

Common Council Sidewalk Committee
04 January 2010, 4:00 p.m.
Council Library (#110)
Showers City Hall, 401 North Morton Street

MEMORANDUM

In attendance:

Committee Members: Isabel Piedmont-Smith (Chair), Dave Rollo, Chris Sturbaum & Mike Satterfield

Staff: Joe Fish (Planning), Jane Fleig (Utilities), Scott Robinson (Planning), Justin Wykoff (Public Works), Dan Sherman (Council Office) and Stacy Jane Rhoads (Council Office).

I. PRELIMINARY

Piedmont-Smith briefly reviewed the *Agenda*. The goal of today's meeting is to make a final funding decision for 2010 funds, to approve minutes, vote on submission of the *Sidewalk Report* and decide on topics for the de-briefing meeting.

II. ALLOCATIONS

Funds Available

Piedmont-Smith asked for confirmation of the money available for sidewalks and stormwater improvements. She pointed out that, according to a table of possible allocations assembled by Sherman, the Committee has \$205,000 (in its ATF Fund and \$203,942.22 (\$125,000 Plus \$78,942,22 Carry Over from 2009) in its Stormwater Fund.

Fleig pointed out that the amount of stormwater money is greater than the amount cited in the table. Wykoff clarified that the stormwater money from Marilyn should be added to the total. The total stormwater money available to the Council is \$274,776.24. *

TOTAL FUNDS AVAILABLE	
Alternative Transportation Fund	\$205,000
Stormwater	\$274,776.24*

* Please note that the total CBU stormwater money available to the 2010 Committee was revised after this meeting. All references to stormwater money herein reflect the correct amount.

Greenways Commitment

Piedmont-Smith noted that Sherman built in \$100,000 from the Greenways Fund. She asked Wykoff if this is a firm commitment. If it is, could the Committee get this commitment in writing? Wykoff said that, at this point, the agreement of the Greenways Committee was that this money should be devoted to the Council's East Third Street project. However, Wykoff said that the Susie Johnson advises that if an emergency arises in which funds are needed, the City might have to tap into this money.

Fish stated that staff on the Greenways Committee supported the idea of spending \$100,000 on East Third; however, sometimes emergencies come up and it is not the purview of the staff to decide if Greenways monies are to be used for such emergency.

The Committee discussed conditioning the approval of sidewalk projects upon a \$100,000 commitment from the Greenways Fund, but decided against such a condition. The group also decided to defer discussion of conditioning until its de-briefing meeting later in the month.

Marilyn Street Project

Satterfield ask for clarity on the Marilyn Street Project. He pointed out that bike and pedestrian priorities changed with the new Bike, Ped and Greenways Plan: what is to guarantee that priorities will not change for the East Third Street project? Satterfield pointed out that many more people are affected by improvements to East Third Street, while few are affected by the improvements on Marilyn. He said that he understands that Marilyn was approved before the Committee adopted Planning's objective, need-based criteria.

Rollo stated that the biggest issue on Marilyn is the stormwater and runoff issue. It was part of the Greenways Plan for a reason. He doesn't want to have to tell his constituents that this project will not happen for two years in a row. He said it puts him in a terrible position.

Sturbaum stated that he would like to see the Marilyn project through. Piedmont-Smith said that she thinks that the Sidewalk Committee should honor its commitment to this project.

Fleig inquired about the letter sent by Piedmont-Smith to the Mayor. Piedmont-Smith responded that the Mayor said he does not have funds for the Marilyn project.

Southdowns

Piedmont-Smith asked to hear from Rollo about the Southdowns project.

Rollo stated that it is complicated – it is part of a broader area that needs stormwater improvements. This project has been on the Sidewalk Committee’s list since Rollo has been on the Council. People have flooded homes in this area.

Wykoff and other engineers advise that they cannot move ahead without doing some comprehensive improvements. Wykoff stated that the City could pipe water along the west side of Jordan, down to Sheridan. Wykoff said they could put in a pipe with a curb.

Fleig stated that she is not convinced that piping the stormwater is the most prudent strategy. There are decent, large open ditches on both sides of the street that have the capacity to handle the stormwater. Piping would help with water on the street, but there is not much water on the street. She maintains that it is likely that people are getting water in their houses because the houses are old and sit below the road, not because of excessive water on the street.

Fleig said that she can look at making some improvements to the ditch, but is not convinced that piping the water and adding a curb is the way to go. Fleig stated that, on paper, this is not a huge drainage basin. On paper, there does not appear to be a stormwater problem in the area. However, she said that she would like to see the drainage of the area during a huge rain event to better discern if there really is a problem.

