

**PUBLIC WORKS COMMITTEE REPORT**  
**May 9, 2012, 11:05 – 12:00 PM**  
**City Council Chambers**

**Members Present:** Dick Haines, Bob Jaffe, Marilyn Marler, Dave Strohmaier, Adam Hertz, Alex Taft, Mike O'Herron

**Members Absent:** Jason Wiener (chair), Ed Childers, Jon Wilkins, Caitlin Copple

**Others Present:** Doug Harby, Steve King, Jack Stucky, Kevin Slovarp, Monte Sipe, Bob Hayes, Mike Church, Pattie Kent

**I. ADMINISTRATIVE BUSINESS**

- A. Approval of the minutes of – April 18, 2012 – Approved as submitted.
- B. Announcements – None
- C. Public Comment on Non-Agenda items – None

**II. CONSENT AGENDA ITEMS**

- 1. Approve the memorandum of agreement with the Montana Department of Transportation (MDT) for the acquisition of one new Johnson vacuum street sweeper and authorize the payment of the CMAQ local match funds of \$32,039 to the Montana Department of Transportation. (memo) – Regular Agenda (Jack Stucky) (Referred to committee: 05/07/12) REMOVE FROM AGENDA

**Motion: The committee recommends the City Council approve and authorize the Mayor to sign a memorandum of agreement with the Montana Department of Transportation (MDT) for the acquisition of one new Johnson vacuum street sweeper and authorize the payment of the CMAQ local match funds of \$32,039 to the Montana Department of Transportation.**

Jack Stucky, Vehicle Maintenance Superintendent, discussed his request to purchase a new Johnson Broom Bear Street Sweeper using Montana Department of Transportation Congestion Mitigation Air Quality (CMAQ) funds with a match of \$32,039 from the City of Missoula.

Mike O'Herron made the motion to approve.

Committee discussion was as follows:

- How many street sweepers did the City currently own and how old were they?  
*Currently the City owned a 2007 mechanical sweeper, but the City owned 11 other vacuum street sweepers – 4 which run every day, plus 2 flushers. The other sweepers were used to address public requests and air quality issues.*
- Were the street sweepers used to address PM10 air quality issues?  
*All the sweepers address PM10 issues; however the vacuum trucks did a better job of picking up particulate.*

There was no public comment and the motion carried unanimously.

- 2. Review the proposed curb and sidewalk improvement project adjacent to properties on S. 6<sup>th</sup> Street – Russell to Orange area, Project 10-036, and adopt a resolution to order the improvements which also directs that notice be given to all affected property owners. (memo) – Regular Agenda (Monte Sipe) (Referred to committee: 05/07/12) REMOVE FROM AGENDA

**Motion: The committee recommends the City Council adopt the resolution to order curb and sidewalk improvements adjacent to properties in the S. 6<sup>th</sup> Street – Russell to Orange area, Project 10-036.**

Doug Harby, Construction Project Manager, explained that this was the first phase of several phases to install sidewalk along the S. 6<sup>th</sup> Street corridor. Last year the City completed the installation of curb ramps along this corridor with stimulus money. The property owners along this corridor have been notified of their cost estimates. Mr. Harby had met with approximately 20% of them and there were mixed feelings about the project. Currently there are pieces of 6<sup>th</sup> Street that had no sidewalk, but most of the work to be done would be repairs to the existing sidewalk.

Bob Jaffe made the motion to approve.

Hearing no public comment, the motion carried unanimously.

