



REVISED

City Commission Agenda

for

September 19, 2006

Please Note: The City Commission agenda format allows citizens to speak on each issue prior to Commission discussion. We encourage your participation.

CALL TO ORDER: 7:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

PROCLAMATIONS

Constitution Week

National Good Neighbor Day

NEIGHBORHOOD COUNCILS

1. Miscellaneous reports and announcements.

PUBLIC HEARINGS

2. Res. 9599, To Levy and Assess Special Maintenance Lighting Districts. Action: Conduct public hearing and adopt or deny Res. 9599. **(Presented by: Coleen Balzarini)**
3. Res. 9601, To Levy Special Assessments on Properties Within Special Improvement Lighting District – City Owned Lighting No. 1302 Along Beargrass Drive Within Meadowlark Addition No. 3. Action: Conduct public hearing and adopt or deny Res. 9601. **(Presented by: Coleen Balzarini)**
4. Res. 9602, To Levy Special Assessments on Properties Within Special Improvement Lighting District – City Owned Lighting No. 1304 Within Eagles Crossing Phase 1. Action: Conduct public hearing and adopt or deny Res. 9602. **(Presented by: Coleen Balzarini)**
5. Res. 9603, To Levy Special Assessments on Properties Within Special Improvement Lighting District – City Owned Lighting No. 1306 Along Camas Drive Within Meadowlark Addition No. 4. Action: Conduct public hearing and adopt or deny Res. 9603. **(Presented by: Coleen Balzarini)**
6. Res. 9607, To Levy and Assess Properties for Unpaid Utility Services. Action: Conduct public hearing and adopt or deny Res. 9607. **(Presented by: Coleen Balzarini)**

OLD BUSINESS

NEW BUSINESS

ORDINANCES/RESOLUTIONS

7. Res. 9615, Intent to Vacate an Unused Portion of 26th Street South Right-of-Way. Action: Adopt Res. 9615 and set public hearing for October 17, 2006. **(Presented by: Ben Rangel)**
8. Ord. 2951, Amending OCCGF 10.48.220 and 230 Pertaining to Bus and Passenger Loading Zones. Action: Adopt or deny Ord. 2951. **(Presented by: Kory Larsen)**
9. Res. 9617, Assessing Business Improvement District. Action: Adopt or deny Res. 9617. **(Presented by: Coleen Balzarini)**

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.*

10. Minutes, September 5, 2006, Commission meeting.
11. Total Expenditures of \$1,085,489 for the period of August 23 through September 12, 2006, to include claims over \$5000, in the amount of \$862,024.
12. Contracts list.
13. Lien Release List.
14. Accept gift from the Walter and Lucille Elliott Revocable Trust and transfer it to the Great Falls Public Library.
15. Award contract for the 2006 CDBG Sidewalk Replacement to Lapke Construction LLC in the amount of \$110,827.
16. Award contract for the 2006 CDBG Handicap Ramp Replacement to Lapke Construction LLC in the amount of \$104,120.
17. Award contract for the Medical Technology Park, Lot 3, Utility and Street Improvements to Shumaker Trucking and Excavating Contractors, Inc. in the amount of \$403,635 and to United Materials of Great Falls, Inc. in the amount of \$460,850.
18. Award bid for roof replacement on Fire Station #4 to Statewide Contracting Inc. in the amount of \$64,000.

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

BOARDS & COMMISSIONS

19. Miscellaneous reports and announcements.

CITY MANAGER

20. Miscellaneous reports and announcements.

CITY COMMISSION

21. Miscellaneous reports and announcements.

PETITIONS AND COMMUNICATIONS

22. Miscellaneous reports and announcements.

ADJOURN

AGENDA REPORT

DATE September 19, 2006

ITEM RESOLUTION 9599 TO LEVY AND ASSESS SPECIAL MAINTENANCE LIGHTING DISTRICTS

INITIATED BY ANNUAL ASSESSMENT PROCESS

ACTION REQUESTED CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION 9599

PREPARED BY JUDY BURG, ACCOUNTING TECHNICIAN

PRESENTED BY COLEEN BALZARINI, FISCAL SERVICES DIRECTOR

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RECOMMENDATION:

Following the public hearing and barring sufficient protest, staff recommends the City Commission adopt Resolution 9599 to assess Special Maintenance Lighting Districts.

MOTION:

“I move to adopt Resolution 9599.”

SYNOPSIS:

On August 15, 2006 the City Commission set a September 19, 2006 public hearing date to hear anyone wishing to speak for or against Special Maintenance Lighting Districts Assessments.

The Fiscal Services Department has finalized the Special Lighting District maintenance cost estimate which is reflected in Resolution 9599. Maintenance and an administrative fee equal to 10% of estimated costs for the districts as presented in the annual budget will remain the same. The \$1,165,547 assessment for fiscal year 06/07 projects charges based on actual billings for the district and adjustments for cash balances from prior fiscal years.

BACKGROUND:

In order to legally provide for the necessary assessment support, State laws require City Commission hearings and passage of authorizing resolutions. In accordance with Section 7-12-4329, M.C.A., publication of the Notice of Resolution for Assessment was made within 5 days preceding the Public Hearing.

Sections 7-12-4301 and 7-12-4333, M.C.A., authorize the City Commission to create lighting districts and to assess the costs of installing and/or maintaining the districts to the owners of the properties embraced within the boundaries of such districts.

Continuation of street lighting in the SLD's requires special assessments for annual costs with resolution adoption by the City Commission. Sections 7-12-4329 and 7-12-4330, M.C.A., require a public notice and hearing prior to passage of a resolution to levy and assess Special Lighting Districts. Such resolution is required before staff may authorize assessment of property owners within the lighting district to defray expenses of the Lighting Districts.

In accordance with Section 7-1-4127, staff requested the City Commission order two publications of the Notice of Resolution for Assessment. This publication of the Notice of Resolution for Assessment also complies with Section 7-12-4329, MCA, requires notice must be published twice with at least 6 days separating each publication preceding the assessment hearing.

A comparison of SLD annual assessments since 2003 is provided:

<u>BUDGETED</u> <u>TOTAL ASSESSMENT</u>	<u>FISCAL YEAR</u>
\$1,144,059	02/03 (18 Districts) ¹
\$1,183,037	03/04 (16 Districts) ²
\$1,117,034	04/05 (17 Districts) ³
\$1,151,930	05/06 (19 Districts)
\$1,165,547	06/07 (19 Districts) ⁴

- ¹ Twenty-four (24) districts were consolidated into three.
- ² Two districts SLD-C and SLD-R are being assessed individually with separate resolutions for FY 03/04, as modifications were completed to both districts. The assessment totals for these districts are indicated in the individual resolutions.
- ³ One new district was created – Special Lighting District – Industrial Lighting “SLD-I” No. 1298. First year using Electric City Power as the City’s default supplier for electric energy.
- ⁴ Modification to Special Improvement Lighting District – Alley Lighting “SLD-A” No. 1294 – four new alley lights were added to the district.

The 06/07 projection sheet for the assessment per district is incorporated in the attached resolution.

RESOLUTION 9599

A RESOLUTION LEVYING AND ASSESSING THE COST OF MAINTAINING SPECIAL LIGHTING DISTRICTS NUMBERED 18, 650, 651, 912, 973, 1067A, 1105, 1230, 1255, 1261, 1269, 1270, 1289, 1290, 1294, 1295, 1296, 1297 AND 1298 IN THE CITY OF GREAT FALLS, MONTANA FOR THE FISCAL YEAR BEGINNING JULY 1, 2006 AND ENDING JUNE 30, 2007.

WHEREAS, the City Commission or prior City Council of the City of Great Falls did create, by various resolutions on file and recorded in the Office of the City Clerk of the City of Great Falls, the special improvement lighting districts (SLD's) and such SLD's were subsequently consolidated into Special Improvement Lighting Districts No. 18, 650, 651, 912, 973, 1067A, 1105, 1230, 1255, 1261, 1269, 1270, 1289, 1290, 1294, 1295, 1296, 1297 and 1298;

WHEREAS, the City Commission of the City of Great Falls declares the lighting systems were installed and the City Commission intends to continue maintenance of such lighting systems in said SLD's;

WHEREAS, the City Commission of the City of Great Falls declares that each lot or parcel of land contained in each of said SLD's will continue to be benefited by such lighting in the same manner as determined in the creation of each district;

WHEREAS, the City Commission of the City of Great Falls estimates the cost of such lighting system maintenance within said SLD's at a total of ONE MILLION ONE HUNDRED SIXTY-FIVE THOUSAND AND FIVE HUNDRED FORTY-SEVEN DOLLARS (\$1,165,547).

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

1. The City of Great Falls continue maintenance of lighting systems in said special improvement lighting districts (SLD's);
2. The cost of said lighting system maintenance in the SLD's totaling \$1,165,547 is hereby

assessed upon the property in said SLD's. Each lot and parcel within each SLD is hereby assessed a proportion of the maintenance costs attributed to the SLD in the proportion to which it's assessable area (individual square feet) bears to the area of the whole improvement district (total square feet), exclusive of streets, avenues, alleys and public places. An assessment projection summary of each district, describing total cost, is attached hereto and by this reference incorporated herein as set forth in full. The description of each lot or parcel of land within each SLD and the respective assessments are set forth in the records of the Fiscal Services Office of the City of Great Falls, Montana and by this reference is also incorporated herein as if set forth in full;

3. Starting September 2, 2006, for a period of five days before the related public hearing, this resolution shall be on file in the Office of the City Clerk and the assessment list, identified in Section 2, above, shall be on file in the Fiscal Services Office of the City of Great Falls;
4. These assessments are payable in two payments and will become delinquent at 5:00 P.M., on November 30, 2006 and May 31, 2007;
5. The City Commission will hear objections to the final adoption of this resolution at 7:00 p.m., September 19, 2006, in the Commission Chambers of the Civic Center Building, Great Falls, Montana;
6. In accordance with Section 7-1-4329, M.C.A., the City Clerk is hereby authorized and directed to provide for publication of the Notice of Resolution for Assessment within five days preceding the assessment hearing.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the above-entitled and foregoing Resolution be, and the same is hereby passed and adopted, and the special assessments therein provided for be, and the same are hereby levied and assessed accordingly, and that said assessments are payable in two payments and will become delinquent, as appears in this said Resolution.

PASSED by the Commission of the City of Great Falls, Montana, on this 19th day of September 2006.

Dona R. Stebbins, Mayor

ATTEST:

Peggy Bourne, City Clerk

(SEAL OF CITY)

Approved for Legal Content: City Attorney

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

I, Peggy Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9599 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 19th day of September, 2006, and approved by the Mayor of said City on the 19th day of September, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 19th day of September, 2006.

Peggy Bourne, City Clerk

(SEAL OF CITY)

NOTICE

NOTICE IS HEREBY GIVEN that the Great Falls City Commission in Regular Session at 7:00 o'clock p.m. on the 15th day of August 2006, in the Commission Chambers did accept Resolution 9599 entitled:

A RESOLUTION LEVYING AND ASSESSING THE COST OF MAINTAINING SPECIAL IMPROVEMENT LIGHTING DISTRICTS NUMBERED 18, 650, 651, 912, 973, 1067A, 1105, 1230, 1255, 1261, 1269, 1270, 1289, 1290, 1294, 1295, 1296, 1297 AND 1298 IN THE CITY OF GREAT FALLS, MONTANA FOR THE FISCAL YEAR BEGINNING JULY 1, 2006 AND ENDING JUNE 30, 2007.

The above-designated Resolution 9599 and the assessment list therein mentioned are on file in the office of the City Clerk, Peggy Bourne, (406) 455-8451 and the Fiscal Services Department, Judy Burg, (406) 455-8477 in the Civic Center Building, 2 Park Drive, Great Falls, MT 59401 and are subject to inspection up to a period of five days before the public hearing. The City Commission will hear objections to the final adoption of said Resolution 9599 or any part thereof and the assessments therein provided for when convened in special session in the Commission Chambers on September 19, 2006, at 7:00 o'clock p.m., at which time and place the City Commission will consider Resolution 9599 for final adoption.

/s/Peggy Bourne, City Clerk

Publication Date: September 2, 2006 and September 9, 2006

**RESOLUTION #9599
SPECIAL LIGHTING DISTRICTS BUDGET FOR 2006/2007**

FISCAL YEAR 2005/2006										FISCAL YEAR 2006/2007																			
FY 05/06										FY 06/06																			
BUDGETED UTILITY BEGINNING UTILITY FISCAL MAINT & PROJECTED 1.50% 6/30/2006										MAXIMUM LIGHTING DISTRICT ASSESSMENT										ASSESSMENT REVENUE CALCULATION									
DISTRICT	TYPE	FUND	EXPENSE	CASH	EXPENSE	SER CHG	INSUR.	REVENUE	INTEREST	CASH	DELINQUENCIES	UTILITY EXPENSE	FISCAL SER CHG	TOTAL SLD EXPENSE	UTILITY EXPENSE	FISCAL SER CHG	MAINT & INSUR.	TOTAL	AVERAGE CASH	INTEREST RATE	INTEREST REVENUE	ENDING CASH BALANCE	DESIRED ASSESSMENT REVENUE NEEDED	Last Year's Assessment 05/06	ASSESSMENT SELECTED	SEE FOOTNOTE #			
18	STREET	902	2,338	1,616	2,259	218	0	2,555	20	1,716	179	2,344	223	2,567	2,344	223	0	2,567	1,444	2.00%	29	1,172	1,995	2,555	2,567	2			
650	PERIOD	903	4,113	3,859	3,990	383	75	11,011	50	10,472	1,628	8,005	761	8,766	8,005	761	1,000	9,766	7,237	2.00%	145	4,003	2,152	11,011	11,011	1			
651	STREET	904	1,873	2,457	1,867	175	0	2,047	30	2,493	21	1,992	189	2,181	1,992	189	0	2,181	1,744	2.00%	35	996	650	2,047	2,181	2			
912	STREET	907	12,082	6,701	11,544	1,126	0	12,660	94	6,785	1,139	11,937	1,135	13,072	11,937	1,135	0	13,072	6,377	2.00%	128	5,968	12,127	12,660	12,660	1			
973	STREET	909	393	24,605	410	37	0	430	36	24,625	151	441	42	483	441	42	0	483	12,423	2.00%	248	221	(24,169)	430	483	2			
1067A	ALLEY	913	4,260	2,487	4,095	397	0	4,462	31	2,487	546	4,249	404	4,653	4,249	404	0	4,653	2,306	2.00%	46	2,124	4,244	4,462	4,653	2			
1105	STREET	915	3,391	1,602	3,263	316	0	4,013	26	2,062	1,228	3,385	322	3,706	3,385	322	0	3,706	1,877	2.00%	38	1,692	3,298	4,013	4,013	1			
1230	STREET	922	152	84	175	14	0	166	1	62	0	189	18	207	189	18	0	207	78	2.00%	2	94	237	166	237	3			
1255	STREET	927	304	68	320	26	0	333	2	56	0	339	32	372	339	32	0	372	113	2.00%	2	170	483	333	483	3			
1261	PERIOD	932	3,917	15,667	3,786	365	1,873	5,881	130	15,655	212	3,972	378	4,349	3,972	378	1,600	5,949	8,820	2.00%	176	1,986	(9,496)	5,881	5,949	2			
1269	PERIOD	938	12,520	11,821	12,045	1,167	1,999	15,787	118	12,515	2,904	12,643	1,202	13,845	12,643	1,202	2,100	15,945	9,418	2.00%	188	6,322	7,463	15,787	15,945	2			
1270	PERIOD	939	5,300	1,175	5,124	494	114	7,182	29	2,653	60	5,399	513	5,913	5,399	513	2,000	7,913	2,677	2.00%	54	2,700	5,905	7,182	7,913	2			
1289	STREET	947	11,780	3,056	11,289	1,098	0	12,878	66	3,634	0	11,679	1,110	12,789	11,679	1,110	0	12,789	4,737	2.00%	95	5,839	14,899	12,878	12,878	1			
1290	STREET	948	944	762	927	86	0	982	9	740	0	962	91	1,054	962	91	0	1,054	610	2.00%	12	481	783	982	1,054	2			
1294	SLDA	961	120,397	65,982	115,196	11,217	0	128,854	918	69,341	6,344	119,381	11,349	130,730	119,381	11,349	0	130,730	64,516	2.00%	1,291	59,690	119,788	128,854	128,854	1			
1298	SLDI	962	18,286	11,934	17,072	1,704	0	21,099	129	14,386	198	17,608	1,674	19,282	17,608	1,674	0	19,282	11,595	2.00%	233	8,804	13,467	21,099	21,099	1			
1295	SLDC	963	50,397	(741)	48,034	4,695	0	55,093	169	1,792	3,242	49,839	4,738	54,577	49,839	4,738	0	54,577	13,356	2.00%	268	24,919	77,436	55,093	55,093	1			
1296	SLDR	965	791,985	575,892	754,310	73,789	0	841,088	7,086	595,968	33,867	777,257	73,888	851,145	777,257	73,888	0	851,145	492,298	2.00%	9,847	388,628	633,959	841,088	841,088	1			
1297	SLDT	967	25,256	4,652	24,381	2,353	0	25,408	120	3,446	888	25,702	2,443	28,145	25,702	2,443	0	28,145	8,149	2.00%	164	12,851	37,386	25,408	37,386	3			
general		217	0	11,851	0	0	1,635	0	98	10,314	0	0	0	0	0	0	5,829	5,829	5,157	2.00%	99	0							
	TOTAL		1,069,688	745,530	1,020,066	99,658	5,696	1,151,930	9,162	781,202	52,609	1,057,323	100,512	1,157,836	1,057,323	100,512	12,529	1,170,365	654,932		13,100	528,662	902,608	1,151,930	1,165,547	n/a			

- 1) Assessment Revenue needed for desired ending cash balance is negative or considerably less than the 05/06 assessment. Last year's assessment amount selected to assess this year.
- 2) Assessment Revenue needed for desired ending cash balance is greater than or equal to the maximum assessment allowed. Maximum assessment amount selected.
- 3) Assessment Revenue needed for desired ending cash balance is less than the maximum assessment allowed. Assessment Revenue needed for desired ending cash balance selected.

AGENDA REPORT

DATE September 19, 2006

ITEM RESOLUTION 9601 TO LEVY SPECIAL ASSESSMENTS ON PROPERTIES WITHIN SPECIAL IMPROVEMENT LIGHTING DISTRICT – CITY OWNED LIGHTING NO. 1302 ALONG BEARGRASS DRIVE WITHIN MEADOWLARK ADDITION NO. 3

INITIATED BY FINANCING INSTALLATION AND MAINTNENANCE OF CITY OWNED STREET LIGHTS

ACTION REQUESTED CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION 9601

PREPARED BY JUDY BURG, ACCOUNTING TECHNICIAN

PRESENTED BY COLEEN BALZARINI, FISCAL SERVICES DIRECTOR

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RECOMMENDATION:

Following the public hearing and barring sufficient protest, staff recommends the City Commission adopt Resolution 9601 which is a special assessment on properties within Special Improvement Lighting District – City Owned Lighting No. 1302 for the installation financing and annual maintenance costs of public roadway lighting along Beargrass Drive within Meadowlark No. 3.

MOTION:

“I move to adopt Resolution 9601.”

SYNOPSIS:

On August 15, 2006 the City Commission set a September 19, 2006 public hearing date to hear anyone wishing to speak for or against Special Improvement Lighting District – City Owned Lighting No. 1302 assessments.

Public roadway lighting for Special Improvement Lighting District 1302 has been completed as provided in Resolution 9498, for a total assessable cost of NINETEEN THOUSAND THREE HUNDRED THIRTY-TWO DOLLARS, (\$19,332). The special assessment for the installation cost of the improvements plus interest shall be payable over a term not to exceed fifteen (15) years.

In addition, the ongoing annual energy and maintenance costs for said improvements for Fiscal Year 06/07 were determined to be ONE THOUSAND FOUR HUNDRED NINETY-EIGHT DOLLARS, (\$1,498).

Resolution 9601 effectively places a lien on each property within the district for the proportionate share of the installation costs as well as assesses each property for the annual energy and maintenance costs.

Sections 7-12-4301 and 7-12-4333, M.C.A., authorize the City Commission to create lighting districts and to assess the costs of installing and/or maintaining the districts to the owners of the properties embraced within the boundaries of such districts.

BACKGROUND

On July 19, 2005 the City Commission adopted Resolution 9506 creating the City's Street Light Policy, which established a policy that the City own and operate any new street lighting districts requested by property owners or developers as allowed by statute.

Staff received a signed petition from the developer of Meadowlark Addition No. 3 requesting street lights be installed along Beargrass Drive. The petition was for the installation of nine (9) 100 watt HPS street lighting units on 17 foot fiberglass poles with underground wiring, which met with the requirements set forth in the July 19, 2005 policy for new street lighting districts.

On October 18, 2005, the City Commission adopted Resolution 9498 which authorized the creation, installation and maintenance costs to be assessed for nine (9) 100 Watt HPS city-owned street lighting units along Beargrass Drive in Meadowlark Addition No. 3.

The City Commission also authorized the City to enter into a loan agreement with the Montana Board of Investments to fund the cost to install nine (9) 100 Watt HPS city-owned street lighting units on 17 foot fiberglass poles with underground wiring along Beargrass Drive in Meadowlark Addition No. 3.

RESOLUTION 9601

A RESOLUTION TO LEVY SPECIAL ASSESSMENTS ON PROPERTIES WITHIN SPECIAL IMPROVEMENT LIGHTING DISTRICT – CITY OWNED LIGHTING NO.1302, ALONG BEARGRASS DRIVE WITHIN MEADOWLARK ADDITION NO. 3

WHEREAS, the City Commission of the City of Great Falls created Special Improvement Lighting District 1302, by Resolution 9498 duly passed on October 18, 2005, reference to which Resolution is hereby made, for installing and maintaining necessary public roadway lighting, as provided by 7-12-4301, MCA; and,

WHEREAS, the costs of the improvements were paid from the proceeds of a Montana Board of Investments Intercap Loan as approved by the City Commission, which is to be payable primarily from special assessments to be levied against the properties located along Beargrass Drive within Meadowlark Addition No. 3, which properties will be specially benefited by the improvements; and,

WHEREAS, improvements have been completed as provided for in said Resolution for the design and installation at a total assessable cost of NINETEEN THOUSAND THREE HUNDRED THIRTY-TWO DOLLARS (\$19,332); and,

WHEREAS, the City Commission has and does hereby find, fix and determine that each and every said several lots or parcels of land within said improvement lighting district will be specially benefited by all of the improvements; and,

WHEREAS, the properties are to be assessed for the improvements in proportion to which its area bears to the area of the district improved, as determined by the square foot method, and further as provided more particularly and set forth in Resolution 9497, Resolution of Intent to Create Special Improvement Lighting District 1302, Exhibit B; and,

WHEREAS, the properties in said Special Improvement Lighting District 1302 are to be assessed for the ongoing annual maintenance costs of said improvements in proportion to which its area bears to the area of the district improved, as determined by the square foot method, and further as provided more particularly and set forth in Resolution 9497, Resolution of Intent to Create Special Improvement Lighting District 1302, Exhibit C.

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

Section 1 – Installation Costs Assessed

The costs of the improvements made from the proceeds of the Montana Board of Investments Intercap Loan, are to be repaid from special assessments to be levied against the properties located along Beargrass Drive within Meadowlark Addition No. 3, which properties will be specially benefited by the public roadway lighting improvements. Therefore, there is levied an assessment upon the properties in said Special Improvement Lighting District 1302, for the sum of NINETEEN THOUSAND THREE HUNDRED THIRTY-TWO DOLLARS, (\$19,332) payable with interest over a term not to exceed fifteen (15) years.

Section 2 – Maintenance Costs Assessed

The costs of the ongoing annual maintenance, energy and administrative costs, are to be payable from assessments to be levied against the properties located along Beargrass Drive within Meadowlark Addition No. 3, which properties will be specially benefited by the public roadway lighting. The annual costs in said Special Improvement Lighting District 1302 will appear as assessments for Special Maintenance Lighting Districts and are annually submitted for public hearing and City Commission action.

