

PUBLIC WORKS COMMITTEE REPORT
July 20, 2011 1:05 PM
City Council Chambers

Members Present: Jason Wiener (chair), Ed Childers, Lyn Hellegaard, Bob Jaffe, Marilyn Marler, Renee Mitchell, , Pam Walzer, Jon Wilkins

Members Absent: Dick Haines, Dave Strohmaier, Cynthia Wolken

Others Present: Kevin Slovarp, Jack Stucky, Gregg Wood, Bob Wachtel, Ethel MacDonald, John Wolverton, Michael Tree, Derek Goldman, Mirtha Becerra, Dave Shaw

I. ADMINISTRATIVE BUSINESS

- A. Approval of the minutes of – July 13, 2011 Approved as submitted
- B. Announcements – None
- C. Public Comment on Non-Agenda items – None

II. CONSENT AGENDA ITEMS

- 1. Confirm the re-appointments of Jack Moffett and Rita Sommers-Flanagan to the Building Code Board of Appeals for a term commencing July 1, 2011 and ending June 30, 2014. (memo)—Regular Agenda (Mayor Engen) (Referred to committee: 07/18/11)(REMOVE FROM AGENDA)

Motion: The committee recommends the City Council approve the appointments of Jack Moffett and Rita Sommers-Flanagan to the Building Code Board of Appeals for a term commencing July 1, 2011 and ending June 30, 2014.

Jason Wiener said the second appointment was to appoint Jack Moffett and Rita Sommers-Flanagan to the Building Code Board of Appeals, these are reappointments.

Pam Walzer made the motion to re-appoint Jack Moffett and Rita Sommers-Flanagan to the Building Code Board of appeals for a term commencing July 1, 2011 and ending June 30, 2014.

The motion passed unanimously.

- 2. Authorize the Mayor to sign a contract with Johnson Controls Inc. to provide HVAC maintenance and service to: the City Hall building, the Central Maintenance Shop building, the Central Maintenance Street Division building, the MRA-Council Chambers building, the Missoula Art Museum, the Currents Aquatics -Parks Recreation building, and the Parks Maintenance building for a 5 year period ending June 30, 2016. (memo) – Regular Agenda (Jack Stucky) (Referred to committee: 07/18/11)REMOVE FROM AGENDA)

Motion: The committee recommends the City Council approve and authorize the Mayor to sign a contract with Johnson Controls Inc. to provide HVAC maintenance and service to: the City Hall building, the Central Maintenance Shop building, the Central Maintenance Street Division building, the MRA-Council Chambers building, the Missoula Art Museum, the Currents Aquatics -Parks Recreation building, and the Parks Maintenance building for a 5 year period ending June 30, 2016.

Jack Stucky, Vehicle Maintenance Superintendent, asked the committee to recommend the City Council approve and authorize the Mayor to sign a contract with Johnson Controls Inc. to provide Heating Ventilation and Air Controls (HVAC) maintenance and service. This contract is for a five year period ending June 30, 2016. Although several companies participated in the Competitive Sealed Bid Proposal, Johnson Controls Inc. was the only service provider to submit an offer. They are currently providing these services to the City of Missoula and have been a provider for several years.

Jason Wiener asked if he could briefly describe the bid process.

Jack Stucky stated he advertised a legal bid proposal and three or four local HVAC companies visited most of the facilities listed in the bid and Johnson Controls was the only company that submitted a sealed bid. The Johnson Control bid is almost identical to the current bid the City has with them; it includes a 3% increase over the current bid and a 3% increase each year.

Bob Jaffe made the motion to recommend the City Council approve and authorize the Mayor to sign a contract with Johnson Controls Inc. to provide HVAC maintenance and service to: the City Hall building, the Central Maintenance Shop building, the Central Maintenance Street Division building, the MRA-Council Chambers building, the Missoula Art Museum, the Currents Aquatics -Parks Recreation building, and the Parks Maintenance building for a 5 year period ending June 30, 2016. He also made a comment about reviewing the contract portion of the Art Museum before the next contract.

