

PUBLIC WORKS COMMITTEE REPORT
January 25, 2012 11:05-12:00 PM
City Council Chambers

Members Present: Jason Wiener (chair), Ed Childers, Dick Haines, Bob Jaffe, Marilyn Marler, Dave Strohmaier, Jon Wilkins, Cynthia Wolken, Adam Hertz, Alex Taft, Caitlin Copple, Mike O'Herron

Members Absent: Dave Strohmaier, Cynthia Wolken, Caitlin Copple, Mike O'Herron

Others Present: Kevin Slovarp, Steve King, Jack Stucky, Phil Smith, Monte Sipe, Doug Harby, Bob Giordano, Shane Stack, Dean Jones, Jerry Ballas

I. ADMINISTRATIVE BUSINESS

- A. Approval of the minutes of – January 11, 2012, January 18, 2012 – Approved as submitted
- B. Announcements – None
- C. Public Comment on Non-Agenda items – Jerry Ballas, resident at 204 South Avenue East, was concerned about large snow berms in the middle of cross-walks. The college students riding the bus and parking at the park-n-ride at South Avenue and Arthur Avenue are on the north side of the street when dropped off and it was dangerous for them when crossing the street because of the large snow berm in the way. The City took care of it, but he felt that the order of priorities should be re-considered with a large snow event. He's also concerned about the Sentinel High School crosswalk and the crosswalks used by students coming from the residential areas to the campus.

Bob Giordano added that more attention needed to be given to pedestrians when there is a major snow event.

II. CONSENT AGENDA ITEMS

- 1. Memorandum of agreement with the Montana Department of Transportation (MDT) for the acquisition of one new Broom Bear Mechanical Street Sweeper and authorize the payment of the Montana Air and Congestion Initiative (MACI) local match funds of \$27,262 to the Montana Department of Transportation. (memo)—Regular Agenda (Jack Stucky) (Referred to committee: 01/23/12) (REMOVE FROM AGENDA)

Motion: The committee recommends the City Council authorize the Mayor to sign a Memorandum of Agreement with the Montana Department of Transportation (MDT) for the acquisition of one new Broom Bear Mechanical Street Sweeper and authorize the payment of the MACI local match funds of \$27,262 to the Montana Department of Transportation.

Jack Stucky, Vehicle Maintenance Superintendent, read his request and added that part of the money for this purchase was from the federal government in support of the clean air act.

Jason Wiener asked for public comment. Hearing none, Alex Taft made the motion to approve and it carried unanimously.

- 2. Resolution declaring certain City of Missoula property as surplus and authorizing disposal. (memo)—Regular Agenda (Jack Stucky) (Referred to committee: 01/23/12) (REMOVE FROM AGENDA)

Motion: The committee recommends the City Council adopt a [resolution](#) declaring certain City of Missoula property as surplus and authorize disposal.

Jack Stucky told the committee that he brought these requests to committee once or twice a year and then he read his request.

Jon Wilkins made the motion to approve. Jason Wiener asked for public comment, hearing none the motion carried unanimously.

3. Award the purchase of one (1) 2012 GMC Sierra 1500 4 Wheel Drive pickup to Bennett Motors of Great Falls, Montana, in the amount of \$23,488, for the Waste Water Treatment Plant. (memo)—Regular Agenda (Jack Stucky) Referred to committee: 01/23/12) (REMOVE FROM AGENDA)

Motion: The committee recommends the City Council award the purchase of one (1) 2012 GMC Sierra 1500 4 Wheel Drive pickup to Bennett Motors of Great Falls, Montana, for \$23,488, for the Waste Water Treatment Plant.

Jack Stucky made the request and added that it was a State of Montana bid letting and the price was unbeatable.

Jon Wilkins asked if local dealers were able to bid. Mr. Stucky stated that all local dealers were able to bid on the purchase through the State process. Mr. Wilkins made the motion to approve.

Jason Wiener asked for public comment, hearing none the motion carried unanimously.

4. Consider an exception to MMC Chapter 9.30 Noise Control during construction of the Main Street Pavement Preservation Project by the Montana Department of Transportation (MDT). (memo)—Regular Agenda (Kevin Slovarp) (Referred to committee: 01/23/12) (REMOVE FROM AGENDA)

Motion: The committee recommends the City Council approve an exception to MMC Chapter 9.30 Noise Control, which will permit relief from the specified noise levels during construction of the Main Street Pavement Preservation Project by MDT.

Kevin Slovarp, City Engineer, explained that the purpose of pursuing the exception now was so that the Montana Department of Transportation (MDT) could put the project out to bid and add the exception language into the project specifications. This is a pavement preservation project like the City had carried out before in the downtown area. It would benefit users of the roadway by decreasing traffic congestion during the day. The contractor had not been hired yet so Mr. Slovarp could not give the committee a definite date as to when the work would be started. Shane Stack and Dean Jones of MDT were available for questions. Mr. Slovarp further added that if the exception was approved now the item could be brought back to committee when the contract was awarded and a schedule was set so the City could inform residents and business owners in the project area about the work that would be done at night.

