

**PUBLIC WORKS COMMITTEE REPORT**  
**February 22, 2012 1:35 – 2:30 PM**  
**City Council Chambers**

**Members Present:** Jason Wiener (chair), Ed Childers, Dick Haines, Bob Jaffe, Marilyn Marler, Alex Taft, Caitlin Copple, Mike O'Herron

**Members Absent:** Dave Strohmaier, Jon Wilkins, Cynthia Wolken, Adam Hertz

**Others Present:** Gregg Wood, Scott Michell, Monte Sipe, Steve King, Phil Smith, Brentt Ramharter

**I. ADMINISTRATIVE BUSINESS**

- A. Approval of the minutes – Available at a later date
- B. Announcements – Gregg Wood, Construction Project Coordinator, stated that a meeting had been scheduled for the Rattlesnake Creek/Broadway Pedestrian Crossing (RUX) project on February 29, 2012, from 6:00 to 8:00 pm.
- C. Public Comment on Non-Agenda items – None.

**II. REGULAR AGENDA ITEMS**

1. Appoint a Council representative to the Russell Street Consultant Ranking Panel and Technical Design Team. (memo) – Regular Agenda (Jason Wiener) (Referred to committee: 02/13/12) (REMOVE FROM AGENDA)

**Motion: The committee recommends the Council appoint Jason Wiener as Council representative to the Russell Street Consultant Ranking Panel and Technical Design Team.**

Steve King, Public Works Director, discussed the project as follows:

- Council approved/Mayor signed the City/State agreement with the Montana Department of Transportation (MDT).
- Consultant selection process was the next step. MDT circulated the draft statement of qualifications and MDT had received comments from the City and was compiling the comments.
- Once MDT compiled the final statement of qualifications then the project would be advertised to consulting firms. That should take place next week.
- Once advertised, consultants will submit their qualifications and the City will participate in the ranking of those consultants.
- Per the agreement with MDT a City Council member is to be part of the rating committee for the consultant selection.
- Additionally the City Council representative will be part of the Technical Design Committee and the Decision Team.
- The Technical Design Committee and Decision Team consists of a City Council representative, a Mayor's representative, a Federal Highway Administration representative, a Department of Transportation representative, and other agency representatives.
- Team will meet monthly, or as needed.

Bob Jaffe made the motion to appoint Jason Wiener as the Council representative to the Technical Design Committee and Decision Team. Mr. Wiener was agreeable to this appointment.

On a voice vote, the motion carried with Haines voting nay. This item will be under Committee Reports.

2. Report from Pedestrian Subcommittee on possible sidewalk funding options. (memo)—Regular Agenda (Marilyn Marler) (Referred to committee: 01/09/12) (REMOVE FROM AGENDA)

**Motion: The committee recommends the City Council request the Mayor direct staff to draft a policy for public hearing and adoption as it relates to the findings of the Pedestrian Connection Subcommittee on possible sidewalk funding options as follows:**

- **Draft to be based on the Health Insurance Model**
- **Limit the new program to installations initiated and ordered by the City after January 1, 2012**
- **Explore local option fuel tax with the County Commissioners**
- **Present a draft work plan for up to 3 years of City-initiated sidewalk installation under this program, giving consideration to existing policy documents such as the Draft Master Sidewalk Plan and the Missoula Active Transportation Plan**

Jason Wiener reiterated the motions that had previously been made by the committee. One of the last discussion points was the prioritization of ordering in sidewalks. Committee discussion was as follows:

- Prioritization should be decided according to the Master Sidewalk Plan.
- If the city ordered in a sidewalk repair or replacement adjacent to a nonprofit property owner, would that nonprofit be eligible for the subsidy?
- Any subsidies or efficiencies implemented now would accelerate priorities/construction out of the Master Sidewalk Plan.
- Revisit the Master Sidewalk Plan for priorities. Ordered in projects are not in totally sidewalk deficient areas of town. Filling in gaps of sidewalk is what City does now, may want to revisit that strategy.
- The new funding source was only available to projects ordered by the city.
- Staff should provide a 3-5 year plan of city initiated sidewalk installation.
- The Master Sidewalk Plan should be reviewed by the committee as to priority at this point.
- Suggest having the ability to use a combination of funding sources for major projects, such as SIDs, or sidewalk for Safe Routes to School route without sidewalks. Do not preclude combining funding sources for larger projects.

Steve King, Public Works Director agreed with these comments. The city would have a new funding mechanism at its disposal to be used as a more deliberate tool to prioritize sidewalk installation. It would be important to consider the Long Range Transportation Plan and it should be revisited yearly. The city wanted to be responsive to its citizens in initiating projects in problem areas by way of neighborhood petition or neighborhood council initiative. Citizens may be concerned with a new project in the area that will not be linked to existing sidewalks, there may be a gap. The city wanted to provide flexibility to neighborhoods to give them an opportunity to have that linking sidewalk installed by way of the subsidy.

Mr. King stated that school routes should be a priority for sidewalk installation. The problem was installing an entire route with an SID was expensive and might use the entire sidewalk budget for one year. The committee may want to consider a partial subsidy per year to pay the entire SID amount over several years to enable the city to install other projects.

Monte Sipe, Senior Construction Projects Coordinator, will be one of the staff members responsible for implementing the city's subsidy program. He asked for clarification on miscellaneous sidewalk projects and mandated building permit projects that were ordered every year as opposed to the City ordered projects. The miscellaneous projects or mandated building permit projects were random and could not be anticipated. Do the miscellaneous sidewalk projects and mandated building permit projects qualify for the proposed subsidy? Would the current curb ramp subsidy program be available once the proposed program became available?

