



City Commission Agenda

for

October 6, 2009

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

PROCLAMATION

YWCA Week Without Violence

NEIGHBORHOOD COUNCILS

1. Miscellaneous reports and announcements.

PUBLIC HEARINGS

OLD BUSINESS

NEW BUSINESS

ORDINANCES/RESOLUTIONS

2. Res. 9866, Remodel Tax Benefits, 907 Smelter Avenue Northeast. Action: Adopt or deny Res. 9866. (*Presented by: Mike Rattray*)

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, September 15, 2009, Commission meeting.
4. Total Expenditures of \$3,205,707 for the period of September 2-30, 2009, to include claims over \$5000, in the amount of \$2,906,532.
5. Contracts list.
6. Award bid for Bay Drive Trail (Phase I) ARRA Project to United Materials of Great Falls in the amount of \$339,218.15.
7. Approve the cancellation of Unpaid Checks over one year old.
8. Award construction contract to Paradise Fencing and Construction, Inc. in the amount of \$97,411.39 for the Water Treatment Plant Fences, Irrigation, and Lighting.
9. Award construction contract to United Materials of Great Falls, Inc. in the amount of \$886,516.25 for the Phase II – 7th and 8th Avenues South Water Main Replacement.
10. Award construction contract to Central Plumbing and Heating, Inc. in the amount of \$214,138.14 for the Grande Vista Storm Drainage Improvements.

11. Approve Final Payment to Planned and Engineered Construction, Inc. and the State Miscellaneous Tax Fund in the amount of \$9,577.20 for the Sanitary Sewer Trenchless Rehabilitation.

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

BOARDS & COMMISSIONS

12. Appointment, Board of Adjustment. Appoint one member to the Board of Adjustment for a three-year term through September 30, 2012.
13. Appointments, Parking Advisory Commission. Appoint two members to the Parking Advisory Commission for three-year terms through April 30, 2013.
14. Miscellaneous reports and announcements.

CITY MANAGER

15. 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)*

16. Miscellaneous reports and announcements.

CITY COMMISSION

17. Miscellaneous reports and announcements.

MOTION TO ADJOURN



Item: Resolution #9866, Remodel Tax Benefits, 907 Smelter Avenue Northeast, Lot 1, Block 1, Barnes Corner

From: Mike Rattray, Community Development Director

Initiated By: Prospector Land Co. LLC/Jack Barnes, Managing Partner

Presented By: Mike Rattray, Community Development Director

Action Requested: City Commission to consider adoption of Resolution #9866, for a remodeling tax benefit for Prospector Land Co. LLC, 907 Smelter Avenue Northeast, Lot 1, Block 1, Barnes Corner, Great Falls, Cascade County

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission adopt Resolution #9866.”

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

Staff Recommendation: Staff recommends the adoption of Resolution #9866, for a remodeling tax benefit for Prospector Land Co. LLC, 907 Smelter Avenue Northeast, Lot 1, Block 1, Barnes Corner, Great Falls, Cascade County.

Background: The property owner, Prospector Land Co. LLC, Jack Barnes, Managing Partner, has reconstructed the building at 907 Smelter Avenue Northeast. The building permit was issued March, 2008, and the project was completed in February, 2009, at an estimated cost of \$2,400,000. The applicant is requesting approval of the tax benefits and Resolution No. 9866 has been prepared to comply with the requirement that all applications be approved by resolution. Approval of the application will allow for the taxes generated from the reconstruction to be added to the existing taxes over a five-year period in increments of 20 percent each year.

Section 15-24-1501, MCA, provides the local government option of giving Tax Benefits for the Remodeling, Reconstruction or Expansion of Existing Buildings or Structures. The law governing this incentive was amended in 1985 requiring that each local governing body (City and County) may approve the Tax Benefit on a project by project basis. If one local government body approves the tax benefit and the other does not, the benefit will apply only to the mills levied by the approving governing body. In addition, tax benefits do not include any relief from state-wide levies and local government approval of the application must be by resolution.

The City Commission's policy regarding the approval of remodeling tax benefits was established by Resolution 9004, approved January 19, 1999, and requires that all property taxes on all property owned by the applicant be current and that the applicant be allowed to take advantage of only one City program available to provide local development assistance. This policy came about as a result of concern that certain projects were taking advantage of extremely low interest rates, city sponsored new construction or rehabilitation loan programs designed to improve building conditions, improve blighted areas and expand the tax base. After receiving the low interest loans, some developers were then applying for the reduction in property taxes, which had the net effect of canceling some of the benefits the City was supposed to derive from making the original loan.

In applying this policy to the application received from the current owners, we find that all property taxes are current and that the applicants have not received City financial assistance from other programs.

Concurrences: Not applicable.

Fiscal Impact: Approval of the application will allow for the taxes generated from the expansion to be added to the existing taxes over a five-year period in increments of 20 percent each year.

Alternatives: The City Commission may or may not adopt Resolution # 9866.

Attachments: Resolution No. 9866
Application (Not available online; on file in City Clerk's Office.)

cc: Prospector Land Co. LLC
Jack Barnes, Managing Partner
P.O. Box 477
Black Eagle, MT 59414

RESOLUTION NO. 9866

A RESOLUTION APPROVING THE APPLICATION FOR
TAX BENEFITS FOR THE REMODELING, RECONSTRUCTION,
OR EXPANSION OF EXISTING BUILDINGS OR STRUCTURES FOR
JACK BARNES, PROSPECTOR LAND CO LLC,
907 SMELTER AVENUE NORTHEAST,
LOT 1, BLOCK 1, BARNES CORNER,
CASCADE COUNTY, GREAT FALLS, MONTANA

* * * * *

WHEREAS, State Statutes (15-24-1501, MCA), as amended provide the opportunity for local governing bodies to give Tax Benefits for the Remodeling, Reconstruction or Expansion of Existing Buildings or Structures; and

WHEREAS, the local governing body must review each application and determine if it is to be approved or denied; and

WHEREAS, a copy of the processed application form, reflecting the governing body's decision, must be mailed to the Department of Revenue before April 1 of the tax year for which the benefits are sought; and

WHEREAS, Jack Barnes, Managing Partner, Prospector Land Co. LLC has submitted an application for reconstruction of building located at 907 Smelter Avenue Northeast, Lot 1, Block 1, Barnes Corner, Great Falls, Montana.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, AS FOLLOWS:

That the City Commission of the City of Great Falls does hereby approve said application for remodeling tax benefit as submitted.

PASSED by the Commission of the City of Great Falls, Montana, on this 6th day of October, 2009.

Dona R. Stebbins, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

Chad Parker, Acting City Attorney

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, Bill Beecher and Mary Jolley. Also present were the City Manager, Assistant City Manager, Acting City Attorney, Directors of Community Development, Fiscal Services, Park and Recreation, Planning and Public Works, Interim Library Director, the Fire Chief, Police Chief, and the City Clerk.

PROCLAMATION: Mayor Stebbins read Proclamations for Constitution Week, Suicide Prevention Month and Vets4Vets Month.

NEIGHBORHOOD COUNCILS

NC 7.