Renee Mitchell asked if Johnson Control was doing the energy study for the City and guaranteeing we can save money on costs related to energy. Using the same company for a study and then awarding them the contract seems a pretty cozy arrangement.

Jason Wiener asked Renee Mitchell if she felt the contracting process Jack Stucky described was inadequate for us to get a fair proposal.

Renee Mitchell said she feels when we have people doing work or we are hiring to do work and we have the same people do studies and then award them a contract it seems questionable. She understands if we do not get other bids we must do what we can.

Jack Stucky replied that with the exception of the HVAC in the MRA-Council Chambers, most of the performance contract was on lighting and wells for City Parks; he feels there was no conflict of interest. We did a competitive sealed bid proposal and several companies participated but Johnson Controls was the only company to submit a bid. They have a history with the City of doing a good job for us.

Bob Jaffe expressed his view by saying there could be an issue with the way the consulting works when they come up with ways to save money but part of the deal was they would do the work and then they would get the contracts to do the work. However, the assessment was done without charges and the City was not compelled to do the recommendations. The company was guaranteeing the savings, it was all part of the package. The reason Johnson Control did the free consulting was to get the contracts.

Jack Stucky said Johnson Controls made the recommendations and it was the City's choice to select what they wanted to implement.

The motion was passed unanimously.

4. A resolution of the Missoula city council supporting the federal reauthorization of the surface transportation program, in particular, the inclusion of multi-modal and public transit funding. (memo) – Regular Agenda (Jason Wiener) (Referred to committee: 07/18/11)(REMOVE FROM AGENDA)

Motion: The committee recommends the City Council adopt a resolution supporting the federal legislation that reauthorizing the Surface Transportation Program should include multimodal and public transit options.

Jason Wiener stated the resolution for the committee to consider was to support the federal legislation reauthorizing the Surface Transportation Program to include funding for multimodal and transit options. The flexibility in how local jurisdictions apply those funds is important to serving Missoula's needs. He asked Michael Tree to update the status of the Federal Transportation debate.

Lyn Hellegaard recused herself because her agency receives Federal Transit Administration money which her salary is paid out of.

Michael Tree said there are a lot of different funding pots they tap into at the local level that are critical. We continue to make contact with representatives in Washington to support and retain current programs. This resolution sends a message on behalf of the City Council that our community has a great transportation plan and system and these Federal funds are critical to maintaining the uniqueness of our community.

Jason Wiener wanted to bring attention to Congestion Mitigation and Air Quality, Transportation Enhancement, Recreational Trails Program and Safe Routes to Schools as some of the programs that this funding is critical to.

Marilyn Marler made the motion to recommend the City Council adopt a resolution supporting the federal legislation that reauthorizing the Surface Transportation Program should include multimodal and public transit options.

Public Comment

Kevin Slovarp, City Engineer, said the Surface Transportation Program Urban (STPU) funds have historically been used for roadway construction projects and not necessarily for transit, intercity bus, rail, or van pool type of programs. He agrees with the resolution to keep our funding levels the same and not decrease them, but if those urban funds are used for multi-modal and public transit funds we reduce the buying power for new roadways. The projects that are typically supported by these funds do include constructed facilities for busses, walkways, pathways and bike paths so there is infrastructure that is built into those programs. His advocacy is to keep those funds for roadway projects rather than buy more busses.

Ed Childers said he did not see in the resolution a diversion of funds, he saw a continuation of funds. He did see more money for busses but doesn't want to have less money for roads for them to drive on.

Bob Wachtel, Bike Walk Alliance for Missoula and Bicycle Pedestrian Advisory Board, speaking for himself, said he encourages adoption of this resolution, however in the first Whereas in the resolution he suggested changing "safe biking and walking paths" to "safe biking and walking facilities" which would include bike lanes on roads as well as dedicated bike and walking paths. Also on the third Whereas, a grammatical error in the first sentence, "where we even children" delete "we".

