

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 20489

A RESOLUTION ESTABLISHING A COST REIMBURSEMENT PROGRAM FOR WATER AND WASTEWATER INFRASTRUCTURE INSTALLED BY THE CITY OF HELENA PURSUANT TO CITY PROJECT NO. 14-11

WHEREAS, the City has installed water and wastewater mains and appurtenant facilities, in Granite Avenue, Flowerree Street, and Hauser Boulevard, as shown in engineering plan documents for City Project No. 14-11, which area is currently outside the existing city limits;

WHEREAS, the water and wastewater main extensions and appurtenant facilities installation in Granite Avenue, Flowerree Street, and Hauser Boulevard will benefit properties that have not petitioned to annex into the City of Helena;

WHEREAS, pursuant to Resolution No. 20164, the methodology to determine reimbursement costs for water and wastewater infrastructure installed by the City outside the city limits for which each property owner is responsible, the proposed repayment mechanism, and repayment time frame are to be determined by the City Commission on a project-by-project basis;

WHEREAS, the City desires to establish a program to recoup the costs of the design and installation of the above described

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water and wastewater mains and appurtenant facilities that will benefit the property owners in the area;

WHEREAS, the City desires to establish a mechanism and methodology to calculate the proportional amount property owners adjacent to the above-mentioned water and wastewater mains must pay when they petition for annexation and ultimately connect to the water and wastewater mains;

WHEREAS, the City desires the reimbursement program to encourage and provide an incentive for connection to the City-installed water and wastewater mains; and

WHEREAS, it appears to be in the best interests of the City of Helena and the inhabitants thereof that the City Commission establish a cost reimbursement program for the water and wastewater infrastructure that the City has designed and installed in Granite Avenue, Flowerree Street, and Hauser Boulevard, pursuant to Project No. 14-11, which is currently outside the corporate limits of the City of Helena.

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

Section 1. The Helena City Commission hereby establishes a cost reimbursement program for owners of property

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shown on Exhibit "A" who connect to the water and wastewater infrastructure installed by the City in Granite Avenue, Flowerree Street, and Hauser Boulevard, pursuant to Project No. 14-11.

Section 2. Each owner of property listed on Exhibit "A" is responsible for said owner's proportional share of the cost of the design and installation of the water infrastructure before connecting to the water mains installed by the City. The reimbursement cost that each property owner adjacent to a water main must pay upon connection is determined by dividing the total cost of the design and installation of the water portion of Project No. 14-11 by the total square footage of the private property land area served by the newly installed water infrastructure, and multiplying that cost per square foot by the square footage of each property proposed to be connected to and served by the water infrastructure.

Section 3. Each owner of property listed on Exhibit "A" is responsible for said owner's proportional share of the cost of the design and installation of the wastewater infrastructure before connecting to the wastewater mains installed by the City. The reimbursement cost that each property owner adjacent to a

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wastewater main must pay upon connection is determined by dividing the total cost of the design and installation of the wastewater portion of Project No. 14-11 by the total square footage of the private property land area served by the newly installed wastewater infrastructure, and multiplying that cost per square foot by the square footage of each property proposed to be connected to and served by the wastewater infrastructure.

Section 4. For property currently developed with an occupied structure that connects to the City-installed water or wastewater infrastructure adjacent to the property within five (5) years of the date of passage of this resolution, the reimbursement cost may be paid to the City by the property owners in full at the time of initial connection to the City's water or wastewater infrastructure, or by assessment of the property and paid by semi-annual installments on the property owners' property tax bill, amortized at zero percent (0%) interest over a twenty (20) year period.

Section 5. For property currently developed with an occupied structure that connects to the City-installed water or wastewater main adjacent to the property more than five (5) years after the date of passage of this resolution, or for

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property that is not currently developed with an occupied structure, the reimbursement cost must be paid in full at the time of initial connection to the City's water or wastewater infrastructure.

Section 6. If the reimbursement amount is amortized, assessed, and repaid through the property owners' property tax bill, the owners are subject to the penalties and interest allowed by §15-16-102, MCA, should such payment be delinquent.

Section 7. If a property is sold or transferred, any outstanding balance of the reimbursement amount still owing must be paid in full. Property owners connecting to the City's water or wastewater infrastructure agree to sign required documentation that will be recorded and run with the property and are needed to ensure the payment of the full remaining reimbursement amount.

Section 8. Any property owner whose property is not currently connected to either the City's water or wastewater system must connect to both systems when choosing to connect.

