



City Commission Agenda

for

May 19, 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

Hats-On-For-Cancer Day

NEIGHBORHOOD COUNCILS

1. Miscellaneous reports and announcements.

PUBLIC HEARINGS

2. Sale of City Property, Lot 3G of Amended Plat of Lot 3, Medical Tech Park. Approves sale of land to Premier Care Pediatrics in the amount of \$195,684. Action: Conduct public hearing and approve or deny sale of land.
(Presented by: Mike Rattray)

OLD BUSINESS

3. Res. 9829, as amended, Civic Center Room Rates. Action: Adopt or deny Res. 9829. *(Presented by: Marty Basta)*

NEW BUSINESS

4. Revised Fire Protection and Emergency Services Fee Schedule between Southern Montana Electric G&T and City of Great Falls Fire Rescue. Action: Approve or deny Fee Schedule. *(Presented by: Randy McCamley)*

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.*

5. Minutes, May 5, 2009, Commission meeting.
6. Total Expenditures of \$2,062,010 for the period of April 25 to May 9, 2009, to include claims over \$5000, in the amount of \$1,848,633.
7. Contracts list.
8. Lien Release list.
9. Set public hearing for June 16, 2009, on Res. 9836 for Conditional Use Permit to allow a Day Care Center on Lot 1A, Block 3, Sunrise Court Addition addressed as 5115 3rd Avenue South.
10. Set public hearing for June 2, 2009, to consider the sale of Lot 3H of the Amended Plat of Lot 3, Medical Tech Park.

11. Approve the use of \$11,571 in additional CTEP funds and award bid for the 5th Street South Streetscape to Liggett Construction in the amount of \$163,520.
12. Accept bid from Thatcher Company for liquid aluminum sulfate in the amount of \$318.33 per dry ton for FY 2009/2010.
13. Accept bid from Hawkins Water Treatment Group for anhydrous ammonia in the amount of \$1.49 per pound for FY 2009/2010.
14. Accept bid from Thatcher Company for liquid chlorine in the amount of \$530.77 per ton for FY 2009/2010.

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

BOARDS & COMMISSIONS

15. Miscellaneous reports and announcements.

CITY MANAGER

16. 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)*

17. Miscellaneous reports and announcements.

CITY COMMISSION

18. Miscellaneous reports and announcements.

MOTION TO ADJOURN



Item: Sale of City Property, Lot 3G of Amended Plat of Lot 3, Medical Tech Park

From: Mike Rattray, Community Development Director

Initiated By: Community Development Department

Presented By: Mike Rattray, Community Development Director

Action Requested: Conduct Public Hearing and Approve Sale of Land

Public Hearing:

1. Mayor conducts public hearing, calling three times each for opponents and proponents.
2. Mayor closes public hearing and asks the will of the Commission.

Suggested Motion:

1. Commissioner moves:

“I move the City Commission (approve/deny) the sale of Lot 3G of the Amended Plat of Lot 3, Medical Tech Park to Premier Care Pediatrics in the amount of \$195,684.00.”

2. Mayor calls for a second, discussion, and calls for the vote. (Requires four-fifths vote of Commission)
-

Staff Recommendation: After conducting the public hearing, staff recommends the City Commission approve the sale of City land to Premier Care Pediatrics in the amount of \$195,684.00.

Background: In 2004, in conjunction with development of the Centene project, the City of Great Falls purchased an additional ten acres for the purpose of creating a subdivision that would provide office development sites that would be in harmony with the institutional type of development currently taking place in this part of the community. On July 18, 2006, the City Commission approved the final plat of the ten acre site, which created eight lots of approximately 1.1 acre in size. Staff obtained an appraisal that established the fair market value of the land at a minimum of \$4.00 per square foot with a range up to \$4.50 per square foot. The City sold the first lot on September 5, 2006, for \$4.00 per square foot for the purpose of constructing a new Social Security building. The City sold the second lot on July 1, 2008, for \$4.25 per square foot for construction of a Homeland Security building.

Staff was recently contacted by a local doctor who was interested in a site for a new office building and has requested that staff offer Lot 3G for sale. A public notice for a bid opening was placed in the newspaper on April 26, 2009, for a bid opening to be conducted on May 6, 2009. The minimum bid price was established at \$4.25 per square foot.

Significant Impacts: Sale of the parcel and construction of new office building will expand the tax base.

Citizen Participation: In addition to the public notice for the bid opening, a public notice of the public hearing to be conducted by the City Commission was placed in the newspaper on May 3, 2009. Only one bid was received.

Workload Impacts N/A

Purpose N/A

Project Work Scope N/A

Evaluation and Selection Process N/A

Conclusion: The City created the Medical Tech Park subdivision for the specific purpose of offering lots for sale for the development of professional offices so this sale is consistent with achievement of that goal.

Proceeds of the sale will go toward the debt incurred to develop the property, i.e. sewer, water, pavement, etc.

Concurrences: N/A

Fiscal Impact: At the minimum bid price of \$4.25 per square foot, the lot sale will result in a sale price of at least \$195,683.

Alternatives: The City Commission can approve or deny the sale of the land.

Attachments/Exhibits: Notice To All Bidders
Public Notice

NOTICE TO ALL BIDDERS
SALE OF CITY-OWNED PROPERTY

NOTICE IS HEREBY GIVEN that the City of Great Falls, Montana, will receive sealed bids at the City Clerk's Office, Room 202, Civic Center Building, #2 Park Drive, Great Falls, Montana, until 3:00 p.m., May 6, 2009, at which place and time they will be publicly opened, read and considered, together with all bidding for the sale and development of the City-owned land more particularly described as follows:

Lot 3G, Amended Plat of Lot 3, Medical Tech Park Subdivision, Great Falls, MT

Each and every bid shall be accompanied by a cashier's check, drawn on a responsible bank, payable to the City of Great Falls, for an amount which will be not less than ten percent (10%) of the aggregate of the enclosed bid. Minimum bid for the land shall not be less than the appraised value as indicated below:

The minimum bid price shall be \$4.25 per square foot or \$195,683

The bids shall be marked on the outside: "Bid on City-owned land to be opened May 6, 2009.

Map exhibits of the land to be sold are on file in the Community Development Department of the City of Great Falls. Potential bidders are encouraged to contact Mike Rattray, Community Development Director, for additional information prior to submitting a bid.

The City Commission of the City of Great Falls reserves the right to reject any or all bids and accept any bid should it be deemed in the public interest to do so.

BY ORDER OF THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA.

Lisa Kunz, City Clerk

PUBLICATION DATE: April 26, 2009

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the City Commission of the City of Great Falls, Montana, will conduct a public hearing in the Commission Chambers, Civic Center Building, at 7:00 p.m. on May 19, 2009, for the purpose of considering the sale of a parcel of City-owned land described below.

Lot 3G of Amended Plat of Lot 3, Medical Tech Park, Great Falls, MT

Map exhibits delineating the parcel for sale are available for review in the Community Development Department at the Civic Center. Any person who wants to provide comment may do so at the public hearing or may provide written comment by mailing said comments to: City Clerk, City of Great Falls, P.O. Box 5021, Great Falls, MT 59403.

Lisa Kunz
City Clerk

PUBLICATION DATE: May 3, 2009



Item: Resolution 9829, Civic Center Room Rates
From: Mansfield Center for the Performing Arts
Prepared By: Dona Hughes, Events Supervisor
Presented By: Marty Basta, Park & Recreation Director
Action Requested: Adopt Resolution 9829

Suggested Motion:

1. Commissioner moves:

"I move that the City Commission (adopt/deny) Resolution 9829 as amended."
 2. Mayor calls for a second, discussion, inquiries from the public, and calls the vote.
-

Staff Recommendation:

Staff recommends the City Commission adopt Resolution 9829 as amended, Mansfield Center Fees.

Proposed Fees:

Mansfield Convention Center	<u>Current Fees</u>	<u>Proposed Fees</u>
Attendance over 500	\$1,675	\$1,820
Attendance 500 and under	\$1,475	\$1,600
Non-alcohol event	\$1,175	\$1,275
Set-up or tear-down day*	\$75/hr minimum \$150 Maximum \$587.50	\$75/hr minimum \$150 Maximum \$650
Merchandising fee	20% of gross	20% of gross

Box Office Services (Convention Center)

Use of Mansfield Box Office Optional

Required for all events contracted by non-residents of Great Falls. City to have exclusive rights to all electronic ticketing for all events held in the Civic Center.

5% of gross ticket sales

5% of gross ticket sales

Box Office Services (Convention Center) continued		
Minimum	\$300	\$300
Cap	none	\$2,300
Missouri Room	<u>Current Fees</u>	<u>Proposed Fees</u>
Event day	\$375	\$425
Set-up/tear-down day*	\$187.50	\$212.50
Rainbow or Ryan Room	<u>Current Fees</u>	<u>Proposed Fees</u>
Week day	\$33	\$55
Weekend day	\$150	no change
Gibson Room	<u>Current Fees</u>	<u>Proposed Fees</u>
Event day	\$137.50	\$150
Commission Chambers	<u>Current Fees</u>	<u>Proposed Fees</u>
Event day	\$165	\$180
Holiday rates	\$350 additional charge	no change

*Set-up/tear-down day: maximum of 10 hrs that must be consecutive and between 7am and 10 pm.

Discount: A 15% discount may apply to multiple-room or multiple-day rentals. Discount may only be applied to full room rental rates.

Annual increase: Implement an annual increase, based on the Consumer Price Index, on all rental and box office service fees, with the exclusion of the \$.50/ticket facility surcharge.

Mansfield Theater

Implement an annual increase on the minimum rent based on the Consumer Price Index.

Background:

Resolution 9829 was postponed at the May 5, 2009 Commission Meeting. It has been amended and is resubmitted for Commission action.

Fees for the Mansfield Convention Center, Missouri Room, Gibson Room and Commission Chamber were last raised in July 2002. Rates for the Rainbow and Ryan Rooms have been in place since July 1997. The rates for the Mansfield Theater were last increased in July 2006 and have an annual increase on the cap for rent and on the rehearsal rates.

Box Office services are included in the Mansfield Theater rent. Rates for all other box office services were set at 5% of gross in July of 2006. Staff recommends the requirement that all events on sale to the general public and contracted or co-promoted by non-residents are required to use the Mansfield Box Office. Non-residents will be prohibited from sub-contracting through a local group for ticketing services. City will retain exclusive rights to all electronic ticketing in the Civic Center. The objective is to provide convenient service to the patron expecting to have the ability to purchase at the Mansfield Box Office as well as secure our community member's investment in the ticket should the event cancel.

Concurrence: The Mansfield Center for the Performing Arts Advisory Board reviewed the proposed fee increases for the above room rates at the February 20, 2009 meeting and recommended approval by the City Commission. The Board also recommended an annual

review of the above fees and to consider an annual increase based on the Consumer Price Index (CPI).