Jason Wiener was concerned about the duration of the project since there were many large apartment complexes in the area. He did not want to deny the residents their sleep for a long period of time.

Mr. Slovarp stated that the project area was Main Street from Jefferson Street on the east side to Woody Street on the west side, and the project would last 6-7 nights. Any one block would be limited to one night of possible disturbance. Shane Stack and Dean Jones planned to put a clause in the contract that the contractor was required to contact residents and business owners when the night work would start.

Jason Wiener stated that one of the worst sections was at Madison Street heading south and turning right on to Madison Street. Was this portion part of the project? Shane Stack of MDT was not sure if that portion was considered part of the urban route. Doug Harby, Construction Project Manager, added that the urban route started at Jefferson Street, but this portion would be included in the 2012 street maintenance program which would tag onto the state's project.

Bob Jaffe asked if the portion from Washington Street east could be done during the day since it was a residential area. Were they planning on working 6:00 pm to 6:00 am?

Dean Jones of MDT indicated that it would be from 7:00 pm to 7:00 am and that the contract could specify that work in the residential area of Jefferson Street be completed between 7:00 pm and 10:00 pm.

Jon Wilkins supported the project. He thought when the residents were notified they should also be told what the duration would be since they were working one block at a time.

Jason Wiener asked Mr. Wilkins if he was making a motion and he said he was. Mr. Wiener then asked for public comment, hearing none the motion carried unanimously.

III. REGULAR AGENDA ITEMS

1. Report from Pedestrian Subcommittee on possible sidewalk funding options. (memo)—Regular Agenda (Marilyn Marler) (Referred to committee: 01/09/12) (HELD IN COMMITTEE)

Motion: The committee recommends the City Council direct staff to draft an ordinance implementing Portion 1, or the “Health Insurance Model,” for financing the construction of sidewalks.

Jason Wiener discussed with the committee that the decision before them today would be to direct staff to implement one of the proposals suggested, to hold public hearings, to return the item back to the subcommittee for further discussion, or some combination.

Ed Childers wanted to retain the existing tools in place which included the excess of \$6,000 deferment or the income qualified deferral of the entire amount.

Bob Jaffe did not see a need to change the programs in place. He was in favor of the general model for the additional subsidy, but would like a component applied to those currently paying assessments, but was not sure about applying it to those who had already paid off their assessment. The issue that needed to be flushed out was who would the new process apply to. He thought residents whose sidewalk was ordered in by the City were clearly included, but he was less clear on sidewalk installation required by a building permit. The building permit sidewalk requirement changed the equation. The City could not judge how many residents would choose to remodel their homes, which could require the installation of a sidewalk.

Doug Harby, Construction Project Manager, explained that the original requirement for sidewalk installation was due to the change in the parking standards. It was then simplified/made more aggressive to include change of use. A remodel of a single dwelling residential unit did not need sidewalk unless they were changing the driveway. Adding a new bedroom would not require sidewalk installation, the requirement mainly applied to businesses, or residential that turned into a business, all because businesses require parking lots. The other question was would the subsidy apply to a subdivision such as Mansion Heights or 44 Ranch where a new driveway had to be cut in since the subdivision is not completely built out.

Alex Taft was willing to look at the ordinances since it would be helpful to have some tools in place to know the dynamics of the change and to know what the tax burden would be. He also wanted the gas tax portion of the proposal referred back to the subcommittee. It seemed very difficult since it involved the County and their interest in installing sidewalks or trails. Gas tax would only pay for so much since half the money went to the County.

Marilyn Marler added that she was glad to add some motions to get the discussion moving on each of the proposals and it was also an option to send proposals back to the subcommittee. Ms. Marler then made a motion to send the healthcare model, which included a generalized subsidy, to staff to come up with language that would be part of an ordinance for the committee to review. She clarified that the intent of the motion was for staff to come back with language and not to impose a tax at this point. She only wanted staff to start looking at language.

Jason Wiener stated that the motion was in order.

Steve King added that staff had specific questions. Was it the committee's intention for staff to look at the model using \$17.00 a year, which was the typical scenario that was discussed with the typical \$225,000 home? Was that the starting point? Copay, deductible, and caps were pretty straight forward. Also, how would it be paid for; general fund or special road district assessment?

Ms. Marler stated, for the purpose of getting the process moving, use the scenario from the subcommittee generating \$800,000 a year, which would be \$17.00 on a typical house. Brentt Ramharter brought this amount to the subcommittee based on the amount of levy, and for now she wanted to use the general tax fund. Someone could always request that be changed.

Ed Childers added he thought this was a good idea. He also wanted the ability to plug in other numbers since public hearings had not been held yet.

