

***City Council  
Special Meeting  
Minutes***

**August 9, 2016  
Louisville Public Library, Meeting Room  
951 Spruce Street  
7:00 pm**

**CALL TO ORDER**

Mayor Muckle called the meeting to order at 7:00 p.m.

The following members were present:

***City Council:***        ***Mayor Robert Muckle, Mayor Pro Tem Jeff Lipton; City Councilmembers Jay Keany, Chris Leh, Susan Loo, Dennis Maloney and Ashley Stolzmann***

***Absent:***                ***None***

***Staff Present:***        ***Malcolm Fleming, City Manager  
Heather Balsler, Deputy City Manager  
Emily Kropf, Assistant to the City Manager  
Kurt Kowar, Public Works Director  
Joe Stevens, Parks and Recreation Director  
Kevin Watson, Finance Director  
Chris Neves, IT Director  
Beth Barrett, Library and Museum Services Director  
Aaron DeJong, Economic Development Director  
Rob Zuccaro, Planning and Building Safety Director  
Dave Hayes, Police Chief  
Meredyth Muth, City Clerk***

***Others:***                ***Stephen Smith, Infrastructure Management Services***

Mayor Muckle moved to approve the agenda. Seconded by Councilmember Stolzmann. All in favor.

## **DISCUSSION/DIRECTION – CITY MANAGER’S PROPOSED 2017-2021 CAPITAL PROJECTS FUND PROJECTS**

City Manager Fleming reminded everyone of the recent pavement status report and noted paving is the number one priority for funding in the 2017-18 Budget. Public Works Director Kowar introduced Stephen Smith of IMS who produced the pavement report.

Smith noted the City, as a whole, is in the ok range for pavement and headed in the right direction. He stated pavement is a huge investment for a City and needs to be maintained.

Smith stated their report gave the City a Pavement Condition Index (PCI) of 64. He suggested the City will need to create a long-term plan that meets the needs of the overall system and addresses those citizens who have specific problems. He suggested first targeting streets that are just beginning to deteriorate and treat those streets quickly before they get more expensive to fix. After that, do the very poor condition streets that require much more work. He noted this approach may leave those residents who live on the poor quality streets unhappy.

Smith suggested targeting at least an average PCI of 70, which would cost approximately \$2.15M per year for five years. Once that goal is met, he suggested continuing with preventative maintenance to keep the average at 70.

Councilmember Keany asked what it would cost to sustain that PCI once it is reached. Smith stated about half the initial cost.

Councilmember Maloney stated his wish for a clear, specific street maintenance policy. A guiding principle clearly articulated to help move the discussion forward. He asked the Council to agree on the PCI goal and what the implementation plan is. Mayor Pro Tem Lipton agreed on the need for principles but wanted to make sure the smaller streets aren't left behind if there is only a focus on a Citywide PCI number.

City Manager Fleming noted that the proposed budget provides enough funding to bring the City to a PCI of 75 with no street under a 35.

Councilmember Keany noted the year-to-year decisions on which streets are paved will require some staff discretion. Smith agreed that each year staff will have to make that call based on current conditions.

Mayor Pro Tem Lipton asked what additional maintenance costs there are in the operational budget, in addition to this program in the Capital Improvement Plan (CIP).

Councilmember Maloney requested the Council define this goal with specificity to move the budget discussion forward. Councilmember Loo stated her goal is a 70-75 PCI. Mayor Muckle agreed with that level. He noted the Public Works staff will need to be

involved to prioritize streets and will use their best discretion to pick streets for paving. Councilmember Leh suggested a range of 70-75 and on the low end 30-35. He agreed there is a need for a certain amount of staff discretion based on budget priorities each year.

Public Works Director Kowar stated staff is currently working on a five-year plan for a 75 PCI with no streets lower than 35.

Mayor Pro Tem Lipton agreed to those numbers as long as there is some discretion on a year-to-year basis on what streets to pave based on current goals of the Council. He asked that inflation be included in the estimates of future funding needs in the CIP.

Consensus was to have a paving policy and budget funding for an average of 75 PCI with no street lower than 35, but giving staff discretion each year to determine which streets need to be done each year in discussion with the City Council.

