

## PUBLIC WORKS COMMITTEE REPORT

August 11, 2010, 1:25 to 2:25 pm

City Council Chambers

**Members Present:** Jason Wiener (chair), Ed Childers, Dick Haines, Lyn Hellegaard, Roy Houseman, Bob Jaffe, Marilyn Marler, Renee Mitchell, Pam Walzer

**Members Absent:** Dave Strohmaier, Jon Wilkins

**Others Present:** Stacy Rye, Steve King, Brent Campbell, John Wolverton, Ethel MacDonald, Bob Giordano, Ellen Buchanan, Ann Cundy

### I. ADMINISTRATIVE BUSINESS

A. Approval of the minutes of [August 4, 2010](#) – Approved as submitted

B. Announcements –None

C. Public Comment on Non-Agenda items –Bob Giordano expressed concern about the Epoxy Bike Lane project commenting that many bike lanes are under the recommended five feet, some as narrow as three feet five inches wide. He suggested that traffic lanes could be made narrower and still be safe. He said Third Street was chip sealed presenting a clean slate to add adequate bike lanes; he also said that Public Works has stated in the past they would be open to making minor adjustments to certain portions of Third Street. He said he would supply more details on these issues later.

Ethel MacDonald a member of the Bike/Walk Alliance for Missoula, said they have discussed bike lanes and the epoxy paint, she cautioned that the City not make mistakes before we paint it. Ms. MacDonald said Higgins is also chip sealed and is ready for the epoxy paint; she said the Bike/Ped Board recommended that the bulb outs by Paxson School should be cut back because they extend too far into the street causing problems. She also expressed concern that traffic would encroach on the bike lanes.

John Wolverton said he is an active member of the Bike/Walk Alliance for Missoula and he wanted to reinforce the public comments that have been made about the epoxy bike lane striping, the bike advocates are asking the Public Works Committee and the Public Works Department to help negotiate before painting and recommend postponing epoxy striping until next year.

Jason Wiener asked Steve King for a time schedule; Steve King said he did not have a schedule at this time but a referral for the epoxy agreement with the state is forthcoming and the painting would not be done before the next Council meeting

### II. CONSENT AGENDA ITEMS

1. Consider a resolution in support of the Missoula Metropolitan Planning Organization's Transportation Investments Generating Economic Recovery (TIGER II) Grant Application, *Livability in Missoula's Old Sawmill District*. Multi-Modal Transportation Investments Catalyzing Urban Brownfield Redevelopment ([memo](#)) ([Project Map](#)) ([Millsite Elements](#)).—Regular Agenda (Dave Prescott) (Referred to committee: 08/09/10) **REMOVE FROM AGENDA**

**Motion: The committee recommends the City Council adopt a resolution in support of the Missoula Metropolitan Planning Organization's Transportation Investments Generating Economic Recovery (TIGER II) Grant Application, *Livability in Missoula's Old Sawmill District*: Multi-Modal Transportation Investments Catalyzing Urban Brownfield Redevelopment.**

Ann Cundy, OPG Senior Transportation Planner, is seeking the City Council's support for the Tiger II Grant Application. The decision to make the MPO the official applicant was made to show City and County support for the Grant and to emphasize the regional nature of the improvements and benefits we would see from this project. The partners in this are MRA, OPG and the Mill Site Revitalization Project (MRP); the WGM Group is putting together the application. She also said on the resolution, the Federal funds were changed from ten to just under fourteen million and the total cost is now 19.8 million. They still have the required non-federal match to meet that, that allows us to put forth a more comprehensive project.