1A. Aaron Weissman, Chair NC 7, requested that the City Commission request a traffic study for Park Drive along Gibson Park from the Montana Department of Transportation. NC 7 would like the study to include recommendations to reduce the speed limit and move the pedestrian crosswalk to Gibson Park to 4th Avenue North. Additionally, Mr. Weissman discussed SB 88. He presented a petition signed by 64 Whittier School area residents requesting a traffic study around the school be studied and reconfigured to maximize safety around the school. He requested that this study specifically include recommendations for reduced speed limits, erecting four-way stop signs, etc., as well as 9th Street being designated as part of the Whittier School zone. Mr. Weissman also discussed the recent violence in the NC 7 neighborhood. He reported that the council is working to build up the north side neighborhood watch and build better relationships with neighbors.

NC 8.

1B. Karen Grove, Chair NC 8, reminded NC 8 area residents that meetings resume in September, and are held the third Tuesday of each month at the Great Falls Transition Center. In response to a question asked at the mayor/commissioners forum, she reminded the public that a main function of neighborhood councils is to be a spokesperson to the City Commission. She encouraged people to attend their neighborhood council meetings to present issues and concerns.

PUBLIC HEARINGS

Res. 9849. Adopted.

- 2. RESOLUTION 9849, LEVY SPECIAL ASSESSMENTS ON PROPERTIES WITHIN SPECIAL IMPROVEMENT LIGHTING DISTRICT – CITY-OWNED RESIDENTIAL LIGHTING NO. 1303.**

Fiscal Services Director Coleen Balzarini reported that this was a newly created lighting district at the request of the owners and developers of Bootlegger Addition, Phase I. This resolution is for the maintenance assessment as well as the debt service assessment on the installation of (8) - 100 watt lights that were previously approved.

Mayor Stebbins declared the public hearing open.

No one spoke in support of or opposition to Resolution 9849.

Mayor Stebbins closed the public hearing.

Commissioner Bronson moved, seconded by Commissioner Beecher, that the City Commission adopt Resolution 9849.

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

Motion carried 5-0.

Res. 9850. Adopted.

3. RESOLUTION 9850, LEVY AND ASSESS SPECIAL ASSESSMENTS ON PROPERTIES WITHIN SPECIAL IMPROVEMENT LIGHTING DISTRICT – CITY-OWNED RESIDENTIAL LIGHTING NO. 1305.

Fiscal Services Director Coleen Balzarini reported that this resolution is for the installation of five (5) – 100 watt lights in the Water Tower Park Addition. The creation of this district and installation of the lights was at the request of the developer. This resolution is also for the annual maintenance costs, as well as for the debt service payments, required to pay for the lights that were installed.

Mayor Stebbins declared the public hearing open.

No one spoke in support of or opposition to Resolution 9850.

Mayor Stebbins closed the public hearing.

Commissioner Beecher moved, seconded by Commissioner Bronson, that the City Commission adopt Resolution 9850.

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

Motion carried 5-0.

Res. 9851. Adopted.

4. RESOLUTION 9851, LEVY AND ASSESS PROPERTIES FOR WITHIN SPECIAL IMPROVEMENT LIGHTING DISTRICTS.

Fiscal Services Director Coleen Balzarini reported that this item is an annual maintenance resolution. It provides for the cost of maintenance and energy supply for approximately 9,420 roadway lights in 26 special improvement lighting districts.

Mayor Stebbins declared the public hearing open.

No one spoke in support of or opposition to Resolution 9851.

Mayor Stebbins closed the public hearing.

Commissioner Jolley moved, seconded by Commissioner Beecher, that the City Commission adopt Resolution 9851.

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

Motion carried 5-0.

Res. 9865. Adopted.

5. RESOLUTION 9865, COST RECOVERY FOR HAZARDOUS SIDEWALK AT 2226 7TH AVENUE NORTH.

Public Works Director Jim Rearden reported that after receiving a complaint about a tripping hazard on June 11, 2008, City engineering staff inspected the sidewalk located at 2226 7th Avenue North and noted severely heaved, cracked, and broken sidewalk that posed a danger to pedestrian traffic. A letter was sent June 12, 2008, to the property owner condemning the sidewalk. A certified letter was sent on April 21, 2009. That letter came back unclaimed. Repairs were then made that included replacement of 525 square feet of sidewalk. Staff recommends approval of Resolution 9865.

Mayor Stebbins declared the public hearing open.

No one spoke in support of or opposition to Resolution 9865.

Mayor Stebbins closed the public hearing.

Commissioner Bronson moved, seconded by Commissioner Beecher, that the City Commission adopt Resolution 9865, to assess the total charges of \$3,475.28 against the property listed in the Resolution with interest and penalties on the unpaid balance.

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

Motion carried 5-0.

OLD BUSINESS

NEW BUSINESS

**COPS hiring grant.
Accepted.**

6. COPS HIRING GRANT.

Police Chief Cloyd Grove reported that while preparing for the 2009 Public Safety Mill Levy election, the Police Department looked at available sources for funding that could be used to provide additional officers to the Department and be used to reduce the amount of mill increase sought. One funding avenue was a Community Oriented Policing (COPS) Grant that had received additional funding through the American Recovery and Reinvestment Act to fund jobs that were lost and to create new positions that met the COPS requirement. The City's application was completed and submitted in April, 2009. The City received notice that the application had been accepted in July, 2009.

This grant will allow the Police Department to re-institute officer positions within the Great Falls Housing, law related education, and special projects areas, and to institute a new position for a community education officer. The City must agree to maintain these positions for one year after the term of the grant expires.

The grant will provide unmatched funding in the amount of \$837,148.00 to provide salary, benefits, and future salary increases for four sworn officer positions dedicated to community oriented policing. The grant will provide this funding for a period of 3 years, after which the City must provide sustainability for one additional year at a current cost of \$225,401. The Great Falls Housing Authority Board has agreed to fund the Housing position the fourth year. There will be an initial financial impact on the City of approximately \$36,000 for training the newly hired officers. With careful coordination and budget allocation, the Department will be able to cover these initial costs.

Staff believes that these positions contribute to the overall mission of the Department by building positive partnerships and relationships with community members, businesses, and organizations.

Chief Grove recommended that the City commission accept the COPS grant that has been awarded to the Great Falls Police Department to hire four officers in order to provide the following positions to the community: Housing Officer, Law Related Education Officer, Special Projects Officer and Community Education Officer.

Commissioner Beecher moved, seconded by Commissioner Bronson, that the City Commission accept the COPS grant award and direct the

City Manager and Chief of Police to execute the acceptance letter and proceed with the implementation of the award.

Mayor Stebbins asked if there was any discussion amongst the Commissioners.

Commissioner Beecher commented that he was in favor of accepting this grant because it provides four positions that the City wouldn't otherwise be able to have for at least three years. With attrition, he believes this provides a source of trained officers to fill those particular positions. He sees the benefits, with very little risk.

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

Ron Gessaman, 1006 36th Avenue NE, inquired whether the four positions had anything to do with the four police officers that were hired as reported in last Wednesday's *Tribune*. Chief Grove responded that the four officers that were hired replaced four officers that had left. It took several months because the Department had to wait for the Academy for two officers, and the hiring process took several months. The four officers with regard to this grant are four additional officers to provide the positions in community oriented policing.

Aaron Weissman, 315 4th Avenue North, commented that this is a no brainer. The jobs are paid for three years, and there is time to investigate ways to pay for the fourth year. He, as well as NC 7, strongly urges the Commission to accept this grant.