Satterfield reviewed for Rollo that at the last meeting, Satterfield brought up the value of reintroducing the water back into the ground, rather than sending the water into the stormwater system.

Rollo asked Fleig what she thought about the idea of not installing a curb, but instead placing a green barrier between the road and the sidewalk. Fleig responded that typically, Public Works feels that a curb is necessary to provide protection for the pedestrian. Fleig said she does not necessarily oppose Rollo’s idea and is open to alternatives.

Wykoff asked if some of the surplus CBU stormwater money might be directed to this project? The Committee might address the stormwater issue on Southdowns first and then the sidewalk later.

Piedmont-Smith asked Rollo for feedback. Rollo stated that a sidewalk is not critical, but stormwater improvements are important. Rollo suggested that perhaps the City could paint a stripe along the side of the road to demark a pedestrian area. Both Fleig and Wykoff stated that the road is not wide enough for striping.

Final Allocation

Rollo stated that he would advocate getting Marilyn done and expending whatever is remaining for Third Street.

Sturbaum said that he supports that approach and that the Committee might also dedicate some stormwater money to Southdowns.

Satterfield agreed to fund Marilyn to get it done and pointed out that the Committee could get to Hillsdale on East Third if it does not fund sidewalks on Southdowns.

Fleig pointed out an error in the spreadsheet for the Committee's consideration. The projected commitment from the ATF for the third stretch of the East Third project should be \$114, 242.60, not \$60,591.30. That means that the Committee would only be able to fully fund the first two segments of the East Third Street project – from Bryan to Jefferson and from Jefferson to Roosevelt.

FUNDING MOTION

Piedmont-Smith moved to:

- fully fund the Marilyn street project
- fully fund the first two segments of the East Third Street project
Segment #1 – Bryan to Jefferson
Segment #2 – Jefferson to Roosevelt
- fund as much of the third segment of the East Third Street (Roosevelt to Clark) project as possible
- dedicate any leftover stormwater funds to the Southdowns project, not to exceed \$54,562.20.

Piedmont-Smith, Sturbaum and Rollo voted “aye;” Satterfield voted “nay,” explaining that he feels like the Committee has compromised the East Third Street project too much.

See Funding Chart, following page.

2010 COUNCIL SIDEWALK COMMITTEE -- 4 JANUARY 2010 -- CONCLUDING RECOMMENDATIONS

PROJECT	TOTAL ESTIMATE	ESTIMATE FOR R-O-W	ESTIMATE CONSTRUCTION OF SIDEWALK	ESTIMATE FOR STORMWATER COMPONENT	RECOMMENDATION		OTHER COMMITMENTS *
					ATF	CBU STORMWATER	OTHER FUNDS
					\$205,000 (\$225,000 - \$20,000 for Traffic Calming)	\$274,776.24 (\$125,000 Plus \$149,776.24 Carry Over) *	\$100,000 from Greenways for E. 3rd Street
2008 Projects							
Marilyn Drive (S) Nancy to High	\$189,937.45	**	\$98,373.43	\$91,564.00	\$98,373.43	\$91,564.00	
2010 Projects							
3rd Street (N) Bryan to Jefferson	\$95,408.78	8,997.45	63,773.00	\$22,638	0.00	\$22,638	72,770
3rd Street (N) Jefferson to Roosevelt	\$63,507.68	0.00	59,141.78	\$4,365.90	31,912.23	\$4,366	27,230
3rd Street (N) Roosevelt to Clark [Fund as much as possible]	\$118,387.50	53,661.30	60,591.30	\$4,134.90	114,252.60	\$4,135	
3rd Street (N) Clark to Hillsdale	\$144,704.18	38,115.00	95,293.28	\$11,295.90			
3rd Street (N) Hillsdale to Overhill	\$96,598.43	22,869.00	65,736.83	7,992.60			
3rd Street (N) Overhill to SR 46 Bypass	\$204,295.25	68,475.33	122,687.57	13,132.25			
Southdowns (S) ** Jordan to Mitchell (w/Stormwater on Jordan and Sheridan)	\$124,405.05	0.00	69,842.05	54,562.20		54,562.20	
TOTALS	\$1,037,244.32	192,118.08	\$635,439.24	\$209,685.75	\$244,538.26	\$177,265.20	\$100,000.00
REMAINDER					-39,538.26	\$97,511.04	\$0

* Other Funds: Commitment from Greenways for \$100,000 toward E. 3rd Street sidewalk

** The 2010 recommendation for \$54,562.20 sets the maximum amount for the stormwater component of this project.

III. OTHER THIRD STREET ISSUES

- Fish mentioned that he spoke with Lew May about installing a bus shelter at Roosevelt and Third, as the Committee discussed at its last meeting. May said he is open to the idea of a shelter.
- Satterfield asked Wykoff if he has asked the Legal Department about approaching property owners about donation of right of way along East Third Street. Wykoff said he has not done so yet. Sturbaum said he and Satterfield should plan to approach property owners soon.

