

RECORD OF PROCEEDINGS CITY OF LAFAYETTE

CITY COUNCIL MEETING April 16, 2019

Call to Order

The April 16, 2019 City Council Meeting began at 5:32 p.m. in the Council Chamber at Lafayette City Hall, 1290 S. Public Road, Lafayette, Colorado.

Roll Call

Those in attendance included Mayor Alexandra Lynch, Mayor Pro Tem Jamie Harkins, and Councilors JD Mangat, Stephanie Walton, Carolyn Cutler, and Chelsea Behanna. A motion was made by Councilor Cutler and seconded by Councilor Walton *to excuse Councilor Merrily Mazza who was absent due to a prior commitment*. The motion passed unanimously. A motion was made by Councilor Behanna and seconded by Councilor Walton *to allow Councilor Mazza to listen to the executive session at a later date*. The motion passed unanimously.

Also present were City Administrator Fritz Sprague, City Clerk Susan Koster, City Attorney Dave Williamson, Police Chief Rick Bashor, Sustainability Coordinator Tony Raeker, Finance Director Steve McFarland, Assistant City Administrator Roger Caruso, Library Director Melissa Hisel, Public Information Officer Debbie Wilmot, Water Resources/CIP Assistant Manager Melanie Asquith, Water Resources /CIP Manager Brad Dallam, and Planning & Building Director Paul Rayl.

Recess to Executive Session

A motion was made by Councilor Cutler and seconded by Councilor Walton *to recess 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 Oil and Gas Regulations; and 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 Erie Agreements*. The motion passed unanimously.

Return to Regular Session

Mayor Lynch said the executive sessions was concluded at 6:35 p.m. The participants were Mayor Lynch, Mayor Pro Tem Harkins and Councilors Mangat, Cutler, Behanna, and Walton. Also in attendance were City Administrator Sprague, Assistant City Administrator Caruso, Public Information Officer Wilmot, and City Attorney Williamson.

Mayor Lynch asked if any person who participated in either executive session believed that any substantial discussion of matters not included in the motions to go into the executive sessions occurred during the executive session, or that any improper action occurred during the executive session in violation in the Open Meetings Law. No one answered in the affirmative.

Liquor Authority Hearing

The Muse

City Clerk Koster presented the application for a new Arts Liquor License for Muse Performance Space dba The Muse at 200 E. South Boulder Road, Lafayette, Colorado. She said preliminary findings support the approval of the new license and staff recommends. The applicant conducted a Needs and Desires Survey of the surrounding neighborhood as defined by the Clerk's Office. Results of the survey indicate support for the new license by business owners as well as residents. Mayor Lynch invited applicants Clare Church and Pete Lewis to talk about their plans for liquor sales at the performance space.

Mayor Lynch asked if there were parties in interest who wished to question the applicant. Ron Spaulding, who resides in the neighborhood, spoke in support of the license. City Attorney Williamson had no issues with the application.

Councilors questioned Ms. Church about the training her servers would receive. Ms. Church assured them everyone would be trained. A motion was made by Councilor Cutler and seconded by Mayor Pro Tem Harkins *to approve Resolution No. 2019-29 / Granting a New Arts Liquor License to Muse Performance Space dba The Muse, 200 E. South Boulder Road.* The motion passed unanimously.

Annual Green Business Awards

Matt Hannon of Partners for a Clean Environment and Tom Hardie who owns Confluence Small Business Collective presented awards to local businesses. Lafayette Green Businesses have demonstrated their environmental leadership and their commitment to a better, more sustainable world.

Public Input

Vicki Uhland asked Council to consider doing away with Alternate positions on the City's Boards and Commissions, or limiting them to one per committee. She was also concerned that her communications to board members via the City's website were not being forwarded by the liaison.

Tom McCurdy said the new bump-outs on Public Road impede traffic and are dangerous. He asked Council to support the Mobile Home Park Act Resolution & Enforcement bill.

Ron Spaulding spoke in favor of work that is being done as part of the Public Road Project. He asked for community patience as the changes take place.

Julie Pillar talked about the importance of counting every Lafayette citizen during the 2020 Census.

Eliminating Library Late Fines

Library Director Melissa Hisel presented a new approach to library resources that are not returned on time. Instead of charging a fee for late items, the Library will block users from checking out additional materials until the late item is returned. She said the American Library Association encourages the elimination of fines as a means of removing barriers to library services. If late fees are eliminated, Lafayette would be the 10th Front Range jurisdiction to do so.

Ordinances

Oil and Gas Moratorium Extension

City Attorney Williamson said Senate Bill 181, which gives local jurisdictions more control over gas and oil operations is on the governor's desk for signature. Ordinance No. 13, Series 2019 extends the current moratorium by six months, providing sufficient time to establish and promulgate local regulations under Senate Bill 181.

