

City of White Sulphur Springs

The regular meeting of the City Council was held on December 4, 2023 at 7:00 P.M. Mayor Rick Nelson called the meeting to order with the following members present:

Ron Coleman – via zoom
Lee Blanchard
Pattie Berg
Rick Ellison

A. Call Meeting to Order

B. Roll Call

C. Pledge of Allegiance to Flag

D. Public Comment: Public comment will be accepted on public matters not listed on this agenda and are within the jurisdiction of the City Council and having a significant interest to the public. During a regular session, there will be time after each agenda item for comment about that item.

1. Step up to the podium and state your name and address for the record.
2. Please limit your comments to THREE (3) minutes.

E. Read & Approve - Accept or Reject Minutes

1. November 6th Regular Session

Possible Motion: Move to Accept Minutes as presented or as amended

The Mayor asked if there was a motion to approve or reject the Regular Session minutes from November 6th as presented. Pattie Berg motioned to approve the Regular Session November 6th minutes as amended. Lee Blanchard seconded the motion. Pattie Berg Aye, Lee Aye, and Ron Coleman via zoom Aye. Motion carried and passed.

2. November 21st Regular Session and Work Session

Possible Motion: Move to Accept Minutes as presented or as amended

The Mayor asked if there was a motion to approve or reject the Regular Session and Work Session minutes from November 21st as presented. Lee Blanchard said he would abstain as he was not there. Ron Coleman, via zoom tonight, has been out of Town taking care of his wife and had not seen the minutes. This will be postponed until the January meeting.

F. Receive/Accept Reports

1. Sheriff's Report – Sheriff Jon Lopp

The complaint report was received by the Council members. Lee Blanchard said that it looks like November was a busy month, with hunting season, weekend visitors that get intoxicated, theft, and deer accidents. The Mayor said that they are working submitting the encroachment application to MT Dept. Transportation to place the three Speed Feedback Signs in White Sulphur Springs for use of vehicle radar signs with a maintenance agreement. The Mayor said that with City funds and possibly a Town Pump grant (of up to \$8,000) which should be able to pay for the three signs for \$9,000. Jon Lopp mentioned a Bair Grant if the Town Pump Grant is not awarded. The Mayor said that they will see what happens with the Town Pump grant and how much it would be for, the offer of the three signs is good until December 31st. There was a mention of keeping more of an eye out for traffic with motor vehicles not stopping for stop signs and making it dangerous situation for others in the road.

2. Public Work's Report

Rocky Vinton reported that:

1. Worked on sewerline on Houston ,water turn on hauled pit run
2. Repaired culvert on Houston ,hauled sand ,locates
3. Worked on Houston sewer,water shut off
4. Sewer samples,quarterly and monthly ,worked on sewer line
5. Put pressure reg on hydrants,shut water off from tank,did water conection on main line east of town
6. Met with rural water mayor ,core and main ,dug grave
7. Back filled and compacted Houston sewer
8. Sewer and water samples,hauled load sand,cleaned yard as it was a sample day
9. Worked on Houston sewer line ,water shut off ,back filled and compacted
10. Read meters ,water shut off ,hauled load pit run ,back filled and compacted
11. Houston sewer line back filled and compacted,hauled pit run
12. Patched pot holes,water shut off
13. Sewer line on Houston back filled compacted and hauled loads of pit run
14. Finished Houston sewer compacted and cleaned street and signage.YAHOO!!!!
15. Turned water valves off so they could do water tie in on 4th and folsom for hospital
16. Worked on shop walls so they could wire and put in heaters
17. Worked on shop walls
18. Worked on shop walls ,patched ,water shut off

They are working on the installation of the new propane tank (going to keep the older tank also) and electricity (about 50%-60% done) for both shops. Right know they are using portable heating units to keep the sewer jetter warm. Lee Blanchard asked if the crew was going to do more work on the road by Mathis Food Farm (Houston Street). Rocky Vinton said he was playing on graveling and blading it, to smooth out and hold the street until springtime to do more work on the street with millings. The sinking manhole by the Catholic Church a new manhole will be ordered and it will be replaced.

