

PUBLIC WORKS COMMITTEE REPORT

November 4, 2009, 2:35 PM

City Council Chambers

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

Members Absent:

Others Present: Stacy Rye, Steve King, Gregg Wood, Kevin Slovarp, Jerry Ballas, Nancy Wilson

I. ADMINISTRATIVE BUSINESS

- A. Approval of the minutes of [October 28, 2009](#) – Approved as submitted.
- B. Announcements – None.
- C. Public Comment on Non-Agenda items – None.

II. REGULAR AGENDA ITEMS

1. Approve and authorize the Mayor to sign the memorandum of understanding with The University of Montana and Montana Department of Transportation for the proposed SID 548 – 5th / 6th/ Arthur Intersection Safety Improvements project ([memo](#)).—Regular Agenda (Gregg Wood) (Referred to committee: 11/02/09)

Motion: The committee recommends the City Council approve and authorize the Mayor to sign the Memorandum of Understanding with the University of Montana and Montana Department of Transportation on the proposed SID 548 – 5th / 6th/ Arthur Intersection Safety Improvements project.

Approve the memorandum of understanding with The University of Montana for the proposed SID 548 – 5th / 6th/ Arthur Intersection Safety Improvements project ([memo](#)).—Regular Agenda (Gregg Wood) (Referred to committee: 11/02/09)

Motion: The committee recommends City Council approve and authorize the Mayor to sign the Memorandum of Understanding with the University of Montana on the proposed SID 548 – 5th / 6th/ Arthur Intersection Safety Improvements project.

Steve King, Public Works Director, stated that there were two agreements to be discussed. One was a Memorandum of Understanding (MOU) between the City and the University of Montana (UM), and the other was a three party agreement between the City, UM, and the Montana Department of Transportation (MDT). The agreement between the City and UM establishes who is responsible for materials and who is responsible for labor, as well as defining the project as intersection improvements along Arthur and Maurice. UM will pay for engineering, the MT Environmental Policy Act, and the project design. Those costs will be paid for out of the SID. At the City Council meeting Monday night, they will have the public hearing for the SID, as well as the current MOUs and an agreement with WGM. All costs will be incurred by the SID, and UM will pay for the design even if construction does not occur. The City will provide labor except for surveying and materials testing, and the City is responsible for coordinating with MDT for improvements to the traffic signal system. The City and UM will continue to work with the public and have a public meeting to discuss the design.

Mr. Wiener asked what the timeline and scope for public involvement and design was. Mr. King stated that after the SID was created, they would go through an RFP for the design and hopefully award it in December, with public meetings in mid-winter. The project would go out for construction bids in late winter or early spring, with construction to begin in summer 2010.

Mr. Childers asked if the public meeting would be noticed like a public hearing. Jerry Ballas of UM stated that they may run a publicly advertised notice in the paper, and they would be contacting the neighborhood councils. They hope to hold the meeting at UM so that the neighborhood can have easy access. Mr. King stated that UM had been proactive in working with neighborhood interest groups throughout the process.

Ms. Rye asked about UM paying \$1.2 million for an SID when they had a budget shortfall of \$3.5 million. Mr. Ballas stated that UM's administration would be present at the public hearing on Monday night and could provide more details, but that they had different budgets for different things, and this item was coming from their capital improvement budget. There had been a death out there, and it was a high priority to make it safe. One reason they are using a 20-year SID is to spread payments over time and make the project affordable. The money was

set aside for improvement projects, and was not intended to be used for staff and teaching. Teacher salaries have a longer budget commitment. All the things they were discussing were approved by the Board of Regents and UM thought it was prudent to spend the money for safety improvements. Mr. King stated that UM had been diligent in keeping project costs down by adjusting the scope of the project and collaboratively working with the City and MDT to achieve substantial savings. Ms. Rye stated that she appreciated they were trying to manage the project well, but she wished that UM had applied the same principles elsewhere prior to their budget shortfall.

Mr. King stated that the three-party agreement between MDT, UM, and the City. Section 2 sets out the duties and responsibilities for the redirection of Highway 12. MDT recognizes the problem and has been supportive of the effort to realign traffic flows and better accommodate bike and pedestrian access to campus. In section 3B, MDT agrees to fund the signal, and in C the City agrees to do the construction. Section 3D states that all parties will proceed in compliance with the Montana Environmental Policy Act. Mr. Ballas stated that Section 3A was still under revision. MDT wanted UM to commit right-of-way (ROW) now for the long-term road plan, which does not currently have a timeline. Most likely, the language in the final version will state that UM will commit the ROW when a larger road construction plan is approved. Mr. Wiener asked if MDT was asking for ROW now for a new Arthur Street in the future, which Mr. Ballas confirmed. Mr. King stated that they would like to have the item passed out of committee and would have the final language for section 3A before the public hearing.

Mr. Wiener asked what additional language in paragraph four of the UM agreement Mr. King had been referring to. Mr. King stated that language would be added to clarify that if the construction project did not go forward, all project development costs would be funded through the SID.

Mr. Hendrickson made the motion to approve both MOUs with the changes as stated, contingent upon the final language being available Monday night.

Mr. Wiener asked whether the language about traffic signals in the agreements would preclude any other intersection control such as a roundabout. Mr. King stated the project was a low-cost realignment, and that the existing signal at 6th and Arthur controlled what would happen at 5th. It would be a completely different project to consider roundabouts, which would involve taking additional ROW, and is not feasible to consider with this project.

Mr. Jaffe stated that he was not ready to dispense with the roundabout idea and would like to discuss it outside of the meeting. Mr. King stated that he would be happy to speak about it.

Nancy Wilson of ASUM Transportation stated that the roundabout issue had come up, but that it would make the project not move forward, and the project and engineering would have to start over again. She stated that this project would improve three intersections for vehicles as well as pedestrians and bicycles. There was lots of room for discussion in future with more funding. The intersections are very dangerous for bikes and pedestrians now.

The motions passed unanimously.

The motions will appear on committee reports so that the discussion will take place following the public hearing to create the SID.

III. 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. Approve a 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)

IV. ADJOURNMENT

Respectfully Submitted,

Jessica S. Miller
Office Manager
City Public Works Department