

JOURNAL OF COMMISSION WORK SESSION

May 16, 2023

Amended

City Commission Work Session
Civic Center, Gibson Room 212

Mayor Kelly presiding

CALL TO ORDER: 5:30 PM

CITY COMMISSION MEMBERS PRESENT: Bob Kelly, Joe McKenney, Rick Tryon and Eric Hinebauch. Commissioner Susan Wolff was excused.

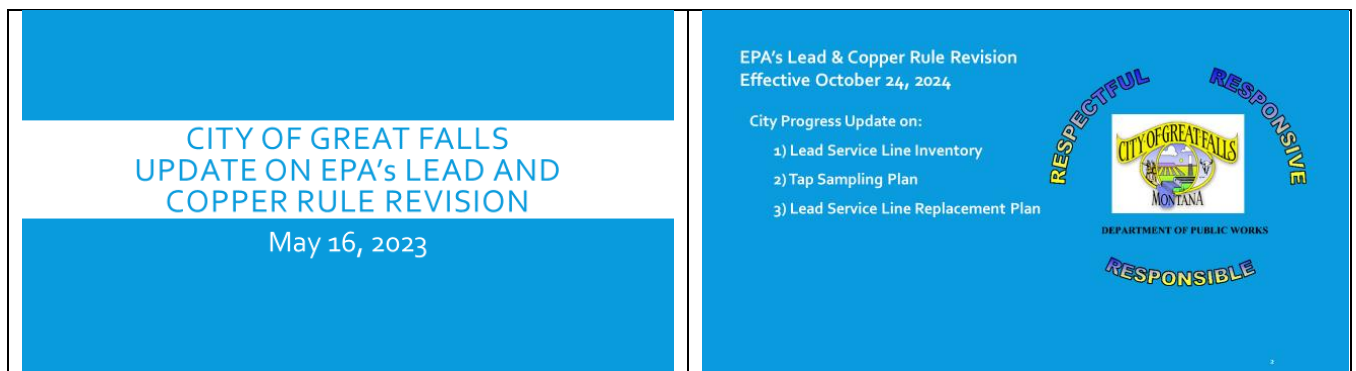
STAFF PRESENT: City Manager Greg Doyon; City Attorney David Dennis and Deputy City Attorney Rachel Taylor; Finance Director Melissa Kinzler and Grant Administrator Tom Hazen; Public Works Director Chris Gaub, City Engineer Jesse Patton and Engineer Mark Juras; Municipal Court Judge Steve Bolstad and Court Supervisor Morgan Medvec; Library Director Susie McIntyre; Police Chief Jeff Newton; and, Deputy City Clerk Darcy Dea.

PUBLIC COMMENT

Jenni Dodd, City resident, commented that with the consideration of a public safety bond in addition to an operating mill levy, the City should have put ARPA funds towards public safety instead of giving it to other community organizations. She added that ~~the City has no responsibility to take care of City needs first and the goal of a City is to take care of taxpayers first~~ **it appears to her that the City feels it has no responsibility to take care of City needs first. To her, the first goal of the City should be to take care of the taxpayers that live here.** Ms. Dodd further commented that the City should not have so much property in Tax Increment Financing (TIF) Districts. Taxpayers have to make up funding City services because TIF Districts are not funding those to the same degree. Ms. Dodd concluded that redistribution of public funds to private entities is wrong.

1. UPDATE OF EPA'S LEAD AND COPPER RULE REVISION

Public Works Engineer Mark Juras reviewed and discussed the following PowerPoint:



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Lead Service Line Inventory

Approximate Totals as of May 2023

• Non-Lead	14,846	(67.8%)
• Lead	142	(0.6%)
• Galvanized	502	(2.3%)
• Unknown *	6,423	(29.3%)
• Total	21,913	

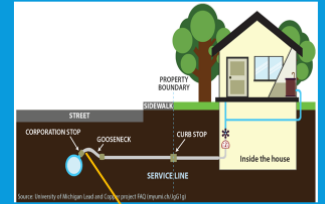
* EPA considers unknown as lead until proven otherwise!



