



# City Commission Agenda

for

## November 17, 2009

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**Please Note:** The City Commission agenda format allows citizens to speak on each issue prior to Commission action. We encourage your participation. Please keep your remarks concise and to the topic under consideration.

**CALL TO ORDER:** 7:00 P.M.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**NEIGHBORHOOD COUNCILS**

1. Miscellaneous reports and announcements.

**PUBLIC HEARINGS**

**OLD BUSINESS**

2. Memorandum of Understanding between City and Upper/Lower River Road Water and Sewer District for Service District #3. Action: Approve or deny Memorandum of Understanding. (***Presented by: Michael Haynes***)

**NEW BUSINESS**

**ORDINANCES/RESOLUTIONS**

**CONSENT AGENDA** *The Consent Agenda is made up of routine day-to-day items that require Commission action. Items may be pulled from the Consent Agenda for separate discussion/vote by any Commissioner.*

3. Minutes, November 3, 2009, Commission meeting.
4. Total Expenditures of \$1,989,807 for the period of October 26 through November 10, 2009, to include claims over \$5000, in the amount of \$1,831,934.
5. Contracts list.
6. Lien Release list.
7. Set public hearing for December 1, 2009, for consideration of the sale of the Salvation Army Addition Park property.
8. Accept DOE Energy Efficiency & Conservation Block Grant award in the amount of \$570,100.
9. Approve final payment in the amount of \$4,593.63 to United Materials of Great Falls and the State Miscellaneous Tax Fund for the Central Avenue – 7<sup>th</sup> to 9<sup>th</sup> Street Mill and Overlay.

Action: Approve Consent Agenda or remove items for further discussion and approve remaining items.

**BOARDS & COMMISSIONS**

10. Miscellaneous reports and announcements.

**CITY MANAGER**

11. Miscellaneous reports and announcements.

**PETITIONS AND COMMUNICATIONS** *(Public comment on any matter that is not on the agenda of the meeting and that is within the jurisdiction of the City Commission. Please keep your remarks to a maximum of 5 minutes)*

12. Miscellaneous reports and announcements.

**CITY COMMISSION**

13. Miscellaneous reports and announcements.

**MOTION TO ADJOURN**



**CITY OF GREAT FALLS**  
**COMMISSION AGENDA REPORT**

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**Item:** MOU between City and Upper/Lower River Road Water and Sewer District (ULRRWSD) for Service District #3

**From:** Bill Walters, Senior Planner

**Initiated By:** ULRRWSD

**Presented By:** Michael Haynes, Planning Director

**Action Requested:** City Commission approve Memorandum of Understanding

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**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (approve/deny) the Memorandum of Understanding between the City and Upper/Lower River Road Water and Sewer District for Service District #3 and authorize the City Manager to execute the agreement.”

2. Mayor calls for a second, discussion, inquiries from the public and calls the vote.

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**Staff Recommendation:** It is recommended that the City Commission approve the Memorandum of Understanding (MOU) with Upper/Lower River Road Water and Sewer District for Service District #3.

**Background:** The City has been involved in discussions with the City County Health Department and residents of the Upper/Lower River Road area since 1996 concerning the significant groundwater and drinking water quality problems experienced by the area. A water and sewer district was formed by the residents to determine the most cost effective method of correcting the situation and providing utility service.

Over the last several years, the District’s Board has investigated several ways to provide acceptable water and sewer service to the area. The most affordable alternative is for the property owners to annex into the City of Great Falls and receive municipal water and sewer service.

Annexation of Service District #1 of the ULRRWSD was approved by the City Commission on March 6, 2007, and the annexation of Service District #2 was approved March 10, 2009.

This MOU sets forth general conditions for water and sewer connections to Service District #3 from City utilities and the subsequent annexation of the 34 existing dwellings in the District to the City. The ULRRWSD and the property owners in Service District #3 will be responsible for paying the costs of the water and sewer infrastructure to serve District #3 which is estimated at \$1,378,000. The ULRRWSD will move to receive bids and construct improvements in 2010 immediately followed by annexation.

The City is willing to assist the District in providing an affordable method for landowners to proceed with the project. The project involves the District incurring debt to finance the required utilities, and with the understanding the landowners, in Service District #3, agree to annex to the City of Great Falls upon completion of construction of both water and sewer lines. Therefore, the City is proposing:

1. To allow annexation of Service District #3 upon receiving the necessary petitions immediately following construction.
2. No service line will be connected until a service agreement and annexation petition are received from the property owner.
3. To delay other normal city annexation requirements until debt service for water and sewer have been met. District residents understand that while the City will maintain roads within newly annexed territory, capital improvements will be delayed until such time as the property owners are willing to bear the expense of bringing the roadways up to acceptable city standards.

The public health and safety issues of the area support the city deviating from its established annexation policies. Annexation will occur by phase when utility lines have been extended by the District. The City of Great Falls will receive additional tax base, increased water and sewer utility revenues, increased population by some estimated 400 households when the whole district is annexed, and increased development potential.

**Concurrences:** Public Works, Fiscal and Planning Department staffs have primarily been involved in the review of the attached MOU which is very similar to the MOUs previously approved for Service Districts #1 & 2.

**Fiscal Impact:** The MOU will eventually lead to the annexation of Service District #3 which will result in expanded service responsibilities for the City. However, the costs associated with these additional services should be offset by the expanded tax base.

**Alternatives:** The City Commission could disapprove the MOU, but that would reflect a significant change in direction as previously exhibited through support of MOUs for Service Districts #1 & 2 and create a serious dilemma for the ULRRWSD.

