

RECORD OF PROCEEDINGS

CITY OF LAFAYETTE CITY COUNCIL MEETING

August 1, 2017

Call to Order

The August 1, City Council Meeting began at 5:37 p.m. at Lafayette City Hall at 1290 South Public Road in Lafayette, Colorado.

Roll Call

Those in attendance included Mayor Christine Berg, Mayor Pro Tem Gustavo Reyna, and Councilors Brad Wiesley, Alexandra Lynch, Chelsea Behanna, and Stephanie Walton. A motion was made by Councilor Lynch and seconded by Councilor Behanna *to excuse Councilor Merrily Mazza*. The motion passed unanimously.

Also present were City Administrator Gary Klaphake, Police Chief Rick Bashor, City Clerk Susan Koster, City Attorney Dave Williamson, Planning Director Karen Westover, Assistant City Administrator / Economic Development Director Roger Caruso, Public Works Director Doug Short, Public Information Officer Debbie Wilmot, Planning Manager Paul Rayl, Recreation & Facilities Superintendent Tammy Tucker, Head Golf Pro Craig Stephens, Parks, Recreation & Open Space Assistant to the Director Ben Mazal, and Parks, Recreation & Open Space Director Monte Stevenson.

Presentation

Lisa Gomez and Kelsey Fletcher talked about the East Boulder County 2017 Relay for Life event to raise money for the American Cancer Society.

Workshop

Council held a joint workshop with members of the Urban Renewal Authority, including Vice Chair Carolyn Cutler, Jamie Harkins, Jamie Ramos, Chair Kevin Muller, Patrick Gross, and Kate Williams. The group discussed urban renewal successes along Public Road and how they might work together to extend urban renewal activities in the commercial district of Old Town. They agreed a meeting with business owners and neighbors would be a good first step.

Parks, Open Space & Golf Director Stevenson introduced members of his team. Recreation & Facilities Superintendent Tucker reviewed actual and projected revenues for the Recreation Center and proposed fee increases. Head Golf Pro Stephens and Parks, Recreation & Open Space Assistant to the Director Mazal reviewed expenditures projected for 2018, labor costs, and proposed fee increases.

Presentations

Scott McCarey, Multimodal Division Manager with the Boulder County Transportation Department, presented the RTD Ridership Contest results. The Boulder County Transportation Department sponsored the contest to increase ridership.

Public Information Officer Wilmot demonstrated the City's new interactive Mobile Phone App which accesses historic tours, trails, art walks, and points of interest around town.

Public Input

The following residents spoke in opposition to the residential growth management ballot issue:

Seth White	Rebecca Schwendler	Grant Swift	Lynn Riedel
Ron Spalding	Karen Norback	Cindy Lurie	

Andrew O'Connor (Lafayette) spoke against fracking.

Gerry Morrell (Erie) asked Council to consider equal apportionment of revenues to recipients of the dedicated storage tax, should the ballot measure pass.

Vicki Uhland (Lafayette) asked Council to postpone the growth management ballot issue until next year to allow more public input. She had concerns about the proposed new contamination fee for Republic trash service and about their customer service. She suggested a public forum to discuss Republic service issues.

Ron Spalding (Lafayette) spoke in opposition to ballot issues concerning growth management, council compensation, and the Legacy Tax.

Public Hearings

Exemptions to Ordinance No. 28, Series 2017 / 90-Day Moratorium on Building Permits for Old Town Residential Structures

Application for Exception / 201 West Chester Street

Planning Director Westover presented the application for 201 West Chester Street. She said the application meets all criteria for granting an exception.

Applicants David Reeder and Gail Reeder presented information and evidence to Council in support of the application and the required criteria.

Mayor Berg opened a public hearing at 8:30 p.m. and called individuals forward who wished to speak. Seeing no one, she closed the hearing.

A motion was made by Councilor Walton and seconded by Councilor Lynch *to approve an exemption to the moratorium for 201 West Chester Street*. The motion passed unanimously.

Application for Exception / 104 West Cleveland Street

Planning Director Westover presented the application for 104 West Cleveland Street. She said the application meets all criteria except that, under the new code, the two story garage/ADU would be too close to the side and rear property lines at 5 feet.

Applicant Van Wilgus presented information and evidence to Council in support of the application and the required criteria.

Mayor Berg opened a public hearing at 8:40 p.m. and called individuals forward who wished to speak. Lafayette Residents Dan Pinneo and Erika Yeager spoke in opposition to the exception.

Resident Kurt Munding talked about damage done in the alley by trash trucks. Mayor Berg closed the hearing at 8:50 p.m.

A motion was made by Councilor Walton and seconded by Mayor Pro Tem Reyna to approve an exemption to the moratorium for 104 West Cleveland Street. The motion passed unanimously.

Old Town Design Criteria

Mayor Berg decided to take public comments before the staff presentation and opened a public hearing at 8:51 p.m. for the first reading of Ordinance No. 30, Series 2017 / Amending Chapters 26 of the Municipal Code regarding Old Town Design Criteria.

The following Lafayette residents spoke in opposition of the ordinance or registered their opposition with the City Clerk:

Sonia Martinez	Sarah Jensen	Kurt Munding	Carolyn Cutler
Wendy Hoover	Chris Burchell	Ken Jensen	

The following residents spoke in favor of the ordinance or registered their support with the City Clerk:

Grant Swift	Karen Norback	Vicki Uhland	Rebecca Schwindler
Seth White	Darcia Thomas		

The following residents spoke in support or opposition to parts of the ordinance:

Kristi Ormsbee	Sierra May Burchell	Deryn Wagner	Mary Pat Munding
Brad Guinn			

Mayor Berg closed the hearing at 9:52 p.m. Planning Director Westover reviewed recent revisions that were made to the ordinance and highlighted issues requiring further discussion.

