



**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Resolution 9865, Cost Recovery for Hazardous Sidewalk, North ½ of Lot 7, Block 150 Great Falls 4th Addition (2226 7th Avenue North)

From: Engineering Division

Initiated By: Public Works Department

Presented By: Jim Rearden, Public Works Director

Action Requested: Conduct Public Hearing and Adopt Resolution 9865

Suggested Motion:

1. Commissioner moves:

“I move the City Commission to conduct the public hearing and adopt Resolution 9865, to assess the total charges of \$3,475.28 against the property with interest and penalties on the unpaid balance.

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

Staff Recommendation: Conduct Public Hearing and adopt Resolution 9865.

Background:

Significant Impacts

The City Engineering Office condemned 525 square feet of sidewalk at 2226 7th Avenue North after receiving a complaint about a tripping hazard on June 11, 2008. Great Falls Municipal Code 12.28.120 and Montana Code Annotated, sections 7-14-4109, 7-14-4110, 7-12-4169, and 7-12-4181, authorize the City to condemn sidewalks that become dangerous to public safety. These codes allow for the repair and collection of repair costs from property owners.

Citizen Participation

A letter was sent June 12, 2008 to the property owner condemning the sidewalk. A certified letter was sent on April 21, 2009. That letter came back unclaimed. On September 3, 2009 a “Notice of Public Hearing” scheduled for September 15, 2009 was sent Certified Mail to Antone Ehnes.

Workload Impacts

City engineering staff inspected the sidewalk, issued letters to property owner, contacted three contractors for bids to repair the sidewalk, and inspected the work done by the contractor.

Purpose

The sidewalk was condemned due to severely heaved, cracked, and broken sidewalk that posed a danger to pedestrian traffic.

Project Work Scope

A total of 475 square feet of 4 inch and 50 square feet of 6 inch reinforced sidewalk was removed and replaced.

Evaluation and Selection Process

Three quotes were received to remove and replace the hazardous sidewalk. David Kuglin Construction, M & F Finishing and Lonestar Construction all submitted quotes with Lonestar Construction submitting the low quote of \$2,787.00.

Conclusion

City staff recommends adopting Resolution 9865 for assessing the costs incurred for repair of dangerous sidewalk at 2226 7th Avenue North.

Concurrences:

Not Applicable.

Fiscal Impact

The attached is a list of events and actions staff took to eliminate the hazard, and the costs incurred in making the repairs.

Alternatives:

The City Commission could vote to deny adopting Resolution 9865.

Attachments/Exhibits:

1. Events and actions by staff and list of costs incurred.

The following is a list of events and actions Staff took to eliminate the hazard:

<u>Action</u>	<u>Date</u>
• Initial complaint received by staff	June 11, 2008
• Initial inspection of property	June 11, 2008
• Photographs taken	June 12, 2008
• Initial 30-day repair notice mailed	June 12, 2008
• Talked to Tony Ehnes, who stated that repairs would be made by August 1.	July 21, 2008
• Second notice (certified) sent	April 21, 2009
• Letter came back unclaimed	May 27, 2009
• Placed a call to Tony Ehnes, left message. No return call.	May 27, 2009
• Request for bids	May 27, 2009
• Award bid to lowest bidder	June 1, 2009
• Contractor started repairs	June 3, 2009
• Concrete was vandalized, had to be removed	June 4, 2009
• Final inspection for completion of work	June 11, 2009
• City Commission set Public Hearing for Sept. 15, 2009	September 1, 2009
• Sent Notice of Public Hearing to Mr. Ehnes (certified mail)	September 3, 2009
• Notice of Public Hearing advertised in Tribune	September 6, 2009

The following is a list of costs incurred in making the repairs:

• Removal and Replacement of 475 square feet of 4" Sidewalk and 50 square feet of 6" reinforced Sidewalk	\$ 2,787.00
• Inspector, 6 hours at \$ 45.00 per hour	\$ 270.00
• City Engineer, 2 hours at \$ 90.00 per hour	\$ 180.00
• Administrative, 3 hours at \$ 30.00 per hour	\$ 90.00
• Publishing of Legal Ad (Notice of Public Hearing)	\$ 65.00
• Driveway/Sidewalk Permit	\$ 60.00
• Recording fee, 2 pages at \$ 7.00 each	\$ 14.00
• Certified mail	\$ 9.28
 Total Costs Incurred	 \$ 3,475.28

cc: Coleen Balzarini, Fiscal Services Director
Kelly Audet, Risk Manager
Judy Burg, Fiscal Services Tax/SID