R E C O R D O F P R O C E E D I N G S

CITY OF LAFAYETTE
CITY COUNCIL MEETING

May 20, 2014

Call to Order
The May 20, 2014, regular City Council Meeting began at 6:22 p.m. in the Council Chambers at Lafayette City Hall, located at 1290 S. Public Road in Lafayette, Colorado.

Roll Call
Those in attendance included Mayor Christine Berg and Mayor Pro Tem Gustavo Reyna; and Councilors Staci Lupberger, Brad Wiesley Merrily Mazza and Tom Dowling. A motion was made by Councilor Dowling and seconded by Councilor Lupberger *to excuse Councilor Alexandra Lynch*. The motion passed unanimously.

Also present were City Administrator Gary Klaphake, Police Chief Rick Bashor, Recreation and Facilities Management Director Curt Cheesman, City Clerk Susan Koster, Downtown Planner Jenn Ooton, Planning Manager Karen Westover and City Attorney Dave Williamson.

Adjourn to Executive Session
A motion was made by Mayor Pro Tem Reyna and seconded by Councilor Lupberger *to adjourn to Executive Session According to C.R.S. 24-6-402(4)(e), for determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators pertaining to properties on South Public Road and South Boulder Road*. The motion passed unanimously.

Reconvene Council Meeting
At 7:00 p.m. Mayor Berg stated that the Executive Session had been concluded. The participants in the session were Mayor Pro Tem Gustavo Reyna and Councilors Lupberger, Wiesley, Mazza and Dowling; City Attorney Williamson, City Administrator Klaphake, and Community Development Director Patterson.

The Mayor asked anyone who participated in the Executive Session who believed that substantial discussion of any matters not included in the motion to go into the session occurred during the session, or that any improper action occurred during the session in violation of the Open Meetings Law, to state their concerns. No concerns were voiced.

Public Input
Megan Bowes, 106 W. Cannon, spoke in favor of curbside composting.
Brad Pollack from Wahsatch Research Group, 1224 Commerce Court Unit #1, requested an amendment to Ordinances 04 and 05, Series 2014 to increase the number of premises allowed for marijuana cultivation from six to seven.
John Lamb, 590 E. Sutton Circle, urged Council to vigorously defend the COGA lawsuit. He requested details of the City's legal expenditures. He spoke in opposition to allowing disc golf at Waneka Lake.

The following people spoke in opposition to Disc Golf at Waneka Lake

Kent Brown, 1145 Sparta Drive
Barbara Kammer, 1145 Sparta Drive
Robert Ditmon, 340 Wellington Avenue
Larry Clyman 1160 Sparta Drive
Gerard Mariani, 1105 Sparta Drive
Meredith Dlynn, 1110 Sparta Drive
Jonathan Hazen, 1110 Sparta Drive
Karli Hansen, 672 S. Bermont Avenue
James Thurber, 109 High Country Trail
Robert Botnick, 187 Salina Street
Sandy Anderson, 1420 Cypress Circle
Randy Niendorff, 1225 Sparta Drive
Helen Porter, 1265 Delphi Drive
Tom Pringle, 1648 Waneka Lake Trail
Everett Wiehe, 2255 Schooner
Ron Ramsey, 1290 Delphi Drive
Matt Hoskins, 5603 Arapahoe (Boulder)
George Dessev, 1265 Delphi Drive
Yasko Tsunekawa, 1090 Sparta Drive
Peter Mullineaux, 2259 Schooner Street
Nancy Walker, 1160 Sparta Drive
Pat Nitz, 1065 Delta Drive
Randy Dickinson, 1150 Sparta Drive

The following people submitted speaker's forms in opposition to Disc Golf but did not speak

Katherine Nettles, 350 Zenith Avenue
Andrew Torri, 1090 Sparta Drive
Julie Elfers, 405 Zenith Avenue
Lisa Ashbough, 365 Zenith Avenue
Susi Devrient & Jon Juenette, 985 Zenith Avenue

Petitions containing 244 signatures of people opposed to disc golf at Waneka Lake were entered into the record.

The following people spoke in favor of Disc Golf at Waneka Lake

Ray Woodruff, 1304 Centaur Circle
Jeff Scott, 309 E. Cannon Street
Barb Goldman, 1300 Olympian Circle
Mike Kugler, 157 Zenith Avenue
David Lowell, 3506 Nyland Way
Marsha Sonderfan, 943 Eichhorn Drive (Erie)
Camden Farmerz, 3365 W. 55th Avenue (Denver)
Dave Straight, 1540 Phoenix Ct. (Thornton)
R. Resirgo, 1297 Doric Drive

The following people submitted speaker's forms in favor of Disc Golf, but did not speak

Joel Vogt, 1300 Olympian Circle
Saori Scott, 309 E. Cannon Street Mitch
Owen Lunz, 204 Saint Ida Circle
Sonderfan, 943 Eichhorn Drive (Erie)

The following individuals spoke in favor of the creation of a Stakeholders group to prepare a clean energy plan and recommendations for a ballot question

Cliff Smedley, 707 Merlin Drive
Robb Menzies, 945 Malory Street
Larry Miloshevich, 1650 Bedivere Circle
Frank Phillips, 278 S. Finch Avenue

Consent Agenda

Mayor Berg read the consent Agenda.

