R E C O R D O F P R O C E E D I N G S

CITY OF LAFAYETTE
CITY COUNCIL MEETING

January 21, 2014

Call to Order
The January 21, 2014, regular City Council Meeting began at 5:33 p.m. in the Council Chambers at Lafayette City Hall, located at 1290 S. Public Road in Lafayette, Colorado.

Councilors in attendance included Mayor Christine Berg, Mayor Pro Tem Gustavo Reyna; and Councilors Brad Wiesley, Staci Lupberger, Merrily Mazza, Alexandra Lynch and Tom Dowling.

Also present were City Administrator Gary Klaphake, Community Development Director Phillip Patterson, Police Chief Rick Bashor, City Clerk Susan Koster, Finance Director Wade Nickerson, Public Works Director Doug Short, Special Counsel Jonathan Abramson, City Attorney Dave Williamson, and Director of Parks, Open Space & Golf Monte Stevenson.

Adjourn to Executive Session
A motion was made by Councilor Lupberger and seconded by Councilor Wiesley *to adjourn to Executive Session according to C.R.S. 24-6-402(a), to confer with Special Counsel on specific legal questions pertaining to the Colorado Oil & Gas Association Summons and Complaint*. The motion passed unanimously.

Return to Regular Council Meeting
At 6:51 p.m. Mayor Berg stated that the Executive Session was concluded. The participants in the session were Mayor Berg, Mayor Pro Tem Reyna, Councilors Mazza, Dowling, Lynch, Lupberger and Wiesley. Also present were Special Counsel Abramson, City Attorney Williamson, City Administrator Klaphake and Community Development Director Patterson.

The Mayor asked anyone who participated in the Executive Session who believed that substantial discussion of any matters not included in the motion to go into the session occurred during the session, or that any improper action occurred during the session in violation of the Open Meetings Law, to state their concerns. No concerns were voiced.

Legislative Update
Senator Matt Jones and Representative Mike Foote provided council with a legislative update, including flood recovery, early childhood education, jobs and energy-related issues.

Presentation
Mayor Berg presented a plaque to Police Chief Rick Bashor in recognition of his 30 years with the City of Lafayette.

Public Input
CFO of Skinny Pineapple, Inc., Brock Hostetter, 943 Vetch Circle spoke in favor of lifting the moratorium on recreational marijuana.
Shawn Coleman, Lobbyist representing Skinny Pineapple, Inc., spoke in favor of lifting the moratorium on medical marijuana.
Owner of Skinny Pineapple Inc., Jan Cole, 2060 Neher Lane (Boulder) spoke in favor of lifting the moratorium on medical marijuana.
Joshua Martinsons, 707 12th Street (Boulder) spoke in favor of lifting the moratorium on recreational marijuana.
Robert Mahler, 675 Princeton Place, spoke in opposition to the proposed clean energy ordinance.
Jeanne Stratton, 503 W. Lucerne Drive, encouraged Council to prioritize energy conservation through the establishment of an on-going sustainability fund.
John Lamb, 590 E. Sutton Circle, spoke in favor of allowing East Boulder County United (EBCU) to enter the Colorado Oil & Gas Association (COGA) lawsuit.
Ann Griffin, 3550 Ryland Way, spoke in support of Lafayette Community Rights.
Cliff Willmeng, 1246 Doric Drive, spoke in favor of lifting the moratorium on retail marijuana and in support of the intervention of the EBCU into the lawsuit filed by COGA against the City.
David Fuller, 1227 James Circle, spoke in favor of allowing EBCU to become a party to the lawsuit filed by the COGA.
Cliff Smedley, 707 Merlin Drive, spoke in favor of lifting the retail marijuana moratorium, allowing EBCU to have a voice in the COGA lawsuit and echoed Jeanne Stratton's comments.

Public Hearing
Community Development Director Patterson presented the first reading of Ordinance No. 01, Series, 2014. He said the ordinance vacates an easement to compensate for an encroachment that resulted from a construction error. Mayor Berg opened a public hearing at 8:04 p.m. and invited interested persons to come forward. Seeing no one, she closed the public hearing. A motion was made by Councilor Lynch and seconded by Councilor Wiesley *to approve on first reading Ordinance No. 01, Series 2014 as presented*. The motion passed unanimously.

Consent Agenda
Mayor Berg read the consent agenda:
D. Minutes of the Regular City Council Meeting of January 7, 2014
E. Resolution No. 2014-06 / Establishing the Nonexempt and Permanently Affordable Dwelling Unit Maximums for Calendar Year 2014
F. Resolution No. 2014-07 / Application and Contract for Annually Renewable Right to Use Colorado Big Thompson Water
G. Resolution No. 2014-08 / Surplus City Property
H. Indian Peaks Filing No. 17 Replat E Subdivision / Final Plat
I. Contract / Building Inspector / Certified Construction Services
J. Contract / Stormwater Inspection Services / Aqua Terra Environmental, LLC
K. Contract / GIS Coordinator / InVision GIS LLC
L. Contract / Stormwater Coordinator / CP Compliance, LLC

M. Agreement / Northern Integrated Supply Project 9th Interim Agreement / Northern Colorado Water Conservation District
N. Lease Renewal / Thomas Farm / Isabelle Farm LLC
O. Contract / Design of the Orange Zone West Water Line / Merrick and Company
P. Contract / Water Reclamation Facility to Goose Haven Pipeline Engineering / Merrick & Company
Q. Contract / 111th Street Widening Appraisals / Hagerty and Gerken
R. Contract / Hwy 36 Water Line Crossing / Ames Granite
S. Purchase Orders and Amendments

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

Ordinance
Community Development Director Patterson presented the first reading of Ordinance No. 02, Series 2104. He said the ordinance grants a utility easement to Public Service Company of Colorado to accommodate a new location for their gas line. It is necessary to provide for the expansion of the City Service Center on Avalon Avenue.

A motion was made by Councilor Lynch and seconded by Councilor Wiesley *to approve on first reading Ordinance No. 02, Series 2014 as presented*. The motion passed unanimously.

Council Appointment
A motion was made by Councilor Dowling and seconded by Councilor Lupberger to appoint Peter Madland to a 3-year term and to reappoint Kent Brown for a 3-year term to the on the Lafayette Energy Sustainability Advisory Committee. The motion passed unanimously.

Adjourn
The meeting was adjourned at 8:20 p.m.

CITY OF LAFAYETTE, COLORADO

_____
Christine Berg, Mayor

ATTEST

_____
Susan Koster, CMC
City Clerk

[SEAL]

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.