**Attachments/Exhibits:**

1. Memorandum of Understanding
2. Vicinity Map

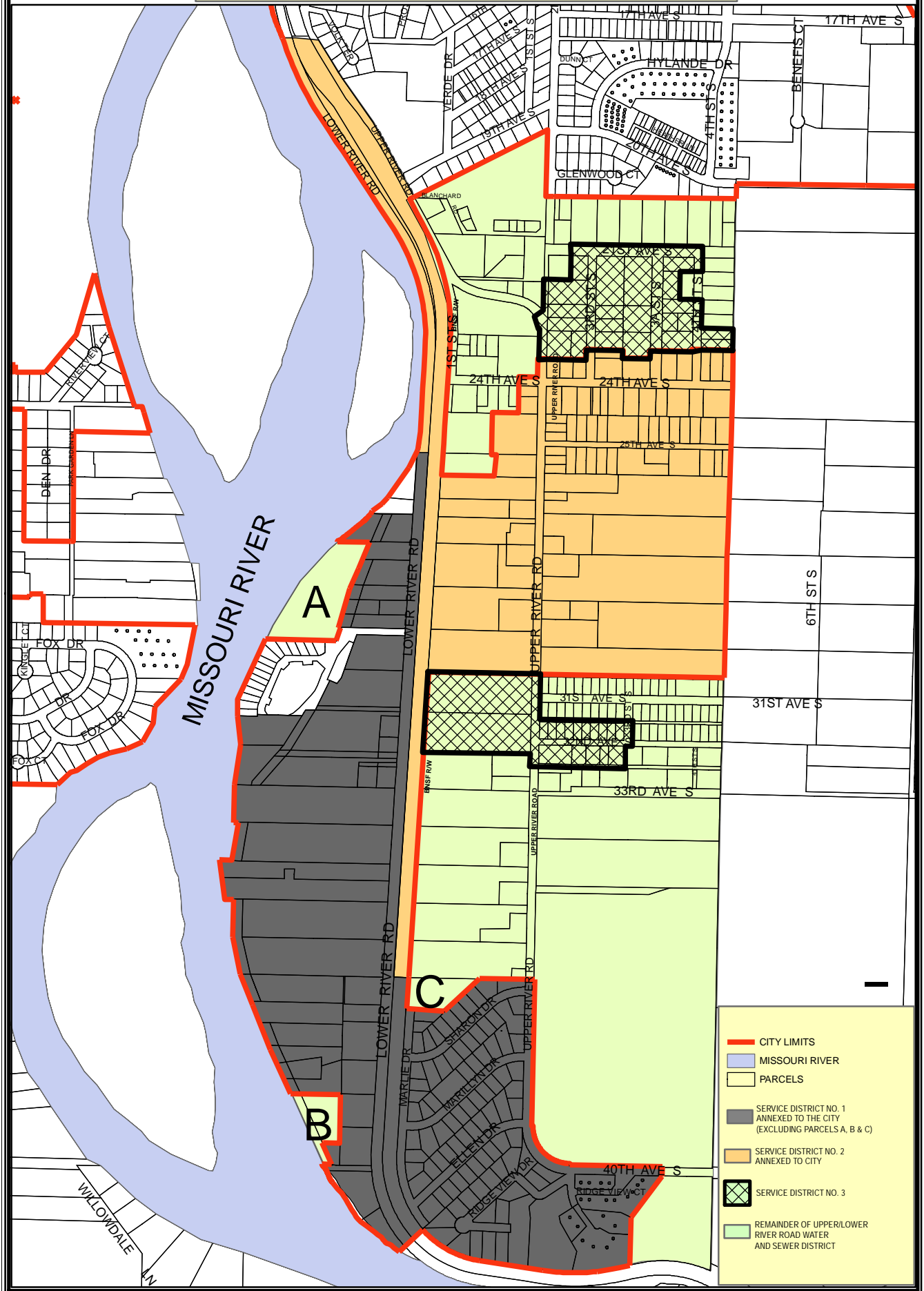
Cc: Jim Rearden, Public Works Director  
Dave Dobbs, City Engineer

Mike Rattray, Community Development Director  
John Stephenson-Love, 300 Central Ave, 7<sup>th</sup> Floor

# SERVICE DISTRICT NOS. 1, 2 AND 3

Upper/Lower River Road

Water & Sewer District



# MEMORANDUM OF UNDERSTANDING

## UTILITY CONNECTION CONDITIONS

Between

UPPER/LOWER RIVER ROAD WATER AND SEWER DISTRICT

Service District No. 3

And

CITY OF GREAT FALLS, MONTANA

This agreement is made and entered into this 5<sup>th</sup> day of November, 2009, by and among the City of Great Falls, Montana, a municipal corporation organized under the laws of the State, hereinafter referred to as the City, and the Upper/Lower River Road Water and Sewer District, Montana, a duly organized and incorporated county water and sewer district, hereinafter referred to as the District (collectively, the "Parties").

WHEREAS, the City currently owns and operates a municipal water system and a municipal sewer system (the "City Utilities"); and

WHEREAS, District and City have a mutual interest in improving water quality, resolving public health issues, removing sources of groundwater contamination, and improving the tax base of the community; and

WHEREAS, the District has determined that the most feasible way to provide water and sewer service is to divide the District into Service Districts, and pursuant thereto the District has provided water and sewer service to Service District No. 1 and to Service District No. 2 which have both been annexed to the City of Great Falls, and is now preparing to provide water and sewer service to the residents of Service District No. 3; and

WHEREAS, neither public water nor sewer service is available to the residents of Service District No. 3; and

WHEREAS, District and City have worked together in an attempt to provide affordable water and sewer service to District residents; and

WHEREAS, the District and the City have determined that the most cost effective manner of providing water and sewer services to serve Service District No. 3 is for the District to finance and install water and sewer lines and related necessary improvements to connect to the City's water and sewer systems (the Water Improvements and the Sewer Improvements, collectively, the "Project"); and

WHEREAS, the City's stated policy is to require annexation as a condition precedent to the provision of City Utilities; and

WHEREAS, the Parties have developed a preliminary plan to assist in financing water and sewer improvements with Grant and Low Interest Loan funds; and

WHEREAS, in an effort to encourage the construction of the Project and make it more affordable, the City is willing to modify its annexation requirements and make its City Utilities available to the residents of Service District No. 3 on terms the District deems favorable and as set forth in this agreement; and

WHEREAS, the District Board has held public meetings and accepted input from District residents, and has taken this input into consideration.

WITNESSETH:

IN CONSIDERATION OF THE PERFORMANCE OF THE TERMS AND CONDITIONS,  
THE PARTIES HERETO MUTUALLY AGREE AS FOLLOWS:

Section 1. Purpose. The purpose of this agreement is to set forth general conditions for water and sewer connections to Service District No. 3 of the Upper and Lower River Road Water and Sewer District to the City Utilities and the subsequent annexation of properties in the District to the City. It is mutually agreed that more specific and detailed conditions will be set forth in an Interlocal Agreement between the Parties.

Section 2. The Improvements. The District has determined that the most affordable and feasible method for bringing water and sewer service to the District is to create a number of "Service Districts" within the District and to bring water and sewer service to the Service Districts in phases. The Board has determined that portions of the District shown on Exhibits A-1 and A-2 shall be Water and Sewer Service District No. 3 (herein Service District No. 3). The District has been awarded grants for sewer and water improvements, which can be used for Service District No. 3 and on November 3, 2009, voters in Service District No. 3 approved the issuance of bonds to provide the remaining funds required for construction of the Project. Construction will be completed in 2010. This Memorandum of Understanding shall apply to Service District No. 3 but the Board intends to create additional water and sewer Service District(s) and obtain funding for water and sewer construction in such additional Service Districts. Thus, it is contemplated that this Memorandum of Understanding shall apply to water and sewer projects for such additional Service Districts, with such changes as are necessary to fit each particular Service District.