Nancy Hampton, commented that she is a community volunteer and area coordinator with Neighborhood Watch, but is here tonight as a private citizen. She urged the Commission's support of the COPS grant. Ms. Hampton expressed that "we all need the extra community policing officer positions for a healthy balance in the City."

Motion carried 5-0.

ORDINANCES/RESOLUTIONS

Res. 9840. Adopted.

7. RESOLUTION 9840, ANNUAL TAX LEVY.

Budget Officer Melissa Kinzler reported that the City received the taxable valuation for the City of Great Falls from the Montana Department of Revenue. Accordingly, the City can now compute and set its annual mill levy. On July 21, 2009, a public hearing on the Intent to Increase Property Taxes by 1.112% was held in accordance with § 15-10-203, MCA.

The total mill levy for the Tax Year 2009 (Fiscal Year 2010) is 169.04 mills totaling \$12,905,335. This includes mill levies of 2.12 mills for Soccer Park

debt service payments and 5.01 mills for Swimming Pool debt service payments which is \$544,442 of the \$12.9 million.

The total mill levy for 2008 (Fiscal Year 2009) generated revenue of \$11,714,330. The differences between the mill levy of \$11.7 million and \$12.9 million are:

- \$1,026,130 for newly taxable property (this includes the amount from the release of the Downtown Urban Renewal Tax Increment District),
- \$112,728 for inflation, and,
- \$ 52,147 for the increase in the revenue needed for the swimming pool debt payment.

The Fiscal Year 2010 Budget was adopted July 21, 2009, with the 1.112% increase in property tax increase included. Setting the mill levy for Tax Year 2009 (Fiscal Year 2010) is the last step in the adoption of the Fiscal Year 2010 City of Great Falls Budget.

Commissioner Rosenbaum moved, seconded by Commissioner Bronson, that the City Commission adopt Resolution 9840.

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

Motion carried 5-0.

Ord. 3044. Adopted, as amended.

8. ORDINANCE 3044, SOCIAL HOST ORDINANCE.

Commissioner Jolley moved, seconded by Commissioner Beecher, that the City Commission adopt Ordinance 3044 as amended.

Mayor Stebbins asked if there was any discussion amongst the Commissioners.

Commissioner Bronson commented that there seems to be an inconsistency between the definition of “gathering,” and the word “gathering” used in the context of “social host.”

Acting City Attorney Chad Parker responded that he has addressed Commissioner Bronson’s concerns in a subsequent amendment to the Ordinance, so that the language of numbers 15 and 4 of said Ordinance are consistent. Mr. Parker further noted and explained what amendments have been made to the Ordinance since first reading. Mr. Parker requested the City Commission to adopt Ordinance 3044 as amended.

Mayor Stebbins asked if there was any further discussion amongst the Commissioners.

Commissioner Rosenbaum commented that he finds it difficult to support this Ordinance. He commented that it may be a tool, but is a bandaid on a problem that won't change the social demeanor of the community.

Commissioner Bronson commented that he believes the City can effect a little bit of appropriate change through the adoption of this Ordinance. He discussed positive comments he heard from members of the public in recent weeks.

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

Aaron Weissman, NC7, commented that he believes this Ordinance to be a valuable tool, and one that will help public safety in Great Falls. It will help define the obligations as members of society, and not just the rights. He urged the Commission's support of this Ordinance.

Ron Gessaman, 1006 36th Avenue NE, discussed prior meetings and action on this matter, as well as his interpretation of Robert's Rules of Order.

Mr. Parker responded that at the August 18th meeting, the motion to take this matter from the table was not seconded. It could be interpreted in one way that the motion could have died at that time. However, subsequent comment from Commissioner Rosenbaum that he believed the matter should be addressed with a full commission present, could be reflected as a desire to postpone the vote, and that is why it has been brought back as a motion to adopt Ordinance 3044. Robert's Rules clearly allows some flexibility for the Commission to express its true desire throughout the process. He believes that is exactly what has happened here tonight. The Ordinance, as amended, can be voted on this evening.

Mr. Gessaman provided information regarding parliamentary procedure. He believes the Commission to be in violation of Robert's Rules. He also noted the addition of § 16-6-305, MCA, for reference in the Ordinance. He read a portion of said statute and expressed that the Commission is creating another Ordinance that is already covered by State law.

Al Recke, 609 33rd Avenue NE, commented that this Ordinance will be one more tool to educate, enforce and make our community safer. He believes the DUI Task Force would like to work with the City to educate the citizens of Great Falls that it is really inappropriate for parents to host a party with alcohol being served to underage individuals. Mr. Recke urged the Commission's adoption of this Ordinance.

Motion carried 4-1 (Commissioner Rosenbaum dissenting).

**Consent Agenda.
Approved.**

CONSENT AGENDA

9. Minutes, September 1, 2009, Commission meeting.
10. Total expenditures of \$999,740 for the period of August 18 –

September 9, 2009, to include claims over \$5,000, in the amount of \$795,105.

11. Contracts list.
12. Lien release list.
13. Approve Contract Amendment No. 1 to NCI Engineering for the 3rd Avenue Northwest Roadway Improvements in the amount of \$172,030. **OF 1488**
14. Approve final payment to United Materials of Great Falls and the State Miscellaneous Tax Division in the amount of \$52,378.27 for the 1st Avenue North and 5th Avenue South Water Main Replacement. **OF 1570**

Commissioner Jolley moved, seconded by Commissioner Beecher, 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.

Ron Gessaman, 1006 36th Avenue NE, with regard to Item 10, noted that the payment of \$36,757.98 to the Cascade County Election Department was for the failed public safety mill levies. He also stated his opposition to the final payment to Shumaker Trucking & Excavating for the Skyline Heights Storm Drain Improvements due to area residents informing Shumaker at the time of development that the storm drain was inadequate. The taxpayers shouldn't have to pay for this now.

Motion carried 5-0.

BOARDS & COMMISSIONS

Preliminary Subdivision Plat of New Castle Addition. Approved.

15. PRELIMINARY SUBDIVISION PLAT OF NEW CASTLE ADDITION.

Interim Planning Director Bill Walters reported that last November the City Commission approved the New Castle Condominium Subdivision consisting of 27 proposed condominium units at the southeast corner of the intersection of 13th Street South and 24th Avenue South. The developer, Harold Poulsen, now intends to subdivide said property into 24 lots for single-family residential units as represented by the Preliminary Plat of New Castle Addition.

At the conclusion of a public hearing held August 25, 2009, the Planning Board passed a motion recommending the City Commission approve the Preliminary Plat of New Castle Addition and accompanying Findings of Fact subject to fulfillment of stipulated conditions.

Commissioner Bronson moved, seconded by Commissioner Rosenbaum, that the City Commission approve the Preliminary Subdivision Plat of New Castle Addition and the accompanying Findings of Fact, subject to fulfillment of stipulated condition.

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

Motion carried 5-0.

