

The Weekly Update - October 20, 2022

Attachments:

- 1. Journal of City Commission Work Session, September 20, 2022
- 2. Journal of City Commission Work Session, October 4, 2022
- 3. City of Great Falls Pooled Investments as of September 30, 2022
- 4. Letter from City Manager to Montana Department of Transportation regarding traffic concerns on 57th Street relating to speed, pedestrian safety and street design.

JOURNAL OF CITY COMMISSION WORK SESSION September 20, 2022

City Commission Work Session Civic Center, Gibson Room 212 Mayor Kelly presiding

CALL TO ORDER: 5:30 p.m.

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

STAFF PRESENT: City Manager Greg Doyon; City Attorney Jeff Hindoien and Deputy City Attorney David Dennis; Finance Director Melissa Kinzler and Grant Administrator Tom Hazen; Planning and Community Development Director Craig Raymond; Public Works Acting City Engineer Jesse Patton and Senior Civil Engineer Mark Juras; Police Captain Rob Moccasin; and, Deputy City Clerk Darcy Dea.

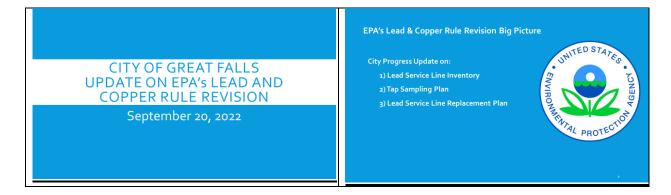
PUBLIC COMMENT

Steve Bucher, City resident, read a prepared statement pertaining to the vacant land between the alley of 4th Avenue North and 2nd Avenue North east of 38th Street, the proposed location for Silverstone Apartments. He expressed concern that as proposed, it would leave some residents with nowhere to park vehicles.

City Manager Greg Doyon expressed appreciation to Mr. Bucher for reporting the issue early on.

1. <u>UPDATE ON EPA'S LEAD AND COPPER RULE REVISIONS</u>

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



Lead Service Line Inventory

City Obligations under the LCRR

- technique

 Submitted to MT DEQ by October 16th, 2024



Lead Service Line Inventory

- Additional Obligations
 Record or track service material type during
- normal operations
 Perform a comprehensive historical records review



Additional Obligations

- Utilize identification methods approved by the State and the LCRR including:

- Visual inspection
 Water quality sampling
 Excavation
 Predictive modeling



Lead Service Line Inventory

- Additional Obligations
 Promote public education on lead in drinking
- water

 Deliver mailed letters to lead service line owners
- annually
 Provide online public access to the location of lead,



City Progress Update

- Service Line Inventory

 Digitize a list of every service line in City jurisdiction using Cartegraph and Meter Data
 Includes service/meter address, customer information, diameter, installation date, material type, and source of material information

Approximate Totals as of September 2022

City Progress Update

- Historical Records Review
 Construction and Plumbing Codes and Records
 Ordinance 1558 (feb 1567) copper only for 2"
 and smaller services
 Ordinance 2513 (March 1576) repairs made to service lines required full replacement with copper if found to be non-copper and repairs exceeded % of the total service length
 Old Water Service Permits do not provide material type



City Progress Update



City Progress Update

- Historical Records Review Continued

 Distribution System Inspections and Records

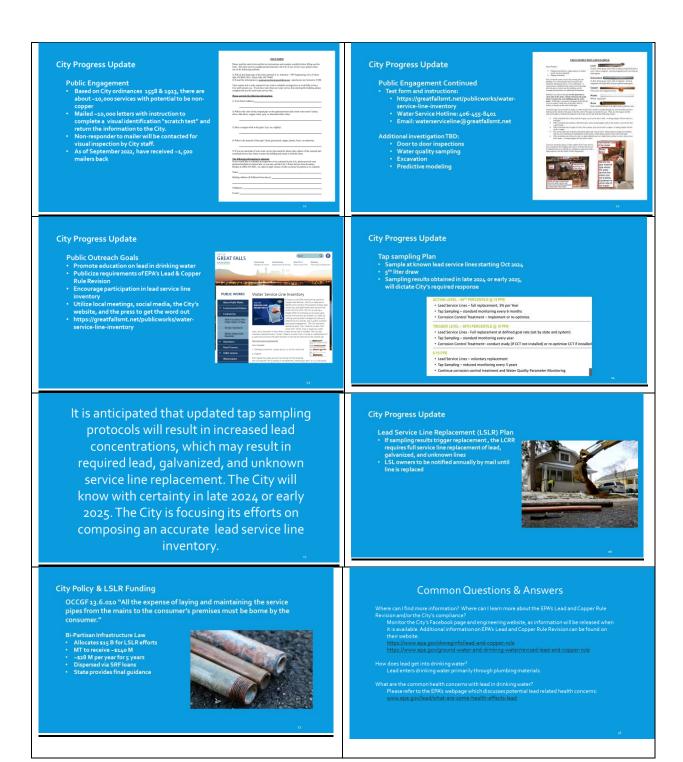
 Continuing to research inspection records, permits, and other potential sources of information for pre 1980 projects.