Section 3. Petition for annexation. The owner of each parcel of land in Service District No. 3 which is to receive a water or sewer connection shall sign, as a condition to receiving City water or sewer service, a petition requesting annexation and waiving the right of protest of annexation. The District will provide the City with a legal description and exhibit of the Service

District No. 3 boundaries for annexation purposes prior to awarding the contract for construction of improvements for Service District No. 3.

Section 4. City Water and Sewer Contracts. Once water or sewer service is available in Service District No.3, neither replacement drain fields nor other drinking water systems will be allowed within Service District No. 3. Individual irrigation wells are allowable, if no cross connection occurs between irrigation and public water mains. No service lines will be connected to the City's sewer or water system until the City has received executed water and sewer service agreements from the owners of the properties to be served and all applicable utility service line tapping, connection and inspection fees have been paid. Property owners in Service District No. 3 not signing an appropriate water or sewer service agreement will still be assessed or charged for the Service District No. 3 Improvements.

Section 5. Zoning; Legal Non-Conforming Use. Once the property in Service District No. 3 is annexed to the City, the City will zone the property consistent with the existing suburban residential and other mixed land uses in the area. All existing commercial, multifamily, and light industrial uses, which were legally established under zoning in effect at the time of annexation, will be allowed to continue.

Section 6. Ownership, Operation and Maintenance. The City will assume ownership of the Improvements in Service District No. 3 upon substantial completion of the Improvements and acceptance by the City. The District shall require that the Improvements be subject to a two-year warranty from the contractor. The City will be responsible for the operation and maintenance of the Improvements, at citywide standard rates per user. The City will bill each user directly for the costs of operations and maintenance. The City will give legal notice of any proposed rate increase. The capital costs of the Project will be payable separately by the users or property owners in Service District No. 3 in accordance with the method of financing used to construct the Improvements. The City will provide administrative services to Service District No. 3 at no additional cost, for accounts management, billing, and debt service collection as appropriate.

Section 7. Reimbursements.

7.1. The District agrees to reimburse the City for Harold Mora for \$36,522 and for Roy Volk for \$92,320, per their annexation agreements, and to the City for the cost of an eight (8) inch equivalent water main (\$170,456) not to exceed \$299,298 total. The District has to date reimbursed the City \$132,000, due to Mora and Volk, of this amount as part of the construction costs of the water and sewer improvements constructed in Service District No. 1 and has reimbursed the City an additional \$83,300 of this amount as part of the costs of the water and sewer improvements constructed in Service District No. 2. The remaining reimbursement shall be prorated among the Service Districts within the District based on Equivalent Dwelling Units (EDU's). The pro rata share for Service District No. 3 is determined to be \$23,495.



Subsequently created Service Districts shall bear their respective pro rata shares until the City is reimbursed the total sum of \$299,298 for all phases. Reimbursement for each phase will be determined by the percentage of EDU's in that phase in comparison to the total number of EDU's in the District. Reimbursement to the City for previous construction of South Interceptor sewer main, Schedule IV, Section One (1) through the District will not be required.

Section 8. Parkland and Storm Drain Fee.

8.1. The City will waive the Parkland dedication requirement as well as payment in lieu of Parkland dedication associated with the annexation of the District property to the City.

8.2. Upon annexation of Service Districts to the City, the District will pay the standard storm drain fee (\$250 per acre). The storm drain fee for Service District No. 3 is calculated to be \$8,240 based on 32.96 acres. The City agrees to the extent possible to use such storm sewer fees to construct and install storm drainage facilities in the Service Districts.

Section 9. No Waiver of Right to Protest Other Special Improvement Districts. The City will not require residents of Service District No. 3 to waive their right of protest for future special improvement districts for roadway, street lighting, and storm drain improvements. It is mutually agreed and understood that the District will not be involved in formation of roadway, storm drain, lighting, or other Special Improvement Districts. Nothing herein obligates the City to upgrade or improve roadways within the District.

Section 10. Life Safety Code Inspection, Expense.

10.1. The City will utilize no interest "deferred payment" CDBG housing rehab funds to assist income eligible residents in meeting life safety codes and / or constructing utility service lines.

Section 11. City Contributions.

11.1. The City will bear the cost of over-sizing of all water and sewer pipelines in the District that are required for future growth to the south, east and west of the District as determined by the City.

11.2. The City will endorse and support all District efforts for funding of the Project.

Section 12. Permits and Connections

12.1 The District will obtain a water service permit and a sewer permit from the City as specified by current City ordinance for each property to be served. These permits may not

include the cost of the corporation, curb stop and curb box as those materials may be part of the project.

12.2 A licensed plumbing contractor will be required for all water service line installations. Each individual property owner will employ a licensed plumbing contractor to obtain necessary permits from the City to extend the service from the curb box to the house. The City retains the right of inspection and approval of water service lines.

12.3 Each individual sewer connector to the District's sewer main, while it is under the jurisdiction of the District, will obtain a City sewer permit for extension of the service line from the property line to the building. The City will then inspect the sewer service line from the property line to the house connection.

12.4 The District will inspect main line and service piping within the public easements and rights of way consistent with City inspection policy.

### Section 13. City Water and Sewer Ordinances Applicable

Section 13.1 The District will enact an ordinance specifying that users of water and sewer service within the District shall be subject to applicable city water and sewer ordinances.

### Section 14. Debt for District Improvements.

14.1. The District shall be responsible for paying the costs of the Improvements, except as provided in Section 11.

14.2. The District Board has determined that bonded indebtedness shall be repaid from special assessments based on an equal method of assessment (the equivalent dwelling unit method). The District will enact ordinances and resolutions as may be required for the repayment of District debt, including ordinances that will require that new subdivisions or users who obtain new or additional water and/or sewer service after original construction and who have not contributed to the capital costs of the Improvements shall pay a pro-rata share of the costs of the Improvements.

Section 15. Individual Annexation. The annexation conditions and concessions of this Memorandum will not apply to individual properties within the District wishing to annex prior to or separate from overall District annexation. The City will administer such annexations in accordance with standard City policies and procedures.

Section 16. Reimbursements to District residents. Future users who connect to District financed water and sewer main extensions will pay a connection fee equal to the pro-rated cost of

the project improvements, even after annexation. Connection fee revenues shall be utilized in the best interest of overall water and sewer district residents, as determined by the District Board.

Section 17. Monthly Storm Drain Fees. All lots in all Service Districts will be assessed monthly storm drain fees per "Land Use Classification Group E", regardless of land use or number of dwelling units on the parcel, under the City Storm Drain Ordinance for developed property that does not discharge to an underground storm drainage system. Changes can be made to the Land Use Classifications for a property or group of properties if underground storm drainage improvements are made or if the land use code for a property changes. It is mutually understood that if or when formal storm drain capital improvements are installed by the City, the user classifications may change.