Brent Campbell, with WGM Group, said the Old Sawmill Project was perfect for the Tiger II Grant and the twenty million dollars from the grant gives us a huge jump start to the infrastructure improvements. WGM has put together a list of projects to revitalize the neighborhood and eliminate blight that currently exists in the neighborhood. Some of these projects include building a Wyoming Street connection to Craig Lane that would significantly reduce the Russell Street congestion and it would alleviate the left turning onto Third Street. Traffic signals would be included on Russell and Orange Streets; also a grade separated crossing of the old Milwaukee Trail with Russell Street, and improvements to the undercrossing of Russell Street Bridge. There would also be a trail and River Road improvements. He said River Road is approximately three feet lower than the 100 Year Flood Plain, and with this project they are proposing to raise River Road and continue the river front trail connection. They are also proposing to build several streets within the Old Saw Mill District and will include raising the Railroad bridge crossing required by MRL.

Marilyn Marler asked if the reconstruction of River Road and the trail would create levees. She also expressed concern about how that would address the Flood Plain situation and where would Public Works allow a flood plain.

Brent Campbell said it would create levees and would remove the risk of flooding, they could not guarantee under the project that the regulatory requirements could be changed for the FEMA Hundred Year Flood Plain.

Bob Jaffe wanted to know what process is needed to adjust the map because that tied into the homeowners insurance and flood insurance and he wanted to know if this was part of the grant.

Brent Campbell explained the steps needed to be done to submit to FEMA, after the improvements are built and certified. He said this requires several years to complete. He said there would need to be subsequent applications submitted to FEMA to change the Flood Plain. He said a NEPA process and an environmental document is needed and would require approximately a year to complete this phase, stressing that this is really important for the grant application. He said this was not part of the grant. He also said the application states that you cannot cause additional flooding anywhere else.

Steve King said there is a lot of permanent regulatory review before the grant application can be completed. He emphasized the major elements of reconstruction of River Road, the building of a riverfront trail, and putting physical structures that may divert a portion if not all of the flood waters is in the grant plan; a lot of regulatory work with our flood plan administrators, with the Core of Engineers and riparian interests along the river that would need to be considered on implementation and he is hoping for Council's support.

Brent Campbell repeated several elements that are important to the project; several roads to provide access to parks and to relieve some of traffic burden on Third Street, a new railroad bridge, an under crossing to connect the Aquatics Center to parks. They are implementing the McCormick Park master plan as it pertains to Craig Lane which includes landscaping in the median and a new pedestrian undercrossing.

Steve King wanted to go on record stating that City Public Works has worked in close coordination with OPG Traffic and Transportation Office and with Ellen Buchanan and the Redevelopment Agency to formulate this, and with Brent Campbell and his staff; this is a collaboration of many parties. He said there are many important qualifiers such as several features on Russell Street but nothing can go forward on Russell Street until the Environmental Impact Statement (EIS) statement is completed and the National Environmental Policy Act process is fully satisfied with the record of decision. Another important component is the matching money, there is the local match consisting of several forms including local street improvement assessments potentially for curb and sidewalk, SIDs for some portion of improvements on California and Wyoming Streets and potentially Idaho Street, this would require Council action that would be necessary for assessments to adjacent property owners as part of the local match. These are important things for the record; these are consistent and have been in place since the very beginning that the Tiger II Grant requires local match; he said the developers would be the majority part of the local match package.

Jason Wiener asked if we had a list of sources for the funds of the project. He is also interested in the details for the local match resources and assessing adjacent property owners.

Brent Campbell said they were in the process of finalizing the grant application but about fourteen million would come from the Tiger II Grant Application, 1.85 million from appropriations for Wyoming Street and the undercrossing bridge, and 4.1 million from local matches. He said the current assessments with an SID would be for a portion of Wyoming and California Streets and this has always been a part of those plans; he said

twenty percent for property owners and eighty percent for the federal government to rebuild a street is a real benefit for the property owners.

Steve King said the vast majority of funding is private money associated with the Mill Site Project.

Marilyn Marler wanted to know if property assessments would be in Urban Renewal District Two and would MRA be involved in mitigating those costs to private property owners or is MRA funding included somewhere else.

Ellen Buchanan said MRA would participate. She stated that property immediately to the west is mainly mini-warehouses, old industrial uses, used car lots, etc. She said California Street assessments have been a concern and if that is built in combination with Tiger Money and some combination with MRA they could offset a negative impact to those residential properties.