3. City Court Report – Judge Lori Sorenson

City Judge, Lori Sorenson, handed out the November Activity Report. Lori Sorenson reported a really busy month with 70 citations and learning more about the Clerk side of her job that she was not trained to do at Judge's Conference before. At the beginning of the year there was approximately \$41,579 owed to the Court with fines and by the end of November it was brought down to about \$18,125. The cases that are over 10 years old will not be able to be collected and will have to be written off. The Judge's door should be installed tomorrow.

4. City Engineer Report – Jessica Salo & Craig Erickson

The following report summarizes the status of current and on-going work being performed by Great West Engineering for the City of White Sulphur Springs under the agreement for professional services for on-call engineering services dated February 7th, 2022. Status reports for each project are summarized below by task order.

Task Order 2: Water System Preliminary Engineering Report (PER) This project includes the study and report phase (PER document), design, bidding, and construction for replacement of the 12-inch water transmission main from the existing storage tank to about 4,000 feet to the west through the Castle Mountain Estates subdivision.

The PER has been completed and submitted to the City and Rural Development (RD) for review as it is a requirement of RD to review the PER as a condition of providing a planning grant for the study. As of 11/30, RD has indicated they are finishing review of the PER. Once the review by RD is complete and comments addressed, the City can adopt the PER and apply for the loan and loan forgiveness for the project. Requests for reimbursements for the PER can also be made when the PER is finalized.

Great West is currently in the design phase for the transmission main with survey and base mapping complete and development of a plan set in progress. Great West has also prepared the Uniform Application for submission to SRF with finalized PER. The cost estimate for the transmission main project is \$1.3 million. The anticipated funding strategy for the transmission main project is as follows:

Transmission Main Replacement Project Funding Summary Funding Source Amount ARPA MAG (City & County Combined) Status/Timing of Funding Availability \$306,708 Start-up paperwork has been submitted but the contract has not yet been executed by ARPA. Great West is currently working with the ARPA specialist on meeting start-up conditions. Once a contract has been executed by ARPA, the City can begin drawing on funds for the project. SRF Loan Forgiveness \$750,000 SRF Loan Total Amount (Loan + Bond Reserves)(1) \$268,792 Total Project Funds \$1,325,500.

The City will need to apply by submitting a Uniform Application with a completed PER. SRF funds will be used primarily for construction. If loan forgiveness is not awarded, the funding scenario for the project will need to be re-visited and funding approach adjusted as necessary. (1)Expected cost per month increase in water rate per user is \$1.43 but is subject to change based on received bids.

Next Steps:

- Great West will work with the City to apply to SRF to finalize project funding. SRF funds are typically not available until the project has been bid on and final construction costs are known.
- Great West will continue design and prepare plans and specifications for review by the City and submission to DEQ by the end of the year. The goal will be to bid the project this spring for summer 2024 construction.

Task Order 3: Capital Improvements Plan (CIP) This project is for preparation of a CIP that represents a list of the City's priority projects over the next five years. Great West is currently drafting the CIP with information that is known at the time from other existing reports and available mapping. The PASER streets field work has been completed and Great West is in the process of determining recommended rehabilitation strategies and associated costs. The public survey process has also been completed and results have been distributed to the City.

Next Steps:

- The City has been provided with a template for listing their project priorities and estimated costs if known. Each City department should develop priority lists according to category (streets, water, sewer, parks, buildings, emergency services, etc.).
- Once the City provides Great West with their priority lists, Great West will compile all the known information and set up a meeting with the City to go over the information, ask questions, and re-visit the overall objectives of the CIP.

Task Order 4: Backup Generator Project The City has contracted with Great West for design, bidding, and construction administration services for a project to install backup generators for the City's domestic water supply groundwater well pumps and wastewater lift station.

Great West has completed the design, bidding work, and contracting process with the contractor as well as review of electrical submittals. Great West has also provided ARPA with required documents as part of grant administration. The total cost for the generator project is \$294,665 (includes engineering). The anticipated funding strategy for the generator project is as follows: Page 2 of 5 Backup Generator Project Funding Summary Funding Source Amount ARPA MAG Status/Timing of Funding Availability \$118,000 ARPA Local Fiscal Recovery Funds Start-up paperwork has been submitted and the contract has been executed by ARPA. The City can begin drawing on these funds for the project. \$175,665(1) City Contribution \$1,000 The City can draw on these funds for the generator project as needed. Total Project Funds \$294,665 (1)Includes \$24,000 for contingencies during construction which may or may not be needed.

