

The Town Council of the Town of Johnstown met on Monday, May 7, 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 were: Councilmembers Lebsack, Lemasters, 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 Lebsack to approve the Agenda with the amendment to move Item 9G. to 9.A. Motion carried with a unanimous vote.

Consent Agenda

Councilmember Lebsack made a motion seconded by Councilmember Molinar Jr. to approve the Consent Agenda with the following items included for approval:

- April 16, 2018 Council Meeting Minutes
- Amendment to Iron Horse Agreements

Motion carried, with Mayor James abstaining.

Old Business

A. Appointment of Mayor Pro Tem - Councilmember Mellon made a motion seconded by Councilmember Tallent to appoint Gary Lebsack Mayor Pro Tem. Motion carried with a unanimous vote.

New Business

A. Mr. Chris Coker, CEO/President of the YMCA of Boulder Valley was present to discuss the proposed marketing material for the Johnstown Community Recreation Center. Councilmember Young made a motion seconded by Councilmember Mellon to select the name "Johnstown Community YMCA" to be used on the marketing materials. Motion carried with a unanimous vote.

B. Consider Water and Sewer Service Agreement for Thompson River Ranch PUD, Filing No. 9 – The Developer, Oakwood Homes submitted to the Town a Water and Sewer Service Demand Analysis, based upon the analysis with the proposed construction of 128 residential lots and potable landscape irrigation, the average water demand is calculated to be 59.6 acres-feet per year. The Developer, will apply existing dedication credit and also dedicate additional shares of Home Supply. Councilmember Lebsack made a motion seconded by Councilmember Mellon to approve the Water and Sewer Service Agreement for Thompson River Ranch Filing No. 9. Motion carried with a unanimous vote.

C. Public Hearing – Thompson River Ranch PUD, Filing No. 9 Final Plat – The applicant, Oakwood Homes has submitted a request for approval of a final subdivision plat for a parcel of land known as the “Carriage Home” development. There are 128 lots on approximately 21 acres, with the zoning for the property Planned Unit Development-Mixed Use for residential.

Mayor James opened the public hearing at 7:26 p.m. After hearing from the applicant and having no public comment the public hearing was closed at 7:51 p.m. Councilmember Mellon made a motion seconded by Councilmember Young to approve the Thompson River Ranch, Filing No. 9 Final Plat. Motion carried with Councilmember Molinar Jr. voting no.

D. Consider Subdivision Development and Improvement Agreement for Thompson River Ranch PUD, Filing No. 9 – The Subdivision Development and Improvement Agreement requires the Developer to develop the property in accordance with the subdivision plat that was approved by Council. Councilmember Lebsack made a motion seconded by Councilmember Mellon to approve the public improvements development agreement for Thompson River Ranch Filing No. 9. Motion carried with a unanimous vote.

E. Public Hearing – Transfer of Ownership for Johnstown Liquor Inc.

Mayor James opened the Public Hearing at 7:56 p.m. After hearing from the applicant and having no public comment the public hearing was closed at 8:00 p.m. Councilmember Lemasters made a motion seconded by Councilmember Tallent to approve the application for the Transfer of Ownership for Johnstown Liquor, Inc. Motion carried with a unanimous vote.

F. Consider Award of Contract to A-One Chipseal for 2018 Chip Seal Project – Councilmember Mellon made a motion seconded by Councilmember Young to award the contract for the 2018 Chip Seal Project to A-One Chipseal for a total price not to exceed \$250,000, and authorize the Mayor to sign the agreement. Motion carried with a unanimous vote.

G. Consider Water Agreement for Johnstown Heights, Amended Filing No. 3 – The Developer, Jan Telep Rogers desires to develop 9 lots in Johnstown Heights, Filing No. 3. The Water Agreement specifies the Developer will pay \$9,375.00 per SFE for each of the undeveloped lots in the Development. The Water Agreement terminates on December 31, 2027. If the developer has not obtained building permits by the termination date, the Water Agreement shall not be binding. Councilmember Young made a motion seconded by Councilmember Lebsack to approve the Water Agreement for Johnstown Heights, Amended Filing No. 3 between the Town of Johnstown and Jan Telep Rogers, and authorize the Mayor to sign it. Motion carried with a unanimous vote.

10. Executive Session

An Executive Session for a Conference with the Town Attorney Pursuant to C.R.S. Section 24-6-402 (4)(b) Regarding a Proposed Water Agreement between the Town of Johnstown and W.R. Investment, LLC – Councilmember Mellon made a motion seconded by Councilmember Molinar Jr. to recess into Executive Session at 8:09 p.m.

Mayor James reopened the Executive Session at 8:41 p.m.

A. Consider Water Agreement between the Town of Johnstown and W.R. Investment, LLC – Councilmember Mellon made a motion seconded by Councilmember Lemasters to approve the Water Agreement between the Town of Johnstown and W.R. Investment, LLC and authorize the Mayor to sign it. Motion carried with a unanimous vote.

There being no further business to come before the Council the meeting adjourned at 8:55 p.m.

Mayor

Town Clerk/Treasurer