

**PUBLIC WORKS COMMITTEE REPORT**  
**May 30, 2012, 11:35 PM**  
**City Council Chambers**

**Members Present:** Jason Wiener (chair), Ed Childers, Dick Haines, Bob Jaffe, Dave Strohmaier, Jon Wilkins, Adam Hertz, Alex Taft, Mike O'Herron

**Members Absent:** Caitlin Copple, Marilyn Marler

**Others Present:** Steve King, Kevin Slovarp, Monte Sipe, John Rincker

**I. ADMINISTRATIVE BUSINESS**

- A. Approval of the minutes of - To be approved at a later date.
- B. Announcements - None.
- C. Public Comment on Non-Agenda items - None.

**II. CONSENT AGENDA ITEMS**

- 1. 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) (REMOVE FROM AGENDA)

**Motion: The committee recommends the City Council adopt a resolution to confirm final ordering of curb and sidewalk improvements adjacent to properties in the East Broadway, Phase 2 area, Project 11-012.**

- 2. Bid award for curb and sidewalk improvements -Project 11-012: East Broadway Phase II. (memo)—Regular Agenda (Monte Sipe) (REMOVE FROM AGENDA)

**Motion: The committee recommends the City Council award the bid for Project 11-012, Curb and Sidewalk Improvements adjacent to properties in the East Broadway Phase 2 area to Gregston Construction for the sum of \$293,677.72 and authorize the return of bid bonds.**

Monte Sipe, Senior Project Coordinator, gave an overview of the project. He requested that the committee adopt a resolution to confirm the final ordering of the project and to award the bid for the project to Gregston Construction.

Alex Taft made the motion to approve both motions.

**Public Comment**

Jon Rincker of 1821 Hankins Drive, explained that he was pleased with the project and was pleased to see a reduction in costs to the property owners for installation of sidewalk. However, he was concerned about a letter he had received from our office that indicated that the property owners and home owners association would be responsible for the cost to install the deceleration lanes. Mr. Harby had previously stated that there would be no additional costs for installation of the deceleration lanes. Mr. Rincker noted that the deceleration lanes would be very beneficial in the area they were planned for, he was just wondering why the funding source changed. Also, was it typical for a property owner to pay for deceleration lanes?

**Committee/Staff Discussion:**

Would this project qualify for the future subsidy that the city was currently considering?

*Yes, if the city voted for an alternative funding method for sidewalks, this project would qualify for the subsidy. At the time of the letter in question, the city did not have a design for the deceleration lanes. The deceleration lanes would be quite extensive and since the bids came back lower than anticipated for the cost of sidewalk installation (\$2330 instead of \$3560), the additional cost to the property owners for the deceleration lanes, estimated at \$30 to \$40 per parcel, did not seem unreasonable.*

How would the deceleration lanes affect bikes lanes on the shoulder of the road?  
*A typical turn lane across a bike lane has a dashed line instead of a solid line.*

Generally, property owners are responsible to pay for any additional items, such as deceleration lanes, which are part of a planned project. This is a precedent that has been set from past projects.

There was concern that verbal assurances/misinformation was being given to the public by the Public Works Department.

*The initial cost of the deceleration lane was included in the first estimate that each parcel owner was given and now that estimate was substantially less than first anticipated. The estimated \$30 to \$40 was not an additional surcharge. There may have been a disconnect between property owners and the Public Works Department, but it was a small cost and the intent was to have it included in each assessment.*

Did Mr. Haskins updated estimate of \$2330 also include the cost of the deceleration lane installation?  
*Keep in mind these are estimated quantities, but yes, the cost of the deceleration lane was included in the estimate.*

Was part of the project being funded by the city?

*Yes, it was budgeted through the general fund.*

If Council decides to approve the sidewalk subsidy, will it apply to the city portion?

*Council has not decided that yet.*

Bob Jaffe called for the question to end the debate. Hearing no public comment, the motion to end the debate carried unanimously.

Both motions for East Broadway carried unanimously.

### III. REGULAR AGENDA ITEMS

1. A resolution regarding local option motor fuel excise tax. ([memo](#))—Regular Agenda (Steve King) . (REMOVE FROM AGENDA)

**Motion: The committee recommends the City Council adopt the [resolution](#), as amended, requesting the Missoula County Commissioners to adopt a resolution and referral to the people of Missoula County for authorization of a local option motor fuel excise tax, not to exceed two cents per gallon, in accordance with MCA 7-14-301.**

Steve King, the Public Works Director, explained the revisions to the resolution submitted previously. In the paper he had read that county residents did not want to subsidize city sidewalks. The opposite was true for the county; revenue generated within city limits would defray costs to county residents.

Dave Strohmaier left at 11:56 p.m.

#### **Committee Discussion:**

- All city tax payers subsidize anyone living outside the city that come into town. The committee was not surprised that a new tax met with opposition.
- The resolution speaks to the county in reducing property taxes; county tax payers should consider this option.
- The public's confusion may not necessarily be overcome by education within the time period that Council has to solve this problem.
- The purpose at the start of the conversation was to take the financial burden off the homeowner and increase the city's ability to install more sidewalks. This resolution may divert from the original intent of the Council.
- Preference would be to get the resolution moved forward and commit to an organized factual response to residents and to the commissioners.
- The fuel tax option does not conflict with the city sidewalk subsidy issue, it was a separate issue. This was just one mechanism available for sidewalk funding that could be used in conjunction with the subsidy. If this was not an available mechanism to generate revenue then a general tax could be charged to each maintenance district.

- It was laughable that the fuel tax option was being represented by The Missoulian as the city asking the county to pay for its infrastructure when it was quite the opposite.

**Suggested Resolution Changes:**

- Bob Jaffe - Move any items addressing issues of controversy to the top of the resolution. The third to the last "Whereas" should be moved towards the top, as well as anything relating to the county including "Whereas Missoula County would stand to benefit..." would be towards the top of the document.

Adam Hertz made a motion to approve the resolution as amended by Bob Jaffe.

Mike O'Herron made a motion to table the motion in order to educate county residents about what the generated revenue could be used for in the county. He would vote against the current motion as amended.

Jason Wiener added that the County Commissioners would have to take action by August 13, 2012 in order to get this on the ballot.

Bob Jaffe called for the question to end debate. The motion to end debate carried unanimously and there was no public comment on the motion to table the discussion. The motion was to table the resolution and not send it forward to the commissioners at this time. The motion failed with O'Herron voting for and Wiener, Childers, Haines, Jaffe, Wilkins, Hertz, and Taft voting against.

Ed Childers called for the question to end any further debate on the main motion. Hearing no public comment the motion to end the debate carried unanimously.

The committee then voted on the motion to approve the resolution as amended. The motion carried with O'Herron voting against and Wiener, Childers, Haines, Jaffe, Wilkins, Hertz, and Taft voting for. This item will be on committee reports.

### **III. HELD AND ONGOING AGENDA ITEMS**

1. Resolution to order curb and sidewalk improvement project 10-033, in the Spruce St. and Woody St. area. ([memo](#))—Regular Agenda (Monte Sipe)
2. 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)
3. Discuss the timing of various traffic lights around the city. ([memo](#))—Regular Agenda (Bob Jaffe) (Referred to committee: 09/26/2011)
4. Discuss the school speed zones. ([memo](#))—Regular Agenda (Bob Jaffe) (Referred to committee: 09/26/11)

### **IV. ADJOURNMENT**

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