

The Town Council of the Town of Johnstown met on Wednesday, September 3, 2014 at 7:00 p.m. in the Council Chambers at 450 S. Parish Avenue, Johnstown.

Mayor Romanowski led the Pledge of Allegiance.

Roll Call:

Those present were: Councilmembers Berg, James, Lebsack, Mellon, Molinar Jr. and Townsend

Also present: Avi Rocklin, Town Attorney, Roy Lauricello, Town Manager. John Franklin, Town Planner, Brian Phillips, Chief of Police, Tom Hellen, Public Works Director and Diana Seele, Town Clerk/Treasurer

Agenda Approval

Councilmember Mellon made a motion seconded by Councilmember Lebsack 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:

- August 18, 2014 Town Council meeting minutes
- Resolution No. 2014-09, Approving the Final Plat for Thompson River Ranch Filing No. 3, Being a Subdivision Located in the Northeast One-Quarter of the Southeast One-Quarter of Section 22, Township 5 North, Range 68 West of the 6th P.M., County of Larimer, State of Colorado
- Resolution No. 2014-10, Approving the Final Plat for Thompson River Ranch Filing No. 4, Being a Subdivision Located in the Northeast One-Quarter of the Southeast One-Quarter of Section 22, Township 5 North, Range 68 West of the 6th P.M., County of Larimer, State of Colorado

Motion carried with a unanimous vote.

New Business

A. Consider Tavern Liquor License Renewal for Leo's Place – Councilmember Berg made a motion seconded by Councilmember James to approve the tavern liquor license renewal for Leo's Place. Motion carried with unanimous vote.

B. Public Hearing – First Reading – Ordinance No. 2014-135, An Ordinance Amending Johnstown Municipal Code Section 13-68 Concerning Water Court Transfer Fees and Raw Water Credits – The Town adopted an ordinance in 1998 establishing water court transfer fees associated with the Town's acceptance of the dedication of water rights. The water court transfer fees have not been increased since that time. Also this ordinance imposes a two-tiered water court transfer fee structure and to discount the credit for raw water that is not decreed for municipal use.

Mayor Romanowski opened the Public Hearing at 7:24 p.m. and having no public comment closed the hearing 7:25 p.m.

Councilmember Lebsack made a motion seconded by Councilmember Berg to approve Ordinance No. 2014-135, amending Johnstown Municipal Code Section 13-68, on first reading. Motion carried with a unanimous vote.

C. Public Hearing – First Reading – Ordinance No. 2014-136, An Ordinance Disconnecting Certain Land Located in the West One-half of Section 14 and the East One-half of Section 15, in Township 4 North, Range 68 West of the 6th Principal Meridian, Town of Johnstown, State of Colorado - Johnstown previously annexed a parcel of property known as Hart Farms located on the southwest corner of the Intersection of U.S. Interstate 25 and State Highway 56. The Hart Farms' property owner, requested to disconnect Hart Farms from Johnstown in order to annex into Berthoud. Johnstown and Berthoud entered into an Intergovernmental Agreement, agreeing that Hart Farms may disconnect from Johnstown. The municipalities also agreed that the portion of U.S. Interstate I-25 would disconnect from Johnstown and that Berthoud would annex and assume jurisdictional control of that portion of the highway. C.R.S. § 31-12-501 provides that the owner of a tract of land within a municipality may apply to the governing body for disconnection of such property and determining that the best interests of the municipality will not be prejudiced by disconnection, may enact an ordinance disconnecting such property. Ordinance 2014-136 disconnects this property from Johnstown.

Mayor Romanowski opened the Public Hearing at 7:34 p.m. and having no comments closed the hearing at 7:38 p.m.

Councilmember Townsend made a motion seconded by Councilmember Berg to approve Ordinance No. 2014-136, disconnecting certain property from Johnstown, on first reading. Motion carried with a unanimous vote.

There being no further business to come before Council the meeting adjourned at 7:47 p.m.

Mayor

Town Clerk/Treasurer