*By the City of Great Falls:*

\_\_\_\_\_  
Greg Doyon, City Manager

*By the District:*

\_\_\_\_\_  
John Stephenson-Love, President

Attest: \_\_\_\_\_

Attest: \_\_\_\_\_

Regular City Commission Meeting

Mayor Stebbins presiding

**CALL TO ORDER: 7:00 PM**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** City Commissioners present: Dona R. Stebbins, Bill Bronson, John Rosenbaum and Bill Beecher. Also present were the Assistant City Manager, Acting City Attorney, Directors of Community Development, Fiscal Services, Park and Recreation, Planning and Public Works, Interim Library and Planning Directors, the Assistant Fire Chief, Police Chief, and the City Clerk.

**PRESENTATION:** Preservation Officer Ellen Sievert presented the Official City of Great Falls Ornament: Great Falls 125<sup>th</sup> Anniversary, Vinegar Jones Cabin

**NEIGHBORHOOD COUNCILS**

1. There were no miscellaneous reports or announcements from neighborhood council representatives.

**PUBLIC HEARINGS**

**OLD BUSINESS**

**NEW BUSINESS**

**ORDINANCES/RESOLUTIONS**

**Ord. 3046. Accepted on first reading and set public hearing for December 1, 2009.**

**2. ORDINANCE 3046, ASSIGN CITY ZONING TO CASTLE PINES ADDITION, PHASE VIII.**

Interim Planning Director Bill Walters reported that in September the City Commission conditionally approved the Preliminary Plat of Castle Pines Addition, Phases VIII-IX. The developer of Castle Pines Addition, Harold Poulsen, has requested approval of the final plat and annexation of Phase VIII of the Preliminary Plat. The subdivision consists of 14 single-family residential lots along 29<sup>th</sup> Avenue South between 15<sup>th</sup> and 16<sup>th</sup> Streets South. Ordinance 3046 assigns a City zoning classification of R-3 Single-Family district to Castle Pines Addition, Phase VIII.

Mr. Walters requested that the Commission accept Ordinance 3046 on first reading and set a public hearing for December 1, 2009, when the final plat and annexation documents will also be considered.

**Commissioner Rosenbaum moved, seconded by Commissioner Bronson, that the City Commission accept Ordinance 3046 on first**

**reading, and set public hearing for December 1, 2009.**

Mayor Stebbins asked if there was any discussion amongst the Commissioners or inquiries from the public. No one responded.

Motion carried 4-0.

**Res. 9871. Adopted.**

**3. RESOLUTION 9871, A RESOLUTION SUPPORTING CONGRESSIONAL RECOGNITION OF THE LITTLE SHELL TRIBE OF CHIPPEWA INDIANS IN MONTANA.**

Commissioner Bronson reported that in 2006 the City Commission passed Resolution 9623 supporting federal recognition of the Little Shell Tribe of Chippewa Indians. Recently, it was made aware that the Office of Federal Acknowledgements (OFA), despite having made preliminary findings in support of recognition of the Tribe in 2000, has now come to the conclusion that the Tribe is not entitled to federal recognition.

Senators Baucus and Tester, and Congressman Rehberg have spoken out publicly about the long delays in the administrative process. Senator Tester has commented that the system is “broken.”

Commissioner Bronson proposed at the agenda meeting that the Commission reaffirm its support, and to recognize that the only way for the Tribe to receive recognition is through the congressional process.

**Commissioner Bronson moved, seconded by Commissioner Beecher, that the City Commission adopt Resolution 9871.**

Mayor Stebbins asked if there was any discussion amongst the Commissioners. No one responded.

Mayor Stebbins asked if there were any inquiries from the public.

**James Parker Shield**, reported that Great Falls serves as the headquarters for the Little Shell Chippewa Tribe. The largest population of tribal members resides in the Great Falls area, and they see the City of Great Falls as one of their strong partners in their effort to obtain federal recognition. The process through the Bureau of Indian Affairs is broken. The United States Senate is conducting a hearing tomorrow about the process. He noted that the recognition would benefit the community as a whole.

**John Gilbert**, 3509 14<sup>th</sup> Avenue South, commented that he is a small business owner in Great Falls. Living in the City of Great Falls for the past six years has been a pleasure. Mr. Gilbert reported that he is a Little Shell Tribe member, past-chairman of the Tribal council, and has been to Washington D.C. to represent the Little Shell Tribe on the federal recognition committee. He did not think they were being treated fairly. The

Department of Interior has made a gross mistake on behalf of the Little Shell people. All members across the state were saddened by the negative determination. On behalf of the Little Shell people, he thanked Commissioner Bronson for coming forward with this resolution.

Motion carried 4-0.

**Consent Agenda.  
Approved.**

**CONSENT AGENDA**

4. Minutes, October 20, 2009, Commission meeting.
5. Minutes, October 23, 2009, Special Commission meeting.
6. Total expenditures of \$1,543,994 for the period of October 15-29, 2009, to include claims over \$5,000, in the amount of \$1,330,958.
7. Contracts list.
8. Lien release list.
9. Award construction contract to Phillips Construction LLC in the amount of \$53,674 for the Gore Hill Sanitary Sewer Relocation. **OF 1425.3**
10. Approve Change Order No. 1 in the amount of \$3,000.28 and final payment in the amount of \$3,465.28 to River City Concrete and final payment to the State Miscellaneous Tax Division in the amount of \$35 for the 2009 Valley Gutters and Handicap Ramps. **OF 1485.7**
11. Approve the Utilities Agreement with the Montana Department of Transportation for the reconstruction of 10<sup>th</sup> Avenue South, from 26<sup>th</sup> to 20<sup>th</sup> Street. **OF 1447**

**Commissioner Beecher moved, seconded by Commissioner Bronson, that the City Commission approve the Consent Agenda as presented.**

Mayor Stebbins asked if there was any discussion amongst the Commissioners. No one responded.

Mayor Stebbins asked if there were any inquiries from the public.

**Kathy Gessaman**, 1006 36<sup>th</sup> Avenue NE. With regard to Item 7b, Ms. Gessaman inquired if CTA Architects and Engineers would include energy efficiency standards in their design and was responded to affirmatively.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, raised an objection to the minutes concerning his comments on agenda items 2 and 3 that the minutes, in his opinion, were inadequate. With regard to Item 6, Mr. Gessaman requested an explanation for the NorthWestern Energy and Montana Waste Systems charges. He was informed that the charge for September to Montana Waste System was the monthly tipping fees at the High Plains Landfill, and that the bill from NorthWestern Energy for Special Lighting Districts was for the cost of distribution and lease fees as a replacement factor. Those charges are approved by tariff from the Public Service Commission statewide.

Mr. Gessaman recalled that a prior representation was made that the charges were exclusive to Great Falls and were not statewide.

Motion carried 4-0.