Section 3 – Assessment Method

The description of each lot or parcel of land within said Special Improvement Lighting District which is hereby levied upon and assessed with the name of the current owner of record and the amount of each partial payment to be made in Special Improvement Lighting District 1302, is as set out in the Special Assessment List for installation costs attached as Exhibit A, and for maintenance costs attached as Exhibit B, which said lists are incorporated herein and made a part of this Resolution by this reference.

Section 4 – Assessments Due Date

The installation assessments are payable in two semi-annual payments, and will become delinquent at 5:00 o'clock p.m. on November 30, 2006 through 2021 and May 31, 2007 through 2022. The ongoing annual maintenance assessments are payable in two semi-annual payments and will become delinquent at 5:00 o'clock p.m. on November 30th of each year and May 31st of each year.

Section 5 – Maintenance Fund

The above-described assessments are to be deposited into funds known as “Special Improvement Lighting District No. 1302 Fund – SILD-1302” for the installation costs referred to in Section 1, and “Special Maintenance Lighting District No. 1303 Fund – SMLD 1302” for the maintenance costs referred to in Section 2, and from which all eligible expenses will be paid.

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

THAT, the City Commission will hear objections to the final adoption of this resolution at 7:00 o'clock p.m., September 19, 2006 in the Commission Chambers of the Civic Center Building, Great Falls, Montana.

THAT, this Resolution, together with the attached assessment lists, shall be kept on file in the office of the City Clerk of the City of Great Falls.

THAT, said City Clerk be, and is hereby authorized and directed, to publish twice, with at least 6

days separating each publication in a newspaper published in the City of Great Falls, Montana, a notice signed by said City Clerk stating that this Resolution, levying the special assessments to defray the cost of installation and maintenance of said Special Improvement Lighting District is subject to inspection in the Clerk's office, 2 Park Drive, Great Falls, Montana. Said notice shall state the time and place at which objections to the final adoption of this Resolution will be heard by the City Commission.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the above-entitled and foregoing Resolution be, and the same is hereby adopted, and the special assessments therein provided for be, and the same are hereby levied and assessed accordingly.

PASSED by the Commission of the City of Great Falls, Montana, on this 19th day of September, 2006.

Dona R. Stebbins, Mayor

ATTEST:

Peggy Bourne, City Clerk

(SEAL OF CITY)

Approved for Legal Content: City Attorney

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

I, Peggy Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9601 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 19th day of September, 2006, and approved by the Mayor of said City on the 19th day of September, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 19th day of September, 2006.

Peggy Bourne, City Clerk

(SEAL OF CITY)

**PUBLIC NOTICE – LEVY AND ASSESS ASSESSMENTS IN
SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 1302**

NOTICE IS HEREBY GIVEN that the City Commission will hold a public hearing on Resolution 9601 which pertains to levying and assessing properties within Special Improvement Lighting District No. 1302. The public hearing will be held on September 19, 2006 at 7:00 o'clock p.m. in the Commission Chambers of the Civic Center located at 2 Park Drive South. Copies of Resolution 9601 are available in the City Clerk's office located at 2 Park Drive South, Room 202 or by calling 455-8451.

The lighting district is located along Beargrass Drive in Meadowlark Addition No. 3. The assessment will levy costs related to the installation and annual maintenance of the lighting district.

/s/ Peggy J. Bourne, City Clerk

Publication Date: September 2, 2006 and September 9, 2006

RESOLUTION NO. 9601 - EXHIBIT "A"

SPECIAL IMPROVEMENT LIGHTING DISTRICT 1302 INSTALLATION COSTS

Total Construction Costs: \$ 19,332.00
 Improvements: NINE (9) - 100 WATT HPS ON 17' FIBERGLASS POLES
 WITH UNDERGROUND WIRING RESIDENTIAL STREET LIGHTING
 15 Year Assessment
 Beginning Nov: 2006
 Ending May: 2021
 Variable Interest Rate: 4.75%

Annual Square Footage Cost: 0.102188932

	PARCEL	BLOCK	LOT	SUB-DIVISION	NAME	PROPERTY ADDRESS	SET UP AREA (SQUARE FEET)	TOTAL ASSESSMENT	PRINCIPAL PER YEAR	INTEREST PER YEAR	1st Year TOTAL ANNUAL PYMT
1	1079008	1	1	Meadowlark #3	Joseph E & Lori A. Durocher	1301 Beargrass Dr.	10,237	1,046.11	69.74	2.65	72.39
2	1079010	1	2	Meadowlark #3	Mark Lyle & Jessica Lynn Paske	1305 Beargrass Dr.	10,454	1,068.28	71.22	2.71	73.93
3	1079012	1	3	Meadowlark #3	Christopher D & Janet S Alford	1309 Beargrass Dr.	9,278	948.11	63.21	2.40	65.61
4	1079014	1	4	Meadowlark #3	Thomas Clifford & Theresa Kay Walden	1313 Beargrass Dr.	11,631	1,188.56	79.24	3.01	82.25
5	1079016	1	5	Meadowlark #3	Mike & Diana Rydell	1317 Beargrass Dr.	10,454	1,068.28	71.22	2.71	73.93
6	1079018	1	6	Meadowlark #3	Leslie D. & Kristen M. Bruner	1321 Beargrass Dr.	9,278	948.11	63.21	2.40	65.61
7	1079020	1	7	Meadowlark #3	Burton R. & Peggy J. Geiger	1325 Beargrass Dr.	11,631	1,188.56	79.24	3.01	82.25
8	1079022	1	8	Meadowlark #3	Gladys S. Gibson Donnell	1329 Beargrass Dr.	10,454	1,068.28	71.22	2.71	73.93
9	1079024	1	9	Meadowlark #3	Dave & Theresa McCune	1333 Beargrass Dr.	11,500	1,175.17	78.34	2.98	81.32
10	1079026	2	1	Meadowlark #3	Keith & Andrea Hedges	1300 Beargrass Dr.	13,721	1,402.13	93.48	3.55	97.03
11	1079028	2	2	Meadowlark #3	Victor P. Shanks	1304 Beargrass Dr.	9,191	939.22	62.61	2.38	64.99
12	1079030	2	3	Meadowlark #3	Signature Homes LLC	1308 Beargrass Dr.	9,191	939.22	62.61	2.38	64.99
13	1079032	2	4	Meadowlark #3	Karl Birky	1312 Beargrass Dr.	10,367	1,059.39	70.63	2.68	73.31
14	1079034	2	5	Meadowlark #3	Rodney D & Kristy Ann Lance	1316 Beargrass Dr.	9,191	939.22	62.61	2.38	64.99
15	1079036	2	6	Meadowlark #3	Sidney S. Colla	1320 Beargrass Dr.	9,191	939.22	62.61	2.38	64.99
16	1079038	2	7	Meadowlark #3	David J & Sheri L. Jaraczski	1324 Beargrass Dr.	11,500	1,175.17	78.34	2.98	81.32
17	1079040	2	8	Meadowlark #3	Hugh & Teresa Reilly	1328 Beargrass Dr.	10,367	1,059.39	70.63	2.68	73.31
18	1079042	2	9	Meadowlark #3	Meadowlark Partners LLP	1332 Beargrass Dr.	11,543	1,179.57	78.64	2.99	81.63
TOTAL:							189,179	\$19,332.00	\$1,288.80	\$48.97	\$1,337.77

RESOLUTION NO. 9601 - EXHIBIT "B"

SPECIAL MAINTENANCE LIGHTING DISTRICT 1302 ANNUAL ASSESSMENT

9 - 100 WATT HPS ON 17' FIBERGLASS POLES WITH UNDERGROUND WIRING \$ 1,362.00

COST OF OPERATION AND ROUTINE MAINTENANCE	1,362.00
10% ADMINISTRATION FEE	<u>136.20</u>
TOTAL ANNUAL COST TO THE DISTRICT =	\$ <u>1,498.20</u>

ASSESSMENT BASED ON 12 MONTHS -
ANNUAL ASSESSMENT FOR AN AVERAGE
10,510 SQ.FT. LOT IS \$50.45.

ANNUAL SQUARE FOOT COST = 0.007919484

PETITION SIGNER	PARCEL	BLOCK	LOT	SUB-DIVISION	NAME	PROPERTY ADDRESS	SET UP	ANNUAL COST
							AREA (SQUARE FEET)	
X	1079008	1	1	Meadowlark #3	Joseph E & Lori A. Durocher	1301 Beargrass Dr.	10,237	81.07
	1079010	1	2	Meadowlark #3	Mark Lyle & Jessica Lynn Paske	1305 Beargrass Dr.	10,454	82.79
	1079012	1	3	Meadowlark #3	Christopher D & Janet S Alford	1309 Beargrass Dr.	9,278	73.48
	1079014	1	4	Meadowlark #3	Thomas Clifford & Theresa Kay Walden	1313 Beargrass Dr.	11,631	92.11
	1079016	1	5	Meadowlark #3	Mike & Diana Rydell	1317 Beargrass Dr.	10,454	82.79
	1079018	1	6	Meadowlark #3	Leslie D. & Kristen M. Bruner	1321 Beargrass Dr.	9,278	73.48
X	1079020	1	7	Meadowlark #3	Burton R. & Peggy J. Geiger	1325 Beargrass Dr.	11,631	92.11
X	1079022	1	8	Meadowlark #3	Gladys S. Gibson Donnell	1329 Beargrass Dr.	10,454	82.79
	1079024	1	9	Meadowlark #3	Dave & Theresa McCune	1333 Beargrass Dr.	11,500	91.07
	1079026	2	1	Meadowlark #3	Keith & Andrea Hedges	1300 Beargrass Dr.	13,721	108.66
	1079028	2	2	Meadowlark #3	Victor P. Shanks	1304 Beargrass Dr.	9,191	72.79
X	1079030	2	3	Meadowlark #3	Signature Homes LLC	1308 Beargrass Dr.	9,191	72.79
X	1079032	2	4	Meadowlark #3	Karl Birky	1312 Beargrass Dr.	10,367	82.10
X	1079034	2	5	Meadowlark #3	Rodney D & Kristy Ann Lance	1316 Beargrass Dr.	9,191	72.79
	1079036	2	6	Meadowlark #3	Sidney S. Colla	1320 Beargrass Dr.	9,191	72.79
	1079038	2	7	Meadowlark #3	David J & Sheri L. Jaraczski	1324 Beargrass Dr.	11,500	91.07
X	1079040	2	8	Meadowlark #3	Hugh & Teresa Reilly	1328 Beargrass Dr.	10,367	82.10
X	1079042	2	9	Meadowlark #3	Meadowlark Partners LLP	1332 Beargrass Dr.	11,543	91.41

TOTAL: 189,179 \$1,498.20

AGENDA REPORT

DATE September 19, 2006

ITEM RESOLUTION 9602 TO LEVY SPECIAL ASSESSMENTS ON PROPERTIES WITHIN SPECIAL IMPROVEMENT LIGHTING DISTRICT – CITY OWNED LIGHTING NO. 1304 WITHIN EAGLES CROSSING PHASE I

INITIATED BY FINANCING INSTALLATION AND MAINTENANCE OF CITY OWNED STREET LIGHTS

ACTION REQUESTED CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION 9602

PREPARED BY JUDY BURG, ACCOUNTING TECHNICIAN

PRESENTED BY COLEEN BALZARINI, FISCAL SERVICES DIRECTOR

- - - - -

RECOMMENDATION:

Following the public hearing and barring sufficient protest, staff recommends the City Commission adopt Resolution 9602 which is a special assessment on properties within Special Improvement Lighting District – City Owned Lighting No. 1304 for the installation financing and annual maintenance costs of public roadway lighting in the Eagles Crossing Phase I subdivision.

MOTION:

“I move to adopt Resolution 9602.”

SYNOPSIS:

On August 15, 2006 the City Commission set a September 19, 2006 public hearing date to hear anyone wishing to speak for or against Special Improvement Lighting District – City Owned Lighting No. 1304 assessments.

Public roadway lighting for Special Improvement Lighting District 1304 has been completed as provided in the Resolution 9525, for a total assessable cost of SEVENTY-TWO THOUSAND SEVEN HUNDRED SEVENTY DOLLARS, (\$72,770). The special assessment for the installation cost of the improvements plus interest shall be payable over a term not to exceed fifteen (15) years.

In addition, the ongoing annual energy and maintenance costs for said improvements for Fiscal Year 06/07 were determined to be TWO THOUSAND NINE HUNDRED SEVENTEEN DOLLARS (\$2,917).

Resolution 9602 effectively places a lien on each property within the district for the proportionate

share of the installation costs as well as assesses each property for the annual energy and maintenance costs.

Sections 7-12-4301 and 7-12-4333, M.C.A., authorize the City Commission to create lighting districts and to assess the costs of installing and/or maintaining the districts to the owners of the properties embraced within the boundaries of such districts.

BACKGROUND

On July 19, 2005 the City Commission adopted Resolution 9506 creating the City's Street Light Policy, which established a policy that the City own and operate any new street lighting districts requested by property owners or developers as allowed by statute.

Staff received a signed petition from the developer of Eagles Crossing Phase I requesting street lights be installed within the Eagles Crossing Phase I subdivision. The petition was for the installation of twenty-one (21) 100 watt HPS street lighting units on 20 foot steel poles with underground wiring, which met with the requirements set forth in the July 19, 2005 policy for new street lighting districts.

On November 15, 2005, the City Commission adopted Resolution 9525 which authorized the creation, installation and maintenance costs to be assessed for twenty-one (21) 100 Watt HPS city-owned street lighting units within Eagles Crossing Phase I subdivision.

The City Commission also authorized the City to enter into a loan agreement with the Montana Board of Investments to fund the cost to install twenty-one (21) 100 Watt HPS city-owned street lighting units on 20 foot steel poles with underground wiring the Eagles Crossing Phase I subdivision.

RESOLUTION 9602

A RESOLUTION TO LEVY SPECIAL ASSESSMENTS ON PROPERTIES WITHIN SPECIAL IMPROVEMENT LIGHTING DISTRICT – CITY OWNED LIGHTING NO.1304 WITHIN EAGLES CROSSING PHASE I

WHEREAS, the City Commission of the City of Great Falls created Special Improvement Lighting District 1304, by Resolution 9525 duly passed on November 15, 2005, reference to which Resolution is hereby made, for installing and maintaining necessary public roadway lighting, as provided by 7-12-4301, MCA; and,

WHEREAS, the costs of the improvements were paid from the proceeds of a Montana Board of Investments Intercap Loan as approved by the City Commission, which is to be payable primarily from special assessments to be levied against the properties located within Eagles Crossing Phase I, which properties will be specially benefited by the improvements; and,

WHEREAS, improvements have been completed as provided for in said Resolution for the design and installation at a total assessable cost of SEVENTY-TWO THOUSAND SEVEN HUNDRED SEVENTY DOLLARS (\$72,770); and

WHEREAS, the City Commission has and does hereby find, fix and determine that each and every said several lots or parcels of land within said improvement lighting district will be specially benefited by said improvements; and,

WHEREAS, the properties are to be assessed for the improvements in proportion to which its area bears to the area of the district improved, as determined by the square foot method, and further as provided more particularly and set forth in Resolution 9524, Resolution of Intent to Create Special Improvement Lighting District 1304, Exhibit B; and,

WHEREAS, the properties in said Special Improvement Lighting District 1304 are to be assessed for the ongoing annual maintenance costs of said improvements in proportion to which its area bears to the area of the district improved, as determined by the square foot method, and further as provided more particularly and set forth in Resolution 9524, Resolution of Intent to Create Special Improvement Lighting District 1304, Exhibit C.

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

Section 1 – Installation Costs Assessed

The costs of the improvements made from the proceeds of the Montana Board of Investments Intercap Loan, are to be repaid from special assessments to be levied against the properties located within Eagles Crossing Phase I, which properties will be specially benefited by the public roadway lighting improvements. Therefore, there is levied an assessment upon the properties in said Special Improvement Lighting District 1304, for the sum of SEVENTY-TWO THOUSAND SEVEN HUNDRED SEVENTY DOLLARS, (\$72,770) payable with interest over a term not to exceed fifteen (15) years.

Section 2 – Maintenance Costs Assessed

The costs of the ongoing annual maintenance, energy and administrative costs, are to be payable from assessments to be levied against the properties located within Eagles Crossing Phase I, which properties will be specially benefited by the public roadway lighting. The annual costs in said Special Improvement Lighting District 1304 will appear as assessments for Special Maintenance Lighting Districts and are annually submitted for public hearing and City Commission action.

Section 3 – Assessment Method

The description of each lot or parcel of land within said Special Improvement Lighting District which is hereby levied upon and assessed with the name of the current owner of record and the amount of each partial payment to be made in Special Improvement Lighting District 1304, is as set out in the Special Assessment List for installation costs attached as Exhibit A, and for maintenance costs attached as Exhibit B, which said lists are incorporated herein and made a part of this Resolution by this reference.

Section 4 – Assessments Due Date

The installation assessments are payable in two semi-annual payments, and will become delinquent at 5:00 o'clock p.m. on November 30, 2006 through 2021 and May 31, 2007 through 2022. The ongoing annual maintenance assessments are payable in two semi-annual payments and will become delinquent at 5:00 o'clock p.m. on November 30th of each year and May 31st of each year.

Section 5 – Maintenance Fund

The above-described assessments are to be deposited into funds known as "Special Improvement Lighting District No. 1304 Fund – SILD-1304" for the installation costs and "Special Maintenance Lighting District No. 1304 Fund – SMLD 1304" for the maintenance costs from which all eligible expenses will be paid.

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

THAT, the City Commission will hear objections to the final adoption of this resolution at 7:00 o'clock p.m., September 19, 2006 in the Commission Chambers of the Civic Center Building, Great Falls, Montana.

THAT, this Resolution, together with the attached assessment lists, shall be kept on file in the office of the City Clerk of the City of Great Falls.

THAT, said City Clerk be, and is hereby authorized and directed, to publish twice, with at least 6 days separating each publication in a newspaper published in the City of Great Falls, Montana, a notice signed by said City Clerk stating that this Resolution, levying the special assessments to defray the cost of

installation and maintenance of said Special Improvement Lighting District is subject to inspection in the Clerk's office, 2 Park Drive, Great Falls, Montana. Said notice shall state the time and place at which objections to the final adoption of this Resolution will be heard by the City Commission.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the above-entitled and foregoing Resolution be, and the same is hereby adopted, and the special assessments therein provided for be, and the same are hereby levied and assessed accordingly.

PASSED by the Commission of the City of Great Falls, Montana, on this 19th day of September, 2006.

Dona R. Stebbins, Mayor

ATTEST:

Peggy Bourne, City Clerk

(SEAL OF CITY)

Approved for Legal Content: City Attorney

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

I, Peggy Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9602 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 19th day of September, 2006, and approved by the Mayor of said City on the 19th day of September, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 19th day of September, 2006.

Peggy Bourne, City Clerk

(SEAL OF CITY)

**PUBLIC NOTICE – LEVY AND ASSESS ASSESSMENTS IN
SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 1304**

NOTICE IS HEREBY GIVEN that the City Commission will hold a public hearing on Resolution 9602 which pertains to levying and assessing properties within Special Improvement Lighting District No. 1304. The public hearing will be held on September 19, 2006 at 7:00 o'clock p.m. in the Commission Chambers of the Civic Center located at 2 Park Drive South. Copies of Resolution 9602 are available in the City Clerk's office located at 2 Park Drive South, Room 202 or by calling 455-8451.

The lighting district is located within Eagles Crossing Phase I subdivision. The assessment will levy costs related to the installation and annual maintenance of the lighting district.

/s/ Peggy J. Bourne, City Clerk

Publication Date: September 2, 2006 and September 9, 2006

RESOLUTION 9602 - EXHIBIT "A"

SPECIAL IMPROVEMENT LIGHTING DISTRICT 1304 INSTALLATION COSTS

Total Construction Costs: \$ 72,770.25
 Improvements: TWENTY-ONE (21) - 150 WATT HPS ON 20' STEEL POLES
 WITH UNDERGROUND WIRING RESIDENTIAL STREET LIGHTING

15 Year Assessment
 Beginning Nov: 2006
 Ending May: 2021

Variable Interest Rate: 3.80%

Total Square Footage Cost: 0.086202189

	PARCEL	BLOCK	LOT	SUB-DIVISION	NAME	PROPERTY ADDRESS	SET UP AREA (SQUARE FEET)	TOTAL ASSESSMENT	PRINCIPAL PER YEAR	INTEREST PER YEAR	1st Year TOTAL ANNUAL PYMT
1	740500	1	1	Eagles Crossing Phase I	Eagles Crossing Inc	No Address Assigned	219,107	18,887.50	1,259.17	95.70	1,354.86
2	740520	2	1	Eagles Crossing Phase I	Eagles Crossing Inc	4509 Kestrel Court	7,500	646.52	43.10	3.28	46.38
3	740522	2	2	Eagles Crossing Phase I	Jason R & Terry A. McBee	4505 Kestrel Court	7,667	660.91	44.06	3.35	47.41
4	740524	2	3	Eagles Crossing Phase I	Greg Stubbs Construction Inc.	4501 Kestrel Court	7,667	660.91	44.06	3.35	47.41
5	740526	2	4	Eagles Crossing Phase I	Thomas B & Carmen M. Horne	4413 Kestrel Court	7,667	660.91	44.06	3.35	47.41
6	740528	2	5	Eagles Crossing Phase I	Eagles Crossing Inc	4409 Kestrel Court	7,579	653.33	43.56	3.31	46.87
7	740530	2	6	Eagles Crossing Phase I	Eagles Crossing Inc	4405 Kestrel Court	8,581	739.70	49.31	3.75	53.06
8	740532	2	7	Eagles Crossing Phase I	Eagles Crossing Inc	4400 Kestrel Court	8,930	769.79	51.32	3.90	55.22
9	740534	2	8	Eagles Crossing Phase I	Eagles Crossing Inc	4404 Kestrel Court	8,581	739.70	49.31	3.75	53.06
10	740536	2	9	Eagles Crossing Phase I	Darrin & Theresa Schreder	4408 Kestrel Court	7,579	653.33	43.56	3.31	46.87
11	740538	2	10	Eagles Crossing Phase I	John D. Dowson, Sr.	4412 Kestrel Court	7,667	660.91	44.06	3.35	47.41
12	740540	2	11	Eagles Crossing Phase I	Greg Stubbs Construction Inc.	4500 Kestrel Court	7,667	660.91	44.06	3.35	47.41
13	740542	2	12	Eagles Crossing Phase I	Robert & Jodi Warneke	4504 Kestrel Court	7,667	660.91	44.06	3.35	47.41
14	740544	2	13	Eagles Crossing Phase I	Timothy A & Joy J Taves	4508 Kestrel Court	7,536	649.62	43.31	3.29	46.60
15	740546	2	14	Eagles Crossing Phase I	Greg Stubbs Construction Inc.	4509 Peregrine Ct	7,500	646.52	43.10	3.28	46.38
16	740548	2	15	Eagles Crossing Phase I	Greg Stubbs Construction Inc.	4505 Peregrine Ct	7,667	660.91	44.06	3.35	47.41
17	740550	2	16	Eagles Crossing Phase I	Eagles Crossing Inc	4501 Peregrine Ct	7,667	660.91	44.06	3.35	47.41
18	740552	2	17	Eagles Crossing Phase I	David Ness	4413 Peregrine Ct	7,667	660.91	44.06	3.35	47.41
19	740554	2	18	Eagles Crossing Phase I	Paul W. O'Leary Etal	4409 Peregrine Ct	7,579	653.33	43.56	3.31	46.87
20	740556	2	19	Eagles Crossing Phase I	Eagles Crossing Inc	4405 Peregrine Ct	8,581	739.70	49.31	3.75	53.06
21	740558	2	20	Eagles Crossing Phase I	Greg Stubbs Construction Inc.	4400 Peregrine Ct	8,930	769.79	51.32	3.90	55.22
22	740560	2	21	Eagles Crossing Phase I	Eagles Crossing Inc	4404 Peregrine Ct	8,581	739.70	49.31	3.75	53.06
23	740562	2	22	Eagles Crossing Phase I	Bruce L & Terry L Bieber	4408 Peregrine Ct	7,580	653.41	43.56	3.31	46.87
24	740564	2	23	Eagles Crossing Phase I	Montana Pride Builders LLC	4412 Peregrine Ct	7,667	660.91	44.06	3.35	47.41
25	740566	2	24	Eagles Crossing Phase I	Robert F & Janet E Fairchild	4500 Peregrine Ct	7,667	660.91	44.06	3.35	47.41
26	740568	2	25	Eagles Crossing Phase I	Darci & Derrick Bernardi	4504 Peregrine Ct	7,667	660.91	44.06	3.35	47.41
27	740570	2	26	Eagles Crossing Phase I	Eagles Crossing Inc	4508 Peregrine Ct	7,536	649.62	43.31	3.29	46.60
28	740572	2	27	Eagles Crossing Phase I	Daniel J. O'Leary Etal	4509 12th St NE	7,500	646.52	43.10	3.28	46.38
29	740574	2	28	Eagles Crossing Phase I	Eagles Crossing Inc	4505 12th St NE	7,667	660.91	44.06	3.35	47.41
30	740576	2	29	Eagles Crossing Phase I	Paul O'Leary Etal	4501 12th St NE	7,667	660.91	44.06	3.35	47.41
31	740578	2	30	Eagles Crossing Phase I	Eagles Crossing Inc	4413 12th St NE	7,667	660.91	44.06	3.35	47.41
32	740580	2	31	Eagles Crossing Phase I	Barbara Gregory	4409 12th St NE	7,667	660.91	44.06	3.35	47.41
33	740582	2	32	Eagles Crossing Phase I	Montana Pride Builders LLC	4405 12th St NE	12,763	1,100.20	73.35	5.57	78.92
34	740584	3	1	Eagles Crossing Phase I	Eagles Crossing Inc	4404 12th St NE	7,797	672.12	44.81	3.41	48.21