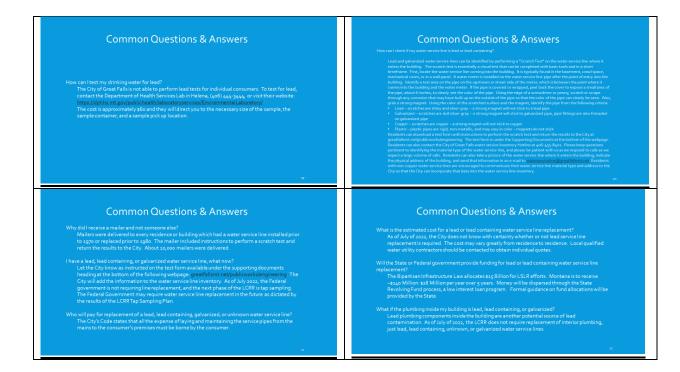
 State Requirements

 State of MT lead ban 1986-88

 Currently, MT DEQ is not requesting additional records research beyond what the EPA requires.







Commissioner Wolff received clarification that "no-responders" to the mailer will be contacted for visual inspection by City staff and service lines are assumed lead lined until proven otherwise.

Senior Civil Engineer Juras explained that funding would be available to the State of Montana through the Bi-Partisan Infrastructure Law and the State provides final guidance on line replacement projects.

Commissioner Tryon inquired about the amount of staff time and money utilized for the lead and copper rule revision project.

Public Works Acting City Engineer Jesse Patton responded that the Public Works Department is currently utilizing its staff and the project is being paid through utility rates. The lead and copper rule revision includes residential and business service lines.

Commission Tryon commented that the State of Montana should provide other funding besides State Revolving Fund (SRF) loans.

Commissioner Hinebauch encourage citizens to purchase service line coverage on their homeowners insurance to help cover the cost of repairing or replacing broken utility lines.

City Manager Doyon expressed concern with regard to the cost of a potential corrosion control treatment for the Water Treatment Plant.

2. <u>SEMI-ANNUAL LITIGATION UPDATE</u>

City Attorney Jeff Hindoien explained that discussing litigation matters that involve public entities does not require a closed session.

A. <u>Public Entity Litigation - Cascade County/Board of Health "Governing Body"</u> Matter

City Attorney Jeff Hindoien reported that this is a declaratory judgment action initiated by the City against Cascade County in January 2022 and relates to the ongoing dispute between the City and County as to the appropriate structure and composition of the new "governing body" entity required as part of the joint City-County Health Department structure. The County is unwilling to agree to the inclusion of any member of the City Commission on that "governing body" entity on the grounds that it would violate some undefined legal prohibition. The declaratory judgment action is intended to address and resolve that undefined "legal" objection on the part of the County.

Judge Best issued her Order on Plaintiff's Motion for Summary Judgment and concluded that a member of the City Commission is not a prohibited member of the "governing body" entity. Judge Best also concluded that unless and until the City and Cascade County agree to something different, the current Board of Health is the governing body, as indicated in the 1975 Agreement.

He added that the 1975 Agreement states that the "governing body" entity is a mayor and/or a designee.