**Preliminary Plat of
Castle Pines Addition
Phases VIII-IX.
Approved.**

**16. PRELIMINARY PLAT OF CASTLE PINES ADDITION
PHASES VIII-IX.**

Interim Planning Director Bill Walters reported that property owner, Harold Poulsen, has submitted an application to develop two more phases of Castle Pines Addition. Phases VIII and IX subdivide 6.94 acres of land into 25 single-family residential lots on either side of 29th Avenue South between 13th and 16th Streets South. Mr. Poulsen is working with NeighborWorks which proposes to acquire 10 or more lots in the subdivision to accommodate construction of "self-help" homes.

At the conclusion of a public hearing held August 25, 2009, the Planning Board passed a motion recommending the City Commission approve the Preliminary Plat of Castle Pines Addition Phases VIII-IX and accompanying Findings of Fact subject to fulfillment of stipulated conditions.

Commissioner Jolley moved, seconded by Commissioner Beecher, that the City Commission approve the Preliminary Plat of Castle Pines Addition Phases VIII-IX and the accompanying Findings of Fact, subject to fulfillment of stipulated conditions.

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

Motion carried 5-0.

**Christopher Ward
appointed to the Board
of Adjustment.**

17. APPOINTMENT, BOARD OF ADJUSTMENT.

Commissioner Jolley moved, seconded by Commissioner Bronson, to appoint Christopher Ward to a three-year term beginning October 1, 2009, and expiring September 30, 2012, to the Board of Adjustment.

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

Motion carried 5-0.

**Thor Swensson
appointed to the Great
Falls Planning Advisory
Board.**

18. APPOINTMENT, GREAT FALLS PLANNING ADVISORY BOARD.

Commissioner Bronson moved, seconded by Commissioners Beecher and Rosenbaum, to appoint Thor Swensson to fill the remainder of a three-year term through December 31, 2011, to the Great Falls Planning Advisory Board.

Mayor Stebbins asked if there was any discussion amongst the Commissioners. No one responded. Mayor Stebbins thanked Art Bundtrock for his service to the Great Falls Planning Advisory Board.

Motion carried 5-0.

19. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

CITY MANAGER

20. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

PETITIONS AND COMMUNICATIONS

21. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Mayor Stebbins opened the meeting to Petitions and Communications.

**Annual Labor Day
picnic.**

21A. Ole Stimac, 57 Country Lane, thanked everyone who attended the 27th Annual Labor Day picnic.

**HGS, Clean Air Act,
Accountability.**

21B. John Hubbard, 615 7th Avenue South, discussed the September 1 *Tribune* article regarding the City writing off losses relating to the coal fired plant. Mayor Stebbins clarified that the article references a portion of the debt. Mr. Hubbard commented that it was a great loss of taxpayer money. He again discussed the Supreme Court ruling regarding carbon dioxide and violation of the Clean Air Act. He suggested there should be an accountability law.

SME.

21C. Ron Gessaman, 1006 36th Avenue NE, discussed correspondence from YVEC dated August 27, 2009. He expressed disappointment that said letter wasn't discussed at the August 31st ECP Board meeting or the September 1st City Commission meeting. He couldn't identify the date stamp on the letter and found that suspicious. He inquired when the letter was received by the City Manager, and what would the City's share be.

Election.

21D. Mike Witsoe, 2612 1st Avenue South, reminded everyone the election polls just closed. He discussed derogatory comments made by a candidate regarding other candidates' qualifications. Mr. Witsoe stated that he did not accept any campaign contributions, and campaigned solely on his name and

his honesty.

CITY COMMISSION

22. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

ADJOURNMENT

Adjourn.

There being no further business to come before the Commission, **Commissioner Beecher moved, seconded by Commissioner Bronson, that the regular meeting of September 15, 2009, be adjourned at 8:16 p.m.**

Motion carried 5-0.

Mayor Stebbins

City Clerk

Minutes Approved: October 6, 2009



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 \$500:

MASTER ACCOUNT CHECK RUN FOR SEPTEMBER 10 TO SEPTEMBER 16, 2009	403,814.78
MASTER ACCOUNT CHECK RUN FOR SEPTEMBER 17 TO SEPTEMBER 23, 2009	768,058.25
MASTER ACCOUNT CHECK RUN FOR SEPTEMBER 24 TO SEPTEMBER 30, 2009	460,585.29
MUNICIPAL COURT ACCOUNT CHECK RUN FOR SEPTEMBER 2 TO SEPTEMBER 8, 2009	71,611.00
MUNICIPAL COURT ACCOUNT CHECK RUN FOR SEPTEMBER 8 TO SEPTEMBER 15, 2009	48,534.75
MUNICIPAL COURT ACCOUNT CHECK RUN FOR SEPTEMBER 16 TO SEPTEMBER 24, 2009	3,385.00
WIRE TRANSFERS FROM SEPTEMBER 10 TO SEPTEMBER 15, 2009	821,557.94
WIRE TRANSFERS FROM SEPTEMBER 16 TO SEPTEMBER 22, 2009	459,221.49
WIRE TRANSFERS FROM SEPTEMBER 23 TO SEPTEMBER 30, 2009	168,938.96
TOTAL: \$	3,205,707.46

SPECIAL REVENUE FUND

PLANNING

RENEWABLE TECHNOLOGIES INC	WEST BANK CULTURAL RESOURCE SURVEY	5,813.06
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STREET DISTRICT

RIVER CITY CONCRETE	PMT #2 VALLEY GUTTERS & HANDICAP RAMPS ALONG 9TH ST NW & RIVERVIEW DR EAST	18,486.53
GREAT FALLS REDI-MIX INC	ASPHALT	78,757.30

FEDERAL BLOCK GRANTS

SLETTEN CONSTRUCTION CO	DOORS & HARDWARE FOR BUILDING EXPANSION AT MCLAUGHLIN RESEARCH CENTER	15,850.00
BOYS AND GIRLS CLUB	RECREATIONAL/EDUCATIONAL SCHOLARSHIPS FOR SUMMER PROGRAMS	9,270.00
LONE STAR CONSTRUCTION	FINAL PMT 1408 12TH AVE S (SULLIVAN)	9,013.99
SLETTEN CONSTRUCTION CO	WINDOWS & GLAZING FOR BUILDING EXPANSION MCLAUGHLIN RESEARCH CTR	29,455.00
NEIGHBORWORKS	PURCHASE FORECLOSED PROPERTY 710 42A ST N	72,253.77

SPECIAL REVENUE FUND CONTINUED

WEST BANK URBAN RENEWAL

NCI ENGINEERING	FINAL PMT FOR ENGINEERING SERVICES FOR RECONSTRUCTION & EXTENSION OF 4TH AVE NW FROM 3RD ST NW TO WEST BANK PARK	181,149.08
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ENTERPRISE FUNDS

WATER

INDUSTRIAL AUTOMATION CONSULTING	PMT #1 WTP BACKWASH CLARIFIER SYSTEM	22,356.25
GREAT FALLS SAND & GRAVEL THOMAS DEAN & HOSKINS	PMT #1 MISC CONCRETE REPLACEMENT	15,849.60
	PMT #6 10TH AVE S WATER MAIN REPLACEMENT	6,130.25
PHILLIPS CONSTRUCTION	PMT #2 REPLACING PORTIONS OF WATER SYSTEMS IN 3RD, 4TH & 5TH AVE NORTH	311,759.76
UNITED MATERIALS	FINAL PMT OF 1570 1ST AVE N & 5TH AVE S WATER MAIN REPLACEMENT	51,854.49

