

## PUBLIC WORKS COMMITTEE REPORT

January 13, 2010, 10:05 AM

City Council Chambers

**Members Present:** Jason Wiener (chair), Ed Childers, Dick Haines, Lyn Hellegaard, Roy Houseman, Bob Jaffe, Renee Mitchell, Pam Walzer, Jon Wilkins

**Members Absent:** Dave Strohmaier, Marilyn Marler

**Others Present:** Jack Stucky, Steve King, Doug Harby, Mark Todorovich, Bob Hayes, Kevin Slovarp, Laval Means, Denise Alexander, Ana Aronofsky

### I. ADMINISTRATIVE BUSINESS

- A. Approval of the minutes of [January 6, 2010](#) – Approved as submitted
- B. Announcements – None.
- C. Public Comment on Non-Agenda items – None.

### II. CONSENT AGENDA ITEMS

1. Award the bid for Project 09-003 Playfair Park CTEP Sidewalks and return all bid bonds. ([memo](#))—Regular Agenda (Doug Harby) (Referred to committee: 01/11/10) **REMOVE FROM AGENDA**

**Motion:** The committee recommends the City Council award the bid for Project 9-003 Playfair Park CTEP Sidewalks to Specialty Excavating for \$65,421.40 and return all bid bonds.

Mr. Harby stated that this CTEP project would install sidewalk for Playfair Park. The total project budget is \$115,000, with a 14% match from parks. The engineering services agreement was approximately \$25,000. Construction bids were \$65,000 and the estimate was \$87,000. The contractor had finished a similar project in Stevensville with the same consultant that was very satisfactory.

Mr. Wilkins asked if the contractor was local and why there was such a large difference between the bids. Mr. Harby replied that he was from Stevensville, but the concrete subcontractor who would be doing 40 to 60% of the project was from Missoula. Companies like Knife River and LS Jensen's have higher overhead and don't usually bid on smaller projects, but he did not know why the Patterson bid was so high. The contractor is confident they can do the project for the bid price.

Mr. Wilkins made the motion to award the bid and return bid bonds.

The motion passed unanimously.

2. Authorize the purchase of a vacuum truck for the Wastewater Treatment Division to be moved into fiscal year 2011. ([memo](#))—Regular Agenda (Jack Stucky) (Referred to committee: 01/11/10) **REMOVE FROM AGENDA**

**Motion:** The committee recommends the City Council return all bid bonds and authorize the purchase of a vacuum truck for the Wastewater Treatment Division to be moved into fiscal year 2011.

Mr. Stucky stated that they would like to return bid bonds and move the purchase to FY11 because there was not enough money in the budget for it. Mr. Wilkins asked if they would start over next year and have a demo from interested parties. Mr. Stucky replied that they would.

Mr. Wilkins made the motion.

Mr. Wiener asked why they did not have the money for the purchase. Mr. Stucky stated that they purchased a vacuum truck in 2007 and based the budget for this purchase on a 10% increase over that price, in a time when most equipment prices were declining. Bids came in at a 35% increase over the 2007 price.

The motion passed unanimously.

### III. REGULAR AGENDA ITEMS

1. A [regular](#) ordinance amending Missoula Municipal Code Title 12, and enacting a new chapter, entitled "Parking." ([memo](#)) ([Examples](#)) ([PW](#)) (Doug Harby) (Returned from Council floor: 11/23/09) Harby – answer questions, concerns, did drawings for talking paper for specific questions. **HELD IN COMMITTEE**

Doug Harby, Construction Project Manager, stated that he had illustrations for various portions of the code and was prepared to answer questions from the committee. Mr. Jaffe stated that the 40% front yard pavement limit seemed high. He also asked the reasons behind the rules for parking in the setback. Mr. Harby stated that the 40% limit was from the zoning ordinance and that 40% of a 30-foot wide lot was a 12-foot, single-wide driveway. A 50-foot wide lot could have a double garage at 40%, with a maximum 20-foot wide driveway. On a 100-foot lot, 40 feet of the frontage could be a driveway, but the regulations restrict the width to 20 feet if it is a double garage. With a three-car garage, the driveway could only be wide enough to go to the outside of the garage doors.

