

PUBLIC WORKS COMMITTEE REPORT

September 15, 2010, 11:05 AM

City Council Chambers

Members Present: Jason Wiener (chair), Ed Childers, Lyn Hellegaard, Roy Houseman, Bob Jaffe, Marilyn Marler, Renee Mitchell, Stacy Rye, Dave Strohmaier, Pam Walzer, Jon Wilkins

Members Absent: Dick Haines

Others Present: Steve King, Kevin Slovarp, Jack Stucky, Wayne Gravatt, Starr Sullivan, Debbie Johnston, Sara Boyett, Zack Porter, Brad Jones, Susie Rosett, Susan Estop, Spider McKnight, Bob Gentry, Wayne Prichet

I. ADMINISTRATIVE BUSINESS

- A. Approval of the minutes of September 8, 2010 to be approved September 22, 2010
- B. Announcements – Steve King, Public Works Director, used a handout to give a brief explanation of the project approved for agreement by the City Council on Monday, September 13, 2010 for \$625,000.00 to connect Lower Rattlesnake and the Greenough Park area to the University of Montana Van Buren Street footbridge. He wanted to show with this graphic what Parks was going to be working with, the citizens, Ward representatives and the Neighborhood Council. This is a preliminary alignment subject to change but this is the concept that the grant is based on and he wanted the committee to have this information. As it goes forward it would certainly include the property owners with vested interests, Parks and the community as a whole.
- C. Public Comment on Non-Agenda items – None

II. CONSENT AGENDA ITEMS

1. Confirm the appointments to the Bicycle and Pedestrian Advisory Board. ([memo](#))—Regular Agenda (Mayor Engen) (Referred to committee: 09/13/10) **REMOVE FROM AGENDA**

MOTION: The committee recommends the City Council confirm the appointment of [Wes Delano](#) to the Bicycle and Pedestrian Advisory Board completing a vacated term starting immediately and ending September 15, 2011.

MOTION: The committee recommends the City Council confirm the appointment of [Caleb Kasper](#) to the Bicycle and Pedestrian Advisory Board for a term commencing September 16, 2010 and ending September 15, 2013.

MOTION: The committee recommends the City Council confirm the reappointment of [John Weyrich](#) to the Bicycle and Pedestrian Advisory Board for a term commencing September 16, 2010 and ending September 15, 2013:

Jason Wiener said the Mayor sent a note saying he had a medical issue with his family that he needed to attend to and could not be here. Jason said the committee could vote on these appointments if there were no objections. He stated the length of appointment terms for each nominee.

Pam Walzer made the motion to recommend the City Council authorize the Mayor to confirm the appointments of Wes Delano, Caleb Kasper and John Weyrich to the Bicycle and Pedestrian Advisory Board.

The motion passed unanimously.

2. Approve and authorize the Mayor to sign the MDT construction agreement for the LED upgrade project. ([memo](#)) Regular Agenda (Kevin Slovarp) (Referred to committee: 09/13/10) **REMOVE FROM AGENDA**

Motion: The committee recommends the City Council approve and authorize the Mayor to sign the MDT Construction Agreement for the LED Upgrade Project

Kevin Slovarp, City Engineer, gave a brief overview of the positive aspects of using LED lights saying this was a "green" project. He said the LEDs use one tenth the power of incandescent bulbs resulting in a significant savings because there are eleven signals in the City, another fifty-six owned by Montana Department of Transportation (MDT) and they last longer than standard lights, resulting in less staff time to replace them. He said there are additional safety factors such as changing the bulbs in the man hands on pedestrian signal lights to count down seconds, alerting pedestrians to the amount of time left to safely cross an intersection. Kevin asked the Committee to approve this agreement.

Dave Strohmaier asked if the signals were metered and how the costs were divided between the city owned lights and the state owned lights.

Kevin Slovarp said the City owns eleven signals and we would realize the savings on those signals and the state would receive the energy savings on theirs.

Pam Walzer wanted to know if the snow and ice in winter would cause any problems and if these issues had been resolved. She also wanted to know if the City has promised to comply with certain things listed in the contract such as not being able to establish speed limits in certain areas. Kevin Slovarp said the City would abide by the contract.

Rick Larson, Communications Supervisor, explained that problems that could exist depended on signal cycles, the more traffic, the more cycles and that could possibly cause problems; he said the City has used regular red LED's for the past thirteen years with no problems.

Roy Houseman made the motion for the Committee to recommend City Council approves and authorizes the Mayor to sign the LED Upgrade Project.

The motion was approved unanimously.

