

PUBLIC WORKS COMMITTEE REPORT

March 16, 2011 1:35 PM

City Council Chambers

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

Members Absent: Dick Haines, Cynthia Wolken

Others Present: Steve King, Kevin Slovarp, Phil Smith, Gregg Wood, Brian Hensel, Jolene Ellerton, Jim Carlton, Eric Andersen, Bob Wachtel, Robin Spaziani, John Wolverton, Ethel MacDonald, Bob Giordano

I. ADMINISTRATIVE BUSINESS

- A. Approval of the minutes of – [March 9, 2011](#) Approved
- B. Announcements – Jason Wiener said "Parking, everything you always wanted to know" would be scheduled for next week.
- C. Public Comment on Non-Agenda items – None

II. CONSENT AGENDA ITEMS

- 1. Award Street Maintenance/Construction Material Contracts. ([memo](#))—Regular Agenda (Brian Hensel)
(Referred to committee: 03/14/11) (REMOVE FROM AGENDA)

Motion: The committee recommends that the City Council award bids to the low bidders listed below, for the annual material bids for the Street Division, and authorize the return of bid bonds. Comparison bids with previous years are attached with the Bid Tabulation.

1. Award the bid for road maintenance materials (Project 101-2010-1) to Montana Refining Company for 500 tons of emulsified asphalt CRS-2P, at \$492.00/ton, for a total of \$246,000, and authorize the return of bid bonds. (PW)
2. Award the bid for road maintenance materials (Project 103-2010-3) to Knife River of Missoula, MT, for 5,000 tons of hot mix asphalt, at \$41.95/ton, for a total of \$ 209,750, and authorize the return of bid bonds. (PW)
3. Award the bid for road maintenance materials (Project 104-2010-4) to LS Jensen of Missoula, MT, for 4,000 tons of sand surfacing, at \$5.74/ton, for a total of \$22,960, and authorize the return of bid bonds. (PW)
4. Award the bid for road maintenance materials (Project 105-2010-5) to Knife River of Missoula, MT, for 4,500 tons of seal coat aggregate, at \$24.50/ton, for a total of \$110,250, and authorize the return of bid bonds. (PW)
5. Award the bid for road maintenance materials (Project 106-2010-6) to Knife River of Missoula, MT, for 3,000 tons of driveway-grade asphalt, at \$53.80/ton, for a total of \$161,400, and authorize the return of bid bonds. (PW)
6. Award the bid for road maintenance materials (Project 107-2010-7) to Knife River of Missoula, MT, for 8,000 tons of Grade "D" asphalt, at \$41.95/ton for a total of \$335,600 and authorize return of bid bonds. (PW)

Brian Hensel, Street Maintenance Superintendent, said this is the standard referral for the material bids used every year for purchasing construction materials for almost every aspect the Street Division does on maintenance including sand for snow operations, chips and emulsified asphalt for chip seal, asphalt for paving, construction and pothole patching, and for storm drainage maintenance. He is asking the committee recommend the council approve the bids.

Jason Wiener asked if the extra amount of chip sealing was due to the paving done last year from the recovery projects.

Brian Hensel said some of it was and some was because there were areas that had not been done for a long time.

Jon Wilkins made the motion to recommend the City Council award the bids to the low bidders listed and authorize the return of bid bonds.

Ed Childers asked if this was enough materials because there were a lot of roads that needed work.

Brian Hensel said he would address this question in the pothole discussion later in the meeting.

Pam Walzer asked if the committee were to find additional money so more work could be done, could Brian come back and ask for an increase in these quantities.

Brian Hensel said these contracts were written so the city could buy up to, below or above the quantities, these were estimated quantities and the contract reflects that.

The motion was approved unanimously.

2. Approve the memorandum of agreement between the Montana Department of Transportation and the City of Missoula for CM 8199 (101), UPN 7259, Missoula Bike/Ped Striping. ([memo](#))—Regular Agenda (Phil Smith) (Referred to committee: 03/14/11R) (REMOVE FROM AGENDA)

Motion: The committee recommends the City Council approve and authorize the Mayor to sign the Memorandum of Agreement with the Montana Department of Transportation for up to \$52,500, of which up to \$45,454 are federal CMAQ (Congestion Mitigation and Air Quality) funds, to be used for painting bike lanes with epoxy in summer 2011 (FY2012).