Fiscal Impact: With the exception of the Mansfield Theater, the above room rental fees have not kept pace with cost increases in energy, supplies, etc. The above recommendation has taken into consideration current operating deficit as well as what the market will currently bear. Projected additional revenue for FY'10 is \$6,000.

Alternatives: Alternatives would include increased general fund subsidy or a reduction in services and/or facilities.

Attachments/Exhibits:

1. Resolution 9829

RESOLUTION 9829
A RESOLUTION TO ESTABLISH FEES FOR MANSFIELD CENTER FOR THE
PERFORMING ARTS AT THE CIVIC CENTER

BE IT RESOLVED by the City Commission of the City of Great Falls, Cascade County, Montana; that all past fee structures for Mansfield Convention Center, Missouri Room, Gibson Room, Rainbow Room and Ryan Room as established in Resolution 9168 and Resolution 8863 are hereby amended.

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

The fees for the use Civic Center rooms and services to be as follows:

Mansfield Convention Center	<u>Current Fees</u>	<u>Proposed Fees</u>
Attendance over 500	\$1,675	\$1,820
Attendance 500 and under	\$1,475	\$1,600
Non-alcohol event	\$1,175	\$1,275
Set-up or tear-down day*	\$75/hr minimum \$150 Maximum \$587.50	\$75/hr minimum \$150 Maximum \$650
Merchandising fee	20% of gross	20% of gross
Box Office Services (Convention Center)		
Use of Mansfield Box Office	Optional	Required for all events contracted by non-residents of Great Falls. Non-residents are prohibited from sub-contracting through residents or other local groups for ticketing services. The City will to have exclusive rights to all electronic ticketing for all events held in the Civic Center regardless of whether the event sponsor is a resident or non-resident.
Fee	5% of gross ticket sales	5% of gross ticket sales
Minimum	\$300	\$300
Cap	none	\$2,300
Missouri Room		
Event day	<u>Current Fees</u> \$375	<u>Proposed Fees</u> \$425
Set-up/tear-down day*	\$187.50	\$212.50
Rainbow or Ryan Room		
Week day	<u>Current Fees</u> \$33	<u>Proposed Fees</u> \$55
Weekend day	\$150	no change

Gibson Room	<u>Current Fees</u>	<u>Proposed Fees</u>
Event day	\$137.50	\$150
Commission Chambers	<u>Current Fees</u>	<u>Proposed Fees</u>
Event day	\$165	\$180

*Set-up/tear-down day: maximum of 10 hrs that must be consecutive and between 7am and 10 pm.

Holiday rates \$350 additional charge no change

Discount: A 15% discount may apply to multiple-room or multiple-day rentals. Discount may only be applied to full room rental rates.

Annual Increase: Implement an annual increase, based on the Consumer Price Index, on all rental and box office service fees (including the Theater), with the exception of the \$0.50/ticket facility surcharge.

Passed and adopted by the City Commission of the City of Great Falls, Montana on this 19th day of May, 2009.

Dona R. Stebbins, Mayor

ATTEST

Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

David V. Gliko, City Attorney



Item: Revised Fire Protection and Emergency Services Fee Schedule between Southern Montana Electric G&T and City of Great Falls Fire Rescue, OF 1472.2

From: Coleen Balzarini, Fiscal Services Director; and Randy McCamley, Fire Chief

Initiated By: Southern Montana Electric Generation and Transmission Cooperative, Inc.

Presented By: Fire Chief McCamley

Action Requested: Approve the Revised Fire Protection and Emergency Services Fee Schedule effective February 1, 2009

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (approve/deny) the Revised Fire Protection and Emergency Services Fee Schedule for Highwood Generating Station effective February 1, 2009.”

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

Staff Recommendation: Staff recommends the City Commission adopt the proposed revised fee schedule to provide necessary fire services to Highwood Generating Station at a fee appropriate to cover all costs related to providing GFFR services during periods of construction as well as response readiness during the project reassessment and construction hiatus period.

Background: On June 17, 2008, the City Commission approved a Fire Services Agreement serving the Southern Montana Highwood Generation Station and directed Staff to bring back a fee schedule related to the services for review and action. On August 5, 2008, the City Commission approved a Fire Protection and Emergency Services Fee Schedule. This schedule was developed based on the assumption that once construction commenced on HGS the facility would be occupied by up to 500 construction workers working in confined space areas with large heavy equipment for four years. It was anticipated the project would move directly from the construction phase into the operation phase.

Prior to February 1, 2009, construction at the HGS site ceased, pending reassessment of the project. Currently, there is no construction work in progress, and the site is isolated, fenced and secured with little or no activity that would require a GFFR response. When construction

commenced in the fall of 2008, and when notified by SME that services were desired, GFFR visited the site, established protocols for notification and dispatching of services in the event of an incident, and communicated with other responder agencies regarding assigned responsibilities. Southern paid a total of \$47,166 for services provided during the construction months of December 2008 and January 2009. In the event the revised fee schedule is approved retroactive to February 1, 2009, the City is in receipt of an additional \$ 23,583 available to apply to the months of February, March, April, and May @ \$3,000 x 4 months, as well as reserve amounts anticipated to be adequate to carry through the reassessment period. Fiscal year to date SME has paid the City \$70,749 for GFFR response or future response readiness.

On May 7, 2009, Southern Montana Electric requested the City Commission consider revising the fee schedule to provide a waiver of a portion of the GFFR fees pending determination of a project course of action when no construction activity is occurring at the site.

The original Fee Schedule developed by GFFR considered costs related to Fire Suppression, EMS & Rescue, Fire Prevention Activities, and Special Operations/Rescue. The Fee was to be reviewed and adjusted as necessary to compensate the City for the cost of the services provided. Any budget or operational increases incurred by GFFR would be offset by the fee for services paid by HGS to the City. The Revised Fee Schedule proposes charging a monthly fee of \$3,000, effective February 1, 2009. This fee would continue during this reassessment period when construction is placed on hold. In addition, costs incurred in the event of a GFFR response to the site would be billed in accordance with fees previously established in Resolution 9465 or as amended by future action of the City Commission and paid based on the costs incurred to respond.

Other agreements that have already been approved include Raw Water, Potable Water, and Wastewater Return Agreements. A condition of the Fire Protection and Emergency Services Agreement, as well as the existing Potable Water and Wastewater Return Agreements, requires that SME agree not to protest annexation and to comply with additional terms related to future annexation in a separate agreement. The additional terms must meet the requirements of Ordinance 2972, adopted by the City Commission on September 18, 2007.

Reasons why the City Commission approved the June 17, 2008 Fire Services agreement include, but are not limited to, the following:

1. The plant will be located within Cascade County, approximately 8 miles to the east of the eastern city limits;
2. Approximately 70% of the construction laborers will be residents of the City;
3. The plant requires fire/rescue services that the Great Falls Fire Department can provide;
4. An agreement with the City for fire/rescue services is a condition of the HGS site rezoning and location conformance permit.

Concurrences: The August 5, 2008 fee schedule was prepared by GFFR and reviewed and approved by SME's General Manager, and City Fiscal Services Director. Chief McCamley contacted the Sand Coulee Rural Fire Chief to discuss the provision of fire services to HGS. No issues were raised during that discussion regarding the intent of the agreement. Concurrently, HGS resides within the Sand Coulee Rural Fire District and will pay all appropriate taxes and fees to that District.

The Great Falls Fire/Rescue Department is the best available provider of the intended services. GFFR has the resources, training, and ability to respond to incidents at the facility. Cascade County Commissioners recognized this by making such an agreement a condition of re-zoning the HGS site.

Fiscal Impact: On October 3, 2006, the Commission authorized a contract with Tischler Bise, Inc. to perform a Fiscal Impact Study. The study evaluated the cost of services attributable to the HGS facility. The results of that study are found within the report dated February 21, 2007.

Based on the Tischler Bise report, it is estimated the annual cost to provide basic city services during the construction and operation phases of HGS will be \$100,000. The approved Fire Services agreement includes services which are in addition to the basic services noted in the report. The intent of all parties is that the fee for the services will cover the costs of providing those services. Direct costs to be considered include such things as materials, equipment, direct staffing, staff overtime, and staff call back expenses. Consideration must also be given to the intrinsic value of indirect and intangible costs such as having the resources available when needed. The agreement references a cost range between \$150,000 and \$300,000 per year. The Fire Department calculated the fee based upon factors such as anticipated number of responses, type of responses, and anticipated training of HGS staff by GFFR deemed necessary in terms of events such as confined space incidents.

Alternatives:

The City Commission may request changes to the proposed revised fee schedule.

The City Commission may deny the revised fee schedule as presented and request Staff to do further work in regards to fee schedule development.

Attachments/Exhibits:

1. Southern Montana email following up on prior verbal requests for rate consideration
(Not available online; on file in City Clerk's Office.)
2. Revised Fire Protection and Emergency Services Fee Schedule
3. Exhibit A: Res 9465 Revising the Fee Schedule for the Great Falls Fire/Rescue and Superseding Resolution 9315

Cc: Southern Montana Electric G&T

**Revised Fire Protection and Emergency Services Fee Schedule
Highwood Generation Station effective February 1, 2009**

Effective August 5, 2008 and upon commencement of active construction of Highwood Generation Station, Southern Montana Electric Generation and Transmission Cooperative Inc, agreed to pay the City of Great Falls an annual fee of \$283,000 for fire protection and emergency services. Fees include all costs for apparatus, equipment, personnel (including overtime), fuel, maintenance, etc., unless stated otherwise.

On or about February 1, 2009, construction of Highwood Generation Station ceased, pending reassessment of the project. The site is isolated, fenced and secured with little or no activity that would require a response from GFFR. Until construction recommences, Southern Montana Electric Generation and Transmission Cooperative Inc. agrees to pay the City of Great Falls a monthly fee of \$3,000 and any additional costs incurred in the event of a GFFR response call to the site in accordance with fees previously established in Resolution 9465 or as amended by future action of the City Commission (attached as Exhibit A).

This fee schedule will be reviewed at least annually, or more frequently as necessary, to address changes in service, or increased costs of providing the services.

HGS Status	During Construction	During Hiatus
Base Fee: During Construction Hiatus and Prior to Operation		\$ 3,000
Service Calls During Hiatus: Billed on a per response basis		Fees/Res 9465
Fire Suppression:	\$ 125,000	
Emergency Medical first response Advance Life:	\$ 80,000	
Hazardous Materials Mitigation: Hazardous events that are extraordinary in nature will be billed on a per event basis.	\$ 30,000	
Special Operations (Confined Space Rescue, Technical Rescue, Cold Water Rescue and High Angle Rope Rescue):	\$ 30,000	
Fire Prevention Activities: (Perform site safety inspections, assist with development of Site Safety Preplans for both construction and operations phases.)	\$ 3,000	
HGS Fire Brigade- Safety Team Training: GFFR will provide basic defensive firefighting skill and basic first aid for up to 20 employee's Inclusive of Fire Training Center rental.	\$ 10,000	
Administrative Cost:	\$ 5,000	
Total Annual Fee	\$283,000	\$ 36,000 +

PASSED by the City Commission of the City of Great Falls, Montana this _____ day of _____, 2009, subject to conditions set forth in Exhibit B attached hereto.