A motion was made by Councilor Walton and seconded by Councilor Behanna *to approve on first reading Ordinance No. 13, Series 2019 / Six (6) Month Extension of Oil and Gas Moratorium.* The motion passed unanimously.

Supplemental Budget Carryover Appropriations

Finance Director McFarland presented the first reading of Ordinance No. 14, Series 2019 / Supplemental Carryover Appropriation. He said this is a procedure required annually to carry over purchase orders not

fulfilled at the end of the year, including unspent balances of grants, donations, and the appropriation of other budget items with a high priority.

A motion was made by Mayor Pro Tem Harkins and seconded by Councilor Cutler *to approve on first reading Ordinance No. 14, Series 2019 as recommended*. The motion passed unanimously.

Waste Haulers License and Reporting Requirements

Sustainability Coordinator Raeker presented the first reading of Ordinance No. 15, Series 2019 / Amending Chapter 100 of the Municipal Code Regarding Hauler License and Reporting Requirements. He said the change will impose licensing requirements on local haulers and require them to report their collection data through an online system known as ReTRAC. He said the standardized data will assist in analyzing regional waste diversion.

A motion was made by Councilor Walton and seconded by Councilor Mayor Pro Tem Harkins *to approve on first reading Ordinance No. 15, Series 2019 as presented*. The motion passed unanimously.

Proclamations

Arbor Day

Councilor Mangat read a proclamation designating April 20, 2019 as Arbor Day and Recognizing the 25th Anniversary of its Observance. A motion was made by Councilor Mangat and seconded by Councilor Walton *to adopt the proclamation* as read. The motion passed unanimously.

Older Americans Month

Councilor Behanna read a proclamation designating May, 2019, as Older Americans Month in Lafayette.

A motion was made by Councilor Behanna and seconded by Councilor Cutler *to adopt the proclamation as read*. The motion passed unanimously.

Consent Agenda

Mayor Lynch read the Consent Agenda:

- K. Minutes of April 2, 2019 City Council Meeting
- L. Second Reading / Ordinance No. 8, Series 2019 / Wireless Communication Facilities
- M. Second Reading / Ordinance No. 12, Series 2019 / Extending Deadlines for Recordation of the Final Plan (Plat and PUD) for the Silo Subdivision
- N. Resolution No. 2019-30 / Art Night Out Street Closure
- O. Contract / Highway 287 and Cemetery Mowing / Sierra Landscaping
- P. Amendment / City Council Handbook
- Q. Purchase Orders and Amendments

Item P was removed from the agenda for further discussion.

A motion was made by Councilor Cutler and seconded by Councilor Walton *to approve the remainder of the Consent Agenda*. The motion passed unanimously.

Item P Amendment / City Council Handbook Councilor Cutler asked staff to notify the public of the new deadline for citizen comment. A motion was made by Councilor Cutler and seconded by Councilor Behanna *to approve the amendment to the City Council Handbook*. The motion passed unanimously.

Council Reports

State Legislation / Mobile Home Park Dispute Resolution

Mayor Pro Tem Harkins asked Council to consider taking a formal position on legislation before the Colorado General Assembly that would regulate dispute resolution and enforcement between mobile home park owners and residents.

Councilor Cutler expressed concern that enforcement measures in the bill may unfairly impact small park owners. She asked that the authors of the bill consider their unique circumstances when finalizing the bill.

A motion was made by Mayor Pro Tem Harkins and seconded by Councilor Behanna *to take a position of support on legislation HB19-1309 Mobile Home Park Dispute Resolution and Enforcement*. The motion passed unanimously

Mayor Lynch requested implementation of an interview process for the June vacancy on the Urban Renewal Authority involving herself and at least one other Councilor. She reminded Council that there will be a Planning Commission vacancy in June as well, and Council will need to choose an interview committee from amongst themselves at the first meeting in May.

Councilor Behanna said the Human Rights Commission has recommended city-wide access to the Language Line used by the Lafayette Police Department. She suggested organizing a volunteer appreciation picnic in August.

Councilor Walton asked Council to dedicate City resources or staff time to help publicize the 2020 Census in order to alleviate the deficiency in counting Latino children, older adults, and homeless people. She and City Administrator Sprague will discuss this further. Ms. Walton would like to see city-wide tree ordinance enacted to protect significant trees. Mayor Lynch said this would be a good discussion to have when the new Council sets their goals.

Councilor Cutler explained that the alternate membership option for boards and commissions was offered so they could decide, based upon their specific needs, whether or not they wanted alternate members. Mayor Lynch said next Council might like to check again with all boards and commissions to see if their needs have changed.

Adjourn

The meeting adjourned at 8:30 p.m.

CITY OF LAFAYETTE, COLORADO

ATTEST

Mayor Alexandra Lynch

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.