Section 9. Prior to connection to the City's water and wastewater systems, each property owner must either petition for

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or waive the right to protest annexation by the City and agree to annexation conditions as set by the Helena City Commission.

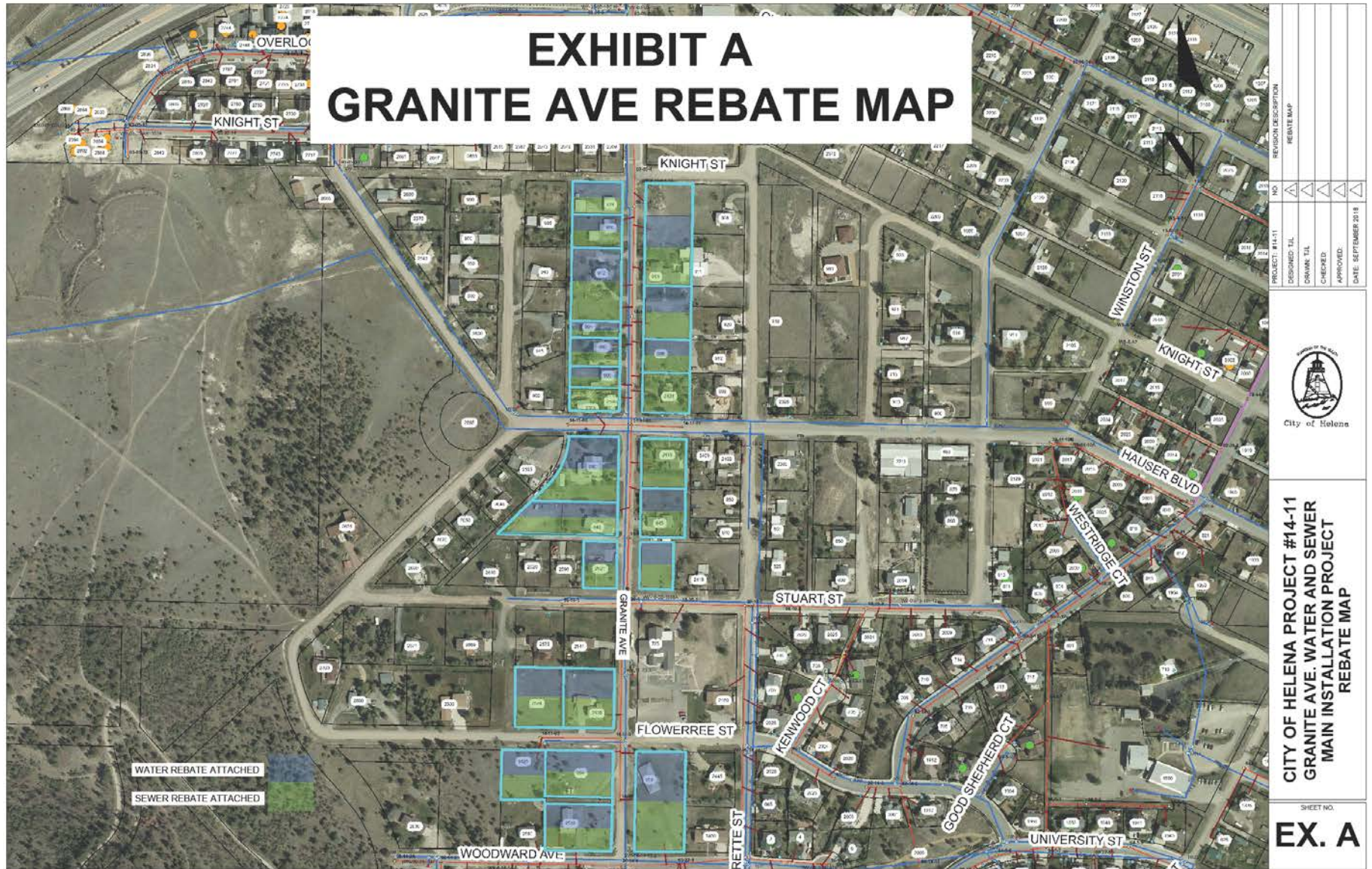
PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 10TH DAY OF SEPTEMBER, 2018.