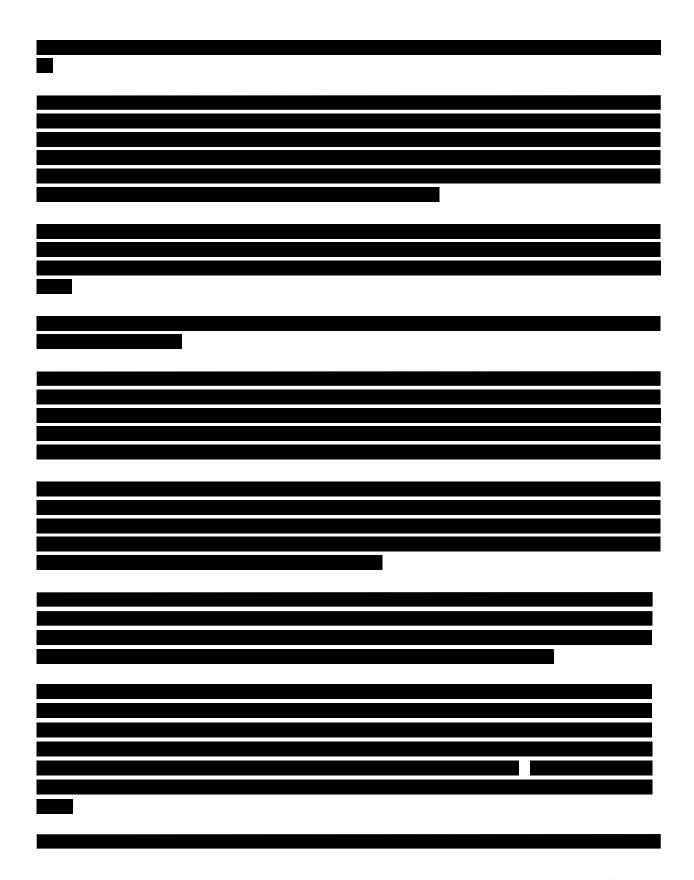
B. Private Party Litigation

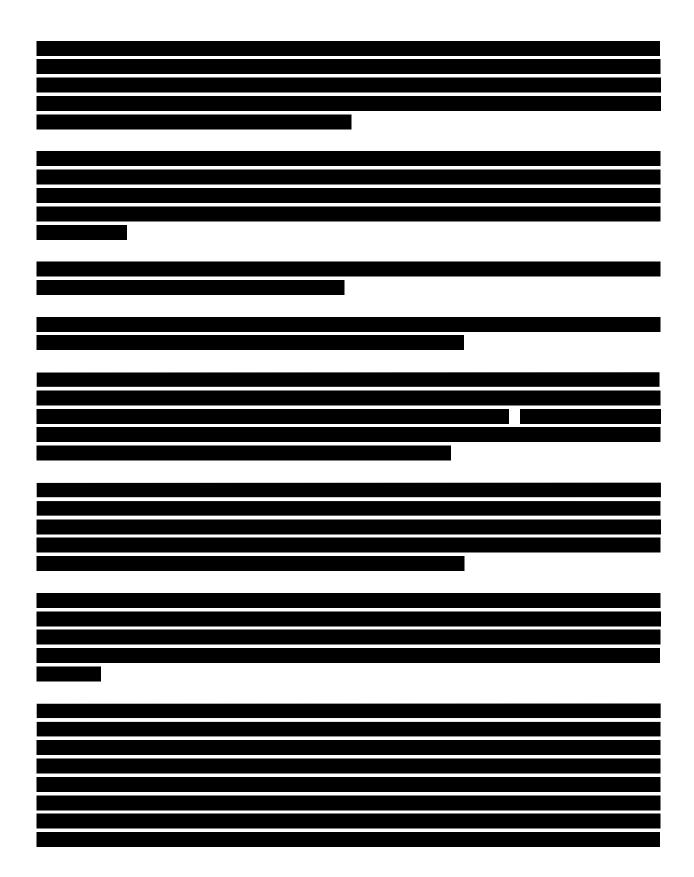
City Attorney Jeff Hindoien recommended that this portion of the meeting be closed to the public pursuant to Mont. Code Ann § 2-3-203(4)(a) to discuss strategy to be followed with respect to a pending litigation matter because an open meeting would have a detrimental effect on the City's litigating position. The meeting will be re-opened at the conclusion of the litigation strategy discussion.

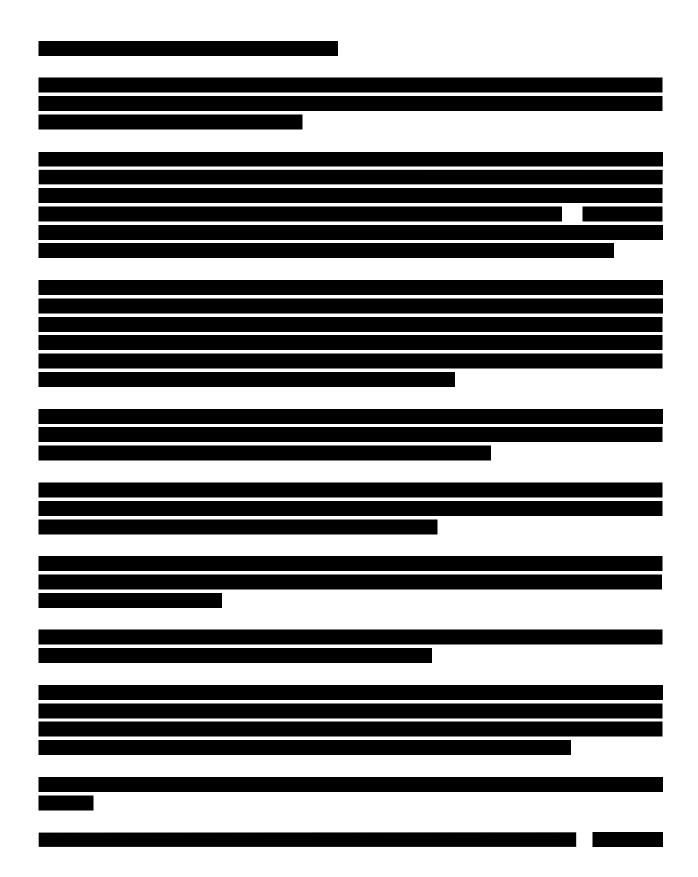
Mayor Kelly moved, seconded by the Commission, to close the meeting from the public to discuss pending litigation in executive session pursuant to Mont. Code Ann § 2-3-203(4)(a).