Exhibit B

The City Commission approved the Revised Fire Protection and Emergency Services Fee Schedule between Southern Montana Electric G&T and City of Great Falls Fire Rescue on May 19, 2009, subject to the following conditions:

- (1) Any amounts paid to date are not going to be reimbursed; and
- (2) that the agreement will be renegotiated upon notice of commencement of any construction at the Highwood Generating Station.

RESOLUTION 9465
A RESOLUTION REVISING THE FEE SCHEDULE FOR THE
GREAT FALLS FIRE/RESCUE AND SUPERCEDING RESOLUTION 9315

BE IT RESOLVED by the City Commission of the City of Great Falls, Cascade County, Montana:

That the Great Falls Fire Rescue Fee Schedule be revised as follows:

COPYING:	<u>Current</u>	<u>Revised</u>
Single page copies - will be at the current City rate		
Incident Reports	\$5.00	\$6.00
Investigation Reports	\$5.00	\$10.00
FACILITIES (daily rates):		
Training Center classroom	\$60.00	\$80.00
Training Center facility, includes Drill Tower & Roof Prop	\$150.00	\$195.00
Burn Building – (requires GFFR supervision)	na	\$250.00 + pers
TV/VCR	\$25.00	\$32.50
Computer Projector / Smart board	na	\$45.00
EQUIPMENT:		
Ladder testing (per ladder)	\$45.00	\$50.00
Hose repair (per length)	\$10.00	\$11.00
Hose repair – parts	cost + 20%	
SCBA Hydrotest	\$12.00	\$18.00
SCBA Tumble	\$3.00	\$3.50
CASCADE SYSTEM – BREATHING AIR:		
30 min bottle filling	\$10.00	
60 min bottle filling	\$15.00	
EXTINGUISHERS:		
Annual Inspection	\$5.00	\$6.00
Recharge	\$10.00	\$13.00
Hydrotest	\$12.00	\$18.00
Extinguishing agent (per pound)	\$1.50	\$2.20
Replacement parts	cost + 20%	
New Extinguishers	cost + 20%	
APPARATUS (hourly rates – personnel costs not included):		
1 ALS Rescue Engine	\$100	\$135
1 Fire Engine	\$100	\$120
1 Aerial Apparatus	\$150	\$180
1 Command Vehicle	\$50	\$75
1 Rescue Vehicle	\$75	
1 Hazmat Trailer w/equip	na	\$100
Hazmat supplies/tools	na	cost + 20%

PERSONNEL (regular hourly rates):

	<u>Current</u>	<u>Revised</u>
1 Management	\$30.66	\$36.95
1 Staff Officer	na	\$29.71
1 Firefighter	\$22.54	\$25.78

**Overtime will be the regular rate times 1.5*

OTHER COSTS MAY INCLUDE:

- Administrative fee
- Disposal Fees
- Miscellaneous equipment/materials
- Replace/Repair damaged equipment

PASSED by the City Commission of the City of Great Falls, Montana this 15th day of March, 2005.

Randall H. Gray, Mayor

Attest:

Carolyn Horst, Deputy City Clerk

(SEAL OF CITY)

APPROVED AS TO FORM:

City Attorney

State of Montana)
County of Cascade : ss
City of Great Falls)

I, Carolyn Horst, Deputy City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9465 was placed on its final passage and passed by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 15th day of March, 2005 and approved by the Mayor of said City on the 15th day of March, 2005.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 15th day of March, 2005.

Carolyn Horst, Deputy City Clerk

(SEAL OF CITY)

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 Assistant City Manager, City Attorney, Directors of Community Development, Fiscal Services, Library, Park and Recreation, Planning, Public Works, the Assistant Fire Chief, Police Chief, and the Acting City Clerk.

PROCLAMATIONS: Mayor Stebbins read Proclamations for Peace Officers' Memorial Day and Police Week, National Preservation Month, and National Day of Prayer

NEIGHBORHOOD COUNCILS

NC 4 – Great Falls Pre-Release Center awarded Good Neighbor Award.

1. Sandra Guynn, Chair of NC 4, presented Paul Cory, Executive Director, and Curtis Thompson, Personnel Committee of the Great Falls Pre-Release Center, with Neighborhood Council 4's Good Neighbor Award. This is the second time they have been nominated for this award.

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

PUBLIC HEARING

Justice Assistance Grant (JAG) for 2009. Approved.

3. JUSTICE ASSISTANCE GRANT FOR 2009.

Police Chief Cloyd Grove reported that this annual Justice Assistance Grant (previously called the Law Enforcement Block Grant) is shared with Cascade County, and this year the City and the County have agreed to purchase mobile data cameras for patrol cars. The County also needs a server to download the video from those cameras.

Mayor Stebbins declared the public hearing open.

No one spoke in favor of or opposition to the Justice Assistance Grant for 2009.

Mayor Stebbins closed the public hearing.

Commissioner Jolley moved, seconded by Commissioners Rosenbaum and Beecher, that the City Commission approve the Memorandum of Understanding between Cascade County and the City of Great Falls for use of 2009 JAG funds and authorize the City Manager to execute the MOU.

Motion carried 5-0.

Res. 9829. Postponed.

4. RESOLUTION 9829, CIVIC CENTER ROOM RATES.

Park and Recreation Director Marty Basta reported that fees for the Mansfield Convention Center, Missouri Room, Gibson Room and the Commission Chambers were last increased in 2002, while fees for the Rainbow and Ryan Rooms have been in place since 1997. Fees for the Mansfield Theatre were last increased in 2006 and the room rental fees have not kept pace with operating cost increases, thus requiring increased general fund tax dollar support. Tax support costs for Fiscal Year 2010 are estimated to be \$215,000. Additionally, staff recommends that all events on sale to the general public be required to use the Mansfield Box Office services. Staff believes this would be more convenient for the patrons and would also secure ticket purchase monies should the event be cancelled. The Mansfield Center for Performing Arts Advisory Board reviewed the proposed fee increases at its February 20, 2009 meeting and recommended approval by the City Commission.

Mayor Stebbins declared the public hearing open. Speaking in opposition to Resolution 9829 was:

R.J. Haffner, 1916 Mountain View Drive, inquired as to what type of events would be required to use the Box Office. Mr. Basta responded that the current proposal would require all events to use box office services, without exception. Mr. Haffner said he was strongly opposed because many informal fundraisers would be inconvenienced, as well as lose funds.

Dona Hughes, Mansfield Events Office Supervisor, commented that the proposal is actually for those events that are on sale to the general public. Several fundraisers where sales are conducted on a hand-to-hand, private basis would not be included. Ms. Hughes said they are hoping to better serve the general public with those events where the ticket buyer is expecting to buy the ticket at the window, since the event is at the Civic Center. Also, they want to be assured the public's investment is protected.

Commissioner Bronson asked if the proper distinction should be for-profit vs. non-profit events. Mayor Stebbins suggested the intent of this proposal is to protect the public from independent promoters that come in, sell tickets, and skip town with the proceeds. She also suggested that it should not be a mandatory requirement for local events to use the services at the Box Office.

Gordon Johnson, 205 Glenwood Court, suggested the Box Office staff maintain a file of 501(c)3 forms for those non-profit groups who wish to use their services.

Carolyn Valacich, 1700 32nd St. South, stated that she would agree with Maestro Johnson's suggestion as a solution to the ambiguity of this proposal. Sometimes a non-profit would benefit from the services of the

Box Office, and sometime they would not.

Speaking in favor of Resolution 9829 were:

Carl J. Donovan, 1509 13th Ave. South, a volunteer usher and Vice-Chair of the Mansfield Center for Performing Arts Advisory Board, stated that he believes the public would be better served by this proposal, but he also supports the suggestion that would protect the public from independent promoters. Mr. Donovan gave a brief history of how the fees were established. He explained that the Mansfield Center is dependent on rental fees, ticketing services, and general fund subsidy. He noted that the fee request is a small step to avoid the imminent need to cut services, and the ticketing policy is a step to address the public's request to purchase tickets at the Box Office for an event held at the Mansfield Center and to secure the ticket buyer's investment. Mr. Donovan reported the Advisory Board is concerned about the leaking roof in the Missouri Room, and the heating, ventilation and air-conditioning systems in the Theatre and Convention Center.

Mayor Stebbins closed the public hearing and asked for the will of the Commission.

Commissioner Bronson asked if the consensus was to require use of Box Office services for for-profit, independent event concert promoters.

Ms. Hughes agreed that those events are primarily of concern, however, the other challenge is those events that produce a large walk-up that have to be turned away if the event promoter is a non-profit.

Commissioner Bronson stated that prior to entertaining a motion, he would suggest all non-profit organizations be left out from being required to participate at this time.

Ms. Valacich agreed this proposal would address her concerns.

Commissioner Bronson moved, seconded by Commissioner Beecher, that the City Commission adopt Resolution 9829 as presented by staff with an amendment to require use of Box Office services for for-profit, independent event concert promoters, and an option available for non-profit organizations.

Commissioner Jolley questioned why the staff report mentions 5% of gross, and it was not included in the Resolution.

Assistant City Manager, Cheryl Patton, noted that there was nothing in the resolution that indicates 5% gross as the charge for Box Office fees. She said the comment is included in the Agenda Report, but it was not in the resolution. She suggested staff bring Resolution 9829 back to the next

commission meeting.

Commissioner Bronson withdrew his motion, and Mr. Beecher withdrew his second.

Commissioner Bronson moved, seconded by Commissioner Beecher, that the Commission postpone consideration of Resolution 9829 until the next scheduled meeting.

Commissioner Bronson explained that he believed there was a consensus among the Commission to support the amendment as proposed as part of the original motion, and the Commission needs to address the concerns of Commissioner Jolley.

Motion carried 5-0.

Res. 9821, 9822 & Ord. 3033. Adopted.

5A. RESOLUTION 9821, ANNEXES A SEGMENT OF BNSF RAILROAD R/W.

5B. RESOLUTION 9822, ANNEXES SERVICE DISTRICT NO. 2.

5C. ORDINANCE 3033, ESTABLISHES CITY ZONING.

Interim Planning Director Bill Walters reported that Service District No. 2 of the Upper Lower River Road Water & Sewer District consists of segments of Lower and Upper Roads and 81 parcels involving 54 property owners. Being annexed simultaneously with Service District No.2 is a 6900 foot segment of the BNSF right-of-way. The Planning Board at the conclusion of a public hearing held March 10, 2009, passed a motion recommending the City Commission annex Service District No. 2 and the Zoning Commission passed a motion recommending the City Commission assign City zoning to Service District No. 2 as provided in Ordinance 3033. The action requested of the Commission is to adopt Resolution 9821, which annexes the involved BNSF right-of-way, Resolution 9822, which annexes Service District No. 2, and Ordinance 3033, which assigns City zoning to property within Service District No. 2.