SEWER

VEOLIA WATER NORTH AMERICA	MONTHLY WWTP OPERATION CONTRACT	230,312.08
VEOLIA WATER NORTH AMERICA	MONTHLY CONTRACTED CAPITAL IMPROVEMENTS	12,500.00
NCI ENGINEERING	OF 1374.5 LIFT STATION & WTP REHAB	40,232.96

STORM DRAIN

MERRICK & COMPANY	OF 1572 TOPOGRAPHIC MAPS FINAL PMT	12,258.00
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ELECTRIC

SOUTHERN	PMT OF ENERGY SUPPLY EXPENSE AUG 09	146,975.64
	CASH ON DEPOSIT AUG 09	39,521.23
SOUTHERN	PMT OF ENERGY SUPPLY EXPENSE AUG 09	650,000.00

PARKING

APCOA/STANDARD PARKING	OCTOBER 2009 COMPENSATION	23,152.17
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SWIM POOLS

WELLS FARGO BANKS MINNESOTA	DEBT SERVICE PAYMENT FOR MITCHELL POOL IMPROVEMENTS	167,935.09
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CIVIC CENTER EVENTS

RECREATIONAL TRAILS INC	BLUES & BREWS TICKET PAY OUT	15,850.63
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INTERNAL SERVICES FUND

HEALTH & BENEFITS

BLUE CROSS/BLUE SHIELD	HEALTH INS CLAIMS SEPT 8 - 14, 2009	209,641.72
BLUE CROSS/BLUE SHIELD	ADMIN & REINSURANCE FOR AUGUST 2009	47,206.26
BLUE CROSS/BLUE SHIELD	HEALTH INS CLAIMS SEPT 15 - 21, 2009	85,288.84
BLUE CROSS/BLUE SHIELD	ADMIN & REINSURANCE FOR SEPT 2009	47,321.56
BLUE CROSS/BLUE SHIELD	HEALTH INS CLAIMS SEPT 22 - 28, 2009	90,082.22

CENTRAL GARAGE

BISON MOTOR CO	2010 F350 DUMP TRUCK	32,367.85
MOUNTAIN VIEW CO-OP	FUEL	39,697.70

ENGINEERING

CTA ARCHITECTS ENGINEERS	PMT #6 ENGINEERING & OPERATIONS OFFICE MODIFICATIONS	5,051.37
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TRUST AND AGENCY

COURT TRUST MUNICIPAL COURT

CITY OF GREAT FALLS	FINES & FORFEITURES COLLECTIONS	48,865.00
CASCADE COUNTY TREASURER	FINES & FORFEITURES COLLECTIONS	9,005.00
VICTIM WITNESS ASSISTANCE SERV	FINES & FORFEITURES SURCHARGES	5,770.00
CITY OF GREAT FALLS	FINES & FORFEITURES COLLECTIONS	46,379.75

UTILITY BILLS

ENERGY WEST	AUGUST 2009 CHARGES	16,998.47
QWEST	SEPT 2009 CHARGES	5,989.05
NORTHWESTERN ENERGY	SEPT 2009 CHARGES	50,130.44

CLAIMS OVER \$5000 TOTAL:		\$ <u>2,906,532.11</u>
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CITY OF GREAT FALLS, MONTANA

AGENDA: 5

COMMUNICATION TO THE CITY COMMISSION

DATE: October 6, 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	HDR Engineering, Inc.	As required (anticipate less than 30 days)	Sewer Treatment	Not to Exceed \$5,000	Letter Agreement for Consulting Services on Wastewater Treatment Plant MPDES Permit Assistance
B	Great Falls Police Department	Great Falls Public Schools	2009/2010 School Year		Contract price of \$50 per hour	Contract Extension for School Security for Extracurricular and after hours school sponsored or related events

C	Fiscal Services	Junkemeier, Clark, Campanella, Stevens, PC (JCCS)	2009/2010	615	Not to Exceed \$40,000	Audit Services – 3 rd year of 3 year contract with JCCS approved on April 3, 2007 (Item 10)
D	Public Works/ Engineering	Curt McCormink, CWA Consulting Services, LLC	09/2009 – Spring 2010	513-3165-535- 9316	\$7,000	Professional Services Agreement to update legal verbage of contract documents
E	Public Works/ Engineering	Swanson, Darrell & Janice	Perpetual	N/A	N/A	Utility Easement – Sewer & Water
F	Great Falls Police Department	Timothy J. Gilligan, D.V.M.	10/01/2009 – 10/01/2010		Compensation based on service provided – per Agreement	Animal Shelter Medical Director Agreement



Item: Bay Drive Trail (Phase I) ARRA Project - Award Construction Contract
From: Planning Department
Initiated By: Trails Working Group
Presented By: Bill Walters, Interim Planning Director
Action Requested: Award construction contract for Bay Drive (Phase I) project

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (award/not award) a construction contract for Bay Drive Trail Phase I to United Materials of Great Falls in the amount of \$339,218.15, including additive items 201 and 202, and authorize the City Manager to execute the necessary documents, contingent upon Montana Department of Transportation concurrence.”

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

Staff Recommendation: For the ARRA-funded Bay Drive Trail (Phase I) project, staff recommends the City Commission award a construction contract for the Base Bid in the amount of \$287,780, to the low bidder, United Materials of Great Falls. Staff also recommends award of additive items 201 and 202 to allow the trail to be constructed in concrete rather than asphalt, for an additional \$51,438.15. With the additive items, the total amount recommended for award is \$339,218.15.

Background: Approved by the City Commission in 2002 as a Community Transportation Enhancement Program (CTEP) project, the Bay Drive Trail (Phase I) project was subsequently approved for use of 2009 American Recovery and Reinvestment Act (ARRA) funds by the Montana Department of Transportation and the City of Great Falls.

The project, designed by the engineering firm of Thomas Dean & Hoskins, will construct 2,400 feet of bicycle/pedestrian path parallel to Bay Drive, including support work near the Missouri River. The trail segment will be part of River’s Edge Trail, and will extend from the parking lot at the south end of Garden Home Park, northward under the railroad bridge to the north end of the Park. A subsequent project, to be bid in early 2010, will take the trail north to the current terminus of River’s Edge Trail just north of the George Shanley (Central Avenue West) Bridge.

The competitive bid process was followed, with a bid opening held on September 29, 2009. One responsive bid was received. A summary of the bid is attached to this Agenda Report.

The engineer's construction estimate is \$278,605.50. The bid amount of \$339,218.15 is 21.76% above the estimate. The engineer's review of the bid items indicates the bid is reasonable, and recommends award.

The current budget for construction is \$236,000. To fully take advantage of the ARRA funds made available for trail projects in Great Falls and to provide for cost-effective, long term maintenance of the trail, staff recommends award of the contract plus the additive items. The construction of the trail in reinforced concrete could have a lifespan of up to 100 years, as opposed to 15-20 years of asphalt. The extra \$51,438.15 is recommended as a wise investment to reduce future maintenance costs, as well as potential safety concerns related to eventual deterioration of asphalt.

Concurrences: Representatives from the City Planning Department, Recreational Trails, Inc. and the project engineer, Thomas Dean & Hoskins, have reviewed and recommend the award of this construction contract.

