

PUBLIC WORKS COMMITTEE REPORT
November 18, 2009, 1:20 PM
City Council Chambers

Members Present: Jason Wiener (Chair), Ed Childers, Dick Haines, Bob Jaffe, Renee Mitchell, Dave Strohmaier, Pam Walzer

Members Absent: Jon Wilkins, John Hendrickson

Others Present: Doug Harby, Monte Sipe, Steve King, Kevin Slovarp, Gregg Wood, Jon Gass, John Wolverton, Ethel MacDonald, Gilbert Larson, Lloyd Twite

I. ADMINISTRATIVE BUSINESS

A. Approval of the minutes of [November 4, 2009](#) – Approved as submitted

B. Announcements – Gregg Wood, Project Development Coordinator, stated that crews completed the second phase of paving on the Rattlesnake Sewer project, and have completed everything they intended to this year. They are still doing some driveways, curbs, and putting lawns back together.

Mr. Childers thanked everyone who was involved in the speed limit change at the CS Porter crossing and stated that they should be starting the work this week.

C. Public Comment on Non-Agenda items

Ms. Walzer made a motion to suspend the rules to approve an agreement for Engineering Services to DJ&A, P.C., for Lower Miller Creek Road Improvements. The motion passed unanimously.

II. CONSENT AGENDA ITEMS

1. Approve and authorize the Mayor to sign an agreement with Lloyd A. Twite Family Partnership for Miller Creek sanitary sewer system improvements ([memo](#)).—Regular Agenda (Steve King) (Referred to committee: 11/09/09)
REMOVE FROM AGENDA

Motion: The committee recommends the City Council approve and authorize the Mayor to sign an agreement with Lloyd A. Twite Family Partnership for Miller Creek Sanitary Sewer System Improvements.

Steve King, Public Works Director, stated that the right-of-way (ROW) had all been secured except for three properties on the east side of the road, and they feel that those will be signed soon. They are also working with the irrigation district on an agreement. They are also working with local utilities to have phone lines relocated on portions of the project, which will require removing the medians in some places and replacing them with pin-downs. The prep work for that is done, and they can begin the utility work in early December. Sewer work is the other issue in the area. The Teton Addition and Miller Creek Additions in the Twite Family Partnership have sewer work not related to the road program.

Mr. King stated that the agreement related to the capacity enhancements to the sewer system the developers undertook in the Linda Vista area. They need larger sewer pipes to accommodate further development. They will also set up the system to allow conversions of the STEP sewer in that area to a conventional gravity system in the future. The developers pay for the construction, and then the City collects sewer fees at the time of connection and retains a small administrative fee. The sewer rebate will be \$2,300 per unit, and the City will retain \$98 of that for an administrative cost, resulting in a total potential revenue to the City of \$78,400 over time.

Mr. Jaffe asked whether the fee was in addition to the normal sewer hookup fee. Mr. King replied that it was. This is the pipe that serves the neighborhood, like in the Rattlesnake project, but these residents will pay the sewer rebate instead of having an SID. Ms. Mitchell asked how many properties on STEP sewer would be converted to gravity sewer. Mr. King stated that there would be no individual reconstructions, and that property owners in lower Linda Vista have the perception that they are on gravity sewer. There are large STEP tanks at intersections that will be abandoned. There will be no cost or difference to the property owners.

Mr. Jaffe asked whether existing homes would pay any difference. Mr. King stated that they had already paid, and that the conversion of the community step systems would be paid for from the sewer replacement and depreciation fund. Property owners currently connected have already paid their sewer costs. There will be no sewer replacement and depreciation money paying for that system. The \$2,300 rebate will be collected for the units in the

Teton addition, approximately 800 units. Another agreement regarding the sewer upsizing will be discussed at a future date. The rebate covers the Teton Addition only. Mr. Slovarp stated that the City will pay approximately \$400,000 of a \$4 million project for upsizing, and about \$1.6 million of the project will be from the rebate.

Ms. Walzer asked whether other properties could hook into the system once it was upsized and whether the \$2,300 fee would apply. Mr. King stated that the \$2,300 would only be in the Teton Addition.

Ms. Walzer made the motion to approve the agreement.

The motion passed unanimously.

2. Approve the amended agreement between the City of Missoula, Maloney Properties, LLC, and Lloyd A. Twite Family Partnership related to Miller Creek Road Improvements (memo).—Regular Agenda (Monte Sipe) (Referred to committee: 11/09/09) **REMOVE FROM AGENDA**

Motion: The committee recommends the City Council approve the Amended Agreement between the City of Missoula, Maloney Properties, LLC, and Lloyd A. Twite Family Partnership related to Miller Creek Road Improvements.