Mayor Stebbins declared the public hearing open.

Speaking in favor of Resolutions 9821 and 9822 and Ordinance 3032 was **Rolland Leitheiser**, 136 Sharon Drive, board member for the Upper Lower River Road Water & Sewer District. Mr. Leitheiser explained that this project has been in process for at least 12 years. The first phase has been completed and annexed; this is the second phase. Mr. Leitheiser said the District is requesting the effective date of Resolution 9822 be August 1, 2009 because they have CDBG funds to pay for lower and moderate income private services into houses that must be used prior to annexation.

Mayor Stebbins declared the public hearing closed and asked for the direction of the City Commission.

Commissioner Bronson moved, seconded by Commissioners Beecher and Rosenbaum, that the City Commission adopt Resolutions 9821 and 9822, with an effective date for Resolution 9822 being after August 1, 2009, upon filing Resolution 9822 with the County Clerk & Recorder.

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

Mayor Stebbins asked Mr. Leitheiser if he had stated that he would lose funding if Resolution 9822 became effective after August 1st. Mr. Leitheiser answered that the CDBG money must be spent prior to annexation and he believes the work can be completed by August 1, 2009.

Motion carried 5-0.

Commissioner Rosenbaum moved, seconded by Commissioners Beecher and Bronson, that the City Commission adopt Ordinance 3033.

Motion carried 5-0.

OLD BUSINESS

NEW BUSINESS

ORDINANCES/RESOLUTIONS

Ord. 3035. Adopted.

6. ORDINANCE 3035, APPROVING ADDITIONAL PUBLIC IMPROVEMENTS WITH RESPECT TO THE WEST BANK PROPERTIES URBAN RENEWAL PROJECT TO BE FINANCED WITH TAX INCREMENT REVENUES.

Fiscal Services Director Coleen Balzarini reported that the City Commission accepted this ordinance on first reading April 21, 2009. She explained that Ordinance 3035 expands the types of public improvements that are eligible under the West Bank Properties Urban Renewal project, the StayBridge component of that project. She noted that the amount authorized is up to \$900,000, and that amount will not change.

Commissioner Jolley moved, seconded by Commissioner Bronson, that the City Commission adopt Ordinance 3035 on Final Reading.

Mayor Stebbins asked if there was any discussion amongst the Commissioners or inquiries from the public.

Ron Gessaman, 1006 36th Avenue NE, expressed concerns that the Great Falls West Bank Urban Renewal Plan does not authorize funding for relocation of utility lines. He also noted that the Montana Urban Renewal Law § 7-15-4288 does not say anything about the burial of existing lines. He commented that he is opposed to tax increment financing.

Motion carried 4-1 (Commissioner Jolley dissenting).

Ord 3037. Accepted on first reading, and public hearing set for June 2, 2009.

7. ORDINANCE 3037, ASSIGN CITY ZONING TO NORTHVIEW ADDITION, PHASE 4.

Interim Planning Director Bill Walters reported that the City Commission conditionally approved the Preliminary Plat of Northview Addition, Phases 2–7 on February 6, 2007. He said the developer, Jim Workman Construction Co., has requested approval of the final plat and annexation of Phase 4 of the Preliminary Plat. The subdivision consists of 2 lots on either side of 37th Avenue Northeast immediately east of 9th Street Northeast, with each lot to contain 6 residential condominium units. Ordinance 3037 assigns a City zoning classification of PUD Planned Unit Development district to Northview Addition, Phase 4. The action requested of the Commission is to accept Ordinance 3037 on first reading and set a public hearing for June 2, 2009, when the final plat and annexation documents will also be considered.

Commissioner Bronson moved, seconded by Commissioner Beecher, that the City Commission accept Ordinance 3037 on first reading, and set a public hearing for June 2, 2009.

Mayor Stebbins asked if there was any discussion amongst the Commissioners or inquiries from the public.

Ron Gessaman, 1006 36th Avenue NE, reported that he lives adjacent to Northview Addition and is concerned that all 7 phases of this Addition and Bootlegger Addition, Phases I & II, currently have to feed down to the intersection of 9th St. and 36th Ave. NE. After each phase of Northview Addition, he stated there have been promises that there will be some relief on 36th Ave. NE because the avenues are planned to extend to the Bootlegger Trail. Mr. Gessaman commented this agenda report states the avenues will be extended to 12th St. NE. Mr. Gessaman asked for clarification and a timeframe for relief of traffic congestion.

Mr. Gessaman also expressed concerns about park lands. He noted that the agenda report states the City is again accepting fees in lieu of park land. He said that park lands and open space are components of an attractive city and in recent years the City has accepted money in lieu of park land in many developments. He noted there was no provision for any park land from 36th Ave. NE to Eagles Crossing, which includes Northview Addition,

Bootlegger Phases I & II, and Eagles Crossing (potentially 350 houses).

Motion carried 5-0.

Res. 9834. Adopted.

8. RESOLUTION 9834, A RESOLUTION CALLING FOR A MAIL – IN ELECTION AUTHORIZING THE CITY TO EXCEED THE MILL LEVY LIMIT ESTABLISHED IN § 15-10-420, MCA, TO EXPAND THE FIRE DEPARTMENT PUBLIC SAFETY SERVICES.

Assistant Fire Chief Steve Hester reported that Resolution 9834 will enable the City to hire 16 additional front line firefighters that will be added to the Department's current Emergency Services staff. The Department of Homeland Security, through a Staffing for Adequate Firefighting and Emergency Response grant (SAFER) will help fund this endeavor. The SAFER grant will pay for over \$1.7 million for these firefighters over a 5 year period. Great Falls Fire Rescue's current firefighter staff levels are substantially below national staffing standards for fireground operations. He noted that this is proclaimed by the National Fire Protection Agency and the Occupational Safety and Health Administration, and was adopted by the Department of Homeland Security. The staffing shortfall was officially recognized by DHS by awarding the City with the SAFER grant. The grant was to supplement the operation and not to supplant it. Therefore, the City must put a mil levy before the voters in order to meet its financial obligation with additional firefighters. If approved, the resolution will allow the City to conduct an election allowing the City to exceed the mil levy provided according to § 15-10-420, MCA. The root purpose of the entire project was to provide sufficient firefighters at the scene of an emergency to safely and efficiently protect life and property.

Commissioner Rosenbaum moved, seconded by Commissioner Bronson, that the City Commission adopt Resolution 9834.

Mayor Stebbins asked if there was any discussion amongst the Commissioners or inquiries from the public.

John Hubbard, 615 7th Avenue South, commented that he does not begrudge the Fire Department new staff and equipment; however, he stated his opposition to raising taxes.

Ron Gessaman, 1006 36th Avenue NE, noted the State Statute involved is § 15-10-425, MCA rather than 420.

Commissioner Jolley asked for clarification on the State Statute correction referenced by Mr. Gessaman.

Commissioner Bronson explained that in the text of the resolution the authorization is made pursuant to 425. The mil levy limit is set out in § 15-

10-420. In order to exceed it, you have to adopt a resolution pursuant to § 15-10-425. Resolution 9834 accurately states the City is doing this by submitting it to the voters.

Motion carried 5-0.

Res. 9835. Adopted.

9. RESOLUTION 9835, A RESOLUTION CALLING FOR A MAIL – IN ELECTION AUTHORIZING THE CITY TO EXCEED THE MILL LEVY LIMIT ESTABLISHED IN § 15-10-420, MCA, TO EXPAND THE POLICE DEPARTMENT PUBLIC SAFETY SERVICES.

Police Chief Cloyd Grove reported that Resolution 9835 would allow the Police Department to expand both its sworn staff and non-sworn staff, increasing them by 10 police officers and 7 staff members. The Police Department is significantly below the average of western cities of our size. The average for those cities currently is 2 officers per 1,000 people, and the Great Falls Police Department sits at 1.3 officers per 1,000 people. The addition of officers would allow the department to withstand impacts that are created when an individual moves from the Police Department to another location leaving a vacancy because it takes months to train them so they can provide the appropriate response to an occurrence. The civilian staff would also allow the department to withstand those impacts because it takes time to train them to handle the situations that occur within the Police Department. It would also allow the department to submit data to the State and Federal government on time, which has not been possible over the last year. The department also requests to raise funds for equipment and training that cannot currently be funded with our budget. The total amount needed is \$1,403,474, an approximate 19.5 mil levy increase. The 19.5 would be the upper limit, and the increase would not be used in a particular year if it isn't needed. Taxable valuation for a \$100,000 house would be approximately \$58.69; taxable valuation for a \$200,000 house would be \$117.39.

Commissioner Bronson moved, seconded by Commissioner Beecher, that the City Commission adopt Resolution 9835.

Mayor Stebbins asked if there was any discussion amongst the Commissioners or inquiries from the public.

Kathleen Gessaman, 1006 36th Avenue NE, asked if both Resolution 9834 and 9835 will be on one mail-in ballot, rather than two separate mail-in elections. Mayor Stebbins said that they would be on one ballot, but separate ballot issues.

John Hubbard, 615 7th Avenue South, reminded everyone that these ballot issues will raise property taxes.

Motion carried 5-0.

**Consent Agenda.
Approved.**

CONSENT AGENDA

15. (*Clerical correction made on June 16, 2009, Item 8C, naming Great Falls Redi-Mix (original bidder), instead of Great Falls Sand & Gravel (sister company of Redi-Mix.)

10. Minutes, April 21, 2009, Commission meeting.
11. Minutes, April 29, 2009, Special Commission meeting.
12. Total expenditures of \$1,163,736 for the period of April 11-29, 2009, to include claims over \$5,000, in the amount of \$1,034,427.
13. Contracts list.
14. Set public hearing for May 19, 2009, on sale of city property defined as Lot 3G of Amended Plat of Lot 3, Medical Tech Park.
15. Approve annual contract bid award to Great Falls Sand & Gravel to supply asphaltic concrete material on a per unit basis, up to \$625,250.
16. Appoint Greg Doyon as the City representative on the North Central Montana Defense Alliance.

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

Mayor Stebbins asked if there were any inquiries from the public. No one responded.

Motion carried 5-0.

BOARDS & COMMISSIONS

Gerald Clark and Douglas (Jerry) McKinney reappointed to the Historic Preservation Advisory Commission.

17. REAPPOINTMENTS, HISTORIC PRESERVATION ADVISORY COMMISSION.

Commissioner Jolley moved, seconded by Commissioner Beecher, that the City Commission reappoint Gerald Clark and Douglas (Jerry) McKinney for three-year terms through April 30, 2012, to the Historic Preservation Advisory Commission.

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

Motion carried 5-0.

18. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

CITY MANAGER

19. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

PETITIONS AND COMMUNICATIONS

20. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Mayor Stebbins opened the meeting to Petitions and Communications.

Earth Day.

