



**Journal of Commission Work Session  
2 Park Drive South, Great Falls, MT  
Civic Center Gibson Room 212  
December 5, 2017**

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**1. Call to Order - 5:30 p.m.**

**CITY COMMISSION MEMBERS PRESENT:** Bob Kelly, Bill Bronson, Tracy Houck, Fred Burow and Bob Jones.

**STAFF PRESENT:** City Manager Greg Doyon and Deputy City Manager Chuck Anderson; City Attorney Sara Sexe and Assistant City Attorney Joe Cik; Finance Director Melissa Kinzler; Park and Recreation Director Steve Herrig and Park and Recreation Deputy Director Patty Rearden; Park and Recreation Trails Coordinator Steffen Janikula; Municipal Court Judge Steve Bolstad; Police Chief Dave Bowen; Fire Chief Steve Hester and Deputy City Clerk Darcy Dea.

**2. Public Comment.**

None.

**3. Rivers Edge Trail Update - Patty Rearden, Bruce Pollington and Steffen Janikula.**

Park and Recreation Deputy Director Patty Rearden, Trails Board member Bruce Pollington, and Trails Coordinator Steffen Janikula reviewed and discussed the attached PowerPoint presentation that included the River's Edge Trail Partnership; Budget, and the Foundation.

Mayor Kelly thanked the Park and Recreation, Trails Foundation, and board members for being a great example of a public private partnership.

**4. Opioid Litigation Presentation - Jeffrey Simon and Stuart Purdy.**

Attorney Ben Snipes, with the law firm of Kovacich Snipes, PC, reported that opioid use is a significant nationwide problem that is affecting the City. He reported that opioid overdose is the second leading cause of death in Montana.

Attorney Stuart Purdy discussed a PowerPoint presentation including the opioid epidemic, as well as the costs associated with the opioid epidemic. Mr. Purdy explained that his law firm, Simon Greenstone Panatier Bartlett, PC, represents 25 counties in Texas, is working on counties in California, and has filed a complaint on behalf of Cascade County. He reported that his law firm has partnered with other firms in Montana in order to bring the litigation to Montana.

Mr. Purdy explained that his firm would need to prove what the damages and

cost are to the City caused by the opioid epidemic which would be established through the City's budget. He explained that if the litigation is successful, the City could use the money to provide Narcan to the Police and Fire Departments, as well as for educational programs. Mr. Purdy further explained that the litigation would be on a contingency basis, and that there would be no cost upfront to begin litigation.

Mayor Kelly received clarification that the municipal effect to the City has yet to be determined since staff needs direction from the Commission with regard to entering into the litigation. He further received clarification that the City could withdraw from the litigation at any time.

City Attorney Sara Sexe reported that over the past 6 months, the City has been working with the Police Department with regard to having Narcan available to police officers. She expressed concern with regard to the amount of staff time that would be utilized if the City participates in this type of litigation.

Judge Bolstad reported that the Court sees crimes that are fueled by prescription drug use, and that it is a huge problem. He expressed support with regard to exploring the litigation, unless it becomes a burden to staff.

Commissioner Bronson commented that opioid use is a problem in the City, and that the litigation would be a good case worth pursuing. Referring to the tobacco litigation, Commissioner Bronson reported that state governments joined that litigation, but not as many local governments. The local governments did not benefit as much unless they were direct participants in the litigation. Commissioner Bronson commented that if the City were to benefit from the litigation, money could be put to good use. He concluded that everything would be based on the type of contingency fee agreement that would be reached.

Commissioners Jones and Burow commented that since they will be leaving office, the possibility of entering into the litigation should be brought in front of the new duly elected Commissioners after the first of the year.

Police Chief Bowen commented that pursuing the opioid litigation is a "principle of the matter" with regard to the City making a statement.

Fire Chief Hester reported that the Fire Department assists the Police Department with regard to calls that are directly related to opioid use.

Commissioner Houck concurred with the previous speakers that a statement needs to be made, and further commented that there could potentially be an opportunity for the City to receive money that could be used locally. She received clarification that the manufacturers of the drugs would be the primary defendants involved in the litigation.

Commissioner Burow received clarification that the litigation is based on a contingency fee for each City that would be involved, and the normal contingency fee basis has been approximately 33 percent. Commissioner Burow further

received clarification that the cost of Narcan is between \$50 to \$80 a pack depending on each city. He expressed concern with regard to the amount of time that would be spent by City staff.

City Attorney Sexe explained that the next step would be a decision from the Commission whether there would be an interest in entering into this type of litigation. A contract could be entered into at anytime and there has been preliminary discussion with the attorneys with regard to a contingent fee agreement.

Mayor Kelly expressed concern that entering into the litigation would be a policy decision, and further commented that at this point the risk profile from a fiscal standpoint is acceptable.

City Manager Greg Doyon expressed concern with regard to physicians' awareness of the opioid problem over the past several years. He requested that before bringing the issue back to the Commission, the departments that have been affected by opioids need to provide a staff report that identifies how the opioid problem is impacting the community, as well as how funds would be used as a community if there was a settlement.

#### **5. Discussion of Potential Upcoming Work Session Topics.**

City Manager Greg Doyon reported that the next work session will consist of a Swearing In Ceremony, and a Meet and Greet with newly elected officials on December 19. The Library Annual Report, as well as a Vigilant Guard Exercise update will be on January 2. The Downtown Development Partnership update will be on January 16. Future pending topics will include the Park Maintenance District and Title 3 Code Review. He concluded that the additional information with regard to regional golf charges were provided to the Commission.

Mayor Kelly added that there would be a farewell celebration for the services of Commissioners Jones and Burow on December 19. No one added any topics.