### **BOARDS & COMMISSIONS**

**Minor Plat of Salvation  
Army Addition.  
Approved.**

#### **12. MINOR PLAT OF SALVATION ARMY ADDITION.**

Interim Planning Director Bill Walters reported that the Salvation Army has leased property from the City at 17<sup>th</sup> Avenue South and 9<sup>th</sup> Street for their recreation facility and softball field since 1975. In preparation of the possible sale of the property to the Salvation Army, the City has caused to be prepared the Minor Plat of Salvation Army Addition which consolidates various parcels and updates the description of the involved property. The portion of the Minor Plat not leased by the Salvation Army is the City Pet Cemetery which the City intends to retain and for which a variance is needed for an access easement.

The Planning Board has recommended the City Commission approve the Minor Plat of Salvation Army Addition and the involved variance.

**Commissioner Bronson moved, seconded by Commissioners Beecher and Rosenbaum, that the City Commission approve the Minor Plat of Salvation Army Addition and grant a variance allowing access for Lot 2 through an easement provided within Lot 1 of said Minor Plat.**

Mayor Stebbins asked if there was any discussion amongst the Commissioners. No one responded.

Mayor Stebbins asked if there were any inquiries from the public.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, inquired if the water service to the Pet Cemetery would continue, and was informed the irrigation and maintenance would continue. Mr. Gessaman commented that he did not see the access easement on the Minor Plat. Park and Recreation Director Marty Basta responded that the property was recently surveyed by Woith Engineering. The City will retain a 20' easement on the eastern boundary of Lot 1 for access to the Pet Cemetery.

Motion carried 4-0.

#### **13. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

### **CITY MANAGER**

**14. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Assistant City Manager Cheryl Patton introduced Mike Haynes, the new Planning Director, and welcomed him to the management team as well as to the City of Great Falls.

**PETITIONS AND COMMUNICATIONS****15. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Mayor Stebbins opened the meeting to Petitions and Communications.

**Great Falls Airport  
Authority Board/Cynthia  
Schultz.**

**15A. Kevin O'Donnell**, 614 Park Drive South, **Ed Buttrey**, 27 Granite Hill Lane, **Ben Ives**, 750 6<sup>th</sup> Street SW, **Dave Bertelson**, 1209 Buena Drive, and **Rod Jackson**, 217 19<sup>th</sup> Avenue NW, all expressed opposition to the Great Falls Airport Authority Board's recent decision to not renew Cynthia Schultz's contract. Everyone spoke very highly of the many accomplishments and projects completed under her leadership as Airport Director. They urged the City Commission to do what it could to work with the current director on a new contract that will be suitable to both parties so that the community wouldn't be jeopardized by losing an asset.

**Standard & Poor's  
report, ECP.**

**15B. Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, discussed the Standard & Poor's BBB rating as reported by the *Tribune*, and disagreed with prior statements made that the rating was favorable. Mr. Gessaman discussed contents of the report regarding the cost of the plant and busbar cost of power from the project in 2012, also being more than what has been previously stated. Mr. Gessaman also read blog comments from today's *Tribune* article regarding last night's ECP Board meeting.

**CITY COMMISSION****16. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**



**ADJOURNMENT**

**Adjourn.**

There being no further business to come before the Commission, **Commissioner Bronson moved, seconded by Commissioners Beecher and Rosenbaum, that the regular meeting of November 3, 2009, be adjourned at 7:43p.m.**

Motion carried 4-0.

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Mayor Stebbins

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City Clerk

Minutes Approved: November 17, 2009



Agenda # 4  
Commission Meeting Date: November 17, 2009

**CITY OF GREAT FALLS  
COMMISSION AGENDA REPORT**

**ITEM:** \$5,000 Report  
Invoices and Claims in Excess of \$5,000

**PRESENTED BY:** Fiscal Services Director

**ACTION REQUESTED:** Approval with Consent Agenda

**TOTAL CHECKS ISSUED AND WIRE TRANSFERS MADE ARE NOTED BELOW WITH AN  
ITEMIZED LISTING OF ALL TRANSACTIONS GREATER THAN \$5000:**

MASTER ACCOUNT CHECK RUN FOR OCTOBER 29, 2009 TO NOVEMBER 4, 2009	469,023.03
MASTER ACCOUNT CHECK RUN FOR NOVEMBER 5, 2009 TO NOVEMBER 10, 2009	716,476.03
MUNICIPAL COURT ACCOUNT CHECK RUN FOR OCTOBER 26, 2009 TO OCTOBER 30, 2009	45,140.00
MUNICIPAL COURT ACCOUNT CHECK RUN FOR OCTOBER 31, 2009 TO NOVEMBER 6, 2009	1,535.00
WIRE TRANSFERS FROM OCTOBER 30, 2009 TO NOVEMBER 4, 2009	59,815.34
WIRE TRANSFERS FROM NOVEMBER 5, 2009 TO NOVEMBER 10, 2009	697,817.94
<b>TOTAL: \$</b>	<b><u>1,989,807.34</u></b>

**GENERAL FUND**

**CITY COMMISSION**

BURNS & MCDONNELL	PMT #1 ENERGY CONSULTANT SERVICES	35,796.00
CASCADE COUNTY ELECTION DEPT	2009 MUNICIPAL PRIMARY ELECTION	36,105.60

**SPECIAL REVENUE FUND**

**PLANNING**

MICHAEL HAYNES	REIMBURSEMENT FOR MOVING EXPENSES	7,451.63
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**STREET DISTRICT**

UNITED MATERIALS	PMT #2 5TH AVE S & 13TH AVE S RECONSTRUCTION	54,960.24
CONCRETE DOCTOR	PMT #2 FOR MISC CONCRETE MUDJACKING	6,372.11

**FEDERAL BLOCK GRANTS**

CASCADE ELECTRIC CO	PMT #1 LABOR & MATERIALS FOR ELECTRIC UPGRADE COMMUNITY REC CENTER	12,811.54
NEIGHBORWORKS	PURCHASE FORECLOSED PROPERTY 1326 5TH AVE S	107,166.00
HANDS PROGRAM	SCHOLARSHIPS FOR SEPTEMBER 2009	6,897.04
A T KLEMENS & SONS	PMT #1 & #2 ROOF REPLACEMENT @ CENTER FOR MENTAL HEALTH	58,995.00
DAVID KUGLIN	PMT #2 FOR 2009 CDBG HANDICAP RAMPS (SPLIT AMONG FUNDS)	40,639.00
KALEX CONSTRUCTION & DEVELOPMENT	PMT #1 LABOR FOR DOOR & WINDOW REPLACEMENT @ CENTER FOR MENTAL HEALTH	15,239.25

**SPECIAL REVENUE FUND CONTINUED**

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**HOME GRANTS**

NEIGHBORWORKS	DRAWDOWN #12 FROM NHS	69,026.16
NEIGHBORWORKS	DRAWDOWN #13 FROM NHS	62,998.57
NEIGHBORWORKS	DRAWDOWN FOR DOWN PAYMENT ASSISTANCE PER NHS	15,747.11

