

PUBLIC WORKS COMMITTEE REPORT
September 30, 2009, 1:30 PM
City Council Chambers

Members Present: Jason Wiener (Chair), Ed Childers, Dick Haines, John Hendrickson, Bob Jaffe, Renee Mitchell, Dave Strohmaier, Pam Walzer, Jon Wilkins

Members Absent:

Others Present: Dan Jordan, Jack Stucky, Bruce Bender, Mark Muir, Jeff Smith, Gregg Wood, Doug Harby, Brian Hensel

I. ADMINISTRATIVE BUSINESS

- A. Approval of the minutes of [September 23, 2009](#) - Approved as submitted
- B. Announcements – None
- C. Public Comment on Non-Agenda items – None

II. CONSENT AGENDA ITEMS

- 1. Approve a [Resolution](#) Closing and Vacating a portion of a 5' Public Utility Easement in Lot 8 and a Public Non-Motorized Access Easement over and across the entire common area adjacent to Lot 9, all in Hellgate Meadows, Phases 1 and 2. ([memo](#)).—Regular Agenda (Dan Jordan) (Referred to committee: 09/28/09) **REMOVE FROM AGENDA**

Motion: The committee recommends the City Council adopt a Resolution Closing and Vacating all that portion of the 5 foot Public Utility Easement on Lot 8 lying east of the west lot line of Lot 9 projected north and the Public Non-Motorized Access Easement over and across the entire area of the Common Area adjacent to said Lot 9 all located in Hellgate Meadows, Phase 1 and 2 with conditions as noted in the resolution.

Dan Jordan, GIS Manager, stated that the resolution would vacate a utility easement and non-motorized access easement in Hellgate Meadows. The resolution included conditions stating that when the utilities have been relocated, Blackfoot will sign an easement release with the clerk and recorder. If the re-plat is not filed, the resolution will be null and void.

Mr. Wiener asked why the easement vacation was being requested. Mr. Jordan stated that WGM Group was doing an amended plat that would relocate the boundary lines. There will be the same number of lots, and the easements are in the middle of one of the proposed lots. Non-motorized access easement is on top of common area; will be moved south to that common area.

Mr. Jaffe asked about whether there was a net loss in common area or the public easement. Mr. Jordan stated that the Parks Department had approved the re-plat. Mr. Jaffe clarified that the item at hand was the moving of the utility and non-motorized easement, not the movement of lot lines. Mr. Jordan stated the lot line adjustment was part of the amended plat process.

Jeff Smith of WGM Group stated that the boundaries were being adjusted to accommodate the GSA Social Security building and meet security setback requirements. They coordinated with Jackie Corday in the Parks Department.

Ms. Walzer made the motion.

The motion passed unanimously.

- 2. Consider a resolution modifying Resolution 7375 to change the date of the fuel reduction plan from January 1, 2011 to July 1, 2011. ([memo](#)).—Regular Agenda (Jack Stucky) (Referred to committee: 09/28/09) **REMOVE FROM AGENDA**

Motion: The committee recommends the City Council adopt a resolution modifying Resolution 7375 to change the date of the fuel reduction plan from January 1, 2011 to July 1, 2011.

Bruce Bender, Chief Administrative Officer, stated that Resolution 7375 requested administration develop a plan for the reduction of fuel and electrical consumption. The project was assigned to Jack Stucky, Vehicle Maintenance Supervisor, and departments were given direction in the budgeting process to reduce fuel more than they had already been doing.

Mr. Stucky presented the fuel reduction plan. He stated that they had been reducing fuel usage for years, as well as reducing gas and electric. Fuel consumption has decreased 10% since 1998. During that time, there has been a growth in the amount of parkland and streets in the city. They have switched to using diesel trucks for some applications which used to use unleaded gas vehicles. Diesel usage is also down. All major projects, such as sweeping, paving, and so on, involve diesel use. Diesel consumptions will be impacted hard by new EPA standards going into effect in FY2010. In the long run, the changes will be good and reduce toxins in the air, but in the short-term, the vehicles become less efficient and use more fuel. Mr. Bender stated that vehicle usage had increased by 5.4% while fuel consumption had been reduced by 8%. Mr. Stucky stated departments had made changes in the way they did things, such as using ATVs instead of pickup trucks, bringing equipment on a trailer instead of driving it, and carpooling to work sites. Wastewater is close to meeting the 10% reduction, and Engineering has already made theirs. The departments which will be difficult to reduce are Streets and the Police Departments. He stated that saving 10% in those departments could be difficult without cutting services.

