

The Town Council of the Town of Johnstown met on Monday, September 17, 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 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.

Consent Agenda

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

- September 5, 2018 Council Meeting Minutes
- Payment of Bills
- August Financial Statements

Motion carried with a unanimous vote.

New Business

A. Public Hearing – Consider Transfer of Ownership for Leo’s Place – The Black Sheep, LLC submitted an application for a Transfer of Ownership for Leo’s Place located at 19 ½ South Parish Avenue.

Mayor James opened the Public Hearing at 7:03 p.m. and heard from the applicant. Having no public comment, Mayor James closed the hearing at 7:07 p.m. Councilmember Tallent made a motion seconded by Councilmember Young to approve the application for the Transfer of Ownership for Leo’s Place. Motion carried with a unanimous vote.

B. Public Improvements Development Agreement – Johnstown Heights, Amended Filing No. 3 The Final Plat for Johnstown Heights, Amended Filing No. 3 agreement requires the Developer develop the property in accordance with the amended subdivision plat that was approved by the Council. Councilmember Lebsack made a motion seconded by Councilmember Mellon to approve the public improvements development agreement for Johnstown Heights, Amended Filing No. 3. Motion carried with a unanimous vote.

C. Consider Assignment, Assumption and Bill of Sale (WRI to Clayton) and Consent and Estoppel Certificate – On May 7, 2018, the Town of Johnstown and WR Investments, LLC entered into a Water Agreement, whereby, the Town created a water bank on behalf of WRI containing 610 single-family equivalent water units. In the Water Agreement, the Town expressed its intent and desire that the water would be used for the potable water needs of the Thompson River Ranch development (“Project”). Clayton Properties Group II, Inc. (“Clayton”), the successor to Oakwood Homes and the developer of the Project, entered into an agreement with WRI to purchase the water. Clayton also requests the Town execute a Consent and Estoppel Certificate confirming its consent to Clayton’s purchase of the Assigned Interests. Councilmember Mellon made a motion seconded by Councilmember Molinar Jr. to approve the assignment set forth in Paragraph 2 of the Assignment, Assumption and Bill of Sale (WRI to Clayton) and authorize the Mayor to sign it. Councilmember Lebsack made a motion seconded by Councilmember Lemasters to approve the Consent and Estoppel Certificate and authorize the Mayor to sign it. Motion carried with a unanimous vote.

Executive Session

Councilmember Lebsack made a motion seconded by Councilmember Young to recess into Executive Session at 7:17 p.m. for a conference with the Town’s water attorney pursuant to C.R.S. Section 24-6-402(4)(b) to discuss water rights. Mayor James reopened the meeting at 7:28 p.m. and stated no decisions were made.

Mayor’s Comments

Mayor James informed Council there are 2 vacancies on the Johnstown Housing Authority Board and would like a motion to appoint Jeanne Larson and Gregory Peterson to the Board. Councilmember Lebsack made a motion seconded by Councilmember Young to appoint Jeanne Larson and Gregory Peterson to the board. Motion carried with a unanimous vote.

There being no further business to come before the Council the meeting adjourned at 7:37 p.m.

Mayor

Town Clerk/Treasurer