**ENTERPRISE FUNDS**

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**WATER**

UNITED MATERIALS	PMT #1 7TH & 8TH AVE S WMR (SRF) REPLACEMENT OF PORTIONS OF WATER SYSTEM	199,554.82
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**SEWER**

NCI ENGINEERING	PMT #16 LIFT STATION & WWTP REHAB PROJECT	10,230.00
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**STORM DRAIN**

DAVID KUGLIN	PMT #3 22ND STREET SO STORM DRAIN EXTENSION	69,472.80
CASCADE COUNTY TREASURER	PROPERTY TAX FOR WESTSIDE FLOOD DISTRICT	13,414.91
DAVID KUGLIN	PMT #2 FOR 2009 CDBG HANDICAP RAMPS (SPLIT AMONG FUNDS)	6,758.44

**PARKING**

ENTRANCE CONTROLS INC	RE-WIRE ARM FOR ENTRY TICKET DISPENSERS, TO ARM THE FEE COMPUTER AT THE EXIT POINT & INSTALLATION OF COUNTERS	6,182.46
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**ELECTRIC**

SOUTHERN	PMT OF ENERGY SUPPLY EXPENSE OCT 09	650,000.00
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**CIVIC CENTER EVENTS**

CLUB BIG HOUSE	PAY OUT TICKET PROCEEDS CONTRACT #10-23 RODNEY CARRINGTON	46,251.55
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**INTERNAL SERVICES FUND**

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**HEALTH & BENEFITS**

BLUE CROSS/BLUE SHIELD	HEALTH INS CLAIMS OCT 27-OCT 31, 2009	59,393.59
BLUE CROSS/BLUE SHIELD	ADMIN & REINSURANCE NOVEMBER 2009	47,817.94

**INSURANCE & SAFETY**

MONTANA MUNICIPAL INTERLOCAL AUTHORITY	OCTOBER 2009 GEN LIAB DEDUCTIBLE RECOVERIES	18,852.39
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**CENTRAL GARAGE**

MOUNTAIN VIEW CO-OP	FUEL	18,139.50
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**TRUST AND AGENCY**

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**COURT TRUST MUNICIPAL COURT**

CITY OF GREAT FALLS	FINES & FORFEITURES COLLECTIONS	25,603.00
CASCADE COUNTY TREASURER	FINES & FORFEITURES COLLECTIONS	9,800.00
VICTIM WITNESS ASSISTANCE SERV	FINES & FORFEITURES SURCHARGES	5,257.00

**UTILITY BILLS**

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NORTHWESTERN ENERGY	SEPTEMBER 2009 CHARGES	21,605.86
ENERGY WEST	OCTOBER 2009 CHARGES	15,991.54
MONTANA WASTE SYSTEMS	OCTOBER 2009 CHARGES	77,403.03

<b>CLAIMS OVER \$5000 TOTAL:</b>	\$ <u>1,831,934.08</u>
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**CITY OF GREAT FALLS, MONTANA**

**AGENDA: 5**

**COMMUNICATION TO THE CITY COMMISSION**

**DATE: November 17, 2009**

**ITEM:** CONTRACT LIST  
Itemizing contracts not otherwise approved or ratified by City Commission Action  
(Listed contracts are available for inspection in the City Clerk's Office.)

**PRESENTED BY:** Lisa Kunz, City Clerk

**ACTION REQUESTED:** Ratification of Contracts through the Consent Agenda

**MAYOR'S SIGNATURE:** \_\_\_\_\_

**CONTRACT LIST**

	DEPARTMENT	OTHER PARTY (PERSON OR ENTITY)	PERIOD	FUND	AMOUNT	PURPOSE
A	Public Works – Engineering	Howard Cary	In effect for perpetuity from date of execution (unless released afterwards)	N/A	N/A (Upper Lower Water Sewer District No. 3 to pay recording fees)	Utility Easement for sanitary sewer main (Lot 26 per amended plat #5608 of Grandview Tracts, Section 13, T20N, R3E)

<b>B</b>	Public Works – Engineering	Howard Cary	In effect for perpetuity from date of execution (unless released afterwards)	N/A	N/A (Upper Lower Water Sewer District No. 3 to pay recording fees)	Utility Easement for sanitary sewer main (Lot 30 per amended plat #5608 of Grandview Tracts, Section 13, T20N, R3E)
<b>C</b>	Park and Recreation/ Mansfield Events Office	Montana Repertory Theatre	02/11/2010	571	\$3,500	Montana Repertory Theatre Leading Ladies Tour Contract (promote Montana Repertory Theatre w/Great Falls Community Concert Assoc.)
<b>D</b>	Public Works	Dickman Excavating	2009/2010	237-3131-532-2799	\$40,000	Annual street sanding material for snow and ice control

**CITY OF GREAT FALLS, MONTANA  
COMMUNICATION TO THE CITY COMMISSION**

**AGENDA: 6  
DATE: November 17, 2009**

**ITEM:** LIEN RELEASE LIST  
Itemizing liens not otherwise approved or ratified by City Commission Action  
(Listed liens are available for inspection in the City Clerk's Office.)

**PRESENTED BY:** Lisa Kunz, City Clerk

**ACTION REQUESTED:** Ratification of Lien Releases through the Consent Agenda

**MAYOR'S SIGNATURE:** \_\_\_\_\_

**LIEN RELEASES**

	DEPARTMENT	OTHER PARTY (PERSON OR ENTITY)	PERIOD	FUND	AMOUNT	PURPOSE
A	Fiscal Services	Property Owner – Laurie A. Migneault	Current	237-3131-532-3599	\$200.00	Partial Release of Resolution #9762 for assessing the cost of removal and disposal of nuisance weeds at 1400 18 <sup>th</sup> Avenue South, Lot 1- 2, Blk 20, Prospect Park Addition. Parcel #1280600

<b>B</b>	Fiscal Services	Property Owner – Wells Fargo Bank, NA	Current	513-3165-532-3599	\$237.61	Partial Release of Resolution #9765 to levy and assess properties for unpaid utility services at W37½' Lot 11, Blk 187, Great Falls Original. Parcel #79800
<b>C</b>	Fiscal Services	Property Owner – Penny Huntsberger	Current	513-3165-532-3599	\$820.96	Partial Release of Resolution #9765 to levy and assess properties for unpaid utility services at Lot 14, Blk 487, Great Falls First Addition. Parcel #262800
<b>D</b>	Fiscal Services	Property Owner – Christine J. & Aladreth Nelson	Current	237-3131-532-3599	\$200	Partial Release of Resolution #9861 to assess the cost of removal and disposal of nuisance weeds at 603 Willowcreek Court, Lot 8, Block 12, Portage Meadows 3 <sup>rd</sup> Addition. Parcel #1234750
<b>E</b>	Fiscal Services	Property Owner – Secretary of HUD	Current	513-3165-532-3599	\$382.55	Partial Release of Resolution #9860 to levy and assess unpaid utility services located at 312 11 <sup>th</sup> Street North, Lots 6-7, Block 240, Great Falls First Addition. Parcel #114550





**Item:** Sale of City Owned Park Land: Lot 1 of Salvation Army Addition – 1000 17<sup>th</sup> Avenue S.

**From:** Marty Basta, Parks and Recreation Director

**Initiated By:** Parks and Recreation Department

**Presented By:** Marty Basta, Parks and Recreation Director

**Action Requested:** Set a Public Hearing

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**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission set a public hearing for the consideration of the sale of Salvation Army Addition Park property for December 1, 2009.”