RESOLUTION 9602 - EXHIBIT "A"

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35	740586	3	2	Eagles Crossing Phase I	Eagles Crossing Inc	4408 12th St NE	7,797	672.12	44.81	3.41	48.21
36	740588	3	3	Eagles Crossing Phase I	Eagles Crossing Inc	4412 12th St NE	7,667	660.91	44.06	3.35	47.41
37	740590	3	4	Eagles Crossing Phase I	Eagles Crossing Inc	4500 12th St NE	7,667	660.91	44.06	3.35	47.41
38	740592	3	5	Eagles Crossing Phase I	Eagles Crossing Inc	4504 12th St NE	7,667	660.91	44.06	3.35	47.41
39	740594	3	6	Eagles Crossing Phase I	Eagles Crossing Inc	4508 12th St NE	12,763	1,100.20	73.35	5.57	78.92
40	740596	4	1	Eagles Crossing Phase I	Eagles Crossing Inc	4708 12th St NE	14,505	1,250.36	83.36	6.34	89.69
41	740598	4	2	Eagles Crossing Phase I	Darin & Judy K Werner	4704 12th St NE	15,812	1,363.03	90.87	6.91	97.77
42	740600	4	3	Eagles Crossing Phase I	Eagles Crossing Inc	4700 12th St NE	15,812	1,363.03	90.87	6.91	97.77
43	740602	4	4	Eagles Crossing Phase I	Cory T & Colleen K. Johnson	4608 12th St NE	19,123	1,648.44	109.90	8.35	118.25
44	740604	4	5	Eagles Crossing Phase I	John W & Christina W Eakle	4604 12th St NE	15,812	1,363.03	90.87	6.91	97.77
45	740606	4	6	Eagles Crossing Phase I	Montana Pride Builders LLC	4600 12th St NE	17,076	1,471.99	98.13	7.46	105.59
46	740608	5	1	Eagles Crossing Phase I	Eagles Crossing Inc	4709 12th St NE	14,854	1,280.45	85.36	6.49	91.85
47	740610	5	2	Eagles Crossing Phase I	Douglas L. Otto Etal	4705 12th St NE	17,293	1,490.69	99.38	7.55	106.93
48	740612	5	3	Eagles Crossing Phase I	John M. & Sonja Smart	4701 12th St NE	14,985	1,291.74	86.12	6.54	92.66
49	740614	5	4	Eagles Crossing Phase I	Paul W. & Vickie W. O'Leary	4609 12th St NE	15,290	1,318.03	87.87	6.68	94.55
50	740616	5	5	Eagles Crossing Phase I	Linda L Mitchell	4605 12th St NE	17,598	1,516.99	101.13	7.69	108.82
51	740618	5	6	Eagles Crossing Phase I	Philip L & Heidi J Stubbs	4601 12th St NE	20,168	1,738.53	115.90	8.81	124.71
52	740620	5	7	Eagles Crossing Phase I	James & Amy K Linder	1209 46th Ave NE	14,985	1,291.74	86.12	6.54	92.66
53	740622	5	8	Eagles Crossing Phase I	Eagles Crossing Inc	1213 46th Ave NE	14,985	1,291.74	86.12	6.54	92.66
54	740624	5	9	Eagles Crossing Phase I	John D. Dowson, Sr.	1301 46th Ave NE	14,985	1,291.74	86.12	6.54	92.66
55	740626	5	10	Eagles Crossing Phase I	Greg Stubbs Construction Inc.	1305 46th Ave NE	14,985	1,291.74	86.12	6.54	92.66
56	740628	5	11	Eagles Crossing Phase I	Justin Luke Diekhans	1309 46th Ave NE	14,985	1,291.74	86.12	6.54	92.66
57	740630	5	12	Eagles Crossing Phase I	Greg Stubbs Construction Inc.	1313 46th Ave NE	14,985	1,291.74	86.12	6.54	92.66
58	740632	5	13	Eagles Crossing Phase I	Devin & Susan Kitchell	1401 46th Ave NE	14,985	1,291.74	86.12	6.54	92.66
59	740634	5	14	Eagles Crossing Phase I	Greg Stubbs Construction Inc.	1405 46th Ave NE	14,985	1,291.74	86.12	6.54	92.66
60	740635	5	Park	Eagles Crossing Phase I	City of Great Falls	Park	Exempt	0.00	0.00	0.00	0.00
						844,181	<u>\$72,770.25</u>	<u>\$4,851.35</u>	<u>\$368.70</u>	<u>\$5,220.05</u>	

RESOLUTION 9602 - EXHIBIT "B"

SPECIAL MAINTENANCE LIGHTING DISTRICT 1304 ANNUAL ASSESSMENT

21 - 150 WATT HPS ON 20' STEEL POLES WITH UNDERGROUND WIRING

\$ 2,652.00

COST OF OPERATION AND ROUTINE MAINTENANCE

2,652.00

10% ADMINISTRATION FEE

265.20

TOTAL ANNUAL COST TO THE DISTRICT =

\$ 2,917.20

ASSESSMENT BASED ON 12 MONTHS -

ANNUAL ASSESSMENT FOR AN AVERAGE

14,070 SQ.FT. LOT IS \$60.66.

ANNUAL SQUARE FOOT COST =

0.003455657

PETITION SIGNER	PARCEL	BLOCK	LOT	SUB-DIVISION	NAME	PROPERTY ADDRESS	SET UP AREA (SQUARE FEET)	ANNUAL COST
X	740500	1	1	Eagles Crossing Phase I	Eagles Crossing Inc	No Address Assigned	219,107	757.16
X	740520	2	1	Eagles Crossing Phase I	Eagles Crossing Inc	4509 Kestrel Court	7,500	25.92
	740522	2	2	Eagles Crossing Phase I	Jason R & Terry A. McBee	4505 Kestrel Court	7,667	26.49
	740524	2	3	Eagles Crossing Phase I	Greg Stubbs Construction Inc.	4501 Kestrel Court	7,667	26.49
X	740526	2	4	Eagles Crossing Phase I	Thomas B & Carmen M. Horne	4413 Kestrel Court	7,667	26.49
X	740528	2	5	Eagles Crossing Phase I	Eagles Crossing Inc	4409 Kestrel Court	7,579	26.19
X	740530	2	6	Eagles Crossing Phase I	Eagles Crossing Inc	4405 Kestrel Court	8,581	29.65
X	740532	2	7	Eagles Crossing Phase I	Eagles Crossing Inc	4400 Kestrel Court	8,930	30.86
X	740534	2	8	Eagles Crossing Phase I	Eagles Crossing Inc	4404 Kestrel Court	8,581	29.65
	740536	2	9	Eagles Crossing Phase I	Darrin & Theresa Schreder	4408 Kestrel Court	7,579	26.19
	740538	2	10	Eagles Crossing Phase I	John D. Dowson, Sr.	4412 Kestrel Court	7,667	26.49
	740540	2	11	Eagles Crossing Phase I	Greg Stubbs Construction Inc.	4500 Kestrel Court	7,667	26.49
	740542	2	12	Eagles Crossing Phase I	Robert & Jodi Warneke	4504 Kestrel Court	7,667	26.49
	740544	2	13	Eagles Crossing Phase I	Timothy A & Joy J Taves	4508 Kestrel Court	7,536	26.04
X	740546	2	14	Eagles Crossing Phase I	Greg Stubbs Construction Inc.	4509 Peregrine Ct	7,500	25.92
X	740548	2	15	Eagles Crossing Phase I	Greg Stubbs Construction Inc.	4505 Peregrine Ct	7,667	26.49
X	740550	2	16	Eagles Crossing Phase I	Eagles Crossing Inc	4501 Peregrine Ct	7,667	26.49
X	740552	2	17	Eagles Crossing Phase I	David Ness	4413 Peregrine Ct	7,667	26.49
X	740554	2	18	Eagles Crossing Phase I	Paul W. O'Leary Etal	4409 Peregrine Ct	7,579	26.19
X	740556	2	19	Eagles Crossing Phase I	Eagles Crossing Inc	4405 Peregrine Ct	8,581	29.65
X	740558	2	20	Eagles Crossing Phase I	Greg Stubbs Construction Inc.	4400 Peregrine Ct	8,930	30.86
X	740560	2	21	Eagles Crossing Phase I	Eagles Crossing Inc	4404 Peregrine Ct	8,581	29.65
X	740562	2	22	Eagles Crossing Phase I	Bruce L & Terry L Bieber	4408 Peregrine Ct	7,580	26.19
X	740564	2	23	Eagles Crossing Phase I	Montana Pride Builders LLC	4412 Peregrine Ct	7,667	26.49
	740566	2	24	Eagles Crossing Phase I	Robert F & Janet E Fairchild	4500 Peregrine Ct	7,667	26.49
	740568	2	25	Eagles Crossing Phase I	Darci & Derrick Bernardi	4504 Peregrine Ct	7,667	26.49
X	740570	2	26	Eagles Crossing Phase I	Eagles Crossing Inc	4508 Peregrine Ct	7,536	26.04
X	740572	2	27	Eagles Crossing Phase I	Daniel J. O'Leary Etal	4509 12th St NE	7,500	25.92
X	740574	2	28	Eagles Crossing Phase I	Eagles Crossing Inc	4505 12th St NE	7,667	26.49
X	740576	2	29	Eagles Crossing Phase I	Paul O'Leary Etal	4501 12th St NE	7,667	26.49
X	740578	2	30	Eagles Crossing Phase I	Eagles Crossing Inc	4413 12th St NE	7,667	26.49

RESOLUTION 9602 - EXHIBIT "B"

SPECIAL MAINTENANCE LIGHTING DISTRICT 1304 ANNUAL ASSESSMENT

21 - 150 WATT HPS ON 20' STEEL POLES WITH UNDERGROUND WIRING

\$ 2,652.00

COST OF OPERATION AND ROUTINE MAINTENANCE

2,652.00

10% ADMINISTRATION FEE

265.20

TOTAL ANNUAL COST TO THE DISTRICT =

\$ 2,917.20

ASSESSMENT BASED ON 12 MONTHS -
ANNUAL ASSESSMENT FOR AN AVERAGE
14,070 SQ.FT. LOT IS \$60.66.

ANNUAL SQUARE FOOT COST =

0.003455657

PETITION SIGNER	PARCEL	BLOCK	LOT	SUB-DIVISION	NAME	PROPERTY ADDRESS	SET UP	ANNUAL COST
							AREA (SQUARE FEET)	
X	740580	2	31	Eagles Crossing Phase I	Barbara Gregory	4409 12th St NE	7,667	26.49
X	740582	2	32	Eagles Crossing Phase I	Montana Pride Builders LLC	4405 12th St NE	12,763	44.10
X	740584	3	1	Eagles Crossing Phase I	Eagles Crossing Inc	4404 12th St NE	7,797	26.94
X	740586	3	2	Eagles Crossing Phase I	Eagles Crossing Inc	4408 12th St NE	7,797	26.94
X	740588	3	3	Eagles Crossing Phase I	Eagles Crossing Inc	4412 12th St NE	7,667	26.49
X	740590	3	4	Eagles Crossing Phase I	Eagles Crossing Inc	4500 12th St NE	7,667	26.49
X	740592	3	5	Eagles Crossing Phase I	Eagles Crossing Inc	4504 12th St NE	7,667	26.49
X	740594	3	6	Eagles Crossing Phase I	Eagles Crossing Inc	4508 12th St NE	12,763	44.10
X	740596	4	1	Eagles Crossing Phase I	Eagles Crossing Inc	4708 12th St NE	14,505	50.12
X	740598	4	2	Eagles Crossing Phase I	Darin & Judy K Werner	4704 12th St NE	15,812	54.64
X	740600	4	3	Eagles Crossing Phase I	Eagles Crossing Inc	4700 12th St NE	15,812	54.64
	740602	4	4	Eagles Crossing Phase I	Cory T & Colleen K. Johnson	4608 12th St NE	19,123	66.08
X	740604	4	5	Eagles Crossing Phase I	John W & Christina W Eakle	4604 12th St NE	15,812	54.64
X	740606	4	6	Eagles Crossing Phase I	Montana Pride Builders LLC	4600 12th St NE	17,076	59.01
X	740608	5	1	Eagles Crossing Phase I	Eagles Crossing Inc	4709 12th St NE	14,854	51.33
	740610	5	2	Eagles Crossing Phase I	Douglas L. Otto Etal	4705 12th St NE	17,293	59.76
	740612	5	3	Eagles Crossing Phase I	John M. & Sonja Smart	4701 12th St NE	14,985	51.78
	740614	5	4	Eagles Crossing Phase I	Paul W. & Vickie W. O'Leary	4609 12th St NE	15,290	52.84
X	740616	5	5	Eagles Crossing Phase I	Linda L Mitchell	4605 12th St NE	17,598	60.81
X	740618	5	6	Eagles Crossing Phase I	Philip L & Heidi J Stubbs	4601 12th St NE	20,168	69.69
X	740620	5	7	Eagles Crossing Phase I	James & Amy K Linder	1209 46th Ave NE	14,985	51.78
X	740622	5	8	Eagles Crossing Phase I	Eagles Crossing Inc	1213 46th Ave NE	14,985	51.78
	740624	5	9	Eagles Crossing Phase I	John D. Dowson, Sr.	1301 46th Ave NE	14,985	51.78
	740626	5	10	Eagles Crossing Phase I	Greg Stubbs Construction Inc.	1305 46th Ave NE	14,985	51.78
	740628	5	11	Eagles Crossing Phase I	Justin Luke Diekhans	1309 46th Ave NE	14,985	51.78
X	740630	5	12	Eagles Crossing Phase I	Greg Stubbs Construction Inc.	1313 46th Ave NE	14,985	51.78
	740632	5	13	Eagles Crossing Phase I	Devin & Susan Kitchell	1401 46th Ave NE	14,985	51.78
	740634	5	14	Eagles Crossing Phase I	Greg Stubbs Construction Inc.	1405 46th Ave NE	14,985	51.78
	740635	5	Park	Eagles Crossing Phase I	City of Great Falls	Park	Exempt	0.00

Total Petition Signers: 41

844,181

2,917.20

AGENDA REPORT

DATE September 19, 2006

ITEM RESOLUTION 9603 TO LEVY SPECIAL ASSESSMENTS ON PROPERTIES WITHIN SPECIAL IMPROVEMENT LIGHTING DISTRICT – CITY OWNED LIGHTING NO. 1306 ALONG CAMAS DRIVE WITHIN MEADOWLARK ADDITION NO. 4

INITIATED BY FINANCING INSTALLATION AND MAINTENANCE OF CITY OWNED STREET LIGHTS

ACTION REQUESTED CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION 9603

PREPARED BY JUDY BURG, ACCOUNTING TECHNICIAN

PRESENTED BY COLEEN BALZARINI, FISCAL SERVICES DIRECTOR

- - - - -

RECOMMENDATION:

Following the public hearing and barring sufficient protest, staff recommends the City Commission adopt Resolution 9603 which is a special assessment on properties within Special Improvement Lighting District – City Owned Lighting No. 1306 for the installation financing and annual maintenance costs of public roadway lighting along Camas Drive within Meadowlark Addition No. 4.

MOTION:

“I move to adopt Resolution 9603.”

SYNOPSIS:

On August 15, 2006 the City Commission set a September 19, 2006 public hearing date to hear anyone wishing to speak for or against Special Improvement Lighting District – City Owned Lighting No. 1306 assessments.

Public roadway lighting for Special Improvement Lighting District 1306 is currently in progress as provided in Resolution 9570. The total estimated assessable cost for the work in progress is TWENTY-THREE THOUSAND DOLLARS, (\$23,000). The special assessment for the installation cost of the improvements plus interest shall be payable over a term not to exceed fifteen (15) years.

In addition, the ongoing annual energy and maintenance costs for said improvements for Fiscal Year 06/07 were determined to be ONE THOUSAND TWO HUNDRED THIRTY-SEVEN DOLLARS (\$1,237).

Resolution 9603 effectively places a lien on each property within the district for the proportionate share of the installation costs as well as assesses each property for the annual energy and maintenance costs.

Sections 7-12-4301 and 7-12-4333, M.C.A., authorize the City Commission to create lighting districts and to assess the costs of installing and/or maintaining the districts to the owners of the properties embraced within the boundaries of such districts.

BACKGROUND

On July 19, 2005 the City Commission adopted Resolution 9506 creating the City's Street Light Policy, which established a policy that the City own and operate any new street lighting districts requested by property owners or developers as allowed by state.

Staff received a signed petition from the developer of Meadowlark Addition No. 4 requesting street lights be installed along Camas Drive within Meadowlark Addition No. 4. The petition was for the installation of nine (9) 100 watt HPS street lighting units on 17 foot fiberglass poles with underground wiring, which met with the requirements set forth in the July 19, 2005 policy for new street lighting districts.

On August 1, 2006, the City Commission adopted Resolution 9571 which authorized the creation, installation and maintenance costs be assessed for nine (9) 100 Watt HPS city-owned street lighting units along Camas Drive within Meadowlark Addition No. 4.

The City Commission also authorized the City to enter into a loan agreement with the Montana Board of Investments to fund the cost to install nine (9) 100 Watt HPS city-owned street lighting units on 17 foot fiberglass poles with underground wiring along Camas Drive within Meadowlark Addition No. 4.

RESOLUTION 9603

A RESOLUTION TO LEVY SPECIAL ASSESSMENTS ON PROPERTIES WITHIN SPECIAL IMPROVEMENT LIGHTING DISTRICT – CITY OWNED LIGHTING NO.1306 ALONG CAMAS DRIVE WITHIN MEADOWLARK ADDITION NO. 4

WHEREAS, the City Commission of the City of Great Falls created Special Improvement Lighting District 1306, by Resolution 9571 duly passed on August 1, 2006, reference to which Resolution is hereby made, for installing and maintaining necessary public roadway lighting, as provided by 7-12-4301, MCA; and,

WHEREAS, the costs of the improvements are to be paid from the proceeds of a Montana Board of Investments Intercap Loan as approved by the City Commission, which is to be payable primarily from special assessments to be levied against the properties located along Camas Drive within Meadowlark Addition No. 4, which properties will be specially benefited by the improvements; and,

WHEREAS, improvements are currently in progress as provided for in said Resolution for the design and installation at a total anticipated costs of TWENTY-THREE THOUSAND DOLLARS (\$23,000); and,

WHEREAS, the City Commission has and does hereby find, fix and determine that each and every said several lots or parcels of land within said improvement lighting district will be specially benefited by said improvements; and,

WHEREAS, the properties are to be assessed for the improvements in proportion to which its area bears to the area of the district improved, as determined by the square foot method, and further as provided more particularly and set forth in Resolution 9570, Resolution of Intent to Create Special Improvement Lighting District 1306, Exhibit B; and,

WHEREAS, the properties in said Special Improvement Lighting District 1306 are to be assessed for the ongoing annual maintenance costs of said improvements in proportion to which its area bears to the area of the district improved, as determined by the square foot method, and further as provided more particularly and set forth in Resolution 9570, Resolution of Intent to Create Special Improvement Lighting District 1306, Exhibit C.

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

Section 1 – Installation Costs Assessed

The costs of the improvements made from the proceeds of the Montana Board of Investments Intercap Loan, are to be repaid from special assessments to be levied against the properties located along Camas Drive within Meadowlark Addition No. 4, which properties will be specially benefited by the public roadway lighting improvements. Therefore, there is levied an assessment upon the properties in said Special Improvement Lighting District 1306, for the sum of TWENTY-THREE THOUSAND DOLLARS, (\$72,770) payable with interest over a term not to exceed fifteen (15) years.

Section 2 – Maintenance Costs Assessed

The costs of the ongoing annual maintenance, energy and administrative costs, are to be payable from assessments to be levied against the properties located along Camas Drive within Meadowlark Addition No. 4, which properties will be specially benefited by the public roadway lighting. The annual costs in said Special Improvement Lighting District 1306 will appear as assessments for Special Maintenance Lighting Districts and are annually submitted for public hearing and City Commission action.

Section 3 – Assessment Method

The description of each lot or parcel of land within said Special Improvement Lighting District which is hereby levied upon and assessed with the name of the current owner of record and the amount of each partial payment to be made in Special Improvement Lighting District 1306, is as set out in the Special Assessment List for installation costs attached as Exhibit A, and for maintenance costs attached as Exhibit B, which said lists are incorporated herein and made a part of this Resolution by this reference.

Section 4 – Assessments Due Date

The installation assessments are payable in two semi-annual payments, and will become delinquent at 5:00 o'clock p.m. on November 30, 2006 through 2021 and May 31, 2007 through 2022. The ongoing annual maintenance assessments are payable in two semi-annual payments and will become delinquent at 5:00 o'clock p.m. on November 30th of each year and May 31st of each year.

Section 5 – Maintenance Fund

The above-described assessments are to be deposited into funds known as “Special Improvement Lighting District No. 1306 Fund – SILD-1306” for the installation costs and “Special Maintenance Lighting District No. 1306 Fund – SMLD 1306” for the maintenance costs from which all eligible expenses will be paid.

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

THAT, the City Commission will hear objections to the final adoption of this resolution at 7:00 o'clock p.m., September 19, 2006 in the Commission Chambers of the Civic Center Building, Great Falls, Montana.

THAT, this Resolution, together with the attached assessment lists, shall be kept on file in the office of the City Clerk of the City of Great Falls.

THAT, said City Clerk be, and is hereby authorized and directed, to publish twice, with at least 6 days separating each publication in a newspaper published in the City of Great Falls, Montana, a notice signed by said City Clerk stating that this Resolution, levying the special assessments to defray the cost of

installation and maintenance of said Special Improvement Lighting District is subject to inspection in the Clerk's office, 2 Park Drive, Great Falls, Montana. Said notice shall state the time and place at which objections to the final adoption of this Resolution will be heard by the City Commission.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the above-entitled and foregoing Resolution be, and the same is hereby adopted, and the special assessments therein provided for be, and the same are hereby levied and assessed accordingly.

PASSED by the Commission of the City of Great Falls, Montana, on this 19th day of September, 2006.

Dona R. Stebbins, Mayor

ATTEST:

Peggy Bourne, City Clerk

(SEAL OF CITY)

Approved for Legal Content: City Attorney

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

I, Peggy Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9603 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 19th day of September, 2006, and approved by the Mayor of said City on the 19th day of September, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 19th day of September, 2006.

Peggy Bourne, City Clerk

(SEAL OF CITY)

**PUBLIC NOTICE – LEVY AND ASSESS ASSESSMENTS IN
SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 1306**

NOTICE IS HEREBY GIVEN that the City Commission will hold a public hearing on Resolution 9603 which pertains to levying and assessing properties within Special Improvement Lighting District No. 1306. The public hearing will be held on September 19, 2006 at 7:00 o'clock p.m. in the Commission Chambers of the Civic Center located at 2 Park Drive South. Copies of Resolution 9603 are available in the City Clerk's office located at 2 Park Drive South, Room 202 or by calling 455-8451.

