

Missoula City Council Public Works Committee Minutes

May 11, 2022, 9:25 am
ZOOM Webinar

Members present: Stacie Anderson, Mirtha Becerra (chair), Daniel Carlino, Jordan Hess, Gwen Jones, Kristen Jordan, Mike Nugent, Jennifer Savage, Amber Sherrill, Sandra Vasecka

Members absent: John P. Contos, Heidi West

1. ADMINISTRATIVE BUSINESS

1.1 Roll Call

1.2 Approval of the Minutes

The minutes were approved as submitted.

1.2.1 PW Committee Minutes from May 4, 2022

2. PUBLIC COMMENT

3. COMMITTEE BUSINESS

3.1 A Resolution to confirm the final ordering of Eaton St. Ph 1 right-of-way improvements project.

The Public Works Committee discussed items 3.1 and 3.2 together.

Mark Todorovich Construction Projects Coordinator for Surface presenting,

Eaton Street is a collector street and needs right-of-way projects such as curb and sidewalk. Sidewalks are an essential component of public safety. These improvements would be from S. 7th St. W to S 13th St. W and the south side of S. 10th St. W from Eaton St. to Schilling St. The upgrades include new curbing, bulb-outs, sidewalk, ADA ramps, bus pad, paving, and a sidewalk bridge. This project is ranked second on the City's capital improvement program list. This project provides a pedestrian route to Franklin Park and nearby bus stops. The bid for this project went up due to recent increases in materials, labor shortage, and transportation costs. With the increase in cost, most parcels are under \$3,500. However, three parcels went up to the maximum of \$9,000. Some of the property owners are using the assessment programs that the City offers. The City also uses road district, BARSSA funding, and transportation impact fees. This City's funding sources are 89.3 percent of the project total, and the assessment costs are 10.7 percent of the project. This project will increase safety and limit pedestrian risk. The street improvements will define access points, enhance stormwater drainage and lengthen the life of the street. This project had two bidders, and Knife River was the lowest bid which is about twenty percent higher than the original engineer's bid.

Ms. Vasecka said Bob Sewell, a citizen sent her an email regarding his property bid at \$3,500, and then increased to \$9,000. He was stressed about this increase and said many other neighbors in this area did not want the sidewalks to go in because of the cost. He asked to postpone or cancel this project. Ms. Vasecka said he has to be a voice for the people in her ward and can't vote for something they do not want. She added that she understands the importance of sidewalks, but she also understands a tight budget. Ms. Vasecka said there was nothing wrong with the project not going through. She understands that a no vote will stop the project, but it will also take the burden off these homeowners.

Ms. Anderson said there are many different types of options for financing for homeowners. Monte Sipe with the City explained three options for the assessment eight, twelve, and twenty-year term. In addition to those options, there is a low-income deferral and a high assessment deferral. The low-income deferral is if the homeowner meets the medium income, they can defer the entire amount until the time of sale. The high assessment deferral is for any amount over \$6,000 can be deferred till the time of sale. The interest rate is determined at the time of bond sale but is usually around 4.5 and 5.5 percent. Ms. Anderson stated this person could do the high assessment deferral or finance over twenty years.

Ms. Anderson asked why the City takes on projects like this and the overall benefit of sidewalks. Aaron Wilson with the City explained that sidewalks are essential for a number of reasons. They provide safe transportation for people walking, increased mobility for people with disabilities. In many studies that the City has done including, the Franklin to Fort, neighborhood sidewalks were the number one request from citizens. This project is on a transit corridor, and the bus stops are currently not ADA accessible because they are dirt. This is a collector high traffic street, so it's essential to have the pedestrian separation that a sidewalk provides. These all combined give benefits to the community and fit into the City's long-range planning goals. She also added that a lot of hard work has been put into this project. If this project is voted down, it means that this project is dead and not that another funding source will come to replace it.