Ms. Walzer stated that other rules only cap the width of access to the street, so with a 20-foot wide curb cut they could angle the parking to another area. Mr. Harby stated that any parking in the setback had to be behind the garage. Laval Means of the Office of Planning and Grants stated that there was a limitation on the amount of impervious surface in the front yard and side yard for a corner lot. Someone could put pavement down the side yard next to the garage.

Mr. Wilkins asked if it would be allowed to put an apron to the property line. Mr. Harby stated that if the strip was outside the setback and beside the garage it would be allowed. The code also only allows one driveway opening.

Mr. Jaffe asked why they treated the setbacks the way they do. He stated that the area in the setback is used for parking, and the rule does not match the reality. Mr. Harby stated that for new development the only time a parking space that counts toward the requirement is allowed inside the setback is when it's behind parking that's outside the setback. The issue to decide is whether the driveway would be non-conforming if the garage was converted to living space. Mr. Jaffe stated that he would like to retain the driveway as being counted toward the parking requirement. He wondered why there needed to be something beyond the parking space in the setback even for new construction. The regulations should reflect that driveways are synonymous with parking. Mr. Harby stated that they do not want the whole front yard to be parking spaces. Driveways are a safety issue, because people back out over the sidewalk, and each double-car driveway removes 3 on-street parking spaces. Title 12.12 has been in place for many years and requires a driveway to be removed if the use of the parking space outside the setback is discontinued. Driveways are only allowed if they access parking outside the setback. Council must decide whether they want to retain that and change the ordinance. They could rewrite the ordinance and allow the driveway to remain after a garage conversion as long as there was enough room to park without the vehicle being on the sidewalk. They could also allow it to remain if it was a conforming use before and abandon it if it was never conforming.

Mr. Wilkins stated that leaving the driveway in place when a garage is converted to living space helped retain off-street parking. Mr. Harby stated that they don't go down streets telling people to remove driveways; it comes up when they review building permits. They need to decide when to allow parking in the setback. He stated he would work on the language, and their intent was to prevent turning the whole front yard into parking. He may rewrite it to state that if it was a compliant driveway and the garage was converted to living space, it may stay, but if it was never compliant, it would be subject to review. It only comes up with a building permit or with new curb and sidewalk projects. Mr. Wilkins stated they also needed to do something with driveways that were not as long as the car so they don't straddle the sidewalk. Mr. Harby stated there was also a chapter that dealt with remodeling.

Ms. Means stated that if the driveway leads to a garage it is allowable in Title 20. Another option is to allow one required parking space in the setback and the other outside but not necessarily one behind the other. That language used to be in Title 19. They could also allow all required parking in the setback.

Mr. Wiener stated that he understood the limits on driveway width and asked if having a parking area wider than the access to the street violated impervious surface limits. Mr. Harby stated that the impervious surface restrictions were only for new construction. They do have angled driveways that are wider at the garage than at the street and they have allowed that.

Mr. Childers stated that he was fine with parking spaces in the front yard but was concerned about parking on the sidewalk and in the boulevard. Not parking in the boulevard when there is a curb needed to be in the rules. A driveway is generally looked at as a parking space that meets the requirement.

Mr. Jaffe stated that he would like to hear the arguments against allowing parking in the setback and that he was leaning toward allowing all required parking in the setback. Mr. Harby stated that for new construction they should

follow Title 20. There is no zoning review of parking requirements with residential if there is no change of use except that they have to replace a counted parking space if they remove one. New should be differentiated from existing. Mr. Jaffe stated he would like it to apply to new as well, but that change to Title 20 could be addressed later.

Mr. Jaffe made a motion to allow required parking in the setback as long as it conforms to the other rules. Mr. Harby stated he would make that change to the language.

Mr. Wilkins stated he would support the motion. He asked if there were safety regulations regarding vegetation in the setback or visibility issues on hills. Mr. Harby stated that there was a 10 by 10 foot visibility triangle in the fence ordinance. The hillside regulations limit the driveway slope to a maximum of 10% to eliminate that visibility issue.