Jason Wiener wanted to know if we are committing to 4.1 million in local match and are we required to disclose details.

Stacy Rye wanted to know if only adjacent property owners would be assessed or if the neighborhood would be assessed collectively.

Steve King said it would be with Council's discretion on how far they would propose the assessments, but it would most likely be localized to the neighborhood. The SID boundary has not been contemplated at this time. The whole 4.1 million would not be assessed; approximately 2.7 million is in land acquisition costs for the champion mill site.

Dick Haines wanted to know if the construction of those streets would be to the complete street standards. Steve King said yes that was the intent.

Ed Childers asked who gets the 2.7 million.

Brent Campbell said it is the local contribution from the private developer for right-of-way dedication for the streets.

Ed Childers also said there is a complex contract between MRP and MRA, etc., and asked what the current status of this contract was.

Ellen Buchanan said the Tiger II Grant would un-complicate the relationship between the developers and the public sector. MRP has entered into an arrangement to dedicate adequate right-of-way for the streets included in this Tiger II Grant Application and that is the bulk of this private match.

Pam Walzer made the motion to adopt the resolution supporting the Tiger II Grant application with the amendment to change the ten million to fourteen million. She also asked if we were going to be tied to specific projects listed with the funding. Steve King said he advocates the more general local funding instead of listing specifics.

Jason Wiener said he supports the resolution and would like detailed use of the funds by Friday if possible.

Renee Mitchell wanted to know if there would be any potential problems with ground contamination and would the area be rezoned. She also asked when the reports would be ready.

Steve King said there has been significant environmental remediation of the industrial site and comprehensive evaluation and overview from the State Department of Environmental Quality and the developer is working on the final releases for the site cleanup. The DEQ will document the approval.

Ellen Buchanan said the environmental reports are complete and have been signed, the only thing left is wood waste, which causes methane, and an abatement plan has been submitted to the Department of Environmental Quality and that will take approximately thirty days for them to respond.

Marilyn Marler asked if there was a time line for the grant.

Ann Cundy said the deadline was August 23, 2010 and USDOT has indicated they will notify them in late September if we are awarded.

Bob Jaffe said there were other projects discussed and wanted to know if the First Street project was included.

Ann Cundy said they looked at adding additional projects but when they were approaching twenty three million dollars they decided not to add any more specific projects.

The motion with the amendment was passed unanimously.

### III. REGULAR AGENDA

1. Amendment to Missoula Municipal Code 15.44, Oversize Loads and House Moving and 5.70.020 House Moving License – Generally. ([memo](#))—Regular Agenda (Steve King) (Referred to committee: 08/02/10). **HELD IN COMMITTEE.**

Jason Wiener stated the Council would consider the ordinance on August 23, 2010 because time was of the essence.

Bob Jaffe said he thinks the ordinance needs a lot of clarification; he wants to amend it on August 23, 2010 and pass the emergency ordinance, then attempt a total rewrite at a later date. He said he feels it is critical to amend the exemption section and to acknowledge the higher fees; he also feels that the mobile home section 15.44.030, B1 is another critical issue that needs amending. He agrees that the application for oversize loads and houses needs to be more specific.

Renee Mitchell asked why the permit section under 15.44.030.40, 5C, 4A was being taken out, and that oversized loads were not necessarily just buildings, that maybe we need to reinstate this portion.

Steve King said he spoke with the Building Official and he said the building's interior was not essential to safety.

Jason Wiener said they would work out the details on August 23, 2010 to avoid a delay. He also requested a Word version of the ordinance.

### 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. 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)
4. Resolution to restore vacated Inez Street at South 2<sup>nd</sup> Street to the public trust and public use, and vacate a public access easement that was a condition of the vacation ([memo](#)).—Regular Agenda (Carla Krause) (Referred to committee: 04/26/2010)

### V. ADJOURNMENT

Respectfully Submitted,

Peggy Diamond  
Program Specialist  
City Public Works Department