Fiscal Impact: 100% of the contract will be paid through federal ARRA funds. There is no match requirement for the funds, and therefore no impact to the City of Great Falls.

Alternatives:

- 1) The City Commission could vote to not award the construction contract, and the project would not be constructed.
- 2) The City Commission could vote to award only the base bid, constructing the trail in asphalt instead of concrete.

Attachments/Exhibits:

- 1) Bid Tabulation Summary
- 2) Bay Drive Trail Projects Location Map

cc: John Juras, TD&H

BID TABULATION

PROJECT

ARRA 5299(86)
 Bay Drive Bike/Ped Path
 Control No. 5050
 O.F.1306.5

OPENING INFORMATION

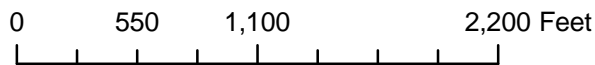
Date: September 29, 2009
 Time: 9:30 AM
 Place: Rainbow Room
 Civic Center, Great Falls MT

	Bidder (Name/Address)	Envelope Info.	Federal Proposal	Addendum Acknowl.	Compliance w/Insurance	DBE Schedule	Bid Bond	Bid Amount	Notes
1	Unite Materials of Great Falls, Inc. P. O. Box 1690 Great Falls, MT 59403-1690	x	x	x	x	x Bidder List x	10%	Base Bid 287,780.00 201 24,487.65 202 \$26,950.50	
								TOTAL \$ 339,218.15	
2									
3									
4									
	Engineer's Estimate								Base Bid: 235,104.90 Additive 201: 21,126.60 Additive 202: 22,374.00

TOTAL: \$ 278,605.50



BAY DRIVE TRAIL PROJECTS LOCATION MAP





Item: Cancellation of Outstanding and Unpaid Checks over a year old
From: Fiscal Services Department
Initiated By: Generally Accepted Accounting Principles
Presented By: Coleen Balzarini, Fiscal Services Director
Action Requested: Approve cancellation of outstanding and unpaid checks over a year old issued by City of Great Falls Municipal Court.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission approve the cancellation of City of Great Falls checks that remain outstanding and unpaid for a period of one (1) year or longer as authorized by section 7-6-4303 MCA.”

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

Staff Recommendation: Staff recommends that the City Commission approve the cancellation of checks that remain outstanding and unpaid for the period of one (1) year or longer.

Background: Section 7-6-4303, MCA, authorizes the City Commission to cancel municipal checks that have remained outstanding and unpaid for a period of one (1) year or longer. Attached is the required list of the instruments to be canceled including the check number, date, amount, and payee. A minimum of two (2) letters and affidavit forms for replacement checks have been mailed to the address on record and no response has been received to date. All affidavits for replacement checks that have been returned to the City have had checks re-issued.

The list must be entered into the minutes of the City Commission proceedings.

Concurrences: Not Applicable

Fiscal Impact: The total amount of the checks that are written off (\$3,557.80) is placed in the General Fund miscellaneous revenue.

Attachments/Exhibits: List of Checks to be cancelled is available in the City Clerk’s Office.



Item: Construction Contract Award: Water Treatment Plant Fences, Irrigation, and Lighting, O. F. 1307.1

From: Engineering Division

Initiated By: Public Works Department

Presented By: Jim Rearden, Public Works Director

Action Requested: Consider Bids and Approve Contract

Suggested Motion:

1. Commissioner moves:

"I move the City Commission award a contract in the amount of \$97,411.39 to Paradise Fencing and Construction, Inc. for the Water Treatment Plant Fences, Irrigation, and Lighting, O. F. 1307.1, and authorize the City Manager to execute the construction contract documents."

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

Staff Recommendation: Approve construction contract award.

Background:

Significant Impacts

This project will restore the security fence, irrigation systems, and lighting removed by the Montana Department of Transportation's (MDT) reconstruction of Overlook Drive.

Citizen Participation

Not applicable.

Workload Impacts

City engineering designed the project, and will perform construction inspection and contract administration duties.

Purpose

This project will remove the temporary fencing installed during the reconstruction of Overlook Drive and construct the security fencing along the property lines of the water

treatment plant site. The sprinkler systems will be restored at the upper and lower water treatment plant sites. Lighting will be restored near Upper River Road.

Project Work Scope

A Right-Of-Way Agreement with MDT was signed in December of 2007, which provided compensation for land and improvements at the water treatment plant site. The improvements included replacement of security lights, fencing, sod, and irrigation systems. This project will replace the lights, fence, and irrigation. Next spring, the sod will be placed and other improvements will be constructed.

Evaluation and Selection Process

Six bids were received and opened for this project on September 29, 2009. The base bids, which included using 950 lineal feet of used fence fabric, ranged from \$88,994.39 to \$137,450.00. An alternate bid to install all new fence fabric ranged from \$97,411.39 to \$151,700.00. Paradise Fencing and Construction Company Inc. submitted the low bid for the base and alternate bid, and executed all the necessary documents.

The engineers estimate was \$150,000.00 for the base bid and \$155,700.00.

Conclusion

City staff recommends awarding the construction contract to Paradise Fencing and Construction, Inc. in the amount of \$97,411.39. This award would accept the alternate bid which is \$8,417.00 higher than the base bid, and would install all new fencing fabric in the areas being reconstructed.

Concurrences:

Not applicable.

Fiscal Impact:

Installation of the fence and lights will improve security. The irrigation systems and new sod will improve the appearance of the facility, and reduce erosion and the associated maintenance.

The attached bid tabulation summarizes bids that were received. The City will pay the contractor from funds provided by MDT for the Overlook Drive project. There are ample funds available to complete this work as well as future work.

Alternatives:

The City Commission could vote to deny award of the construction contract and re-bid the project or do nothing.

Attachments/Exhibits:

1. Bid tabulation is attached.

CITY OF GREAT FALLS
 P.O. BOX 5021
 GREAT FALLS, MT 59403

BID TABULATION SUMMARY

 WTP Fences, Irrigation and Lighting
 O.F. 1307.1

Project Number _____
 Bids Taken at Civic Center
 Date: September 29, 2009
 Tabulated By: Kari Wambach

	Name & Address of Bidder	Acknowledge Addendum #1	Acknowledge Addendum #2	10% Bid Security	Affidavit of Non-Collusion	Certificate of Non-Segregated Facilities	Certificate of Compliance with Insurance Req.	Total Bid
1	Boland Well Systems 3605 Fairway Drive Great Falls, MT 59401	N/A	N/A	√	√	√	√	\$120,539.50
2	Mealey Construction PO Box 7277 Great Falls, MT 59406	N/A	N/A	√	√	√	√	\$100,338.00
3	Paradise Fencing 65 Gibson Flats Road Great Falls, MT 59405	N/A	N/A	√	√	√	√	\$88,994.39
4	Williamson Fencing 1325 Central Avenue West Great Falls, MT 59404	N/A	N/A	√	√	√	√	\$130,945.50
5	Wadsworth Builders 4600 2nd Avenue North Great Falls, MT 59405	N/A	N/A	√	√	√	√	\$120,443.50
6	Kalex Construction PO Box 1377 Choteau, MT 59422	N/A	N/A	√	√	√	√	\$137,450.00
7								
8								
9								
10	Engineer's Estimate							\$150,000.00



Item: Construction Contract Award: Phase II – 7th and 8th Avenues South Water Main Replacement, O. F. 1515.1

From: Engineering Division

Initiated By: Public Works Department

Presented By: Jim Rearden, Public Works Director

Action Requested: Consider Bids and Approve Contract

Suggested Motion:

1. Commissioner moves:

"I move the City Commission award a contract in the amount of \$886,516.25 to United Materials of Great Falls, Inc. for the Phase II – 7th and 8th Avenues South Water Main Replacement, O. F. 1515.1, and authorize the City Manager to execute the construction contract documents."

