

RECORD OF PROCEEDINGS

CITY OF LAFAYETTE CITY COUNCIL MEETING

June 18, 2012

Call to Order

Mayor Carolyn Cutler called the June 18, 2012 regular City Council Meeting to order at 5:34 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, Brad Wiesley, and Christine Berg. 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, Police Chief Rick Bashor, City Clerk Susan Koster, City Attorney Dave Williamson, Recreation and Facilities Management Director Curt Cheesman, Community Development Director Phillip Patterson and Planning Manager Karen Westover.

Executive Session

At 5:34 p.m., a motion was made by Councilor Wiesley and seconded by Councilor d'Oronzio to adjourn to Executive Session according to C.R.S. 24-6-402(4)(b), to confer with an attorney for the City for the purposes of receiving legal advice on specific legal questions and 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 the Super IGA. The motion passed unanimously.

A motion was made by Councilor Wiesley and seconded by Councilor d'Oronzio to adjourn to Executive Session according to C.R.S. 24-6-402(4)(b), to confer with an attorney for the City for the purposes of receiving legal advice on specific legal questions pertaining to historic preservation matters. The motion passed unanimously.

Mayor Cutler reconvened the regular City Council Meeting at 7:00 p.m. She announced that the executive session has been concluded. She listed the participants in the session as herself, Mayor Pro Tem Kracha; Councilors Wiesley, Lynch, and Berg; City Administrator Klaphake; Community Development Director Phillip Patterson and City Attorney Williamson. She asked anyone who participated in the executive session to voice their concerns if they believed that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law. No concerns were voiced.

Presentation

Chamber of Commerce Executive Director Vicki Trumbo introduced Rich Bradfield, Co-Owner of Nova Monda Cacao & Chocolate. His company was recognized by Council as part of the Innovators in Lafayette program.

Items From the Public

Dahlia Smith, 1180 Atlantis Avenue, spoke in opposition to water level reduction at Waneka Lake. She cited wildlife endangerment, lowered real estate values and fewer recreational opportunities. City Administrator Klaphake talked about the leakage of water at the bottom of the lake, existing water supply and the current drought as reasons for not keeping the lake full.

Public Hearing / First Reading / Ordinance No. 18, Series 2012 / Designating the Structure Known as the Hones House, Located at 210 East Cleveland Street, Lafayette, Colorado, as a Local Historic Landmark

Planning Manager Karen Westover asked that her staff report be placed into the record and introduced Emmy Brouillette of the Historic Preservation Board. Ms. Brouillette said the Board was informed that the owner had applied for a demolition permit, which is City policy for a house 50 years old or older. The Board decided to nominate the house for historic landmarking and held a public hearing on the matter. Ms. Brouillette presented the application for Council consideration, including the history of the home, eligibility criteria for designation, and the benefits to the owner and community of landmarking. She said that a third-party nomination, (i.e., one that is submitted without owner consent) also requires that the property have overwhelming historic importance to the entire community.

Mayor Cutler opened a public hearing at 7:42 p.m. and invited interested parties to come forward. City Attorney Williamson reminded Council that the hearing is a quasi-judicial proceeding. He said Councilor Berg, as liaison to the Historic Preservation Board attended a portion of their hearing. Councilor Berg disclosed that she had attended the hearing, that her husband photographed the house for the application and that his action resulted in no personal or financial gain to her. Ms. Berg answered in the affirmative when asked if her decision would be unbiased and based only on the information presented tonight. Attorney Williamson said he had no problem with her participating in the hearing.

Owner Richard Kauflin, 3080 22nd Street, said he has owned the property for fourteen years and used it as a rental property. He said three recent contracts for sale of the property fell through because of the cost associated with fixing the foundation. He entered photographs of a home inspection into the record and said inspectors determined that, due to condition problems, the house will eventually fall down. Mr. Kauflin said he is no longer able to insure the structure and no longer able to offer it for rent. Being out of options, he applied for a demolition permit. Mr. Kauflin stated his opposition to the designation of his property as a local historic landmark.

Ed Dowski, 307 East Cleveland, spoke in favor of landmarking the property.

Chris Pash, 620 Grandview Meadows Drive in Longmont, said she considered buying the property but found the condition to be a deterrent. She and her husband would consider purchasing the property if the house could be removed and they would build an appropriate structure in its place.

Janet Morrell, 203 East Cleveland, spoke in opposition to the landmark designation of this structure and of third-party nominations for designation.

Mayor Cutler closed the public hearing at 8:04 p.m. Council discussed the merits of the application.

A motion was made by Mayor Pro Tem Kracha and seconded by Councilor d'Oronzio not to approve the first reading of Ordinance No. 18, Series 2012 / Designating the Structure Known as the Hones House, Located at 210 East Cleveland Street, Lafayette, Colorado, as a Local Historic Landmark. The motion failed three to three, with Mayor Pro Tem Kracha and Councilors Wiesley and d'Oronzio voting yes.

A motion was made by Councilor Lynch and seconded by Councilor Berg to approve on first reading Ordinance No. 18, Series 2012 / Designating the Structure Known as the Hones House, Located at 210 East Cleveland Street, Lafayette, Colorado, as a Local Historic Landmark. The motion failed three to three, with Councilors Berg, Lynch and Mayor Cutler voting yes.

Council Minutes

A motion was made by Councilor d'Oronzio and seconded by Mayor Pro Tem Kracha to approve the minutes of the Workshop Meeting of June 5, 2012 as written. The motion passed unanimously.

A motion was made by Councilor Wiesley and seconded by Councilor d'Oronzio to approve the minutes of the Regular Meeting of June 5, 2012 as written. The motion passed unanimously.

Consent Agenda

Mayor Cutler read the consent agenda:

- H. Pre-Approval of Purchase Range / Library Carpet Replacement
- I. Approval of Contract / City Hall HVAC Controls / Set Point
- J. Approval of Contract / Recreation Center Roof – Metal Coping Replacement / Front Range Seamless Gutters, Inc.
- K. Purchase Orders & Purchase Order Amendments

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

City Administrator's Report

City Administrator Klaphake presented conditions associated with the City's water supply and challenges presented by the drought.

Councilor Reports

A motion was made by Mayor Pro Tem Kracha and seconded by Councilor d'Oronzio to change the July 17, 2012 Council meeting to July 25. The motion passed unanimously.

A motion was made by Mayor Pro Tem Kracha and seconded by Councilor Lynch to provide Councilor Lupberger with the recordings of this evenings Executive Session. The motion passed unanimously.

Adjournment

Mayor Cutler adjourned the meeting at 9:10 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.