

CITY OF HELENA
REGULAR CITY COMMISSION MEETING
October 31, 2016, 2016
6:00 P.M.

- Time & Place** A regular City Commission meeting was held on Monday, October 31, 2016 at 6:00 p.m., in the Commission Chambers, 316 N. Park Avenue, Helena, Montana.
- Members Present** Mayor Smith indicated for the record that Commissioners Ellison, Haladay, Noonan and Farris-Olsen were present. City Manager Ron Alles, City Attorney Thomas Jodoin and Deputy City Clerk Robyn Brown were present. Others present were Gary Spaeth representing the Helena Citizens Council.
- Pledge of Allegiance** Mayor Smith asked those persons present to please stand and join him in the pledge of allegiance.
- Minutes** The minutes of the regular City Commission meeting of October 17, 2016 were approved as submitted.
- Board Appointment **BOARD APPOINTMENT:**
A. Bill Roberts Golf Advisory Board
- Mayor Smith requested Commission consensus for the following board appointment:
- Bill Roberts Golf Advisory Board - Appointment of Susan Skinner-Bannon and Judy Reddy to the Golf Advisory Board; both are first terms and will begin November 1, 2016 and expire October 31, 2019.
- Commissioner Haladay moved approval of the appointments to the Bill Roberts Golf Course Advisory Board as indicated above.** Commissioner Ellison seconded the motion. All voted aye, motion carried.
- Consent Agenda** **CONSENT AGENDA:**
A. Claims
B. Resolution appointing the Bozeman City Attorney as a special prosecutor in the matter of BB **Res #20314**
- City Manager Ron Alles recommended approval of the claims and the consent agenda.
- Public comment Mayor Smith asked for public comment, none was received.
- Motion** **Commissioner Ellison moved approval of items on the consent agenda.** Commissioner Haladay seconded the motion. All voted aye, motion carried.
- Bid Award** **BID AWARDS:**
A. WASTEWATER UTILITY MAINTENANCE DIVISION- ONE (1)
NEW 2017 TRUCK MOUNTED HYDRAULIC SEWER JET
CLEANER

Staff Report

Wastewater Utility Maintenance Division- one (1) new 2017 truck mounted hydraulic sewer jet cleaner were received and opened on October 5th, 2016 for a new 2017 truck mounted hydraulic sewer jet cleaner for the Wastewater Utility Maintenance Division. After reviewing the bids it was determined the low bid of \$202,816.38, received from Titan Machinery, was an unresponsive bid due to the lack of information regarding the year/make and model of the truck chassis which was left out of the bid.

The next lowest responsible bidder was Utility Specialties, Inc., with a bid submittal of \$211,978.00 for a 2017 Freightliner cab and chassis with an 800 HPR Series II sewer jet. The analysis of this bid indicates the submitted item meets specifications and is a reasonable bid. This bid is also lower than the second responsive bid, a 2017 Peterbilt with an 800 HPR sewer jet, with a bid price of \$226,355.00. The recommended bid is within and will not exceed the FY17 Wastewater Utility/ Storm Water Division budget appropriation of \$238,640.00.

Staff recommends the purchase of the 2017 Freightliner/800 HPR sewer jet for the bid price of \$211,978.00. This piece of equipment will replace a 2001 Freightliner sewer jet (Unit #457) and will allow the Wastewater Utility Maintenance Division to continue regular maintenance operations with reliable equipment, thus reducing maintenance costs.

Superintendent Hart announced the vehicle being proposed for purchase is bio-diesel capable; meaning it can operate at one-third less diesel and provide the same amount of power, ultimately providing for energy savings for the Utility Maintenance Division.

He also reported while the bid specs and some of the submissions contained trade-in values for the existing sewer jet; staff is recommending this purchase without trading in the old unit, as they are confident they can attain more value for the vehicle and equipment by selling it outright.

Motion

Commissioner Haladay moved approval to award the bid to Utility Specialties, Inc. for one (1) new 2017 Freightliner/800 HPR sewer jet in the amount of \$211,978.00 for the Wastewater Utility Maintenance Division and authorizing the City Manager to sign the necessary Purchase Agreements. Commissioner Noonan seconded the motion. All voted aye, motion carried.

