

City of Lafayette
City Council Meeting Minutes
August 27, 2009
6:30 PM

1. **CALL TO ORDER:** Mayor Chris Heisler called the meeting to order at City Hall at 6:32 p.m.

2. **FLAG SALUTE:** Mayor Chris Heisler led the flag salute.

3. **ROLL CALL:** Diane Rinks, City Administrator, called the roll.

Present: Mayor Chris Heisler, Nicholas Harris, Leah Harper, Dean Rhodes, Michael Roberts and Chris Pagella.

Absent: Bob Cullen.

City Staff Present: Diane Rinks –City Administrator, Lori Labb-Community Development Clerk, City Planner Jim Jacks- Council of Governments.

Others: Patricia Rhodes, Rebecca Rhodes, Vanessa Casavan, Al LeMay.

4. **PUBLIC HEARING RE: TEXT AMENDMENT 09-01 (CHANGES TO THE LAFAYETTE ZONING AND DEVELOPMENT ORDINANCE):**

Chris Heisler opened the hearing at 6:34 p.m.

Jim Jacks gave an overview of the process and decisions that the Planning Commission had discussed regarding changes for the Zoning and Development Ordinance. He presented a handout to the City Council. The handout was memo #5, regarding amendments to the zone code for Vacations.

Dean Rhodes questioned if there were any audience comments for the changes proposed for the P.U.D or the recreation area/open space, and if the decision by the Planning Commission recommendation to the City Council was unanimous. Jim Jacks noted that there was public testimony at the first night of the hearing. The testimony was not regarding the open space/recreation area. The Planning Commission decision was not unanimous on the definitions of open space/recreation area. One Planning Commissioner felt that defining both terms was going too far.

Chris Pagella noted that he felt the Planning Commission did a great job.

Nick Harris suggested a letter of appreciation be drafted for the Planning Commission signed by the Council. The Council was all in agreement.

There was a discussion by the Council members on the 15 day appeal period on Land use application decisions.

Jim Jacks noted that he had found an error; the definitions for open space and recreation area were not shown in a specific section. Jim stated that the Council could still close the hearing, however if they would leave the record open for staff to correct the error.

Nick Harris made a motion to close the hearing. Michael Roberts seconded the motion. There was no discussion and the motion passed unanimously. The hearing was closed at 7:00 p.m.

Michael Roberts made a motion to leave the record open. Dean Rhodes seconded the motion. There was no discussion and the motion passed unanimously.

Dean Rhodes made a motion to direct staff to prepare the ordinance for the next meeting. Michael Roberts seconded the motion. Discussion:

Chris Pagella questioned how many of the Type 1A review applications are reviewed by the City Administrator. Diane Rinks noted that she reviews property line adjustments and sometimes a sign permit. Diane noted that she has given Lori Labb authority to sign off on some of the Type 1A applications. Generally, if there is surveying or engineering involved, she will review the application.

Chris Pagella had a question on page 27 of memo 4, section 3.201.01. This allows an applicant to submit missing information but it does not give a time limit. Jim Jacks noted that by state law the applicant has 180 days to submit additional information.

Chris Pagella had a question on page 30 of memo 4, section 3 b, in regards to notices being mailed to owners of properties within 100-feet of the subject property. Is that 100-feet from the property line? Jim Jacks noted that it is 100-feet from every property line of the subject property.

Discussion ensued.

Leah Harper had a question on page 67 of memo 3, section 3.103.03 Item E; item E is lined out, however after looking at the Planning Commission minutes, there was a unanimous vote to leave section E in the code. Jim Jacks noted that he will fix that error.

Dean Rhodes withdrew his motion to direct staff to prepare the ordinance for the next meeting.

Michael Roberts made a motion to direct staff to prepare the ordinance to bring back to council for adoption of the text amendments as recommended by the Planning Commission with the exception of the re-addition of section 3.103.03 item E. Dean Rhodes seconded the motion. There was no discussion and the motion passed unanimously.

16. ADJOURNMENT:

Nick Harris made a motion to adjourn. Chris Pagella seconded the motion. There was no discussion and the motion passed unanimously. The meeting was adjourned at 7:42 p.m.

Minutes approved on this 10th day of September, 2009.

APPROVED:

ATTESTED:

Mayor Chris Heisler

Diane Rinks, City Administrator