

## PUBLIC WORKS COMMITTEE REPORT

March 23, 2011 1:05 PM

City Council Chambers

**Members Present:** Jason Wiener (chair), Ed Childers, Dick Haines, Lyn Hellegaard, Bob Jaffe, Marilyn Marler, Renee Mitchell, Dave Strohmaier, Pam Walzer, Jon Wilkins, Cynthia Wolken

**Members Absent:** Stacy Rye

**Others Present:** Steve King, Kevin Slovarp, Brian Hensel, Anne Guest, Carol Williams, Rod Austin, John Smith, John Roemer, Cynthia Anchell, Jinny Ivens (sp) Theresa Cox, Kathy Lathrop, Scott Sproull, Alex Stokman, Ellen Buchanan, Matt Ells, Todd Frank, Linda McCarthy

### I. ADMINISTRATIVE BUSINESS

- A. Approval of the minutes of – [March 16, 2011](#) Approved as submitted
- B. Announcements – None
- C. Public Comment on Non-Agenda items – None

### II. CONSENT AGENDA ITEMS

- 1. Approve and authorize the Mayor to sign an agreement with Montana Department of Transportation (MDT) for City of Missoula Street Maintenance Division to perform a large scale paving project on the State Routes as described on the attached Appendix C and in accordance with our state route maintenance contract. ([memo](#))—Regular Agenda (Brian Hensel) (Referred to committee: 03/21/11) (REMOVE FROM AGENDA)

**Motion: The committee recommends the City Council approve and authorize the Mayor to sign an agreement with Montana Department of Transportation (MDT) for the City of Missoula Street Maintenance Division for a large scale paving project on the States Routes in accordance with our state route maintenance contract.**

Brian Hensel, Street Department Superintendent, said this is an agreement process for large scale street maintenance projects on State routes within City limits, these projects are permissible under our maintenance contract between Montana Department of Transportation (MDT) and the City. MDT compensates the City for all work performed including labor, equipment costs, materials and subcontractors. He is asking the committee to recommend the Council authorize the Mayor to sign the agreement.

Jon Wilkins made the motion to recommend the City Council approve and authorize the Mayor to sign an agreement with Montana Department of Transportation (MDT) for the Missoula Street Maintenance Division to do a large scale paving project on State Routes described in Appendix C and in accordance with our state route maintenance contract.

The motion was passed unanimously.

### III. REGULAR AGENDA ITEMS

- 1. Update from the Parking Commission. ([memo](#))—Regular Agenda (Bob Jaffe) (Referred to committee: 03/07/11)([Parking Fines](#)) ([Policy Review](#)) (Ltr: [Iowa](#)) (Ltr: [Hensley](#)) (HELD IN COMMITTEE

Anne Guest, Director of Missoula Parking Commission, gave a brief overview ([Policy Review](#)) of the history of the Parking Commission, explaining how they came to have a comprehensive parking plan and the progress they have made including the financing of the new three hundred and fifty (350) space parking structure at Front and Pattee Streets. As an introduction to the discussion of fines she said on-street parking is one of the most important assets the downtown community has and that asset has to be

managed, one of those managing tools is the parking meter. The purpose of a parking meter is to create turnover and availability of those spots. When parking meters are used and when they are violated the fine structure plays an important role. Using an extensive public process and information from several sources including Board of Directors meetings, public meetings, workshops and questionnaires from citizens, the parking fines structure proposal was compiled by the Parking Commission and they are recommending option two ([Parking Fines](#)). It costs the Parking Commission approximately \$15.00 to administer a parking ticket from the written ticket to the clerical processing and archiving. Anne handed out a letter from [Mae Nan Ellingson](#) showing how important it is that the Parking Commission protects their revenue base. We issued 7.5 million dollars worth of revenue bonds. A letter from Iowa City ([Ltr: Iowa](#)) gave a breakdown of the revenue their city lost by issuing a courtesy ticket for the first parking meter violation (\$134,882.93 or 26%) using a tiered parking fine structure. A letter from Randy Hensley ([Ltr: Hensley](#)) is to clarify that Fort Collins does not have parking meters but they do have a courtesy ticket for overtime violations with steep escalating parking fines. Missoula Parking Commission has three sources of revenue, the parking meter fines, meter revenue and parking leases. In summary please keep in mind that the parking strategies are to support the long range goals of the Downtown Master Plan, the parking fines proposal is a result of an extensive public process, and we need to protect our revenue base.

