

PUBLIC WORKS COMMITTEE REPORT
May 23, 2012, 1:50 – 2:50 PM
City Council Chambers

Members Present: Jason Wiener (chair), Ed Childers, Dick Haines, Bob Jaffe, Marilyn Marler, Jon Wilkins (came in at 2:25 pm), Adam Hertz, Caitlin Cople, Mike O'Herron

Members Absent: Dave Strohmaier, Alex Taft

Others Present: Ellen Buchanan, Kevin Slovarp, Steve King, Monte Sipe, Bob Wachtel, Gregg Wood, Kyle Stensrud, Keila Szpaller

I. ADMINISTRATIVE BUSINESS

- A. Approval of the minutes of – [May 16, 2012](#) – Approved as submitted
- B. Announcements – Gregg Wood, Utilities/Project Coordinator, reminded everyone that City Public Works would be having its second RUX meeting, which is the Rattlesnake Pedestrian Crossing project. The meeting will be held on May 31, 2012 in Council Chambers at 6:00 p.m.

Steve King, Public Works Director, stated that a meeting would be held on May 24, 2012, from 9:00 am to 1:00 p.m. in Council Chambers to interview two candidates for the Russell Street project. The project selection committee will be interviewing the Russell Street consultant candidates. The committee is comprised of state, federal and local officials.

Mr. King then added that Public Works and other city representatives meet monthly with the Montana Department of Transportation (MDT). One topic discussed was MDT's interest in installing new street light luminaires on S.W. Higgins between Pattee Canyon and Stephens Avenue near Pattee Creek Market. This project is in the beginning stages of consideration by the state. The project will be funded by MDT and is being installed in response to safety concerns on that corridor. The luminaires will be dark skies compliant and owned by MDT.

Mr. King then stated that there was another road project being considered that was a little unusual related to the Sussex and Stephens intersections. The Sussex bend comes off of South Avenue as part of the Brooks, South, Russell project. A new stop sign will be installed on Sussex to stop Sussex at Stephens in response to accidents in the area. The city will be working with the ward representatives to get the word out about the change in configuration on a busy street.

Mr. King then talked about the mini roundabout at Toole and Spruce. Public Works had discussed the matter with the Traffic Impact Fee Advisory Committee and the Missoula Redevelopment Agency board. The funding is now in place and there is a total of \$160,000 available for the project. The Streets Division would be providing in kind service and now the city was ready to pursue the project. The next step is to work with the ward representatives on the public process to schedule neighborhood meetings.

- C. Public Comment on Non-Agenda items – Bob Wachtel of the Bicycle Pedestrian Board and Bike Walk Alliance for Missoula thanked the Public Works Department, Police Department, the Montana Department of Transportation, and Fire Department for their cooperation with the parade permit for the ride of silence. It raised awareness for biking in Missoula.

II. CONSENT AGENDA ITEMS

1. Confirm the re-appointments of Clayton Anderson and Carl Posewitz to the Building Code Board of Appeals for a term commencing July 1, 2012 and ending June 30, 2015. ([memo](#))—Regular Agenda (Mayor Engen) (REMOVE FROM AGENDA)

Motion: The committee recommends the City Council confirm the re-appointments of Clayton Anderson and Carl Posewitz to the Building Code Board of Appeals for a term commencing July 1, 2012 and ending June 30, 2015.

There was no public comment or committee discussion on this issue. Bob Jaffe made the motion and it carried unanimously.

2. Confirm the appointment of Katherine Fielding to the Bicycle and Pedestrian Advisory Board, completing a vacated term ending September 15, 2013. (memo)—Regular Agenda (Mayor Engen) (REMOVE FROM AGENDA)

Motion: The committee recommends the City Council confirm the appointment of Katherine Fielding to the Bicycle and Pedestrian Advisory Board, completing a vacated term ending September 15, 2013.

There was no public comment or committee discussion on this matter. Bob Jaffe made the motion to approve and it carried unanimously.

