

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

DATE December 3, 2002

ITEM: Resolution 9260, Assess Property Owners for the Installation of Certain Improvements on James Avenue, O.F. 1182

INITIATED BY: Public Works Department / Engineering Branch

ACTION REQUESTED: Remove from Table and Adopt Resolution 9260

PRESENTED BY: Jim Rearden, Public Works Director

RECOMMENDATION: Staff recommends the City Commission remove Resolution 9260 from the table and adopt Resolution 9260.

MOTION: "I move the City Commission remove Resolution 9260 from the table. I move the City Commission adopt Resolution 9260."

SYNOPSIS: On November 19, 2002, the City Commission conducted a public hearing on the James Avenue property owner assessments. At the meeting Mr. Doug Wolverton questioned the assessment amount on his property. The City Commission tabled the resolution until Mr. Wolverton's questions were answered. Staff has since sent a letter to Mr. Wolverton detailing the costs he was charged for, which included \$1,700 in additional costs for a new water service line which he requested.

BACKGROUND: On November 6, 2002, the City Commission set a November 19, 2002 public hearing date to hear anyone wishing to speak for or against assessing property owners for the improvements. The Public Works Department finalized the property owner costs, which are reflected in Resolution 9260.

On March 19, 2002, the City Commission ordered certain improvements to be installed by the property owners along James Avenue. MCA 7-14-4109 provides for this procedure. The improvements were completed on July 3, 2002. Upon completion of the improvements, each property owner was billed for their proportionate share. Two property owners paid in full their proportionate share. The remaining two property owners elected to have the cost of the improvements placed on their property taxes over a 7 year period with an interest rate of 5.5 percent.

James Avenue is a one block long avenue between 5th and 6th Streets Northwest. It was gravel surfaced without curb and gutter, and with only a short segment of sidewalk in place. The four adjoining residents requested improvements be made, and agreed to participate in the costs. Due to the final cost, some of the property owners asked that their share of the costs and interest be paid over a period of time up to 7 years.

MCA 7-14-4109 requires the city commission to first order this work to be done. Resolution 9196 was adopted on March 19, 2002. From that point, the property owners had 30 days to install the improvements or to work with staff to have the work completed. The property owners elected to have a city retained contractor complete the improvements. It was anticipated the total cost to the property owners would be approximately \$25,000 (\$6,300 per property).

The work was completed on July 3, 2002. The total cost of the project was \$59,303.60. The City paid \$33,416.35 for street grading, base gravel, asphalt pavement, and concrete alley aprons. The remaining \$25,887.25 for curb and gutter, sidewalks, driveways, and sod is to be paid by the adjoining property owners.

The proportionate share for each property owner is:

Mr. and Mrs. Doug Wolverton	2300 5 th Street NW	\$7,423.63
Mr. and Mrs. Harry Keith	2400 5 th Street NW	\$6,270.00
Mr. and Mrs. Robert Butcher	508 James Avenue	\$5,519.67
Mr. and Mrs. Roger Duncan	509 James Avenue	\$6,673.95

Mr. and Mrs. Harry Keith, and Mr. and Mrs. Roger Duncan paid their proportionate shares in full. The other two requested that the cost of the improvements be assessed against their property. Staff is presenting resolution 9260 in order to complete the assessment process.

Attachment: Letter to Mr. & Mrs. Wolverton

November 22, 2002

Mr. & Mrs. Doug Wolverton
2300 5th Street N.W.
Great Falls, MT 59404

Dear Mr. & Mrs. Wolverton:

The original estimate provided to all property owners was prepared on April 8, 2001. You purchased the property and I sent you a letter and the project estimate on September 17, 2001. The letter was based upon rough quantities and estimated prices. The total cost for installation of sidewalk, driveways, curb and gutter was estimated to be \$25,200.00 or \$6,300.00 average per property owner.

The actual cost for the above items in front of your property was \$5,723.63. In addition, during installation of the new higher pressure water main in James Avenue during September of this year, you requested a water service to be installed from the new water main. I informed you that you would be billed for the work involved. The total cost for installation of this water service was \$1,700.00. That was added to the street work for a total cost of \$7,423.63

If you have any questions concerning this project, please let me know. I can be reached by telephone at 771-1258, Ext. 120.

Sincerely,

Jason Handl, P.E.
Senior Engineer
Public Works Department

Cc: Dave Dobbs, City Engineer
Jim Rearden, Public Works Director
John Lawton, City Manager
Peggy Bourne, City Clerk