The lighting district is located along Camas Drive in Meadowlark Addition No. 4. The assessment will levy costs related to the installation and annual maintenance of the lighting district.

/s/ Peggy J. Bourne, City Clerk

Publication Date: September 2, 2006 and September 9, 2006

RESOLUTION 9603 - EXHIBIT "A"

SPECIAL IMPROVEMENT LIGHTING DISTRICT 1306 INSTALLATION COSTS

Total Construction Costs: \$20,962.00
 Improvements: NINE (9) - 100 WATT HPS ON 17' FIBERGLASS POLES
 WITH UNDERGROUND WIRING RESIDENTIAL STREET LIGHTING
 15 Year Assessment
 Beginning Nov: 2007
 Ending May: 2022
 Variable Interest Rate: 4.75%

Annual Square Footage Cost: 0.110962892

PARCEL	BLOCK	LOT	SUB-DIVISION	NAME	PROPERTY ADDRESS	SET UP AREA (SQUARE FEET)	TOTAL ASSESSMENT	PRINCIPAL PER YEAR	INTEREST PER YEAR	TOTAL ANNUAL PYMT
2184800	Original Parcel		Meadowlark #4	1/1/2007 will be split into the following parcels:		188,910	20,962.00	977.10	982.87	1,959.97
1	1079044	2	10	Meadowlark #4	Meadowlark Partners LLP	1333 Camas Dr.	10,495	1,164.56	53.78	107.88
2	1079046	2	11	Meadowlark #4	Meadowlark Partners LLP	1329 Camas Dr.	10,119	1,122.83	54.23	108.78
3	1079048	2	12	Meadowlark #4	Meadowlark Partners LLP	1325 Camas Dr.	9,200	1,020.86	48.21	96.70
4	1079050	2	13	Meadowlark #4	Meadowlark Partners LLP	1321 Camas Dr.	11,500	1,276.07	60.26	120.87
5	1079052	2	14	Meadowlark #4	Lee A & Shonna L Johnson	1317 Camas Dr.	10,350	1,148.47	54.23	108.78
6	1079054	2	15	Meadowlark #4	Meadowlark Partners LLP	1313 Camas Dr.	9,200	1,020.86	48.21	96.70
7	1079056	2	16	Meadowlark #4	Meadowlark Partners LLP	1309 Camas Dr.	11,500	1,276.07	60.26	120.87
8	1079058	2	17	Meadowlark #4	Meadowlark Partners LLP	1305 Camas Dr.	10,350	1,148.47	54.23	108.78
9	1079060	2	18	Meadowlark #4	Meadowlark Partners LLP	1301 Camas Dr.	11,654	1,293.16	61.06	122.49
10	1079062	3	1	Meadowlark #4	Robert B & Ettasue Ferris	1300 Camas Dr.	10,264	1,138.92	53.78	107.88
11	1079064	3	2	Meadowlark #4	Meadowlark Partners LLP	1304 Camas Dr.	10,350	1,148.47	54.23	108.78
12	1079066	3	3	Meadowlark #4	Meadowlark Partners LLP	1308 Camas Dr.	9,200	1,020.86	48.21	96.70
13	1079068	3	4	Meadowlark #4	Meadowlark Partners LLP	1312 Camas Dr.	11,500	1,276.07	60.26	120.87
14	1079070	3	5	Meadowlark #4	Meadowlark Partners LLP	1316 Camas Dr.	10,350	1,148.47	54.23	108.78
15	1079072	3	6	Meadowlark #4	Meadowlark Partners LLP	1320 Camas Dr.	9,200	1,020.86	48.21	96.70
16	1079074	3	7	Meadowlark #4	Meadowlark Partners LLP	1324 Camas Dr.	11,500	1,276.07	60.26	120.87
17	1079076	3	8	Meadowlark #4	Meadowlark Partners LLP	1328 Camas Dr.	10,350	1,148.47	54.23	108.78
18	1079078	3	9	Meadowlark #4	Meadowlark Partners LLP	1332 Camas Dr.	11,828	1,312.47	61.98	124.32
TOTAL:						188,910	\$20,962.00	\$989.86	\$995.67	\$1,985.53

RESOLUTION 9603 - EXHIBIT "B"

SPECIAL MAINTENANCE LIGHTING DISTRICT 1306 ANNUAL ASSESSMENT

9 - 100 WATT HPS ON 17' FIBERGLASS POLES WITH UNDERGROUND WIRING \$ 1,125.00

COST OF OPERATION AND ROUTINE MAINTENANCE 1,125.00
 10% ADMINISTRATION FEE 112.50
 TOTAL ANNUAL COST TO THE DISTRICT = \$ 1,237.50

ASSESSMENT BASED ON 12 MONTHS -
 ANNUAL ASSESSMENT FOR AN AVERAGE
 10,510 SQ.FT. LOT IS \$50.45.

ANNUAL SQUARE FOOT COST = 0.006550738

PETITION SIGNER	PARCEL	BLOCK	LOT	SUB-DIVISION	NAME	PROPERTY ADDRESS	SET UP AREA (SQUARE FEET)	ANNUAL COST
	2184800	Original Parcel		Meadowlark #4	1/1/2007 will be split into the following - cost will be prorated:		188,910	1,237.50
X	1079044	2	10	Meadowlark #4	Meadowlark Partners LLP	1333 Camas Dr.	10,264	67.24
X	1079046	2	11	Meadowlark #4	Meadowlark Partners LLP	1329 Camas Dr.	10,350	67.80
X	1079048	2	12	Meadowlark #4	Meadowlark Partners LLP	1325 Camas Dr.	9,200	60.27
X	1079050	2	13	Meadowlark #4	Meadowlark Partners LLP	1321 Camas Dr.	11,500	75.33
X	1079052	2	14	Meadowlark #4	Lee A & Shonna L Johnson	1317 Camas Dr.	10,350	67.80
X	1079054	2	15	Meadowlark #4	Meadowlark Partners LLP	1313 Camas Dr.	9,200	60.27
X	1079056	2	16	Meadowlark #4	Meadowlark Partners LLP	1309 Camas Dr.	11,500	75.33
X	1079058	2	17	Meadowlark #4	Meadowlark Partners LLP	1305 Camas Dr.	10,350	67.80
X	1079060	2	18	Meadowlark #4	Meadowlark Partners LLP	1301 Camas Dr.	11,654	76.34
X	1079062	3	1	Meadowlark #4	Robert B & Ettasue Ferris	1300 Camas Dr.	10,264	67.24
X	1079064	3	2	Meadowlark #4	Meadowlark Partners LLP	1304 Camas Dr.	10,350	67.80
X	1079066	3	3	Meadowlark #4	Meadowlark Partners LLP	1308 Camas Dr.	9,200	60.27
X	1079068	3	4	Meadowlark #4	Meadowlark Partners LLP	1312 Camas Dr.	11,500	75.33
X	1079070	3	5	Meadowlark #4	Meadowlark Partners LLP	1316 Camas Dr.	10,350	67.80
X	1079072	3	6	Meadowlark #4	Meadowlark Partners LLP	1320 Camas Dr.	9,200	60.27
X	1079074	3	7	Meadowlark #4	Meadowlark Partners LLP	1324 Camas Dr.	11,500	75.33
X	1079076	3	8	Meadowlark #4	Meadowlark Partners LLP	1328 Camas Dr.	10,350	67.80
X	1079078	3	9	Meadowlark #4	Meadowlark Partners LLP	1332 Camas Dr.	11,828	77.48

TOTAL: 188,910 \$1,237.50

A G E N D A R E P O R T

DATE September 19, 2006

ITEM: Resolution 9607 To Levy and Assess Properties for Unpaid Utility Services

INITIATED BY: Fiscal Services Department and Delinquent Utility Accounts

ACTION REQUESTED: Conduct Public Hearing and Adopt Resolution 9607

PREPARED BY: Martha Cappis, Operations Supervisor

REVIEWED & APPROVED BY: Coleen Balzarini, Fiscal Services Director

RECOMMENDATION:

Staff recommends the City Commission conduct the public hearing date for Resolution 9607, and barring sufficient protest, levy and assess charges of unpaid utility services against the properties listed in Exhibit A.

MOTION:

“I move to adopt Resolution 9607”

SYNOPSIS:

Sections 7-12-4611, 4612, Sections 7-13-128, and Section 7-13-4309, M.C.A., and City of Great Falls Municipal Codes 8.32.332 and 13.26.060 authorize the City Commission to assess lienable charges against a property to which utility services were furnished and for which payment is delinquent.

BACKGROUND:

Properties in the City of Great Falls which had utility services provided to them prior to June 30, 2006, but remain unpaid, are subject to the City’s right to lien the property for the amount owed. The Fiscal Services Department reviews the accounts quarterly and notifies property owners of the delinquent charges and the right to lien the property. The legal owners of the properties were last notified in a letter dated July 6, 2006 that unless these charges were paid within 30 days, they would be levied as a tax against the lot or parcel. These properties also receive the normal monthly billing statements. A final letter stating the date and time of the Public Hearing was sent September 7, 2006, and a public notice was published September 8, and 15, 2006. This tax will appear on the tax bill received from Cascade County.

RESOLUTION 9607

A RESOLUTION TO LEVY AND ASSESS PROPERTIES FOR UNPAID UTILITY SERVICES IN THE CITY OF GREAT FALLS, MONTANA.

WHEREAS:

A. The properties listed on the attached Exhibit A were issued a notice of delinquent amounts; and

B. After due notice and review, the accounts have not been paid and are outstanding to the City.

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

1. The costs of said charges are hereby assessed upon the aforementioned properties in accordance with Montana Code Annotated Sections 7-12-4611, 4612, Sections 7-13-128, and Section 7-13-4309, and City of Great Falls Municipal Code 8.32.332 and 13.26.060.

2. The description of each lot or parcel of land which is hereby levied upon and assessed, with the name of the owner, the amount of each assessment to be made, is as set out in the assessment List, attached as Exhibit A, which said list is incorporated herein and made a part of this resolution by reference;

PASSED by the Commission of the City of Great Falls, Montana, on this 19TH day of September 2006.

Dona R. Stebbins, Mayor

Attest:

Peggy J. Bourne, City Clerk
(SEAL OF CITY)

Approved for Legal Content:

City Attorney

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

I, Peggy J. Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 99607 was passed by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 19th day of September, 2006 and approved by the Mayor of said City on the 19th day of September, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 19th day of September, 2006.

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

RESOLUTION 9607 - EXHIBIT A

9/19/2006

A RESOLUTION TO LEVY AND ASSESS PROPERTIES FOR UNPAID UTILITY SERVICE CHARGES
IN THE CITY OF GREAT FALLS, MONTANA.

OWNER	OWNER2	SERVICE	SERVICE2	LPARCL	BALANCE
GROTHE JUDY L TOCCO		1120 10TH AVE N		3750	52.11
RAPLEY MICHAEL W & TATUM S		810 8TH ST N		5300	191.72
STREETER ELIZABETH L	BOLAND JERRY	826 8TH AVE N		37600	66.12
HUNTSBERGER PENNY M		605 7TH AVE N		40050	83.99
HANDL RACHEL R		614 7TH ST N		41900	271.55
COOPER NEIL D		817 6TH AVE N		44250	74.69
KINDER RONALD L		1711 6TH AVE N		51200	180.95
MCGEE CHAD & BROOKE		716 6TH AVE N		76850	110.55
WALTON FRANCIS A TRUST		213 7TH ST N		123050	41.74
ADMINISTRATOR OF VETERAN AFFAIRS	WINSHIP LARRY & CHERYL	916 3RD AVE N		124650	110.55
REED LEN D		1415 2ND AVE N		129150	435.54
MOORE BARRY E		2921 1ST AVE N		141050	320.46
TOKERUD MEREDITH L		109 18TH ST N		149450	77.87
FRATES LARRY E		115 15TH ST N		151200	74.45
FRATES LARRY E		113 15TH ST N		151200	2,078.68
HERRERA VILMA A		102 2ND AVE N		158550	755.21
HERRERA VILMA A		117 PARK DR N		158550	381.70
ODEGARD EDITH S	TENNEY SHARON	1712 2ND AVE S		213950	51.84
HUNTSBERGER PENNY M		925 3RD AVE S		219800	427.03
LYNCH MURIEL C	ROBERTS PAT	911 4TH AVE S		229750	348.86
BOURNE JOSEPH A & MEGAN N		401 11TH ST S		233050	53.42
HUNTSBERGER PENNY M		706 5TH AVE S		244050	1,549.58
HUNTSBERGER PENNY M		704 5TH AVE S		244100	79.09
BOWERS RONALD R		308 7TH AVE S		256600	97.81
CARPENTER RONALD M		713 8TH ST S		261350	540.77
CARPENTER RONALD M		717 8TH ST S		261350	170.05
KASHNER ROBERT W		1101 8TH AVE S		263600	106.24
PETERSON JOSHUA L		725 4TH AVE SW		289000	454.19
HENDERSON SCARLET LEANOR		817 CENTRAL AVE W		312150	322.95
SCHUTZ RICK L & LARAE		1426 1ST AVE NW		315100	255.44
BLACKWELL DAVID		308 15TH ST S		317555	57.10
EDMONDS VELMA W		3004 1ST AVE S		369200	287.64
MATTESON KENDALL R & LAURA M		2601 6TH AVE S		397100	327.71
MIESMER CHARLES		1242 8TH AVE NW		449300	97.38
NELSON RONALD J		1408 8TH AVE NW		453100	442.12
GREER RICHARD L ETAL		1235 8TH AVE NW		459100	144.97
HENRY CHARLES & KAYLEE		1900 11TH AVE S		790400	302.86
STEINMETZ ROBERT H JR & NATALIE S		1300 MADERA DR		940665	51.23
WASHINGTON MUTUAL BANK		1901 17TH AVE S		1268300	410.83
WALTON FRANCES A LIVING TRUST		1506 16TH ST S		1506900	54.59
					<u>11,941.58</u>

CITY OF GREAT FALLS, MONTANA

AGENDA # 7

AGENDA REPORT

DATE September 19, 2006

ITEM Resolution No. 9615 Intent to Vacate an unused portion of 26th Street South
Right-of-way

INITIATED BY Forest Glen, LLC, Abutting Property Owner and Developer

ACTION REQUESTED Adopt Resolution No. 9615, and set Public Hearing for October 17, 2006

PREPARED BY Charles Sheets, Planner I

APPROVED & PRESENTED BY Benjamin Rangel, Planning Director

- - - - -

RECOMMENDATION:

It is recommended the City Commission approve the abandonment of an unused portion of 26th Street South right-of-way.

MOTION:

“I move the City Commission adopt Resolution No. 9615.”

SYNOPSIS:

Resolution No. 9615 sets a public hearing for October 17, 2006, to consider vacating an unused segment of 26th Street South right-of-way abutting Parcel Mark 6B, Section 18, T20N, R4E. The Amended Plat of Lot 1A, Block 1, Forest Glen South will add the vacated right-of-way and Parcel Mark 6B to the abutting Lot 1A, Block 1.

BACKGROUND:

The involved portion of 26th Street South was dedicated and annexed to the City as part of the Stites Memorial Addition Phase 1 in 1993. The applicant desires to combine subject right-of-way and Parcel Mark 6B into Lot 1A, Block 1 of Forest Glen South.

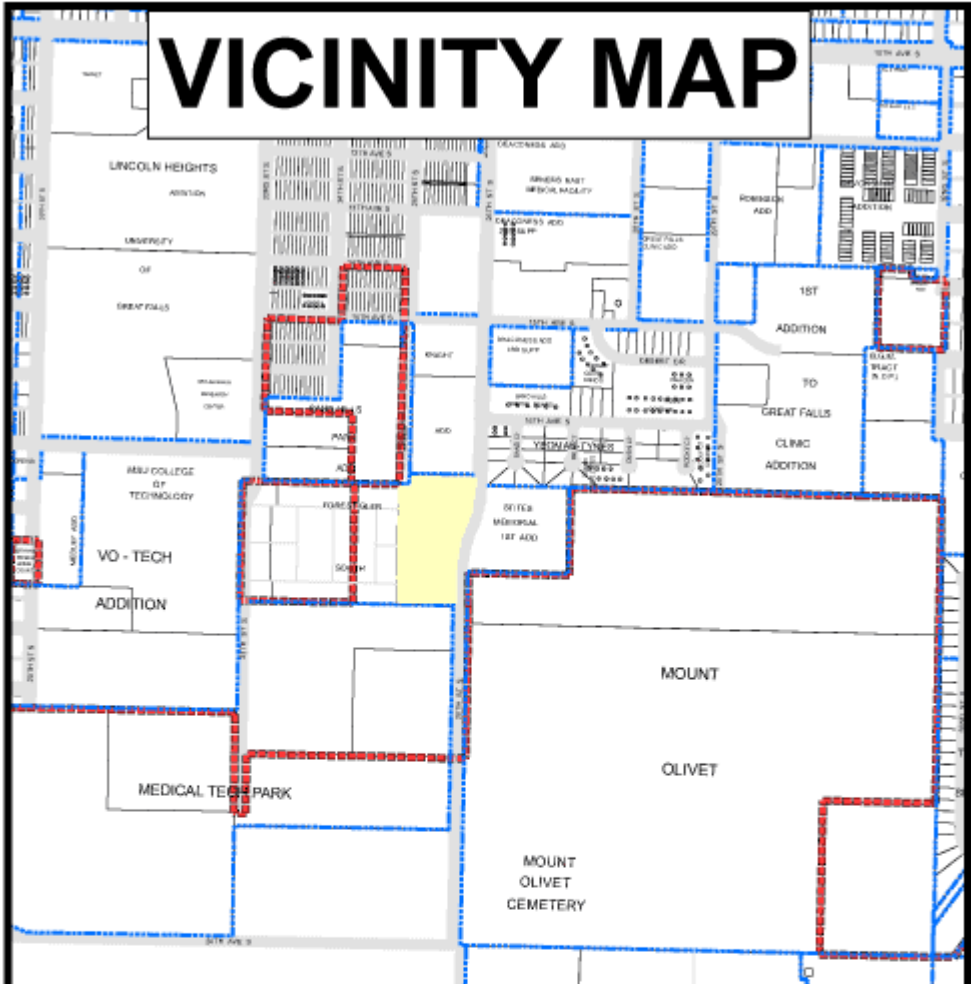
The vacation of subject right-of-way would leave a full 80 foot right-of-way for the s-curve of 26th Street South which was reconstructed to a four lane minor arterial in 1996. No public roadway improvements are currently or proposed to be located within the subject right-of-way requested to be vacated. It has been determined retention nor eventual improvement of subject right-of-way serves any practical or functional public purpose.


For additional information, please refer to the attached Vicinity Map, reduced Preliminary Amended Plat and Exhibit 1 attached to Resolution No 9615.



Attach: Resolution No. 9615
Vicinity Map
Preliminary Amended Plat

cc : Forest Glen, LLC, P.O. Box K, Black Eagle, MT 59414
Woith Engineering, P.O. Box 7326, Great Falls MT 59406

VICINITY MAP



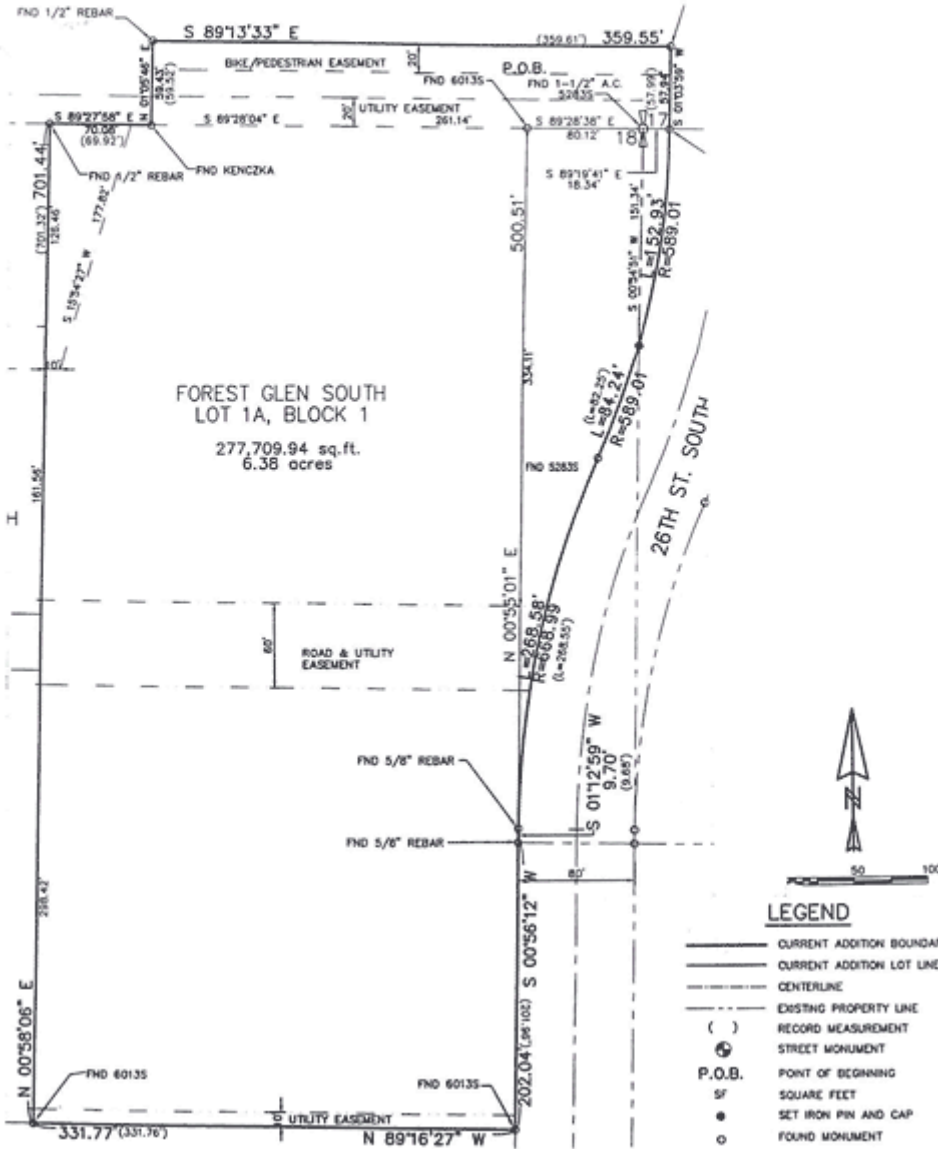
 Amended Plat of Lot 1A, Block 1, Forest Glen South Addition, incorporating proposed vacated right-of-way and Parcel Mark 6B.

-  City Limits
-  Property Lines
-  Subdivision Boundary
-  Roadways



AMENDED PLAT OF FOREST GLEN SOUTH MINOR SUBDIVISION LOT 1A

AN ADDITION TO THE CITY OF GREAT FALLS
A SUBDIVISION LOCATED IN THE SE 1/4, SECTION 18, SW 1/4, SECTION 17,
T 20N, R 4E, P.M., MT, CASCADE COUNTY, MONTANA
INCORPORATING THEREIN THE VACATED PORTION OF 26TH STREET SOUTH



RESOLUTION NO. 9615

A RESOLUTION OF INTENTION BY THE CITY
COMMISSION OF THE CITY OF GREAT FALLS, MONTANA,
TO VACATE AN UNUSED SEGMENT OF 26TH STREET SOUTH
RIGHT-OF-WAY ABUTTING PARCEL MARK 6B, SECTION 18,
TOWNSHIP 20 NORTH, RANGE 4 EAST,
CASCADE, MONTANA, IN ACCORDANCE
WITH THE PROVISIONS OF SECTION 7-14-4114,
MONTANA CODE ANNOTATED

* * * * *

WHEREAS, the right-of-way of 26th Street South in the vicinity of 17th Avenue South was dedicated and annexed to the City as part of the Stites Addition Phase 1, in 1993; and

WHEREAS, a segment of the westerly right-of-way of 26th Street South abutting Parcel Mark 6B, Section 18, Township 20 North, Range 4 East presently contains no roadway improvements; and

WHEREAS, it has been determined retention nor eventual improvement of the segment of the westerly right-of-way of 26th Street South abutting Parcel Mark 6B, Section 18, Township 20 North, Range 4 East serves any practical or functional public purpose; and

WHEREAS, Forest Glen LLC., which owns Parcel Mark 6B, Section 18, Township 20 North, Range 4 East desires to aggregate the unused right-of-way and Parcel Mark 6B into Lot 1A, Block 1, Forest Glen South Addition; and

WHEREAS, subject right-of-way proposed to be vacated is further described by the survey drawing attached as Exhibit 1 and by this reference made a part hereof; and

WHEREAS, an Amended Plat of Lot 1A, Block 1 Forest Glen South Addition, has been prepared which reflects the proposed disposition of the right-of-way requested to be vacated; and

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

That Tuesday, the 17th day of October, 2006, at 7:00 P.M. in the Commission Chambers of the Civic Center, Great Falls, Montana, be and the same is hereby set as the time and place at which the City Commission shall hear all persons relative to the proposed vacation of the unused segment of 26th Street South right-of-way abutting Parcel Mark 6B, Section 18, Township 20 North, Range 4 East; and

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that the City Clerk of the City shall forthwith cause notice of this Resolution to be: (1) published once in the Great Falls Tribune, the newspaper published nearest such land; and, (2) posted in three public places.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this 19th day of September, 2006.

