

City Council Meeting Minutes

**January 8, 2018
City Hall, Council Chambers
749 Main Street
7:00 PM**

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

Roll Call was taken and the following members were present:

City Council: ***Mayor Robert Muckle
Mayor Pro Tem Jeff Lipton
Councilmember Jay Keany
Councilmember Chris Leh (arrived at 7:12 pm)
Councilmember Susan Loo
Councilmember Dennis Maloney
Councilmember Ashley Stolzmann***

Staff Present: ***Heather Balsler, City Manager
Megan Davis, Deputy City Manager
Nathan Mosely, Parks, Recreation, &
Open Space Director
Aaron DeJong, Economic Development Director
Kurt Kowar, Public Works Director
Rob Zuccaro, Planning & Building Safety Director
Meredyth Muth, City Clerk***

Others Present: ***Kathleen Kelly, City Attorney***

PLEDGE OF ALLEGIANCE

All rose for the pledge of allegiance.

APPROVAL OF AGENDA

Mayor Muckle called for changes to the agenda and hearing none, moved to approve the agenda; seconded by Councilmember Keany. All in favor.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Mayor Muckle stated that if anyone wanted to speak on the marijuana ordinance (item 8C) they should do so on "items not on the agenda" as this is first reading and not the public hearing. That will be February 5 and everyone is invited to speak then. He noted the Council has held three public meetings this year on the topic and it has been before the Planning Commission; all of those meetings were publically noticed and open to the public.

Anthony Shaffer, 620 Walnut Street, stated he lives adjacent to Memory Square Park and St. Louis Catholic Church. He stated he was notified his permit parking was being removed. He feels it is unfair this parking is being removed. It is always crowded with the church and the park. He needs that permit parking; it is the only place he has to park.

Liz Amore, 620 Walnut Street, stated they do have a driveway and one off street parking place; however she feels the new houses being built do not have off street parking and are contributing to the problem. She feels it is only fair that they are able to park a reasonable distance from their home.

APPROVAL OF THE CONSENT AGENDA

MOTION: Mayor Muckle moved to approve the consent agenda; seconded by Councilmember Loo seconded. All in favor.

- A. Approval of Bills**
- B. Approval of Minutes: December 18, 2018**
- C. Approval of Designation of Places for Posting Notices for Public Meetings**
- D. Distribution of 2019 Open Government Pamphlet**
- E. Approval of Louisville/Lafayette Quiet Zone Project Construction Contract**
 - i. Approval of Resolution No. 1, Series 2019 – A Resolution Approving an Intergovernmental Agreement for Sharing of Costs of Quiet Zone Project Construction Services Between the City of Louisville and the City of Lafayette**
 - ii. Approval of Resolution No. 2, Series 2019 – A Resolution Approving an Agreement Between the City of Louisville and NORAA Concrete Construction Corporation for Construction Services for the Louisville-Lafayette Quiet Zone Project**
- F. Resolution No. 3, Series 2019 – A Resolution Approving an Amended and Restated Lease and License Agreement for Fiber Optic Telecommunications Network Between the City of Louisville and the Boulder Valley School District No. RE-2**
- G. Approval of City Council Special Meetings on January 15 and February 12, 2019**

COUNCIL INFORMATIONAL COMMENTS ON PERTINENT ITEMS NOT ON THE AGENDA

Mayor Muckle wished everyone a Happy New Year.

CITY MANAGER'S REPORT

City Manager Balsler wished everyone a Happy New Year and reminded everyone of the Recreation/Senior Center Grand Opening on January 26th.

REGULAR BUSINESS

DISCUSSION/DIRECTION – HIGHWAY 42 AND SHORT STREET INTERSECTION IMPROVEMENTS

Director Kowar stated this is an update on the Highway 42 project. The City is now advertising for bids for improvements from Griffith Street to South Street. He stated staff wants to make sure everyone is aware of the project, identify what the benefits and tradeoffs of the project will be, confirm the improvements, and discuss the project's long-term goals.

This project addresses current issues such as traffic and traffic signals; it does not address longer term issues. The specific question is should a three-lane option be considered or should we make changes that will allow a five-lane option in the future. He reviewed the three-lane plans and also noted how traffic signal warrants are affecting the conversation. He reviewed the schedule and noted the current cost estimate for the project is about \$500,000 over budget.

He reviewed the history of the corridor and the project updates over the last 25 years. He discussed how different traffic signal options will affect the corridor. The 2013 plan looked for ways to fit every use in the right-of-way and everyone decided it must stay at three lanes. In 2018, we tried a variety of virtual scenarios and found options to prepare the corridor for five lanes similar to South Boulder Road.