Bob Jaffe said he had a number of items he wanted to cover. He feels it is time to act on revising the parking fines structure since the parking fines haven't changed in many years. Anne Guest said the \$2.00 parking fine has been in place for over forty years. Bob said the fines are set by ordinance and there are different structures available to use. He wanted to confirm that technology is not an inhibitor in adopting one of the suggested policies. Anne Guest confirmed the technology to support the recommended new fine structure has been investigated. Part of the tiered parking fine proposals has a time span for determining the accumulation of tickets; and he would like to see more information on the \$15.00 cost of administering a ticket. He asked what the total budget was for the Parking Commission. Anne Guest was not sure of the exact figure but said it was well over a million dollars. He wanted to know how much of the budget was dedicated to enforcement because the number of tickets times \$15.00 was well over a million dollars and the amounts don't add up.

Jason Wiener said there would not be any action today and he anticipates this to take more time.

Dave Strohmaier asked Anne Guest if there was a way to structure the tiered fine proposal in a way that would accommodate an "oops" ticket for the first infraction and steeper fines for repeated violations. Anne Guest referred to the Iowa City letter as an example saying they lost approximately \$135,000.00 in revenue by using the courtesy ticket.

Pam Walzer said one reason to issue an "oops" ticket is the perception it is friendlier to the downtown patrons and a parking ticket is unfriendly. She asked Anne Guest if there was an increase in downtown business in Iowa City and should businesses that would benefit from the courtesy ticket contribute towards the loss of revenue.

Anne Guest said she could not speak for Iowa City but one of the Parking Commission Board members is interested in reinstating a parking Special Improvement District (SID) for the downtown area so business owners could contribute to this SID and the money would go to support the loss of revenue from issuing a courtesy ticket. The parking rates, the first hour free in the parking garage and a validation program are all business friendly gestures.

Pam Walzer asked if they were able to assess a fee if violators did not pay their fines. Anne Guest said by law they are not able to assess a fee.

Ed Childers said it cost \$15.00 to issue a ticket so if the current \$2.00 ticket is a loss of \$13.00 and then if the fee structure is changed a first time offense would result in a \$10.00 loss. He asked what portion of the tickets written is a first time ticket. Anne Guest said about seventy percent were first time tickets. Ed said using that information they were planning to lose \$10.00 each for a large number of tickets in an attempt to raise revenue. He asked how much does it cost to issue an "oops" ticket. Anne Guest said it costs the same because it still has to go into the system. Ed said apparently at the current \$2.00 ticket rate they are still making money and he cannot understand how you can make more money losing \$13.00 per ticket.

Jason Wiener said he is also concerned about the \$15.00 cost per ticket. He is interested in Iowa City's experience and what the responsiveness of people's behavior was. He asked if they had an analysis of the source for the decline in revenue. Anne Guest said Iowa City wrote fewer tickets and higher tickets were not issued. Jason asked if they saw changes in the meter revenue; Anne said it increased 8% and she was not sure if that was the combined revenues or just the meter revenues. He said he agrees with the graduated fine structure.

**Public Comment:**

John Roemer, owner of Roemer's Tire Factory, supports the increase in meter fines for improper parking violations and he asking the committee to also support the proposal. He said several years ago he served on the Parking Commission for over twelve years and it was recommended by more than one professional parking consultant to increase parking fines to encourage on-street parking turnover, which they did not do. There needs to be a real focus on that element, the revenue stream is important; one part missing is a meaningful, effective fine to encourage a turnover in that most valuable asset, on-street parking.

Matt Ellis, Co-Chairman of the Master Plan Implementation Committee, and a personal property owner and business owner of the Uptown Diner listed some of the points in the Master Plan as to parking and as the City Council adopted. 1. To construct two public parking structures at Front and Pattee and at Orange and Main. 2. Ensure on-street parking is metered and encouraging short term use and high turnover. He said we are investing in parking garages so long term parking needs can be met, we are not at capacity for turnovers but we are at capacity for parking leases. As a business owner he has a need for on-street parking turnover. One of the problems he has is the term "customer friendly", the number one complaint is there is no parking downtown, you do not hear "I do not go downtown because I get fined if I don't plug a meter". There is no parking because the \$2.00 fine is abused and that is not customer friendly. He is concerned that the "oops" ticket would encourage people to park longer at a metered spot, it is creating a bigger environment for people to abuse the system. We are trying to encourage alternate modes of transportation but how much effort has been put towards creating better bike lanes and better walking environments. An "oops" ticket does not encourage those kinds of transportation; it encourages more people to drive and to abuse our parking system on the street.