Dona R. Stebbins, Mayor

ATTEST:

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

David V. Gliko, City Attorney

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

I, Peggy J. Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution No. 9615 was placed on its final passage by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 19th day of September, 2006, wherein it was approved by said City Commission.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 19th day of September, 2006.

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

CITY OF GREAT FALLS, MONTANA

AGENDA# 8

A G E N D A R E P O R T

DATE September 19, 2006

ITEM Ordinance 2951, Amending OCCGF 10.48.220 and 230 pertaining to bus and passenger loading zones.

INITIATED BY Kory Larsen, Assistant City Attorney

ACTION REQUESTED Adopt Ordinance 2951

PREPARED BY: Kory Larsen, Assistant City Attorney

PRESENTED BY: David V. Gliko, City Attorney

RECOMMENDATION:

It is recommended the City Commission adopt Ordinance 2951 on final reading. Ordinance 2951 pertains to bus and passenger loading zones.

MOTION:

I move the City Commission adopt Ordinance 2951.

SYNOPSIS:

Ordinance 2951 would make enforcement of bus zone and passenger zone parking violations around schools easier for all parties.

BACKGROUND:

Several school bus drivers registered complaints about passenger vehicles parking in school bus zones adjacent to several area schools. The bus drivers raised safety concerns and also were concerned about traffic flow as a result of passenger cars parking in bus zones. After initially discussing the matter with the Great Falls Police Department, the issue was turned over to the School Traffic Safety Committee which held several meetings to discuss the issue and propose changes. The result of the committee's decision is contained in the amended sections attached hereto. These changes will ease enforcement of the ordinances related to parking in school bus zones and passenger zones while addressing the safety concerns and traffic flow issues. As an added benefit, the changes also make these sections easier to explain to the public.

Ordinance 2951
EXHIBIT A

10.48.220 Bus zone. A. The driver of a bus shall not park same upon any traffic way within that area herein defined as the parking meter district at any place other than at a bus zone, except a driver of any bus may temporarily stop in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in loading or unloading passengers; provided, that it is unlawful for any bus to cruise in and upon any traffic way for the purpose of soliciting passengers. It is unlawful for any person to stop, stand or park a vehicle other than a bus in a bus zone when any such zone has been officially designated and appropriately signed, ~~except a driver of a passenger vehicle or taxicab may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when stopping does not interfere with any bus waiting to enter or about to enter such zone.~~

B. The only buses allowed in bus zones adjacent to schools are those authorized by the Great Falls School District.

C. Bus zones adjacent to schools shall only be enforceable between 7 am to 5 pm when school is in session.

D. Any violation of this section in a school bus zone shall be punished as a misdemeanor and shall be punished by a fine of not less than one-hundred dollars or more than five-hundred dollars.

~~B. The applicant for a bus zone permit is herein defined as the owner(s)/lessee of the buses intending to use the zone. (Ord. 1987 §2(part), 1976: prior code §10-2-14(G) (4) (part)).~~

~~C. Bus zones adjacent to schools shall only be enforceable between 7:30 a.m. to 5:00 p.m. when school is in session or during special school events. (Ord. 2762, 1995; Ord. 2646 §(part), 1994)~~

10.48.230 Passenger loading zone. A. It is unlawful for any person to stop, stand or park a vehicle for any purpose or period of time other than for the expeditious loading of passengers in a passenger zone when any such zone has been officially designated and appropriately signed and then only for a period not to exceed three minutes. **A driver of a taxicab or bus may not stop, stand or park in a school passenger zone. In any other passenger zone a driver of a taxicab or bus may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when stopping does not interfere with any passenger vehicle waiting to enter or about to enter such zone.** ~~except a driver of a taxicab or bus may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when stopping does not interfere with any passenger vehicle waiting to enter or about to enter such zone.~~

B. School passenger loading zone means an appropriately signed passenger zone located adjacent to a school.

~~B. C. No special designation of passenger vehicles is required.~~

~~C. D. The applicant for a passenger loading zone permit is herein defined as the~~

owner(s)/lessee of the property(ies) that front the zone. (Ord. 1987 §2(part), 1976: prior code §10-2-14(G) (4) (part)).

D. E. Passenger loading zones adjacent to schools shall only be enforceable between 7:30 a.m. to 5:00 p.m. when school is in session.

F. Any violation of this section in a school bus zone shall be punished as a misdemeanor and shall be punished by a fine of not less than one-hundred dollars or more than five-hundred dollars.

AGENDA REPORT

DATE September 19, 2006

ITEM RESOLUTION 9617 ASSESSING BUSINESS IMPROVEMENT DISTRICT

INITIATED BY GREAT FALLS BUSINESS IMPROVEMENT DISTRICT AND FISCAL SERVICES DEPARTMENT

ACTION REQUESTED ADOPT RESOLUTION 9617

PREPARED BY JUDY BURG, ACCOUNTING TECHNICIAN

PRESENTED BY COLEEN BALZARINI, FISCAL SERVICES DIRECTOR

- - - - -

RECOMMENDATION:

Staff recommends adoption of Resolution 9617.

MOTION:

"I move to adopt Resolution 9617."

SYNOPSIS:

As required by State statutes, the Great Falls Business Improvement District has presented a proposed Budget for fiscal year 2006/2007. It should be noted that statute also requires the City Commission to review and approve a work plan associated with the budget. However, a work plan was not submitted because of the transition between executive directors at the Business Improvement District. At the September 5, 2006 Commission Meeting, the City Commission conducted a public hearing and approved the proposed Budget.

As in prior years, the assessment requested for 2006/2007 is based on the assessment formula approved with the creation of the district, which will generate \$159,816.53 in assessment revenue. The 2006/2007 assessment per lot is indicated on the assessment projection summary incorporated in the attached resolution.

BACKGROUND:

The Business Improvement District was created in 1989 and recreated in 1999 by petition of the property owners in the district. Assessments are levied upon properties in the district to fund the Business Improvement District (B.I.D.)

cc: Business Improvement District

RESOLUTION 9617

A RESOLUTION LEVYING AN ASSESSMENT ON ALL PROPERTY IN THE GREAT FALLS BUSINESS IMPROVEMENT DISTRICT

WHEREAS, the City Commission of the City of Great Falls, is authorized to create and administer a business improvement district as provided by 7-12-1101 through 7-12-1151 M.C.A.; and,

WHEREAS, the purpose of a Business Improvement District is to promote the health, safety, prosperity, security and the general welfare of the inhabitants thereof and the people of this state; and will be of special benefit to the property within the boundaries of the district created; and,

WHEREAS, on July 20, 1999, the City Commission approved Resolution 9026, recreating a Business Improvement District in Great Falls, Montana; and,

WHEREAS, a Board of Trustees for the Business Improvement District has been appointed and said Board has developed and submitted a Proposed Budget to the City Commission of the City of Great Falls. State statutes also require the City Commission review and approve a Work Plan associated with the budget. However, because of the transition between executive directors at the Business Improvement District, a Work Plan was not submitted; and,

WHEREAS, the City Commission of the City of Great Falls, is authorized to annually assess and collect the entire cost of the district against the entire district using a method which best ensures that the assessment on each lot or parcel is equitable in proportion to the benefits to be received as provided by 7-12-1133 M.C.A.

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

Section 1

That on September 5, 2006, the City Commission of the City of Great Falls held a public hearing on any objections to the Proposed Budget with the understanding that approval of the document would necessitate the levying of an assessment on all the property in the district. State statutes also require the City Commission review and approve a Work Plan associated with the budget. However,

because of the transition between executive directors at the Business Improvement District, a Work Plan was not submitted

Section 2

That the assessment formula has been presented to the property owners and recommended to the City Commission as follows:

- a flat fee of \$200.00 for each lot or parcel,
- an assessment of \$.00165 times the phase-in market valuation as provided for by the 1997 and 1999 Montana State Legislatures, and an
- assessment of \$.015 times the square footage of the land area.

Section 3

That, due to overwhelming support for a Business Improvement District and concurrence with the assessment formula, the City Commission of the City of Great Falls hereby approves the levying of the assessment as indicated on the assessment projection summary attached to this resolution as Exhibit A.

PASSED by the Commission of the City of Great Falls, Montana, on this 19th day of September, 2006.

Dona R. Stebbins, Mayor

Attest:

Peggy Bourne, City Clerk

(SEAL OF CITY)

Approved for Legal Content: City Attorney

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

I, Peggy Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9617 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 19th day of September, 2006, and approved by the Mayor of said City on the 19th day of September, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 19th day of September, 2006.

(SEAL OF CITY)

Peggy Bourne, City Clerk

FOR THE
DOWNTOWN BUSINESS IMPROVEMENT DISTRICT PROJECT
PREPARED BY THE FISCAL SERVICES DEPT.

YEAR 2006-2007

B.I.D. TOTAL ASSESSMENT FOR FY 2006-2007

\$ 159,816.53

PARCEL NO.	PROPERTY OWNER	SUB DIV	LOT	BLOCK	TOTAL SQ. FT.	SQ. FT. COST .015	MARKET VAL. LAND	MARKET VAL. IMPS.	TOTAL MARKET VAL.	TOTAL PARCEL .00165 X VAL.	FLAT FEE	TOTAL B.I.D. ANN. ASS.
156750	MILLER & HOLMES, INC	GF	7,8,9	306	22,500	\$337.50	\$58,547.00	\$184,292.00	\$242,839.00	\$400.68	\$200.00	\$938.18
156950	VOEGELES, INC.	GF	10-14	306	37,500	\$562.50	171,938.00	441,054.00	\$612,992.00	\$1,011.44	200.00	\$1,773.94
157400	HEARING AID INSTITUTE INC	GF	8	307	7,500	\$112.50	34,386.00	40,883.00	\$75,269.00	\$124.19	200.00	\$436.69
157450	DUTT GORDON R & FRANCES S TRUST ETAL	GF	9,10	307	15,000	\$225.00	68,774.00	300,143.00	\$368,917.00	\$608.71	200.00	\$1,033.71
157500	RYSTED, PETE	GF	11	307	7,500	\$112.50	34,386.00	119,226.00	\$153,612.00	\$253.46	200.00	\$565.96
157550	RYSTED PETER	GF	E1/2 12	307	3,750	\$56.25	17,193.00	3,088.00	\$20,281.00	\$33.46	200.00	\$289.71
157600	C V C LLC	GF	W1/2 12	307	3,750	\$56.25	17,193.00	71,904.00	\$89,097.00	\$147.01	200.00	\$403.26
157650	GILLESPIE, STEPHEN J.	GF	E1/2 13	307	3,750	\$56.25	17,193.00	14,441.00	\$31,634.00	\$52.20	200.00	\$308.45
157700	STAM, TODD R	GF	W1/2 13,14	307	11,250	\$168.75	51,581.00	850,968.00	\$902,549.00	\$1,489.21	200.00	\$1,857.96
157800	FIRST INTERSTATE BANK OF G F	GF	8-10	308	22,500	\$337.50	103,162.00	1,826,466.00	\$1,929,628.00	\$3,183.89	200.00	\$3,721.39
157810	HEISLER, THOMAS R	GF	11	308	7,500	\$112.50	34,386.00	93,350.00	\$127,736.00	\$210.76	200.00	\$523.26
158100	HANSON, MICHAEL	GF	8	309	7,500	\$112.50	34,386.00	350,708.00	\$385,094.00	\$635.41	200.00	\$947.91
158150	HANSON, MICHAEL	GF	9	309	7,500	\$112.50	34,386.00	70,356.00	\$104,742.00	\$172.82	200.00	\$485.32
158250	DESCHENES GARY S ETAL	GF	W28*12	309	4,200	\$63.00	19,256.00	185,021.00	\$204,277.00	\$337.06	200.00	\$600.06
158300	CULVER FRANKLIN D ETAL	GF	13,14	309	15,000	\$225.00	103,162.00	7,407.00	\$110,569.00	\$182.44	200.00	\$607.44
158950	TIGER SPRING PROPERTIES	GF	8-9	311	15,000	\$225.00	68,774.00	634,108.00	\$702,882.00	\$1,159.76	200.00	\$1,584.76
159000	NORTH CENTRAL FOOD SYSTEMS INC	GF	10	311	7,500	\$112.50	34,386.00	9,208.00	\$43,594.00	\$71.93	200.00	\$384.43
159150	FFCA/II P 1985 PROPERTY CO	GF	11-14	311	30,000	\$450.00	137,550.00	308,100.00	\$445,650.00	\$735.32	200.00	\$1,385.32
159225	BUCHANAN-BYRNE BUILDING PARTNERSHIP	GF	1,2,3	312	22,500	\$337.50	103,162.00	694,379.00	\$797,541.00	\$1,315.94	200.00	\$1,853.44
159450	REDEAU, NICK & VERONICA	GF	8	312	7,500	\$112.50	34,386.00	81,407.00	\$115,793.00	\$191.06	200.00	\$503.56
159500	RAMSEY ANN C.	GF	9, E1/2 10	312	11,250	\$168.75	51,581.00	90,866.00	\$142,447.00	\$235.04	200.00	\$603.79
159550	BENSLEY DOUGLAS L & MARJORIE M	GF	W1/2 10	312	3,750	\$56.25	17,193.00	36,697.00	\$53,890.00	\$88.92	200.00	\$345.17
159600	BENSLEY MARJORIE M & DOUGLAS L	GF	E1/2 11	312	3,750	\$56.25	17,193.00	50,729.00	\$67,922.00	\$112.07	200.00	\$368.32
159650	BENSLEY DOUGLAS & MARJORIE	GF	W1/2 11	312	3,750	\$56.25	17,193.00	57,164.00	\$74,357.00	\$122.69	200.00	\$378.94
159700	CENTER STAGE CORPORATION	GF	E1/2 12	312	3,750	\$56.25	17,193.00	68,509.00	\$85,702.00	\$141.41	200.00	\$397.66
159725	BUCHANAN-BYRNE BUILDING PARTNERSHIP	GF	W1/2 12 all 13	312	11,239	\$168.59	51,581.00	4,489.00	\$56,070.00	\$92.52	200.00	\$461.10
159735	BUCHANAN-BYRNE BUILDING PARTNERSHIP	GF	14	312	7,500	\$112.50	34,386.00	186,443.00	\$220,829.00	\$364.37	200.00	\$676.87
159800	RAINBOW RETIREMENT 1 LIMITED PARTNERSHIP	GF	1-7	313	52,490	\$787.35	240,712.00	3,733,415.00	\$3,974,127.00	\$6,557.31	200.00	\$7,544.66
159850	DAVIDSON INVESTMENT PARTNERSHIP LLP	GF	8-14	313	67,500	\$1,012.50	309,488.00	3,224,063.00	\$3,533,551.00	\$5,830.36	200.00	\$7,042.86
160200	NORTHWESTERN NAT'L BANK OF GREAT FALLS	GF	1,2	314	15,000	\$225.00	68,774.00	3,278,476.00	\$3,347,250.00	\$5,522.96	200.00	\$5,947.96
160250	NORTHWESTERN NAT'L BANK OF GREAT FALLS	GF	3	314	7,500	\$112.50	34,386.00	3,717.00	\$38,103.00	\$62.87	200.00	\$375.37
160300	EKLUNDS APPLIANCE & TV	GF	4-5	314	15,000	\$225.00	68,774.00	425,825.00	\$494,599.00	\$816.09	200.00	\$1,241.09
160400	BRIGHAM YOUNG UNIVERSITY	GF	6	314	7,500	\$112.50	34,386.00	124,452.00	\$158,838.00	\$262.08	200.00	\$574.58
160450	BRIGHAM YOUNG UNIVERSITY	GF	7	314	7,500	\$112.50	34,386.00	156,624.00	\$191,010.00	\$315.17	200.00	\$627.67
160500	321 ASSOCIATES LLC	GF	8,9	314	15,000	\$225.00	68,774.00	1,317,503.00	\$1,386,277.00	\$2,287.36	200.00	\$2,712.36
160550	LERAY, DAVID ETAL	GF	10	314	7,500	\$112.50	34,386.00	67,309.00	\$101,695.00	\$167.80	200.00	\$480.30
160600	MARSH, DOUG & DAWN	GF	11	314	7,500	\$112.50	34,386.00	161,429.00	\$195,815.00	\$323.09	200.00	\$635.59
160650	UP FRONT PROPERTIES INC	GF	12	314	7,500	\$112.50	34,386.00	74,731.00	\$109,117.00	\$180.04	200.00	\$492.54
160900	STOCKMAN BANK OF MONTANA	GF	6,7	315	15,000	\$225.00	68,774.00	133,500.00	\$202,274.00	\$333.75	200.00	\$758.75
160950	RUSSELL PLACE LLC	GF	8,9	315	15,000	\$225.00	68,774.00	122,951.00	\$191,725.00	\$316.35	200.00	\$741.35
161050	DUFFY, THOMAS MALCOLM	GF	11	315	7,500	\$112.50	34,386.00	50,174.00	\$84,560.00	\$139.52	200.00	\$452.02
161100	KAUFMAN MARY ANN	GF	12	315	7,500	\$112.50	34,386.00	223,091.00	\$257,477.00	\$424.84	200.00	\$737.34
161150	LEE ALAN B	GF	13A	315	3,750	\$56.25	17,193.00	94,549.00	\$111,742.00	\$184.37	200.00	\$440.62
161200	ENGE RICHARD C	GF	13B	315	3,750	\$56.25	17,193.00	34,856.00	\$52,049.00	\$85.88	200.00	\$342.13

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161250	BIG BROTHERS HOLDING COMPANY LLC	GF	14	315	7,500	\$112.50	34,386.00	103,946.00	\$138,332.00	\$228.25	200.00	\$540.75
161300	STOCKMAN BANK OF MONTANA	GF		316	15,000	\$225.00	68,774.00	830,801.00	\$899,575.00	\$1,484.30	200.00	\$1,909.30
161450	MASON MARILYN ETAL	GF	W1/2 3	316	3,750	\$56.25	17,193.00	39,758.00	\$56,951.00	\$93.97	200.00	\$350.22
161600	LITTLE WILLIAM L & SHONNA L	GF	E1/2 3-5 W1/2 6	316	22,500	\$337.50	103,162.00	253,620.00	\$356,782.00	\$588.69	200.00	\$1,126.19
161650	BRANDENBERGER, NED & JENNIFER ETAL	GF	E1/2 6,7	316	11,250	\$168.75	51,581.00	455,919.00	\$507,500.00	\$837.38	200.00	\$1,206.13
161700	TIMES SQUARE INC	GF	8-10	316	22,500	\$337.50	103,162.00	529,085.00	\$632,247.00	\$1,043.21	200.00	\$1,580.71
161750	EVERSON VICKI S	GF	11	316	7,500	\$112.50	34,386.00	109,949.00	\$144,335.00	\$238.15	200.00	\$550.65
161800	WALKER, GARY A	GF	12 & 13	316	15,000	\$225.00	68,774.00	554,692.00	\$623,466.00	\$1,028.72	200.00	\$1,453.72
162050	MOTELS INCORP INC	GF	8,9	317	15,000	\$225.00	68,803.00	431,831.00	\$500,634.00	\$826.05	200.00	\$1,251.05
162100	LEMIRE LESLIE & DANNY J	GF	10	317	7,500	\$112.50	34,386.00	166,537.00	\$200,923.00	\$331.52	200.00	\$644.02
162150	BARTRAM ROBERT A ETAL	GF	E30' 11	317	4,500	\$67.50	20,632.00	28,442.00	\$49,074.00	\$80.97	200.00	\$348.47
162200	BIBLER RONALD	GF	W20' 11	317	3,000	\$45.00	13,754.00	33,976.00	\$47,730.00	\$78.75	200.00	\$323.75
162250	HACKETT, GARRY L & CHERYL D ETAL	GF	12	317	7,500	\$112.50	34,386.00	240,154.00	\$274,540.00	\$452.99	200.00	\$765.49
162300	SET FREE CHRISTIAN FELLOWSHIP	GF		317	15,000	\$225.00	68,673.00	192,120.00	\$260,793.00	\$430.31	200.00	\$855.31
189100	STROMBERG, ROBERT C & MARY D	GF	13,14	362	45,000	\$675.00	206,324.00	965,078.00	\$1,171,402.00	\$1,932.81	200.00	\$2,807.81
189150	MURPHY REAL ESTATE LLC	GF	1,2 & 11-14	362	7,500	\$112.50	34,386.00	407,159.00	\$441,545.00	\$728.55	200.00	\$1,041.05
189200	HEBERTSON NIEL W ETAL	GF	3	362	7,500	\$112.50	34,386.00	34,277.00	\$68,663.00	\$113.29	200.00	\$425.79
189250	SPENCER WILLIAM A	GF	4	362	3,750	\$56.25	17,193.00	70,356.00	\$87,549.00	\$144.46	200.00	\$400.71
189300	NORDRUM ORVILLE M & JOSEPHINE A	GF	E1/2 5	362	3,750	\$56.25	17,193.00	29,290.00	\$46,483.00	\$76.70	200.00	\$332.95
189350	HARRIS DORIS J	GF	E1/2 6	362	3,750	\$56.25	17,193.00	64,038.00	\$81,231.00	\$134.03	200.00	\$390.28
189400	HAUGEN LESLIE N & V ARLENE	GF	E1/2 6	362	3,750	\$56.25	17,193.00	65,899.00	\$83,092.00	\$137.10	200.00	\$393.35
189450	STURROCKS INCORPORATED	GF	W1/2 6	362	7,500	\$112.50	34,386.00	114,797.00	\$149,183.00	\$246.15	200.00	\$558.65
189500	GOLDEN TRIANGLE COMM MENTAL HEALTH CTR	GF	7	362	15,000	\$225.00	68,774.00	156,093.00	\$224,867.00	\$371.03	200.00	\$796.03
189550	GOLDEN TRIANGLE COMM MENTAL HEALTH CTR	GF	8,9	362	7,500	\$112.50	34,386.00	161,809.00	\$196,195.00	\$323.72	200.00	\$636.22
189700	FLY AWAY LLC	GF	10	363	15,000	\$225.00	68,774.00	93,093.00	\$161,867.00	\$267.08	200.00	\$692.08
189750	SCHUBARTH SANDRA	GF	1,2	363	7,500	\$112.50	34,386.00	104,688.00	\$139,074.00	\$229.47	200.00	\$541.97
189800	RISPENS, LESLIE J ETAL	GF	3	363	7,500	\$112.50	34,386.00	89,446.00	\$123,832.00	\$204.32	200.00	\$516.82
189850	HEISHMAN CARL D ETAL	GF	4	363	7,500	\$112.50	34,386.00	270,596.00	\$304,982.00	\$503.22	200.00	\$815.72
189900	OREGON LANDMARK THREE	GF	5	363	15,000	\$225.00	68,774.00	1,146,202.00	\$1,214,976.00	\$2,004.71	200.00	\$2,429.71
189950	HESSLER MARVIN L ETAL	GF	6,7	363	1,499	\$22.49	6,638.00	84,243.00	\$90,881.00	\$149.95	200.00	\$372.44
190000	BOLAND MARGUERITE D	GF	PT 8	363	566	\$8.49	2,060.00	10,779.00	\$12,839.00	\$21.18	200.00	\$229.67
190050	DEAN GAIL J ETAL	GF	PT8	363	5,535	\$83.03	29,572.00	64,224.00	\$93,796.00	\$154.76	200.00	\$437.79
190150	OREGON LANDMARK THREE LTD	GF	9	363	7,500	\$112.50	34,386.00	3,746.00	\$38,132.00	\$62.92	200.00	\$375.42
190200	OREGON LANDMARK THREE LTD	GF	10	363	7,500	\$112.50	34,386.00	3,746.00	\$38,132.00	\$62.92	200.00	\$375.42
190250	CLARK RICHARD L & FLORENCE E	GF	11	363	7,500	\$112.50	34,386.00	134,929.00	\$169,315.00	\$279.37	200.00	\$591.87
190350	BRIGHAM YOUNG UNIVERSITY	GF	1-3,9-14	364	67,500	\$1,012.50	315,678.00	1,565,017.00	\$1,880,695.00	\$3,103.15	200.00	\$4,315.65
190450	STUFF WILLIAM R & BILLIE J	GF	4	364	7,500	\$112.50	34,386.00	121,597.00	\$155,983.00	\$257.37	200.00	\$569.87
190500	LAZ INC	GF	W1/2 5	364	3,750	\$56.25	17,193.00	102,893.00	\$120,086.00	\$198.14	200.00	\$454.39
190550	HART DALE P	GF	E1/2 5,6	364	11,250	\$168.75	51,581.00	144,723.00	\$196,304.00	\$323.90	200.00	\$692.65
190600	NOVAK MAURICE J & LORI M	GF	7	364	7,500	\$112.50	34,386.00	76,533.00	\$110,919.00	\$183.02	200.00	\$495.52
190650	SKEES JOHN R JR	GF	N1/2 8	364	3,750	\$56.25	22,662.00	67,572.00	\$90,234.00	\$148.89	200.00	\$405.14
190700	WONG MING & SU	GF	S1/2 8	364	3,750	\$56.25	24,415.00	128,892.00	\$153,307.00	\$252.96	200.00	\$509.21