2. Mayor calls for a second, discussion, inquiries from the public, and calls the motion and vote.

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**Staff Recommendation:** Staff recommends that the City Commission set a public hearing for the consideration of the sale of Lot 1 of the Salvation Army Addition Park property located at 1000 17<sup>th</sup> Avenue South for December 1, 2009.”

**Background:** The Salvation Army, a California Corporation, has leased 3.68 acres of park land in the Highland Park Addition since July 1, 1974 at a cost of \$1.00 per year. They have since constructed a Family and Youth Center on the property as well as irrigation and improvements associated with a baseball field. The 35 year lease of the Park property expired July 1, 2009. The Salvation Army contacted the City to request a lease renewal for their facilities on Park property. The Salvation Army indicated that they would be interested in purchasing the Park land, for its appraised value, to provide long term security for the substantial investment made to the property since the original 1974 lease.

In accordance with Title 3, Chapter 4, Section 3.4.040 OCCGF “**Appraisal**” a fair market value was established for the Park land, previously leased by the Salvation Army, based on an appraisal prepared in accordance with Uniform Standards of Professional Appraisal Practices. The 3.68 acres leased by the Salvation Army was appraised at \$470,000.00.

A Minor Plat of the Salvation Army Addition as well as a variance allowing access for Lot 2, the City Pet Cemetery, through an easement provided within Lot 1 of the said Minor Plat was approved by the City Commission on November 3, 2009.

Title 3, Chapter 4, Section 3.04.50 OCCCGF “**Bidding**” states that “The sale trade or lease of said property must be made to the highest responsible bidder except:

1. Where there is no actual potential for more than one party interested in making a bid;”

The determination that there are “no actual potential bidders” is based on: 1) The length of the lease between the City and the Salvation Army (35 years); 2) Significant improvements made to the property by the Salvation Army (construction of the building and parking lot); 3) No other party has expressed an interest in leasing the area.

**Concurrences:** The Park Advisory Board approved the sale of the Salvation Army Park property at their August 10, 2009 meeting. Neighborhood Council #6 also endorsed the sale of the property at their November 4, 2009 meeting. This transaction has been reviewed and approved by the City Attorney.

**Fiscal Impact:** The sale of that portion of the Salvation Army Addition previously leased by the Salvation Army will provide revenue to the Park Trust Fund.

**Alternatives:** The City Commission could reject the sale of the Salvation Army Park property and authorize staff to renew the lease of the Park property to the Salvation Army.



**Item:** Department of Energy (DOE), Energy Efficiency & Conservation Block Grant

**From:** Community Development Department

**Initiated By:** Chris Imhoff, CDBG/HOME Administrator

**Presented By:** Mike Rattray, Director of Community Development

**Action Requested:** Accept the DOE Energy Efficiency & Conservation Block Grant award in the amount of \$570,100

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**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (accept/reject) the DOE Energy Efficiency & Conservation Block Grant award in the amount of \$570,100.”

2. Mayor calls for a second, discussion, inquiries from the public, and calls the vote.

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**Staff Recommendation:** Staff recommends the City Commission accept the DOE grant award.

**Background:** In April 2009, the federal Department of Energy released stimulus funding for Energy Efficiency & Conservation Block Grant allocations to cities and states of the nation. The City of Great Falls was allocated \$570,100. The City Commissioners were provided a list of proposed projects for the Energy Efficiency and Conservation Block Grant (EECBG) during the Work Session on June 16, 2009. Approval was given to submit the projects as part of the EECBG application. A grant application for these funds listing the seven project activities was submitted to DOE in June. Great Falls was awarded the grant on October 30, 2009.

A 10% match, identified in the current operating budget for in kind labor and reserves has been provided for the grant. Additionally rebates from NorthWestern Energy for lighting efficiency upgrades have been included in the project budgets.

**Significant Impacts**

The funds will be utilized for energy conservation projects in city owned buildings and infrastructure that will save ongoing utility costs for the City. The City will develop an

Energy Efficiency and Conservation Strategy that can be used in the future to garner additional federal funds for energy efficiency related grants. Energy audits will be carried out on all city owned buildings to reveal energy saving strategies.

#### Citizen Participation

Not applicable

#### Workload Impacts

Some staff time will be utilized for grant reporting, accounting, procuring contractors or materials, and accommodating work site preparation for projects.

#### Purpose

The grant is designed to allow communities to develop energy efficiency and conservation strategies that will augment planning for projects to conserve energy. The focus of the Great Falls grant application was saving energy and tax payer dollars by operating City owned buildings more efficiently through lighting and HVAC system upgrades.

#### Project Work Scope

The grant funds are budgeted for seven projects: 1) professional services to undertake an energy audit of all of the city owned, occupied buildings, and to develop a full blown Energy Efficiency and Conservation Strategy; 2) replace city owned traffic and pedestrian signal lights with energy efficient LED lights; 3) upgrade all of the ballasts and lamps in the four city fire stations and the fire training center to energy efficient lighting; 4) upgrade all of the ballasts and lamps in the police station to energy efficient lighting; 5) upgrade the HVAC and lighting in the Park and Recreation Department main building and shop buildings; 6) upgrade the Public Works engineering building HVAC and replace existing Public Works Administration Building atmospheric gas fired boiler with new condensing boiler and roof mounted air conditioner unit; and 7) reseal 50 leaking windows and replace 19 fogged window panes in the City/County Health Building.

#### Evaluation and Selection Process

All City Departments were asked to submit projects that would result in energy efficiency and conservation. All projects that were submitted with professional documentation of energy savings were included in the application.

#### Conclusion

This grant not only provides the City the opportunity to complete some energy efficiency projects for city owned buildings, but it will result in energy audits for all major city owned buildings and a key element necessary to apply for future energy conservation grants and Energy Efficiency and Conservation Strategy for the City of Great Falls.