IV. APPROVAL OF MINUTES

Previous Meetings

The Committee voted to approve the previous minutes of the Council Sidewalk Committee meetings – 12 November 2009; 23 November 2009 and 01 December 2009 with the following changes:

- November 12: Piedmont-Smith mentioned that she was confused by the last sentence re: the Henderson Street – Moody to Thorton project. The last sentence currently reads: “Wykoff clarified that this was independent of a street resurfacing project running from 4th to Graham Drive. “ Sherman stated that it should be 1st Street, not 4th Street. The reference should be corrected.
- November 23, p.3: Fleig pointed out that Piedmont-Smith, not Wykoff, asked Fleig if she would please advise the group of how much stormwater money is to be carried over into 2010 at the next meeting. Fleig asked that the minutes include the notation that she responded that she is still waiting for billing to occur before she can give the group a figure.
- December 1:
 - Typo. Change “sign” to “signature” in the following sentence: “Piedmont-Smith pointed out that Sherman has drafted a letter for Piedmont-Smith’s sign requesting a dedication of \$98,373 in federal funding to the Marilyn Street project discussed at the last meeting.”
 - Typo. All mention of “Hillside” should be changed to “Hillsdale.”
- Sturbaum mentioned that he thought he mentioned at a previous meeting that he would like to have Rockport and Graham included in the Sidewalk Project List. If not, he would like today’s minutes to reflect as much.

The Committee approved said with the aforementioned changes.

Today’s Meeting

Piedmont-Smith stated that the minutes of today’s meeting will be sent out to the Committee via e-mail; the Committee will have five days to review the notes and advise staff and the Chair of any changes. Piedmont-Smith will then be authorized to grant final approval of the notes. The Committee endorsed this process.

V. SIDEWALK REPORT

Piedmont-Smith reviewed that Sherman drafts a *Sidewalk Report* on the Committee's behalf. The *Report* is scheduled to go to Council on 20 January 2010 and will be issued in the Council's Legislative Packet on Friday, 15 January. The BMC requires that a majority of Committee members need to sign the *Report* before the meeting on 20 January.

Rollo stated that the Committee presentation should spend some time discussing the peculiar history of the Marilyn Street project.

Piedmont-Smith stated that she finds it odd that staff presents the Committee's report and feels like the Chair should do so. Sturbaum responded that, in the past, he has made the presentation himself as Chair and has also delegated that duty to Sherman. All agreed that the details of the presentation are up to the Chair of the Committee. Piedmont-Smith agreed to make the 2010 Sidewalk Committee Report presentation to the Council this year. All endorsed this.

Piedmont-Smith moved to submit the *Report* to the Council by January 20, 2010. All agreed.

VI. PUBLIC COMMENT

SoMax resident Kevin Keough asked the Committee what is happening with the Marilyn Street project. His understanding was that the project was approved in 2007; he said he was confused about the delay. If the money was appropriated, what happened?

Sherman responded that the money was not appropriated; instead the Committee was led to believe that Greenways money from the Public Works Department would be devoted to this project

Sturbaum stated that this year the Committee made a firm commitment to seeing Marilyn through by allocating its own money in the Alternative Transportation Fund (instead of recommending the dedication of other funds) to this project. Unlike the Greenways Fund, the City Council has actual control over the use of the money in the ATF.

Sherman offered to give Keough the details of the situation after the meeting.

VII. NEXT MEETING

Sherman stated that the next meeting will be dedicated to reviewing this year's Sidewalk Committee process – what worked well, what could be improved. He circulated a list of possible topics for the next meeting. Rollo requested that the topic of a quarterly status report to the Council be added to the list.

The Committee will next meet on **Tuesday, 26 January 2010 at 4pm in the Hooker Room.**

VIII. ADJOURN

The Committee adjourned at 5:31 pm.