3. Review bids for the curb and sidewalk improvement project adjacent to properties in the S. 6<sup>th</sup> St./Schilling St. area between Kemp and S. 7<sup>th</sup> St., and pass a resolution to confirm the order for curb and sidewalk improvements, Project 10-035. (memo) – Regular Agenda (Monte Sipe) (Referred to committee: 05/07/12) REMOVE FROM AGENDA

**Motion: The committee recommends the City Council adopt the resolution to confirm final ordering of curb and sidewalk improvements adjacent to properties in the S. 6<sup>th</sup> St./Schilling St. area between Kemp and S. 7<sup>th</sup> St., Project 10-035.**

4. Review bids for the curb and sidewalk improvement project adjacent to properties in the S. 6<sup>th</sup> St./Schilling St. area between Kemp and S. 7<sup>th</sup> St., award bid to the lowest responsible bidder, and authorize return of bid bonds for Project 10-035. (memo) – Regular Agenda (Monte Sipe) (Referred to committee: 05/07/12) REMOVE FROM AGENDA

**Motion: The committee recommends the City Council award the bid for Project 10-035, curb and sidewalk improvements adjacent to properties in the S. 6<sup>th</sup> St./Schilling St. area between Kemp and S. 7<sup>th</sup> St., to Knife River for the base bid and total contract sum of \$103,500.25, and authorize return of bid bonds.**

Monte Sipe, Senior Construction Projects Coordinator, explained that this project was at 6<sup>th</sup> and Schilling Streets between Kemp and 7<sup>th</sup> Street. The motions being considered were for confirmation of the order and consideration of the bid award. This project was ordered August of last year and the City was not able to construct it so it carried over to the 2012 construction season. Bids were very good and Knife River had the best base and alternate bids. City Street crews would be installing the sumps and paving improvements. No property owners had dropped out of the confirmation.

Alex Taft explained that both motions for items 3 and 4 would be voted on together. Mike O'Herron made the motion to approve both items.

Committee discussion was as follows:

- Did the City receive any feedback on the amount of the assessments?  
*A majority of the properties were postponements. There were a number of condo properties and some smaller houses. Currently the street was gravel and the owners of the condos were having a hard time selling them because of the dust and potholes in the street. Private property owners were also in support of the project for the same reason. Some bulb out work for traffic calming was also being done in the area that was coordinated with the late Jim Hausauer. Everyone that discussed this project with the City was in support of it.*
- Would these properties be included within the new sidewalk subsidy if Council votes to approve the subsidy?  
*Yes, this is one of two projects ordered last year so the potential sidewalk subsidy would be applied if it is approved by the City.*

Staff reminded the committee that any property owners that the subsidy may be applied to are given no guarantees that the subsidy will be implemented.

#### Public Comment

- Mike Church stated that he lived in the project area. He was concerned with a potential \$2,000 cap using the Health Care Model. He was also concerned about work being done on 6<sup>th</sup> Street because so many people traveled at high speeds on that street through the neighborhood. Could the roadway be narrowed or could speed be reduced in that area? His other concern was that he had water rights to the ditch across the street and he wanted to lay pipe under the roadway or sidewalk in order to access his water rights, or was it possible for him to trade water rights for a lower assessment?

*The City had no responsibility to provide property owners with water rights access to their water rights. The City would cooperate and trench and pipe under the street and sidewalk; however, no work will not be performed at taxpayer expense. The City has dealt with this situation numerous times.*

Were the estimates for items such as fill dirt automatically charged, or is everything estimated per property owner after installation?

*Items on the estimate were just that. Everything is measured for each property owner before the assessment is totaled and it is only based on actual work that is performed.*

#### Committee discussion was as follows:

- Are there any laws that govern water rights and connections to water rights?  
*Staff had a discussion with the City Attorney recently on irrigation ditches. The responsibility lies with the local irrigation district that maintains the ditch. They have the responsibility of creating or maintaining connections on public right-of-way. It was not the City's obligation. The City will accommodate the rebuilding of existing culverts.*
- Could the City possibly perform the work with its contractors and be reimbursed to make sure everything is built to City standards?  
*Yes, the City could work out a deal with the property owner to lay the appropriate pipe while the contractor is performing the other work for the City. This work could also be added to the property owner's assessment for sidewalk. Keep in mind that the property owner does not currently have access to the ditch; he uses a hose that runs across the street, so the City is not cutting off his access.*
- Could angled parking be added on 6<sup>th</sup> Street in order to slow traffic on that street?  
*There were problems with angled parking since there was a ditch and there were underground utilities. Also, 40 feet of the right-of-way was maintained by the County. The narrowest the street can be is 33 feet, plus corners will be narrowed to between 20 and 22 feet.*

The motions for both items carried unanimously.