#### **6. Adjourn.**

There being no further discussion, Mayor Kelly adjourned the informal work session of December 5, 2017, at 6:45 p.m.

## River's Edge Trail Partnership



City Commission  
Work Session  
Tuesday, December 5, 2017

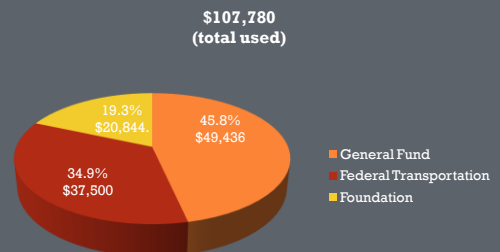
## River's Edge Trail Partnership

- Since 1990, River's Edge Trail Foundation has worked in partnership with the City to develop and extend River's Edge Trail.
  - The Foundation has been the primary fundraiser for the Trail and has been involved with construction projects, improvements and routine maintenance of the Trail.
  - Parks staff has been responsible for mowing, plowing, and rest room maintenance.
- Currently 53 miles of trails (21 paved)
- The Trail is one of the top amenities in GF, enjoyed by the community and promoted heavily by Great Falls Montana Tourism and featured by businesses and corporations in their recruiting efforts and retaining staff.

## River's Edge Trail Partnership

- In 2015, the City determined the need to take a more active role in the management and maintenance of the Trail.
- The City hired a Trails Coordinator in February of 2016 and began working on an agreement with the Foundation defining responsibilities.
  - The agreement was approved by the City Commission on September 5, 2017.
  - Funding for Trails Coordinator and operations cost: general fund, Federal Transportation planning funds, and contributions from Foundation.

## 2016-2017 Trails Budget



## River's Edge Trail Partnership

- City's responsibilities
  - All trail maintenance and snow removal
  - Determine art pieces and location
    - Work with Foundation to address vandalism and maintenance
  - Manage volunteers
  - Hire Trail Coordinator and additional staff based on need and funding
  - Execute all contracts for work on the Trail
  - Provide liability insurance

## River's Edge Trail Partnership

- Foundation's Obligations
  - Fundraiser for future costs of trail including improvements, potential expansion, maintenance and possible reimbursement of labor.
  - Make recommendations for appropriate use of funds
  - Make recommendations on needs for the Trail, potential art work and on-going maintenance and improvements
- The relationship between the City and the Foundation has always worked very well and the recent changes have provided an excellent frame work to maintain and improve one of the City's best assets.

## River's Edge Trail Foundation

- 26 years of Trail Progress
  - First trail section: 1991
  - Today: 53 miles of Trails on North and South shores
  - Trails Working Group established
  - Increased emphasis on maintenance, connectivity and art.



## River's Edge Trail Foundation

- Trails Working Group Members
  - City: Planning, Parks and Rec, Engineering and other Departments as needed
  - American Public Land Exchange/Pinnacle Research
  - Montana DOT
  - Montana FWP
  - Trail Foundation



## River's Edge Trail Foundation

- Some recently completed projects
  - Sun River Connector
  - West Bank asphalt replacement (phase I & II)
  - Additional single track trails and safety shelter
  - Oddfellows Park trail replacement
  - Giant Springs loop
  - Trail Art



## River's Edge Trail Foundation

- Future Projects
  - Overlook Drive
  - Gibson Park entrance upgrade
  - West Bank Park ADA sidewalk
  - West Bank Park asphalt replacement phase III
  - Calumet area river bank slumping
  - River Drive South underpass
  - ARCO Smelter site North Shore Trail
  - Historic Tenth Street Bridge

## River's Edge Trail Foundation

- City/Foundation Relationship
  - First years mostly construction
  - Trail Maintenance Plan and Trail Manager
  - Emphasis on safety and access
  - Transition of Foundation
    - Project development
    - Greater emphasis on fund raising



## River's Edge Trail Foundation

- Foundation Transition  
(Questions the Foundation must address)
  - What do we need to change in our board structure, membership and operations?
  - Is it time for us to hire a Development Officer?
    - How do we make that work effectively in the short and long term?
    - What should be our short and long term goals?

## River's Edge Trail Foundation

- Strengthening the relationship
  - MOU/Agreement formalizes 26 years
  - Grant application partnerships
  - Mutual goals
    - Improve public safety, connectivity and recreation
    - Grow the Trail from a community feature to a recreation destination
    - Ensure that all trail assets are properly maintained
    - Continue to augment local tax dollars with donations and grant funds

## Thank You for Creating the Trails Coordinator Position

- First Project with River's Edge Trail Foundation
  - Re-installing of the "Rain Boffalo" and landscape beautification around the sculpture
- This project is one example of our strong partnership



## Tyrannosaurus Rex Overlooking the City from Warden Park

Created in partnership with Anderson Steel, Foundation Board member Kelly Aline, and Park & Rec



## Routine Maintenance

- Foundation reimburses wages for seasonal labor
  - 6 month position
- Foundation makes recommendations on maintenance
  - They are the eyes on the trail
- Trails Coordinator prioritizes and executes all trail maintenance
  - Maintenance Plan

## Parks Staff help with

- Winter plowing
- Restroom maintenance
- Mowing



## Other Projects

West Bank Park



## Other Projects



South Shore Shelter



New South Shore Single Track

## Looking to the Future

### Continued River's Edge Trail Excellence

- Sustainable Trail System
- Grant Collaboration
- Project Development
- Art Installations
- Advocacy



## River's Edge Trail Foundation



Thanks for your ongoing support of  
**Rivers Edge Trail**