Iron Horse has requested an amendment to the Iron Horse Design Guidelines. The amendment would remove the 20% maximum restriction on exterior metal and instead allow architectural and prefabricated metal panels.

Mayor James opened the Public Hearing at 7:31 p.m. and recused himself from the meeting. The applicant's representative Kim Perry, Vice President Community Design & Neighborhood Development, McWhinney, presented the request and answered questions. Having no public comment Mayor ProTem Lebsack closed the public hearing at 7:50 p.m.

Councilmember Mellon made a motion seconded by Councilmember Molinar Jr. to approve the amendment to the Iron Horse Design Guidelines and instruct town staff to draft a resolution approving the amendment. Motion carried with a unanimous vote.

B. Consider Agreement to Provide Building Department Services between the Town of Johnstown and ProCode, Inc. – The Agreement designates ProCode, Inc., owner Johnathan Gesick to provide building department service to the Town. The Town will pay ProCode \$45.00 per hour for 30 hours per week and ProCode will be entitled to retain Mr. Ken Kidd as a subcontractor. Councilmember Mellon made a motion seconded by Councilmember Tallent to approve the Agreement to provide building department services between the Town of Johnstown and ProCode, Inc. and authorize the Mayor to sign the agreement. Motion carried with a unanimous vote.

C. Consider Intergovernmental Agreement with the Loveland Fire Rescue Authority for the Assessment, Collection and Remittance of Emergency Service Impact Fees – Colorado revised Statutes 29-10-104.5 permits a local government to impose impact fees for fire protection districts that provide fire protection, rescue and emergency services for new development. If a local government elects to impose an impact fee, then the local government and the fire protection district are required to enter into an intergovernmental agreement. The Loveland Fire Rescue Authority obtained an impact fee study and based upon the study the impact fee will be \$895 per single family home, \$622 per multi-family home and \$.30 per square foot of commercial and \$0.03 per square foot of industrial. The Town will be required to pass an ordinance authorizing the imposition of the impact fee for the Authority. Councilmember Lebsack made a motion seconded by Councilmember Mellon to approve the Intergovernmental Agreement with the Loveland Fire Rescue Authority for the Assessment, Collection and Remittance of Emergency Service Impact Fees and authorize the Mayor to sign it. Motion carried with a unanimous vote.

Executive Session A Conference with the Town Attorney Pursuant to C.R.S. Section 24-6-402(4)(b) to Discuss Water Dedicated to the Town per the Water and Sewer Service Agreement between the Town and WR Investment LLC Dated January 4, 2006 – Councilmember Lebsack made a motion seconded by Councilmember Tallent to recess into Executive Session at 8:27 p.m. Mayor James reopened the regular meeting at 9:00 p.m. and stated the only item discussed was the water dedicated by WR Investment LLC and there was no formal action taken.

There being no further business to come before Council the meeting adjourned at 9:15 p.m.

Mayor

Town Clerk/Treasurer