Mr. King stated that there was an agreement between the three entities in February, 2008 for the road improvement project. The County had been collecting a traffic mitigation fee of \$1,800 per property for more than a decade, but the accumulated money was not enough for the project. The developers agreed to contribute \$550,000 each to build the project. The found right-of-way (ROW) resulted in extra costs, as did changing the design so that it would easily accommodate a 4-lane road if needed in the future. The total additional costs were approximately \$400,000 more. They asked the developers to increase their contributions to \$750,000 each. Because the developers are not building homes up there now, the money will take time to recoup. The developers are putting money in now as a credit toward the transportation mitigation fee of \$1,800 per lot, or a prepayment on traffic mitigation fees. They calculated the repayment based on 12 years at 6.5% interest. This allows the City to have a budget to move ahead with the project next year. The developers will put money in and get time value out.

Mr. Wiener asked how many building sites the \$1,800 could apply to. Mr. Slovarp stated that there were 309 properties in Linda Vista Estates and about 800 for the Teton Addition to Maloney Ranch. Mr. King stated that those numbers were for existing preliminary platted lots, and there could be others in the area for that. Mr. Wiener asked how they could get to an effective interest rate of 6.5. Mr. King stated the developers have to take out loans for this, and that was their cost for the money. They will not be able to recoup the costs immediately, and are taking a risk of getting repaid. Their total time to get repaid could be less or more than 12 years.

Mr. Wiener asked if 1,100 potential lots would pay the \$1,800 fee. Mr. Sipe stated that page four of the contract, on item 6, it will equate to 581 future lots of development for the Teton Addition. Mr. Slovarp stated that for the \$200,000 Twite would pay in they would get back approximately \$400,000 at the end of the repayment period. Mr. King stated that the repayment would occur quarterly based on the number of lots that had paid the fee that quarter. They would collect \$1,800 per lot, which would go as a payment to the developers until they are fully repaid for their \$200,000 investment. It is a rebate and the time limit is 25 years.

Mr. Jaffe stated that having the developers contribute to the improvements was required and was not a gift to the City. They could either pay for it now or later. He asked why the City was putting itself at risk to pay interest on required infrastructure and stated that every dollar paid out to the developers was money the City did not get to keep. Mr. King stated that there was no money out for City for repayment, and the City was not obligated to repay a certain amount with interest. It is rebated with a prepayment of the \$1,800 per lot fee. Because the City is asking them to put money into the project now, for \$200,000 of that, they will get a premium on the repayment.

Gilbert Larson stated that the developers could wait and pay the \$1,800 per lot when it is due, 12 years from now, but that would mean there was no money to build the road today. There should be an incentive to the developers to pay now instead of 12 years from now.

Mr. Jaffe stated that \$1,800 today is not the same as \$1,800 12 years from now. Mr. Slovarp stated that the City transportation fee is currently \$1,150, but they are using the County standard of \$1,800. City fees may increase to that amount or more later, but it seemed a good number to use.

Mr. Wiener asked about the repayment. Mr. King stated that they decided on 12 years as a reasonable number. The developers are taking a risk with the fixed repayment amount. If the repayment takes longer than 12 years, the developers would be taking a hit. If it takes less than that, the City will have paid higher interest, but in the meantime they have a new road.

Mr. Jaffe asked how the repayment would occur. Monte Sipe, Construction Project Coordinator, stated that the rebate would be paid back as the money was collected from each lot. Mr. King stated that what came in for the fees would go back out to pay the developers back.

Ms. Walzer asked what would happen if the City increased its transportation fee to more than \$1,800 before the end of the 12 year period. Mr. Sipe stated that any required fees greater than \$1,800 would have to be paid at the time of the building permit, but there was no credit for the time period when the fee is less than \$1,800. It is on page five of the contract.

Mr. Strohmaier asked if there would be money coming in again after the amount of the credit was reached. Mr. King stated that there was at least that amount available in potential traffic mitigation fees from neighborhood.

Mr. Childers stated this seemed like a good way to have developers pay for improvements to the transportation system to and from their developments. It is not risky to the City, but is to the developers. He asked who was tracking the credits. Mr. King stated that the permit specialist in Public Works would be responsible, and collects and disperses other rebates as well.

Mr. Childers made the motion to approve the agreement.

The motion passed unanimously.

3. Approve the Agreement for Engineering Services to DJ&A, P.C., for Lower Miller Creek Road Improvements (memo).—Regular Agenda (Monte Sipe) **REMOVE FROM AGENDA**

Motion: The committee recommends the City Council approve and authorize the Mayor to sign the Agreement for Engineering Services to DJ&A, P.C., for Lower Miller Creek Road Improvements in the amount of \$47,834.78.

Mr. Sipe stated that this was an engineering services agreement for the design engineering on Lower Miller Creek Road. The City's portion of the project is \$530,000 to do improvements in the area, and they will extend curb and sidewalk along Lower Miller Creek Road to Linda Vista Blvd. DJ&A was selected, and has the timing deadlines for Western Federal Lands Division funds. The total contract amount is \$47,834.78.

Ms. Mitchell asked if the County was contributing to the project. Mr. Sipe stated that they received money as well, but are working on a section of Upper Miller Creek Road.

Mr. Childers made the motion to approve the agreement.

The motion passed unanimously.