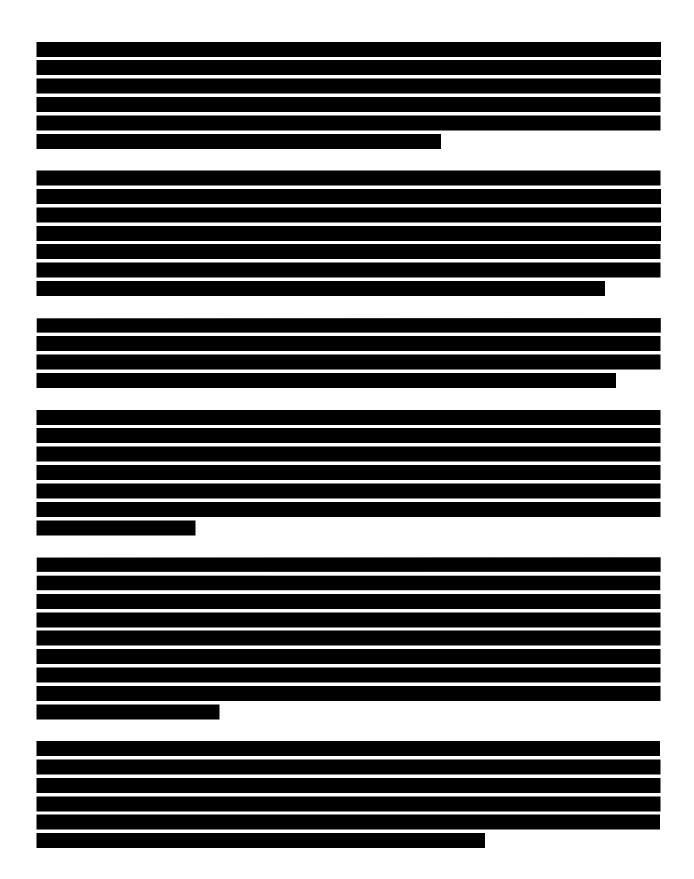
At 6:12 p.m., the meeting continued in executive session in the City Manager's Office with the City Commission, City Manager, City Attorney, Deputy City Attorney and Deputy City Clerk, for the purpose of discussing pending litigation and strategy.

- EXECUTIVE SESSION - -











The meeting reconvened into an open meeting. Mayor Kelly called the regular meeting back to order at 6:50 p.m.

City Attorney Hindoien reported that discussion included updates and strategy with regard to pending litigation and claim matters against the City by private litigants.

DISCUSSION OF POTENTIAL UPCOMING WORK SESSION TOPICS

Upcoming work session topics include the following: Library Master Plan, Solid Waste Study, Evidence Building Project and Public Safety Levy scenarios.

Commissioner Wolff requested an update about the homeless situation.

City Manager Doyon responded that the City is aware of the homeless situation around the community; however, there are no laws against loitering, unless it involves a disturbance. He reported that Opportunities Inc. provides homeless prevention services.

ADJOURN

There being no further discussion, Mayor Kelly adjourned the informal work session of September 20 2022, at 6:55 p.m.

City Commission Work Session Civic Center, Gibson Room 212 Mayor Kelly presiding

CALL TO ORDER: 5:30 PM

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

STAFF PRESENT: City Manager Greg Doyon and Deputy City Manager Chuck Anderson; Deputy City Attorney David Dennis; Finance Deputy Director Kirsten Myre; Planning and Community Development Deputy Director Craig Raymond; Library Director Susie McIntyre, Foundation Board Director Jill Baker and Board Chair Whitney Olson; Municipal Court Supervisor Morgan Medvec; Fire Chief Jeremy Jones; and, Deputy City Clerk Darcy Dea.

PUBLIC COMMENT

Kevin Westie, 602 35th Street North, discussed economic policies and benefits of investing in factories.

NEIGHBORHOOD COUNCIL UPDATE - NEIGHBORHOOD COUNCIL #7 1.

Sandra Rice, NC 7 Secretary and Downtown Safety Alliance, reviewed and discussed the following PowerPoint:

NEIGHBORHOOD COUNCIL 7

We walk for the history and stay for the future

WHO ARE WE?

- Neighborhood Council #7 represents the historic areas of Great Falls: the original Northside townsite, the historic Southside, and Downtown.
- If one shops the Central shopping district, they are within the boundaries. Historic homes include the Northside walking tour and the Southside houses relocated from Smelter Hill.

LOCATION & MEETING SCHEDULE



Neighborhood Council 7 Civic Center Gibson Rm. 2nd Monday of the month at 7 pm

Neighborhood Council 7 Boundaries
The northern and western boundaries are the Missouri
River, the southern boundary is 10th Avenue South, the
eastern boundary is 10th Street South from 10th Avenue South to 7th Avenue South, then east to 12th Street
South and north to 7th Avenue North, then east to 15th
Street North and north to the Missouri River.

- NC7 has the most diverse mix of residential homes and apartments, retail shops, and industrial works of any Great Falls area.
- We believe in the revitalization of the original townsites and commercial centers while passionately preserving and promoting the history that makes Great Falls a place to call home for years to come.