Lead Service Line Inventory

Public Engagement

- ~10,000 letters mailed in July 2022
- ~3,000 responders (thank you!)
- City inspectors calling non-responders
- Calling statistics as of May 2023
 - ~4,000 owners called
 - ~2,500 contacts made
 - ~1,000 lines identified

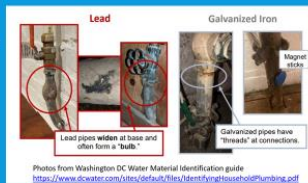


← City Responsibility Property Owner Responsibility →

Lead Service Line Inventory

Public Engagement

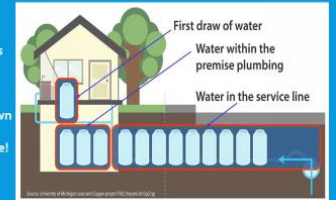
- Website: <https://greatfallsmt.net/publicworks/water-service-line-inventory>
 - In future City must publicize inventory
- Water Service Hotline: 406-455-8401
- Email: waterserviceline@greatfallsmt.net
- Facebook
- Presentations



Tap Sampling Plan

City Progress Update

- Early mandatory sampling in June 2023
- 30 lead line participants in City limits
- Results in July will identify if:
 - Corrosion treatment at plant
 - Service line replacements
 - Lead, galvanized, & unknown
- Working towards 60 LSL participants
- Encourage LSL owners to participate!
- All schools and child care facilities listed



City Policy & LSLR Funding

OCCGF 13.6.010 "All the expense of laying and maintaining the service pipes from the mains to the consumer's premises must be borne by the consumer."

Infrastructure Bill

- Allocates \$15 B for LSLR efforts
- MT to receive ~\$140 M
- ~\$28 M per year for 5 years
- Dispersed via SRF loans
- City is on the State's Intended Use Plan



Lead Service Line Replacement Plan

City Progress Update

- Lead service line project concept development underway
- Pilot project
 - Replace 20 lead service lines
 - Gain useful experience
 - Develop template for future projects
- Utilize SRF loan with 60% loan forgiveness
- Eligibility requires 10% utility rate increase
- Focus on equitable use of SRF funds while they are available



Questions?

Common Questions & Answers

Where can I find more information? Where can I learn more about the EPA's Lead and Copper Rule Revision and/or the City's compliance?

Monitor the City's Facebook page and engineering website, as information will be released when it is available. Additional information on EPA's Lead and Copper Rule Revision can be found on their website:

<https://www.epa.gov/dwreginfo/lead-and-copper-rule>
<https://www.epa.gov/ground-water-and-drinking-water/revised-lead-and-copper-rule>

How does lead get into drinking water?

Lead enters drinking water primarily through plumbing materials.

What are the common health concerns with lead in drinking water?

Please refer to the EPA's webpage which discusses potential lead related health concerns: www.epa.gov/lead/what-are-some-health-effects-lead