III. REGULAR AGENDA ITEMS

1. Authorize the Mayor to accept the competitive request for proposal (CRP) submitted by Alter Enterprise of Missoula, Montana to convert an existing City owned Toyota Prius from hybrid to plug in hybrid for \$13,999. (memo)—Regular Agenda (Jack Stucky) (Referred to committee: 09/13/10) (REMOVE FROM AGENDA)

Motion: The committee recommends the City Council authorize the Mayor to accept the Competitive Request for Proposal (CRP) submitted by Alter Enterprise of Missoula Montana to convert an existing City owned Toyota Prius from hybrid to plug in hybrid for \$13,999.

Jack Stucky, Vehicle Maintenance Superintendent, requested the Public Works Committee recommend the City Council approve the proposal to convert the City owned Toyota Prius from a hybrid to a plug in hybrid using Federal Stimulus Grant money for the project.

Ed Childers asked if this was a trial project or a demonstration.

Jack Stucky said they were going to put some signage on the vehicle to promote energy conservation. He said there is also a company in Missoula that was trying to install more of these conversions and the nearest other company is in Portland. Jack said this is Stimulus funds being applied and it is a win-win situation for the City.

Renee Mitchell asked for more details, the year of car, blue book value, mileage, etc.

Jack Stucky said this was a 2004 Toyota with 35,000 miles and he did not know the blue book value.

Jon Wilkins wanted to know how many miles the car would run before it needed to be plugged in and he asked if this money (\$13,999.00) could be used for something else.

Jack Stucky said the Prius would get fifty two miles in electric mode before converting to gasoline. He said the vehicle is also charged as it is being driven and most daily trips would exclusively use electricity. He said the grant money was solely for the Prius conversion to a plug in hybrid.

Pam Walzer made the motion that the committee recommends City Council approve the request to authorize the Mayor to accept the proposal to convert the Toyota Prius to a plug in hybrid. She asked if this plug in kit could be moved to other vehicles. Jack Stucky said there is a possibility it could.

Dave Strohmaier asked what the life expectancy for the use of this car would be and how much of a savings in fuel could be expected.

Jack Stucky said he expected approximately ten more years of use and the Prius currently averages forty miles per gallon on fuel consumption and he expects it to increase to approximately seventy miles per gallon after the conversion resulting in an estimated \$4,000.00 in savings.

Marilyn Marler said considering this was "free" money in the form of a grant she would support this project. She asked Jack Stucky if this project was worthwhile for future investments or was it a novelty.

Jack Stucky said it was a step forward for advanced technology. He felt the hybrid plug in was a wave of the future along with hydrogen projects that is currently being tested in three city vehicles; he said it would be nice to have a local firm start making these conversions.

Lyn Hellegaard asked if any current warranties would be voided by converting to the plug in and if this change over damaged any parts of the car who would be responsible for the repairs.

Jack Stucky said all warranties had expired on the Prius but there is a one year warranty on the kit extended to two years; he said these kits have been out for awhile with no problems.

The motion was passed with eight ayes and three nays (Jon Wilkins, Lyn Hellegaard, and Renee Mitchel).

2. Approve and authorize the Mayor to sign the contract for the Headworks and Odor Control Improvements (Project 2009-012) Bidding and Construction Phase Services to Morrison Maierle Inc. for \$799,800.00 and \$75,000.00 for additional service or for contingency upon authorization from the City. (memo)—Regular Agenda (Starr Sullivan) Referred to committee: 09/13/10) (REMOVE FROM AGENDA)

Motion: The committee recommends the City Council approve and authorize the Mayor to sign the contract for the Headworks and Odor Control Improvements (Project 2009-012) Bidding and Construction Phase Services to Morrison Maierle Inc. for \$799,800.00 and \$75,000.00 for additional service or for contingency upon authorization from the City.

Starr Sullivan, Wastewater Treatment Plant Superintendent, recommended approval of the Headwork's and Odor Control Improvements for construction services to Morrison Maierle Inc. for \$799,800.00 with a \$75,000.00 contingency for additional service upon authorization from the City. He emphasized that this was not an addition but had always been a part of the project.

Pam Walzer made the motion that Committee recommends the City Council approve and authorize the Mayor to sign the Headworks and Odor Control Improvements (Project 200-1012).

The motion passed with ten ayes and one nay (Lyn Hellegaard).

3. An ordinance amending Chapter 15.44 and renaming the chapter from "House Moving" to "Oversize Loads and House Moving" to include oversize loads and update fees and regulations and an emergency ordinance amending Chapter 15.44 and renaming the chapter from "House Moving" to "Oversize Loads and House Moving" and amending Chapter 5.70 "House Moving" to include oversize loads and update fees and regulations, enacted as an emergency ordinance in order to have terms and conditions clearly established prior to the commencement of the Kearn Module Transportation project, which will move a large number of oversize loads through Missoula. (Emergency Ordinance - Jaffe - Underline/Strikeout) (Explanatory Notes – Jaffe) (Memo) (PW) (HELD IN COMMITTEE)

Jason Wiener said before this ordinance went to the City Council he wanted to have a discussion in general terms about changes the committee would like to see and he would bring it back to next week's meeting.