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

Staff Recommendation: Approve construction contract award.

Background:

Significant Impacts

This project will replace portions of the water system located in 8th Avenue South, 7th Avenue South, 2nd Avenue South, and 6th Avenue South. Most of these water mains were installed in the 1980's thru 1990, except for the 6th Avenue South main which was installed in the 1890's.

Citizen Participation

This project is being completed in cooperation with the Department of Environmental Quality (DEQ) using Drinking Water State Revolving Fund (DWSRF) and Federal Stimulus Funds administered thru DEQ for financing.

Workload Impacts

City engineering staff designed the project, and will perform construction inspection and contract administration duties.

Purpose

This project will replace water mains that have been failing, damaging roadways and disrupting water service to local residences and businesses.

The breaks are primarily due to corrosive soils, type of pipe material used, and age.

Project Work Scope

This project will replace approximately 5,875 lineal feet of 6-, 8- and 12-inch water main, 11 fire hydrants and 210 water service connections; 4,300 square yards of gravel; and 6,900 square yards of six-inch and four-inch asphalt for road repairs.

The mains are located in 8th Avenue South from 4th Street to 9th Street; 7th Avenue South from 4th Street to 9th Street; 6th Avenue South from 4th Street to 6th Street; and 2nd Avenue South from 5th Street to 7th Street.

Evaluation and Selection Process

Four bids were received and opened for this project on September 23, 2009. The bids ranged from \$886,516.25 to \$1,170,825.00. United Materials of Great Falls, Inc. submitted the low bid.

The engineer's estimate is \$961,150.00. United Materials is an established responsible local contractor and has done many projects within the City. United Materials has the resources and the manpower to complete this project.

Conclusion

City staff recommends awarding the construction contract to United Materials of Great Falls, Inc. in the amount of \$886, 516.25.

Concurrences:

DEQ has reviewed and approved the plans and specifications for this project, and has given their approval on the selected bidder.

Fiscal Impact:

Replacement of these mains will save on maintenance due to man hours and resources necessary for repairs to broken water mains, streets, and surrounding property.

The bidding climate has been very good on the three water main projects bid this year, with all projects coming in under the engineer's estimate. The prices and quality of work has been good, and the work has gone to local contractors.

DWSRF funds and Federal Stimulus funds will be used for funding this project. Federal Stimulus funds are distributed as a grant and low interest loan and are administered by DEQ.

The attached bid tabulation summarizes bids that were received.

Alternatives:

The City Commission could vote to deny award of the construction contract and re-bid the project or do nothing and continue to repair main breaks as they occur.

Attachments/Exhibits:

1. Bid tabulation is attached.

CITY OF GREAT FALLS
 P.O. BOX 5021
 GREAT FALLS, MT 59403

BID TABULATION SUMMARY

Phase II 7th and 8th Avenues South Water Main Replacement
 O.F. 1515.1

Project Number _____
 Bids Taken at Civic Center
 Date: September 23, 2009
 Tabulated By: Kari Wambach

	Name & Address of Bidder	Acknowledge Addendum #1	Contractor Certification (ARRA)	10% Bid Security	Affidavit of Non-Collusion	Certificate of Non-Segregated Facilities	Certificate of Compliance with Insurance Req.	Total Bid
1	Shumaker Trucking Company P.O. Box 1279 Great Falls, MT 59403-1279	√	√	√	√	√	√	\$1,113,710.00
2	Phillips Construction 795 Ulm-Vaughn Rd. Great Falls, MT 59404	√	√	√	√	√	√	\$933,742.00
3	United Materials, Inc. P.O. Box 1690 Great Falls, MT 59403	√	√	√	√	√	√	\$886,516.25
4	Ed Boland Construction 4601 7th Ave. So. Great Falls, MT 59405	√	√	√	√	√	√	\$1,170,825.00
5								
6								
7								
8								
9								
10	Engineer's Estimate							\$961,150.00



Item: Construction Contract Award: Grande Vista Storm Drainage Improvements, O. F. 1520

From: Engineering Division

Initiated By: Public Works Department

Presented By: Jim Rearden, Public Works Director

Action Requested: Consider Bids and Approve Contract

Suggested Motion:

1. Commissioner moves:

"I move the City Commission award a contract in the amount of \$214,138.14 to Central Plumbing & Heating, Inc. for the Grande Vista Storm Drainage Improvements, O. F. 1520, and authorize the City Manager to execute the construction contract documents."

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

Staff Recommendation: Approve construction contract award.

Background:

Significant Impacts

The project consists of extending the City's existing storm drainage system to areas of poor drainage at locations along the subdivision boundary of 1st and 2nd Supplements to Grande Vista Additions (between Delmar and Encino Drives).

Citizen Participation

Several property owners have granted public utility easements for the extension of storm drain to the areas of poor drainage located at the subdivision boundary.

Provisions within the contract limit the construction time, including restoration, on each private property (those that have granted easements) to 12 calendar days. Additionally, the contract provisions require that local access be maintained at most times, and for temporary fences to be provided on those properties where existing fences need to be removed for construction access.

Workload Impacts

City engineering staff provided design phase engineering services and is programmed to provide construction phase inspection and project management.

Purpose

The project objective is to provide better area drainage to reduce the risk for flooding and damage to private property. Other benefits will include better drainage on the public streets.

Project Work Scope

This project will extend the City's existing storm drainage system north and south from Maria Drive along Delmar Drive and westward from Delmar Drive to the subdivision line between 1st and 2nd Supplements to Grande Vista Additions. The drainage improvements will include several street inlets on Delmar Drive and field inlets installed at low lying areas located on the boundary line between the subdivisions. The work scope includes restoration of public improvements and private property disturbed by the construction activities. The project is scheduled for completion in 45 calendar days.

Evaluation and Selection Process

Six bids were received on September 25, 2009 with the bids ranging between \$214,138.14 and \$259,843.00. Central Plumbing & Heating submitted the lowest responsible and responsive bid in the amount of \$214,138.14. The engineer's estimate is \$259,160.00.

Conclusion

City staff recommends awarding the contract to Central Plumbing & Heating, Inc. Construction in the amount of \$214,138.14.

Concurrences:

Not applicable.

Fiscal Impact:

The storm drainage improvements will help alleviate possible insurance claims, litigation and other costs associated with damage caused by flooding and other poor drainage related conditions.

City storm drainage funding for capital improvements is programmed for the project. The attached bid tabulation summarizes bids that were received.

Alternatives:

The City Commission could vote to deny award of the construction contract and re-bid or cancel the project.