City Manager Fleming reviewed the budget proposed schedule for the remainder of the year and asked if this process was acceptable to the City Council. Council agreed to the calendar with minor changes.

City Manager Fleming stated the overall approach is to have the budget reflect the goals and priorities for each program area as set by the City Council. He stated items are prioritized each year with paving being the largest expenditure and the highest priority. He asked if there are any other key things the Council wants to focus on related to the budget.

Councilmember Leh stated he would like the Council to focus mainly on the bigger ticket items.

Councilmember Loo stated many items were moved from CIP to the operating budget and asked if there are criteria for when that happens. City Manager Fleming noted it is somewhat subjective. Councilmember Loo stated it creates confusion for people. Councilmember Leh agreed it is confusing and not transparent.

Finance Director Watson noted the CIP evolved over the years to be anything that was out of the ordinary. Staff is now trying to move back towards just Capital items in the CIP and keeping maintenance and operations in the general fund.

Councilmember Maloney noted there is no clarity in the code on what is capital so it feels subjective. He would like to see some clarity in the code. Watson noted there is a threshold for capitalizing items which is "anything over \$5000 for one item and a useful life greater than one year," but he stated it isn't a clear line for many items.

Mayor Pro Tem Lipton stated program budgeting should bring some clarity to this as all items will be coded to a program regardless from which fund it is paid.

Councilmember Loo stated impact fees are payments from developers to pay for needed increases in services. She stated she thought many of the items listed as impact fee eligible don't seem eligible to her. City Manager Fleming stated those are items he feels qualify, but if there are items Councilmembers want to not pay for with impact fees, that can be changed.

Members discussed how impact fees are generated and what that funding may or may not be spent on. The funds are collected from developers and the City has six years to spend them on growth related projects. City Manager Fleming stated the final budget proposal will include a list of those projects for Council consideration that he is recommending be paid for with impact fees. Councilmember Loo stated she wants only items included that are clearly related to growth and increasing capacity.

City Manager Fleming stated tonight's proposed budget includes the direction Council gave staff at the June budget. It includes at least \$1.5M in the pavement booster program and balances other projects around that priority and targets a \$2 Million reserve while incorporating an overall PCI of 75 and no street lower than 35 in the next five years.

Councilmember Loo stated the BRaD committee is discussing parking and will likely recommend Council fund the parking study. Economic Development Director DeJong noted the study will require outside help to create a strategy for parking; including building, operating and maintaining it, what revenue sources might be available for building and operating a parking structure, how it works with surface parking and how to implement a permit program, etc.

Members discussed what a parking study might provide, if it could be realistically implemented, or if there is support for it. Members generally agreed implementation of any parking plan is going to be difficult.

Members agreed to move the parking study to 2018 understanding it will need to happen and the Council will have to make some major decisions on this issue sooner than later given the issues in downtown and citizen concerns.

Councilmember Stolzmann asked for some items to be added into the budget. She asked that the library book bike be included and noted she thought impact fees could be used for this as it is expanding the capacity of the library. She asked for the Dillon Road quiet zone to be included when the other quiet zones are completed. She asked that median renovations start sooner, but other members were content with leaving that in 2018 while the Parks Board prioritizes the list of work.

Mayor Pro Tem Lipton stated the amounts listed in the proposal for paving are as low as he is willing to go. He would like to see the out year numbers increased for anticipated inflation.

Members reiterated the policy that street maintenance is the first priority of the Council and the policy is to budget enough for maintaining an average of 75 PCI with no street lower than 35.

Mayor Pro Tem Lipton asked why there had been so many changes to the Highway 42 projects. City Manager Fleming stated those projects were moved or changed to balance the budget for paving. Mayor Pro Tem Lipton asked if our funding partners were ok with the changes. He noted Boulder County is a partner for the underpass at Highway 42 and Hecla Drive. Fleming stated Boulder County is ok with this project being moved to 2019.

Mayor Muckle stated that residents will be unhappy about pushing the underpass between Steel Ranch and North End back to 2019. Many residents want that done as soon as possible. Keany agreed. He stated the Steel Ranch residents want it done sooner.

Deputy City Manager Balser stated the proposed budget includes design work in 2018 and construction of the underpass now in 2019. These costs are allocated to the Open Space Fund as it is connecting two open space areas. Councilmember Keany would like the underpass designed in 2017 and built in 2018. This conversation will continue at the discussion on August 30 when the Open Space Fund is discussed.