20A. Ron Mathsen, 122 Treasure State Drive, said ‘thank you’ to the City for helping sponsor a successful Earth Day. The line of traffic at 3 pm, and comments from those who participated, showed there is a concern to recycle e-waste and keep it out of the landfill. Several people said they were very disappointed to lose plastic and glass recycling. Mr. Mathsen challenged the Commission to work in their positions as leaders in Great Falls to try to attract private recycle business; both Kalispell and Missoula have done so.

Earth Day.

20B. Kathleen Gessaman, 1006 36th Avenue NE, also expressed appreciation for the City’s support of Earth Day. There was a great ad in the Sunday *Great Falls Tribune* that thanked all of the sponsors (over 100 sponsors and volunteers), including the City.

**Earth Day,
ECP.**

20C. Ron Gessaman, 1006 36th Avenue NE, expressed his appreciation to the public for supporting Earth Day. Mr. Gessaman also commented that the ECP Board, at their meeting the previous evening, suggested the City should incur the expense of hiring a consultant to decide the future of ECP. Mr. Gessaman said this operations plan is a responsibility of ECP and should have been commissioned and funded by ECP when it was created. He also said it was reported at the same meeting that Coleen Balzarini is a trustee to SME because she has a letter of appointment from the City Manager. Mr. Gessaman said that the bylaws do not give the City Manager authority to provide a trustee letter of nomination.

Mansfield Center.

20D. Ken Thornton, 31 Paradise Lane, thanked the Commission for their efforts in considering a wind-powered ordinance for Great Falls. He said he was impressed at the work session at the thought going into the process of developing an ordinance. Since Great Falls is usually rated either the 1st, 2nd or 3rd windiest city in the country, this is a very important consideration for the City, especially with the energy problems we are now experiencing. In reference to an earlier comment regarding the heating and air conditioning problems in the Mansfield Center, Mr. Thornton said he has worked on shows and attended many events, and he agreed there is a significant problem with the ventilation system. He said he has heard that plywood was put over the air-handling systems on the roof when it was modified years ago. He explained that the heating and cooling load must be considered in an auditorium. Each person is assigned 300 watts (the amount of heat energy each person produces). When an auditorium is filled with a couple thousand people, the heat becomes stifling. Since most events are held when the temperature is 60 degrees or less, the auditorium needs to be able to take in fresh air and modified with heat. Mr. Thornton said he believes the system is in place; it just needs to be fixed and modified. He said he believes this would be considered an energy upgrade under the stimulus package, and hopes the City will consider hiring someone to look at the system to determine if it can be upgraded.

**Pine Beetle,
Tea Party**

20E. John Hubbard, 615 7th Avenue South, asked what the City plans to do about the pine beetle dilemma. Commissioner Beecher explained that articles have been in the newspaper; information is available.

Mr. Hubbard also commented on the recent tea party. He said that was about overspending, bailing out the bureaucrats, bailing out people who give CEO's \$2 million bonuses, and the car companies and everyone else going under. He expressed frustration that we have a form of a dictatorship, rather than a democracy.

CITY COMMISSION**21. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Commissioner Rosenbaum expressed appreciation to the Public Works Department for removing the snow for the car show; it was a great car show. Several people asked, "Where is our motorsports park?" He said that has been a few years, but maybe a fresh generation will look to see if there is any interest.

Mayor Stebbins said she would like to thank the Police and Fire Departments, and the Public Works Department. Two weeks ago we had over two feet of snow on the ground. The emergency operations center opened and it ran smoothly. She said many people at the car show asked her to thank the Public Works staff for removing all that snow.

ADJOURNMENT**Adjourn.**

There being no further business to come before the Commission, **Commissioner Beecher moved, seconded by Commissioner Rosenbaum that the regular meeting of May 5, 2009, be adjourned at 8:30 p.m.**

Motion carried 5-0.

Mayor Stebbins

Acting City Clerk

Minutes Approved: May 19, 2009



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

PRESENTED BY: Fiscal Services Director

ACTION REQUESTED: Approval with Consent Agenda

ITEMIZED LISTING OF ALL TRANSACTIONS GREATER THAN \$5000:

MASTER ACCOUNT CHECK RUN FOR APRIL 30 TO MAY 6, 2009	240,320.04
MASTER ACCOUNT CHECK RUN FOR MAY 7 TO MAY 13, 2009	891,070.53
MUNICIPAL COURT ACCOUNT CHECK RUN FOR APRIL 25 TO MAY 9, 2009	1,240.00
WIRE TRANSFERS FROM APRIL 30 TO MAY 6, 2009	112,531.49
WIRE TRANSFERS FROM MAY 7 TO MAY 13, 2009	<u>816,848.17</u>
TOTAL: \$	<u><u>2,062,010.23</u></u>

GENERAL FUND

POLICE

KRAMER ENTERTAINMENT AGENCY	UNDERAGE DRINKING GRANT SAVE A LIFE TOUR	16,950.00
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SPECIAL REVENUE FUND

FEDERAL BLOCK GRANTS

PROBUILD	WHEATLEY-1409 6TH AVE N	6,819.47
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ECONOMIC REVOLVING

MCLAUGHLIN RESEARCH INSTITUTE	FUNDING FOR EXPANSION OF INSTITUTE AUTHORIZED BY COMMISSION DEC 18, 2007	84,000.00
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WEST BANK URBAN RENEWAL

SHUMAKER TRUCKING & EXCAVATING	PMT #1 3RD AVE NW IMPROVEMENTS PHASE 1	153,012.30
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ENTERPRISE FUNDS

WATER

DPC INDUSTRIES INC	AMMONIA & CHLORINE	5,688.00
THATCHER CO	LIQUID ALUMINUM SULFATE	5,459.22
DANA KEPNER CO BILLINGS	METER REPAIR PARTS	5,501.00
BISON MOTOR CO INC	2 - 2009 1/4 TON PICK UPS	34,223.08
THATCHER CO	LIQUID ALUMINUM SULFATE	5,426.19
DANA KEPNER CO-BILLINGS	100 - MXU RADIO READ UNITS	14,000.00
PHILLIPS CONSTRUCTION	PMT #3 14TH ST SW & 5TH AVE SW WATER MAIN REPLACEMENT	128,219.87

ENTERPRISE FUNDS CONTINUED

SEWER

VEOLIA WATER NORTH AMERICA	MONTHLY WWTP OPERATION CONTRACT	230,312.08
VEOLIA WATER NORTH AMERICA	MONTHLY CONTRACTED CAPITAL IMPROVEMENTS	12,500.00
ANDRE EXCAVATION & SEWER SERV	OF1566 SEWER MAIN SPOT REPAIRS	15,741.00
SHUMAKER TRUCKING & EXCAVATING	EMERGENCY DEEP SEWER REPAIR 18TH ST & 3RD ALLEY N	9,830.70

ELECTRIC

SOUTHERN	PMT OF ENERGY SUPPLY EXPENSE MAY 09	650,000.00
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GOLF COURSES

CHS INC-KALISPELL	FERTILIZER & CHEMICALS - ANACONDA HILLS	6,190.00
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CIVIC CENTER EVENTS

JADE PRESENTS	09-141 STATIC-X	13,403.76
JD VENTURES LLC	09-118 CHARLIE PRIDE	65,504.91

INTERNAL SERVICES FUND

HEALTH & BENEFITS

BLUE CROSS/BLUE SHIELD	HEALTH INS CLAIMS APRIL 28 - MAY 4, 2009	112,531.49
BLUE CROSS/BLUE SHIELD	HEALTH INS CLAIMS MAY 5 - MAY 11, 2009	152,324.41

FISCAL SERVICES

POSTMASTER	POSTAGE FOR UTILITY BILLS	12,064.84
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CENTRAL GARAGE

MOUNTAIN VIEW CO-OP	FUEL	15,821.38
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ENGINEERING

CTA ARCHITECTS	PMT 1 OF1455.3 ENGINEERING & OPERATIONS OFFICE MODIFICATION	7,122.01
BISON MOTOR CO INC	1 - 2009 1/4 TON PICK UP	17,111.54

UTILITY BILLS

NORTHWESTERN ENERGY	MARCH 2009 PAYMENT	13,755.81
ENERGY WEST	APRIL 2009 PAYMENT	55,119.87

CLAIMS OVER \$5000 TOTAL: \$ 1,848,632.93

CITY OF GREAT FALLS, MONTANA

AGENDA: 7

COMMUNICATION TO THE CITY COMMISSION

DATE: May 19, 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	Park & Recreation Department	Jay D. Paulsen Big Sky Fireworks 3 Newlan Creek Road White Sulphur Springs MT 59645 406-547-2395	07/2009	261-6411-561- 3599	\$15,000*	4 th of July Fireworks Display (*To be reimbursed by Bennett Motors through People's Park Foundation.)

B	Park & Recreation Department	Rocky Mountain Tree Care Specialists, Inc. P.O. Box 6726 Great Falls, MT 59406 406-771-8733	May – June, 2009	267-6434-562- 2263	\$6,086	Spray 329 Pine Trees in City parks to help protect against Mountain Pine Beetle attacks. (Project #640902)
C	Park & Recreation Department	Johnson Bros. Contracting 3757 N. Reserve St., Suite A, Missoula, MT 59808	April-May, 2009	267-6434-562- 2263	\$16,087.50	Grinding of trees, limbs, chips and other wood waste. (Project #640902)

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

**AGENDA: 8
DATE: May 19, 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 Clerks 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 – Chad C. Frank (formerly Mark Hegel)	Current	237-3131-532-3599	\$200	Full Release of Resolution #9808 for Assessing the Cost of Removal and Disposal of Nuisance Weeds at 3425 4 th Avenue North. Parcel #481800. Lot 8, Blk 16, Boston & Great Falls Addition.
B	Fiscal Services	Property Owner – Beneficial Montana d/b/a Beneficial Mortgage Co. (formerly Brian and Maleah Schneider)	Current	513-3165-532-3599	\$185.75	Partial Release of Resolution #9765 to Levy and Assess Properties for Unpaid Utility Services at 504 4 th Avenue SW. Parcel #280950. E/2 5, all 6, N/2 & SW/4 of Lot 7, Blk 547, GF 6 th Addition.



Item: Resolution 9836 for Conditional Use Permit to allow a Day Care Center on Lot 1A, Block 3, Sunrise Court Addition (5115 3rd Avenue South)

From: Charles Sheets, Planner 1

Initiated By: Great Falls Housing Authority, Cheryl Patton, Executive Director

Presented By: Bill Walters, Interim Planning Director

Action Requested: City Commission set public hearing for Resolution 9836.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission set a public hearing for June 16, 2009, to consider adoption of Resolution 9836.”

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

Zoning Commission Recommendation: At the conclusion of a public hearing held April 28, 2009, the Zoning Commission passed a motion recommending the City Commission grant a conditional use permit to allow the building on Lot 1A, Block 3, Sunrise Court Addition, addressed as 5115 3rd Avenue South, to serve as a day care center.