COUNCIL MEMBERS

- · Lisa Meyers, Chair
- Troy Lane, Vice-Chair
- · Sandy Rice, Secretary
- Linda Daggett
- Trevor Mikkelsen



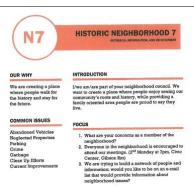
HISTORIC NEIGHBORHOOD #7

OUTREACH, INFORMATION, AND INVOLVEMENT

- We are creating a place where people enjoy seeing our community's roots and history while providing a familyoriented area people are proud to say they live.
- We believe that we can make a positive difference in our Neighborhood by connecting neighbors to the historic value of our district. We can improve the safety of our Neighborhood, help our neighbors keep the Neighborhood clean and presentable and to take pride in where we live.

NEIGHBORHOOD OUTREACH

 Each Council member has committed to contacting five neighbors a month throughout the year.



ACCOMPLISHMENTS



- Supported Whittier School with fundraising for the Radio Readers and invited students to present math and reading programs.
- Hosted a Neighborhood Ice Cream Social in Carter Park with over 100 participants.
- Council member Sandy Rice helped update and rewrite the Downtown Safety Alliance Safety Plan for 2021 and has committed to introducing the Plan to all nine Councils in 2022.
- Nuisance Property ideas were forwarded to the Citizens' Council (Council of Councils) which is moving forward with them.
- Several Conditional Use Permit requests were presented, asking for NC7 support. Some received full support, some conditional support and some were not supported after careful consideration. NC7 strongly supported the NeighborWorks Great Falls Baatz Building supportive housing project.

NEIGHBORHOOD CONCERNS

- Nuisance Properties forwarded to Council of Councils
- Graffiti and vandalism in Gibson Park Speeding and Crosswalks on Park Drive – requested a Transportation Study
- Fireworks City and County ordinances need to be reconciled – forwarded to Council of Councils
- Homeless gatherings, especially at 6th Street and 2nd Avenue North - this major discussion is ongoing; we brought the area churches together to encourage discussion.

2022 GOALS

- Host a 2nd Ice Cream Social
- Continue Neighborhood Outreach
- Encourage and host discussion around the homeless problem
- Institute Neighborhood Watch programs

Ms. Rice provided a Historic Northside, Historic Southside Neighborhoods and Downtown handout.

Mayor Kelly received clarification that the Downtown Safety Plan was presented to all Neighborhood

Councils and that one of the commitments of the plan is to provide educational meetings every other month at the Great Falls Public Library. In partnership with the Downtown Safety Alliance, the Great Falls Public Library is hosting a presentation on October 11, 2022 by former City Attorney Jeff Hindoien and Municipal Court Judge Steve Bolstad. They will share information about the Municipal Legal System and the upcoming City Ballot Measure to allow an additional municipal court judge.

Commissioner McKenney received clarification that the Historical Society monitors the historic renovation of older homes downtown.

Commissioner Tryon received clarification to the following:

- It is difficult instituting the Neighborhood Watch program because it is a challenge getting neighbors to commit to be a part of the program.
- Neighborhood Councils have ambassadors that meet with public safety entities to see what can be done to encourage instituting the Neighborhood Watch program.
- Neighborhood Council 7 hosts and encourages discussions about the homeless problem.

Ms. Rice commented that Neighborhood Council members have the power of persuasion; however, they cannot vote.

Commissioner Tryon responded that Neighborhood Council members input is extremely powerful, important and the first thing he considers with regard to items being presented to the Commission. He expressed support with regard to implementing the Neighborhood Watch program, as well as addressing the homeless and crime issues.

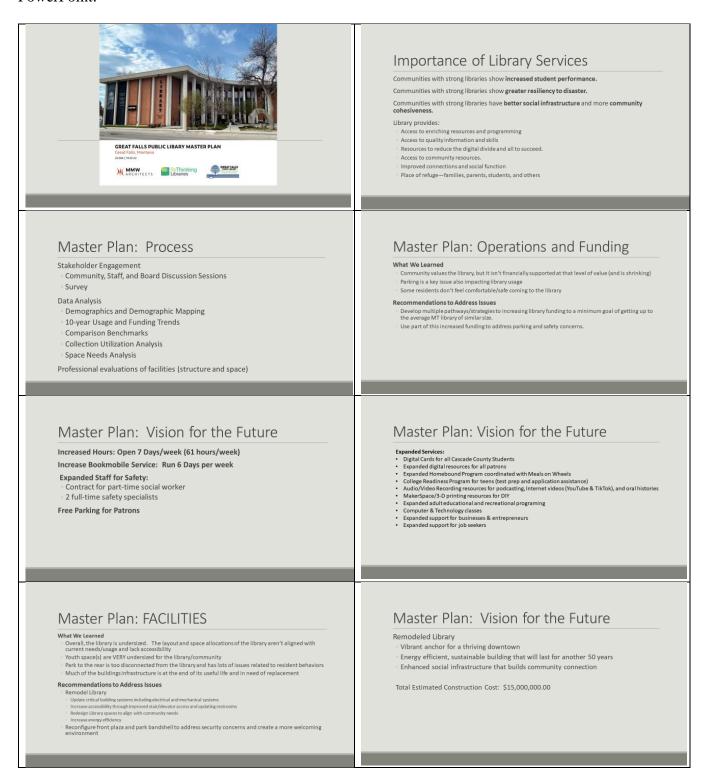
Ms. Rice encouraged citizens to live, walk and shop downtown and added that the more people there are downtown, the less crime. She would like to counteract the perception that downtown is not safe, when in fact; it is a very safe and wonderful place.