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<h3>Common Questions & Answers</h3> <p>How can I test my drinking water for lead?</p> <p>The City of Great Falls is not able to perform lead tests for individual consumers. To test for lead, contact the Department of Health Services Lab in Helena, (406) 444-3444, or visit their website: https://dphhs.mt.gov/publichealth/laboratoryservices/EnvironmentalLaboratory/</p> <p>The cost is approximately \$60 and they will direct you to the necessary size of the sample, the sample container, and a sample pick up location.</p> <p>31</p>	<h3>Common Questions & Answers</h3> <p>How can I check if my water service line is lead or lead containing?</p> <p>Lead and galvanized water service lines can be identified by performing a "Scratch Test" on the water service line where it enters the building. The scratch test is essentially a visual test that can be completed with basic tools and in a short timeframe. First, locate the water service line coming into the building. It is typically found in the basement, crawl space, mechanical room, or in a wall panel. A water meter is installed on the water service line pipe after the point of entry into the building. Identify a test area on the pipe on the upstream or street side of the meter, which is between the point where it comes into the building and the water meter. If the pipe is covered or wrapped, peel back the cover to expose a small area of the pipe, about 6-inches, to clearly see the color of the pipe. Using the edge of a screwdriver or penny, scratch or scrape through any corrosion that may have built up on the outside of the pipe so that the color of the pipe can clearly be seen. Also, grab a strong magnet. Using the color of the scratched surface and the magnet, identify the pipe from the following criteria:</p> <ul style="list-style-type: none">• Lead – scratches are shiny and silver-gray – a strong magnet will not stick to a lead pipe• Galvanized – scratches are dull silver-gray – a strong magnet will stick to galvanized pipe, pipe fittings are also threaded on galvanized pipe• Copper – scratches are copper – a strong magnet will not stick to copper• Plastic – plastic pipes are rigid, non-metallic, and may vary in color – magnets do not stick <p>Residents can download a test form with instructions to perform the scratch test and return the results to the City at greatfallsmt.net@ididitools.com. The test form is under the Supporting Documents at the bottom of the webpage. Residents can also contact the City of Great Falls water service Inventory Hotline at 406-455-8401. Please keep questions pertinent to identifying the material type of the water service line, and please be patient with us as we respond to calls as we expect a large volume of calls. Residents can also take a picture of the water service line where it enters the building, indicate the physical address of the building, and send that information in an email to greatfallsmt.net@ididitools.com. Residents with non-copper water service lines are encouraged to communicate their water service line material type and address to the City so that the City can incorporate that data into the water service line inventory.</p> <p>32</p>
<h3>Common Questions & Answers</h3> <p>Why did I receive a mailer and not someone else?</p> <p>Mailers were delivered to every residence or building which had a water service line installed prior to 1970 or replaced prior to 1980. The mailer included instructions to perform a scratch test and return the results to the City. About 10,000 mailers were delivered.</p> <p>I have a lead, lead containing, or galvanized water service line, what now?</p> <p>Let the City know as instructed on the test form available under the supporting documents heading at the bottom of the following webpage: greatfallsmt.net/publicworks/engineering. The City will add the information to the water service line inventory. As of May 2023, the Federal government is not requiring line replacement, and the next phase of the LCRR is tap sampling. The Federal Government may require water service line replacement in the future as dictated by the results of the LCRR Tap Sampling Plan.</p> <p>Who will pay for replacement of a lead, lead containing, galvanized, or unknown water service line?</p> <p>The City's Code states that all the expense of laying and maintaining the service pipes from the mains to the consumer's premises must be borne by the consumer.</p> <p>33</p>	<h3>Common Questions & Answers</h3> <p>What is the estimated cost for a lead or lead containing water service line replacement?</p> <p>As of May of 2023, the City does not know with certainty whether or not lead service line replacement is required. The cost may vary greatly from residence to residence. Local qualified water utility contractors should be contacted to obtain individual quotes.</p> <p>Will the State or Federal government provide funding for lead or lead containing water service line replacement?</p> <p>The Bipartisan Infrastructure Law allocates \$25 Billion for LSLR efforts. Montana is to receive ~\$140 Million: \$28 Million per year over 5 years. Money will be dispersed through the State Revolving Fund process, a low interest loan program. 60% loan forgiveness (up to \$2m) is available for suppliers that are at or above certain utility rates as defined by the State.</p> <p>What if the plumbing inside my building is lead, lead containing, or galvanized?</p> <p>Lead plumbing components inside the building are another potential source of lead contamination. As of July of 2022, the LCRR does not require replacement of interior plumbing, just lead, lead containing, unknown, or galvanized water service lines.</p> <p>34</p>

Mayor Kelly received clarification that the results of lead concentration in drinking water determines whether the City would implement corrosion treatment at the water plant or mandatory lead service line replacement.

Commissioner McKenney received clarification that \$28 million would be dispersed via SRF loans for replacing lead service lines to individual homes. The timeline for the pilot project is 2023, project construction is 2024 and depending on the tap sampling results, lead service line replacement is 2025. He further received clarification that the State has not provided formal guidance with regard to a date for homeowner lead line replacement.