Background: Great Falls Housing Authority intends to lease the existing community center, addressed as 5115 3rd Avenue South, to Play’N’Learn Daycare, Inc. Ms. Raegen Breeden, Director, intends to operate a day care center for up to 38 children, ages 0 to 12 years of age. (See attached application and business proposal) According to the lessee, the proposed day care center will have an owner/director and employ four to five primary care givers, four to five aides, and one cook.

For additional information, please refer to the attached Vicinity/Zoning Map. Also attached is a site plan that shows the size and configuration of subject property, together with the location of the primary structure, Building E, and accompanying parking.

Subject property is zoned R-5 Multi-family residential medium density district wherein a day care center is permitted upon processing and approval of a conditional use permit. The definition in the Unified Land Development Code for day care center is a place and/or building, or portion thereof that is used or is intended to provide day care to children on a regular basis. (Source: 52-

2-703.3, Montana Code Annotated, "Day care center" means an out-of-home place in which day care is provided to 13 or more children on a regular or irregular basis.)

Neighborhood Council No. 4 discussed the subject conditional use permit on April 21, 2009. The Council Chairman, Sandra Guynn, attended the Zoning Commission Public Hearing and stated the council did not have a quorum present but those present were in favor of granting a conditional use permit for a day care center.

The procedure for processing a conditional use is identical to that for a City zone change. Following a public hearing and recommendation by the Planning Board, the City Commission shall conduct a public hearing and arrive at a final decision regarding the conditional use application. The City Commission may, through a written agreement with the applicant, establish such conditions and restrictions upon the construction, maintenance and operation of the conditional use as is deemed necessary for the protection of the public interest and to secure compliance with standards and requirements.

The City Zoning Code lists the seven following criteria to be applied to a request for a conditional use for evaluation purposes.

1. The conditional use is consistent with City's growth policy and applicable neighborhood plans, if any.
2. That the establishment, maintenance or operation of the conditional use will not be detrimental to, or endanger the health, safety, morals, comfort or general welfare.
3. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the neighborhood.
4. The conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
5. Adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.
6. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
7. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the City Commission.

A goal in the land use element of the Growth Policy is "to preserve and enhance the character, quality, and livability of existing neighborhoods". The Growth Policy states proposed land use changes should be evaluated according to the type of neighborhood affected, which in this case, is established and stable. Land use changes should be compatible with the type, scale, and physical character of the neighborhood.

Establishing a day care center at this location would not be intrusive to the neighborhood. The existing parking lot serving the facility should allow for adequate drop off and pick up of children without disrupting the neighborhood or traffic flow. The Great Falls Housing Authority maintains a play area within the apartment complex that the day care center will be able to utilize.

Staff concludes no significant negative aspects, associated with the seven above mentioned criteria, should result from the approval of the conditional use permit, provided the property otherwise stays in compliance with City code.

The only individuals who spoke during the Zoning Commission public hearing held April 28, 2009 were Ms. Cheryl Patton, Executive Director of the Great Falls Housing Authority and Sandra Guynn, Chairman of Neighborhood Council No. 4. There has been no opposition expressed to the requested conditional use permit for the day care center. The Zoning Commission at the conclusion of the public hearing, unanimously passed a motion recommending the City Commission grant a conditional use permit to allow the building on Lot 1A, Block 3, Sunrise Court Addition, addressed as 5115 3rd Avenue South, to serve as a day care center.

Concurrences: The Community Development Department has been involved throughout the review and approval process for this project.

Fiscal Impact: Granting the conditional use permit allowing the Housing Authority to lease 5115 3rd Avenue South to accommodate a day care center, will be a source of revenue for the Housing Authority.

Alternatives: The City Commission could decide not to set the public hearing on Resolution 9836. However, such action would deny the applicant due process and consideration of a public hearing, as provided for in City Code and State Statute.

Attachments/Exhibits:

1. Resolution 9836
2. Vicinity/Zoning Map
3. Development Review Application for Conditional Use Permit
4. Site Plan provided by applicant
5. Letter to Great Falls Housing Authority, business proposal from Play’N’Learn Daycare, Inc.

Cc: Cheryl Patton, Executive Director, Great Falls Housing Authority
Mike Rattray, Community Development Director
Kim McCleary, City Parking Supervisor

RESOLUTION 9836

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT
TO ALLOW THE BUILDING ON LOT 1A, BLOCK 3,
SUNRISE COURT ADDITION TO GREAT FALLS,
ADDRESSED AS 5115 3RD AVENUE SOUTH,
TO SERVE AS A DAY CARE CENTER

* * * * *

WHEREAS, the Great Falls Housing Authority owns Lot 1A, Block 3, Sunrise Court Addition to Great Falls; and,

WHEREAS, the Housing Authority intends to lease a building on said Lot 1A, addressed as 5115 3rd Avenue South for the operation of a day care center; and,

WHEREAS, said building addressed as 5115 3rd Avenue South, previously served as a community center and a day care center; and,

WHEREAS, said Lot 1A is presently zoned as R-5 Multi-family residential medium density district, wherein a day care center may operate upon processing and approval of a conditional use permit application; and,

WHEREAS, the Housing Authority has applied for a conditional use permit to allow the building on Lot 1A, Block 3, Sunrise Court Addition to Great Falls, addressed as 5115 3rd Avenue South, to serve as a day care center; and,

WHEREAS, the Great Falls Zoning Commission conducted a public hearing on April 28, 2009, to consider said conditional use permit application and at the conclusion of said hearing, passed a motion recommending a conditional use permit be granted to allow the building on Lot 1A, Block 3, Sunrise Court Addition to Great Falls, addressed as 5115 3rd Avenue South, to serve as a day care center.

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

That a conditional use permit to allow the building on Lot 1A, Block 3, Sunrise Court Addition to Great Falls, addressed as 5115 3rd Avenue South, to serve as a day care center is hereby approved; and,

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that this Resolution shall become effective immediately upon its passage and approval.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana,
on this 16th day of June, 2009.

Dona R. Stebbins, Mayor

ATTEST:

Lucy Hallett, Acting City Clerk


(SEAL OF CITY)








Approved for legal content:

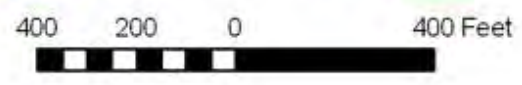
David V. Gliko, City Attorney

VICINITY/ZONING MAP



 LOT 1A, BLOCK 3, SUNRISE COURT ADDITION REQUESTING A CONDITIONAL USE PERMIT BE GRANTED TO ALLOW A LAND USE OF A DAY CARE CENTER

-  City Limits
-  R-3 Single-family high density
-  R-5 Multi-family medium density
-  C-1 Neighborhood commercial
-  POS Parks and Open Space
-  U Unincorporated enclave
-  Tracts of land outside City



Development Review Application for Conditional Use Permit



P. O. Box 5021, 59403-5021

Planning Department

DEVELOPMENT REVIEW APPLICATION

Name of Project/Development: SUNRISE COURT DAYCARE FACILITY

Owner(s): GREAT FALLS HOUSING AUTHORITY

Mailing Address: 1500 CHOWEN SPRING LOOP

Phone: (406) 452-4311 FAX: X 304

E-mail: _____

Agent(s): NONE

Mailing Address: _____

Phone: _____ FAX: _____

E-mail: _____

Legal Description: LOT 1, BLOCK 3, SUNRISE COURT ADDITION

Section: 9 Township: 20 N Range: 3 E

Street Address: 5115 3RD AVENUE SOUTH

Zoning: Current: R-6 MULTI-FAMILY Proposed: R-6 & CONDITIONAL USE

Land Use: Current: MULTI-FAMILY Proposed: MULTI-FAMILY & DAYCARE FACILITY

Covenants or Deed Restriction on Property: Yes No
(If yes, please attach to application)

Application Type (please check all that apply):

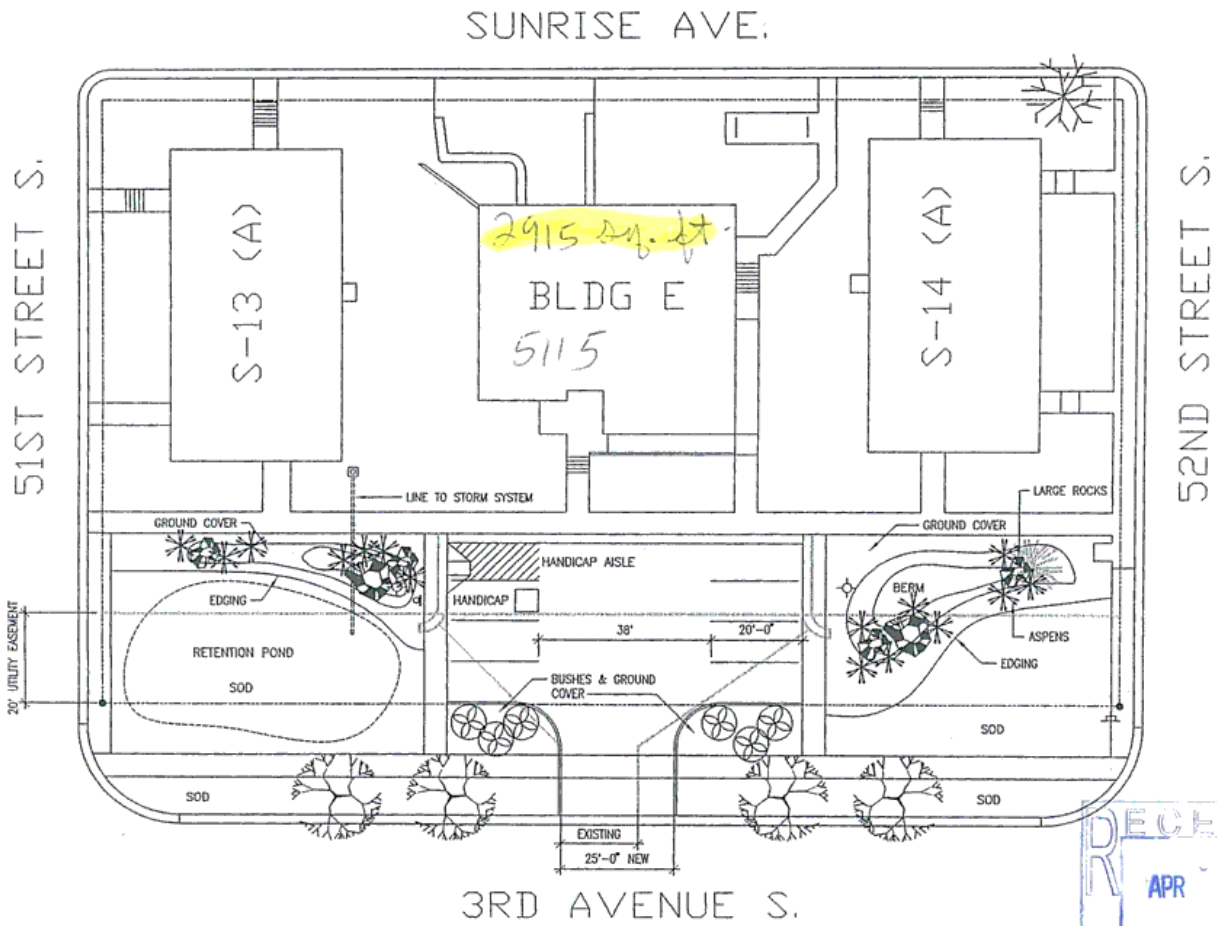
- Subdivision Preliminary Plat-\$800
- Subdivision Minor Plat-\$600
- Conditional Use Permit-\$700
- Establishment of Zoning with Annexation-\$700
- Annexation-\$400
- Zoning Map Amendment-\$700
- Subdivision Final Plat-\$300

I (We) the undersigned understand that the filing fee accompanying this application is not refundable, I (We) further understand that the fee pays for the cost of processing, and the fee does not constitute a payment for approval of the application.

