

The Town Council of the Town of Johnstown met on Monday, September 16, 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., and Tallent

Those absent were: Councilmember Young

Also present: Avi Rocklin, Town Attorney, Matt LeCerf, Town Manager, Marco Carani, Public Works Director, Mitzi McCoy, Finance Director, Kim Meyers, Planning and Development Director and Brian Phillips, Police Chief

Agenda Approval

Councilmember Berg made a motion seconded by Councilmember Lemasters to approve the Agenda as submitted. Motion carried with a unanimous vote.

Public Comment: Residents from the Thompson River Ranch subdivision were present to express concerns about the developer, Oakwood Homes having uncompleted items in the subdivision.

Presentations: Ryan Schaefer, CEO NAI Affinity Real Estate Partners Inc. – gave an update to Council on economic development in the 2534 area.

Town Manager Report – Town Manager Matt LeCerf requested Council consider cancelling the October 21, 2019 Regular Council Meeting. Council agreed if there was not any business the meeting could be canceled.

Consent Agenda

Councilmember Lemasters made a motion seconded by Councilmember Berg to approve the Consent Agenda with the following items included for approval:

- September 4, 2019 Council Meeting Minutes
  - Payment of Bills
  - August Financial Statements
  - 2<sup>nd</sup> Reading Ordinance Number 2019-164- approving PUD Final Development Plan for Johnstown Village
  - Amended Water and Sewer Service Agreement – Ridgeview Office Park
  - Water and Sewer Service Agreement – VMJ Properties, LLC and Johnson-Taylor Family Properties, LLLP
  - Resolution 2019-19 Acknowledgement of Receipt of the FY 2020 Preliminary Budget
- Motion carried with a unanimous vote.

New Business

A. Public Hearing – New Hotel and Restaurant License – Café Mexicali – Johnstown, LLC

Mayor Lebsack opened the public hearing at 7:50 p.m. and heard from the applicant. Having no public comments, the public hearing closed at 7:56 p.m.

Councilmember Mellon made a motion seconded by Councilmember Molinar Jr. to approve the issuance of a Hotel and Restaurant License for Café Mexicali- Johnstown, LLC. Motion carried with a unanimous vote.

B. Public Hearing – New Beer and Wine License – BM Nail Bar, Inc.

Mayor Lebsack opened the public hearing at 7:58 p.m. and heard from the applicant's representatives. Having no public comments, the public hearing closed at 8:17 p.m.

Councilmember Tallent made a motion seconded by Councilmember Berg to approve the issuance of a new Beer and Wine License for BM Nail Bar, Inc. Motion carried with a unanimous vote.

C. Third Amendment to Escrow Agreement by and among the Town of Johnstown, Johnstown Plaza, LLC, Johnstown Plaza Metropolitan District and UMB Bank, N.A. – The Third Amendment to Escrow Agreement allows for the transfer of remaining funds from the Bond Accounts to the Developer Account and maintains the current disbursement cost structure for private improvements and sets aside \$500,000, the estimated original cost of the remaining public improvements with a slight escalation to account for increased construction costs, for completion of the public improvements. The amended agreement directs the escrow agent to open a new account, to be known as the Public Improvements Escrow Account, to hold the public improvement funds. Councilmember Mellon made a motion seconded by Councilmember Lemasters to approve the Third Amendment to the Escrow Agreement and authorize the Mayor to sign it. Motion carried with a unanimous vote.

There being no further business to come before Council the meeting adjourned at 8:51 p.m.

Mayor

Town Clerk