3. Amendment No. 2 to the existing engineering services agreement between the City and WGM Group, Inc. on the Special Improvement District (SID) 548 – 5th / 6th / Arthur / Maurice Intersection, Safety and Circulation Improvement Project. (memo)—Regular Agenda (Gregg Wood) (Referred to committee: 05/07/12) (REMOVE FROM AGENDA)

Motion: The committee recommends the City Council approve and authorize the Mayor to sign Amendment No. 2 to the existing City/WGM Group, Inc., engineering services agreement in an amount not to exceed \$11,000 for additional engineering services on the SID 548 Project.

Gregg Wood, Utilities/Project Coordinator, explained that funds were available to cover any unforeseen construction costs. There were additional and necessary enhancements that needed to be completed such as the approach to the south end of the bridge. The existing sidewalk was in disrepair and was becoming hazardous to the public. The city felt it would be nice to replace the sidewalk that needed replacing in order to make sure there were no hazards. There was also an opticon that was originally supposed to be on the signal at 5th and Arthur that was moved up to the overhead mast arm. Some signage issues on Maurice were upgraded as well. Mr. Wood requested that the motion be granted and all items were within the project budget.

Mike O'Herron made the motion to approve.

Hearing no public comment or committee discussion the motion carried unanimously.

4. Approve amendment number 1 of the agreement for engineering services to WGM Group, Inc., for California Street Improvements. (memo)—Regular Agenda (Monte Sipe) (REMOVE FROM AGENDA)

Motion: The committee recommends the City Council approve and authorize the Mayor to sign Amendment No. 1 to the existing City/WGM Group, Inc., agreement for engineering services for California Street improvements in an amount not to exceed \$15,185.00.

Doug Harby, Construction Project Manager, explained that survey, design and staking work had been done but the project had been put on a shelf until the Millsite Subdivision project was sorted out. The Missoula Redevelopment Agency (MRA) recently asked City Public Works to continue the project and consider other designs such as a separated trail or bike lanes on the road with additional sidewalks. The City and MRA looked at different concepts for the area. The original project covered River Road to half a block south of Dakota Street. Now they were looking at connection to the California Street Bridge and the Milwaukee Trail. The idea is to continue on south to 3rd Street and Mr. Harby

requested that the agreement be amended and increased by \$15,185 for a total not to exceed \$45,110. The MRA board had approved the change and now approval from City Council is required.

Mike O'Herron made the motion to approve.

Mr. Harby further explained that several city agencies were involved in this project including Parks and Recreation, MRA, and City Engineering. Once the parties meet and hash out concepts plans will be brought back to the committee and public meetings would be scheduled. The project would not be constructed this year, but work on the first phase of the design would be completed this year.

There was no public comment or further committee discussion. The motion carried unanimously.

III. REGULAR AGENDA ITEMS

1. A resolution regarding local option motor fuel excise tax. ([memo](#))—Regular Agenda (Steve King) (HELD IN COMMITTEE)

Steve King, Public Works Director, informed the committee that this item was being brought forward in response to the Pedestrian Subcommittee's and Public Works Committee's requests to bring the local option fuel tax forward to the County Commissioners. Staff was asked to draft a resolution for the County Commissioners in order to put a referendum for citizens of Missoula County to consider. The monies collected would be distributed between the city and the county. The proposed resolution discussed planning and maintenance, and how those funds would be spent, also diesel fuel would not be included in the local option fuel tax. State law discussed that the state had empowered local counties to create new taxing authority. Mr. King was open to any edits the committee might have and this was just the beginning of the process. In Missoula County 75% of the fuel sold is within the city limits and most of the county population lives within the city limits. The resolution discusses splitting the funds at 60/40 with the city retaining 60%. Council can then choose how to use that money.

Marilyn Marler asked if the 5th "Whereas" could be edited to include "sidewalks and pedestrian facilities." Did Montana code allow money to be spent on sidewalks and pedestrian facilities?

Mr. King explained that the City Attorney, Jim Nugent, did tell him that sidewalks were considered part of a roadway, although it could be clarified in this resolution. Mr. King added that commuter trails could also be included if within the public right-of-way.

Ms. Marler then made the motion to approve with the inclusion of her suggested language.