Phil Smith, Bicycle/Pedestrian Program Manager, said this is the second year of a three year CMAQ-funded project to repaint much of the bicycle lane system with epoxy paint, including sharrows on bike routes. This project was approved by the Transportation Policy Coordinating Committee in the transportation plan and in the annual Transportation Improvement Program (TIP). Epoxy paint lasts much longer than water based paint and is largely paid for by federal funds. Last year we expended approximately half the contract limit and we expect the remainder of the bike lane system to be painted next year. This is not a street reconfiguration project it is a maintenance project. Last year we received information that some of the bike lanes did not meet the American Association of State Highway and Transportation Officials (AASHTO) minimum requirements and we have corrected those bike lanes, we are going to do the same thing this year to meet the minimum requirements. There is a local match requirement of 13.42% which is a maximum of \$7,046.00 and an additional 13.35% of the local match which is \$941.00. The local match is budgeted from gas tax funds. He is asking the committee to recommend the City Council approve the Memorandum of Agreement between the Montana Department of Transportation and the City of Missoula for Bike/Ped striping.

Bob Jaffe said sharrows were usually on the right edge of the road, he asked if there was a reason they are put on the side or could they be put in the center where the painting would not be run over by vehicle tires and would last longer.

Phil Smith said when sharrows were first adopted they were to be put at eleven feet from the curb where there is parking; the intent was to have bicyclist ride there. The final ruling gives more latitude and he thinks they will be trying to put them between the two driving lanes so they will not be worn off and they would need to be measured in each case.

Dave Strohmaier wanted to know why the graphics had Spruce and Van Buren listed twice.

Phil Smith said last year the trucks that did the painting had a large over spray and the lines could not be painted where there were parked cars, as a result the outer lanes were not painted and they would be done this year.

Ed Childers asked if the state driving tests or manual covers what to do when there is a sharow.

Phil Smith said sharrows were so new he did not think they were included in the driving test, but they would supply some type of public education effort when these are painted.

Jason Wiener said the timing of this contract with any overlay work is the street that is slated for overlay work would be sprayed with epoxy afterwards.

Public Comment:

Bob Wachtel, on the Bike/Ped Advisory Board and as a citizen, thanked Public Works and Phil Smith for their cooperation last year in bringing the bike lanes up to the minimum widths. He has additional information about some of this year's bike lanes that do not meet the minimum widths. He wants to encourage evaluation of the bike lanes to ensure they maintain the standards to provide safe cycling. The Manual on Uniform Traffic Control Devices (MUTCD) does specify the width of sharrows be a four foot minimum when there is no parking and an eleven foot minimum where there is parking. He and Bob Giordano have continued to measure and update the spread sheet data base which is available on Google.doc's web site.

John Wolverton, member of the Bike Walk Alliance for Missoula and residence of the Franklin neighborhood, said he wanted to make them aware that the epoxy paint on 5th Street has small dotted voids in it, that part of the paint has lifted and the bike lane has little voided dots in it.

Bob Giordano said where some bike lanes are narrow it causes crashes and dooring of the cyclists and it is important that the bike lanes be brought up to the minimum widths.

Ethel MacDonald said the bulb outs on South Higgins by Paxon School is a real hazard especially for bicyclists. The partial solution was to move the bike lanes and those repainted bike lanes are now completely worn away but the bike lanes leading up to it are still visible. What that means is that for the two blocks where the bike lanes were moved the cars have been driving over the bike lanes. Before Higgins is painted with epoxy those bulb outs need to be changed because they are hazardous.

Jon Wilkins said the bulb outs on South Avenue and Park are also a problem.

Dave Strohmaier made the motion to approve the Memorandum of Agreement between the Montana Department of Transportation and the City of Missoula.

Jason Wiener asked Phil Smith if the current plan is to keep the bike lanes next to the bulb outs where they were.