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190800	FIRST BUILDING CORPORATION	GF		365	22,500	\$337.50	103,162.00		\$103,162.00	\$170.22	200.00	\$707.72
190950	ATLANTIC FINANCIAL GROUP LTD	GF	1-3	365	0	\$0.00		4,449,931.00	\$4,449,931.00	\$7,342.39	200.00	\$7,542.39
191050	ALLEY, STEPHEN J.	GF	IMPS 1-3 4,5	365	15,000	\$225.00	68,774.00	182,582.00	\$251,356.00	\$414.74	200.00	\$839.74
191100	THISTED HOLDING CO	GF	6	365	7,500	\$112.50	34,386.00	213,416.00	\$247,802.00	\$408.87	200.00	\$721.37
191150	OAGR ENTERPRISES LLC	GF	7	365	7,500	\$112.50	34,386.00	160,826.00	\$195,212.00	\$322.10	200.00	\$634.60
191300	FIRST NATIONAL BANK	GF	13-14	365	15,000	\$225.00	68,774.00	14,098.00	\$82,872.00	\$136.74	200.00	\$561.74
191400	RICHARDS, PHILLIP	GF	1,2	366	15,000	\$225.00	68,774.00	193,810.00	\$262,584.00	\$433.26	200.00	\$858.26
191450	COTTON, DONALD F	GF	3	366	7,500	\$112.50	34,386.00	99,485.00	\$133,871.00	\$220.89	200.00	\$533.39
191500	REAL ESTATE LOAN INVESTORS LLC	GF	4-7	366	30,000	\$450.00	137,550.00	1,271,392.00	\$1,408,942.00	\$2,324.75	200.00	\$2,974.75
191550	FIRST NATIONAL BANK	GF	8-14	366	52,500	\$787.50	240,712.00	516,945.00	\$757,657.00	\$1,250.13	200.00	\$2,237.63
191600	MONTANA INSTITUTE OF FAMILY LIVING	GF	1-3	367	22,500	\$337.50	103,161.00	2,634,303.00	\$2,737,464.00	\$4,516.82	200.00	\$5,054.32
191700	MURPHY REAL ESTATE LLC	GF	4,5 W1/2 6	367	18,750	\$281.25	85,969.00	359,867.00	\$445,836.00	\$735.63	200.00	\$1,216.88
191750	MURPHY TIMOTHY M & DEBORAH S	GF	E1/2 6,7	367	11,250	\$168.75	51,581.00	55,817.00	\$107,398.00	\$177.21	200.00	\$545.96
191950	MONTANA INSTITUTE OF FAMILY LIVING	GF	10,11	367	15,000	\$225.00	68,774.00	1,915.00	\$70,689.00	\$116.64	200.00	\$541.64
192100	WENDT INC	GF	1,2	368	15,333	\$230.00	80,422.00	119,262.00	\$199,684.00	\$329.48	200.00	\$759.47
192150	GLACIER STATE ELECTRIC SUPPLY COMPANY	GF	3 W1/2 4	368	11,250	\$168.75	51,581.00	106,284.00	\$157,865.00	\$260.48	200.00	\$629.23
192200	KELMAN ZOLLIE	GF	E1/2 4,5	368	11,250	\$168.75	14,719.00	6,730.00	\$21,449.00	\$35.39	200.00	\$404.14
192300	MURPHY REAL ESTATE LLC	GF	6,7	368	15,000	\$225.00	68,774.00	797,273.00	\$866,047.00	\$1,428.98	200.00	\$1,853.98
192350	WEIGAND, JOHN W & PEGGY LOU ETAL	GF	8	368	7,500	\$112.50	34,386.00	208,832.00	\$243,218.00	\$401.31	200.00	\$713.81
192400	WEIGAND, JOHN W & PEGGY LOU ETAL	GF	9	368	7,500	\$112.50	34,386.00	3,861.00	\$38,247.00	\$63.11	200.00	\$375.61
192450	KELMAN ZOLLIE	GF	10	368	7,500	\$112.50	34,386.00	20,592.00	\$54,978.00	\$90.71	200.00	\$403.21
192500	REARDEN PROPERTIES	GF	11,12	368	20,016	\$300.24	66,154.00	158,170.00	\$224,324.00	\$370.13	200.00	\$870.37
192550	MURPHY REAL ESTATE LLC	GF	1,2	369	15,000	\$225.00	68,774.00	7,549.00	\$76,323.00	\$125.93	200.00	\$550.93
192650	MURPHY REAL ESTATE LLC	GF	3	369	7,500	\$112.50	34,386.00	3,746.00	\$38,132.00	\$62.92	200.00	\$375.42
192700	MURPHY REAL ESTATE LLC	GF	4 & PT 5-7	369	23,760	\$356.40	87,688.00	11,867.00	\$99,555.00	\$164.27	200.00	\$720.67
192850	MURPHY REAL ESTATE LLC	GF	S41.6'5-7 N90' 8-9	369	6,229	\$93.44	25,413.00	181,775.00	\$207,188.00	\$341.86	200.00	\$635.30
192950	K-J PROPERTIES LLC	GF		369	9,017	\$135.26	37,479.00	92,406.00	\$129,885.00	\$214.31	200.00	\$549.57
193050	GEORGIA PACIFIC CORPORATION	GF	S60' 8-9,E44'10	369	12,600	\$189.00	57,686.00	109,777.00	\$167,463.00	\$276.31	200.00	\$665.31
193100	GEORGIA PACIFIC CORPORATION ETAL	GF	W6'10E6'OF 11	369	1,800	\$27.00	8,289.00		\$8,289.00	\$13.68	200.00	\$240.68
193150	ZADCO	GF	W6'10 & 11,12	369	14,100	\$211.50	66,622.00	129,206.00	\$195,828.00	\$323.12	200.00	\$734.62
193200	ZADCO	GF	13,14	369	15,000	\$225.00	68,774.00	48,991.00	\$117,765.00	\$194.31	200.00	\$619.31
193250	THIRD STREET BUILDING EST LLC	GF	1	370	7,500	\$112.50	34,386.00	217,760.00	\$252,146.00	\$416.04	200.00	\$728.54
193300	ROTHSCHILLER VERNON	GF	2	370	7,500	\$112.50	34,386.00	323,134.00	\$357,520.00	\$589.91	200.00	\$902.41
193350	FERRIN WILLIAM E & MARY SUZANNE TRUST	GF	3	370	7,500	\$112.50	34,386.00	210,185.00	\$244,571.00	\$403.54	200.00	\$716.04
193450	GREAT FALLS TRANSIT DISTRICT	GF	6,7	370	15,000	\$225.00	68,774.00	167,452.00	\$236,226.00	\$389.77	200.00	\$814.77
193550	GREAT FALLS RESCUE MISSION	GF	10, 11	370	15,000	\$225.00	37,353.00	256,282.00	\$293,635.00	\$484.50	200.00	\$909.50
193650	BRUSAN INCORPORATED	GF	12	370	7,500	\$112.50	24,745.00	117,138.00	\$141,883.00	\$234.11	200.00	\$546.61
193700	LUND PROPERTIES	GF	13,14	370	15,000	\$225.00	41,646.00		\$41,646.00	\$68.72	200.00	\$493.72
193900	NEIGHBORHOOD HOUSING & DEVELOPMENT ETAL	GF	5	371	7,500	\$112.50	34,386.00		\$34,386.00	\$56.74	200.00	\$369.24
193950	MCCUNE TIMOTHY J & DAVID M	GF		371	15,000	\$225.00	68,774.00	91,771.00	\$160,545.00	\$264.90	200.00	\$689.90
194100	CITY OF GREAT FALLS ETAL	GF	6,7	371	22,500	\$337.50	58,547.00		\$58,547.00	\$96.60	200.00	\$634.10
224650	KELMAN ZOLLIE	GF	1-3	417	53,579	\$803.69	49,157.00	221,364.00	\$270,521.00	\$446.36	200.00	\$1,450.04
617100	WILLIAMS, DONALD E TRUST ETAL	FP1	UNIT A		6,665	\$99.98	11,797.00	664,500.00	\$676,297.00	\$1,115.89	200.00	\$1,415.87
617150	WARD KRAIG ALLAN	FP1	UNIT B		871	\$13.07	1,501.00	145,334.00	\$146,835.00	\$242.28	200.00	\$455.34

RESOLUTION #9617 - EXHIBIT "A"

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620650	CASCADE LEASING, INC.	CAP	UNIT A		3,615	\$54.23	16,528.00	57,314.00	\$73,842.00	\$121.84	200.00	\$376.06
620660	WILSON,TOM	CAP	UNIT B		4,574	\$68.61	20,941.00	72,629.00	\$93,570.00	\$154.39	200.00	\$423.00
620670	QHG LLP	CAP	UNIT C		6,839	\$102.59	31,304.00	108,579.00	\$139,883.00	\$230.81	200.00	\$533.39
647400	LG REALTY PARTNERSHIP	EXPRESS	BLDG, UNIT A		10,336	\$155.04	62,274.00	254,740.00	\$317,014.00	\$523.07	200.00	\$878.11
647402	UGRIN NEIL E ETAL	EXPRESS	BLDG, UNIT B		4,386	\$65.79	30,175.00	134,954.00	\$165,129.00	\$272.46	200.00	\$538.25
647404	RAILROAD SQUARE LLC	EXPRESS	BLDG, UNIT C		11,903	\$178.55	68,067.00	178,223.00	\$246,290.00	\$406.38	200.00	\$784.92
647406	UGRIN NEIL E ETAL	EXPRESS	BLDG, UNIT D		4,699	\$70.49	30,572.00	135,503.00	\$166,075.00	\$274.02	200.00	\$544.51
650100	HERITAGE BANK	HERITAGE	BANK UNIT A		10,000	\$150.00	45,848.00	373,712.00	\$419,560.00	\$692.27	200.00	\$1,042.27
650200	HERITAGE BANK	HERITAGE	BANK UNIT A1		10,000	\$150.00	45,848.00	301,755.00	\$347,603.00	\$573.54	200.00	\$923.54
650300	HERITAGE BANK	HERITAGE	BANK UNIT B		10,000	\$150.00	45,848.00	301,755.00	\$347,603.00	\$573.54	200.00	\$923.54
651010	STRIEPE W MARK & KARIN L	JHC	UNIT 1A		936	\$14.04	4,025.00	63,498.00	\$67,523.00	\$111.41	200.00	\$325.45
651020	MONTCARE INC	JHC	UNIT 1B		588	\$8.82	2,831.00	33,264.00	\$36,095.00	\$59.56	200.00	\$268.38
651030	MONTCARE INC	JHC	UNIT 1C		542	\$8.13	2,693.00	54,319.00	\$57,012.00	\$94.07	200.00	\$302.20
651040	ANDERSON RANCH COMPANY	JHC	UNIT 2A		560	\$8.40	2,538.00	66,120.00	\$68,658.00	\$113.29	200.00	\$321.69
651050	SUTTON, DANNIE R SR	JHC	UNIT 2B		596	\$8.94	2,701.00	45,659.00	\$48,360.00	\$79.79	200.00	\$288.73
651090	GT FALLS BUSINESS IMPROVEMENT DISTRICT	JHC	UNIT 3A		1,430	\$21.45	6,590.00	102,893.00	\$109,483.00	\$180.65	200.00	\$402.10
651100	OLSON KENNETH R ETAL	JHC	UNIT 4A		1,424	\$21.36	6,465.00	71,883.00	\$78,348.00	\$129.27	200.00	\$350.63
651110	MARSH, LESLIE J.	JHC	UNIT 5A		1,424	\$21.36	6,465.00	71,883.00	\$78,348.00	\$129.27	200.00	\$350.63
651501	L'HEUREUX PAGE WERNER, P.C.	KAT	UNIT 1		7,601	\$114.02	42,483.00	225,563.00	\$268,046.00	\$442.28	200.00	\$756.29
651502	DANSON DEVELOPMENT CO	KAT	UNIT 2		1,668	\$25.02	9,323.00	49,509.00	\$58,832.00	\$97.07	200.00	\$322.09
651503	SILVERTIP LLC	KAT	UNIT 3		2,224	\$33.36	12,434.00	66,015.00	\$78,449.00	\$129.44	200.00	\$362.80
651504	NEIGHBORHOOD HOUSING SERVICES INC	KAT	UNIT 4		1,112	\$16.68	6,220.00	33,011.00	\$39,231.00	\$64.73	200.00	\$281.41
651505	NEIGHBORHOOD HOUSING SERVICES INC	KAT	UNIT 5		2,966	\$44.49	16,579.00	88,026.00	\$104,605.00	\$172.60	200.00	\$417.09
651506	DANSON DEVELOPMENT ETAL	KAT	UNIT 6		2,966	\$44.49	16,579.00	88,026.00	\$104,605.00	\$172.60	200.00	\$417.09
1888300	GREAT FALLS GAS CO	MK.	22H, SEC 11, T20N, R3E		89,298	\$1,339.47	276,688.00	929,006.00	\$1,205,694.00	\$1,989.40	200.00	\$3,528.87
1888310	MCMANUS PROPERTIES	MK.	22K, SEC 11, T20N, R3E		31,363	\$470.45	93,070.00	339,743.00	\$432,813.00	\$714.14	200.00	\$1,384.59
1921200	NORTHWESTERN CORP TRANSMISSION & DISTR	GF	W1/2-12&13	312	26,250	\$393.75		1,362,852.00	\$1,362,852.00	\$2,248.71	200.00	\$2,842.46
1921700	QWEST COMMUNICATIONS	GF	14	308	30,000	\$450.00		1,808,857.00	\$1,808,857.00	\$2,984.61	200.00	\$3,634.61
TOTAL					1,917,549	\$28,763.24	\$8,019,187.00	\$52,255,535.00	\$60,274,722.00	\$ 99,453.29	\$ 31,600.00	\$159,816.53

Regular City Commission Meeting

Mayor Stebbins presiding

CALL TO ORDER: 7:00 PM**PLEDGE OF ALLEGIANCE**

ROLL CALL: City Commissioners present: Dona Stebbins, Bill Beecher, Diane Jovick-Kuntz and John Rosenbaum. Sandy Hinz was excused. Also present were the City Manager, Assistant City Manager, City Attorney, Directors of Community Development, Planning, Public Works, Park and Recreation, Library and Fiscal Services, Police Chief, Fire Chief, and the City Clerk.

PROCLAMATIONS: Mayor Stebbins read a Proclamation acknowledging Addiction Counselor's Day and presented Kris Dunn with a Proclamation of Appreciation for her contributions to the Weed and Seed Initiative.

NEIGHBORHOOD COUNCILS**Good Neighbor Day.**

1A. Bob Stubbs, Neighborhood Council 4, stated that the Council of Councils met on August 29 and had a good discussion on "Good Neighbor Day" which will be held September 29 from 12 – 3 pm at Heren Park. He encouraged the City Commission to attend.

Neighborhood Council 8 meeting.

1B. Karen Grove, Neighborhood Council 8, thanked the Alive @ 5 committee for organizing a great series of events. She also announced that Neighborhood Council 8 changed their September meeting date to September 12, 2006, and it will be held in the Gibson Room of the Civic Center.

PUBLIC HEARINGS

Res. 9612, Res. 9613 and Ord. 2948 annexation, zoning and the Minor Subdivision Plat of East Great Falls Retail Center Addition. Adopted.

2A. RESOLUTION 9612, ANNEXATION OF PORTION OF 10th AVENUE SOUTH, US HIGHWAY 87/89, AND 50th and 52nd STREETS SOUTH.

2B. RESOLUTION 9613, ANNEXATION OF EAST GREAT FALLS RETAIL CENTER ADDITION.

2C. ORDINANCE 2948, ZONING FOR EAST GREAT FALLS RETAIL CENTER ADDITION.

Planning Director Ben Rangel reported Resolution 9612 annexes portions of 10th Avenue South, U.S. Highway 87/89, and 50th and 52nd Streets South. Resolution 9613 annexes the East Great Falls Retail Center Addition located along the south side of 10th Avenue South at 57th Street. Ordinance 2948 assigns a zoning classification of C-2 general commercial district to the property. The accompanying annexation agreement contained conditions and terms associated with the annexation.

Mr. Rangel added that in order to provide contiguity, the annexation also involved approximately 21 acres of Montana Department of Transportation rights-of-way for 10th Avenue South and U.S. Highway 87/89 and short segments of rights-of-way for 50th and 52nd Streets South. The Minor Plat consisted of Lot 1 (26 acres) and Lot 2 (21.5 acres) with the southerly extension of 57th Street South located between the two lots.

Mr. Rangel reminded the City Commission that earlier this year, several property owners petitioned to subdivide and annex approximately 50 acres of land along the south side of 10th Avenue South at 57th Street for a two-lot commercial subdivision titled East Great Falls Retail Center Addition. At that time, the application also included a request for a conditional use permit to allow a Wal-Mart Supercenter on one of the two lots in the subdivision. However, in April, Wal-Mart chose to withdraw its plans. Regardless, the property owners (KYSO Corporation, Prairie Kraft Specialties, Anna Sherer, Charles Wiley and Marilyn Wiley) wanted to proceed by completing the subdivision, annexation and zoning processes for East Great Falls Retail Center Addition. They withdrew the application for the conditional use permit for the large format retail store (Wal-Mart Supercenter).

On February 28, 2006, the Planning Board/Zoning Commission conducted a joint public hearing on subdividing, annexing, establishing City zoning and granting a conditional use permit for a large format retail store (Wal-Mart Supercenter) associated with the East Great Falls Retail Center Addition. At the conclusion of the public hearing, motions by the Planning Board to conditionally approve the minor plat and annexation and by the Zoning Commission to establish a City zoning classification of C-2 general commercial district and to grant a conditional use permit for the Wal-Mart Supercenter failed on a tie vote of 4 – 4. It appeared most of the negative votes were associated with the conditional use permit for the Wal-Mart Supercenter.

Mayor Stebbins declared the public hearing open. No one appeared to speak in opposition to Resolution 9612, Resolution 9613 or Ordinance 2948. Those speaking in support included: **Tom Berkner**, 1800 Beech Drive; **Paul Stevens**, 820 3rd Avenue North; **Dan Huestis**, 2901 4th Avenue North; **Clay Braden**, 2708 4th Avenue NW; and **Robin Baker**, 1518 11th Avenue South.

Mr. Braden, during his testimony, questioned whether the Accident Potential Zone for the Malmstrom Air Force Base runway was impacted with this annexation. Mr. Rangel stated that a small sliver of land was within that zone, however, only uses that were permitted in the Accident Potential Zone would be permitted upon that portion of land.

Robin Baker questioned if this annexation would impact the South

Arterial project. Mr. Rangel stated that the South Arterial was recognized and considered with this annexation and that the developer dedicated right-of-way to the South Arterial Project.

There being no one further to address the City Commission, Mayor Stebbins declared the public hearing closed and asked for discussion from the Commission. Commissioner Jovick-Kuntz pointed out that the C-2 zoning classification allowed casinos, gas stations and other types of businesses the community may not want at a primary entrance to Great Falls.

Mayor Stebbins concurred with Commissioner Jovick-Kuntz and asked if the Commission had any controls after the zoning was established. Dan Huestis responded stating that the developers want to do the development right and will incorporate businesses that reflect the highest and best use of the property.

Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Resolution 9612.

Motion carried 4-0.

Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Resolution 9613 and the accompanying Minor Subdivision Plat and Annexation Agreement all pertaining to East Great Falls Retail Center Addition.

Motion carried 4-0.

Commissioner Beecher moved, seconded by Commissioner Rosenbaum that the City Commission adopt Ordinance 2948.

Motion carried 3-1 (Commissioner Jovick-Kuntz dissenting).

Res. 9589 and Ord. 2945 annexation, zoning and the final plat of South Park Addition Phase 1. Adopted.

3A. RESOLUTION 9589, ANNEXATION OF SOUTH PARK ADDITION PHASE 1.

3B. ORDINANCE 2945, ZONING FOR SOUTH PARK ADDITION PHASE 1.

Planning Director Ben Rangel reported Resolution 9589 annexes South Park Addition Phase 1, which consists of 18 single-family residential lots located between Grande Vista Park and Flood Road. Ordinance 2945 assigns a zoning classification of R-3 Single-family high density district, to South Park Addition Phase 1, upon annexation.

The City–County Planning Board at the conclusion of a public hearing

held September 14, 2004, recommended the subdivision be assigned a zoning classification of "A" Residence Use, "B" Area District on the preliminary plat. With the adoption of the Unified Land Development Code approved by the City Commission September 6, 2005, the classification of the area would be "R-3" Single-family high density.

Mayor Stebbins declared the public hearing open. No one appeared to speak in support of or opposition to Resolution 9589 or Ordinance 2945. There being no one further to address the City Commission, Mayor Stebbins declared the public hearing closed.

Commissioner Jovick-Kuntz moved, seconded by Commissioner Beecher, that the City Commission adopt Resolution 9589 and approve the final plat and Annexation Agreement all related to South Park Addition Phase 1.

Motion carried 4-0.

Commissioner Rosenbaum moved, seconded by Commissioners Beecher and Jovick-Kuntz, that the City Commission adopt Ordinance 2945.

Motion carried 4-0.

**Business
Improvement
District 2006/2007
Budget. Approved.**

4. BUSINESS IMPROVEMENT DISTRICT (BID) 2006/2007 BUDGET.

Business Improvement District member Phil Kiser explained that the BID submitted their 2006/2007 budget for approval by the City Commission. According to State statute, the City Commission must hold a public hearing on objections to the budget. Following the approval of the budget, the Commission will be asked to levy an assessment to all properties within the district to defray all costs. The assessment requested is according to the assessment formula approved with the creation of the district.

It was noted that statute also requires the City Commission to review and approve a work plan associated with the budget. However, a work plan was not submitted because of the transition between executive directors at the BID.

Mayor Stebbins declared the public hearing open. No one appeared to speak in support of or opposition to the Budget. There being no one further to address the City Commission, Mayor Stebbins declared the public hearing closed and asked for Commission discussion.

Commissioner Jovick-Kuntz explained that because a portion of her salary is paid by the Business Improvement District she would abstain

from voting. However, she added, she would like to see City staff work closely with the Board and the new executive director to ensure the open meeting law is followed. Additionally, she asked the BID to send copies of their minutes to the City Commission because the Commission was not aware of the issues the BID was dealing with.