Next Steps:

- The contractor does not anticipate the arrival of the generators until March of 2024 and prefers to wait to schedule a pre-construction meeting until closer to that date.

Task Order 6: General Services This task order is reserved for smaller items that come up for which the City would like assistance from Great West. Over the past several months Great West has assisted with a variety of reviews and correspondence pertaining to the Mountainview Medical Center water and sewer line construction as well as several other minor Council meeting agenda items relating to development within the City. Amendment 2 has been submitted to the City for consideration to add an additional \$15,000 to the contract as the current contract amount has been expended.

Next Steps:

- Great West will continue to help with general engineering items as they arise.

Task Order 7: Houston Street Sewer This task order is for engineering design services associated with the replacement of 100 150 feet of sewer main on Houston Street between 1st Avenue SE and 2nd Avenue SE. Design, DEQ approval, and construction have been completed. Amendment 1 has been submitted to the City as additional time was spent on the project due to deviation requests asked for by the City and the emergency nature of the project that was realized after the initial scope of work was initiated. Next Steps:

- Great West will provide as-built drawings to the City and DEQ as well as certification to DEQ that the project was constructed to plan.

Task Order 8: 1st Avenue NW Septic to Sewer Project This project was developed as septic system issues were identified on 1st Avenue NW. The project approach has been developed and includes abandonment of septic systems on three existing properties and connection of these properties to City sewer via installation of individual grinder pumps and force main. Survey and base mapping have been completed and preliminary design is proceeding. Grant administration activities for individual landowner funding have also been initiated Page 3 of 5 through private meetings with landowners. The total cost estimate for the sewer project is \$269,100 (including engineering) and a project budget has been prepared which assumes 48% SRF loan forgiveness. The anticipated funding strategy for the sewer project is as follows: 1st Avenue SW Septic to Sewer Project Funding Summary Funding Source Amount SRF Loan Forgiveness Status/Timing of Funding Availability \$128,576 SRF Loan Total Amount (Loan + Bond Reserves) Total Project Funds \$140,524(1)(2) \$269,100 The City will need to apply by submitting a Uniform Application which Great West will prepare. Approximately 48% of the funds will be requested for loan forgiveness. If loan forgiveness is not awarded, the entire project cost will be funded through an SRF loan. The City will not be able to draw on these funds until construction. If the City needs assistance with payment of engineering fees, a small bond anticipation note can be submitted to SRF. (1)Additional funding is available through DNRC's private landowner septic program. Each landowner is eligible for up to \$5,000 for the upgrade to their septic system (in this case, removal of the septic system). There are three affected landowners for a total of \$15,000 that could be used to pay the SRF loan. Great West will assist the landowners with submission of funding applications to DNRC and also with the repayment logistics to the City. (2)The Montana Department of Commerce has also offered to provide 20 hours of technical assistance to the project which can be used to re-pay engineering fees (approximately \$3,000 based on 20 hours x \$150 per hour). Next Steps: • Great West will present preliminary design documents to the City for review and approval and proceed with preparation of the Uniform Application and DNRC individual landowner applications.

Task Order 9: Planning Services This task order is reserved for smaller items that come up for which the City would like assistance from Great West specifically related to land use planning. This task order can be amended as needed to add additional funds for planning services work. Over the past several months, Great West provided assistance related to the Bruce Lay annexation request, located north of the City.

Next Steps:

- Great West will continue to help with planning items as they arise.

Other Work or Future Upcoming Work for Consideration Planning Grants: Great West submitted MCEP planning grants on the City's behalf for completion of a stormwater PER and wastewater PER. Both of these grant applications were submitted on August 3, 2023. If awarded, each planning grant from MCEP is \$40,000 and these funds can be used to fund a portion of the fees for completion of these studies. Award of the MCEP grants has not yet been announced. Page 4 of 5 A CDBG planning grant was also submitted to fund a parks recreation master plan. Craig Erickson to provide additional details on status.

