

PUBLIC WORKS COMMITTEE MINUTES
City Council Chambers
140 West Pine Street
Missoula, Montana
June 13, 2012, 1:05 PM

I. Administrative Business

A Roll Call --

Members present: Jason Wiener, Adam Hertz, Alex Taft, Jon Wilkins, Mike O'Herron, Ed Childers, Bob Jaffe, Caitlin Copple, Marilyn Marler

Members absent: Dave Strohmaier, Dick Haines

Others present: Tod Gass, Ellen Buchanan, Bob Wachtel, Dave Shaw, Jeremy Keene, Trevor Iman, Phil Smith, Doug Harby, Kevin Slovarp, Monte Sipe, Gregg Wood

1. Approve the minutes of [June 6, 2012](#).

The minutes of June 6, 2012 were approved as submitted.

II. Public Comment on Items not Listed - None.

III. Regular Agenda

A Exemption to sewer service zoning requirements on Lots 9-12, Block 48, of East Missoula addition ([presentation](#)). ([memo](#))—Regular Agenda (Jessica Miller) (REMOVE FROM AGENDA)

Motion: The committee recommends the City Council approve a request for an exemption to the zoning requirement in Resolution 7656 for Lots 9-12, Block 48, of East Missoula Addition.

Jessica Miller, Administrative Services Manager/Projects Coordinator, gave the background on the request.

Committee/Staff Discussion

When will the property be annexed since it is in East Missoula?

- Annexation in East Missoula will not occur until 2024; however, a Petition for Annexation will be required from the property owner now for future annexation.

The request had to come before the council since the property is not zoned?

- Correct. However if the request was for an existing single family home, and not a bare lot, the property would not have to be zoned.

There was no public comment. Hearing no further committee discussion, Jon Wilkins moved for approval.

The voice vote carried as follows: AYES: Jason Wiener, Adam Hertz, Alex Taft, Bob Jaffe, Mike O'Herron, Marilyn Marler, Ed Childers, Jon Wilkins

ABSENT: Dave Strohmaier, Caitlin Copple, Dick Haines

B Resolution modifying Resolution Number 6719 closing and vacating all of the platted South 4th Street right-of-way between Eaton Street and Schilling Street ([presentation](#)). ([memo](#))—Regular Agenda (Jessica Miller) (HELD IN COMMITTEE)

Jessica Miller, Administrative Services Manager/Projects Coordinator, gave the background on the request. The two options were to either void the right-of-way vacation that had been previously granted, or amend the conditions of the existing resolution to forgo the paving requirement on South 4th Street. The staff recommendation was to retain the existing easement for the trail and to remove the paving requirement on South 4th Street especially since none of the neighbors currently had the money to pave 4th Street.

Committee/Staff Discussion

A few committee members wanted to void the right-of-way vacation and require that South 4th Street be paved. A bargain was struck granting the easement and now the adjacent property owners were required to pave South 4th Street.

Who granted the easement?

- *Bonnie Frank granted the trail easement. Staff wanted to retain the easement so there would be future connection to South 5th Street.*

By vacating the easement wasn't the city basically giving those property owners more land, adding value to what they already owned?

- Yes.

If the vacation was voided did the trail easement land revert back to its original owner?

- *That was an item that needed to be discussed with City Attorney Jim Nugent.*

Kevin Slovarp, City Engineer, added that those property owners with property fronting 4th and 3rd Streets would not receive any benefit from paving the roadway on 4th Street. Also, since the right-of-way vacation was granted and the agreement was made the properties are now under new ownership and the agreement was made in 2003.

Committee/Staff Discussion

The committee requested that they see more documentation on the trail easement and vacation. Were the two linked? Is the easement conditional? Was there a public access easement on the vacation?

- *No, there wasn't a public access easement for the 4th Street vacation. Also the trail easement that was granted may not refer to the vacation.*

A public access easement should be required since 4th Street could serve as a roadway in the future or for some future trail connectivity.

- *A public access easement would not be maintained since there was only one property owner. There was also a shelf of land adjacent to 4th Street that prevented the property owner from using 4th Street.*

Why was the current owner interested in resolving this issue now?

- *The vacation increased the setback size for future development. The property owner on Eaton Street wanted to develop his property and it would be hard for him to do so since this portion of 4th Street is still in limbo.*

Wasn't a public access easement usually retained in requests such as this?

- *Yes, vacations were generally conditioned with a public access easement; however this occurred in 2003 and staff cannot explain why a public access easement was not retained on 4th Street. At this point the city may not be able to add a new requirement to this 2003 agreement. That would be a question for the City Attorney Jim Nugent.*

How wide is the roadway if it were to be paved?