Mayor Stebbins expressed concern about not receiving a work plan with the budget. She asked if the Commission had to act on the budget this evening. City Manager Lawton stated that the Commission could postpone action until the next City Commission meeting. Additionally, Mr. Lawton suggested that the Commission may consider adding stipulations to the assessment resolution that the BID would have to meet before the City would release funds to them.

Commissioner Beecher stated that a budget could be considered a work plan. The only thing missing were goal statements and action steps. Therefore, **Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission approve the 2006/2007 Business Improvement District budget.**

Motion carried 2-1-1. (Mayor Stebbins dissenting and Commissioner Jovick-Kuntz abstaining).

Sale of City-Owned Land, L3A through 3H, Amended Plat of L3, Medical Tech Park. Approved.

5. SALE OF CITY-OWNED LAND, L3A THROUGH 3H, AMENDED PLAT OF L3, MEDICAL TECH PARK.

Community Development Director Mike Rattray reported that Staff advertised that the City was accepting bids for the purchase of two lots in the Medical Tech Park. One bidder responded with a bid of \$192,013 for one of the lots. The bid was opened August 16. The bidder, SBC Archway, LLC plans to construct and lease a 10,160 square foot, Class-A, office facility. The start date for construction is approximately October 1, 2006, and completion date is estimated to be July 1, 2007.

Mayor Stebbins declared the public hearing open. No one appeared to speak in support of or opposition to the sale of City-owned land, L3A through 3H, Amended Plat of L3, Medical Tech Park. Mayor Stebbins declared the public hearing closed.

Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission approve the sale of Lot 3D, of the Amended Plat of Lot 3, Medical Tech Park, to SBC Archway, LLC, in the amount of \$192,013.

Motion carried 4-0.

**Res. 9600,
Establishing
Sanitation Service
Rates for Fiscal
Year 2006/2007.
Adopted.**

6. RESOLUTION 9600, ESTABLISHING SANITATION SERVICE RATES FOR FISCAL YEAR 2006/2007.

Fiscal Services Director Coleen Balzarini reported OCCGF 8.32.350 requires the Commission to adopt a resolution establishing rates to defray the costs of sanitation services for the fiscal year. Staff proposed that all sanitation rates increase approximately 3 percent. These rates will go into effect September 6, 2006.

Mayor Stebbins declared the public hearing open. No one appeared to speak in support of or opposition to Resolution 9600. Mayor Stebbins declared the public hearing closed.

Commissioner Jovick-Kuntz moved, seconded by Commissioner Beecher, that the City Commission adopt Resolution 9600, Establishing Sanitation Service Rates for FY 06/07.

Motion carried 4-0.

**Ord. 2949,
Amending OCCGF
9.20 and 12.14
Pertaining to
Alcoholic Beverages
in Public Places.
Adopted.**

7. ORDINANCE 2949, AMENDING OCCGF 9.20 and 12.14 PERTAINING TO ALCOHOLIC BEVERAGES.

City Clerk Peggy Bourne reported that Ordinance 2949 amends the Official Codes of the City of Great Falls (OCCGF) 9.20 and 12.14 pertaining to alcoholic beverages in public places. The ordinance also removes all conflicts found in the street closure policy which was established by Resolution 8504 and codifies the policy within OCCGF 12.14.

Mrs. Bourne added that since the Commission considered the Ordinance for first reading at the August 15, 2006 meeting, staff heard from a concerned business owner who requested that a notification requirement be added to the ordinance for businesses located in the downtown area. The business owner also presented a petition containing 37 signatures supporting this requirement.

In response to this request, staff amended Ordinance 2949 to require a petition for downtown events and for events held in residential areas, requiring the event organizer to demonstrate that the adjacent residents have been notified.

Staff added one additional amendment which gave the City the authority to tow vehicles that may be parked in the area designated for a special event. This issue has come up several times during the Taste of Great Falls, the 4th of July Celebration and other events.

Mayor Stebbins declared the public hearing open. No one appeared to

speak in opposition to Ordinance 2949. **Les Rispens**, 2324 2nd Avenue North, supported the ordinance and the amendments to it. Mayor Stebbins declared the public hearing closed and asked for Commission discussion.

Commissioner Jovick-Kuntz stated she did not think the petition requirement was fair for events downtown. She explained that the way the ordinance was amended, people planning a parade were exempt from the petition requirement and the impact a parade had on downtown businesses was far greater than an event that affected one block. She asked staff to revisit the street closure portion of the ordinance.

Commissioner Jovick moved, seconded by Commissioner Beecher, that the City Commission adopt Ordinance 2949 as amended. Additionally, that the Commission delete OCCGF 12.14.060 pertaining to temporary street closures and direct staff to revisit this policy in conjunction with the parade ordinance and bring back an all encompassing proposal to the Commission.

Motion carried 4-0.

OLD BUSINESS

NEW BUSINESS

**Financial
Commitments,
Great Falls
Development
Authority and High
Plains Financial,
Inc. Approved.**

8. FINANCIAL COMMITMENT- GF DEVELOPMENT AUTHORITY AND HIGH PLAINS FINANCIAL, INC.

Community Development Director Mike Rattray reported that the Great Falls Development Authority requested the City assist in providing some of the local matching funds necessary for the Economic Development Administration revolving loan fund. He added that for a number of years the Great Falls Development Authority operated a successful economic development revolving loan fund that was initially financed by the Economic Development Administration. Currently this loan fund has a net worth of approximately \$5.5 million. One of the requirements of the Economic Development Administration is that all their loan funds receive local matching funds. A past audit of the revolving loan fund noted a deficiency in the matching funds which must be provided as soon as possible. The Development Authority resolved all the matching funds necessary, with the exception of \$138,500 which could be resolved by approval of the two financial commitments proposed.

The first financial commitment pertains to a Line of Credit. The Development Authority requested that High Plains Financial, Inc. be allowed to draw a line of credit balance of \$65,000, however, to do so the City Commission needs to take official action to reauthorize the Line of Credit because the maturity date has expired.

The second financial commitment is for the City to guarantee a loan. The Development Authority is negotiating a \$73,500 loan from First Interstate Bank to provide the remaining balance required for the matching funds. The bank has requested the City guarantee the loan. The Development Authority plans on paying off the majority of the loan within the next 60 days from proceeds received from the sale of their current office building. After paying off the building and other debt, sufficient funds are expected to be available to pay the First Interstate Bank loan down to approximately \$35,000. The closing on the sale of the building is scheduled to take place by September 30, 2006. The remaining balance is to be financed over a five year period.

Commissioner Beecher moved, seconded by Commissioner Rosenbaum that the City Commission: 1) reauthorize the High Plains Financial, Inc. Line of Credit to utilize the remaining balance of \$65,000 and extend the due date to April 30, 2007, and; 2) authorize the City to be the guarantor to a \$73,500 loan to the Great Falls Development Authority from First Interstate Bank.

Motion carried 4-0.

ORDINANCES/RESOLUTIONS

Res. 9608, Res. 9609 and Ord. 2952 annexation, zoning Parcel Mark No. 1B, and a portion of 10th Avenue South, Sec. 16, T20N R4E (a portion of 10th Avenue South and 47th Street South.) Adopted Res. 9608 and Res. 9609; and accepted Ord. 2952 on first reading setting a public hearing for October 3, 2006.

9A. RESOLUTION 9608, ANNEXATION OF MARK NO. 1B IN SECTION 16, TOWNSHIP 20 NORTH, RANGE 4 EAST.

9B. RESOLUTION 9609, ANNEXATION OF A PORTION OF 10TH AVENUE SOUTH IN N½ SECTION 16, TOWNSHIP 20 NORTH, RANGE 4 EAST.

9C. ORDINANCE 2952, ZONING FOR PARCEL MARK NO. 1B AND A PORTION OF 10TH AVENUE SOUTH, BETWEEN 40TH STREET SOUTH AND 47TH STREET SOUTH, SECTION 16, TOWNSHIP 20 NORTH, RANGE 4 EAST.

Planning Director Ben Rangel reported Resolution 9608 sets a public hearing for October 3, 2006, to consider annexation of subject Mark No. 1B. Resolution 9609 sets a public hearing for October 3, 2006, to consider annexation of a portion of 10th Avenue South between 40th Street South and 47th Street South. Ordinance 2952 assigns a zoning classification of C-2 general commercial district to subject properties upon annexation to the City. Mr. Rangel added that it has been an objective of the City Commission to address and eliminate wherever possible enclaves that are completely surrounded by the City. The parcel in question is such an enclave.

On August 8, 2006, the Planning Board conducted a public hearing and at its conclusion passed a motion recommending the City Commission annex Parcel Mark No. 1B and portion of 10th Avenue South between 40th Street South and 47th Street South and the Zoning Commission passed a

motion recommending the City Commission assign a zoning classification of C-2 general commercial district upon annexation of subject property and right-of-way.

Commissioner Beecher moved, seconded by Commissioner Jovick-Kuntz, that the City Commission adopt Resolution 9608.

Motion carried 4-0.

Commissioner Rosenbaum moved, seconded by Commissioner Beecher, that the City Commission adopt Resolution 9609.

Motion carried 4-0.

Commissioner Jovick-Kuntz moved, seconded by Commissioner Rosenbaum, that the City Commission accept Ordinance 2952 on first reading and set a public hearing for October 3, 2006, to consider adoption of Ordinance 2952.

Motion carried 4-0.

**Ord. 2951,
Amending OCCGF
10.48.220 and 230
Pertaining to Bus
and Passenger
Loading Zones.
Accepted on first
reading and public
hearing set for
September 19, 2006
at 7 pm.**

10. ORDINANCE 2951, AMENDING OCCGF 10.48.220 AND 230 PERTAINING TO BUS AND PASSENGER LOADING ZONES.

Assistant City Attorney Kory Larsen reported that Ordinance 2951 will ease enforcement of the ordinances related to parking in school bus zones and passenger zones while addressing the safety concerns and traffic flow issues. As an added benefit, the changes also make these sections easier to explain to the public.

Commissioner Jovick-Kuntz moved, seconded by Commissioner Rosenbaum, that Ordinance 2951 be accepted on first reading and the second and final reading be set for September 19, 2006 at 7 pm.

Motion carried 4-0.

**Ord. 2947, Establish
zoning for lots in the
Amended Plat of
Highland Park
Addition Block 28.
Accepted on first
reading and public
hearing set for
October 3, 2006, at
7 p.m.**

11. ORDINANCE 2947, ESTABLISH CITY ZONING UPON AMENDED PLAT OF SOUTH ½ OF VACATED ALLEY AND LOTS 7-12 BLOCK 28 HIGHLAND PARK ADDITION.

Planning Director Ben Rangel reported that, if adopted, Ordinance 2947 would assign a zoning classification of I-1 Light industrial district to the Amended Plat of the South ½ of Vacated Alley and Lots 7 – 12, Block 28, Highland Park Addition, upon annexation to the City

Mr. Rangel explained that the Zoning Commission, at the conclusion of a combined public hearing held July 11, 2006, unanimously recommended the City Commission assign a zoning classification of I-1 light industrial

district upon the Amended Plat of the South ½ of Vacated Alley and Lots 7 – 12, Block 28, Highland Park Addition upon the annexation of the area contained therein.

Commissioner Rosenbaum moved, seconded by Commissioners Beecher and Jovick-Kuntz, that the City Commission accept Ordinance 2947 on first reading and set a public hearing for October 3, 2006, to consider adoption of Ordinance No. 2947.

Motion carried 4-0.

**Consent Agenda.
Approved as
printed.**

CONSENT AGENDA.

12. Minutes, August 15, 2006, Commission meeting.
13. Total expenditures of \$3,472,835 for the period of August 16-22, 2006, to include claims over \$5,000 in the amount of \$3,185,543.
14. Contracts list.
15. Set public hearing for September 19, 2006, on Resolution 9607 to Levy and Assess Properties for Unpaid Utility Service.
16. Awards contract for Northeast Regional Stormwater Retention Pond Extension to Wickens Construction, Inc. in the amount of \$122,650. (OF 1058.2)
17. Approve Change Order No. 1 in the amount of \$2,875.30 and Final Payment in the amount of \$34,366.47 to Great Falls Sand & Gravel, Inc. and the State Miscellaneous Tax Division for the Community Recreation Center Parking Lot. (OF 1443)
18. Approve Prioritized List of 2006 Community Transportation Enhancement Program projects for use of Great Falls CTEP allocations.
19. Approve support of Military Appreciation Picnic in the amount of \$500.

Commissioner Beecher moved, seconded by Commissioner Jovick-Kuntz, that the City Commission approve the Consent Agenda as printed.

Motion carried 4-0.

PETITIONS AND COMMUNICATIONS

Experience Works

- 23A. **John Stevens**, provided information about a program called Experience Works. He explained that this program provides people who are 55 or older an opportunity to get back in the work place.

**Boulevard
Assessment**

- 23B. **John Hubbard** stated he opposed the Boulevard Assessment the Commission approved at their meeting on August 15. He added that he opposes all tax increases. Assistant City Manager Cheryl

Patton explained that the boulevard assessment did not include an increase this fiscal year.

Adjourn

ADJOURNMENT

There being no further business to come before the Commission, the regular meeting of September 5, 2006, adjourned at 8:22 p.m.

Mayor Dona R. Stebbins

Peggy Bourne, City Clerk

ITEM: \$5000 Report
 Budget or Contract Claims in Excess of \$5000

PRESENTED BY: City Controller

ACTION REQUESTED: Approval With Consent Agenda

APPROVAL: _____

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

MASTER ACCOUNT CHECK RUN FOR SEPTEMBER 6, 2006	129,817.22
MASTER ACCOUNT CHECK RUN FOR SEPTEMBER 13, 2006	539,191.26
MUNICIPAL COURT ACCOUNT CHECK RUN FOR AUGUST 25, 2006	3,823.00
MUNICIPAL COURT ACCOUNT CHECK RUN FOR AUGUST 31, 2006	71,528.00
WIRE TRANSFERS FROM AUGUST 23, 2006 THRU SEPTEMBER 12, 2006	<u>341,129.83</u>
	TOTAL: \$ <u>1,085,489.31</u>

GENERAL FUND

FIRE

ABARIS GROUP	PHASE I AND II COMPLETION	16,262.00
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SPECIAL REVENUE FUND

FEDERAL BLOCK GRANTS

GRT FALLS DEVELOPMENT AUTHORITY	FUNDS FOR ECONOMIC DEVELOPMENT	28,000.00
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STREET DISTRICT

EAGLES CROSSING	UPGRADES TO 46TH AVE NE	13,739.20
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CAPITAL PROJECTS

GENERAL CAPITAL

GREAT FALLS SAND AND GRAVEL	COMMUNITY REC PARKING LOT	34,022.80
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ENTERPRISE FUNDS

WATER

THATCHER CO	SULFATE	22,516.09
DANA KEPNER CO-BILLINGS	3/4" SRII 100 CF ECR/DM METERS	6,200.00
DANA KEPNER CO-BILLINGS	SR ECR RETROFIT KIT	17,173.00
DANA KEPNER CO-BILLINGS	SWIVEL INLET & OUTLET COPPERHORN	4,802.00
DAVID KUGLIN CONST	SLUDGE BASIN PROJECT	172,707.78
PHILLIPS CONSTRUCTION	1ST 2ND 3RD & 5TH AVE NW / OF 1435	118,031.81

SANITATION

AMERI-CART	96 GALLON ROLL OUT CARTS	16,230.00
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GOLF COURSES

US BANK	DEBT SERVICES	191,635.00
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INTERNAL SERVICES FUND

HEALTH INSURANCE

BLUE CROSS BLUE SHIELD	GROUP & HMO CLAIMS 8-23-06/8-29-06	71,865.57
	GROUP & HMO CLAIMS 8-30-06/8-31-06	2,222.39
	GROUP & HMO CLAIMS 09-01-06/09-5-06	37,226.32

CENTRAL GARAGE

WHALEN TIRE	11R22.5 WASTE LUG BF GOODRICH	8,365.50
MOUNTAIN VIEW CO-OP	FUEL	30,006.70

MUNICIPAL COURT

CASCADE COUNTY	FINES AND FORFEITURES	12,215.00
CITY OF GREAT FALLS	FINES AND FORFEITURES	58,803.00

CLAIMS OVER \$5000 TOTAL: \$ 862,024.16

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

**AGENDA: 12
DATE: September 19, 2006**

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

PRESENTED BY: Peggy J. Bourne, 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	Administrative Services – Human Resources Division	Turner Consulting 3000-3000-F Danville Blvd #156 Alamo, CA 94507	Not to Exceed 90 days	611-1481-511-3599	An amount not to exceed \$3,000	Dave Turner will analyze potential provider network savings of four of the responders to the RFP for Administrative Services and Stop Loss Coverage for the City of Great Falls' Health Benefits Plan.
B	Community Development	Great Falls Development Authority	Immediate	CDBG	Microbusiness Revolving Loan Fund \$40,000 CDBG Economic Development Grant \$28,000	Community Development Block Grant Loan Agreement with Great Falls Development Authority.
C	Legal Department	Great Falls Medical Building Condominium (Doris Luckman)	N/A	N/A	N/A	Third Amendment to Declaration of the Great Falls Medical Building Condominium

D	Public Works	Lapke Construction	Fall 06	Street Maintenance	\$34,723.75	2006 Misc. Concrete Replacement Phase 3 – O.F. 1485.1
E	Public Works	Robert Peccia & Associates	Fall 06	O.F. 1373.1	Not to exceed \$23,650	Fox Farm Road Raised Median Design in accordance with Scope of Work labeled “Exhibit A” of Contract (O.F. 1373.1)
F	Park & Recreation – Mansfield Events Office	Great Falls Symphony Association	July 1, 2006 to June 30, 2007	571 Revenue Accounts	\$14,655 includes: \$8,331.44 in office and storage space \$6,324 in Event room space	Annual Lease (without Theater rent for concert series)

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

**AGENDA: 13
DATE: September 19, 2006**

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: Peggy Bourne, 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	Raymond P & Sherry Bray (Current owner is Shawn Page) Black Eagle Falls Addition B19, L9			\$250.00	Resolution 9280, for Assessing the Cost of Removal and Disposal of Nuisance Weeds at 2921 3 rd Avenue South in violation during calendar year 2002.

AGENDA REPORT

DATE: September 19, 2006

ITEM ELLIOTT TRUST ACCEPTANCE AND TRANSFER TO REQUESTED FUND

INITIATED BY WALTER AND LUCILLE ELLIOTT TRUST

ACTION REQUESTED ACCEPT THE GIFT AND OFFICIALLY TRANSFER IT FROM A CITY ACCOUNT TO THE GREAT FALLS PUBLIC LIBRARY

PRESENTED BY DAVID V. GLIKO, CITY ATTORNEY

RECOMMENDATION

Staff recommends the City Commission accept the gift from the Walter and Lucille Elliott Revocable Trust and transfer it to the Great Falls Public Library so the assets can be used as intended which is solely for the benefit of the Great Falls Public Library.

MOTION

“I move the City Commission accept the gift from the Walter and Lucille Elliott Revocable Trust and transfer it to the Great Falls Public Library so the assets can be used as intended which is solely for the benefit of the Great Falls Public Library.”

SYNOPSIS

Library Director Jim Heckel received notification that Walter J. and Lucille Clark Elliott had in place a revocable trust agreement providing for a distribution of assets to the City of Great Falls for the use and benefit of its Library Board of Trustees. This transfer is in the form of in-kind assets, namely stocks. The dollar amount is not known at this time.

Mr. Heckel requested the City Commission accept the gift on behalf of the City and authorize the transfer from the General Fund to the Great Falls Library so the assets can be used as intended which is solely for the benefit of the Great Falls Public Library.

AGENDA REPORT

DATE September 19, 2006

ITEM: CONTRACT AWARD: 2006 CDBG (COMMUNITY DEVELOPMENT BLOCK GRANT) SIDEWALK REPLACEMENT, O.F. 1453.2

INITIATED BY: PUBLIC WORKS DEPARTMENT / ENGINEERING DIVISION

ACTION REQUESTED: CONSIDER BIDS AND AWARD CONTRACT

PRESENTED BY: JIM REARDEN, PUBLIC WORKS DIRECTOR

MOTION: "I move the City Commission award a contract in the amount of \$110,827.00 to Lapke Construction LLC for the 2006 CDBG Sidewalk Replacement, O.F. 1453.2, and authorize the City Manager to sign the construction contract documents."

PROJECT TITLE: 2006 CDBG Sidewalk Replacement, O.F. 1453.2

RECOMMENDED CONTRACTOR: Lapke Construction LLC

CONTRACT AMOUNT:

\$104,095.00	Base Bid
<u>\$6,732.00</u>	Additive Bid Item
\$110,827.00	Total Contract Amount

ENGINEER'S ESTIMATE:

\$106,806.25	Base Bid
<u>\$4,020.75</u>	Additive Bid Item
\$110,827.00	Total Contract Amount

BUDGETED FUNDS: Community Development Block Grant (CDBG), \$116,414.00

START DATE: Projected for October 2006

COMPLETION DATE: June 2007

PENALTY/INCENTIVE TERMS: Liquidated Damages, \$400.00/Day

SYNOPSIS: This project will replace sidewalk that has been damaged by tree roots, natural deterioration, or other destructive forces that have left the sidewalk dangerous for pedestrians. The grant will pay all of the costs for sidewalk replacement for low and moderate income homeowners in specific areas. The 2006 CDBG project area is generally bounded by River Drive South on the west, 20th Street South on the east, Central Avenue to the north, and 10th Avenue South on the south. In addition, sidewalks will be constructed at the Electric City Water Park and at the Natatorium Pool for the Park and Recreation Department. The City applied for this grant

through the CDBG program, and was successful in being awarded funding.

BACKGROUND: Over the last six years, the City has been formulating a program to repair or replace dangerous sidewalks, which have become an increasingly common problem around the City. This is the sixth phase of an ongoing series of projects to replace hazardous sidewalks on a citywide basis. These projects are related to a program to install handicap ramps.

The Engineering Division applied for and was awarded the grant for the city wide sidewalk program. The Park and Recreation Department applied for and was awarded the grants for Mitchell Pool and Natatorium sidewalks. All the grant money was incorporated into a single bid package.

This contract was bid as a “unit bid” contract. This means that the price paid is based on the actual amount of work completed, which allows flexibility and minimizes the amount of detailed design that must be completed up front. The contract is being awarded based on the low bid for a basic amount of work. An alternate bid item is included to allow for the replacement of as much additional sidewalk as available funding will allow. In this way, the full amount of the grant can be invested into the City’s infrastructure.

The bid opening was held on September 7, 2006. Two bids were submitted. The bid tabulation summary is attached. Lapke Construction is the low bidder.

City Engineering designed the project, and will perform inspection and contract administration duties. The Community Development Department administers the CDBG program and will perform grant and other administrative duties.