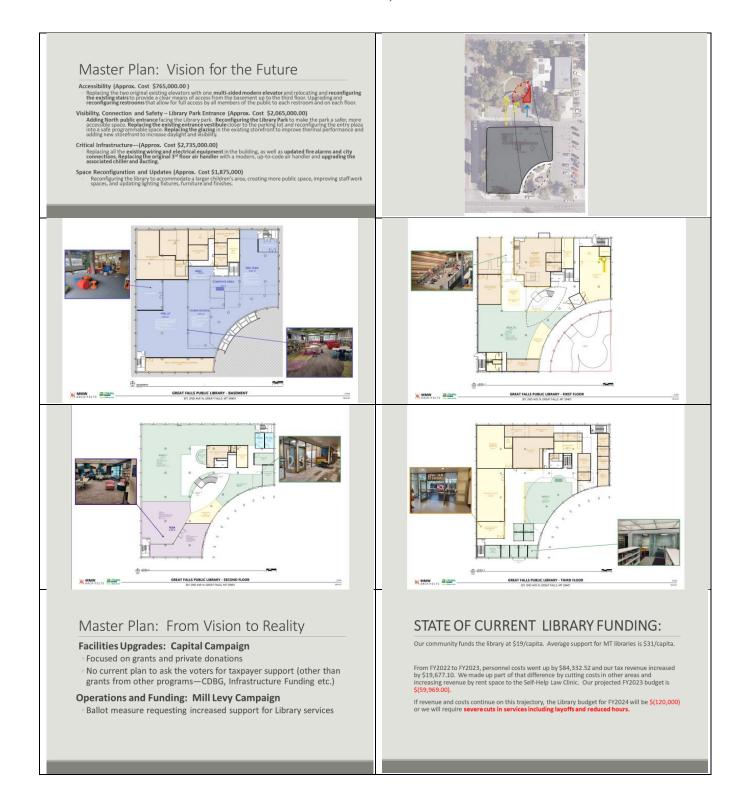
2. LIBRARY MASTER PLAN

Library Board Chair Whitney Olson explained that there has been over \$70,000 in donations invested in the 2022 Library Master Plan. The consultants worked with the Library Board and staff, as well as the citizens in the city and county to gather feedback. The consultants assessed the library's facilities and analyzed the library's staff funding and services of the library. After going through this process, it is clear that the citizens of Great Falls are not receiving the library services that they deserve. The library needs to be updated so that it can continue to serve the community as a resource for another 50 years. The board feels that the Master Plan lays out a road map to provide the community with the essential library services that it deserves and hopes it receives the support of the Commission.

Library Director Susie McIntyre expressed appreciation to the Library Board and Foundation for their efforts with regard to the Master Plan.

Director McIntyre and Foundation Board Director Jill Baker reviewed and discussed the following PowerPoint:





LIBRARY BUDGETED REVENUE FY2023: Master Plan: Vision to Reality MILL LEVY Great Falls Public Library Donation/Foundation Budget: \$254,532.00 What type of Mill Levy? • City Mill Levy Great Falls Public Library Operational Budget: \$1,510,150.00 CANNOT BE USED FOR STAFFING, CAPITAL IMPROVEMENTS OR GENERAL OPERATIONS 2 voted City Mills: \$199,105.56 County Mill Levy Foundation Approved Projects (materials, technology, eResources etc.): \$138,000 7 City Mills by Agreement: \$696,869.44 Multi-Jurisdictional Mill Levy Donations for specific materials (Grab & Go, Nonfiction, Children's, Westerns): \$26,852.00 City General Fund: \$350,000.00 Library District Mill Levy County Funding by Agreement: \$177,000.00 Book-A-Thon for youth services: \$70,000 How do we decide which type of Mill Levy? State Funding: \$32,075.00 Donations for adult programing: \$7,500 Professional polling to determine which has best chance of success General donations from foundation: \$2,680.00 Negotiations with Belt and Wedsworth Libraries Other Funding: \$55,100.00 Friends of the Library support from Book Sale: \$6,500 Input from City and County Commissions General donations from the community: \$3,000 Master Plan: Vision to Reality MILL LEVY Master Plan: Vision to Reality MILL LEVY How many mills do we request? When do we put the Mill Levy before the voters? It budget \$2,500,000 + possible funding for Belt and Wedsworth Memorial Libraries. Analysis of current funding and needed service levels (completed for GFPL as part of Master Plan) School District Election May 2023 General Election November 2023 School District Election May 2024 Will Mill Levy funding supplement or replace current funding? General Election November 2024 How do we decide how many mills to request? Professional polling to determine what level of funding voters will How do we decide when? Professional polling to determine which has best chance of success Negotiations with Belt and Wedsworth Libraries Negotiations with Belt and Wedsworth Libraries **Decisions by City and County Commissions** Input from City and County Commissions Supplement or Replace: Current Budget Supplement or Replace: Mill Levy Budget 2 voted City Mills (\$99,522/mill) 7 City Mills by Agreement (\$99,522/m \$1,505,483.27 TOTAL \$2,550,000.00 Supplement or Replace: Mill Levy Budget Supplement or Replace: Mill Levy Budget # of County Mills (estimated value \$179,579.59) 11.37

