

## PUBLIC WORKS COMMITTEE REPORT

January 19, 2011 1:35 PM

City Council Chambers

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

**Members Absent:** None

**Others Present:** Steve King, Kevin Slovarp, Doug Harby, Monte Sipe, Gregg Wood, Matt Leach (KECI-TV)

### I. ADMINISTRATIVE BUSINESS

- A. Approval of the minutes of January 12, 2011 (Will be available for approval at a later date)
- B. Announcements – None
- C. Public Comment on Non-Agenda items – None

### II. REGULAR AGENDA ITEMS

1. [Discussion Date: 01/19/11] Informational item only on the Rattlesnake Neighborhood Sewer Collection System Project – final contract amount. (([memo](#))—Regular Agenda (Gregg Wood) (Referred to committee: 01/10/11) (REMOVE FROM AGENDA)

Gregg Wood, Project Development Coordinator, gave an update on SID 544, the Rattlesnake Neighborhood Sewer Project, by showing a \$97,968.00 overall savings on the project under the original budget. In addition to the savings he said they were able to add additional paving and a \$20,000.00 overlay on Rattlesnake Drive. Another plus is that the project was completed on schedule. Currently eighty three of the three hundred thirteen parcels in the SID have connected and two hundred forty five or seventy eight percent have indicated intent to connect by requesting Connection Rebate information.

Bob Jaffe asked what was in the structure of the budget and contract that allowed this project to come in under budget.

Gregg Wood said there were savings on the construction contract plus an additional EPA fund amendment that lowered the City's Revenue Bond for this project.

2. (Suspend the rules) Snow removal budget update informational item. ([memo](#))—Regular Agenda (Jason Wiener) (REMOVE FROM AGENDA)
3. Use of \$60,000 allocated by the FY2011 Budget in Road District #1. ([memo](#)) – Regular Agenda (Doug Harby) (Referred to committee: 01/03/2011) (REMOVE FROM AGENDA)

**Motion:** The committee recommends the City Council advise the Mayor to direct Public Works staff to use the \$60,000.00 set aside from the recently created City of Missoula Road District #1 for the purpose of reducing sidewalk/curb assessment costs for owner occupied single dwelling unit properties.

These two items were discussed together.

Jason Wiener said if any motions came up item two may require a suspension of rules.

Steve King, Director of Public Works, said the Snow/Ice Control Budget is dependent upon the weather and with each major storm Brian Hensel, Street Division Manager, consults with Public Works and City administration on coordinating winter maintenance priorities, these decisions include what types of materials to use to which truck resources are available. The costs are variable because they include deicing materials, the Street division's fleet status, maintenance priorities and overtime. In these consultations we authorize additional work and overtime which translates to additional expenses. The Snow Plan is in the Council meeting room and if there are questions about the priorities of what we are doing and why it is in the Snow Plan. The overall Division budget for streets year round is approximately 2.7 million dollars with seventeen percent (\$473,729.00) allotted for snow removal. The estimated costs over budgeted amounts to complete the FY11 Snow/Ice Control season is approximately a twenty seven percent increase (\$130,000.00) in the FY11 costs. He stressed that these are estimates subject to change depending on the

weather. Costs for additional asphalt material for the above average road and pothole repairs are anticipated this year and are not included in this estimate. Steve said the mission is for safe and passable roads.

Stacy Rye asked if the twenty seven percent over budget was just for snow and ice removal. She asked where Public Works was going to find the money to pay for this.

Steve King said the amount projected was to complete the season for the current fiscal year. He said they have been discussing this with Administration, and Mayor Engen has talked with department heads. The department heads have been asked by the City Administration to retain one percent of our general fund operating budgets and that one percent would be approximately \$400,000.00. The intention of Mayor John Engen, Chief Administrator Officer Bruce Bender and the Director of Finance, Brent Ramharter is to use this money to fund the shortfall for Snow and ice Removal and other potential budget needs.

Jason Wiener said Jon Wilkins raised the question about the snow budget in the context of what to do with Road District #1 money, and that is why they were having this discussion.