/S/ WILMOT J. COLLINS
MAYOR

ATTEST:

/S/ DEBBIE HAVENS
CLERK OF THE COMMISSION

RESOLUTIONS OF THE CITY OF HELENA, MONTANA



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EXHIBIT A GRANITE AVENUE MAIN EXTENSIONS REBATE DATA CITY PROJECT #14-11

| | SiteAddr | Ownrnm | Geocode | LegalDesc | Assessment Code | Total Acres | Square Footage | Rebate Cost Sewer | Rebate Cost Water | Total For both Water and Sewer |
|---------|---|----------------------------------|------------------|--|---------------------------------|-------------|----------------|-------------------|-------------------|--------------------------------|
| 1 | 635 GRANITE AVE | MAKO JOHN C & SUSAN J | 5188726217010000 | HIGHLAND PARK, S26, T10 N, R04 W, BLOCK 12, W2 AKA PARCEL A COS #280510 | 24388 | 0.515 | 22,433.40 | \$12,218.24 | \$14,737.28 | \$26,955.52 |
| 2 | VACANT LOT SOUTH OF 635 GRANITE AVE | MAKO JOHN C & SUSAN J | 5188726217020000 | HIGHLAND PARK, S26, T10 N, R04 W, BLOCK 12, PARCEL A-2 COS #33322/6 | 47353 | 0.515 | 22,433.40 | \$12,218.24 | \$14,737.28 | \$26,955.52 |
| 3 | 684 GRANITE AVE | SEDLIZKY LEON & KRISTINE L | 5188726216050000 | HIGHLAND PARK, S26, T10 N, R04 W, BLOCK 11, Lot 8, AMENDED COS # 3048863 | 24858 | 0.643 | 28,009.08 | \$15,255.01 | \$18,400.13 | \$33,655.14 |
| 4 | 840 GRANITE AVE | MCLUCAS VICTORIA A | 5188723004150000 | BELLEVUE ADDN, S23, T10 N, R04 W, BLOCK 306, Lot 9 - 10, MAKE NASHUA, MODEL CASTLEWOOD, 26980 3990 | 8720 | 0.709 | 30,884.04 | \$16,820.84 | \$20,288.80 | \$37,109.64 |
| 5 | 845 GRANITE AVE | COLEMAN EDWARD L & AUTUMN F | 5188723005030000 | BELLEVUE ADDN, S23, T10 N, R04 W, BLOCK 305, Lot 16 - 18 | 8867 | 0.447 | 19,471.32 | \$10,604.96 | \$12,791.36 | \$23,396.34 |
| 6 | 890 GRANITE AVE | SNYDER BRADLEY & ERIN S | 5188723004110000 | BELLEVUE ADDN, S23, T10 N, R04 W, BLOCK 306, Lot 11 - 14 | 8719 | 0.839 | 36,546.84 | \$19,905.06 | \$24,008.89 | \$43,913.94 |
| 7 | 900 GRANITE AVE | ESPOSITO DEBBIE | 5188723008130000 | BELLEVUE ADDN, S23, T10 N, R04 W, BLOCK 311, LT 2, S2 LT 3 COS #283163 | 8807 | 0.255 | 11,107.80 | \$6,049.81 | \$7,297.10 | \$13,346.91 |
| 8 | 902 GRANITE AVE | REYNOLDS TONY D & LARISSA K | 5188723008270000 | BELLEVUE ADDN, S23, T10 N, R04 W, BLOCK 311, N 30' LT 3, LT 4 | 8558 | 0.296 | 12,893.76 | \$7,022.52 | \$8,470.36 | \$15,492.88 |
| 9 | 904 GRANITE AVE | LUFFRING ROBERT F & ANDREW N | 5188723008250000 | BELLEVUE ADDN, S23, T10 N, R04 W, BLOCK 311, Lot 5 | 8198 | 0.172 | 7,492.32 | \$4,080.66 | \$4,921.96 | \$8,002.62 |
| 10 | 909 GRANITE AVE | KERVUJET JOE | 5188723009030000 | BELLEVUE ADDN, S23, T10 N, R04 W, BLOCK 312, Lot 23 - 24, & 1/2 CLOSED ALLEY | 8132 | 0.325 | 14,157.00 | \$7,710.54 | \$9,300.22 | \$17,010.77 |
| 11 | 912 GRANITE AVE | LLOYD ROGER & MIHO | 5188723008210000 | BELLEVUE ADDN, S23, T10 N, R04 W, BLOCK 311, Lot 6 - 9, CLSD 20' ALLEY | 8775 | 0.758 | 33,018.48 | \$17,883.36 | \$21,690.98 | \$39,574.34 |