\$ 2,500,000.00

\$ 2,041,180.71

\$ 2,500,000.00

TOTAL

Input requested from City Commission Preferred timeline for Library Mill Levy? Will funds from the Library Mill Levy supplement or replace current City of Great Falls financial support for the Library?

Director McIntyre explained that if a mill levy were done in the spring of 2023, the ballot language would be needed in October 2022 so that signatures could be gathered by mid-January.

Commissioner Wolff explained that she fears that there would be less support in the county and would mean a different structuring of who the library serves and in order for her to make an educated suggestion, she would need answers about the negotiations with Belt and Wedsworth Libraries.

Director McIntyre responded that she will be meeting with the Cascade County Commission and will be on the next board agenda for Belt and Wedsworth Libraries.

Commissioner McKenney expressed concern with regard to the possibility of having two levies on a single ballot at the same time.

Commissioner Tryon received clarification that the library personnel cost increased because of an increase in salary and health insurance and the Library Master Plan is available on the City's website.

Director McIntyre explained that if she has to wait until 2024 for a Mill Levy, extra general fund subsidies could be utilized so that the library could continue to provide service.

City Manager Doyon recommended coordinating between the city and county to do a district wide levy because the amount of patrons that utilize the library are not City residents. He added that this would also relieve pressure on the general fund for public safety.

Commissioner Hinebauch received clarification that the library would become its own entity and no longer be a City Department if it were a library district. Belt and Wedsworth libraries would also have to agree to a library district and have indicated that they have no interest in doing that. He inquired how long the library budget has been \$1.5 million.

Director McIntyre responded that the two voted City mills and seven City mills by agreement increase slightly each year and the County funding by agreement of 177,000 has remained the same since 2011. She added that she would provide updates to the Commission after meeting with the County Commissioners.

Mayor Kelly commented that this is a decision that the community has to make about what they value. He is always in favor of putting a question of this magnitude in front of voters. The Commission is aware of the value of the library and would support a ballot if needed. The current funding of the two voted City mills, seven City mills by agreement and general fund is sufficient for status quo until the professional polling determines what level of funding voters will support. He commented that having two levies at the same time is not a good idea.

Mayor Kelly expressed appreciation to Director McIntyre for her efforts bringing the library into the 21st Century and recognizing the need for expanding staff for public safety needs. He added that the library is not just about books anymore; it is important, critical and a necessary part of the community and Director McIntyre has helped create a place of community. The Commission supports the library's mission going forward. Mayor Kelly further expressed appreciation to Commissioner Wolff for her expertise as a liaison for the Library Board.

Commissioner Tryon inquired about the polling operation.

Foundation Board Director Baker responded that public resources and time could not be utilized to advocate for a ballot initiative and the Library Foundation or private donations would pay for polling. The library has reached out to firms that have dealt with other libraries across the country to receive bids and is working with firms that can provide data within the next couple of months.

DISCUSSION OF POTENTIAL UPCOMING WORK SESSION TOPICS

City Manager Greg Doyon reported that the October 18, 2022, work session will consist of Solid Waste Study and Quarterly TIF Application updates. An ARPA proposed awards update will be a topic for an upcoming special work session.

ADJOURN

There being no further discussion, Mayor Kelly adjourned the informal work session of October 4, 2022 at 6:50 p.m.



Finance Department Memorandum

To: Greg Doyon, City Manager; City Commission; Members of the Investment Committee

From: Kirsten Myre, Deputy Finance Director

Date: October 18, 2022

Re: Total Cash and Investments as of September 30, 2022

The City of Great Falls' total cash and investments at the end of September 2022 was \$115,178,090.29. This included cash in bank accounts totaling \$13,844,333.06. Total cash and investments increased from \$114.0 million in August to \$115.2 million at the end of September. This amount fluctuates from month to month depending on payments made on large capital projects and funds received from utilities, taxes, and grants, for example. The General Fund cash balance decreased slightly from \$5.7 million in August to \$5.6 million in September. The General Fund cash balance will continue to decrease until 1st-half tax payments are received in December. The graphs for the City's total cash and investments as well as the General Fund, specifically, are on the next pages. Cash balances in all funds are monitored on a monthly basis.