Mr. Jaffe asked whether the language in the resolution was for a reduction by department or was city-wide. Mr. Bender replied that it was a 10% reduction in fuel city-wide. He stated that the reduction would probably not be possible in diesel fuel, which puts a larger burden on unleaded fuel. The resolution specified a 10% reduction in fuel as well as a 10% reduction in power. They have already made big fuel reductions in the last 10 years, and encouraged starting the baseline measurement at an earlier date. The Parks Department has had a 30% reduction in unleaded fuel since 1998. Getting an additional 10% since 2007 will be difficult. Mr. Jaffe stated that making reductions in some areas will be hard, so they will have to do more in other areas. It is obvious they are going in the right direction, but interest is still there to meet that goal. Mr. Stucky stated that they provide services now which they did not provide before, such as leaf pickup.

Mr. Wilkins stated they have done a great job and that during budgeting, administration said they don't have to cut services this year.

Mr. Wilkins made the motion to adopt the resolution.

Mr. Stucky stated that it was easier to account in the fiscal year than in the calendar year, which is the reason for the change.

Mr. Strohmaier stated that the plan that was presented was what they were looking for when they adopted the resolution. Mr. Stucky stated that lots of departments had put a lot of work into the plan and found ways to make reductions.

Mr. Strohmaier stated that the intent was a city-wide reduction of 10%, not by department. The resolution should have more changes than just the date. He thought the second "therefore" statement which directed administration to develop a plan should be removed, because the plan has been completed, and perhaps it could be added as a whereas statement. It needed additional language recognizing the previous resolution, and that this one would repeal or acknowledge it. Mr. Bender stated that they have a plan, and some details of the plan could be acknowledged. The plan was set up on a departmental basis, and they could add that the reduction is centered on unleaded fuels, so it would not affect services. Mr. Strohmaier stated that the 10% fuel reduction goal city-wide was still clear.

The changes to the therefore statement were accepted as a friendly amendment.

The motion passed unanimously.

III. REGULAR AGENDA ITEMS

1. Consider a right-of-way encroachment permit for parking at 420 Nora Street. ([memo](#)).—Regular Agenda (Doug Harby) (Referred to committee: 09/28/09) **HELD IN COMMITTEE**

Doug Harby, Construction Project Manager, stated that with the remodel of the old Meadow Gold building, one request was to retain the angle parking on Nora Street. Part of the criteria for the remodel approval was that it be open to public parking. Other criteria for allowing angle parking are not having other parking on the lot and having a low traffic volume on the street. That type of parking doesn't normally comply with parking and landscaping requirements to meet zoning compliance, and they typically don't dedicate public parking as private to meet zoning requirements. They can't guarantee that the right-of-way (ROW) will always be available to be used to meet parking requirements. It raises questions about what obligation the City would have to provide parking if the ROW had to be used for something else. City Engineering recommended denial of the application.

Mr. Wiener asked whether the applicant was aware of the recommendation. Mr. Harby replied that he was not sure and stated they could hold the item in committee.

Mr. Childers asked if this was really a request for a street vacation but phrased differently. He also asked how wide the ROW was. Mr. Harby replied that city codes allow parking in the ROW to be used to meet parking requirements if there is an encroachment permit in place. Nora Street is 80 feet wide, and they want 22 feet of that for the eight to nine spaces. The sidewalk would remain public.

Mr. Hendrickson stated that he did not want the City to get into a legal tangle, and agreed with the recommendation. He asked how the building got approved without adequate parking. Mr. Harby stated that the scope of the project had changed since it was approved, with more density in building C. The parking in the original plan was just enough to meet the demand, which is one reason they allowed a change to the angle parking there, to accommodate overflow. Mr. Hendrickson asked whether it was possible to have private parking from 8 AM to 5 PM and open it up to the general public after that. Mr. Harby stated that would be an enforcement issue. In the past, they have let some businesses put signs up indicating that the parking is for that business, but Engineering does not condone that. The business cannot actually tow violators in that situation, because the parking is still public.

Mr. Jaffe stated that he was in favor of holding the item over, but was hesitant to grant the encroachment. He wanted to know what other options were available, such as leasing the parking or granting a variance. Mr. Harby stated that a variance may be the way to go.

Mr. Wilkins asked if they allowed the parking to be used privately, whether it would stay that way. He would like an answer when the item comes back to committee.

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 and authorize the Mayor to sign an agreement with the Montana Department of Transportation to receive \$49,742 for a Safe Routes to School project at Paxson School. ([PW](#))

V. ADJOURNMENT

Respectfully Submitted,

Jessica S. Miller
Office Manager
City Public Works Department