Attachment: Bid Tabulation Summary

2006 CDBG SIDEWALK REPLACEMENT

9/7/2006

Contract Quantities Approved				Kuglin Construction		Lapke Construction	
Item #	Description of Pay Items	Quantity	Unit	Unit Price	Total	Unit Price	Total
SCHEDULE ONE							
101	4" P/C Sidewalk (Remove and Replace)	6300	S.F.	\$6.40	\$40,320.00	\$6.35	\$40,005.00
102	6" P/C Reinforced Concrete Approach (Remove and Replace)	385	S.F.	\$7.00	\$2,695.00	\$8.00	\$3,080.00
103	Sodding	2525	S.F.	\$2.00	\$5,050.00	\$2.00	\$5,050.00
104	Miscellaneous Work	1500	L.S.	\$1.00	\$1,500.00	\$1.00	\$1,500.00
Total Amount Bid Items 101-104					\$49,565.00		\$49,635.00
SCHEDULE TWO							
201	4" P/C Sidewalk (Remove and Replace)	3500	S.F.	\$6.00	\$21,000.00	\$6.75	\$23,625.00
202	Sodding	540	S.F.	\$2.00	\$1,080.00	\$2.00	\$1,080.00
203	Miscellaneous Work	1000	L.S.	\$1.00	\$1,000.00	\$1.00	\$1,000.00
Total Amount Bid Items 201-203					\$23,080.00		\$25,705.00
SCHEDULE THREE							
301	4" P/C Sidewalk (Remove and Replace)	3800	S.F.	\$5.00	\$19,000.00	\$6.00	\$22,800.00
302	6" P/C Reinforced Concrete Approach (Remove and Replace)	100	S.F.	\$6.50	\$650.00	\$14.00	\$1,400.00
303	Concrete Curb and Gutter	330	L.F.	\$20.00	\$6,600.00	\$32.00	\$10,560.00
304	Sodding	2000	S.F.	\$2.00	\$4,000.00	\$2.00	\$4,000.00

305	Miscellaneous Work	1200	L.S.	\$1.00	\$1,200.00	\$1.00	\$1,200.00
					\$31,450.00		\$39,960.00

AGENDA REPORT

DATE September 19, 2006

ITEM: CONTRACT AWARD: 2006 CDBG (COMMUNITY DEVELOPMENT BLOCK GRANT) HANDICAP RAMP REPLACEMENT, O.F. 1453.1

INITIATED BY: PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION

ACTION REQUESTED: CONSIDER BIDS AND AWARD CONTRACT

PRESENTED BY: JIM REARDEN, PUBLIC WORKS DIRECTOR

MOTION: "I move the City Commission award a contract in the amount of \$104,120.00 to Lapke Construction LLC for the 2006 CDBG Handicap Ramp Replacement, O.F. 1453.1, contingent upon receiving approval from H.U.D. and authorize the City Manager to sign the construction contract documents."

PROJECT TITLE: 2006 CDBG Handicap Ramp Replacement, O.F. 1453.1

RECOMMENDED CONTRACTOR: Lapke Construction LLC

CONTRACT AMOUNT:

\$102,610.00	Base Bid
<u>\$1,510.00</u>	Additive Bid Item
\$104,120.00	Total Contract Amount

ENGINEER'S ESTIMATE:

\$91,967.50	Base Bid
<u>\$ 2,102.50</u>	Additive Bid Item
\$94,070.00	Total Contract Amount

BUDGETED FUNDS: Community Development Block Grant (CDBG), \$75,000.00
Storm Drain Fund, \$34,700

START DATE: Projected for October 2006

COMPLETION DATE: June 2007

PENALTY/INCENTIVE TERMS: Liquidated Damages, \$400.00/Day

SYNOPSIS: The 2006 CDBG project was designed to install Americans with Disabilities Act (ADA) compliant handicap ramps down Central Avenue at the intersections of 30th, 31st, 32nd, 34th., 35th, and 42nd Street. Ramps will also be installed at the intersection of 11th Street and 6th Avenue South (for Longfellow School), and at 26th Avenue NE and 8th Street NE (for North Middle School). This is the sixth phase of a series of Community Development Block Grant (CDBG)

projects to install handicap ramps around the City. The Public Works Department applied for this grant through the CDBG program, and was successful in being awarded funding. Storm drain funds are being added to provide for storm water inlet replacements for the Utility Department.

BACKGROUND: The City has been installing handicap ramps as a part of street rehabilitation projects or as ramp-only projects for a number of years. Ramps are also required in new developments. This is the sixth phase of what is hoped to be an ongoing series of CDBG funded projects to install handicap ramps on a citywide basis. These projects are related to a program to repair hazardous sidewalks.

This project was bid as a “unit bid” contract. This means that the price paid is based on the actual amount of work completed, which allows flexibility and minimizes the amount of detailed design that must be completed up front. The contract is being awarded based on the low bid for a basic amount of work. The alternate bid items are included to allow for the installation of as many more ramps and sidewalk as available funding will allow. In this way, the full amount of the grants can be invested into the City’s infrastructure.

The bid opening was held on September 7, 2006. Two bids were submitted. The bid tabulation summary is attached. The total bid prices for the handicap ramps (Schedule 1) plus the storm drain inlets (Schedule 2) were equal for the two contractors. Given this tie (which is a highly unusual occurrence), state law allows the City to award the bid to the contractor that will be in the best interest of the City. Lapke Construction’s bid provides two significant advantages. First, their lower bid prices for the handicap ramp schedule means that more ramps can be installed with the available funds. This is even more important since the CDBG Funds are ‘outside’, rather than ‘local’ funds, and are the driver for the project. Second, the higher overall unit prices, and the late addition of the work on 26th Avenue NE, means that less ramp and storm inlet work will be accomplished on Central Avenue. Thus, the price advantage seen in the Kuglin Construction Schedule 2 bid is much less of a factor, since less of this work will be done anyway.

The Engineering Division applied for and was awarded the grant; designed the project; and will perform inspection and contract administration duties. The Community Development Department administers the CDBG program and will perform grant and other administrative duties.

Attachment: Bid Tabulation Summary

File Name: 1453.1 Bid Tab

2006 CDBG Handicap Ramps

Schedule One

Item #	Description of Pay Items	Quantity	Unit	Lapke Construction, LLC		Kuglin Construction	
				Unit Price	Total	Unit Price	Total
101	Concrete Curb and Gutter (Remove and Replace)	800	L.F.	\$28.00	\$22,400.00	\$32.00	\$25,600.00
102	4" P/C Sidewalk (Remove and Replace)	4000	S.F.	\$5.00	\$20,000.00	\$6.00	\$24,000.00
103	6" P/C Reinforced Concrete Approach (Remove and Replace)	300	S.F.	\$6.50	\$1,950.00	\$10.00	\$3,000.00
104	Truncated Domes	420	S.F.	\$45.00	\$18,900.00	\$50.00	\$21,000.00
105	Sod	1830	S.F.	\$2.00	\$3,660.00	\$2.00	\$3,660.00
106	Miscellaneous Work	1000	L.S.	\$1.00	\$1,000.00	\$1.00	\$1,000.00
Total Amount Bid Items 101-106					\$67,910.00		\$78,260.00

Schedule Two

Item #	Description of Pay Items	Quantity	Unit	Lapke Construction, LLC		Kuglin Construction	
				Unit Price	Total	Unit Price	Total
201	Horseshoe Inlet Adjustment	1	EA.	500	\$500.00	\$250.00	\$250.00
202	Curb Inlet w/Concrete Apron	7	EA.	\$3,800.00	\$26,600.00	\$2,500.00	\$17,500.00
203a	Storm Drain Pipe 12"PVC	40	L.F.	\$75.00	\$3,000.00	\$65.00	\$2,600.00
203b	Storm Drain Pipe 15"PVC	40	L.F.	\$90.00	\$3,600.00	\$75.00	\$3,000.00
106	Miscellaneous Work	1000	L.S.	\$1.00	\$1,000.00	\$1.00	\$1,000.00
Total Amount Bid Items 101-106					\$34,700.00		\$24,350.00

Total Schedule One & Two

\$102,610.00

\$102,610.00

AGENDA REPORT

DATE September 19, 2006

ITEM: CONTRACT AWARD: MEDICAL TECHNOLOGY PARK, LOT 3, UTILITY AND STREET IMPROVEMENTS, O.F. 1417.1

INITIATED BY: PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION

ACTION REQUESTED: CONSIDER BIDS AND AWARD CONTRACT

PRESENTED BY: JIM REARDEN, PUBLIC WORKS DIRECTOR

MOTION: "I move the City Commission award contracts in the amounts of \$403,635.00 to Shumaker Trucking & Excavating Contractors, Inc. and \$460,850.00 to United Materials of Great Falls, Inc. for the Medical Technology Park, Lot 3, Utility and Street Improvements, O.F. 1417.1, and authorize the City Manager to sign the construction contract documents."

PROJECT TITLE: Medical Technology Park, Lot 3, Utility and Street Improvements, O.F. 1417.1

RECOMMENDED CONTRACTORS: Shumaker Trucking and Excavating Contractors, Inc for Schedule One (utilities work) and United Materials of Great Falls, Inc. for Schedule Two (street work).

CONTRACT AMOUNT:	\$403,635.00	Schedule One
	<u>\$460,850.00</u>	Schedule Two
	\$864,485.00	Total Contracts Amount

ENGINEER'S ESTIMATE:	\$416,515.00	Schedule One
	<u>\$626,925.00</u>	Schedule Two
	\$1,043,440.00	Total Estimated Amount

BUDGETED FUNDS:	Water Fund Loan	\$105,000
	Sewer Fund Loan	\$182,500
	Storm Drain Fund Loan	\$286,250
	Central Garage Fund Loan	<u>\$668,950</u>
		\$1,242,700

START DATE: Projected for October 2006

COMPLETION DATE: June 2007

PENALTY/INCENTIVE TERMS: Liquidated Damages, \$400.00/Day

SYNOPSIS: The Medical Technology Park project will develop a site on the southeast side of Great

Falls to establish a technology park. This project will install improvements for water, sewer, storm drainage and roadway to serve the area.

BACKGROUND: The City has been in contact with several parties interested in locating their business to a portion of City land which was purchased in conjunction with the Centene project. The ten (10) acres has been subdivided into eight (8) parcels along 21st Avenue South.

This project was bid as a “unit bid” contract under two schedules of work. The contracts are being awarded based on the low bid for a specific amount of work in each schedule.

The bid opening was held on September 7, 2006. Five bids were submitted. The bid tabulation summary is attached. Shumaker Trucking and United Materials are the low bidders for Schedules One and Two, respectfully.

City Engineering designed the project and will perform inspection and contract administration duties.

Attachment: Bid Tabulation Summary

MEDICAL TECHNOLOGY PARK, LOT 3, UTILITY AND STREET IMPROVEMENTS, O.F. 1417.1 September 8, 2006

Item #	Description of Pay Items	Qty	Unit	Ed Boland Construction		United Materials		Shumaker Trucking		Kuglin Construction		Falls Construction	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
101A.	Storm Drain Pipe												
a	12" RCP - Class III	405	LF	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$43.00	\$17,415.00	\$0.00	\$0.00
b	15" RCP - Class III	875	LF	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$44.00	\$38,500.00	\$0.00	\$0.00
c	21" RCP - Class III	1760	LF	\$79.00	\$139,040.00	\$0.00	\$0.00	\$0.00	\$0.00	\$59.00	\$103,840.00	\$0.00	\$0.00
101B.	Storm Drain Pipe										\$0.00		\$0.00
a	12" PVC - SDR 35	405	LF	\$62.50	\$25,312.50	\$39.00	\$15,795.00	\$37.40	\$15,147.00	\$0.00	\$0.00	\$58.00	\$23,490.00
b	15" PVC - SDR 35	875	LF	\$67.50	\$59,062.50	\$45.00	\$39,375.00	\$42.40	\$37,100.00	\$0.00	\$0.00	\$69.00	\$60,375.00
c	21" PVC - SDR 35	1020	LF	\$0.00	\$0.00	\$65.00	\$66,300.00	\$61.40	\$62,628.00	\$0.00	\$0.00	\$87.00	\$88,740.00
c	21" RCP - Class III	740	LF	\$0.00	\$0.00	\$58.00	\$42,920.00	\$45.40	\$33,596.00	\$0.00	\$0.00	\$85.00	\$62,900.00
102	Storm Drain Manhole										\$0.00		\$0.00
a	4' Dia.	6	Ea	\$2,000.00	\$12,000.00	\$2,500.00	\$15,000.00	\$3,200.00	\$19,200.00	\$3,000.00	\$18,000.00	\$3,200.00	\$19,200.00
b	5' Dia.	3	Ea	\$3,000.00	\$9,000.00	\$3,000.00	\$9,000.00	\$3,700.00	\$11,100.00	\$3,600.00	\$10,800.00	\$3,950.00	\$11,850.00
c	6' Dia.	1	Ea	\$4,000.00	\$4,000.00	\$3,500.00	\$3,500.00	\$5,600.00	\$5,600.00	\$5,000.00	\$5,000.00	\$4,800.00	\$4,800.00
103	Extra Vertical Feet										\$0.00		\$0.00
a	4' Dia.	6	VF	\$80.00	\$480.00	\$100.00	\$600.00	\$70.00	\$420.00	\$150.00	\$900.00	\$100.00	\$600.00
b	5' Dia.	4	VF	\$160.00	\$640.00	\$180.00	\$720.00	\$150.00	\$600.00	\$300.00	\$1,200.00	\$150.00	\$600.00
104	Curb Inlet w/Concrete Apron	2	EA	\$1,800.00	\$3,600.00	\$2,200.00	\$4,400.00	\$1,700.00	\$3,400.00	\$2,500.00	\$5,000.00	\$2,200.00	\$4,400.00
105	6" Water Main Lowering	1	EA	\$3,000.00	\$3,000.00	\$10,300.00	\$10,300.00	\$5,100.00	\$5,100.00	\$4,065.00	\$4,065.00	\$7,600.00	\$7,600.00
106	Connect to Existing Sanitary Sewer MH	1	EA	\$1,500.00	\$1,500.00	\$750.00	\$750.00	\$525.00	\$525.00	\$3,000.00	\$3,000.00	\$4,000.00	\$4,000.00
107	8" PVC SDR 35 Sanitary Sewer Main	1930	LF	\$66.00	\$127,380.00	\$61.00	\$117,730.00	\$60.00	\$115,800.00	\$46.00	\$88,780.00	\$85.00	\$164,050.00
108	4" PVC SDR 35 Sanitary Sewer Pipe	200	LF	\$45.00	\$9,000.00	\$72.00	\$14,400.00	\$20.00	\$4,000.00	\$42.00	\$8,400.00	\$49.00	\$9,800.00
109	4' Sanitary Sewer Manhole	6	Ea	\$2,600.00	\$15,600.00	\$2,700.00	\$16,200.00	\$3,600.00	\$21,600.00	\$3,000.00	\$18,000.00	\$2,500.00	\$15,000.00
110	Extra Vertical Feet Sanitary Sewer MH	50	VF	\$75.00	\$3,750.00	\$110.00	\$5,500.00	\$70.00	\$3,500.00	\$150.00	\$7,500.00	\$150.00	\$7,500.00
111	6" & 12" Water Main	1130	LF	\$60.00	\$67,800.00	\$29.00	\$32,770.00	\$24.00	\$27,120.00	\$50.00	\$56,500.00	\$23.00	\$25,990.00
112	Connect to Existing Main	1	EA	\$1,200.00	\$1,200.00	\$200.00	\$200.00	\$1,240.00	\$1,240.00	\$1,000.00	\$1,000.00	\$850.00	\$850.00
113	12" Gate Valve	4	EA	\$300.00	\$1,200.00	\$200.00	\$800.00	\$195.00	\$780.00	\$1,000.00	\$4,000.00	\$200.00	\$800.00
114	Fire Hydrant w/Aux. Valve & Box	3	EA	\$1,000.00	\$3,000.00	\$1,800.00	\$5,400.00	\$945.00	\$2,835.00	\$3,000.00	\$9,000.00	\$300.00	\$900.00
115	Ductile Iron Fittings	320	LBS	\$2.00	\$640.00	\$1.15	\$368.00	\$2.20	\$704.00	\$3.00	\$960.00	\$2.00	\$640.00
116	1" Water Service Connection to Main	8	EA	\$200.00	\$1,600.00	\$300.00	\$2,400.00	\$302.00	\$2,416.00	\$300.00	\$2,400.00	\$1,200.00	\$9,600.00
117	1" Type "K" Copper Service Line	180	LF	\$40.00	\$7,200.00	\$30.00	\$5,400.00	\$19.00	\$3,420.00	\$20.00	\$3,600.00	\$32.00	\$5,760.00
118	1" Curb Stop with Box	8	EA	\$200.00	\$1,600.00	\$100.00	\$800.00	\$83.00	\$664.00	\$200.00	\$1,600.00	\$120.00	\$960.00
119	Type II Bedding	50	CY	\$20.00	\$1,000.00	\$25.00	\$1,250.00	\$28.00	\$1,400.00	\$25.00	\$1,250.00	\$20.00	\$1,000.00
120	Crushed Base Course, 1 1/2" Minus										\$0.00		\$0.00
a	12" Depth	300	SY	\$15.00	\$4,500.00	\$25.00	\$7,500.00	\$16.40	\$4,920.00	\$12.00	\$3,600.00	\$12.00	\$3,600.00
b	6" Depth	50	SY	\$10.00	\$500.00	\$30.00	\$1,500.00	\$12.10	\$605.00	\$14.00	\$700.00	\$8.00	\$400.00
121	3" A.C. Pavement Replacement	430	SY	\$22.00	\$9,460.00	\$20.00	\$8,600.00	\$21.50	\$9,245.00	\$17.50	\$7,525.00	\$32.00	\$13,760.00
122	Monument Box	2	EA	\$700.00	\$1,400.00	\$475.00	\$950.00	\$385.00	\$770.00	\$1,000.00	\$2,000.00	\$250.00	\$500.00
123	Seeding	1	LS	\$3,000.00	\$3,000.00	\$10,000.00	\$10,000.00	\$3,200.00	\$3,200.00	\$1,500.00	\$1,500.00	\$3,000.00	\$3,000.00
124	Miscellaneous Work	5000	Unit	\$1.00	\$5,000.00	\$1.00	\$5,000.00	\$1.00	\$5,000.00	\$1.00	\$5,000.00	\$1.00	\$5,000.00
TOTAL AMOUNT BID - SCHEDULE ONE					\$522,465.00		\$445,428.00		\$403,635.00		\$431,035.00		\$557,665.00
201	Connect to Existing S.D. Manhole	1	EA	\$0.00	\$0.00	\$500.00	\$500.00	\$750.00	\$750.00	\$3,000.00	\$3,000.00	\$0.00	\$0.00
202A.	Storm Drain Pipe										\$0.00		\$0.00
a	12" PVC - SDR 35	150	LF	\$0.00	\$0.00	\$40.00	\$6,000.00	\$40.00	\$6,000.00	\$0.00	\$0.00	\$0.00	\$0.00
b	15" PVC - SDR 35	825	LF	\$0.00	\$0.00	\$38.00	\$31,350.00	\$42.00	\$34,650.00	\$0.00	\$0.00	\$0.00	\$0.00
202B.	Storm Drain Pipe										\$0.00		\$0.00
a	12" RCP - Class III	150	LF	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$43.00	\$6,450.00	\$0.00	\$0.00
b	15" RCP - Class III	825	LF	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$44.00	\$36,300.00	\$0.00	\$0.00
203	Storm Drain Manhole										\$0.00		\$0.00
a	4' Dia.	2	Ea	\$0.00	\$0.00	\$2,500.00	\$5,000.00	\$3,700.00	\$7,400.00	\$3,000.00	\$6,000.00	\$0.00	\$0.00
204	Extra Vertical Feet										\$0.00		\$0.00
a	4' Dia.	2	VF	\$0.00	\$0.00	\$100.00	\$200.00	\$70.00	\$140.00	\$150.00	\$300.00	\$0.00	\$0.00
205	Curb Inlet w/Concrete Apron	8	EA	\$0.00	\$0.00	\$1,800.00	\$14,400.00	\$1,600.00	\$12,800.00	\$2,500.00	\$20,000.00	\$0.00	\$0.00
206	Field Inlet	1	EA	\$0.00	\$0.00	\$1,600.00	\$1,600.00	\$1,940.00	\$1,940.00	\$1,500.00	\$1,500.00	\$0.00	\$0.00
207	4" Sanitary Sewer Connection	5	Ea	\$0.00	\$0.00	\$1,100.00	\$5,500.00	\$1,320.00	\$6,600.00	\$300.00	\$1,500.00	\$0.00	\$0.00
208	4" PVC SDR 35 Sanitary Sewer Pipe	100	LF	\$0.00	\$0.00	\$40.00	\$4,000.00	\$35.00	\$3,500.00	\$26.00	\$2,600.00	\$0.00	\$0.00
209	1" Water Service Connection to Main	7	EA	\$0.00	\$0.00	\$800.00	\$5,600.00	\$440.00	\$3,080.00	\$400.00	\$2,800.00	\$0.00	\$0.00
210	1" Type "K" Copper Service Line	300	LF	\$0.00	\$0.00	\$30.00	\$9,000.00	\$30.00	\$9,000.00	\$30.00	\$9,000.00	\$0.00	\$0.00
211	1" Curb Stop with Box	7	EA	\$0.00	\$0.00	\$225.00	\$1,575.00	\$450.00	\$3,150.00	\$400.00	\$2,800.00	\$0.00	\$0.00
212	Type II Bedding	100	CY	\$0.00	\$0.00	\$25.00	\$2,500.00	\$28.00	\$2,800.00	\$24.00	\$2,400.00	\$0.00	\$0.00
213	Street Excavation	2830	LF	\$0.00	\$0.00	\$18.50	\$52,355.00	\$12.00	\$33,960.00	\$22.00	\$62,260.00	\$0.00	\$0.00
214	Crushed Base Course, 1 1/2" Minus										\$0.00		\$0.00
a	12" Depth	11000	SY	\$0.00	\$0.00	\$11.25	\$123,750.00	\$10.50	\$115,500.00	\$13.50	\$148,500.00	\$0.00	\$0.00
215	3" A.C. Pavement	9800	SY	\$0.00	\$0.00	\$10.90	\$106,820.00	\$13.00	\$127,400.00	\$13.00	\$127,400.00	\$0.00	\$0.00
216	Concrete Curb & Gutter	5600	LF	\$0.00	\$0.00	\$12.75	\$71,400.00	\$10.50	\$58,800.00	\$20.00	\$112,000.00	\$0.00	\$0.00
217	4" Concrete Sidewalk	1300	SF	\$0.00	\$0.00	\$5.50	\$7,150.00	\$5.00	\$6,500.00	\$6.00	\$7,800.00	\$0.00	\$0.00
218	Monument Box	7	EA	\$0.00	\$0.00	\$450.00	\$3,150.00	\$150.00	\$1,050.00	\$1,000.00	\$7,000.00	\$0.00	\$0.00
219	Seeding	1	LS	\$0.00	\$0.00	\$1,500.00	\$1,500.00	\$15.00	\$15.00	\$2,500.00	\$2,500.00	\$0.00	\$0.00
220	Miscellaneous Work	7500	Unit	\$0.00	\$0.00	\$1.00	\$7,500.00	\$1.00	\$7,500.00	\$1.00	\$7,500.00	\$0.00	\$0.00
TOTAL AMOUNT BID - SCHEDULE ONE					\$0.00		\$460,850.00		\$442,535.00		\$569,610.00		\$0.00

AGENDA REPORT

DATE September 19, 2006

ITEM: Bid Proposal to Replace the Roof on Fire Station #4

INITIATED BY: RANDY MCCAMLEY, FIRE CHIEF

ACTION REQUESTED: ACCEPT BID PROPOSAL FROM STATEWIDE CONTRACTING INC. (ABC Roofing) TO REPLACE FIRE STATION FOUR'S ROOF

PRESENTED BY: RANDY MCCAMLEY, FIRE CHIEF

RECOMMENDATION:

Staff recommends that the City Commission accept the bid proposal for \$64,000.00 from Statewide Contracting Inc to replace fire station four's roof.

MOTION:

“I move the City Commission accept the bid to have Statewide Contracting Inc. to replace fire station four's roof, (1800 Fox Farm Road) and that the City Manager be authorized to execute the same.”

SYNOPSIS:

A contract shall be established between the City of Great Falls and Statewide Contracting Inc. (contractor) to remove the old dilapidated roof and insulation. The contractor shall replace the insulation and roofing with a new membrane roof. The contractor bid price was \$64,000.00. The only other bidder, McLees Inc was for \$76,550.00. According to the bid there were no changes to specifications or exceptions requested.

BACKGROUND:

Fire Station Four has its original roof that lasted well past its life expectancy which was approximately 35 years. In the last 5 years firefighters and contractors have patched and repaired the roof. According to the testimony of two separate roof repair experts the roof is now beyond repair. Additionally due to water damage the insulation has deteriorated to a point that none existences below the roofing.

The replaced roof comes with a 15 year warranty for materials and installation. The new insulation will provide an R-38 value which will decrease heating and cooling costs for this structure.

Project Scope:

- ❖ Remove old roof and insulation to include asbestos abatement.
- ❖ Install R-38 insulation to deck
- ❖ Apply and seal membrane roof
- ❖ Install new flashings and accessories

- ❖ Seal membrane roof penetrations
- ❖ Replace and repair defaced or disfigured finishes caused by work
- ❖ Provide 15 warranty for materials and installation

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