Marilyn Marler accepted the suggested edits to the motion.

John Wolverton, member of Bike Walk Alliance for Missoula and Missoula Advocates for Sustainable Transportation urges the committee to support and recommend this resolution to the City Council.

Dave Shaw, Park and Trail Design and Development Manager, wanted to take the opportunity to set the stage for what happens with these funds in Missoula. The Transportation Enhancement Program and the Recreational Trails Program are two of our main funding sources. Some of the many projects that have been done with CTEP, RTP and other funding sources are the existing Milwaukee Trail, Bitterroot Branch Trail, Shady Grove Trail, Greenway Trail, South Hills Trail, Madison Street under bridge was partially funded, sidewalks in Playfair Park, Mill site trails as well as future trails. Any advocacy that could go to Congress in support of this resolution would be appreciated by Parks and Rec Department as well as Missoula as a community.

Ethel MacDonald speaking as a citizen urged the adoption of the resolution. It is essential to keep the language of facilities for bicycles and walking because if these funds get cut, those will be the first things to go.

Derek Goldman, Ward Six and Transportation for America, wanted to thank Mr. Wiener and Mr. Tree for bringing this forward and he thinks the resolution speaks to the ability to retain control, flexibility and decision making over the Federal dollars at the local level.

Renee Mitchell supports the paths, sidewalks and streets, these modes of transportation are important. She used this opportunity to say that Bancroft has narrowed lanes and it is very stressful to drive; sometimes we need to separate bike lanes from traffic not move them closer to the traffic, and not to put the vehicle traffic even closer to each other.

The motion was passed with all ayes and one pass by Lyn Hellegaard.

III. REGULAR AGENDA ITEMS

1. Confirm the appointment of Gabriel Furshong to the Bicycle and Pedestrian Advisory Board completing a vacated term starting immediately and ending September 15, 2011 and fulfilling a 3-year term ending September 15 2014. (memo)—Regular Agenda (Mayor Engen) (Referred to committee:07/18/2011) (HELD IN COMMITTEE)

Motion: The committee recommends the City Council approve the appointment of Gabriel Furshong to the Bicycle and Pedestrian Advisory Board completing a vacated term starting immediately and ending September 15, 2011 and fulfilling a 3 year term ending September 15, 2014.

Jason Wiener stated he received an email from Mayor Engen and he is unable to be here today for any of the appointments.

Marilyn Marler made the motion to confirm the appointment of Gabriel Furshong to the Bicycle and Pedestrian Advisory Board to complete a vacated term starting immediately and ending September 15, 2011 and fulfilling a 3 year term ending September 15, 2014.

Jon Wilkins asked if applications were sent out to apply for this position or was it strictly an appointment.

Jason Wiener said Gabriel Furshong's application is attached to the referral but he did not know if any others were received. He reminded everyone that there is only one lady on the Bicycle Pedestrian Advisory Board, and the message needs to get to citizens so they can apply.

Public Comment:

Bob Wachtel, Chair of the Bike/Ped Board and member of the Bike Walk Alliance of Missoula, commented there is a gender discrepancy on the board. He commended the Mayor's office for proposing to fill this vacancy so quickly; it took approximately three months to get enough applicants for the Mayor to make a choice for a new member to fill the last vacancy.

Lyn Hellegaard asked if the Mayor would be opposed to appointing Gabriel Furshong until September 15, 2011 and then open the three year term for more applicants.

Marilyn Marler stated she would keep the original motion as it is.

Jon Wilkins suggested this be put under committee reports so they could ask the Mayor questions at Monday's City Council meeting.

The original motion was passed unanimously with the suggestion to hold in committee reports; Jason Wiener had the item Held in Committee Reports.

