

RECORD OF PROCEEDINGS CITY OF LAFAYETTE

CITY COUNCIL MEETING May 21, 2019

Call to Order

The May 21, 2019 City Council Meeting began at 5:30 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, and Carolyn Cutler. A motion was made by Mayor Pro Tem Harkins and seconded by Councilor Cutler to excuse Councilors Stephanie Walton and Chelsea Behanna who are absent due to prior commitments. The motion passed unanimously.

Also present were City Administrator Fritz Sprague, City Clerk Susan Koster, City Attorney Dave Williamson, Police Chief Rick Bashor, and Planning & Building Director Paul Rayl.

Liquor Authority Hearing

Teocali Cocina

City Clerk Koster presented the application for a transfer of a Hotel and Restaurant Liquor License from Black Diamond Restaurants LLC, dba Black Diamond Restaurant and Tap House to Teocali Cocina Tequileria LLC dba Teocali Cocina, 103 N. Public Road Unit C, Lafayette, Colorado. She said preliminary findings support the transfer of the license and staff recommends Council approval. The transfer of a liquor license does not require a public hearing nor does it require a survey of the needs and desires of the neighborhood.

Mayor Lynch invited applicant Grant Hopfenspirger to talk about his plans for the new restaurant.

Mayor Lynch asked if there were parties in interest who wished to question the applicant. No one responded. City Attorney Williamson had no issues with the application.

Councilors questioned Mr. Hopfenspirger about the training his servers would receive. Ms. Hopfenspirger assured them everyone would be trained. A motion was made by Mayor Pro Tem Harkins and seconded by Councilor Cutler to approve Resolution No. 2019-33 / Granting the transfer of a Hotel and Restaurant Liquor License from Black Diamond Restaurants LLC dba Black Diamond Restaurant and Tap House to Teocali Cocina Tequileria LLC dba Teocali Cocina, 103 N. Public Road, Unit C, Lafayette, Colorado. The motion passed unanimously.

Presentation

Coal Creek Meals on Wheels Executive Director Sheena Sullivan and Volunteer Coordinator Elaine Scanlon presented an update about their service to Lafayette and recognized City Staff for 20 years of volunteerism.

Public Input

Kate Christensen urged Council to file a protest with the COCGG regarding two drilling operations near County Line Road and Hwy 7.

Marty Feffer wanted to know what Lafayette's position is regarding COGCC rule-making.

Mike Page praised Council's decision to allow pinwheels on public property to commemorate those lost to gun violence.

Tom Hardie talked about the Run for the Sun 5 K race.

Karen Norback shared suggestions for amendments to the Charter concerning the filling of vacancies on Council.

Vicki Uhland commented on the City-wide Pay-as-you-Throw System and filling of vacancies on City Council.

Elyse Wood talked about the upcoming Farmers Market on Simpson Street.

Proclamation

Peggy Darrah and Carol Callicotte-Belmon read a proclamation declaring June 7, 2019 National Gun Violence Awareness Day in Lafayette. A motion was made by Councilor Mangat and seconded by Mayor Pro Tem Harkins *to adopt the proclamation as read*. The motion passed unanimously.

Consent Agenda

Mayor Lynch read the Consent Agenda:

- D. Minutes of the April 29, 2019 City Council Workshop
- E. Minutes of the May 7, 2019 City Council Meeting
- F. Second Reading / Ordinance No. 16, Series 2019 / Amending the Municipal Code / Residential Affordable Housing Fees
- G. Second Reading / Ordinance No. 17, Series 2019 (as amended) / Amendment to Article XIV of Chapter 30 of the Lafayette Code of Ordinances Pertaining to Deferral and Waiver of Fees Related to the Development of Real Property
- H. Resolution No. 2019-34 / Road Closure / Run for the Sun 5K Race
- I. Resolution No. 2019-35 / Street Closure / Farmers Market
- J. Contract / Carbon Feeder, Construction Phase Services / Merrick & Company
- K. Purchase Orders and Amendments

Item E was removed from the agenda for further discussion.

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

Councilor Cutler made a correction to the minutes of the May 7, 2019 City Council Meeting. She made a motion that was seconded by Mayor Pro Tem Harkins *to approve Item E*. The motion passed unanimously.

City Attorney's Report

City Attorney Williamson asked Council to ratify a decision authorizing Special Legal Counsel Elizabeth Paranhos to enter an appearance on behalf of the City of Lafayette to participate in the COGCC rule-making proceedings. A motion was made by Mayor Pro Tem Harkins and seconded by Councilor Mangat *to ratify the decision as requested*. The motion passed unanimously.

Mr. Williamson advised Council not to communicate with Andrew J. O'Connor or Cliff Smedley regarding their Federal law suit against the City, but to refer them to legal counsel.

City Administrator's Report

City Administrator Sprague presented several options for responding to a World of Wonder Museum request for \$50,000 to help fund their proposed Community Art Garden. Following discussion, a motion was made by Mayor Pro Tem Harkins and seconded by Councilor Mangat to fund the project with \$25,000 from Council Contingency and \$25,000 from unreserved fund balance. The motion passed 3 to 1 with Councilor Cutler voting no.

Council Reports

Councilors discussed the request from Moms Demand Action to install pinwheels on public property to commemorate those who killed as a result of gun violence. City staff previously advised advocates that their proposal could not be allowed due to the real or perceived political nature of their message. Council decided to reverse staff's decision and allow the pinwheels. A motion was made by Councilor Mangat and seconded by Mayor Pro Tem Harkins to direct staff to allow the Moms Demand Action to place pinwheels on City Hall property with the understanding that it is a non-political issue to honor lives lost due to gun violence and because gun violence is a public health issue. The motion passed unanimously.

A motion was made by Councilor Cutler and seconded by Mayor Pro Tem Harkins to accept the resignation of Councilor Merrily Mazza, declare a vacancy on the City Council, and to call a special meeting on June 13, 2019 to interview applicants for the open seat. The motion passed unanimously.

Councilors agreed to make an appointment following interviews on June 13, and swear in and seat the new councilor on June 18.

Adjourn

The meeting adjourned at 7:00 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.