A motion was made by Mayor Pro Tem Reyna and seconded by Councilor Wiesley to table Council discussion of Ordinance 30, Series 2017 to the August 15, 2017 meeting. The motion passed unanimously.

Ordinances

First Reading / Ordinance No. 31, Series 2017 / Adopting the National Electric Code 2017 Edition
Planning & Building Director Westover presented the first reading of the ordinance and requested a public hearing be scheduled on August 15, 2017, upon second reading as required by State law.

A motion was made by Councilor Wiesley and seconded by Councilor Walton to approve on first reading Ordinance No. 31, Series 2017 as presented and to schedule a public hearing as requested. The motion passed unanimously.

First Reading / Ordinance No. 32, Series 2017 / Submitting to the Voters at the Regular Municipal Election on November 7, 2017, an Amendment to the Home Rule Charter Pertaining to the Residential Growth Management, and Setting the Ballot Title and Text Therefor.

Based upon Council discussion, City Attorney Williamson agreed to send revisions to Council before second reading. A motion was made by Mayor Pro Tem Reyna and seconded by Councilor Lynch to approve on first reading Ordinance No. 32, Series 2017. The motion passed 4 to 2 with Councilors Behanna and Walton voting no.

First Reading / Ordinance No. 33, Series 2017 / Submitting to the Voters at the Regular Municipal Election on November 7, 2017, an Amendment to the Home Rule Charter Pertaining to Council Compensation, and Setting the Ballot Title and Text Therefor. City Attorney Williamson said he would tweak the language before second reading according to Council direction. A motion was made by Councilor Behanna and seconded by Councilor Lynch to approve on first reading Ordinance No. 33, Series 2017. The motion passed unanimously.

First Reading / Ordinance No. 34, Series 2017 / Amending Chapter 47 – Historic Preservation / Demolition Public Hearing Notice. Planning & Building Director Westover presented the first reading. She said the ordinance defines the area of neighborhoods that must be notified if a demolition hearing is scheduled.

A motion was made by Councilor Lynch and seconded by Councilor Behanna to approve on first reading Ordinance No. 34, Series 2017 as written. The motion passed unanimously.

Resolutions

Assistant City Administrator / Economic Development Director Caruso presented Resolution No. 2017-37 / Decreasing Off-Street Parking Requirement / 802 S. Public Road. He said the resolution is needed in order for the Urban Renewal Authority to lease 62 parking spaces for public parking. A motion was made by Councilor Walton and seconded by Councilor Wiesley to approve Resolution No. 2017-37 as presented. The motion passed unanimously.

Assistant City Administrator / Economic Development Director Caruso presented Resolution No. 2017-38 / Decreasing Off-Street Parking Requirement / 811 S. Public Road. He said the resolution is needed in order for the Urban Renewal Authority to lease 44 spaces for public parking. A motion was made by Councilor Behanna and seconded by Councilor Walton to approve Resolution No. 2017-38 as presented. The motion passed unanimously.

Consent Agenda

Mayor Berg read the Consent Agenda:

- M. Minutes of Regular Council Meeting of July 18, 2017
- N. Resolution No. 2017-39 / Surplus City Vehicles and Equipment
- O. Resolution No. 2017-40 / Authorizing an Intergovernmental Agreement between the Colorado Department of Transportation and City of Lafayette / Safe Routes to School Grant
- P. Contract / City-Wide Facility Painting / Painting Plus of Boulder
- Q. Contract / Installation of Non-Reservable Shelter at Waneka Park / Recreation Plus LTD
- R. Open Space Advisory Committee / Prairie Dog Policy Recommendations
- S. Resolution No. 2017-41 / Establishing Fee for Solid Waste Education
- T. Lot 3, Westridge Filing No. 1 Replat B / Les Schwab Tire Center / Site Plan Architectural Review
- U. Purchase Orders and Amendments

Items S was removed from the consent agenda for further discussion.

A motion was made by Councilor Behanna and seconded by Councilor Wiesley to approve the remainder of the Consent Agenda. The motion was approved unanimously.

Item S Resolution No. 2017-41 / Establishing Fee for Solid Waste Education

Public Works Director Short explained that the purpose of the fee is to pay for educating residents about compostable refuse. He said no fines will be issued until after the education effort and new stickers are placed on the compost bins.

A motion was made by Councilor Behanna and seconded by Councilor Lynch to approve Resolution No. 2017-41 as presented. The motion passed unanimously.

Council Appointment

A motion was made by Councilor Behanna and seconded by Councilor Walton to appoint Neal Kunis to a regular member position on the Energy Sustainability Advisory Committee until March 2018. The motion passed unanimously.

City Attorney's Report

City Attorney Williamson said he hoped to have Council do some wordsmithing on draft resolutions for upcoming ballot issues, but in lieu of the late hour, he will take revisions via email and bring final drafts for consideration at the next meeting. Council agreed to work "off-line" on the Legacy Tax Extension, the Storage Services Excise Tax, and the Revenue Bonds to Finance Street Improvements.

Adjourn

The meeting was adjourned at 11:31 p.m.

CITY OF LAFAYETTE, COLORADO

ATTEST

Christine Berg, Mayor

Susan Koster, City Clerk

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.