Steve King said the emergency ordinance was in place with the new fees and those fees were now applicable. He said this ordinance has gone back to the Public Works Department and he has been working with the City Clerk, Building Division, and our own staff; he said we are calling it the Jaffe version of the Moving Ordinance. Steve said today's copy includes some of the suggested changes and they are looking for additional discussions, edits, changes, etc. from the committee for consideration to the final version. He said in the last meeting there were several questions related to the Kearn oversize load project that the Montana Department of Transportation (MDT) was administering and these concerns were sent via email to the Montana Department of Transportation (MDT) but he has not heard back from them. Steve said he requested they send a staff member to the meeting to answer these questions; they said they would answer questions but they had no staff available for the meeting.

Bob Jaffe asked what the main staff changes to the ordinance were.

Steve King said there were two main changes to the ordinance; one is defining the bond requirements to require a \$20,000.00 license bond plus a \$20,000.00 property owner remediation bond. The second change was there would be no multiple move discounts; a permit would be required for each move.

Bob Jaffe said there were three areas of improvement he would like to comment on; 1.) The fee sections of the ordinance would be changed to a resolution for easier maintenance, 2.) Clarification of the reasons for denying a moving permit, and 3.) Concerns about issuing bonds and permits that would conflict with the Montana Department of Transportation's (MDT) authority to issue permits on the State routes. He said our intent is not to be in conflict with them but to have consequences if movers were in any violations.

Pam Walzer said the term "oversize load" was not included in all sections and it should be standard throughout the ordinance (i.e. section 15.44.90 and 15.44.100).

Jon Wilkins wanted to emphasize that the City cannot oversee Montana Department of Transportation's authority concerning big loads.

Steve King said his understanding is the State has complete authority on their roads. He said he understands from today's discussion there are four items that the Committee would like to see changed 1.) Editing the language for oversize loads, 2.) Changing the fees from the ordinance to a resolution, 3.) Rewording the permit denial to be more affirmative, and 4.) The overlapping jurisdiction, which is a legal question and he would need to consult with the City Attorney.

Jason Wiener said he would be working on the rewording in the ordinance on these issues and the discussion today gives the committee more time to work with the technical details.

Public Comment

Zack Porter, member of All Against The Haul, submitted a copy of a [letter](#) from Oregon Representative Peter Defazio calling for full Federal investigation of subsidies for use in maintaining bridges. He stated that the Montana Department of Transportation (MDOT) has the authority over the state roads but the City has full authority over underground utilities. He provided information about sewer lines and natural gas lines in the City and said this is a very serious public safety concern. He said these wide loads coming through Missoula would equal damage to the streets that thirty five to forty million cars would cause. He said All Against The Haul members strongly urge total restriction of these loads (Kearl Module Transportation project) until a further study could be done.

Bob Gentry said he was an attorney for the Montana Department of Transportation prior to 2009 and wanted to comment that there is overlapping statutory authority on state routes, generally but not legally, there is potential conflict. He stated that Missoula has the highest average daily traffic in the state. He said Missoula is proposing changes to an existing house ordinance and he has encouraged Montana Department of Transportation to coordinate and cooperate with the City as it regards this proposal; and to consider that this was not in conflict but was in coordination with Montana Department of Transportation.

Susie Rosette, representing Northern Rockies Rising Tide, said Exxon Mobil was already working on burying power lines on Highway 12 and she was concerned that the more they did the more rights they would have.

Bradley Jones, as a Missoula citizen said he was concerned about the safety issues and the City was responsible for the safety of roads, sewer pipes, citizens, etc. and any transportation plans for large, oversized loads is a clear safety threat to the citizens of Missoula.

Wayne Pritchett said with the phrase this "type of oversize load" the language in the ordinance was critical. These extraordinary, oversized, large loads and dimensions must be viewed in a different light, that there are risks. He said the upside of this project (Kearl Module Transportation) was revenue for the City but he felt this was not a sufficient trade off for the dollar versus the risks.

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. 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)
4. Resolution to restore vacated Inez Street at South 2nd Street to the public trust and public use, and vacate a public access easement that was a condition of the vacation ([memo](#)).—Regular Agenda (Carla Krause) (Referred to committee: 04/26/2010)
5. T4 America partner support ([memo](#)) – Regular Agenda (Stacy Rye) (Referred to committee:)

V. ADJOURNMENT

Respectfully Submitted,

Peggy Diamond
Program Specialist