Councilmember Stolzmann asked if there is a possibility for an at-grade railroad crossing in place of the Steel Ranch underpass. Members agreed to discuss it further at a later date.

Councilmember Stolzmann asked for LED street lights to be prioritized. City Manager Fleming stated the City is already working with Xcel on this. Members agreed it should be a priority.

Councilmember Stolzmann asked for a policy for changing over more of the fleet to electric vehicles. Members agreed to continue this conversation when the Council sets goals and priorities.

Members discussed the funding for the museum campus plan, what it would be used for, and what information the final product would contain. Members decided to leave the funding as is in the proposed budget so that the conceptual design process and opinion surveying could begin in 2017.

Councilmember Loo asked how the line items for recreation equipment would fit in with expanding the Recreation Center should the bond issue pass. Director Stevens noted the items included in the proposed budget are maintenance items needed regardless of if a new Center is approved or not. Members agreed that should the bond issue pass some of these items may need to be moved or amended.

Members discussed the CTC road connection. Councilmember Loo stated the City should invest in this. Members didn't think this is a priority for the City to fund, but that the CTC Owner's Association should pay for it.

Members agreed the South Boulder Road/Main Street underpass needs to be discussed further and staff should continue to look for other revenue sources to pay for it.

Members agreed the Dillon Road quiet zone should be included in the budget. Mayor Muckle asked if the Council would be willing to pay for the quiet zone out of reserves if no outside funding sources are identified and the railroad is ready to build them. All members were in agreement.

Members discussed the South Boulder Road underpass. Everyone thinks it is important but there was no agreement on how to fund it.

Members discussed options on how to create more revenue, but no specific direction was given. Members agreed it should be discussed again at a later date.

### **BOARDS AND COMMISSIONS TERMS LIMITS AND ABSENCES**

Regarding absences Mayor Muckle suggested "unexcused" be defined or removed from the resolution that defines cause. Councilmember Maloney asked if absences are a significant problem for the boards. Mayor Muckle responded it is not pervasive but is not trivial and is frequent enough it deserves Council attention.

Mayor Muckle stated the other item for discussion is if term limits are needed for boards.

Councilmember Stolzmann stated unexcused doesn't need to be defined, but could be removed. Missing 25% of the meetings is enough leeway for members. She agreed with the suggestion to remove unexcused from the existing language.

Councilmember Leh noted the Council needs some discretion when to remove or not remove someone from a board. This discretion needs to be limited to something like medical issues and each person needs to be treated fairly and the reasons considered individually.

There was consensus among the members to delete the word "unexcused" from the definitions for cause. Members would like the proposed language to include some discretion for the Council for medical and a small number of other outstanding issues.

Regarding Term Limits Councilmember Leh stated some boards really need very experienced members and term limits can be an impediment.

Councilmember Stolzmann recommended the limit be two terms. Councilmember Leh asked if it should be a specific year limit. Councilmember Keany recommended two terms or 8 years whichever is longer.

For the Planning Commission which has 2,4, and 6-year terms, Councilmember Loo suggested 12 years which is two terms of the longest term. Mayor Muckle agreed to two terms of the longest term.

Mayor Pro Tem Lipton stated the Planning Commission needs continuity and the six-year terms on the Planning Commission are designed to outlive a four-year City Council term. He agreed with the 12-year limit proposal for the Planning Commission. He stated this limit should only apply to newly appointed members, not existing members. Members agreed.

Staff will bring back for Council consideration a new or amended resolution for removal from boards without the term “unexcused.” Staff will also bring back for Council consideration an ordinance implementing term limits for board and commission members.

### **COUNCIL COMMENTS**

Councilmember Keany stated he was disappointed the City Council didn’t put a broadband question on the 2016 ballot. Councilmember Maloney stated we should do it in 2017.

Councilmember Keany asked that Parks provide information to the Council on the algae bloom at Lake Park.

### **ADJOURN**

Councilmember Leh moved to adjourn the meeting, seconded by Mayor Muckle. The meeting adjourned at 11:15 p.m.

---

Robert P. Muckle, Mayor

---

Meredyth Muth, City Clerk