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

February 5, 2013

Call to Order
Mayor Carolyn Cutler called the February 5, 2013 regular City Council Meeting to order at 7:27 p.m. in the Council Chambers at 1290 South Public Road in Lafayette, Colorado.

Those present and answering roll call were Mayor Carolyn Cutler, Mayor Pro Tem Steve Kracha and Councilors Christine Berg, Alexandra Lynch, Pete d'Oronzio, Stacy Lupberger and Brad Wiesley.

Also present were City Administrator Gary Klaphake, Community Development Director Phillip Patterson, Police Chief Rick Bashor, Cultural Resources Coordinator Susan Booker, Recreation and Facilities Management Director Curt Cheesman, City Clerk Susan Koster, and City Attorney Dave Williamson.

Items From the Public
Moratorium on Recreational Marijuana Businesses
The following individuals spoke in opposition:
Mark Heath, P.O. Box 286, Erie
Thomas West, 490 Meredith Way, #103, Boulder
Timothy Tipton, Emma Street, Lafayette
Mike Daniels, 609 Avante Court, Lafayette
Carl Hedberg, 400 W. Chester, Lafayette
Valorie Montes, 207 E. Simpson, Lafayette
Joshua Johnson, 12310 Bannock Street, Westminster
Heidi Perreira, 107 Sandler Drive, Lafayette
Mayor Cutler read into the record a statement submitted by Lisa Gomez, 855 Sagrimore Circle, Lafayette, in favor of the moratorium.

Hydraulic Fracturing
The following individuals spoke in opposition to hydraulic fracturing, including the immediate imposition of a moratorium on new wells and provision of a map of potential drilling sites within the city limits.
Amanda Papich, 324 Jasper Peak Ct.
David Fuller, 1227 James Circle
John Lamb, 590 E. Sutton Circle

Robert Mahler, 675 Princeton Place, Lafayette, spoke in opposition to the purchase of a teleconferencing system and commented on the City website.

Presentations

Innovators in Lafayette

Beverly Harrison, owner of the Tack Collection, talked about her full service tack shop which offers horse saddle fitting and repair services.

Safehouse Progressive Alliance for Nonviolence

Tri-City Bilingual Advocate Laura Yonamine talked about SPAN programs and services offered to Lafayette residents.

Arts in Education Grant Awards

Mayor Cutler and Lafayette Cultural Arts Commission member Judy Richards presented Arts in Education awards to the following recipients: Martha Parks and Maria Miller (Lafayette Elementary School), Arielle Powers (Angevine Middle School), Heather Bertarelli (Peak to Peak Charter School), Michelle Murphy and Steph Dowling (Lafayette Elementary School), Lynn Williams (Lafayette Elementary School), Audre Brazeel and Laura Powers, (Project Yes), Megan Flaherty accepted for Nancy Monson (Running River School), Sara Nelson and Grace Parish (Pioneer Elementary School), Megan Leuthold and Luisa McMillan (Lafayette Elementary School), Marda Kirn (Angevine Middle School and Centaurus High School), and Maria Miller accepting for Ginger Thom (Lafayette Elementary School).

Lafayette Liquor Authority – Colorado Wok Inc. / Beer and Wine Liquor License Renewal

City Clerk Koster presented the renewal application for a Beer and Wine Liquor License for the Colorado Wok, Inc., d/b/a Colorado Wok at 385 Crossing Drive, #109.

City Clerk Koster said in May of 2012, the State Liquor Enforcement Division cited this establishment for serving an underage patron. Liquor licensees who violate any provisions of the Lafayette Municipal Code or the Colorado Liquor or Beer Code during the preceding year must come before the Local Authority for consideration of their license renewal. The applicant has entered into a stipulation agreement with the State and paid a fine in lieu of suspension.

Ms. Koster recommended Authority approval of the renewal. Colorado Wok owner Quyen Ke Ung was present to answer Authority questions.

A motion was made by Councilor d'Oronzio and seconded by Mayor Pro Tem Kracha *to approve the renewal of the Beer and Wine Liquor License for Colorado Wok, Inc., d/b/a Colorado Wok at 385 Crossing Drive, #109, Lafayette, Colorado*. The motion passed unanimously.

Council Minutes

A motion was made by Councilor Berg and seconded by Councilor Wiesley *to approve the minutes of the Council Workshop Meeting of January 15, 2013 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 City Council Meeting of January 15, 2013 as written*. The motion passed unanimously.

A motion was made by Councilor Wiesley and seconded by Councilor Berg *to approve the minutes of the Joint Dinner Meeting with the Boulder Valley School Board on January 17, 2013 as written*. The motion passed unanimously.

Consent Agenda

Mayor Cutler Read the Consent Agenda.

J. Second Reading / Ordinance No. 03, Series 2013 / Establishing a Moratorium on Recreational Marijuana Businesses that Sell, Cultivate, Manufacture, Prepare, Package, Purchase, Test, or Otherwise Provide for the Use of Marijuana or Marijuana Products Pursuant to Amendment 64.
K. Resolution No. 2013-07 / Terminating the Declaration of Covenants, Conditions and Restrictions for the Coal Creek Technological Center subdivision.
L. Minor Subdivision / Coal Creek Technological Center Replat A
M. Resolution 2013-08 / Decreasing the Off-Street Parking Requirement for 103 N. Public Road
N. Contract / BBRC Lap Pool UV Water Filtration System / CEM Sales & Service
O. Contract / ADA Compliance at BBRC Indoor Hot Tub, Sauna and Steam Room / Essenza Architects
P. Contract / Shoretel Phone System / Hightouch Technologies
Q. Contract / Polycom Video Conferencing System / Solutionz Conferencing, Inc.
R. Purchase Orders and Amendments

Items J, K and Q were removed from the Consent Agenda for further discussion.

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

Item J. Upon request, City Attorney Williamson explained that the moratorium does not effect personal use of recreational marijuana. A motion was made by Mayor Pro Tem Kracha and seconded by Councilor Lupberger *to adopt Ordinance No. 3, Series 2013 on second reading, as amended, by inclusion of the language suggested by the City Attorney in his February 4, 2013 memorandum, clarifying that the moratorium is based on the City's land use regulatory powers as well as the City's powers to regulate business*. The motion passed unanimously.

Item K. A motion was made by Councilor d'Oronzio and seconded by Councilor Wiesley *to approve Resolution No. 2013-07 / Terminating the Declaration of Covenants, Conditions and Restrictions for the Coal Creek Technological Center Subdivision as presented.* The motion passed unanimously.

Item Q. City Administrator Klaphake talked about the need for a teleconferencing system. A motion was made by Mayor Pro Tem Kracha and seconded by Councilor Wiesley *to approve a contract with Solutionz Conferencing, Inc., for a Polycom Video Conferencing System*. The motion passed six to one with Councilor Lupberger voting no.

Public Hearing / Forest Park Drainage Easement Vacation
Community Development Director Patterson presented the second reading of Ordinance No. 02, Series 2013 / Forest Park Drainage Easement Vacation. Mayor Cutler opened a pubic hearing at 9:36 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 on second reading Ordinance No. 02, Series 2013 as presented.* The motion passed unanimously.

Council Appointment
A motion was made by Councilor Lynch and seconded by Councilor d'Oronzio *to reappoint Rosabelle Rice and Lupe Cruz to three-year terms on the Latino Advisory Board*. The motion passed unanimously.

Mayor Cutler adjourned the meeting at 9:57 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.