

RECORD OF PROCEEDINGS

CITY OF LAFAYETTE CITY COUNCIL MEETING

November 27, 2017

Call to Order

The November 27, 2017, City Council Meeting began at 5:31 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 Alexandra Lynch, Chelsea Behanna, Merrily Mazza, and Stephanie Walton. Councilor-elect Jamie Harkins was unable to attend this meeting due to a previously scheduled commitment.

Also present were City Administrator Gary Klaphake, Fire Chief Dave Friedel, Public Works Director Doug Short, Planning & Building Director Karen Westover, Deputy City Clerk Susan Barker, Parks, Recreation, and Open Space Director Monte Stevenson, City Attorney Dave Williamson, and Building Official Ron Kauffman.

Installation of New Councilors / Organizational Meeting

Judge Roger Buchholz administered the oath of office to Gustavo Reyna, Merrily Mazza, and Chelsea Behanna.

Election of Mayor and Mayor Pro Tem

City Attorney Williamson explained the process for the election of the Mayor and Mayor Pro Tem. He called for nominations for Mayor. Gustavo Reyna nominated Christine Berg for mayor. There were no other nominations. A vote was taken by written ballot and Christine Berg was re-elected as Mayor by a vote of 6 to 0.

Mayor Berg called for nominations for Mayor Pro Tem. Councilor Lynch nominated Gustavo Reyna. No other nominations were voiced. A vote was taken by written ballot and Gustavo Reyna was re-elected as Mayor Pro Tem by a vote of 6 to 0.

A motion was made by Councilor Behanna and seconded by Mayor Pro Tem Reyna to excuse Councilor Lynch who left the meeting due to illness. The motion passed unanimously.

Public Input

Andrew J. O'Connor – (Lafayette) Spoke in support of Ordinance No. 54 pertaining to Oil and Gas. Justin Gibbs – (Boulder) Wanted to raise awareness of Multipurpose Fire Sprinkler Systems and ask Lafayette to consider these systems when applying water tap fees.

Public Hearing / Trail Ridge West Subdivision

Planning Director Karen Westover presented plans for the Trail Ridge West to be located on 3.7 acres on the south side of Baseline Road between Highway 287 and 95th Street. The development will consist of fourteen single-family homes. She said the Planning Commission approved the project subject to four conditions of approval on June 27, 2017.

Paul Calcagno with PR Homes, Inc. was available for Council questions.

Mayor Berg opened a public hearing at 7:19 p.m. and invited interested parties to speak.

Glen Pepper – (Lafayette) expressed his concerns for the overall project including roof pitch and the view corridor that would be blocked for him and his neighbors.

Mayor Berg closed the hearing at 7:40 p.m.

A motion was made by Councilor Behanna and seconded by Councilor Walton to approve the Trail Ridge West Subdivision Final Plan and PUD. The motion passed unanimously.

A motion was made by Councilor Behanna and seconded by Councilor Walton to approve on first reading Ordinance No. 52, Series 2017 / Rezoning Trail Ridge West Subdivision from DR (Developing Resource) to R1/PUD subject to the recording of the Final Plan/PUD within 30 days. The motion passed unanimously.

A motion was made by Councilor Behanna and seconded by Councilor Walton to approve Resolution No. 2017-65 / Growth Management Priority Status & Permit Allocation for Trail Ridge West Subdivision. The motion passed unanimously.

A motion was made by Councilor Behanna and seconded by Mayor Pro Tem Reyna to approve the Site Plan and Architectural Review for Trail Ridge West Subdivision subject to conditions of approval without recommended condition 2b. The motion passed unanimously.

Moratorium Extension – Special Use Approvals for Care Facilities

Planning & Building Director Westover presented the first reading of Ordinance No. 56, Series 2017 / Extending Existing Moratorium on Acceptance and Processing of New Applications for Special Use Approvals / Assisted Living Facilities, Hospitals, Nursing Homes, or Convalescent Homes, and all uses in the Senior and Special Resident (SR) Zone District.

A motion was made by Councilor Mazza and seconded by Mayor Pro Tem Reyna to approve on first reading Ordinance No. 56, Series 2017 as presented. The motion passed unanimously.

2017 Budget Revisions

Finance Director McFarland presented the first reading of Ordinance No. 57, Series 2017 / 2017 Budget Revisions.

A motion was made by Mayor Pro Tem Reyna and seconded by Councilor Behanna *to approve on first reading Ordinance No. 57, Series 2017 as presented*. The motion passed unanimously.

Air Leakage Testing / Multi-family Structures

Building Official Ron Kaufman explained the need for Ordinance No. 55, Series 2017 / Amending the International Energy Conservation Code Section R402.4.1.2 / Air Leakage Testing in Multi-family Buildings and Dwellings.

