

The Town Council of the Town of Johnstown met on Monday, March 4, 2019 at 7:00 p.m. in the Council Chambers at 450 S. Parish Avenue, Johnstown.

Mayor Lebsack led the Pledge of Allegiance.

Roll Call

Those present were: Councilmembers Berg, Lemasters, Mellon, Molinar Jr. Tallent and Young

Also present: Matt LeCerf, Interim Town Manager, Avi Rocklin, Town Attorney, Chief Brian Phillips, Marco Carani, Public Works Director, Kim Meyer, Planning Director, Mitzi McCoy, Finance Director and Diana Seele, Town Clerk

Agenda Approval

Councilmember Mellon made a motion seconded by Councilmember Berg to amend the Agenda to add Item E. Discussion of land dedication and Item F. Executive Session. Motion carried with a unanimous vote.

Presentation Mr. William O'Keefe- Milliken Middle School Stem Teacher – Disc Golf Course. Milliken Middle School students Athena Herrera, Paige Vetter and Kyleigh Wells presented Council with a request to build a Disc Golf Course. Council thanked them for their great presentation and said they would take it under consideration.

Consent Agenda

Councilmember Mellon made a motion seconded by Councilmember Molinar Jr. to approve the Consent Agenda with the following items:

- February 20, 2019 Town Council Meeting Minutes
- Second Reading Ordinance Number 2019-155, An Ordinance Amending Chapter 13 of the Johnstown Municipal Code to Include Article VIII Concerning Adoption of a Cross-Connection Control Program
- Second Reading Ordinance Number 2019-156 – An Ordinance Amending Chapter 6 of the Johnstown Municipal Code to Include Article X, Contractor Licenses
- Resolution 2019-07, A Resolution Identifying Issues with the Zero Emission Vehicle Mandate Proposal
- Consider 2019 Three Mile Plan

Motion carried with a unanimous vote.

New Business

A. Public Hearing – Amendment to Johnstown Plaza Design Book Guidelines Proposed Land Use Plan – Lot 1 from B1. To B.2 – The applicant, Johnstown Plaza, LLC file an application for an amendment to the Land Use Plan contained in the Design Handbook, to designate Lot 1, 2534 Subdivision, Filing No. 16, from a B.1. designation (Office, Flex and Retail) to a B.2. designation (Office, Flex Retail and Multi-Family Residential).

Mayor Lebsack opened the Public Hearing at 7:28 p.m. The applicant's representative Mr. Jim Shipton, of Point Consulting, LLC was present to answer Council's questions. The request would add multi-family dwellings to the permitted use. The following individuals opposed the request: Todd Williams, representing Thompson Ranch Development, Gary Gerrard, property owner in the 2534 annexation, and Nathan Gerrard, District Manager of the Thompson Crossing Metro District #2. Having no further public comments the public hearing was closed at 7:50 p.m.

Councilmember Berg made a motion seconded by Councilmember Mellon to continue the Public Hearing regarding an Amendment to the Johnstown Plaza Design Book (Guidelines) to Change the Land Use Designation of Lot 1, 2534 Subdivision Filing No. 16 from B.1 Office, Flex and Retail Uses to B.2 Office, Flex, Retail and Multi-family. Motion carried with a unanimous vote.

B. Public Hearing – New Hotel & Restaurant License – Lazy Dog, LLC – The applicant Lazy Dog Johnstown, LLC is requesting a Hotel & Restaurant License for Lazy Dog Tavern, located at 4801 Thompson Parkway.

Mayor Lebsack opened the Public Hearing at 7:53 p.m., the applicant was present and gave a brief overview on their process for their employees and the serving of alcohol to customers and the survey they circulated to determine the needs and desires of the neighborhood. Having no other public comments Mayor Lebsack closed the hearing at 8:05 p.m. Councilmember Mellon made a motion seconded by Councilmember Molinar Jr. to approve the issuance of a Hotel and Restaurant License for Lazy Dog Tavern. Motion carried with a unanimous vote.

C. Continued Public Hearing – First Reading – Ordinance Number 2019-158, An Ordinance Amending Chapter 8 of the Johnstown Municipal Code to Include Article VI Concerning the Operation of Golf Cars – Ordinance Number 2019-158 permits the operation of golf cars on the roadways and streets within the Town according to certain terms and conditions.

Mayor Lebsack opened the Public Hearing at 8:07 p.m. and having no public comment closed the hearing at 8:11 p.m. Councilmember Mellon made a motion seconded by Councilmember Molinar Jr. Motion carried with a unanimous vote.

D. Consider Approval of Amendment No. 3 to Agreement Between the Town of Johnstown and Adolfson & Peterson Construction – Johnstown Community Recreation Center Construction Project - Amendment No. 3 is the Final Guaranteed Maximum Price for the facility construction.

Councilmember Mellon made a motion seconded by Councilmember Lemasters to approve Amendment No. 3 (including Exhibit A) to the Agreement between the Town of Johnstown and Adolfson & Peterson Construction in an amount not to exceed \$29,015,161.00 and authorize the owner's representative (Mr. LaCouture), with approval from the Town Manager, to approve change orders in an amount not to exceed the construction budget amount of \$29.2 million without Council approval. Motion carried with a unanimous vote.

E. Discussion of Land Dedication – Weld Re5-J Superintendent Arnold, requested the town consider transferring the 10 acre site in Clearview, currently owned by the town to the school district for a future elementary school. Councilmember Mellon made a motion seconded by Councilmember Young to have staff execute paperwork necessary to transfer the property in Clearview to Weld RE5-J School District. Motion carried with a unanimous vote.

Council adjourned the meeting at 8:29 to proceed with the work session to discuss the town's water court process. The town's water engineer's and water attorney were present to answer questions and explain the process.

The regular meeting was reopened at 9:00 p.m.

Executive Session Councilmember Mellon made a motion seconded by Councilmember Molinar Jr. to recess into executive session to discuss matters subject to negotiation regarding the Town Manager's employment agreement and to instruct the Town attorney related to the negotiation, pursuant to C.R.S. Section 24-6-402(4)(e). Motion carried with a unanimous vote.

The meeting resumed at 9:25 p.m.

There being no further business to come before Council the meeting adjourned at 9:30 p.m.

Mayor

Town Clerk