I (We) also attest that the above information is true and correct to the best of my (our) knowledge.

Property Owner's Signature: Cheryl Foster Date: 4/11/2009
Executive Director

Property Owner's Signature: _____ Date: _____

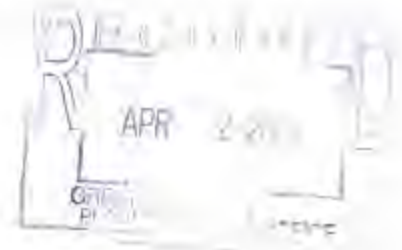


1 **REVISED SITE PLAN**
SCALE: 1"=20'



Letter to Great Falls Housing Authority, business proposal from Play'N'Learn Daycare, Inc.

Play 'N' Learn Daycare, Inc.
Raegen Breeden
3305 12th Ave S
Great Falls, MT 59405
(406) 771-7183



February 3, 2009

Attn: Director and Deputy Director
Great Falls Housing Authority
1500 Chowen Springs Loop
Great Falls, MT 59405

RE: Childcare Center Business Proposal

To Whom It May Concern:

For the past twelve years, I have served the community of Great Falls in the childcare industry. My services have been provided primarily to low income families. My program is based out of my home and is structured for most age groups and schedules. Currently, I offer programs for infants, toddlers and pre-school aged children. All the programs strive to ensure that the needs of each child are being met and to support the children's developmental processes. The goal is to promote early childhood education and school readiness. Services are also provided to school aged children up to the age of twelve. In order to accommodate the scheduling needs of the families, my facility operates on a twenty-four hour per day Monday through Friday basis. As a result of my commitment to the childcare industry, I am continuously aware of the increasing demands for daycare centers, particularly in the Sunrise Court Complex. Therefore, I am proposing to operate a childcare facility in this area to provide childcare services to the large number of children that range in age from 0 to 12 years who reside in this housing complex and the surrounding area.

If my proposal were accepted, I feel I would be providing a great service to these individuals, but more importantly quality childcare services. It is my belief that it takes a community to raise a child and it is my passion and desire to be part of this process. My role is to continuously build on this community to not only provide positive experiences for children, but to support families to allow children to reach their potential physically, emotionally and morally.

A childcare facility in the Sunrise Court Complex would provide many exciting opportunities to this community. This facility would include wonderful educational opportunities, field trips, healthy meals and snacks, arts/crafts, opportunities for positive play with other children and support for families. This program would be directly serving infants, toddlers, preschoolers, before and after school children, special needs, and drop-

in care. There will be a number of slots guaranteed (as determined by the Great Falls Housing Authority) and will be held daily for families that are involved with the Great Falls Housing Authority in order to meet the childcare demands. I would propose that the facility operate from 5:30 am to 5:30 pm Monday through Friday. However, once the facility is established, I would review these hours and determine if they are sufficiently meeting the needs of the families. I am also proposing that the facility would be open one Friday evening a month from 5:30-10:00pm with no costs to the parents. This would provide a safe place for children in the Sunrise Court complex to participate in positive activities and interaction with peers. This would also allow parents to attend to their personal needs and engage in self-care strategies.

This facility would also provide many additional benefits to the community. For example, currently I provide transportation to and from several area schools including Chief Joseph, East Middle School, Lewis and Clark, and Mountainview. In the new facility, I would continue to provide this service. There are several developments owned by the Great Falls Housing Authority that would be able to utilize this transportation service. There have also been times where parents have used my transportation service due to an inability to provide the transportation themselves or due to being single parent households.

This facility would also offer employment opportunities to the parents or tenants of the Great Falls Housing Authority as they would be encouraged to apply first before the job opening would be posted to outside sources. It is my strong belief that if parents are healthy both emotionally and physically, then children will be too. Part of fostering healthy children is encouraging healthy parenting. By providing employment opportunities or childcare opportunities for parents to seek or maintain other employment, is empowering parents and instilling a sense of hope and self-worth, which will ultimately benefit the children and future generations to come.

In my current role as a childcare provider, I have established many positive connections with various state agencies such as, DPHHS, Head Start, Childcare Food Program Office and Family Connections. Therefore, I will also be able to provide parents and staff with educational materials and support in the various state-funded programs available for them to succeed. These programs can offer positive programs for low income families. My experience in this field thus far, has helped me to understand the financial situation of these families; therefore, this new facility would support families in accordance with Montana State guidelines. The financial situations a majority of my clientele experience will not allow for extra costs that are unnecessary financial strains. Therefore, I will not charge additional paperwork fees, transportation fees, for two week notices based on circumstances, and I will not charge a block rate. To best support families, I will provide fulltime, part time, and drop in care. Families will only be billed for time scheduled and not be expected to pay any more than what is agreed upon. Most of my clientele receive assistance for child care, I will follow their certification plans to lower their out of pocket expense. Four meals per day will also be provided including breakfast, am snack, lunch and pm snack. In the event that I lengthen the hours of operation after review, I will also

provide dinner and an evening snack. All meals will be well balanced and nutritional in accordance with the Childcare Food Program.

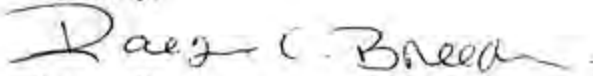
If this proposal is approved by the Great Falls Housing Authority, this will be providing the community with an amazing service. This is a service that not only benefits our children, but also benefits our families as a whole unit. My job is very rewarding and I have positively impacted many families along the way. Serving children and low income families is my number one priority. In your facility, I will be able to continue serving families from the Great Falls Housing Authority complexes.

Thank you for giving me the opportunity to present this proposal. I would like to offer all involved the opportunity to see the facility I am currently working out of. It is my belief that this will show work ethic and the quality of care I would be providing.

Please see the attached petition supporting the need for childcare in this area, as well as documentation of families I already serve.

Thank you for your consideration and I look forward to hearing from you. If you have any further questions, please contact me at (406)771-7183.

Sincerely,

A handwritten signature in cursive script that reads "Raegen C. Breeden".

Raegen Breeden

Director of Play'N'Learn Daycare Inc.



Western States
Insurance Agency

400 W Main Ste #102
P.O. Box 1800
Hamilton MT 59840 1800

406 363 3543
Fax 406 363 2890

www.wsiaindian.com

Peace of mind from people you trust.

March 4, 2009

Great Falls Housing Authority
1500 Chowen Springs Loop
Great Falls, MT 59405

RE: Raegen Breeden

To Whom it May Concern:

Raegen Breeden has been a customer of Western States Insurance since 2001. She has carried her business property and child care liability with our agency, through Capitol Indemnity.

Raegen has an excellent payment history and is knowledgeable about the coverages that are needed.

We have discussed her business expanding to the Sunrise Court Community Center and approval is in place for 38 children at this location. Liability limits of \$1,000,000 have also been approved, along with Great Falls Housing Authority as an additional insured on her policy.

Upon occupancy of this location, we will issue a certificate of insurance, naming the Great Falls Housing Authority as an additional insured on her policy.

If you have any further questions or need any additional information, please feel free to contact me.

Sincerely,

Beth Eggleston, CIC
Western States Insurance Agency



Item: Sale of City Property, Lot 3H of Amended Plat of Lot 3, Medical Tech Park

From: Mike Rattray, Community Development Director

Initiated By: Community Development Department

Presented By: Mike Rattray, Community Development Director

Action Requested: Set Public Hearing Date for June 2, 2009

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission set June 2, 2009, as the date for a public hearing to consider the sale of Lot 3H of the Amended Plat of Lot 3, Medical Tech Park.”

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

Staff Recommendation: Staff recommends the City Commission set the public hearing date for June 2, 2009.

Background: In 2004, in conjunction with development of the Centene project, the City of Great Falls purchased an additional ten acres for the purpose of creating a subdivision that would provide office development sites that would be in harmony with the institutional type of development currently taking place in this part of the community. On July 18, 2006, the City Commission approved the final plat of the ten acre site, which created eight lots of approximately 1.1 acre in size. Staff obtained an appraisal that established the fair market value of the land at a minimum of \$4.00 per square foot with a range up to \$4.50 per square foot. The City sold the first lot on September 5, 2006, for \$4.00 per square foot for the purpose of constructing a new Social Security building. The City sold the second lot on July 1, 2008, for \$4.25 per square foot for construction of a Homeland Security building.

Staff was recently contacted by a local doctor who was interested in a site for a new office building and has requested that staff offer Lot 3G for sale. A public notice for a bid opening was placed in the newspaper on May 10, 2009, for a bid opening to be conducted on May 20, 2009. The minimum bid price was established at \$4.25 per square foot.

Significant Impacts: Sale of the parcel and construction of new office building will expand the tax base.

Citizen Participation: In addition to the public notice for the bid opening, a public notice of the public hearing to be conducted by the City Commission will be placed in the newspaper on May 17, 2009.

Workload Impacts N/A

Purpose N/A

Project Work Scope N/A

Evaluation and Selection Process N/A

Conclusion: The City created the Medical Tech Park subdivision for the specific purpose of offering lots for sale for the development of professional offices so this sale is consistent with achievement of that goal.

Proceeds of the sale will go toward the debt incurred to develop the property, i.e. sewer, water, pavement, etc.

Concurrences: N/A

Fiscal Impact: At the minimum bid price of \$4.25 per square foot, the lot sale will result in a sale price of at least \$195,683.

Alternatives: The City Commission can approve or deny the sale of the land.

Attachments/Exhibits: Notice To All Bidders
Public Notice

NOTICE TO ALL BIDDERS
SALE OF CITY-OWNED PROPERTY

NOTICE IS HEREBY GIVEN that the City of Great Falls, Montana, will receive sealed bids at the City Clerk's Office, Room 202, Civic Center Building, #2 Park Drive, Great Falls, Montana, until 3:00 p.m., May 20, 2009, at which place and time they will be publicly opened, read and considered, together with all bidding for the sale and development of the City-owned land more particularly described as follows:

Lot 3H, Amended Plat of Lot 3, Medical Tech Park Subdivision, Great Falls, MT

Each and every bid shall be accompanied by a cashier's check, drawn on a responsible bank, payable to the City of Great Falls, for an amount which will be not less than ten percent (10%) of the aggregate of the enclosed bid. Minimum bid for the land shall not be less than the appraised value as indicated below:

The minimum bid price shall be \$4.25 per square foot or \$195,683

The bids shall be marked on the outside: "Bid on City-owned land to be opened May 20, 2009.

