

PUBLIC WORKS COMMITTEE REPORT

October 14, 2009, 10:35 AM

City Council Chambers

Members Present: Jason Wiener (Chair), Ed Childers, Dick Haines, John Hendrickson, Bob Jaffe, Renee Mitchell, Pam Walzer, Jon Wilkins

Members Absent: Dave Strohmaier

Others Present: Hugh Jesse, Nancy Wilson, Jerry Ballas, Steve King, Bob Giordano, Dave Prescott, Jeremy Keene, Kevin Slovarp, Bruce Bender, Gregg Wood, Doug Harby

I. ADMINISTRATIVE BUSINESS

- A. Approval of the minutes of October 7, 2009 – Forthcoming
- B. Announcements – Steve King, Public Works Director, stated that the changes to Title 12 are still in draft form and were not ready for committee discussion. The new zoning ordinance refers to City specifications, which are in place, so they still have authority for enforcement.
- C. Public Comment on Non-Agenda items – None

II. CONSENT AGENDA ITEM

- 1. Consider the resolution of intention to create SID 548 - 5th / 6th / Arthur Intersection Improvements. (memo).—Regular Agenda (Gregg Wood) (Referred to committee: 10/05/09) REMOVE FROM AGENDA

Motion: The committee recommends the City Council approve the resolution of intention to create SID 548 - 5th / 6th / Arthur Intersection Improvements and set a public hearing for November 9, 2009.

Hugh Jesse, University of Montana (UM) Director of Facility Services, stated that they were there primarily because of safety concerns. UM has been working with the City for 15 years on this project. Jerry Ballas, UM Project Manager, stated that UM had sent a petition for the creation of the SID. It is a joint project, with UM paying for the bulk of the project and materials, and they are asking for an SID to pay it back over 20 years. The SID boundary includes four private property owners. UM has an agreement with all four property owners that UM will carry their cost of the SID, meaning there will be no impact on private property owners. Jeremy Keene of WGM stated that the preferred alternative of the environmental assessment in 2001 resulted in a five-lane design, which was not well-received and had no federal funding available. Safety is still an issue. There have been 90 crashes since 2002, including one pedestrian fatality. With current traffic volumes, a three-lane option will work reasonably well and provide an acceptable level of service. The attached diagram is a concept only; all the work done so far has been to figure out if a project is feasible, establish the scope and cost of the project, a find a funding source. UM will have an SID, the City will provide the labor, and MDT will contribute the cost of the signal. It is not a 20-year solution, but will improve safety and address the current conditions. Since 2002, traffic volumes have been fairly flat. They will make physical changes to the road to provide for all modes of transportation. They are not in the design stage yet, and will get public involvement before any designs are finalized. The concept was drawn up only to identify costs and to form the SID. The proposed solution will take Highway 12 traffic off of Maurice. It will need to accommodate large trucks, buses, bikes, pedestrians, and other vehicles, as well as high traffic volumes for short times during events. They will add lighting at crossings, fix sidewalks, and bring pavement markings and ADA accessibility to current standards. Once the SID is approved, there will be funding in place to hire a consultant for the final design, get public input, and do the construction, hopefully in the summer of 2010.

Mr. Jaffe made the motion to adopt the resolution of intention and set the public hearing for November 9, 2009.

Mr. Jaffe asked whether they needed a new Memorandum of Understanding between UM, MDT, and the City. He also asked what other projects would be competing with this one for the City crew's time. Gregg Wood, Project Development Coordinator, stated they would bring the agreement forward before November 9 when the SID could be created. Steve King, Public Works Director, stated that the City had already blocked out time for the project in the summer of 2010, and that is was not a huge commitment for the Streets Division, because maintenance on State routes was part of what they do. The other major projects next summer will be an overlay on Brooks Street and the annual chip seal program. This project fits well into the 2010 schedule.

Mr. Hendrickson asked who was responsible for the WGM contract. Mr. King stated that was part of the agreement they would be bringing forward on November 9 and they would have an answer then. Mr. Hendrickson asked how the City's in-kind contribution fit into the CIP and who would pay for the materials. Mr. King replied that the estimated City contribution was \$207,446 in labor, and that UM would be buying the materials. The in-kind labor is the City's contribution to the project.

Mr. Hendrickson requested information regarding the impact of the \$207,000 City contribution on the CIP and the budget.

Mr. Haines wanted to know how much of the traffic was just passing through town on Highway 12 and wasn't with Missoula itself. Mr. Keene stated that they did not have data on how much traffic was traveling within Missoula versus through it, but that about half the traffic at that intersection goes to UM and half is going from one point in town to another.

Ms. Mitchell asked for clarification on the statement that this was an interim solution. Mr. Keene stated that the three-lane will eventually break down if traffic volumes continue to grow, but that the interim could be 10 to 15 years before funding is available for a different project. This is primarily a safety project, and it may not be able to address all capacity issues, but that waiting 15 years for another solution was not a good option. Ms. Mitchell stated that ignoring capacity for safety was a problem and that other intersections in town had had more crashes than that. She also stated that UM had a budget deficit and was concerned about them taking on a million-dollar SID and wondered how they would pay for it. Mr. Jesse stated that Bob Duringer of UM did have a funding plan in mind for the SID and that their portion was an amount he thought they could manage. Ms. Mitchell stated she wanted to know what tax dollars would ultimately be funding.

Mr. Childers asked how many cars were northbound over the bridge. Mr. Keene replied that the average traffic count on the bridge was 22,000 daily, but he did not have numbers specifically for the northbound lanes.

