

## PUBLIC WORKS COMMITTEE REPORT

October 7, 2009, 11:05 AM

City Council Chambers

**Members Present:** Jason Wiener (Chair), Dick Haines, John Hendrickson, Bob Jaffe, Renee Mitchell, Dave Strohmaier, Pam Walzer

**Members Absent:** Jon Wilkins, Ed Childers

**Others Present:** Kevin Slovarp, Doug Harby, Phil Smith, Zane Johnson, Dave Prescott

### I. ADMINISTRATIVE BUSINESS

- A. Approval of the minutes of [September 30, 2009](#) – Approved as submitted
- B. Announcements – None
- C. Public Comment on Non-Agenda items – None

### II. CONSENT AGENDA ITEMS

1. Approve and authorize the Mayor to sign an agreement with the Montana Department of Transportation to receive \$49,742 for a Safe Routes to School project at Paxson and Lewis and Clark Schools. (memo) ([Location Maps](#)).—  
Regular Agenda (Phil Smith) (Returned from council floor: 09/28/09) **REMOVE FROM AGENDA**

**Motion: The committee recommends the Council approve and authorize the Mayor to sign an agreement with the Montana Department of Transportation to receive \$49,742 for a Safe Routes to School project at Paxson and Lewis and Clark Schools.**

Doug Harby, Construction Project Manager, stated that this was the third Safe Routes to School (SRTS) grant the City had received. It includes improved crossings, signs, curb ramps, and bulb-outs. All four corners at the intersections of Evans and Gerald and Hastings and Gerald will have curb ramps installed. This was requested by parents and Paxson School. At Lewis and Clark School, they intended to install curb ramps on the west side of Park Street at Benton and Agnes to restrict parking at the crossings. The Montana Department of Transportation (MDT) told Engineering that they could make design changes and still be eligible for the grant money. The final design, with or without bulb-outs, could be submitted at a later date.

Mr. Wiener arrived.

Mr. Jaffe asked what improvements were being made. Mr. Harby displayed the maps of the improvements at each intersection, showing where bulb-outs and curb ramps were going in. The bulb-outs separate cars from the ramps and limit parking. If they choose not to install the bulb-outs, they can use the money for other ramp improvements.

Mr. Jaffe stated that he would like to see something on Beckwith past Brooks, where there are two curbs left that do not have ramps. Mr. Harby stated that they plan to do Phase 3 of the slant street sidewalk project next year, which would be between Brooks, Higgins, and Mount. Sidewalk improvements west of Brooks have not been scheduled. The American Recovery and Reinvestment Act (ARRA) funds will pay for curb ramps down Arthur, on South Avenue to Sentinel, South Higgins from South to Pattee Creek, and Bancroft. They may use House Bill 645 money for curb ramps in Safe Routes to Schools areas such as Park Street. Kevin Slovarp, City Engineer, stated that painting the curb was not always effective to keep people from parking there, which is why the bulb-outs were being shown.

Mr. Haines stated that he was getting flak from people on bulb-outs, and asked why the no parking areas were not being enforced. He stated that they had a healthy police force and ticketing cars would get the message across.

Ms. Mitchell stated that 23rd Street used to be a bad street for speeders, but was heavily monitored by law enforcement, which went a long way to slow people down. The people who are parking on the yellow curbs are probably repeat offenders, and the police should ticket more. She stated that she was not in favor of bulb-outs because the curbs and reflectors were distracting and made it harder to see children. She stated she hoped they wouldn't have to replace snowplows damaged by the bulb-outs.

Mr. Wiener asked how many bulb-outs they could remove and still be compliant with the grant. Mr. Smith stated that they could remove any of the proposed bulb-outs from the current grant contract, but it would not affect any bulb-outs that were already on the ground. Mr. Wiener also clarified that they were not promising not to build bulb-

outs, modified or not. He stated that the way they were building the bulb-outs was not working, but that they would look at the design of them and see if there was a way to do them better.

Mr. Haines stated that Mr. Wiener's comment about the bulb-outs not working was an astute observation.

Ms. Walzer stated that after discussion in the Bicycle and Pedestrian Board, they have options. If they approve the grant, they will get the money and may be traffic calming and handicap ramps, and they may or may not have modified bulb-outs. Mr. Harby confirmed that. Ms. Walzer stated she had researched bulb-outs and found that this method of traffic calming was used across the country and around the world, but that the bike community generally doesn't like them. She stated that she saw a kid crossing at a bulb-out on Philips Street and the bulb-out seemed to help. She questioned having the bulb-outs across from each other instead of between the kid and the approaching car, but that was a design issue to be worked out at later date.

Mr. Hendrickson stated that yellow paint was cheaper than bulb-outs. He stated they would need to speak with the police chief about enforcement for it to be a deterrent. Because there are children involved, the City Council could consider increasing the fine to make it more of a deterrent.

Mr. Hendrickson made the motion to approve and authorize the Mayor to sign the contract.