Scott Sproull said he is interested in downtown parking and he has some alternatives to a lot of the information we have heard and he will email that information to the committee. One issue is the "oops" ticket from Fort Collins, the first letters were very positive and then the Missoula Parking Commission contacted them saying that was not the letter they wanted; he will show them both letters (in email). He has been going to meetings for thirty years and he feels it is his job to show alternative views that differ in many respects to what they have heard today. He does support the tiered system with a six month reset time span, they should be tough on abusers and not tough on customers. The year reset really benefits the Parking Commission's income. The tier structure is too aggressive, if you get six tickets a year are you really an abuser?

Ed Childers asked if Scott Sproull would send his information to the Council rather than each member. He said he thought we could go over the committee's scheduled time as necessary.

Linda McCarthy, Director of the Missoula Downtown Association, said she represents approximately four hundred and fifty members. A part of the Master Plan is a parking management and development plan strategy. These proposals are available on their website at [www.Missouladowntown.com](http://www.Missouladowntown.com). She said there is abuse of the on-street parking. If we want to build more parking we have to have the funds to build that parking and those funds include fees and fines and lease rates. Parking costs approximately \$22,000.00 per space to build in a structured environment. There is never really a perfect time for change and as a community we have a vision for downtown that includes a parking strategy for management and development.

John Smith, member of the Parking Commission and a downtown business owner, wanted to address the revenue issue. He heard the comment that the Parking Commission comes out on top, and he said this is the feeling most people have when we collect fines and meter fees that we are somehow making money. He said when we are able to get a bond rating of A- the city saves money because the interest rate is so much better and this allows us to build better parking structures. The Octagon Group bought the Macy's building and they looked at the plans for the parking structure to be built at Pattee and Front, if we did not

have the means to build this project there is a good chance they would not have come in and that would have left that building vacant, maybe for years. If we do not have a viable parking commission and could not build these structures it would be devastating to downtown. It is not the Parking Commission that comes out on top, it is the City and this community.

Ron Austin with the Parking Commission said there is a good likelihood that by implementing a fee change we would reduce our fine revenue and we do not know what impact it will have with the increased meter revenue. Most of the problems are employees abusing the on-street parking not the patrons, store owners and managers do not encourage employees to use buses or the parking garage. He did want to clarify that he was the one that called Fort Collins and he stressed he did not influence them, Fort Collins said basically if they had meters they would not have courtesy tickets and they would write a letter explaining that the most valuable parking we have is the on-street parking in front of stores. He said we need the ability to manage this in an appropriate manner and in the context of all the other things we are trying to do.

Jason Weiner asked if they had a list of recommended reading it might be worth compiling a list and sending it via email to Council.

Bob Jaffe said in general we are all headed in the same direction and in agreement with what we want to implement, it is the finer details that are in disagreement. The Iowa City example is extremely relevant and he would like to have more information on that. Rather than have each of us contact Iowa City he said maybe Jason Wiener as the Chair of the committee could request information for the council. Bob will update his analysis of the parking fines and get that information to everyone. He would also like to see the budget information and the information about the \$15.00 processing costs of the tickets. He would also like to see information on the demand for the leased parking spaces.

Jason Wiener said he would coordinate with staff for dates to continue this discussion. He will keep everyone updated on the dates that would be available in April, with the goal towards discussing the other topics in the referral and to take council action on the fines and the reappointments of some of the commissioners that are currently serving.

### III. 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. 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)
3. T4 America partner support ([memo](#)) – Regular Agenda (Stacy Rye) (Referred to committee: (Referred to committee: 08/16/10)
4. Presentation from Public Works staff regarding proposed process for finding contractors and awarding bids for reconstruction of Russell Street. ([memo](#))—Regular Agenda (Bob Jaffe) (Referred to committee: 11/15/2010)
5. 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: 01/24/11)
6. Confirm the reappointments of Carol Williams and Theresa Cox to the Missoula Parking Commission for a term commencing May 1, 2011 and ending April 30, 2015.

### III. ADJOURNMENT

The meeting adjourned at

Respectfully Submitted,  
Peggy Diamond, Program Specialist  
City Public Works Department