Commissioner Tryon received clarification that there would be information about the equitable use of SRF loans for homeowners at an upcoming work session. He requested that Public Works Director Chris Gaub explain the purpose of the proposed 10% utility rate increase at tonight's Commission meeting.

City Engineer Jesse Patton explained that the Department of Natural Resources and Conservation (DNRC) indicated that individual residents cannot apply for funds and the SRF loan can only go to municipalities. The Engineering Department is exploring ways to access funds for citizens.

2. REVIEW BALLOT LANGUAGE FOR PUBLIC SAFETY LEVY GENERAL OBLIGATION BOND

City Manager Greg Doyon explained that this resumes a conversation with regard to evaluating options

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for a public safety levy. It was recognized that there were some additional needs that the City would likely need to ask the taxpayers to support ongoing operations associated with the levy, and to address some capital needs that have not been addressed over the years. The four areas that comprised the request for capital improvement were Fire, Police, Municipal Court and Legal. There has been discussion about response times, growth in the City, gaps in service, and the need for a new Fire Station. Manager Doyon referred to the Police Department's expansion and renovation project. That facility was never designed to be a police station, but a parts or warehouse distribution facility. If the public safety operating part is successful, there would be a space impact on these facilities and the Police Department to accommodate personnel.

Manager Doyon further explained that an ARPA tier 1 project that is not a part of this request is the Court renovation/relocation to accommodate two judges into the Missouri Room. Finally, the necessity to expand the Legal Department. If the Public Safety Levy were successful, additional staff and space would be required for the Legal Department. He discussed a Draft Ballot Language for Public Safety Levy General Obligation bond handout.

Mayor Kelly explained that it has been several years since asks were made to the public to address facility needs. The community supported a GO bond for the Soccer Park and a neighborhood pools and Mitchell Pool bond. He requested that the final ballot language be clear so voters understand the choices.

Commissioner McKenney expressed support of combining the Public Safety Levy and GO bond, putting it forward at one time and not over two different elections. Commissioner McKenney commented that educating the community of the cost and importance of the companionship of the levy and bond is important.

Commissioner Tryon inquired if the dollar amounts for property taxes on homes in the draft resolution language would change and when the dollar amounts would be determined.

Finance Director Melissa Kinzler responded that the dollar amounts are assuming the bonds would be issued at a rate of 5.00%.

Mayor Kelly added that the dollar amounts could be a little higher or a little lower and are a best estimate at this point. Voters need to approve the bond with an estimate and then the capital market experts would sell the bonds. The day that the bonds go to market would determine the actual interest rate. He concluded that all public obligation bonds are done that way.

Commissioner Hinebauch expressed support of proceeding with the draft language.

Mayor Kelly responded that clarification from the State needs to be determined first.

Finance Director Kinzler added that depending on the outcome of a legislative bill, mill levy language on a prior resolution might need to be adjusted because of the change in legislation. The language in the draft resolution makes it clear what will be accomplished with the debt the City would be issuing and it covers equipping the new fire station.

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Manager Doyon explained that the Public Safety Levy and GO bond would not be contingent on each other. He added that in prior years, there was an effort to address needs of the Fire Department and it is frustrating to have to include Fire Station improvements in this levy.

DISCUSSION OF POTENTIAL UPCOMING WORK SESSION TOPICS

City Manager Greg Doyon reported that resolution and ballot language for public safety levy GO bond will be a topic on upcoming work sessions. A semi-annual litigation and solid waste study will be a topic for the June 6, 2023 work session. Budget discussions will be on the agenda thereafter.

Commissioner Tryon requested that public safety updates be regularly scheduled at work sessions or preferably, Commission meetings.

Mayor Kelly requested that City Attorney David Dennis provide an opioid update at the June 6, 2023 semi-annual litigation work session.

ADJOURN

There being no further discussion, Mayor Kelly adjourned the informal work session of May 16, 2023 at 6:15 p.m.