5. Approve a right-of-way encroachment for the new Missoula Recovery Center building to be constructed by the Garden City CHDO/Western Montana Mental Health Center, located at 1201 Wyoming. ([memo](#)) – Regular Agenda (Doug Harby) (Referred to committee: 05/07/12) **REMOVE FROM AGENDA**

**Motion: The committee recommends the City Council approve a right-of-way encroachment for the Missoula Recovery Center building located at 1201 Wyoming Street per the attached plans.**

Doug Harby, Construction Project Manager, stated that the project was initiated by Garden City CHDO/Western Montana Mental Health Center and it was at the corner of California Street and Wyoming Street. Part of the planned building that was being proposed had an overhang encroaching into the City's right-of-way. There was an 80ft right-of-way on both sides so sidewalk would not be affected. City Public Works supported the encroachment and it was a viable improvement to this location.

Marilyn Marler made the motion.

Committee discussion was as follows:

- How would the encroachment affect the property to the west of the proposed development?  
*The City is working with the Missoula Redevelopment Agency and WGM Group, Inc. with the design of both streets in this area. The covered pool would have to be removed because it was encroaching. The pool owners were aware of this issue. The City would use curbside sidewalks in order to minimize impacts to the property.*
- What was the construction date of the new building?

Public Comment

Pattie Kent, of the Western Montana Mental Health Center, commented that on July 1, 2012 the project would go out for bid and they were expecting to break ground on August 1, 2012.

The motion carried unanimously.

6. Approve the Territorial-Landworks, Inc., Engineering Services Agreement for the Van Buren – Vine to Elm, Curb and Sidewalk Project 10-025. (memo) – Regular Agenda (Monte Sipe) (Referred to committee: 05/07/12) REMOVE FROM AGENDA

**Motion: The committee recommends the City Council approve and authorize the Mayor to sign the Territorial-Landworks, Inc., Engineering Services Agreement for the Van Buren – Vine to Elm, Curb and Sidewalk Improvements Project 10-025 in an amount not to exceed \$39,335.00.**

Doug Harby, Construction Project Manager, explained that this was the first phase to install improvements to Van Buren Street, which included three blocks, Vine Street to Elm Street. A request for proposal for design was initiated and Territorial Landworks, Inc. was awarded the project. The City paid a little more for the design work for the project, but it was because it was very complex due to the type of work that would have to be done in the area with grades and bulb-outs.

Dave Strohmaier made the motion to approve.

Bob Jaffe asked when the project would be completed. Mr. Harby stated that the City was shooting for August/September of 2012.

There was no public comment. The motion 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)
4. Amendment No. 2 to the existing engineering services agreement between the City and WGM Group, Inc. on the Special Improvement District (SID) 548 – 5<sup>th</sup> / 6<sup>th</sup> / Arthur / Maurice Intersection, Safety and Circulation Improvement Project. (memo)—Regular Agenda (Gregg Wood) (Referred to committee: 05/07/12)
5. Approve a resolution declaring certain City of Missoula property as surplus and authorize its disposal. (memo) – Regular Agenda (Jack Stucky) (Referred to committee: 05/07/12)
6. Approve the purchase of one 2012 Ford Taurus from Bison Motors of Great Falls, Montana, for \$21,704.35. (memo) – Regular Agenda (Jack Stucky) (Referred to committee: 05/07/12)

### IV. ADJOURNMENT

The meeting adjourned at 11:43 a.m.

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