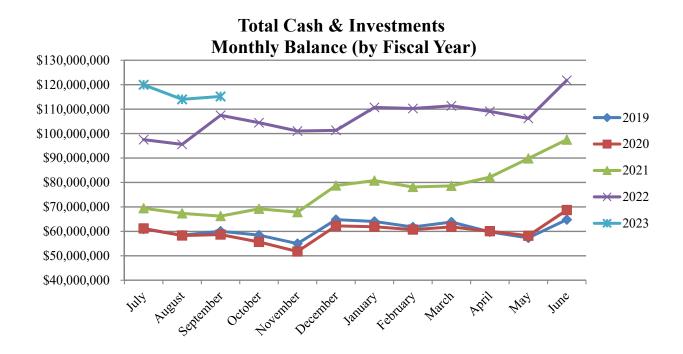
Also on the next page is the summary of the City's total cash and investments. The maturity dates of the City's investments run through December 31, 2022, which falls within the 5-year statutory limitation. The City's investment policy specifies the percentage the City of Great Falls must have of the different types of instruments allowed by state statute. The chart below lists those percentages compared to the City's investments as of September 30th. The investments in the Montana Board of Investments (STIP) and US Bank Insured Cash Sweep (ICS) are liquid and may be called at any time. In September, the City moved \$20,000,000 from the ICS account to STIP because of the higher interest rate.

Issuer category	Minimum %	Maximum %	City's Investments % as of September 30, 2022
Master, savings, and ICS accounts		100%	
Montana Board of Investments STIP	20% combined	100%	99.79%
Money Market/Repurchase Agreements		100%	
Direct Obligations of the U.S. which includes Treasury Notes and Bills	0%	80%	0.21%
Obligations of agencies of the U.S.	0%	30%	0.00%

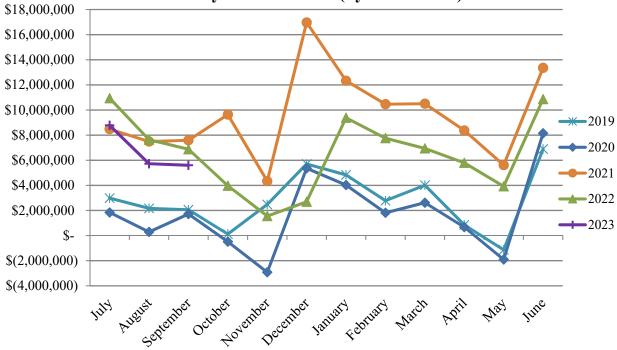
City of Great Falls Total Cash & Investment Summary September 30, 2022

Description	Rate	Due Date	Principal Cost	Market Value
US Bank Investments				
US Treasury Note	2.125%	12/31/2022	245,390.63	249,151.50
Insured Cash Sweep	0.250%		54,111,294.09	54,111,294.09
Total US Bank Investments			54,356,684.72	54,360,445.59
State of Montana Short Term				
Investment Pool (STIP)	2.462%		46,977,072.51	46,977,072.51
Total Investments			101,333,757.23	101,337,518.10
Cash on Hand, Deposits in Bank	ζ		13,844,333.06	13,844,333.06
Total Cash and Investments			\$115,178,090.29	\$115,181,851.16

Compared to previous years, total cash and investments is at a higher level. The higher levels can be attributed to receipt of American Rescue Plan (ARPA) funding and bond funding from the Park Maintenance District and Downtown Tax Increment District. These monies originally accounted for over \$35 million included in our total cash and investments and are being spent down as the Civic Center façade and new recreation center construction is completed. The ARPA funding will be spent down as it is allocated on a project by project basis.



General Fund Monthly Cash Balance (by Fiscal Year)



If you have any questions, please feel free to contact me at (406) 455-8423 or kmyre@greatfallsmt.net.



City of Great Falls City Manager's Office PO Box 5021 Great Falls MT 59403

(406) 455-8450

October 18, 2022

Jim Wingerter
District Administrator
Montana Department of Transportation
PO Box 1359
Great Falls, MT 59403-1359

Zachariah Moeller
District Traffic Engineer
Montana Department of Transportation
PO Box 1359
Great Falls, MT 59403-1359

Dear Jim and Zach:

I was contacted by Mr. Doug Darko who lives at 5501 5th Avenue South in Great Falls. He expressed deep concerns over safety on 57th Street, specifically as it relates to speed, pedestrian safety, and street design.

As you know, the State of Montana Department of Transportation has jurisdiction over this street. I'd like to encourage the MTDOT to consider a traffic study for the area to assist with determining if any additional traffic calming, signalization, or speed reduction is necessary. I'd anticipate some changes in the traffic data with development occurring to the north, south and west of the street.

Additionally, Malmstrom Air Force Base will be undergoing a major missile upgrade in 2-3 years. Although most of the work will be in the missile complex, I anticipate higher traffic coming and going from the installation during the upgrade process.

If you have any questions, please feel free to contact me directly at (406)455-8450. Thank you.

Very tuly yours,

Kregory T. Doyon City Manager

Cc:

Great Falls City Commission

Neighborhood Council #9 Chair Sandra Gwynn

Mr. Doug Darko