RECORD OF PROCEEDINGS

CITY OF LAFAYETTE CITY COUNCIL MEETING

October 15, 2013

Call to Order

Mayor Carolyn Cutler called the October 15, 2013, regular City Council Meeting to order at 7:22 p.m. in the City Hall Council Chambers at 1290 S. Public Road, Lafayette, Colorado.

Those present and answering roll call were Mayor Carolyn Cutler Mayor, Pro Tem Kracha and Councilors Alexandra Lynch, Christine Berg, Stacy Lupberger and Pete d'Oronzio. A motion was made by Councilor Lupberger and seconded by Councilor d'Oronzio *to excuse Councilor Wiesley*. The motion passed unanimously.

Also in attendance were City Administrator Gary Klaphake, Police Chief Rick Bashor, City Clerk Susan Koster, Finance Director Robert Wright, Fire Chief Gerry Morrell, Public Works Director Doug Short, Public Information Officer Debbie Wilmot, Recreation and Facility Management Director Curt Cheesman, City Attorney Dave Williamson and Parks, Open Space and Golf Director Monte Stevenson.

Recognition / Flood Responders

The following individuals were recognized for their response to emergency situations during the September 2013 flood and its aftermath:

Fire Department

Chris Brown, Greg Chioda, Dan Garrett, Noah Harkless, Kris Krekora,

Jason McKean, Gerry Morrell, Jason Oliver, Chad Rennich, Adam Shockey, Mitch Sprague,

Chris Wetzel, Travis Rohde, Doug Hurst, Sean Sands, Dave Friedel and Casey Brigham

Public Works Department

Brad Dallam, Mark Hartman, Peter Johnson, Gil Torrez, Jesus Perez, Paul Cochran, Ben Bussard, Jared Muir, Larry Nelson, Daniel Waller, Marco Camacho and Al Gomez.

Solar Friendly Community Award

Rebecca Cantwell, senior program director of Solar Friendly Communities, an initiative led by the Colorado Solar Energy Industries Association (COSEIA) and local governments presented the City of Lafayette with certification as a Gold Level Solar Friendly Community. The certification is bestowed upon communities who are leaders in adopting best practices in permitting, inspection, planning and public education to help residents go solar.

Lafayette Liquor Authority – Resolution No. 2013-52 / Approving a New Brew Pub License for the Post Brewing Company LLC, dba The Post Brewing Company, 105 W. Emma Street.

City Clerk Koster presented an application for a New Brew Pub License for the Post Brewing Company LLC, dba The Post Brewing Company, 105 W. Emma Street in Lafayette. She said preliminary findings support Authority approval of the new license.

Mayor Cutler called a public hearing to order at 8:01 p.m. and asked interested parties to identify themselves. No one stepped forward

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Oedipus, Inc. representative Max Scott summarized results of a survey conducted to demonstrate the favorable needs and desires of the neighborhood. Owners Dave Query and John Bachman were available for questions from the Authority.

Mayor Cutler closed the public hearing at 8:13 p.m.

A motion was made by Councilor Lynch and seconded by Councilor Lupberger <u>to approve</u> <u>Resolution No. 2013-52 / Approving a New Brew Pub License for the Post Brewing Company LLC, dba The Post Brewing Company, 105 W. Emma Street in Lafayette, Colorado.</u>
The motion passed unanimously.

Consent Agenda

Mayor Cutler read the Consent Agenda:

- C. Workshop Meeting of October 1, 2013
- D. Regular Meeting of October 1, 2013
- E. Second Reading / Ordinance No. 26, Series 2013 / Amending Article V of Chapter 28 of the Lafayette Code of Ordinances / The One Lafayette Legacy Fund, the One Lafayette Annual Disbursement Fund and the One Lafayette Advisory Committee
- F. Second Reading / Ordinance No. 25, Series 2013 / 2014 Budget as Amended
- G. Purchase Orders and Amendments

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

Council Appointment

A motion was made by Mayor Pro Tem Kracha and seconded by Councilor Lupberger <u>to reappoint Erin Frazier</u>, <u>Bob Spillman and Josh Abram to 4-year terms</u>. <u>On the Lafayette Open Space Advisory Committee</u>. The motion passed unanimously.

Council Proclamation – Open Space Day

Mayor Pro Tem Kracha read a proclamation designating October 19, 2013 as Open Space Day in Lafayette.

A motion was made by Mayor Pro Tem Kracha and seconded by Councilor d'Oronzio *to adopt the proclamation as read*. The motion passed unanimously.

Ordinance – Permanent Water Conservation Measures

Public Works Director Doug Short presented the first reading of <u>Ordinance No. 27</u>, <u>Series 2013</u> / Repealing, Reenacting, and Retitling in its Entirety Section 120-13 of the Municipal Code_ <u>Regarding Irrigation Restrictions</u>. He said the ordinance makes permanent the water conservation measures enacted in March by Emergency <u>Ordinance No. 07</u>, <u>Series 2013</u>, which rescinded on October 1, 2013. Mr. Short outlined the details of the permanent legislation.

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Mayor Cutler invited Robert Mahler, 675 Princeton Place, to speak. Mr. Mahler voiced opposition to vague wording under the section pertaining to restricted irrigation hours. He asked for clarification of "migrating water" or removal of the term altogether.

A motion was made by Councilor Lupberger and seconded by Councilor Lynch <u>to approve on first</u> <u>reading Ordinance No. 27, Series 2013 amended to take out the word "migrate", and to specify that two warning will be issued before a citation is written.</u> The motion passed five to one with Mayor Pro Tem Kracha voting no.

City Attorney's Report

Pursuant to a request by the City Attorney, a motion was made by Councilor d'Oronzio and seconded by Councilor Lynch to waive, on behalf of the City, the conflict of interest between Thomas Merrigan's representation of the City in the South Boulder Road pavement litigation, and Pat Perrin's representations of Dave Query in his contractual dealings with the Lafayette Urban Renewal Authority, to the extent that one exists, as Mr. Merrigan and Mr. Perrin are attorneys in the same law firm. The motion passed unanimously.

City Administrator's Report

City Administrator Klaphake said the cause of the boil-water order was identified at one backflow preventer in Indian Peaks that had been installed incorrectly. He said the effected area included just a few houses, however by law residents in a much wider area had to be alerted.

State Ballot Measure: Amendment 66 / Funding for Public Schools

A motion was made by Mayor Cutler and seconded by Councilor Lupberger <u>to approve</u> <u>Resolution No. 2013-54/Supporting State Ballot Measure, Amendment 66</u>, which proposes to change how the state funds public preschool through twelfth grade by raising taxes to increase the amount of money available and changing how the money is distributed. The motion passed four to two with Mayor Pro Tem Kracha and Councilor Lupberger voting no.

Adjournment

Mayor Cutler adjourned the meeting at 9:30 p.m.

	CITY OF LAFAYETTE, COLORADO
ATTEST:	Carolyn D. Cutler, Mayor
Susan Koster, CMC City Clerk	

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