Phil Smith said on Higgins the plan is to ensure at least a five foot minimum bike lane width adjust to a bulb out.

The motion passed unanimously.

III. REGULAR AGENDA ITEMS

1. Discuss the city's strategy to patch the plethora of potholes on Missoula's streets. (memo)–Regular Agenda (Dave Strohmaier) (Referred to committee: 03/07/11) (REMOVE FROM AGENDA)

Dave Strohmaier said he appreciates the efforts Public Works has done repairing and patching potholes this winter. He said this was an opportunity in a public venue to let people know the process of

addressing the pothole and road damage issues in Missoula and what the priorities are and how to tackle them.

Steve King, Public Works Director, said he wanted to talk about some of the source information and said Eric Andersen from our Geographical Information Systems (GIS) department maintains our pavement management system and we have a score or ranking on every road section and before the winter season came we had a pavement condition index for our road system. As the season progressed we realized we had above average pavement damage and needed a priority system for allocating resources. To compile a priority list we looked at both the GIS data and field observation. Eric Andersen did a reconnaissance of the arterial and collector roads that were priority one and two on our snow routes, these were our biggest roads. We looked for the biggest roads with the worst conditions. Eric drove the roads and mapped out the road defect areas that were above average road defects. Steve gave a power point presentation with maps showing the collective data of the pavement condition index, snow priority route and the field reconnaissance. Eric used this information to produce these maps for Brian Hensel's crew to focus on the priority routes first. This was not a haphazard approach. Because some roads are already a top priority such as Russell, South Avenue, Van Buren and Mullan Road; they are not in red or on the priority list. This list is not absolute and is subject to changes as opportunity and motive allows. We also have a typed priority list from Bruce Bender, Chief Administrative Officer, sorted by the highest volume and capacity. We have been working with the administration on funding, there are some gas tax resources available for the first four overlays, and some of the administrations budgetary savings will go into a contract for Mullan Road (Mullan Road is out to bid for the area from Broadway to Reserve Street). We have Brian Hensel's in-house crews doing all they can and we are contracting to get Mullan Road, one of the worst roads, done as quickly as possible.

Brian Hensel, Street Maintenance Superintendent, said they were milling Russell Street today and South Avenue tomorrow and hopefully will start paving by Friday of next week, all weather dependent. Montana Department of Transportation (MDT) has made a substantial contribution towards material costs for Russell and South Avenue, they are state routes. Russell is partially the state's and partially the city's so each one is paying a portion. We are following the priority list patching potholes when the asphalt plant is open and weather conditions are favorable.

Pam Walzer asked if milling Russell Street would be beneficial because the street is in such bad shape. Brian Hansel said yes.

Dave Strohmaier said he did not see Van Buren listed on the priority list and asked Steve King if there were a reason for that.

Steve King said Van Buren was one of the top four streets planned for an immediate overlay in sections and therefore was not on the priority list.

Dave Strohmaier said he was told that on the east coast metal plates were being placed over the potholes and he asked Brian if that was a technique that he was aware of or had thought about.

Brian Hensel said that was probably a last option to try, he stressed that he would highly recommend against that; you would need some way to certify the metal plates were traffic rated and to make sure they were secured so they would not pop off and damage vehicles.

Steve King said the normal patch in the winter is a cold mix material that they use and it doesn't last on the busy streets. What Brian had success with this winter was a hot mix; he worked with Bozeman and borrowed a batch trailer to create a hot mix. A year round hot mix would be a more durable emergency pothole patch than a metal plate.

Dave Strohmaier asked if this was a machine the city might want to invest in at some point, it might be beneficial to have rather than be dependent on borrowing it from another city.

Steve King said there could be several big economical and green values. This machine can recycle asphalt that can be reused. By using this recycled asphalt it could provide year round patching as

weather permits. Brian has requested purchasing this type machine and will be submitting a Capital Improvements Program (CIP) request.