2. Approve and authorize the Mayor to sign the interlocal agreement with Missoula County for Mullan Road and Flynn Lane intersection, and Flynn Lane trail improvements. (memo) – Regular Agenda (Steve King) (Referred to committee: 07/18/11)(HELD IN COMMITTEE)

Kevin Slovarp, City Engineer, presented the referral to have the committee approve the interlocal agreement with Missoula County for the Mullan Road and Flynn Lane intersection and the Flynn Lane trail improvements. He wanted to explain portions of the interlocal agreement starting with:

- Purpose: the portion referring to the subdivision mitigation funds, stating these funds were originally slated to go towards the Mullan and Reserve traffic signal improvements; the funds have been made available from the County because the State agreed to fund the Mullan/Reserve project; the County would now like to use these funds for the Mullan Road/Flynn Lane intersection and Flynn Lane trail improvements.
- Recitals:
 - 2.1, the improvements to Mullan Road/Flynn Lane intersection is a new traffic signal and the trail improvements on Flynn Lane from Mullan Road to Hellgate Elementary School.
 - 2.2, the portion of the project that could be relocated by the City is the signal light infrastructure which could be moved to the Mullan Road/Mary Jane Boulevard intersection at some future date because the Wye Mullan Road Comprehensive Area Plan identifies Mary Jane Boulevard as the collector road.
 - 2.3, the County established the mitigation funds as mitigation for associated traffic impacts on existing roads by a new subdivision within the Mullan Road Corridor.
 - 2.5, The City has annexed subdivisions in the Mullan Road Corridor area and those mitigation funds were collected by the County.
- Duties of the County:
 - 3.4, the City has an opportunity to review and approve preliminary and final construction plans in accordance with City and State standards.
 - 3.6, the Project shall be completed within two years of the date of the Agreement. The County Commissioners have already signed the document and are waiting for the City Council approval.
- Duties of the City:
 - 4.4, the City shall accept and maintain the portion of the Project within City jurisdiction.

He wanted to explain the reason for going with a traffic signal instead of a round-about at this intersection is the cost of a round-about would be higher due to right-of-way constraints, and an adjacent irrigation ditch. When Mary Jane becomes the new collector road for the area the round-about cannot be moved but the traffic signal infrastructure can be moved.

Jason Wiener asked how this project was chosen over other available projects.

Kevin Slovarp said the County residents, especially the parents dropping children off at Hellgate Elementary School, expressed a need for access control on Flynn Lane. The trail on Flynn Lane is a continuation of the trail along Mullan Road the County completed last year.

Jason Wiener wanted to know what the cost split was between the trail and the Mullan Road intersection improvements. One issue that has come up with the Mullan Road/Reserve project is there is still a lot that could be done for that intersection; and this is money that could have been deployed there. He is not sure he is in favor of this particular project.

Renee Mitchell stated there is no guarantee that Mary Jane would become the collector road and she is aware of the traffic problems at Mullan and Flynn. She asked if anyone had considered the possibility of a round-about at Tipperary and Flynn Lane intersection.

Kevin Slovarp said Mary Jane as a collector road was in the Comprehensive Plan and in the Long Range Transportation Plan and these documents supports this. This gives the Council the authority to condition the subdivision on adequate right-of-way and road widths for Mary Jane to fulfill those documents. The plan improvements call for a round-about at England Boulevard and Mary Jane but there is always a potential for traffic calming in neighborhoods if there are intersections that need treatment.

Ed Childers reinforced that Mary Jane was intended to be the north south route in the subdivision and it was specifically designed so there would be a good collector road. The amount of traffic on Mullan and Flynn supports a traffic signal. He asked if a round-about, other than the portability, would be feasible on Flynn and Mullan or Mary Jane and Mullan. He asked if a signal improvement at Flynn could be moved to some other location, not necessarily Mary Jane.

Kevin Slovarp explained if a Flynn Lane round-about were installed and then Mary Jane became the primary collector street you would have to scrap the improvements at Flynn because then you would need the intersection control at Mary Jane and not Flynn in order to deemphasize Flynn as a collector road . The traffic signal could be moved.