Attachments/Exhibits:

1. Bid tabulation is attached.

CITY OF GREAT FALLS
 P.O. BOX 5021
 GREAT FALLS, MT 59403

BID TABULATION SUMMARY
 Grande Vista Storm Drainage Improvements
 O.F. 1520

Project Number _____
 Bids Taken at Civic Center
 Date: September 25, 2009
 Tabulated By: Kari Wambach

	Name & Address of Bidder	Acknowledge Addendum #1	Acknowledge Addendum #2	10% Bid Security	Affidavit of Non-Collusion	Certificate of Non-Segregated Facilities	Certificate of Compliance with Insurance Req.	Total Bid
1	Central Plumbing & Heating 3701 River Drive North Great Falls, MT 59405	√	N/A	√	√	√	√	\$214,138.14
2	Phillips Construction 795 Ulm-Vaughn Rd. Great Falls, MT 59404	√	N/A	√	√	√	√	\$237,838.00
3	United Materials, Inc. P.O. Box 1690 Great Falls, MT 59403	√	N/A	√	√	√	√	\$224,836.50
4	Liggett Construction Co. 3000 Division Rd. Great Falls, MT 59404	√	N/A	√	√	√	√	\$251,941.00
5	David W. Kuglin Construction P.O. Box 491 Black Eagle, MT 59414	√	N/A	√	√	√	√	\$251,618.00
6	Shumaker Trucking Company P.O. Box 1279 Great Falls, MT 59403-1279	√	N/A	√	√	√	√	\$259,843.00
7								
8								
9								
10	Engineer's Estimate							\$259,160.00



Item: Final Payment - Sanitary Sewer Trenchless Rehabilitation,
Phase 13, O. F. 1566

From: Engineering Division

Initiated By: Public Works Department

Presented By: Jim Rearden, Public Works Director

Action Requested: Approve Final Pay Request

Suggested Motion:

1. Commissioner moves:

"I move the City Commission approve Final Payment for the Sanitary Sewer Trenchless Rehabilitation, Phase 13, O. F. 1566 in the amount of \$9,481.43 to Planned and Engineered Construction, Inc. (PEC), and \$95.77 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.

Staff Recommendation: Approve final payment request.

Background:

Significant Impacts

This project is a continuation of an ongoing program to rehabilitate existing sanitary sewer mains utilizing trenchless technology methods. This year's project rehabilitated sewer mains that have gradually deteriorated over the years. A total of 4,900 linear feet of mains received liners, greatly extending their useful life and reducing routine maintenance costs.

Citizen Participation

Not Applicable

Workload Impacts

The City's Public Works Department Utility Division completed preliminary sewer main inspections that were used to identify and prioritize which mains needed rehabilitation. City engineering staff designed the project and performed construction inspection and contract administration duties.

Purpose

These mains are made of vitrified clay and had gone past their expected useful lifespan. The mains had begun to crack and in some cases pieces of pipe had broken away, causing holes to form in the sewers. This causes an environmental concern and also maintenance problems in keeping the lines flowing and in proper working order.

This project made use of the trenchless technology installation method of installing Cured-In-Place-Pipe (CIPP) liner into existing pipes. Trenchless technology was chosen for this project for several reasons, including lower cost, ease of installation, greatly reduced surface disruption, and elimination of utility conflicts. Now lined, these sewer mains have an additional estimated useful lifespan of fifty years.

Project Work Scope

This project rehabilitated approximately 4,900 linear feet of 8-inch and 9-inch diameter mains that were located in eleven locations spread around the City.

Evaluation and Selection Process

Two bids were received and opened for this project on March 18, 2009. Due to irregularities in the submission of the low bid by Insituform, it had to be rejected. The City Commission awarded the contract to PEC on April 7, 2009 for the amount of \$185,940.00. Change Order No. 1 was approved June 2, 2009 in the amount \$16,980.00 bringing the total contract value to \$202,920.00.

Conclusion

City staff has verified that PEC 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 May 29, 2009.

Concurrences:

Not Applicable

Fiscal Impact:

The final cost of the project is \$191,544.00 which is \$11,376.00 less than the original contract plus Change Order No. 1. The difference is mainly due to extra or unforeseen work not being required on this project. Because of the nature of underground utility work, unknown conditions are often discovered. This project encountered very few of these conditions. Funding for this project came from the Sewer Capital Fund.

Alternatives:

The City Commission could vote to deny Final Pay

Attachments/Exhibits:

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



Item: Appointment, Board of Adjustment
From: City Manager's Office
Initiated By: City Commission
Presented By: City Commission
Action Requested: Appoint one member to the Board of Adjustment

Suggested Motion:

1. Commissioner moves:

"I move that the City Commission appoint _____ to the Board of Adjustment to a three-year term through September 30, 2012."

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

Staff Recommendation: It is recommended that the City Commission appoint one new member to the Board of Adjustment for a three-year term through September 30, 2012.

Background: There is currently one vacancy on the Board of Adjustment.

Purpose. The Board of Adjustment/Appeals consists of five members appointed by the City Commission. The Board hears and decides appeals regarding zoning, housing, and building codes and ordinances; hears and decides, requests for variances from standards set forth in zoning ordinances; hears and decides all other matters referred to the Board regarding zoning, housing, and building ordinances. Members serve three-year terms and, per Municipal Code, must reside within the City limits.

The 2003 International Building Code requires the Board of Adjustment's membership to be qualified by experience and training to pass on matters pertaining to building construction. The 2003 International Mechanical Code requires the Board of Adjustment's membership to include registered design professionals with structural engineering, electrical engineering, and architectural experience.

Evaluation and Selection Process

Advertising was done on the City's website and through the *Great Falls Tribune*. One application was received.

Continuing members of this board are:

Casey Cummings
Anthony Houtz
Timothy Peterson
Christopher Ward

Citizens interested in serving on this board are:

Jeffry M. Foster

Concurrences: Not applicable.

Fiscal Impact: Not applicable.

Alternatives: Advertise to seek other citizen interest.

Attachments/Exhibits: Application (Not available online; on file in City Clerk's Office.)



Item: Appointments to the Parking Advisory Commission
From: City Manager's Office
Initiated By: City Commission
Presented By: City Commission
Action Requested: Appoint two members to the Parking Advisory Commission

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission appoint _____ and _____ to the Parking Advisory Commission for three-year terms through April 30, 2013.”

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

Staff Recommendation: Staff recommends that two new members be appointed to the Parking Advisory Commission.

Background: Fred Thiel was appointed to the Parking Advisory Commission in September of 2005. Mr. Thiel has resigned from the board due to illness. Gene Harrison was appointed in July of 2006. Mr. Harrison is not interested in reappointment.

Purpose.

The Parking Advisory Commission is comprised of five members appointed by the City Commission. The Commission advises the City Commission, City Manager, and Community Development Staff on matters related to parking issues within the Parking Districts.

Evaluation and Selection Process

Announcements regarding the opening were placed several times in the *Great Falls Tribune* and on the City's Website. Three applications were received for consideration by the Commission in making these appointments.

Continuing member of this board is:

Daren Brown
John Godwin
Phil Kiser

Citizens interested in serving on this Board:

David A. Campbell

Charles Fulcher

Kevin Williams

Concurrences: Not applicable.

Fiscal Impact: Not applicable.

Alternatives: Continue advertising to seek further citizen interest.

Attachments/Exhibits: Board Applications (Not available online; on file in City Clerk's Office.)