III. REGULAR AGENDA ITEMS

1. Approve the agreement between the City of Missoula and Lloyd A. Twite Family Partnership related to sanitary sewer extension and upsizing for the South Missoula Area (memo).—Regular Agenda (Monte Sipe) (Referred to committee: 11/09/09) **HELD IN COMMITTEE**

This item was not discussed.

2. Update on projects funded by ARRA (American Recovery and Reinvestment Act) and HB 645 (memo) (Curb Ramp Locations).—Regular Agenda (Steve King) (Referred to committee: 11/09/09) **HELD IN COMMITTEE**

Mr. King stated that Jeremy Keene of WGM was not available to discuss the North Higgins project, but they were working with the Missoula Downtown Association, the Business Improvement District, and Ellen Buchanan, and that there would be a public meeting on December 2 at 8:30 AM at First Interstate Bank to discuss the project.

Doug Harby, Construction Project Manager, stated that North Higgins must have final plans for Montana Department of Transportation (MDT) review before the end of the year, and they must have bid-ready plans for the Federal Highway Administration (FHWA) by January 1. It is House Bill (HB) 645 money, so construction must be complete by September 1. The other American Recovery and Reinvestment Act (ARRA) project is Greenough Drive, which has curb, sidewalk, and bike lanes up Greenough Drive to Waterworks, which must be in to MDT within a couple of weeks, and construction will be complete by the end of 2010. There are two curb ramp projects, one with ARRA funds and one with HB 645. That project will install curb ramps in areas with existing sidewalks

and bring the ramps into ADA compliance. Another HB 645 project is Brooks Street from Higgins to Mount. There will be new curbs and curb ramps, and the preliminary plan is to make the road wide enough for two driving lanes, two bike lanes, and two parking lanes. Parking will be removed to allow left turn lanes at Beckwith and Mount. The RFP for the design was awarded to Territorial Engineering, and they hope to get the area surveyed before the snow flies. The Parks Department has money for playgrounds and they are currently evaluating the RFPs. Safe Routes to Schools (SRTS) Phase 1 and 2 installed bulb-outs in parking lanes to prevent cars parking at crossings. They upgraded curb ramps where there weren't any, but the existing ramps in the project that were less than three years old and installed to ADA standards at that time were not replaced. FHWA and MDT both approved the plans, but the project was randomly selected for an ADA audit, which determined that any existing ramps not meeting today's requirements (truncated domes) had to be updated to present-day standards. The required upgrades will cost around \$30,000. The auditors thought the basic plan of the bulb-outs was good, and they were fine with the plans on the other projects Mr. Harby discussed with them. Mr. King stated that they were trying to spread the economic recovery money and were using a variety of consultants.

Mr. Jaffe asked if the map displayed full sidewalk projects or just curb ramps. He asked for examples of truncated domes. Mr. Harby stated that they were only adding ramps and alley crossings where there were existing curbs and sidewalks. This project would not require fixes on deteriorated sidewalks. The new sidewalks on Johnson Street, First Interstate Bank, Brooks/South/Russell, and the Higgins Roundabout all have truncated domes.

Mr. Wiener asked if there were designs for the Greenough project and how wide the bike lanes on Brooks Street would be. Mr. Harby stated they would have plans finalized for each project and would do a Power Point presentation when they were available. Greenough will probably have bike lanes and 12 ft driving lanes which would narrow on the underpass. The width on Brooks Street will likely be 13 to 14 feet for bike lane and parking, but there are no final plans yet. They are also looking at safety issues on Greenough Drive.

Ms. Walzer asked if they were moving the curbs on Brooks Street into the boulevard, and if it would impact the health of the trees. Mr. Harby stated that most of the boulevards being affected had already been deteriorated by parking issues. They will not be removing much good grassy boulevard.

IV. HELD AND ONGOING AGENDA ITEMS

1. Discussion on the sizes of grease interceptors for the restaurant industry ([Grease Interceptor PowerPoint](#)) ([memo](#)).—Regular Agenda (Stacy Rye and Bob Jaffe) (Referred to committee: 04/21/08)
2. Consider restructuring the city's Sewer Loan Program along the lines of the recently approved change to the Sidewalk & Curb Loan Fund.—Regular Agenda ([Chapter 3.16 – Sidewalk & Curb Loan](#)) ([Chapter 3.18 Sewer Loan](#)) ([Ordinance 3344](#)) (Ed Childers) (Referred to committee: 06/26/06)
3. Information item to present the City's Master Sidewalk Plan. ([memo](#))—Regular Agenda (Doug Harby)
4. Purchase of one backhoe for Cemetery department ([memo](#)).—Regular Agenda (Jack Stucky) (Referred to committee: 11/09/09)
5. Purchase one front end loader for the Street Division ([memo](#)).—Regular Agenda (Jack Stucky) (Referred to committee: 11/09/09)

V. ADJOURNMENT

Respectfully Submitted,

Jessica S. Miller
Office Manager
City Public Works Department