Mr. Childers asked if the City could legally require UM to pay an SID. There was a problem in the past about assessing the federal government for sidewalks around the post office. Mr. King replied that they could and that the SID met the needs of both the City and UM. Brent Ramharter, Finance Director, stated that UM can also use their credit rating to get a better interest rate, and the SID funding was approved by the financial advisor and by bond counsel. Mr. Ballas stated that the SID was requested by UM, which puts it in a different category from SIDs that are protested. State law prohibits assessing federal properties, which was the problem with the post office sidewalks.

Ms. Walzer asked whether it was possible for other homeowners to request sidewalk and be included in the project. Mr. Ramharter replied that the annual curb and sidewalk program was separate and that the credit rating would only be retained if the project was all-inclusive for UM. Mr. Ballas stated that some sidewalks in the area were in poor condition but UM couldn't pay for new ones within the SID project. They may look at creating a sidewalk project through the City program at a later time.

Mr. Wood stated they intended to bring the resolution creating the SID and all agreements to committee on November 3.

Nancy Wilson of ASUM Transportation stated that the project was well-vetted through student transportation enthusiasts, and she thrilled the project had come back improved. ASUM Transportation was looking forward to seeing the improved intersections, because there are lots of close calls. She was also looking forward to the public design discussions, and she hoped UM would be able to get the funding source in place and move forward.

Mr. Jesse stated that UM had tried to contact all stakeholders and that Mr. Ballas had spoken with MIST, MAST, ASUM, and area legislators. Mr. Ballas stated he had also spoken with the University Homeowners Association, the neighborhood council, and the neighborhood council leadership team, and had received no adverse comments.

Bob Giordano of the Missoula Institute for Sustainable Transportation (MIST) stated he did not support the project yet and wanted to see the bike and pedestrian movements in the design. He had concern about the stoplight off the hill and thought it should be a roundabout. Overall, it was a good step since the last plan.

The motion passed unanimously.

III. REGULAR AGENDA ITEMS

1. Approve Letter Agreement for Professional Services with WGM Group, Inc. in an amount not to exceed \$29,375 for professional services on the proposed SID 548 – 5th / 6th/ Arthur Intersection Improvements project. ([memo](#)).—Regular Agenda (Gregg Wood) (Referred to committee: 10/05/09) **HELD IN COMMITTEE**

This item will be considered by the Council on November 9, 2009.

Motion: The committee recommends the City Council approve and authorize the Mayor to sign Letter Agreement for Professional Services with WGM Group, Inc. in an amount not to exceed \$29,375 for professional services on the proposed SID 548 – 5th / 6th/ Arthur Intersection Improvements project.

Mr. Wood stated that the plan for 5th/6th/Arthur was a concept only and more would need to be done. UM paid for a portion of the cost for WGM to do the concept, traffic analysis, and coordinate with MDT. They would like the City to take up the contract to create the SID and take it further. The contract will be paid for from the SID. The actual design work will have an RFP. This is an interim agreement for services with WGM.

Mr. Hendrickson stated he wanted to make sure the City was not responsible for the contract amount if the project falls apart. Mr. King stated that if the Council did not create the SID on November 9, they would not have a liability for the contractor, and he felt safe the project would go through.

Mr. Hendrickson made the motion to approve the contract.

Ms. Mitchell stated that the traffic was not a problem until UM started buying homes and she would like to see them take on the burden.

Mr. Jaffe stated that UM was taking up the burden with the SID, with some costs going to the City and some to MDT and that it was in the City's interest as well to improve traffic and pedestrian safety.

Ms. Mitchell stated that her concern was making sure the City was not responsible for something that won't go through. She would like to find something better than an interim plan before they spend the money. It was a major project to not be looking further down the road.

Ms. Walzer stated that traffic counts had not increased since 2002 despite the growth in UM's population, and that half the traffic at the intersection continued on through and did not go to UM, so half the traffic was a City issue. They don't know if a five-lane would ever be an appropriate solution, but it was currently a bad intersection. She stated it was commendable that UM had been able to find alternative means to get people there without cars. This was a little money for a great improvement.

Mr. Keene stated that they would have an opportunity to deal with road issues UM decided to redevelop that block. It would be a multi-million dollar development and they could look at transportation options then.

Mr. Wilkins stated that he supported the project and it was a step in the right direction. He liked UM taking on the major weight, and it was a win-win for all.

The motion passed unanimously.

2. Set a public hearing to consider an ordinance and an emergency ordinance of the Missoula City Council adopting Missoula Municipal Code Title 12, new chapter, entitled Grading and Drainage. ([memo](#)).—Regular Agenda (Doug Harby) (Referred to committee: 10/05/09) **HELD IN COMMITTEE**
This item was not discussed.
3. Set a public hearing to consider an ordinance and an emergency ordinance of the Missoula City Council adopting Missoula Municipal Code Title 12, new chapter, entitled Parking. ([memo](#)).—Regular Agenda (Doug Harby) (Referred to committee: 10/05/09) **HELD IN COMMITTEE**
This item was not discussed.

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. Consider a right-of-way encroachment permit for parking at 420 Nora Street. ([memo](#)).—Regular Agenda (Doug Harby) (Referred to committee: 09/28/09) (Bring back to committee 10/28)

V. ADJOURNMENT

Respectfully Submitted,

Jessica S. Miller
Office Manager
City Public Works Department