- *The 10-12 foot tall slope made it difficult to pave. At some point it may be developed and it would be possible for the city to get a private access easement on the private road in order to install curb and sidewalk. At this point it would be impossible to install curb and sidewalk with the current topography.*

Since the property could be subdivided in the future this portion should be retained for

future connectivity.

This was a highly congested area and the committee should not vacate because it could become a public safety issue.

The committee decided to table the item without a vote so more information could be presented on the request.

C Proposed right of way improvements on California Street discussion
([Aerial 1](#), [Aerial 2](#), [Aerial 3](#)). ([memo](#))–Regular Agenda (Doug Harby) (HELD IN COMMITTEE)

Doug Harby, Construction Project Manager, explained that WGM Group, Inc. had been retained to design the project along California Street between the river and the Milwaukee Trail. He then gave a brief overview of what the project would entail to form a pedestrian/complete streets connection.

Jeremy Keene, of WGM Group, Inc., stated that the basic discussion taking place was how to get pedestrians and bicyclists down California Street and provide connection with the existing trail system. One other major hurdle was that the entire Mill Site area where the project is being proposed is in the flood plain. In order to get it out of the floodplain a levee may have to be constructed along River Road and the irrigation ditch by the Mill Site project would have to be addressed.

Trevor Iman, of WGM Group, Inc., discussed two design options being considered for the area. One option was to have bike lanes on the roadway with sidewalks on both sides of the road, 6 foot bike lanes, and 10 foot driving lanes. The second option was to install a separated bike trail on the east side of the roadway with one parking lane and 5 to 7 foot sidewalks with the potential of boulevard sidewalks on the other side. WGM Group was now asking for direction from city staff and the committee on how to proceed. One other option is to add raised crossings for visibility and safety concerns for pedestrians and bicyclists at all stop controlled intersections.

Committee/Staff/WGM Discussion

One committee member liked option 2. Drivers don't always see bicyclists or pedestrians and raised crossings would help solve that issue. Also the area may be further developed and have more traffic, so a separated path would work well.

Was there any difference in cost as far as maintenance of an on street bike lane versus a separated trail biking facility?

- WGM - costs are comparable; however, the Missoula Redevelopment Agency (MRA) would provide additional funding for the separated bike path option. For purposes of maintenance it would also be more cost effective to have a concrete path, which would last longer, as opposed to an asphalt path.

Who would be providing the snow removal service?

- If the separated bike path option was used then it would be the City Parks Department. The Parks Department currently did not have the resources to maintain a new bike path. If it was installed on the side of the street it would be the Street Division.

The case for installing the bike lane on the street may have already been made if the Parks Department cannot maintain the separated bike path.

Maybe the city could try the separated path if the Parks Department were given more resources for maintenance.

Phil Smith, of the City Bicycle Pedestrian Office, commented that having an on street bike lane would be a very convenient option with easy connection to the existing trail. Bikes on

bike lanes within the street also made bikes travel the same direction as vehicles and trails did not. This area will also be fully urban and not open land which calls for the complete streets resolution. Mr. Smith then discussed a study he recently read about why separated trails are a bad idea for bike lanes.

Public Comment

Bob Wachtel, of the Bike/Ped Advisory board, asked to see WGM Group's design work. He echoed Mr. Smith's comments and concerns. Even if a separated path is installed it did not mean that cyclists would use it. They may use the street which would then slow traffic. He also wanted an opportunity to discuss both options with the Bike/Ped Board and come back to the Public Works Committee with its recommendations.

Committee/Staff Discussion

What option did MRA recommend?

- *Ellen Buchanan of MRA stated that they were in favor of the separated bike path; however, any dedicated trails had to be on the California Street right-of-way since there were no trails planned on the western edge of the Mill Site Subdivision. She did not disagree with Mr. Smith, but this was a unique situation. MRA had appropriated money years ago to install all needed facilities in this area. MRA wants to facilitate rebuilding California Street, but this would be unique because of the connection between two commuter trails.*

What did Ms. Buchanan need from the committee at this point to move forward?

- *MRA - The committee needs to sort out the maintenance implications, also should the project be upgraded from asphalt to concrete. Keep in mind that this area would not be a high priority for the Street Division to maintain in the winter. Also want input from the public and direction from the committee.*

Jason Wiener stated that he would come back to the committee, staff, and WGM Group, Inc., with a discussion timeline.

IV. Ongoing and Held Committee Business

- A Resolution to change the speed limit on Reserve Street between Brook's and 39th Street. --Wayne Gravatt
- B Discuss the timing of various traffic lights around the City. --Bob Jaffe
- C Discuss the school speed zones. --Bob Jaffe

V. Adjournment

Respectfully submitted,
Heidi Bakula
Program Specialist