B. Minutes of the Council Workshop Meeting of May 6, 2014
C. Minutes of the Regular Council Meeting of May 6, 2014
D. Second Reading / Ordinance No. 14, Series 2014 / Amending Sections 26-14-20, Vacation of Roadways and Easements; 26-15-4, Special Use Review Criteria; 26-16-6, Staff Review

of Certain Applications; 26-19-5, Landscape Regulations and Guidelines and Table 26-A, Use Chart of The Code of Ordinances of Lafayette, Colorado

D. Purchase Orders and Amendments

A motion was made by Councilor Wiesley and seconded by Councilor Lupberger *to approve the Consent Agenda*. The motion passed unanimously.

Lafayette Urban Renewal Authority
A motion was made by Mayor Berg and seconded by Mayor Pro Tem Reyna *to re-appoint Carolyn Cutler to a five-year term to the Lafayette Urban Renewal Authority.* The motion passed unanimously.

Planning Commission & Board of Adjustment Interview Committee
Councilors Lupberger and Mazza and Mayor Pro Tem Reyna were named to serve on the interview committee for Planning Commission and Board of Adjustment interviews.

Demolition Definition
Planning Manager Karen Westover presented the first reading of Ordinance No. 15, Series 2014 / Amending Section 47-2 of the Code of Ordinances Pertaining to the Definition of Demolition. She said the Historic Preservation Board recommends the new definition which would enable the board to review remodeling plans of structures over 50 years old that would result in the demolition of a significant portion of the building.

Councilors agreed to amend the ordinance on second reading to address incremental remodeling changes that add up to more than 50% of the structure. A motion was made by Councilor Lupberger and seconded by Councilor Wiesley *to approve on first reading Ordinance No. 15, 2014 as presented.* The motion passed unanimously.

Healthy Eating, Active Living
City Administrator Klaphake said the City received a Walk and Wheel grant from Kaiser Permanente to enhance walking and biking in Lafayette. As a condition of the grant, they have asked Lafayette to become a HEAL (Healthy Eating Active Living) City. A motion was made by Councilor Lupberger and seconded by Councilor Dowling *to approve Resolution No. 2014-23 / Setting Forth the City of Lafayette's Commitment to the Heal City and Towns Campaign*. The motion passed unanimously.

Excise Tax / Marijuana Businesses
Community Development Director Patterson presented the title and text for a proposed ballot issue that would impose a 5% excise tax on the wholesaling (first sale or transfer) of unprocessed retail marijuana and a 3.5% excise tax on the retail sales of retail marijuana. Councilors gave Staff direction to proceed with a resolution sending the question to the voters.

City Administrator's Report
City Administrator Klaphake spoke about the common purposes of the Lafayette Energy Sustainability Advisory Committee (LESAC) and the citizen advocate group known as Lafayette's

Energy Future (LEF). LEF requested that Council create an ad hoc Stakeholders group to formulate a plan which would become justification for a bond issue to fund the plan. The plan must clear LESAC in order for LESAC to recommend to Council that a ballot measure be sent to the voters in November.

A motion was made by Councilor Dowling and seconded by Councilor Mazza *to endorse and encourage the formation of a Stakeholders group to discuss an energy sustainability plan; and provide Council with recommendations for the content of a ballot question asking voters for designated funding to support a bold energy sustainability effort in Lafayette. The participants will self-organize and may include members from the Lafayette's Energy Future citizen group, LESAC, the business community and other members and advisors as deemed appropriate. Council should be kept apprised of progress, and will need final recommendations by mid-July*. The motion failed 5 to 1, with Councilor Dowling voting yes.

A motion was made by Councilor Dowling and seconded by Councilor Mazza *to authorize the use of Staff time through July 17 to assist the Stakeholders group with an energy plan*. The motion passed 5 to 1, with Councilor Lupberger voting no.

Waneka Lake Disc Golf Discussion
Recreation and Facilities Management Director Cheesman answered Councilors' questions about the plan for disc golf at Waneka Lake. Following discussion, Council determined that the plan to install the course should go forward.

Adjourn
The meeting was adjourned at 11:00 p.m.

CITY OF LAFAYETTE, COLORADO

_____
Christine Berg, Mayor

ATTEST

_____
Susan Koster, CMC
City Clerk

[SEAL]

The minutes herein are a summary of the business conducted at this meeting, not a verbatim transcription. Only the actions taken and the text appearing in quotation marks are verbatim.