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

May 15, 2012

Call to Order
Mayor Carolyn Cutler called the May 15, 2012 regular City Council Meeting to order at 6:33 p.m. in the Council Chambers at 1290 South Public Road, Lafayette, Colorado.

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

Also present were City Administrator Gary Klaphake, Community Development Director Phillip Patterson, Public Works Director Doug Short, Police Chief Rick Bashor, City Clerk Susan Koster, City Attorney Dave Williamson and Parks, Open Space and Golf Director Monte Stevenson.

Presentation

Broomfield Police Chief Tom Deland presented the Lafayette Police Department with the Colorado Association of Chiefs of Police Accreditation Plaque.

Lafayette Liquor Authority

City Clerk Koster presented an application for the transfer of a Hotel & Restaurant Liquor License from Avellino LLC d/b/a/ Tutti, at 103 S. Public Road to Boulder Ridge Hospitality Solutions d/b/a Miller's Grille. She said staff has determined that the applicant is qualified to hold a liquor license and recommended that the Authority approve the transfer.

Applicants Richard and Karen Womack were available for questions. Mayor Cutler opened a public hearing at 7:24 p.m. and invited interested parties to come forward. Seeing no one, she closed the hearing.

A motion was made by Councilor Wiesley and seconded by Councilor Berg *to approve Resolution No. 2012-24 / granting the transfer of a Hotel & Restaurant Liquor License from Avellino LLC d/b/a/ Tutti, at 103 S. Public Road, to Boulder Ridge Hospitality Solutions d/b/a Miller's Grille*. The motion passed unanimously.

Council Minutes
A motion was made by Councilor d'Oronzio and seconded by Mayor Pro Tem Kracha *to approve the minutes of the Regular City Council Meeting of April 17, 2012 as written*. The motion passed unanimously.

A motion was made by Councilor d'Oronzio and seconded by Mayor Pro Tem Kracha *to approve the minutes of the Regular City Council Meeting of May 1, 2012 as written*. The motion passed unanimously.

Lafayette City Council

Consent Agenda
Mayor Cutler Read the Consent Agenda.

F. Second Reading / Ordinance No. 11, Series 2012 / Amending Section 26-21 Sign Regulations / Chapter 26 of the Lafayette Code of Ordinances Pertaining to Electronic Message Signs
G. Second Reading / Ordinance 12, Series 2012 / Modification to the Stormwater Code, Sections 104-34 & 104-39
H. Resolution No. 2012-25 / Surplus City Vehicles and Equipment
I. Resolution No. 2012-26 / Amending Exhibit A of the Lafayette Fee Schedule / Residential Refuse and Recycling Collection Services / Western Disposal
J. Resolution No. 2012-27 / Approval of IGA with Boulder County / Eastern Link Trail Project Construction Management Services
K. Resolution No. 2012-28 / First Amendment / Agreement for Residential Refuse & Recycling Collection Services / Western Disposal
L. Site Plan & Architectural Review / Advance Auto Parts / Lot 3C, Cabrini Gardens Replat C
M. Approval of Contract / City Service Center Fence Repair / Monroe Fence Company
N. Approval of Contract / City Service Center Roof Repair / CJ Roofing
O. Approval of Capital Lease Payoff / Ladder Truck / SunTrust Bank
P. Reschedule July 3, 2012 Council Meeting to July 10, 2012
Q. Purchase Orders & Purchase Order Amendments

Items F, I, K and L were removed from the Consent for further discussion.

A motion was made by Mayor Pro Tem Kracha and seconded by Councilor d'Oronzio *to approve the balance of the Consent Agenda*. The motion passed unanimously.

Item F. **Sign Regulations Pertaining to Electronic Message Signs.** Councilor d'Oronzio stated his intention to vote no on this measure. A motion was made by Councilor Lynch and seconded by Councilor Wiesley *to approve on second reading / Ordinance No. 11, Series 2012 / Amending Section 26-21 Sign Regulations / Chapter 26 of the Lafayette Code of Ordinances Pertaining to Electronic Message Signs*. The motion passed five to one, with Councilor d'Oronzio voting no.

Item I. Amendment to Fee Schedule / Residential Refuse & Recycling Collection and
Item K. Contract Extension with Western Disposal / Residential Refuse & Recycling Collection Public Works Director Short explained the need to extend the contract with Western Disposal and increase the collection fee.
A motion was made by Mayor Pro Tem Kracha and seconded by Councilor d'Oronzio *to approve Resolution No. 2012-26 / Amending Exhibit A of the Lafayette Fee Schedule / Residential Refuse and Recycling Collection Services / Western Disposal*. The motion passed unanimously.