| 12 | 913 GRANITE AVE | NICHOLS DANIEL J & COLLEEN L | 5188723009080000 | BELLEVUE ADDN, S23, T10 N, R04 W, BLOCK 312, Lot 16-19, & 1/2 CLSD ALLEY | 8992 | 0.683 | 29,751.48 | \$16,204.00 | \$19,544.78 | \$35,748.78 |
| 13 | VACANT LOT SOUTH OF 913 GRANITE ST | NICHOLS DANIEL J & COLLEEN L | 5188723009090000 | BELLEVUE ADDN, S23, T10 N, R04 W, BLOCK 312, Lot 20 - 22, & 1/2 CLOSED ALLEY | 30589 | 0.52 | 22,651.20 | \$12,336.87 | \$14,880.36 | \$27,217.22 |
| 14 | 920 GRANITE AVE | EIDEM BRIUNI L & BRIDGE THOMAS G | 5188723008190000 | BELLEVUE ADDN, S23, T10 N, R04 W, BLOCK 311, Lot 10 - 11 | 8155 | 0.344 | 14,984.64 | \$8,161.31 | \$9,843.93 | \$18,005.24 |
| 15 | 928 GRANITE AVE | DAINES TERRY | 5188723008190000 | BELLEVUE ADDN, S23, T10 N, R04 W, BLOCK 311, Lot 12 - 13 | 8728 | 0.34 | 14,810.40 | \$8,066.41 | \$9,729.46 | \$17,795.88 |
| 16 | 2415 HAUSER BLVD | MORAN JOHN J & SHARRON K | 5188723005050000 | BELLEVUE ADDN, S23, T10 N, R04 W, BLOCK 305, Lot 13 - 15, COS #600491/7 | 8886 | 0.66 | 29,097.60 | \$10,913.38 | No Water Rebate | \$10,913.38 |
| 17 | 2424 HAUSER BLVD | MACLAURIN TERRY | 5188723009010000 | BELLEVUE ADDN, S23, T10 N, R04 W, BLOCK 312, Lot 25 - 26, & 1/2 CLOSED ALLEY | 8462 | 0.39 | 16,988.40 | \$9,252.65 | No Water Rebate | \$9,252.65 |
| 18 | 2500 HAUSER BLVD | CATAN ENTERPRISES LLC | 5188723008330000 | BELLEVUE ADDN, S23, T10 N, R04 W, BLOCK 311, Lot 1 | 8389 | 0.207 | 9,016.92 | \$4,911.02 | No Water Rebate | \$4,911.02 |
| 19 | 2510 WOODWARD AVE | SEDLIZKY LEON & KRISTINE L | 5188726216020000 | HIGHLAND PARK, S26, T10 N, R04 W, BLOCK 11, Lot C, AMENDED COS #3048863 | 8723 | 0.642 | 27,945.52 | \$15,231.29 | \$18,371.52 | \$33,602.80 |
| 20 | 2520 FLOWERREE ST | MALESH MARK & THERESA | 5188726222020000 | HIGHLAND PARK, S26, T10 N, R04 W, BLOCK 2, Lot 3, COS #309151 | 19612 | 0.58 | 25,264.80 | \$13,780.35 | \$16,597.32 | \$30,357.67 |
| 21 | 2524 FLOWERREE ST | ALLEN JEFFREY L & ANDRA LYNN | 5188726222010000 | HIGHLAND PARK, S26, T10 N, R04 W, BLOCK 2, Lot 4, COS #309151 | 19613 | 0.58 | 25,264.80 | \$13,780.35 | \$16,597.32 | \$30,357.67 |
| 22 | 2525 FLOWERREE ST | LINDA CROFTS | 5188726216070000 | HIGHLAND PARK, S26, T10 N, R04 W, BLOCK 11, Lot A, AMENDED COS #3048863 | 24855 | 0.556 | 24,219.36 | \$13,190.96 | \$15,910.54 | \$29,101.49 |
| 23 | 2520 STUART ST | ROUSE COURTNEY | 5188723004170000 | BELLEVUE ADDN, S23, T10 N, R04 W, BLOCK 306, Lot 7 - 8 | 9085 | 0.321 | 13,942.76 | \$7,615.64 | \$9,185.76 | \$16,801.40 |
| 24 | VACANT LOT CORNER OF STUART AND GRANITE | COLEMAN EDWARD L & AUTUMN F | 5188723005020000 | BELLEVUE ADDN, S23, T10 N, R04 W, BLOCK 305, Lot 1 - 2 | 27571 | 0.321 | 13,942.76 | \$7,615.64 | \$9,185.76 | \$16,801.40 |
| Totals: | | | | | Square Footage for Sewer Rebate | | 497,368.08 | \$270,889.12 | \$296,491.13 | \$567,380.25 |
| | | | | | Square Footage for Water Rebate | | 451,325.16 | | | |

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