Pam Walzer said the neighborhood has continued to ask for the trail to be improved. There is a need to deal with traffic now and a signal light may help with this.

Pam Walzer made the motion to recommend the City Council approve and authorize the Mayor to sign the interlocal agreement with Missoula County for Mullan Road and Flynn Lane intersection, and Flynn Lane trail improvements.

Ed Childers asked for clarification on section 2.4 of the Interlocal Agreement asking if there was \$323,000.00 in the mitigation fund as of June 2011. Kevin Slovarp said yes, that is his understanding.

Jason Wiener stated he would like to know what other projects would be contending for these funds and more detail designs on Exhibit A.

Bob Jaffe asked about the temporary portion of this, should we realistically view these improvements as permanent. Of the \$323,000.00 in the mitigation fund, how much value is retained in moving the

signal in the next project? Can we approve the trail and not the light? Couldn't this money be kept in the bank because eventually there will be improvements made anyway.

Kevin Slovarp said with the Wye Comprehensive Plan and the Long Range Transportation Plan show Mary Jane should be the collector street. The signal at Broadway should happen soon and the possibility of Costco relocating makes Flynn Lane temporary. The intersection improvements at Flynn and Mullan would then be removed. Approximately \$200,000.00 would be retained for the next project, with the signal being two thirds of the cost and the trail one third. The County could be asked to change the interlocal agreement to include just the trail, but potentially the City would be throwing away \$200,000.00 in improvements the County is giving us, the County can spend this money elsewhere.

Pam Walzer withdrew her motion; she would like to have more information.

Jason Wiener asked for a budget for the project so they would know what was being spent for the trail improvements, and engineering versus equipment costs; and a time line for the project.

Renee Mitchell stated that the Mullan Road traffic is horrible and a traffic light there is overdue. She feels once Mary Jane is completed the traffic on Flynn will not just be abandoned; there is a possibility of a light at both intersections.

Renee Mitchell made the motion to recommend the City Council authorize the Mayor to sign the interlocal agreement with Missoula County for Mullan Road and Flynn Lane intersection, and Flynn Lane trail improvements.

Jason Wiener stated that the Interlocal Agreement was required because this is a street under the City's jurisdiction.

Ed Childers did not want to risk a NO vote on this referral and moved to table the motion for a week.

Renee Mitchell withdrew her motion.

Ed Childers said if the motion was withdrawn he would withdraw his motion to table.

Jason Wiener said there is no motion and if there were no objections this item will be held over until next week for additional information.

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. Review infrastructure conditions at the locations of serious and fatal traffic accidents: 2007-2009 ([memo](#)).—Regular Agenda (Jason Wiener) (Referred to committee: 01/25/10)
3. T4 America partner support ([memo](#)) – Regular Agenda (Stacy Rye) (Referred to committee: (Referred to committee: 08/16/10)
4. Presentation from Public Works staff regarding proposed process for finding contractors and awarding bids for reconstruction of Russell Street. ([memo](#))—Regular Agenda (Bob Jaffe) (Referred to committee: 11/15/2010)
5. Resolution to change the speed limit on Reserve Street between Brooks and 39th Street. ([memo](#))—Regular Agenda (Wayne Gravatt) (Referred to committee: 01/24/11)
6. Approve the agreement for consultant services with Eli & Associates, Inc. on Project 10-034 England Boulevard right turn lane improvements. ([memo](#)) - Regular Agenda (Kevin Slovarp) (Referred to committee 05/16/2011)

7. Infrastructure condition inventory and maintenance requirements. ([memo](#))—Regular Agenda (Ed Childers) (Referred to committee: 07/11/11)
8. Discuss Mountain Water parent company's acquisition by the Carlyle Group. ([memo](#))—Regular Agenda (Jason Wiener) (Referred to committee: 07/11/11).

III. ADJOURNMENT

The meeting adjourned at 2:25 PM

Respectfully Submitted,
Peggy Diamond, Program Specialist
City Public Works Department