Stacy Rye asked Doug Harby how much an ADA compliance sidewalk ramp cost; she said this is one of the primary uses they were considering for the \$60,000.00 in Road District #1.

Doug Harby said approximately \$1,000.00 to \$3,000.00 per ramp depending on the size and type of ramp.

Steve King said he appreciates the Council's initiative on sidewalks because they are a valuable infrastructure investment; however he feels his responsibility is the core infrastructure for road maintenance, snow removal and pavement maintenance this spring. He said the recommendation from Public Works management is to allocate the entire \$300,000.00 for road maintenance this year. He said what the Council approved as the budget was \$240,000.00 for road maintenance and \$60,000.00 for sidewalks.

Jon Wilkins stated that Public Works would like the \$60,000.00 returned to the original budget and he wanted to know if there were any other ways to fund the ADA ramps; if so maybe the departments would not have to cut their budgets again. He said his understanding was the rules would have to be suspended since the money had already been approved for sidewalks.

Jason Wiener said if they were talking about reallocating the Road District #1 money, essentially to which new program the \$60,000.00 would fund, then the rules would be suspended; if we are talking about not funding any of them then a suspension of the rules is not necessary.

Jon Wilkins said before he put a motion forward he would like to take a straw vote to see if there was enough support or interest in this so we would not waste time on a discussion.

Jason Wiener said they could entertain a motion to suspend the rules in order to consider a budget amendment and it requires eight votes.

Jon Wilkins put the motion forward to suspend the rules.

The motion passed unanimously; the rules were suspended in order to entertain a motion to amend the budget to put Road District #1 proceeds into the Streets Division general maintenance rather than a new program.

Jon Wilkins made the motion to amend the budget to put Road District #1 proceeds into the Streets Division general maintenance. He also said due to the weather we have had this year there could be extra money needed for sand bags if we have severe spring runoff. He said he thinks there is an immediate need now for snow removal and pothole repair.

Pam Walzer said she is glad that we have \$60,000.00 that could be used to reduce the deficit, and we have always found funding in the past for ADA ramps.

Dave Strohmaier said one of the main rationales used to convince the public to use the Road District funds was some of the money would be used for work characterized as new work on the ground and not maintaining the status quo. He doesn't want to leave anyone with the impression this was a bait and switch tactic to sell the Road District.

Stacy Rye asked Jon Wilkins to restate the motion. Jon Wilkins said his motion was to put the \$60,000.00 towards the snow budget. Stacy asked Jon if he would accept an amendment to direct the administration to reduce the one percent that each department has been asked for, in accordance with the \$60,000.00. She would like to direct the administration to reduce the proposed reduction accordingly.

Jon Wilkins said basically he agrees with Stacy Rye but he does not want to restrict the administration to specific amounts; he would need to hear the whole amendment first. Stacy said she is prepared to make the amendment but she would like to hear more discussion first.

Steve King said he was prepared to speak about the Public Works budget and had spoken with Bruce Bender about ways to pay for this. He stated that he is speaking about the Public Works budget only and not the whole City budget.

Bob Jaffe asked how many sidewalks and ramps we would do in this year. Doug Harby said there were three projects scheduled that the \$60,000.00 would have gone towards and that would include approximately thirty to fifty ramps. Bob asked if they would not do the projects without the money or would the property owners be assessed.

Doug Harby said one of the projects considered in the University area is already ordered in and is ready for bid, the ramp deletion was not included in that project. Notice letters have been sent out on the slant streets, Phase III of Area One and the ramps were included in the potential property assessments. The third project Catlin Street could possibly have some ramps but the property owners have not yet been notified.

Bob Jaffe said if the money stays allocated to the ramps for the University project would there be relief for the cost assessments for those ramps and Doug Harby said yes. Bob said one of the reasons he supported the maintenance districts was to provide some financial relief to the property owners for sidewalk installation, not to shift funds among City departments. He will not support the motion.

Ed Childers said after numerous meetings no agreement had been reached on what to do with the \$60,000.00. He said in order to keep our budget under control last time we budgeted a contingency amount. He supports Jon Wilkins' motion.