Jenny Nish from the public lives in this neighborhood and is active in the neighborhood group. She is working on a grant and has been looking at a lot of data in this neighborhood. She has found this neighborhood has fewer sidewalks than all but two neighborhoods in Missoula. She is shocked by the possibility of this project not going through. Currently, it is tough to get around this neighborhood. She understands this does add cost to the neighbors, but she also recognizes the work that has been done to create funding programs. Unfortunately, some of these programs were not around when other sidewalks went in, so those homeowners were not able to take advantage of these programs. She has met with several neighbors that do support this project.

Ms. Jordan said this is a sensitive topic because she agrees with Ms. Nish and agrees that the funding opportunities are incredible. She believes in the value of sidewalks, but her concern is that this project was started pre-pandemic. A lot has changed for people since the pandemic, and she feels a lot of these costs are too much for the homeowners. She would like to see the City do a budget amendment and cover the sidewalk costs for the constituents. This neighborhood has a lot of people who are struggling to get by. She feels that the City has other mechanisms to pay for this. She is for this project but does not want to place the burden on her constituents. She says we are asking people to

spend a lot of money, and she understands that \$500 over a year is a tight squeeze. She wanted to record that this project would cause financial harm to people she said she would listen to and support. She explained that sidewalks are a city resource and until the City can find another way to pay for them, she can not support this project.

Mr. Carlino also agrees that sidewalks are needed in this area. He would like to see the city budget reflect the community's values. He does not like how this has become a contentious issue and will try to work to find another funding source. These are the reasons that he can't support this project. He plans to find a way to get these sidewalks funded.

Mr. Nugent and Ms. Sherrill asked what the total cost was for the property owners. Mr. Sipe said the assessment total is \$109,219.00 amongst all property owners.

Ms. Sherrill said sidewalks are very critical for neighborhoods. She says that a lot of time and energy has gone into creating the current policy. She understands that it is not flawless and may have room to revisit and see if there is room for improvement. She also added that if we put all of the sidewalks onto the property owners, it would be a shocking increase in taxes. She is supporting this project and the current sidewalk program. These neighborhoods need sidewalks, and the staff is working under the current guidelines that have been given to them. She feels the Council needs to support this until the guidelines are changed.

Ms. Savage explained that a vote for sidewalks is a vote for equity in a neighborhood that desperately needs it. She supports having a sidewalk policy discussion but feels that it is separate from this project. This is why she will be voting for this project. She says she understands that many people have looked at the budget and the policy and have worked hard to put this into place.

Mr. Nugent said he is looking forward to a policy conversation. However, his concern is that if we push sidewalks into the general fund, we will produce fewer sidewalks. That will go against the goal that this Council has set. He does not like putting this cost on the homeowner but feels that the value added to the home will go up more than \$9,000.

Ms. Jones is happy to support this today. She said this is a project discussion and not a sidewalk policy decision. If they end up having the policy discussion, she thinks it would be great. This program has changed over the years, and the City is completing fewer sidewalks than in previous years. The City is coming up against the Initiative 105 caps in terms of raising taxes. Just because property values go up, that does not translate into a bigger city budget. There will be trade-offs.

Mr. Hess wanted to say that city road district funds go towards sidewalks, which are taxes. Sidewalks are also funded through other projects such as MRA and new constructions.

Bill Barksdale from the public commented that he is working with the Franklin to the Fort group. He appreciates all the concern about the cost to the homeowners. However, he said the City has been working on this project for several years. He said today's vote is on the project and not on the policy. He says that 7,800 people in the neighborhood would benefit from these sidewalks.

Ms. Becerra said that over the years, they have looked at funding sidewalks. This is a project the neighborhood wanted, and the City listened to them. They have participated in many public processes to express this. Before the pandemic, the people on the Council had to make tough decisions like this. She feels this project has been in place for a long time, and it's ready to be implemented, so she will be in support of it.