A motion was made by Councilor Mazza and seconded by Mayor Pro Tem Reyna *to approve on second reading Ordinance No. 55, Series 2017 as presented*. The motion passed 5 to 1 with Councilor Behanna voting no.

Storage Tax

City Attorney Williamson presented the first reading of Ordinance No. 58, Series 2017 / Storage Tax Legislation. He said as a result of the recent election, an excise tax will be collected from businesses that provide rental storage. The code must be amended to include the new tax.

A motion was made by Councilor Mazza and seconded by Mayor Pro Tem Reyna *to approve on first reading Ordinance No. 58, Series 2017 as presented*. The motion passed unanimously.

Resolutions

Public Works Director Short presented Resolution No. 2017-68 / Authorizing an Intergovernmental Agreement for Maintenance and Management Software / Lafayette, Louisville, and Estes Park. He said the cost of this software, which is specialized for public works departments, will be shared by the three entities.

A motion was made by Councilor Behanna and seconded by Councilor Mayor Pro Tem Reyna *to approve Resolution No. 2017-68 as presented*. The motion passed 4-0, Mayor Berg not voting.

Public Works Director Short presented Resolution No. 2017-69 / Authorizing an Intergovernmental Agreement / Emergency Water Service / Lafayette and the Town of Erie. He said the agreement allows the jurisdictions to convey potable water to one another during emergencies.

Councilor Mazza requested that water not be allowed for fracking use. City Administrator Klaphake suggested a cover letter to Erie stating that the City of Lafayette will not allow water for fracking as the emergency.

A motion was made by Mayor Pro Tem Reyna and seconded by Councilor Behanna *to approve Resolution No. 2017-69 as presented*. The motion passed unanimously.

Consent Agenda

Mayor Berg read the Consent Agenda:

- J. Minutes of Council Meeting of November 6, 2017
- K. Second Reading / Ordinance No. 50, Series 2017 / Rezoning Blue Sage from T1 (Transitional Business) to R3/PUD (Multi-family residential/Planned Unit Development)
- L. Second Reading / Ordinance No. 51 Series 2017 / Vacation of Water Line Easement and Drainage Easement
- M. Second Reading / Ordinance No. 53, Series 2017 / Amending Chapter 115 / Municipal Traffic Code of Lafayette / Pertaining to Recently Amended Regulations in the Colorado Model Traffic Code
- N. Second Reading / Ordinance No. 54, Series 2017 / Amending the Procedure to Consider and Enact Changes to Chapter 26 of the Municipal Code Pertaining to Oil and Gas Development
- O. Resolution No. 2017-70 / Service Fees / Residential Composting Collection
- P. Contract / Open Space Education and Outreach Services / Entrepreneurial Earth LLC
- Q. Contract / Open Space and Parks Signage Project / E3 Enterprises, Inc.
- R. Contract / Clubhouse Expansion Project at Indian Peaks / PG Arnold Construction
- S. Contract / Pool Deck Flooring Renovation / Coating Systems, Inc.
- T. Contract / Custodial Services for City Facilities / Carnation Building Services
- U. Contract / HVAC Preventative Maintenance / Mtech
- V. Purchase Orders and Amendments

Items O and R were removed from the Consent Agenda for further discussion. A motion was made by Mayor Pro Tem Reyna and seconded by Councilor Mazza to approve the remainder of the consent agenda. The motion passed unanimously.

Item O – A motion was made by Councilor Behanna and seconded by Councilor Walton to approve Item O. The motion passed unanimously.

Item R – A motion was made by Councilor Mazza and seconded by Mayor Pro Tem Reyna to approve Item R. The motion passed unanimously.

Council Appointment

A motion was made by Councilor Walton and seconded by Councilor Behanna to appoint Kali Diamond to a four-year term on the Waste Reduction Advisory Committee beginning in December 2017. The motion passed unanimously.

City Attorney's Report

City Attorney Williamson discussed the use of a personal Facebook page and Council should consider drafting a policy. Consensus was given for the City Attorney to move forward with preparing a policy.

City Administrator's Report

Requested Council set a date in January or early February for their goal setting.

Council Reports

Councilor Mazza requested Council revisit the issue of remote attendance, testing the equipment, and then draft a plan. City Administrator Klaphake said Council is still in a trial mode. He suggested that the next time a councilor is out of town a trial be conducted with the councilor attending the entire meeting remotely. After review of the remotely attended meeting Council could then draft a policy.

Adjourn

The meeting was adjourned at 7:42 p.m.

CITY OF LAFAYETTE, COLORADO

ATTEST

Christine Berg, Mayor

Susan Barker, CMC
Deputy 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.