Brian Hensel said he has prepared a CIP request and has done a cost benefit analysis showing a ten to sixteen year payoff. The initial cost is approximately \$180,000.00. What it would allow us to do would be to make hot mix asphalt year round. This could have potentially helped to avoid ninety percent of the pothole issues we had this winter. Using this machine to make a hot mix is cost effective; it runs about half the cost of buying asphalt, it allows me to recycle the old asphalt we have and we can save some of our own asphalt for recycling. We ran two hundred and six tons of asphalt through the machine and we bought a hundred and thirty tons of cold patch. During the summer months the asphalt plant is not open every day and as a result we could not always patch, this machine could alleviate that. It would be an asset to the city.

Bob Jaffe asked what area a ton of hot mix would cover. Brian said one ton at one and half inches would cover approximately fifty feet by twelve feet and a truck load is twelve tons. Brian said as an example the work being done on Russell Street from Broadway to 4th is one thousand nine hundred tons.

Bob Jaffe asked if there were resources for recycled asphalt that we should consider.

Brian Hensel said Montana Department of Transportation had a large stockpile, Hamilton also had a stockpile, plus what we have in Missoula. He is stockpiling the clean asphalt from work being done and thinks by doing this all year those stockpiles alone would get us through a winter.

Jason Wiener asked how long one of these machines would last. Brian said it depends on the amount of usage; there are some that are ten years old and still working. Jason asked what the scope of completion on Van Buren would be, what is the status.

Brian Hensel said he would propose we start at the Interstate and go north as far as funds allow.

Jason Wiener asked how the Montana Department of Transportation was participating on some of the state routes.

Brian Hensel said MDT was going to try to get some funds and asked for a list, he submitted 5th and 6th Streets and finishing Russell Street from 4th Street down to the railroad tracks as the top three roads, that was \$400,000.00. If funding for only one is available he suggested 5th Street because that is the route for going to the University.

Steve King said it is not only for the overlays, it also includes painting, striping, signing etc. We are also looking at what can go back, can bike lanes be improved, can we improve turning lanes, etc.

Jason Wiener asked about the trade offs, it seems we have given you more staff and what are we not doing because we are focused on this.

Brian Hensel said sweeping and leaf collection would put off until they could get the streets in better shape. He is working with Bruce Bender and Steve King to put together a plan to get information out to the public on what we are doing.

Pam Walzer said street sweeping is not only for aesthetics but for air quality. Brian said they are still sweeping for air quality.

Public Comment:

Bob Giordano, Missoula Institute for Sustainable Transportation (MIST), said sweeping is such an important aspect because we all breathe the air in this valley and we have the inversion. There seems to be a very fine particulate that penetrates your eyes and you breathe it in; he feels sweeping is even more important than patching the potholes. He said Missoula has a complete street resolution and read a portion of it. He said he would like to have bike lanes meet the five foot standard widths. Russell Street

has no bike lanes and there is enough room that it can be restriped for bike lanes from the bridge to 3rd Street. He is going to send an email to the Public Works Department making that an official request.

Jason Wiener asked how to report a pothole.

On the City Web site on the Street Department page select report a pothole or call 552-6360. Also on the City's main Web site and select "I want to:" and using the drop down select I want to report a pothole.

2. Approve the construction agreement with MDT for construction and/or reconstruction of the Mullan Road and Reserve Street intersection. ([memo](#))—Regular Agenda (Gregg Wood) (Referred to committee: 03/14/11) (REMOVE FROM AGENDA)

Motion: The committee recommends that City Council approve and authorize the Mayor to sign the Construction Agreement with MDT for construction and/or reconstruction of the Mullan Road and Reserve Street intersection, pending approval by City Legal Council.

Consider an exception to MMC Chapter 9.30, Noise Control, during construction and/or reconstruction of the Mullan Road and Reserve Street intersection. ([me mo](#))—Regular Agenda (Gregg Wood) (Referred to committee: 03/14/11) (REMOVE FROM AGENDA)

Motion: The committee recommends City Council approve an exemption to MMC Chapter 9.30, Noise Control, to permit relief in accordance with MMC Chapter 9.30.070, Permit for relief from noise control, from specified noise levels during construction and/or reconstruction of the Mullan Road and Reserve Street intersection.