A motion was made by Mayor Pro Tem Kracha and seconded by Councilor d'Oronzio *to approve Resolution No. 2012-28 / First Amendment / Agreement for Residential Refuse & Recycling Collection Services / Western Disposal*. The motion passed unanimously.

Item L. Site Plan & Architectural Review / Advance Auto Parts
The Planning Commission reviewed the Site Plan and Architectural Review for Advance Auto Parts on April 24, 2012. At the applicant's request, the Commissioners made changes to some of staff's proposed conditions. Regarding one of the conditions eliminated by the Commission, staff felt it was significant enough to propose the condition again for consideration by Council.

Community Development Director Patterson described the resubmitted condition, based on staff's opinion that the signage as proposed by the applicant will not be architecturally compatible with the building.

Lucy Dinneen, project developer for Advance Auto Parts (4491 Marigold Lane, Littleton), spoke in support of maintaining the company "brand" by allowing the signage colors as requested by the applicant.

Following discussion, a motion was made by Councilor d'Oronzio and seconded by Councilor Lynch *to approve the Site Plan & Architectural Review for Advance Auto Parts subject to the Planning Commission's recommendations and subject to a requirement that the sign's background color be detachable, allowing for the colors that were requested by the applicant*. The motion passed five to one with Councilor Wiesley voting no.

Proclamations
Councilor d'Oronzio read a proclamation declaring the week of May 20-26, 2012 as **National Public Works Week**. A motion was made by Councilor d'Oronzio and seconded by Councilor Wiesley *to adopt the proclamation as read*. The motion passed unanimously.

Councilor Wiesley read a proclamation declaring the week of May 13-19, 2012 as **National Police Week** and declaring May 15, 2012 as **Peace Officers Memorial Day**. A motion was made by Councilor Wiesley and seconded by Councilor Lynch *to adopt the proclamation as read*. The motion passed unanimously.

Appointments
Public Art Committee
A motion was made by Mayor Pro Tem Kracha and seconded by Councilor d'Oronzio *to appoint Ashley Dzilvelis and Carol Part to three-year terms on the Lafayette Public Art Committee*. The motion passed unanimously.

Energy Sustainability Advisory Committee
A motion was made by Councilor Lynch and seconded by Councilor Wiesley *to appoint David Ivener and Greg Harper to the Lafayette Energy Sustainability Advisory Committee*. The motion passed unanimously.

Interview Committee for Planning Commission and Board of Adjustment
Mayor Cutler volunteered, and appointed Councilor Berg and Mayor Pro Tem Kracha to serve on the interview committee for Planning Commission and Board of Adjustment. The committee agreed to schedule the interviews during the last week of June.

Peddlers
City Attorney Dave Williamson presented the first reading of Ordinance No 13, Series 2012 / Amending Section 55-31 of the Municipal Code regarding peddlers. He said the section prohibits residential solicitation and allows for certain exemptions. The amendment adds an exemption for those offering the regularly scheduled delivery of dairy goods and / or pre-packaged food products by vehicles operating upon a fixed route.

A motion was made by Councilor Wiesley and seconded by Mayor Pro Tem Kracha *to approve on first reading Ordinance No. 13, Series 2012 with a modification of Section 55-31 to clarify that no exceptions shall apply if a sign prohibiting solicitors and trespassers is posted on the premises*. The motion passed unanimously.

Thomas Open Space Lease
Director of Parks, Open Space and Golf Stevenson presented the first reading of Ordinance No. 14, Series 2012 / First Amendment to Lease Agreement for the Thomas Open Space Barn to Isabelle Farm, LLC. Director Stevenson said the amendment to the lease addresses the rental terms and uses of the new barn. The amendment also waives rent through July 31, 2012 in exchange for jointly working with City staff on final preparation to open the Barn to the public and the grand opening.

A motion was made by Councilor d'Oronzio and seconded by Councilor Lynch *to approve on first reading Ordinance No. 14, Series 2012 as presented*. The motion passed unanimously.

City Administrator's Report
Administrator Klaphake commended the Public Works Department for a successful water main replacement project off of Gold Hill Drive and especially their communication efforts with the neighborhood residents.

Adjournment
Mayor Cutler adjourned the meeting at 8:16 p.m.

CITY OF LAFAYETTE, COLORADO

_____
Carolyn D. Cutler, Mayor

ATTEST:

_____
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.