Moved by: Mike Nugent

Approve and authorize the Mayor to approve the resolution to confirm the final ordering of Eaton St. Ph. I right-of-way improvements project

AYES: (7): Stacie Anderson, Mirtha Becerra, Jordan Hess, Gwen Jones, Mike Nugent, Jennifer Savage, and Amber Sherrill

NAYS: (3): Daniel Carlino, Kristen Jordan, and Sandra Vasecka

ABSENT: (2): John Contos, and Heidi West

Vote results: Approved (7 to 3)

3.2 Bid Award with Knife River for the Eaton St. Phase I right-of-way improvement project.

Award the bid for Eaton Street Phase 1 right-of-way improvements project to Knife River at a cost not to exceed \$1,141,208.81 and authorize the return of bid bonds.

Moved by: Mike Nugent

AYES: (7): Stacie Anderson, Mirtha Becerra, Jordan Hess, Gwen Jones, Mike Nugent, Jennifer Savage, and Amber Sherrill

NAYS: (3): Daniel Carlino, Kristen Jordan, and Sandra Vasecka

ABSENT: (2): John Contos, and Heidi West

Vote results: Approved (7 to 3)

3.3 Professional Services Agreement Amendment 1 with IMEG for Eaton Street Infrastructure Project

Mark Todorovich projects coordinator presenting,

This is an amendment to the original professional services agreement for construction staking and engineering for phase 1 and the final design for phase 2. The amendment amount is \$92,965 and is being funded through the road district, BARSSA, and transportation impact fees. The council did not have any questions.

Moved by: Gwen Jones

I move the City Council: Approve and authorize the Mayor to sign a Professional Services Agreement Amendment #1 with IMEG for consulting services on Eaton Street Phase 1 and Phase 2 projects at the cost not to exceed \$73,295.00.

AYES: (10): Stacie Anderson, Mirtha Becerra, Daniel Carlino, Jordan Hess, Gwen Jones, Kristen Jordan, Mike Nugent, Jennifer Savage, Amber Sherrill, and Sandra Vasecka

ABSENT: (2): John Contos, and Heidi West

Vote results:Approved (10 to 0)

3.4 An Ordinance Amending Missoula Municipal Code Chapter 13.02 by Repealing 13.02.090 and Establishing 13.02.091

Logan McInnis Deputy Director of Public Works Utilities,

Historically wastewater has used the tax lien process to collect past due amounts on wastewater accounts. In the past, before city ownership, water used a shut-off process to collect bills. Since the pandemic, Missoula Water has not been shutting off accounts, and they have some accumulation of sizeable past-due accounts. The water utility would like to use the same process that wastewater does. The process would be to try and collect a payment, and if payment is not received, then file a tax lien to the properties. The letters would have to go out in July, and the liens would not be applied till September or October. If a customer is a past due in an amount of \$200 over 90 days they would be subject to the lien.

Ms. Anderson asked how the city came up with \$200.00. Mr. McInnis said that a group in the city felt this was a reasonable amount to collect for past-due accounts. Ms. Anderson said since this is all the utilities combined, she thought this amount was low. She also mentioned that some people have higher water bills in the summer and felt \$500 might be more reasonable.

Ms. Becerra said the committee is out of time, and we have more time to discuss this later. This is just a vote to set the motion.

Moved by: Sandra Vasecka

Motion for May 16, 2022 [First Reading and Preliminary Adoption] Set a public hearing for June 6, 2022 to preliminarily adopt an ordinance amending Missoula Municipal Code Chapter 13.02 entitled “Municipal Utility Rates and Charges” to repeal 13.02.090 and establish 13.02.091 to specify the responsibility of the property owner for a tenant’s unpaid City of Missoula utility bills. **Motion for June 13, 2022 [Second and Final Reading]** Adopt/deny an ordinance amending Missoula Municipal Code Chapter 13.02 entitled “Municipal Utility Rates and Charges” to repeal 13.02.090 and establish 13.02.091 to specify the responsibility of the property owner for a tenant’s unpaid City of Missoula utility bills.

AYES: (10): Stacie Anderson, Mirtha Becerra, Daniel Carlino, Jordan Hess, Gwen Jones, Kristen Jordan, Mike Nugent, Jennifer Savage, Amber Sherrill, and Sandra Vasecka

ABSENT: (2): John Contos, and Heidi West

Vote results:Approved (10 to 0)

4. ADJOURNMENT