- B. SOLID WASTE DIVISION- FOUR (4) NEW 2017 TANDEM AXLE, TILT CAB, 66,000 G.V.W. CHASSIS WITH FOUR (4) NEW 2017 40 CUBIC YARD FRONT-LOADING REFUSE COMPACTOR BODIES

Staff Report

Solid Waste Supervisor Jim Lang reported nine bids were received and opened for four (4) new 2017 tandem axle, tilt cab, 66,000 G.V.W. chassis with four (4) new 2017 40 cubic yard front loading refuse compactor bodies. This equipment will replace unit #208, a 2003 Sterling/Condor front loading refuse truck, and units #221, 222 and 223, all 2009 Peterbilt/New Way front loading refuse trucks. All are scheduled replacements. After reviewing the bids (summary attached) it was determined that the 2017 AutoCar ACX64 with the Labrie/Wittke body from Jack's Truck & Equipment was the only vehicle that met every criteria of the bid specifications for the chassis and packer body. A comparison spreadsheet is attached showing the results of the bid spec criteria indicating the spec items met/not met by the various vendors.

The AutoCar- Labrie/Wittke is not the lowest bid, however, is mid-range of all submitted bids. The Solid Waste Division currently operates four AutoCar/Heil side loader trucks and accepting this bid would standardize the fleet with little to no need for training on maintenance and repairs. Interchangeable parts and diagnostic equipment is already in place. The equipment has a proven reliability with less down time for repairs and an excellent resale value. We did not offer our current front loaders for trade-in value as we will receive a much better price by selling the vehicles through a surplus sale process. The bid from Jack's Truck & Equipment meets specification and is considered a reasonable bid. These units would cost less in maintenance and provide long term durability with better safety, service and reliability. The bid price per unit of \$255,522.00 is under the FY17 budgeted amount of \$310,250.00 per unit.

Supervisor Lang recommended approval of the purchases at a total bid price of \$1,022,088.00. This purchase will allow the Solid Waste Division to continue to provide refuse collection operations with reliable equipment and reduced maintenance costs with an emphasis on safety for employees. Additionally, AutoCar ACX64 will run on bio-diesel fuel. Therefore, if and when Helena is the recipient of such a fuel station we will be equipped to operate with alternative fuel.

Discussion

Commissioner Ellison commented on the large expense the Commission is approving via award of this bid. However, he pointed out the budget for these trucks was \$1.24 million; the bids came in almost \$250,000 less. He thanked staff for continually researching all options in order to save the City money.

Motion

Commissioner Ellison moved approval to award the bid for four (4) new 2017 AutoCar with Labrie / Wittke bodies front loading refuse trucks for the City Solid Waste Division to Jack's Truck & Equipment in the amount of \$1,022,088.00. Commissioner Farris-Olsen seconded the motion. All voted aye, motion carried.

C. CANNON STREET SEWER MAIN EXTENSION (LOCATED IN THE AMES ADDITION)

Staff Report

City Engineer Ryan Leland reported presently, the 2200 Block of Cannon Street has residents with on-site wastewater treatment consisting of individual septic drain fields. The area consists of 17 serviceable lots of which at least one lot has a failing septic system. The project is aimed at providing sewer stubs to each serviceable lot on the 2200 block of Cannon Street to mitigate failing septic systems. The project area has City water main located in Cannon Street and 16 of the 17 residents are on City of Helena water service. The system was designed to service both north and south residents located on Cannon Street by gravity sewer main running west to the existing manhole located adjacent to Kessler School.

The City received 9 bids for the project; the the apparent low bidder for both schedules of the project was Bullock Contracting, LLC, of Boulder, Montana with a quote of \$103,217.30 for Schedule 1 and \$51,986.75 for Schedule 2, resulting in a total bid of \$155,204.05.