Staff is trying to plan for the future and address growing traffic numbers and the possible addition of ball fields on the east side. He noted the forecasted travel times on the corridor are going to be much longer than they are today. The five-lane option addresses this the best.

He stated staff previously thought the secondary network of streets in DELO would take pressure off of Hwy 42 but this was not built. He added CDOT doesn't recommend the offset left pedestrian refuge islands; and the signal at Cannon does not seem feasible any longer.

Director Kowar reviewed the options at Helca and Hwy 42. The underpass here is on track to be bid out. The signal at Hecla has not met CDOT's signal warrants so it can't currently be built. ADA accessibility is being studied at the intersection. He stated a flashing beacon is not generally considered with multiple lanes in each direction on high speed/volume roads. There are some options for other intersection work and pedestrian refuges that can be considered. He stated people have asked for a reduction in speed there. CDOT will not change the speed without a speed study. It is likely if a speed study is performed the overall speed limit would remain at 45 mph.

Director Kowar reviewed the corridor character and the adjacent uses. He added Lafayette has plans to use the area to the east for a sports complex which will also affect the area.

Councilmember Stolzmann asked if deciding on the signal at Short Street precludes the City from installing other signals in the future. Director Kowar stated possibly as it will affect traffic warrants for other intersections.

Councilmember Stolzmann asked if Short is the right place to put in a traffic signal. She noted perhaps Griffith Street would be the place for the signal as it is a street that crosses the railroad tracks.

Public Comments

John Leary, 1116 LaFarge Street, stated the decision to divert traffic to side streets in neighborhoods was a policy adopted at the time of the 42 redevelopment plan. That is now not happening so it seems common sense that a three-lane option will not work in this area. It is a reality that it has to be five lanes.

Randy Caranci, 441 Elk Trail Lafayette, stated he supports an underpass on Hwy 42 near Pine Street. An underpass here could utilize the ballfields for parking for downtown, if Lafayette builds its sports complex it would be great to have direct pedestrian access to downtown. Now is the time to do it.

Councilmember Keany stated he supports the five-lane option given the increase in traffic. He is encouraged by this discussion. He supports building the Short Street signal with five lanes in mind. He supports an underpass in the corridor as well. Citizens would appreciate improved traffic flow here.

Mayor Muckle stated he too supports the five-lane configuration. He supports moving pedestrians and bikes into the open space on multi-use paths. He stated the rural character does matter, but that is a design question that can be addressed.

Mayor Pro Tem Lipton stated he also supports the five-lane design. We are being overwhelmed by regional traffic and it is already a problem that will only get worse. He asked if Pine Street could be addressed in the short to medium-term.

Director Kowar stated we are constrained at that location. The signal was recently upgraded to have more adaptive timing and it continues to be monitored but it won't make the traffic backup disappear there.

Councilmember Stolzmann stated she would like the Cannon Street signal removed from the plan; she supports five-lanes, and she likes the multi-use path to remove bikes from the highway. She stated she doesn't know if it is in our best interest to put the light at Short or Griffith. Griffith has access across the tracks and that may be the superior location. She is concerned that we make the right choice on this.

Councilmember Maloney stated he also supports five-lanes and he wants us to think long-term. He would like to have discussions of what the future priorities are for the corridor. He agreed there should be some discussion of whether Short or Griffith is the best location for the signal as it is likely to be the only one we are allowed.

Mayor Muckle asked if Griffith could be considered this year. Director Kowar stated this would be changing many years of planning and moving the signal would require policy changes, reaching out to stakeholders, and redesign work. It would take some time, possibly two years.

Mayor Muckle noted there has been development built in the area based on having a light at Short and this does serve that neighborhood more centrally. There is retail at that location. Short is a better place to enter the combined sports complex if it happens. This location is the one we have spent the money and time to design. He would like to discuss full movement at Griffith with CDOT.

Councilmember Loo agreed with the Mayor. She noted alternatively it might be helpful to have a signal with full movement on a street that is not affected by the railroad such as Short. She agreed the five-lane option is preferable and the Short signal should be designed to accommodate this.

Councilmember Stolzmann stated we need to be fully aware that making this decision likely precludes other lights in the corridor. She stated any underpass will have to compete with many other request for underpasses throughout the City. She added a rail station will likely not fit in this area any longer with the current development so that should not be used as an argument for the signal in that location.

Councilmember Keany agreed the underpasses will need to be prioritized with all the other projects in the Transportation Master Plan.

Mayor Muckle stated he would prefer to use steel mast arms to wire for the signals. Director Kowar stated that may not work with planning for five lanes, but staff will try.