Lynn Hellegaard said she would not support any budget amendment until they received the last two quarters of financial reports from the mayor.

Jon Wilkins called the question to end the debate. Upon a voice vote, the motion failed.

Dave Strohmaier said he sees the \$60,000.00 as meaningful and tangible for helping to relieve the burden of costs for sidewalk installations. He is not prepared today to vote on a budget amendment. He said he understood that the letters have gone out on the slant streets and he asked Doug Harby if we choose the ADA ramps could there be a retroactive rebate.

Doug Harby said they were hoping by the time the third letter was sent the amount of the property owners estimates could be adjusted minus the ADA ramps or whatever was subsidized. He said if the money is allocated to Street Maintenance the Public Works Department would spend the rest of this year to develop a plan so that information would be ready to be included in the letters for FY12 projects.

Dave Strohmaier said he did not see the urgency to vote on a budget amendment today, that there is still a window of opportunity should we want to allocate the \$60,000.00 to sidewalks. Doug Harby said a fifth letter would be sent sometime in July when the actual work was completed so technically the property owners would not need to be notified of the final costs until then.

Jason Wiener said it is the people who own the corner lots who have high dollar assessments that would benefit from changing the status quo. Under the existing system they are being required to provide a community facility and that is the ADA ramps. Those owners are the ones benefiting from the community taxation that the \$60,000.00 represents. If we reallocate the money away from these corners we are essentially assessing those owners so we can provide street maintenance city wide. He said it seems to him that this is a city benefit and we should be pulling from the entire general fund taxation in order to take care of that community benefit. He said we have already made a policy decision so that where possible not to penalize people who own corner property for this community facility of the ramp. He said his preference is to allocate the \$60,000.00 to the ADA ramps. He said he would oppose the budget amendment and if that fails he would enter a motion to allocate the \$60,000.00 and if that also fails then we would find ourselves back here again next week.

Marilyn Marler said she thought the budget amendment had already been made to allocate the \$60,000.00 for the corner ramps; she asked if they had just been discussing this for that long.

Dave Strohmaier said they have already approved the budget amendment for allocating the \$60,000.00 for sidewalks and what they have been discussing is how we would use that money for sidewalks.

Jason Wiener said if the motion to amend the budget passes then the money goes into Street Maintenance, if it fails then they would still have to decide on options one through three from the Road District #1 memo and what he has

said is he would put in a motion that it be option one, the ADA ramps.

There was no Public Comment on the proposed budget amendment to take the \$60,000.00 out of sidewalks and move it into street maintenance.

Jason Wiener asked for a vote on the budget amendment. It failed with ten nays and one aye cast by Jon Wilkins.

Jason Wiener moved that we allocate \$60,000.00 from Road District #1 budget to subsidize the installation of ADA ramps at owner occupied, single dwelling unit properties in this year's sidewalk program.

Jon Wilkins said he would not support the motion unless the amendment to help people that take the low income deferral to pay the interest is included in the motion.

Renee Mitchell said she understands that trying to figure out who would qualify for low income would be difficult and time intensive. She said she would not support the motion for this reason.

Jason Wiener said there is no income qualification in the motion, the only qualification is the owner must occupy the house in order to qualify for us to pay the amount of the ramp that is over and above the amount of the sidewalk.

Dave Strohmaier said he would support the motion. He asked Steve King to request the Mayor and Bruce Bender if they so desire, to make their case for allocating these funds for general street maintenance and to provide a broader budget perspective at Monday night's Council meeting.

Bob Jaffe said he thinks we should drop the affordability part and go with applying it to the corner sidewalk ramps.

Jason Wiener called the question, all were in favor none were opposed.

Jason Wiener asked all those in favor of allocating the \$60,000.00 from Road District #1 to ADA ramps on corners in projects where the home is a owner occupied single dwelling unit say aye, (Wiener, Childers, Jaffe, Marler, Strohmaier, and Walzer voted aye); those opposed nay (Wilkins, Hellegaard, Haines and Mitchell voted nay). This will go on committee reports.

### **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. 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)

### **III. ADJOURNMENT**

The meeting adjourned at 2:45PM

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