Bob Jaffe added that the subcommittee had been working on a spreadsheet which could be used for what Alex Taft was interested in. Numbers could be changed around easily. He was still concerned about how voluntary installs would factor into the subsidy. How would the City predict the amount of voluntary installs each year? Was the subsidy paid in arrears?

Steve King explained that the current budget pays for the last year's activity. The idea would be to set a future budget, so the City needed a framework. In an ordinance the method was a line item under the general fund. A specific amount had to be budgeted. What was unclear was the order of work. Would subdivisions and compulsory work be financed first? It was hard to quantify on a year to year basis. Public Works supported starting the process and advocates for ordered work first with the \$800,000 figure. The process could then be revisited to see if it could be expanded. Taking one step at a time would be helpful for budgeting purposes and staff purposes.

Jon Wilkins was not sure if he wanted to support or oppose the motion. He felt there was no way to avoid using gas tax funding. There were too many questions.

Adam Hertz asked if the City currently assesses \$800,000, but then the City would be trying to raise another \$800,000 so more sidewalks could be constructed. Was that correct?

Jason Wiener stated that \$800,000 was the total amount being assessed right now. Steve King added that the amount varied year to year, but that was a nominal amount. The City had collected up to two million dollars in the past; right now the City was at \$800,000, which was the approximate amount done on an annual basis as far as ordered work. Mr. Wiener clarified that if the City had an \$800,000 subsidy, under the program that roughly covered 65% of the sidewalk, so it would be increasing the amount of sidewalk being built by raising the same amount City wide because individuals would still be paying. Mr. Wiener asked if that was what Mr. Hertz was asking. Mr. Hertz said yes.

Steve King said, as he understood the subsidy at 70/30, 65% would be more than \$800,000 worth of work that the tax would subsidize.

Marilyn Marler asked that the matrix the subcommittee developed be brought back to committee by staff. She realized that raises for the Police Department employees and the Fire Department employees needed to be considered in the budget process. She wondered if a report could be run by staff on voluntary sidewalk installation. She also thought if a plan was implemented the committee could revisit it in the future.

Jason Wiener stated that the discussion would continue the following week. He supported Ms. Marler's motion and wanted to see models financed through the road district then the general fund. In terms of ability to fund operations, the general fund would hamper that. He also wondered who would be included. One thing he had heard from people wanting to do redevelopment was that the infrastructure costs associated with a project could be a significant hurdle. Since the road district or general fund levy

was going to be paid by commercial tax payers, the committee should consider whether they should also benefit from it and if including them is something the committee could do to help business development while completing the sidewalk network. Also, if voluntary installations were excluded there would be discouragement to install sidewalks if properties were involved in a subsidized project coming in the future.

Mr. Wiener restated the motion to have Public Works draft an ordinance implementing portion 1 of the subcommittee's report with the recommendation made including the \$300, 70/30 split, with a \$15,000 maximum.

Ed Childers felt it was a good starting place. Anyone paying should be beneficiaries of the program. If a resident was not paying, a non-profit of some kind possibly, that resident/business owner should not benefit from the program. As far as rebates, the property changed hands. A rebate would go back to the current owner and that was not fair. Once the committee had some kind of language to start with for the ordinance, then the public could have input and the committee could start the process.

Bob Jaffe, clarified, using last years numbers, \$885,000 in assessments were applied. Based on the formula presented, that would require \$628,000 in public subsidy. The \$628,000 was what came out to the \$17.29 a month, or for a \$225,000 home. Two-thirds of the amount was ordered in, and one-third was voluntary.

Mike O'Herron came in at 12:00 p.m.

Mr. O'Herron stated that if he voted in favor of the motion it was only to start an analysis and to explore alternatives.

Jason Wiener asked for public comment.

Bob Giordano of MIST asked that the committee consider applying the subsidy to low and moderate income folks in the community.

Hearing no further public comment, the motion carried with 6 ayes (Wiener, Childers, Jaffe, Marler, Taft, O'Herron), 2 nays (Haines, Hertz), and 1 absent (Jon Wilkins).

III. HELD AND ONGOING AGENDA ITEMS

1. Resolution to change the speed limit on Reserve Street between Brooks and 39th Street. ([memo](#))—Regular Agenda (Wayne Gravatt) (Referred to committee: 01/24/2011)
2. Discuss the timing of various traffic lights around the city. ([memo](#))—Regular Agenda (Bob Jaffe) (Referred to committee: 09/26/2011)
3. Discuss the school speed zones. ([memo](#))—Regular Agenda (Bob Jaffe) (Referred to committee: 09/26/11)
4. Resolution to order curb and sidewalk improvements adjacent to properties in the Arthur Avenue – Beckwith Avenue to South Avenue area, Project 11-018. ([memo](#))—Regular Agenda (Monte Sipe) (Referred to committee: 01/23/12)

IV. ADJOURNMENT

The meeting adjourned at 12:00 p.m.

Respectfully Submitted,
Heidi J. Bakula, Program Specialist
City Public Works Department