These two motions were made together and voted on together.

Gregg Wood, Project Coordinator, asked that the committee recommend the City Council approve the agreement with Montana Department of Transportation (MDT) for construction and/or reconstruction of the Mullan Road and Reserve Street intersection. The purpose of this agreement is to facilitate infrastructure improvements to this intersection in a project that crosses the County-City jurisdictional boundary. The project and an interlocal agreement were approved by City Council on July 12, 2010. Originally this project was to be funded in part with funds collected by the County for improvements and the City was going to administer and implement the project. This current agreement facilitates MDT fully funding and constructing the project.

Jon Wilkins asked if any of the plans have changed, were they still taking out the pedestrian islands. Gregg Wood said none of the plans have changed as far as he knows, the one pedestrian island is still out but he will confirm that.

Jason Wiener said his reservation is if we are giving up administration of the project are we still going to get the same design that the City discussed when the City was going to administer it. He would not like to see something get reconfigured because we were not administering it.

Gregg Wood said he would give them his commitment to take the drawings he had that were prepared for bidding and he could ask the State for a review set before it went out to bid to make sure that nothing was changed.

Pam Walzer said they would not want to lose the bicycle route going onto the sidewalk that was previously discussed. In the agreement in Exhibit A it appears that is a generic Exhibit A, she asked why is it in there and does it include all of our discussions.

Gregg Wood said this is a generic exhibit and the actual document has twenty six pages of details. The bike details were a note to be added before it was sent out to bid and he will make sure that will be included.

Public Comment:

Bob Giordano, with Missoula Institute for Sustainable Transportation (MIST), said this project is a hazard. This intersection is too piecemeal and too much of a liability. There are potential liabilities with a longer crossing distance and more exposure to pedestrians. We are going from a current crossing of seventy nine feet to a crossing of one hundred two feet. Reserve Street is too important to this community not to continue to work to make it a livable street for everyone.

Jon Wilkins said he is against this because there is a big bicycle/pedestrian conflict on the Mullan and Reserve intersection. This proposal is not adequate and he thinks we are not doing a service to the pedestrians to make it a longer walk to cross the street.

Ed Childers asked how much extra time has been allotted with the changes made for crossing this intersection and he understands the changes are not only at this intersection but system wide.

Kevin Slovarp, City Engineer, said the Manual on Uniform Traffic Control Devices (MUTCD) requires a walking speed of three and a half seconds instead of the previous four so there is more time allotted for crossing at all signalized intersections within the city.

Ed Childers said the things that cause more collisions between cars, bikes and people walking are the hurry ups and can't sees. The proposal allows more time for the hurry ups to cross and he asked if the visibility portion been addressed in the intersection changes.

Kevin Slovarp said they will make sure that those questions have been answered. He explained how the walk/don't walk's work. You are supposed to walk off the curb when the light walking symbol is illuminated; you are not supposed to walk off the curb when the flashing don't walk starts. It is illegal within state law to leave the curb to start across a pedestrian crossing at an intersection if that flashing don't walk is illuminated. If you step off the curb when you are supposed to you should have plenty of time to cross the street. Sometimes pedestrians will leave the curb when that light is flashing and will try to make the crossing so it may not always be the vehicle at fault.

Ed Childers said he thinks if the proposed change is an improvement then he should support the change, if taking out a pedestrian island makes it more dangerous then he should not support the change. He asked if this make this intersection more hazardous. If you walk across and get to the pedestrian island and think you are all the way across then take that step toward the next curb at the same time a car is there it creates a problem.

Pam Walzer made the motion to approve both the agreement with MDT for construction and/or reconstruction of the Mullan Road and Reserve Street; and the exception to MMC Chapter 9.30, Noise Control, during construction and/or reconstruction of the Mullan Road and Reserve Street intersection. She said she is not happy with the intersection redesign but she thinks this will help relieve some of the accidents that are occurring and she doesn't think it will decrease the pedestrian safety.