The motion to amend the ordinance passed unanimously.

2. Purchase of two pickup trucks for Wastewater Treatment Division. ([memo](#)).—Regular Agenda (Jack Stucky)  
(Referred to committee: 01/11/10) **REMOVE FROM AGENDA**

**Motion: The committee recommends the City Council award the purchase of two 2010 Chevrolet Colorado extended cab 4 wheel drive pickups to Karl Tyler Chevrolet of Missoula, MT for \$20,912 each, a total of cost of \$41,824 for both trucks, and return all bid bonds.**

Jack Stucky, Vehicle Maintenance Superintendant, recommended they award the purchase to Karl Tyler Chevrolet, which was the low bidder and had no significant exceptions.

Mr. Haines asked if the vehicles were replacing pickups currently in the fleet, and whether the money would be needed to pay wages in the next year or two. Mr. Stucky stated that the vehicles were replacing two trucks currently in Wastewater and the older vehicles would be moved to other departments. The vehicles are on the replacement schedule and authorized in the budget.

In response to questions from Mr. Wiener and Mr. Wilkins, Mr. Stucky stated that wastewater uses the trucks as on-call vehicles for emergencies, so it was important they be in good condition. The trucks being replaced have approximately 70,000 miles on them and will be used to replace older vehicles in parks or the cemetery. The purchase is part of the capital lease arrangement.

Mr. Jaffe made the motion to approve the purchase.

Mr. Jaffe asked if the purchase was from sewer funds, and Mr. Stucky replied that it was.

Mr. Houseman asked if the older vehicles would be auctioned. Mr. Stucky stated that the old wastewater vehicles would be sold to the general fund to replace older vehicles elsewhere, and the ones at the bottom of the list will be auctioned or sold through public surplus. That is the only way they can afford to replace some of the vehicles on the bottom of the line in the general fund.

Mr. Wilkins stated that they keep adding to the loan program, and keep spending money. Sewer fees recently increased, and 70,000 miles on a vehicle was not bad and they could last another year or two.

Ms. Mitchell asked about the condition, year, and mileage of the vehicles going to auction. Mr. Stucky stated that they were early 1990s and would have about 110,000 miles on them, which is a lot for in-town miles. The decision to replace the vehicles in the worst shape is usually based on a bad transmission or engine that makes the repair cost greater than the replacement cost.

Mr. Stucky stated that he had the life expectancy and vehicle replacement schedule available if the committee wanted to see it.

Mr. Haines stated that he questioned why the administration was putting two newer vehicles into Parks and Recreation Department in these times.

Mr. Wilkins stated that he would support the purchase and was glad it was a local dealer.

Mr. Wilkins called the question, and the motion to end debate passed.

The motion passed with seven ayes and two nays (Hellegaard, Haines).

#### **IV. 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. Consider restructuring the city's Sewer Loan Program along the lines of the recently approved change to the Sidewalk & Curb Loan Fund.—Regular Agenda ([Chapter 3.16 – Sidewalk & Curb Loan](#)) ([Chapter 3.18 Sewer Loan](#)) ([Ordinance 3344](#)) (Ed Childers) (Referred to committee: 06/26/06)
3. Information item to present the City's Master Sidewalk Plan. ([memo](#))—Regular Agenda (Doug Harby)
4. Approve the agreement between the City of Missoula and Lloyd A. Twite Family Partnership related to sanitary sewer extension and upsizing for the South Missoula Area ([memo](#)).—Regular Agenda (Monte Sipe) (Referred to committee: 11/09/09)
5. Approve the agreement for engineering services for SID 548 – 5<sup>th</sup> / 6<sup>th</sup> / Arthur Intersection safety improvements ([memo](#)).—Regular Agenda (Gregg Wood) (Referred to committee: 12/14/09)

#### **V. ADJOURNMENT**

Respectfully Submitted,

Jessica S. Miller  
Office Manager  
City Public Works Department