The costs for this project are to be paid for by the City of Helena out of the Capital Budget and a reimbursement schedule will be set up in order to recuperate the costs of the project as residents hook up to

sewer and finally annexed into the City of Helena.

Engineer Leland explained extension of sewer main in the project area mitigates the public health concern of failed septic systems by providing infrastructure to hook up to in the case of failure. The project will mitigate one failing septic system in the project area and prevent the potential for further ground contamination. Overall this project promotes public health and provides a feasible solution in the case of at least one existing failed septic system. Engineer Leland recommended approval of the bid award as presented.

Public comment

Mayor Smith asked for public comment.

Steve Merrell, applicant; urged the Commission vote in support of the bid award and discussed the significant measures he has undertaken over the past year to keep his failing septic system just barely operating.

Discussion

Commissioner Haladay asked how many of the 17 properties in the project area are already annexed into the City. Engineer Leland indicated none of the Lots are currently located within the City limits; however, this neighborhood is located in Phase II of the Westside Annexation Project. Manager Alles added Planning staff is currently working on the annexation proposal for the area identified as Phase II.

Motion

Commissioner Noonan moved to award Schedule 1 and Schedule 2 of Cannon Street Sewer Main Extension- Ames Addition to the lowest responsible bidder, Bullock Contracting, LLC, in the amount of \$155,204.05. Commissioner Ellison seconded the motion. All voted aye, motion carried.

Communications

COMMUNICATIONS/PROPOSALS FROM COMMISSIONERS

Commissioner Ellison announced he had attended a ceremony on October 26th recognizing Helena Police Department (HPD) Officer McLean Peterson as Officer of the Year; awarded by the Helena Domestic Violence and Sexual Assault Working Group and The Friendship Center. He commended Officer Peterson for his abilities in assisting victims of such traumatic and emotional crimes.

Melinda Reed, Friendship Center Executive Director; expressed appreciation to Officer Peterson for his exceptional work.

Officer Peterson spoke to the terrible nature of such crimes and expressed appreciation for the award.

Mayor Smith concurred with the comments given regarding Officer Peterson and thanked him for his service.

Commissioner Ellison noted the additional Helena-area officers nominated were: HPD Officers Buck Herron, Don Skidmore and John Kaleczyc and Lewis & Clark County Sheriff's Office (LCSO) Officers Greg Homlund, Michael "Andy" Haegele and Don McCarthy.

Report of the City Attorney

REPORT OF THE CITY ATTORNEY

Attorney Jodoin updated the Commission regarding the ongoing case *Temple v. City of Helena*. Mr. Temple sued the City under accusation of civil rights violations when former HPD Officer Pete Callahan was forced to discharge his weapon at Mr. Temple as he drove a vehicle directly towards him during an attempted arrest for a probation/parole violation. Last week, the City's motion for summary

judgement was granted and Attorney Jodoin thanked those involved in defending the City.

Attorney Jodoin briefly discussed the addition of another complaint against the City for alleged misconduct by former HPD officer Matt Thompson.

***Report of the City
Manager***

REPORT OF THE CITY MANAGER

Manger Alles commended the Water Utility Division for their quick response to a water main break on Airport Road.

***Report from the
Helena Citizens
Council***

REPORT FROM THE HELENA CITIZENS COUNCIL

HCC member Gary Spaeth provided an overview of the Council's current activities, including forthcoming reports by several fact-finding teams to include the railroad quiet zone and distracted driving.

***Public
Communications***

PUBLIC COMMUNICATIONS

Enrique Victorrero, 1606 Harris Court; discussed an ongoing disagreement with the City related to a downed fence on his newly purchased property. The reason the fence was required to be taken down is due to it encroaching on City open lands/park property. Manager Alles outlined the Commission's options to rectify the situation and brief discussion was held.

***Meetings of
Interest***

MEETINGS OF INTEREST

The next Administrative Meeting is November 9, 2016 and the next Commission Meeting is November 14, 2016.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 6:52 p.m.

/S/ JAMES E. SMITH
Mayor

ATTEST:

/S/ DEBBIE HAVENS
Clerk of the Commission