Bob Jaffe asked if the widths of one hundred twenty seven feet and one hundred and twenty three feet were still the same widths. Gregg Wood said nothing has changed since the original project was approved last July. Bob Jaffe said thirty seven seconds to cross one hundred and twenty seven feet was not much time. Are we sacrificing the safety of one group of users for the safety of another? He cannot support this.

Jon Wilkins said slow or handicapped pedestrians could not make this crossing in the allotted time. There are two turns going onto Mullan Road, wouldn't that increase the problem with drivers changing lanes to make the turn into Wal-Mart.

Gregg Wood said there is an extension of the extra lane on Mullan Road.

Lyn Hellegaard said when MDT did their presentation they compared this to the intersection of Highway 93 and Reserve which is very similar to the Reserve/Mullan Road intersection and the Reserve/Highway 93 intersection is actually wider. There is a pedestrian island there and the many of the pedestrians do

not even look for traffic they just cross. She does think we need to address the safety issues. MDT redesigned the Reserve/Mullan intersection eight times trying to meet all the issues. She will support the motion.

Renee Mitchell, said no matter how many times this intersection is redesigned we will never achieve 100% satisfaction. Stop signs, bike lanes, guidelines, etc. are there for everyone to follow and we have to follow and drive responsibly. She is going to support this motion.

The motion to end the debate was passed unanimously

Jason Wiener said there were two motions, one to approve the agreement and one to allow the noise exemption.

The motion to approve the agreement was passed with six ayes and two nays cast by Jon Wilkins and Bob Jaffe.

The motion to approve an exception to MMC Chapter 9.30, Noise Control, during construction and/or reconstruction of the Mullan Road and Reserve Street intersection was passed with six ayes and two nays cast by Jon Wilkins and Bob Jaffe.

3. Consider amendments to Missoula Municipal Code 13.04, Sewer Regulations, related to gray water systems and connection upon property transfer. ([memo](#))—Regular Agenda (Steve King) (Referred to committee: 03/14/11) (HELD IN COMMITTEE)

Motion: The committee recommends that City Council set a public hearing on April 11, 2011, on an ordinance amending Chapter 13.04 Missoula Municipal Code, entitled “Sewer Regulations,” to consider amendments to the sewer regulations related to graywater systems and connection upon property transfer.

Steve King, Public Works Director, requested that a public hearing be set for April 11, 2011 to consider amendments to Missoula Municipal Code Chapter 13.04 which is the Sewer Regulations chapter. There are two separate issues to consider, one is the disposal of gray water and the other is to modify the sewer connection upon property transfer requirements. He said some lending institutions will not refinance because of the connect on sell clause. Our recommendation is to exempt foreclosures as an exceptional situation for the connect on sell or property transfer. The other issue is gray water. We would like to put an exception for sewer connection requirements that allows a portion of the sewage of a building to go out into the garden for horticultural irrigation for a portion of the year. These two items would be taken up simultaneously even though they are completely separate, one public hearing for both amendments to the ordinance.

Ed Childers said did he understand that a mortgage company would not foreclose if they had to hook up to the sewer.

Steve King said they would not start the refinance process; they would not let the applicant refinance because of the potential of foreclosure.

Bob Jaffe said anyone that has done a refinance of a property that isn't connected to sewer would potentially not be able to get a loan because of this ordinance. Have the banks indicated this change would satisfy their concern?

Steve King said they have met with several representatives of title companies and lending institutions and they actually suggested the language we used as a guide. This is isolated to the foreclosure action; it is only the actions related to the foreclosure not subsequent transfers.

Bob Jaffe made the motion to set a public hearing to amend MMC 13.04, Sewer Regulations related to gray water systems and connections upon property transfer.

Jason Wiener said some clarification of the wording pertaining to the financial foreclosure portion would be needed.

The motion for a public hearing was passed unanimously.

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)
5. Resolution to change the speed limit on Reserve Street between Brooks and 39th Street. ([memo](#))—Regular Agenda (Wayne Gravatt) (Referred to committee: 01/24/11)
6. Update from the Parking Commission. ([memo](#))—Regular Agenda (Bob Jaffe) (Referred to committee: 03/07/11)

III. ADJOURNMENT

The meeting adjourned at 3:02 PM

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