Mr. Jaffe stated that the controversial bulb-outs are the ones in bike lanes, and asked what the response had been. Mr. Smith replied that the principal problem location was on Higgins by Paxson School, and they restriped the bike lane, which is still a standard width of five feet and is continuous. South Ave was another area, and they jogged the bike lane past the bulb-out. On Scott Street at Sherwood, bulb-outs extend the width of the parking lane, and the bike lane exists as before. Philips Street has never had bike lanes. A year ago they striped the driving lane to narrow it to 10 feet for traffic calming, and there was a perception among bicyclists that the area between the white lines and the parked cars was a bike lane. On Rattlesnake Drive, they installed bulb-outs as part of a sidewalk project in response to years of complaints about the crossing, and the shoulder there was not designated as bike lane. Bicyclists using that shoulder encounter obstacles including parked cars and buses and have to maneuver around them. Mr. Jaffe asked about Stephens at the corner of Beckwith, where the bulb-out protrudes into the bike lane. Mr. Smith replied that the bulb-out had been there since they rebuilt Stephens, and they had not received any complaints about it.

Mr. Haines stated that he respected Ms. Walzer's viewpoint but resented her lecture.

Mr. Strohmaier stated that the parking depends on the time of day, and that areas with yellow curb were being used intermittently to drop kids off.

The motion passed unanimously.

Mr. Hendrickson asked if construction for Scott Street Bridge was on schedule. Mr. Slovarp replied that they were still on schedule for completion on October 23.

### III. REGULAR AGENDA ITEMS

1. Consider a right-of-way encroachment permit for parking at 420 Nora Street. (memo).—Regular Agenda (Doug Harby) (Referred to committee: 09/28/09) **HELD IN COMMITTEE**

Mr. Wiener stated the item had been discussed recently recommendation to deny, present case.

Zane Johnson Territorial Landworks stated that the intent of his client's request for an encroachment was not to meet zoning requirements but to entice a tenant that would need a large amount of parking such as a dentist or a doctor. He thought Mr. Hendrickson's suggestion from the previous week that the parking be used privately from 8:00 AM to 5:00 PM and then be open to the public later would be acceptable. Enforcement would become an issue with that alternative. They are aware that it is not a permanent encroachment and could be pulled at any time. The parking is not for a zoning issue and its removal would not ruin the business.

Mr. Wiener asked if the building had enough parking on-site to meet its needs. Mr. Johnson replied that building A was mixed use and had adequate parking. Building C is the leftover piece and is not being used now. There is adequate parking for it depending on its use. Mr. Harby stated that Engineering was reluctant to encumber public ROW with parking for zoning requirements. In other situations, they have allowed businesses to sign the parking for themselves but they would be unable to tow violators. It would allow them to use the parking f, but there would be no enforcement. Mr. Wiener asked if they were planning to sign the area as parking for only their client. Mr. Johnson replied that they would like to, and that the encroachment permit would allow them to tow violators.

Mr. Strohmaier stated that Engineering's approach seemed reasonable, and he was not inclined to support granting the permit. He was concerned about setting a precedent, and stated it would guarantee that if the City wanted to use the road, someone would make a case of historical use and say they shouldn't revoke the ROW encroachment. He stated he would not support the permit.

Mr. Jaffe stated that he had mixed feelings about the permit and was not in favor of giving a permanent vacation, but that it didn't seem like there was a great parking crisis in the neighborhood. The State does leases for people who park on their property, and he was more in favor of that, especially if the parking was not required for zoning compliance. Mr. Harby stated that they had discussed leasing the ROW, but while the State has five or six leases, the City could have hundreds, and the administration involved would probably not be worth it.

Mr. Hendrickson stated they should hold the item until they can look into the pros and cons of the encroachment permits. Parking during the day on that street was not major problem. He was not willing to give up the City's right to the land on a permanent basis.

Mr. Wiener asked whether the applicant would withdraw their application if they were able to work something out.

Ms. Walzer was wondering how the old Freddy's Feed and Read near the University got their parking and whether it was signed for their business only. Mr. Harby stated that none of that parking was formalized by an encroachment permit, and it was allowed because it was an existing use. The 45-minute parking limit is reviewed by Traffic Services and the City Engineering to see whether it is appropriate for the situation.

Mr. Haines asked whether there was value in making it back-in parking. Mr. Harby stated that the back-in parking on Spruce was working well, but this spot wouldn't work for it because of how it was designed.

Mr. Strohmaier stated his preference was for the general public to be able to use the parking there, not just the business.

Mr. Johnson stated that during the day, parking on the street was not a huge issue, but parking at night would be an issue, and they are requesting the parking for a business use during business hours.

Mr. Hendrickson stated they may not be willing to give up the land for legal reasons.

#### **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. Information item to present the City's Master Sidewalk Plan. ([memo](#))—Regular Agenda (Doug Harby)

#### **V. ADJOURNMENT**

Respectfully Submitted,

Jessica S. Miller  
Office Manager  
City Public Works Department