**Concurrences:** All City Departments.

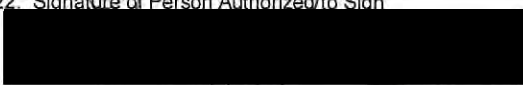
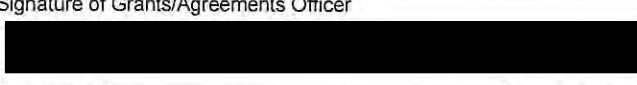
**Fiscal Impact:** The grant allows the City to complete energy efficiency projects at little cost which will save on utility bills in the future. The City match for the projects of \$63,534 amounts to 10.03 % of the total project costs.

**Alternatives:** The Commission could reject the award of the grant.

**Attachments/Exhibits:** The voluminous DOE Assistance Agreement may be viewed in the City Clerk's office.

NOT SPECIFIED /OTHER

## ASSISTANCE AGREEMENT

1. Award No. DE-SC0003031		2. Modification No.		3. Effective Date 10/30/2009		4. CFDA No. 81.128	
5. Awarded To CITY OF GREAT FALLS Attn: Chris Imhoff 2 Park Drive South PO BOX 5021 GREAT FALLS MT 594035021				6. Sponsoring Office EERE (FORS) U.S. Department of Energy Office of Energy Efficiency & Renewable Forrestal Building 1000 Independence Avenue, SW Washington DC 20585			7. Period of Performance 10/30/2009 through 10/29/2012
8. Type of Agreement <input checked="" type="checkbox"/> Grant <input type="checkbox"/> Cooperative Agreement <input type="checkbox"/> Other		9. Authority Energy Independence and Security Act (EISA) of 2007			10. Purchase Request or Funding Document No. 10SC000373		
11. Remittance Address CITY OF GREAT FALLS Attn: MARTHA CAPPIS ATTN: MARTHA CAPPIS PO BOX 5021 GREAT FALLS MT 594035021				12. Total Amount Govt. Share: \$570,100.00 Cost Share : \$63,534.00 Total : \$633,634.00		13. Funds Obligated This action: \$570,100.00 Total : \$570,100.00	
14. Principal Investigator Chris Imhoff 406-455-8407		15. Program Manager Martha J. Kass Phone: 865-576-0717			16. Administrator Oak Ridge U.S. Department of Energy P.O. Box 2001 Oak Ridge TN 37831		
17. Submit Payment Requests To OR for Oak Ridge/OSTI U.S. Department of Energy Oak Ridge Office Oak Ridge Financial Service Center P.O. Box 6017 Oak Ridge TN 37831				18. Paying Office		19. Submit Reports To See Reporting Requirements Checklist	
20. Accounting and Appropriation Data Block Grants							
21. Research Title and/or Description of Project EECBG THE CITY OF GREAT FALLS MONTANA							
For the Recipient				For the United States of America			
22. Signature of Person Authorized to Sign 				25. Signature of Grants/Agreements Officer 			
23. Name and Title Gregory T. Doyan		24. Date Signed 11/10/09		26. Name of Officer HEATHER M. HOUK		27. Date Signed 10/30/2009	

NOT SPECIFIED /OTHER

## CONTINUATION SHEET

REFERENCE NO. OF DOCUMENT BEING CONTINUED  
DE-SC0003031PAGE OF  
2 2NAME OF OFFEROR OR CONTRACTOR  
CITY OF GREAT FALLS

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	DUNS Number: 060267093 TAS::89 0331::TAS Recovery Act Block Grant for ARRA Funding. New award for City of Great Falls, MT. Admininstrtive Specialist: Heather Houk Tel: 865 576-1894 E-Mail: houkhm@oro.doe.gov ASAP: Yes Extent Competed: NOT AVAIL FOR COMP Davis-Bacon Act: YES Delivery Location Code: 00522 Oak Ridge Office U.S. Department of Energy Oak Ridge Office 230 Warehouse Road Oak Ridge TN 37830  Payment: OR for Oak Ridge/OSTI U.S. Department of Energy Oak Ridge Financial Service Center P.O. Box 6017 Oak Ridge TN 37831 Fund: 05796 Appr Year: 2009 Allottee: 30 Report Entity: 471999 Object Class: 41000 Program: 1005115 Project: 2004350 WFO: 0000000 Local Use: 0000000 TAS Agency: 89 TAS Account: 0331				



**Item:** Final Payment – Central Avenue – 7<sup>th</sup> to 9<sup>th</sup> Street Mill and Overlay, O. F. 1573.

**From:** Engineering Division

**Initiated By:** Public Works Department

**Presented By:** Jim Rearden, Public Works Director

**Action Requested:** Approve Final Pay Request

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**Suggested Motion:**

1. Commissioner moves:

“I move the City Commission approve Final Payment for the Central Avenue – 7<sup>th</sup> to 9<sup>th</sup> Street Mill and Overlay, O. F. 1573.2 in the amount of \$4,547.69 to United Materials of Great Falls, Inc., and \$45.94 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments.”

2. Mayor calls for a second, discussion, inquiries from the public, and calls for the vote.

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**Staff Recommendation:** Approve final payment request.

**Background:**

Significant Impacts

Through this project, two City blocks of Central Avenue from 7<sup>th</sup> Street to 9<sup>th</sup> Street were milled and overlaid.

Citizen Participation

Not Applicable

Workload Impacts

City engineering staff designed the project and performed construction inspection and contract administration duties.

Purpose

Milling and overlaying a street helps improve the road surface and limits deterioration of the asphalt that would require a costly street reconstruction in the future. This road's



Condition Index, as rated by the Street Department through a street condition software program, showed it to be a good candidate for a mill and overlay project.

Project Work Scope

Approximately 5,930 square feet of asphalt was milled and overlaid. This work included milling down the existing asphalt four inches and then placing reinforcing fabric and a two inch thick asphalt overlay back. Since the new street grade is lower than the existing grade, several manholes and gate valves were adjusted as well. The extra two inches of milling reduced a high spot located in the middle of Central Avenue caused by previous asphalt overlays done without milling.

Evaluation and Selection Process

One bid was received and opened for this project on July 22, 2009. United Materials of Great Falls, Inc submitted a bid of \$91,900. The City Commission awarded the contract to United Materials on August 4, 2009.

Conclusion

City staff has verified that United Materials has completed all work and punch list items in accordance with the plans and contract. The City can accept the project and execute the Final Payment. The project was completed within the contract time with substantial completion being achieved September 11, 2009.

**Concurrences:**

Not Applicable

**Fiscal Impact:**

The final cost of the project is \$91,872.50 which is \$27.50 less than the original contract. Funding for this project came from the Street Maintenance Fund.

**Alternatives:**

The City Commission could vote to deny the Final Payment

**Attachments/Exhibits:**

1. Application for Final Payment is attached. (Not available online; on file in City Clerk's Office.)