Councilmember Leh stated he supports five lanes. As to the location of the signal, he would like to be sure we pick the better location. He wondered if there is enough information to make that decision tonight.

Mayor Pro Tem Lipton stated we have reviewed and debated the signal location multiple times and making it three or five lanes does not change this. There has been lots of planning on this signal and changing the number of lanes does not invalidate that work. We agreed to a signal at Short and people have made land use decisions based on this.

Mayor Muckle asked if a vote is needed on a signal at Short this year versus somewhere else in 2-3 years. The consensus was to support the Short Street signal now and build it compatible with a five-lane road and a multi-use path.

City Manager Balser recapped staff will go to bid and bring back a contract to award for the project. She noted this is the culmination of many years of discussions.

Mayor Muckle asked that staff stay focused on getting safety improvements installed at Hecla if we cannot get a signal from CDOT.

ORDINANCE NO. 1768, SERIES 2019 – AN ORDINANCE APPROVING THE REZONING OF CERTAIN PROPERTIES FROM THE OFFICE ZONE TO THE AGRICULTURAL AND ADMINISTRATIVE OFFICE ZONE DISTRICTS – 1ST READING, SET PUBLIC HEARING 1/22/19

City Attorney Kelly introduced the ordinance by title.

Mayor Muckle moved to approve the ordinance on first reading; Councilmember Loo seconded the motion.

Mayor Muckle noted items on first reading are first approved for the purposes of publishing the ordinance and noticing the public hearing. This is a pro forma step required to get to the public hearing.

Voice vote all in favor.

ORDINANCE NO. 1769, SERIES 2019 – AN ORDINANCE AMENDING TITLES 5 AND 17 OF THE LOUISVILLE MUNICIPAL CODE CONCERNING MEDICAL AND RETAIL MARIJUANA BUSINESSES – 1ST READING, SET PUBLIC HEARING 2/5/19

City Attorney Kelly introduced the ordinance by title.

Mayor Muckle moved to approve the ordinance on first reading, Councilmember Stolzmann seconded the motion.

Voice vote all in favor.

ORDINANCE NO. 1770, SERIES 2019 – AN ORDINANCE AMENDING TITLE 17 OF THE LOUISVILLE MUNICIPAL CODE REGARDING LOT COVERAGE STANDARDS FOR THE RESIDENTIAL ESTATE ZONE DISTRICT – 1ST READING, SET PUBLIC HEARING 2/5/19

City Attorney Kelly introduced the ordinance by title.

Mayor Muckle moved to approve the ordinance on first reading; Councilmember Stolzmann seconded the motion.

Voice vote all in favor.

EXECUTIVE SESSION

REAL PROPERTY ACQUISITIONS AND DISPOSITIONS

(Louisville Charter, Section 5-2(c) – Authorized Topics – Consideration of real property acquisitions and dispositions, only as to appraisals and other value estimates and strategy, and C.R.S. 24-6-402(4)(a))

City Attorney Kelly introduced the agenda item and the City Clerk read the statement required by City Code.

Attorney Kelly stated Section 5-2(c) of the home rule charter authorizes an executive session for the purpose of consideration of real property acquisitions and dispositions, provided such session is limited to consideration of appraisals and other value estimates and strategy for the real property acquisition or disposition. An executive session for this purpose is also authorized by Section 24-6-402(4)(a) of the Colorado Revised Statutes.

Mayor Muckle moved to go into executive session for the purpose of consideration of potential real property dispositions located in Louisville, but only as to appraisals and other value estimates and strategy for same, and that the executive session include the City Manager, City Attorney, Parks Rec and Open Space Director, Economic Development Director, and Deputy City Manager; Councilmember Stolzmann seconded the motion.

Voice vote all in favor.

Members went into executive session at 8:13 pm.

Members returned from executive session at 9:32 pm.

**REPORT – DISCUSSION/DIRECTION/ACTION – REAL PROPERTY ACQUISITION
AND DISPOSITIONS**

City Attorney Kelly reported the executive session was for matters regarding real property acquisition discussions. No action is requested this evening.

CITY ATTORNEY'S REPORT

None.

**COUNCIL COMMENTS, COMMITTEE REPORTS, AND IDENTIFICATION OF
FUTURE AGENDA ITEMS**

Mayor Muckle stated he will be attending the Metro Mayors annual retreat.

Councilmember Maloney asked about the goal of the work plan discussion on January 15. City Manager Balser stated the goal on the 15th is to create a list of 2019 work plan items and then at the meeting on January 29th Council will prioritize the list.

ADJOURN

Members adjourned at 9:36 pm.

Robert P. Muckle, Mayor

Meredyth Muth, City Clerk