Mike O'Herron commented that the 1st "Whereas" in the resolution should have the word "sidewalks" within it. The document should indicate clearly the intention of the city to install sidewalks. The city would need to make a compelling case up front for the public and the commissioners about why this fuel tax was being requested. Also, did Council have enough time to get the ballot initiative into the next election cycle?

Jason Wiener thought that a new ballot issue for November 2012 would need to be referred by August 25, 2012, but he was not sure.

Bob Jaffe asked about the history of making requests to the county on local option fuel taxes. Mr. King explained that there had been two previous attempts, one went to ballot in 1999/2000 for Reserve Street improvements which failed, and one in 2006 as a City Council initiative which did not get on the ballot and failed.

Mr. Jaffe wondered what the committee could do to support it. Jason Wiener suggested a mailing, but was not sure. Mr. Jaffe suggested putting language in the resolution about the city's limitations on generating revenue and reliance on property taxes and the need for the city to diversify its

resources. Also explain that this tax may not be an offset of something else. The resolution could also discuss how revenue through the fuel tax could be generated from tourists visiting the city.

Adam Hertz asked how the fuel tax would be collected. Mr. King stated that there were mechanisms within state law about revenue dispersal, so there was a structured methodology. The item to consider was what percentage the city wanted to offer the county. The Bike/Pedestrian Subcommittee discussed giving the county a higher percentage. The key may be offering the county a larger share of the revenue.

Jason Wiener asked the committee if they might want to hold the item in committee for further discussion. He was convinced on the substance of the issue but including more specific information in the resolution would be a good idea such as explaining that the fuel tax would not include diesel fuel.

Jon Wilkins came in at 2:25 pm.

Mr. Jaffe asked if the fuel tax could be put on the ballot by initiative. Mr. Wiener would check and get back to the committee to see if it was an option.

Ms. Marler withdrew her motion so the item could be discussed further.

Several committee members discussed the importance of selling the idea to the public and the commissioners. The commissioners were only aware of the city wanting the money for installation of sidewalks and the county was not excited about that notion. It might be a good idea to hold off sending the resolution to the county until the city did more public relations work on selling the idea. The county could also be reminded of the many projects that could be done within the county.

Mr. Wiener added that council members should be able to speak with other elected officials to get things done. The commissioners needed to know that council is committed to making the case for the fuel tax. The reasoning behind the fuel tax should be apparent to them.

Ms. Marler said it was a good idea to edit the resolution however the resolution, as a first step, still needed to be forwarded on to the commissioners. This was the process that needed to be followed for this type of request.

Mr. King asked for additional edits to the resolution by Friday, May 25, 2012, at noon.

Mr. Wiener asked for public comment.

Kyle Stensrud, who lived in Florence, asked if the city had any notion how much money would be spent on gasoline outside of Missoula County if the fuel tax went forward. Mr. King added he did not have the research on that question.

Mr. Wiener stated that there was some research available that indicated it would be one-quarter of one percent maybe.

Several committee members discussed that this would not be an issue. Most people would not drive outside of the county for gasoline. One committee member suggested that unintended consequences should be considered.

IV. HELD AND ONGOING AGENDA ITEMS

1. Bid award for curb and sidewalk improvements -Project 11-012: East Broadway Phase II. ([memo](#))—Regular Agenda (Monte Sipe)
2. Resolution to confirm final order of curb and sidewalk improvements in the East Broadway Phase II area - project 11-012. ([memo](#))—Regular Agenda (Monte Sipe)

3. Resolution to order curb and sidewalk improvement project 10-033, in the Spruce St. and Woody St. area. ([memo](#))—Regular Agenda (Monte Sipe)
4. Resolution to change the speed limit on Reserve Street between Brooks and 39th Street. ([memo](#))—Regular Agenda (Wayne Gravatt) (Referred to committee: 01/24/2011)
5. Discuss the timing of various traffic lights around the city. ([memo](#))—Regular Agenda (Bob Jaffe) (Referred to committee: 09/26/2011)
6. Discuss the school speed zones. ([memo](#))—Regular Agenda (Bob Jaffe) (Referred to committee: 09/26/11)

IV. ADJOURNMENT

The meeting adjourned at 2:50 p.m.

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