Map exhibits of the land to be sold are on file in the Community Development Department of the City of Great Falls. Potential bidders are encouraged to contact Mike Rattray, Community Development Director, for additional information prior to submitting a bid.

The City Commission of the City of Great Falls reserves the right to reject any or all bids and accept any bid should it be deemed in the public interest to do so.

BY ORDER OF THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA.

Lisa Kunz, City Clerk

PUBLICATION DATE: May 10, 2009

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the City Commission of the City of Great Falls, Montana, will conduct a public hearing in the Commission Chambers, Civic Center Building, at 7:00 p.m. on June 2, 2009, for the purpose of considering the sale of a parcel of City-owned land described below.

Lot 3H of Amended Plat of Lot 3, Medical Tech Park, Great Falls, MT

Map exhibits delineating the parcel for sale are available for review in the Community Development Department at the Civic Center. Any person who wants to provide comment may do so at the public hearing or may provide written comment by mailing said comments to: City Clerk, City of Great Falls, P.O. Box 5021, Great Falls, MT 59403.

Lisa Kunz
City Clerk

PUBLICATION DATE: May 17, 2009



Item: 5th Street South Streetscape CTEP Project - Award Construction Contract
From: Sherry Marshall, Transportation Planner I
Initiated By: Great Falls Planning Department
Presented By: Bill Walters, Interim Planning Director
Action Requested: Award construction contract for 5th Street South Streetscape project.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission approve the use of \$11,571 in additional CTEP funds and award a construction contract for the 5th Street South Streetscape project to Liggett Construction in the amount of \$163,520 for Schedule B and to authorize the City Manager to execute the necessary documents, contingent upon State Department of Transportation concurrence.”

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

Staff Recommendation: Staff recommends the City Commission approve the use of \$11,571 in additional CTEP funds and award a construction contract for the 5th Street South Streetscape CTEP project to the low bidder, Liggett Construction, in the amount of \$163,520.

Background: Approved by the City Commission in 2006, this Community Transportation Enhancement Program (CTEP) project will improve pedestrian facilities along 5th Street South and 1st Avenue South adjacent to the Kathryn Building. Work includes installing 294 lineal feet of decorative concrete sidewalk, curb, gutter, ADA compliant curb ramps, street trees, period lighting, and pedestrian benches. The architectural firm of L’Heureux Page Werner has donated design and construction oversight services, and the Business Improvement District (BID) has provided the match.

The competitive bid process was followed, with a bid opening held on May 6, 2009. The City received a total of four (4) bids. A summary of all bids received is attached to this Agenda Report.

The low bid was submitted by Liggett Construction in the amount of \$149,170 for Schedule A (2% below budget amount and 5% below the architects estimate), and \$163,520 for Schedule B (7% above budget amount and 11% below the architects estimate).

The project was initially approved with a budget of \$152,633. The Architect's estimate for construction was \$156,563 (3% above budget amount) for Schedule A (base bid), and \$182,963 (20% above budget amount) for Schedule B (base bid, plus additive items of an irrigation system and pedestrian benches).

Schedule B is the preferred option due to the positive effects of an irrigation system on establishing and maintaining healthy street trees and the reduction in time spent on watering. This would require an increase in the budget amount from \$152,633 to \$162,520, a difference of \$10,887. In addition, \$694 in bid advertising costs, not included in the original budget, brings the total amount of additional funds needed to \$11,571. Of this additional amount, \$10,018 would be CTEP funds and \$1,553 would be matching funds paid by either the BID or the Kathryn Building Association.

Additional CTEP funds totaling \$165,255 are currently available due to accrual of past reserves dedicated for cost overruns by the City Commission (\$71,255), as well as the recent funding of the Sun River Connector Trail by the American Recovery and Reinvestment Act (ARRA). This project had previously received \$94,000 in CTEP funds that can now be reallocated or otherwise be made available for enhancement work.

Concurrences: Representatives from the City Planning Department and L'Heureux Page Werner have reviewed the bids and recommend the award of this construction contract based on Schedule B. In addition, Great Falls Park & Recreation Department supports award of Schedule B, which will reduce staff time required to water the trees during the establishment period. This option also benefits the City since the Kathryn Building will donate the water for the irrigation system. Finally, the City Engineer also concurs in award.

Fiscal Impact: Award of Schedule B would represent a funding split of \$141,576 in Community Transportation Enhancement Program funds and \$21,944 in matching dollars provided by the Business Improvement District (BID), or the Kathryn Building Association. There will be no direct fiscal impact to the City, although Schedule B will reduce indirect fiscal impact through reduced City maintenance time and costs.

Alternatives: The City Commission could vote to deny award of the construction contract and reject the bids; or, vote to award Schedule A of the construction contract, allowing the construction of the project excluding irrigation and pedestrian benches. Award of Schedule A would also be to Liggett Construction, in the amount of \$149,170.

Attachments/Exhibits:

1. Bid Tabulation Summary

Cc: Ryan Smith, L'Heureux Page Werner; Dave Dobbs, Public Works; Marty Basta, Park and Recreation

BID TABULATION

PROJECT

STPE 5299(79)
 5TH ST SOUTH STREETSCAPE-GTF
 Control No. 6340
 O.F.1508

OPENING INFORMATION

Date: May 6, 2009
 Time: 3:00 PM
 Place: Ryan 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	Lapke Construction, LLC PO Box 111 Simms, MT 59477	yes	yes	yes	yes	yes	10%	A \$156,620	
						Bidder List yes		B \$184,120	
2	United Materials of Great Falls, Inc. PO Box 1690 Great Falls MT 59403	yes	yes	yes	yes	yes	10%	A \$206,099	
						Bidder List yes		B \$242,099	
3	David W. Kuglan Construction PO Box 491 Black Eagle MT 59414	yes	yes	yes	yes	yes	10%	A \$178,120	
						Bidder List yes		B \$203,920	
4	Liggett Construction 3000 Division Rd Great Falls MT 59404	yes	yes	yes	yes	yes	10%	A \$149,170	
						Bidder List yes		B \$163,520	
Architect's Estimate								\$156,563	Schedule A
								\$182,963	Schedule B



Item: Purchase of Liquid Aluminum Sulfate

From: Water Treatment Plant

Initiated By: Public Works Department

Presented By: Jim Rearden, Director of Public Works

Action Requested: Approval of Bid

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission accept the low bid from Thatcher Company and authorize staff to purchase liquid aluminum sulfate in the amount of \$318.33 per dry ton for FY 2009/10.”

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

Staff Recommendation: Staff recommends that the City Commission accept the low bid from Thatcher Company in the amount of \$318.33 per dry ton for liquid aluminum sulfate for FY 2009/10.

Background: Liquid aluminum sulfate is used in the water treatment process to coagulate suspended particles in the raw water stream to allow their removal. Specifications and bid materials were prepared for the purchase of liquid aluminum sulfate for the Water Treatment Plant for the upcoming fiscal year. Notices were sent out to all prospective bidders and publicly advertised. The low bid from Thatcher Company, our current supplier, was acceptable as submitted.

Bids were accepted on May 6, 2009 for FY 2009/10 Water Treatment Plant chemical needs. Thatcher Company, of Missoula, Montana, provided the lowest acceptable bid for liquid aluminum sulfate at \$318.33 per dry ton. This Commission action would award a contract for FY 2009/10.

Concurrences: not applicable

Fiscal Impact: This price reflects an 11.7% increase from the FY 2008/09 contract price. The new contract would allow for the purchase of a maximum of 700 dry tons for a total cost of \$222,831.

Alternatives: not applicable

Attachments/Exhibits: not applicable



Item: Purchase of Anhydrous Ammonia

From: Water Treatment Plant

Initiated By: Public Works Department

Presented By: Jim Rearden, Director of Public Works

Action Requested: Approval of Bid

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission accept the low bid from Hawkins Water Treatment Group and authorize staff to purchase anhydrous ammonia in the amount of \$1.49 per pound for FY 2009/10.”

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

Staff Recommendation: Staff recommends that the City Commission accept the low bid from Hawkins Water Treatment Group in the amount of \$1.49 per pound for anhydrous ammonia for FY 2009/10.

Background: Anhydrous ammonia is used in the water treatment process to produce chloramine, which provides a disinfectant residual in the drinking water. Specifications and bid materials were prepared for the purchase of anhydrous ammonia for the Water Treatment Plant for the upcoming fiscal year. Notices were sent out to all prospective bidders and publicly advertised. The low bid from Hawkins Water Treatment Group was acceptable as submitted.

Bids were accepted on May 6, 2009 for FY 2009/10 Water Treatment Plant chemical needs. Hawkins Water Treatment Group, of Billings, Montana, provided the lowest acceptable bid for anhydrous ammonia at \$1.49 per pound. Two other bids reflected a lower cost per pound but failed to provide ANSI/NSF Standard 60 certification as required in the bid specifications. This Commission action would award a contract for FY 2009/10.

Concurrences: not applicable

Fiscal Impact: This price reflects a 46% increase from the FY 2008/09 contract price. The new contract would allow for the purchase of a maximum of 15,000 pounds for a total cost of \$22,350.

Alternatives: not applicable

Attachments/Exhibits: not applicable



Item: Purchase of Liquid Chlorine

From: Water Treatment Plant

Initiated By: Public Works Department

Presented By: Jim Rearden, Director of Public Works

Action Requested: Approval of Bid

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission accept the low bid from Thatcher Company and authorize staff to purchase liquid chlorine in the amount of \$530.77 per ton for FY 2009/10.”

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

Staff Recommendation: Staff recommends that the City Commission accept the low bid from Thatcher Company in the amount of \$530.77 per ton for liquid chlorine for FY 2009/10.

Background: Liquid chlorine is used in the water treatment process to provide disinfection of the drinking water. Specifications and bid materials were prepared for the purchase of liquid chlorine for the Water Treatment Plant for the upcoming fiscal year. Notices were sent out to all prospective bidders and publicly advertised. The low bid from Thatcher Company was acceptable as submitted.

Bids were accepted on May 6, 2009 for FY 2009/10 Water Treatment Plant chemical needs. Thatcher Company, of Missoula, Montana, provided the lowest acceptable bid for liquid chlorine at \$530.77 per ton. This Commission action would award a contract for FY 2009/10.

Concurrences: not applicable

Fiscal Impact: This price reflects an 18.1% decrease from the FY 2008/09 contract price. The new contract would allow for the purchase of a maximum of 75 tons for a total cost of \$39,807.75.

Alternatives: not applicable

Attachments/Exhibits: not applicable