Committee discussion on Mr. Sipe's question was as follows:

- The proposed subsidy would only be applied to city ordered projects. How were adjacent property owners charged for curb ramps currently? Per Public Works Administrative Rule 417, staff looks at the average cost per ramp, there could be two per property, and \$750 was a reasonable cost for a curb ramp. A single family owner occupied resident qualifies for a \$750 credit per ramp. Public Works wanted to abandon the curb ramp subsidy for the proposed subsidy and keep a cost cap.
- There was interest in keeping the ramp subsidy; it was a city wide benefit. The curb subsidy could be applied to miscellaneous voluntary projects and not those that were ordered in by the city and qualified for a different subsidy or were building permit mandated.
- Ramps needed to be installed with or without a subsidy.
- As far as miscellaneous orders went, if the committee was serious about creating opportunity for redevelopment the subsidy should be applied to all sidewalks projects. It was understood that cost made it seem impossible to the city. There were miscellaneous projects that should be eligible for a subsidy. Currently residents were forced to install a sidewalk concurrently with a remodel. The cost of sidewalk installation would force a resident to abandon their remodel. They could put off their project until a sidewalk installation project is ordered in by the city in their area. This could hold up future development.
- Staff could look at the cost of subsidizing miscellaneous projects that were not ordered. Maybe the committee could consider a larger annual payment into the subsidy such as \$30 a year instead of \$17 a year.
- Sidewalk installation corridors could be identified for priority, then the citizens in that area could be notified that the City was planning a sidewalk installation project in their area and they are eligible for a subsidy now. The city does not want to discourage sidewalk installation where it would want sidewalks installed anyway, although it's hard to judge how many miscellaneous projects there would be a year.

Marilyn Marler left at 2:19 pm.

Monte Sipe explained that it was difficult to track projects that were not triggered by the city order process. The city was involved in miscellaneous orders only because of city financing. It would be difficult to manage and track all scenarios. The city did not hire the contractors for miscellaneous orders and it would create more demand on staff time to track.

Committee discussion on Mr. Sipe's comments was as follows:

- The issue could be resolved by requesting council to order in the miscellaneous sidewalk. This could be done, but more staff time would be required and timeliness of these projects was also an issue. It could take 6 months to a year to develop and build a project. A certificate of occupancy would not be issued until sidewalks were installed.
- The committee should move forward on this project and rely on staff to come back to committee if there are problems.
- Did the city have the capacity to offer an incentive to residents if they paid cash at the time the project was ordered versus financing it through assessment? Could the city lower the amount residents are expected to pay if they pay cash? Did the city have the capacity, regardless of whether residents paid all at once or financed over time, to pay the city's portion over time?  
*Projects are ordered in and paid for the following spring. The city applied the health care formula to determine who pays what. If the resident finances with the city, the city arranges it. The city may have to hold projects for a year in order to get enough money through the bond sale. This could reduce the size of the bond sale the first year, but it was okay because it was not that expensive for the city to do that because it was not a large amount of money. Once a half million dollars was reached a bond sale could be done. The amount of people who pay in cash is not that large per year. About half of those participating last year paid cash, but that was because they had smaller or medium sized assessments for ordered sidewalks.*

Monte Sipe envisioned that a resident had to stay in an ordered project in order to qualify for the subsidy. They could elect to pay cash or assess their portion. The city would then calculate the resident's obligation and bill them. If the resident wanted to pay cash the city's funding source would pay for the rest. There could also be an opportunity for residents to opt out and hire their own contractor.

Jason Wiener asked if when assessing each resident for sidewalks should the resident be charged the Engineering Division's 19% administrative overhead cost, adding it to the cost of the sidewalk installation, before applying the subsidy, or should the city be paying the 19% out of the general fund?

Committee discussion on Mr. Wiener's question was as follows:

- The new program would be more of a wash than it was before. The funds should be allocated as part of the project for accounting purposes.
- Staff indicated that it was approximately \$275,000 a year of revenue. Staff recommended keeping the overhead costs as is for now until the city knew how the program would work.

Mr. Wiener stated that he wanted to move this agenda item to the full council under committee reports with the recommended motion. Ed Childers called for the question. The vote on the question carried unanimously. Mr. Wiener reiterated that the motion would be to move the item to Council to provide policy direction to staff. It would not be to approve policy at this point. Steve King, Monte Sipe, and Brent Ramharter were to draft a policy as it related to the motion so it could be discussed under committee reports at the next Council meeting. The motion to send the item to the full Council carried unanimously.

### **III. HELD AND ONGOING AGENDA ITEMS**

1. Resolution to change the speed limit on Reserve Street between Brooks and 39<sup>th</sup> Street. ([memo](#))—Regular Agenda (Wayne Gravatt) (Referred to committee: 01/24/2011)
2. Discuss the timing of various traffic lights around the city. ([memo](#))—Regular Agenda (Bob Jaffe) (Referred to committee: 09/26/2011)
3. Discuss the school speed zones. ([memo](#))—Regular Agenda (Bob Jaffe) (Referred to committee: 09/26/11)

### **IV. ADJOURNMENT**

The meeting adjourned at 2:36 p.m.

Respectfully Submitted,  
Heidi J. Bakula, Program Specialist  
City Public Works Department