Water PER Update: If the City would like to pursue a 2026 project at the intake or treatment facility and apply for construction grant funding, the City should consider doing a water PER update for submittal with construction grant applications in May of 2024. A water PER update would involve updating specific sections of the 2023 water PER to reflect a preferred project at the intake including new executive summary, another round of environmental consultation and environmental checklist, update of population, water usage and demand estimates, updated cost estimates, funding scenarios, and another public meeting. Much of the existing water PER narratives will not be expected to substantially change. The City would not have any planning grant money available for the update and the cost of the PER update is estimated to be approximately \$25,000.

Lead Service Line Inventory: Based on requirements by the EPA, each community is required to have completed a lead service line inventory by October 2024. Great West has been monitoring this requirement and assistance opportunities if the City has questions or needs more information.

HB355: This is **not** a competitive grant. The money has been allocated to each city (White Sulphur Springs approximately \$111,000) and town based on the gas tax distribution criteria (roads, population, etc) so if you submit for an eligible project, you will get your money. You aren't competing against each other, or against any other entities.

- Eligible projects include the ones listed below, but also maintenance or repair of existing streets, roads, bridges, landfills, street lights, airports, and **public grounds and buildings**. I emphasize maintenance and repair of public buildings because this is not an activity where grant money is usually available.
- Each municipality must make a local cash match equal to no less than 25% of the total project cost. It may not include in-kind contributions of goods or in-kind services, and it may not include any state or federal grants or loans. It must be from local sources, and it must be for the total project cost. If you are contemplating using the funds for a large water or wastewater project, be aware that using these funds for that purpose may create a very large local cash match that you might not be able to meet. Again, that is why I emphasize the eligibility of smaller public building repair projects without large total project costs.

The only thing you are going to need to do by December 31, 2023 is create the list of potential eligible projects. You do not need to prioritize them or hold a hearing on them before this date. Once the list is complete the City or Town must hold a public hearing must be held before project applications are submitted to Commerce. The hearing would be held during the January or February meeting. You are just going to have to document to Commerce when you apply that you created the list of the projects you are considering on or before December 31, 2023. You will need to get the final project under contract by the end of 2024 and have all the funds spent by the end of 2027. Priority is given to projects that maintain or repair publicly owned drinking water systems, publicly owned wastewater treatment systems, and municipal fire suppression systems that are independent of a water system.

5. Library Report

Good Evening, Council!

- The Library has been going really really well. I have been really really happy to see a continual growth in our programs and library use. Here are some highlights from the last time we met.

- The library has had a busy busy year. Our checkouts have been up an average of 1000 checkouts for the entire year compared to last year!

- There has been a significant increase in our community room use, We have switched to a digital calendar for scheduling and an outside locking key box.

We received the Dorothy Louise Kyler Grant (\$5000) for children's books and programming! We have not received the money yet, as it was just announced, but Shannon has some wonderful ideas once we receive funds. One focus area will be updating our non-fiction section with up-to-date books. Many of ours are very dated but it isn't within our budget to replace them often. Shannon would also like more learning enrichment activities that we can rotate weekly.

- Saturday's have been going really well with very steady use.

- Shannon travels to the Colony once a month to do crafts, reading, and book checkouts for the school. Preschool comes at the end of every week for reading and book checkouts.

- The Dolly Parton Imagination Library has been in full swing for months. Cassi heads up this program. There are 62 children that are signed up. Children from the ages of newborn-s years old can sign up There are 62 children that are signed up. Children from the ages of newborn-s years old can sign up and receive a free book mailed to them once a month.

- Storytime has been VERY well attended. We average 22 two year olds on Wednesdays. It is a busy busy hour!

Thank you, Rachel Wahlstrom

Library Director

G. Unfinished Business - Items for Discussion and/or Action

1. Water System Draft PER document. Jessica Salo, Gt. West Engineering

Discussion and/or Action

Continued from 11/6 and 11/21 meetings: Review and provide comments/amendments as to draft document. Note method for calculating rate is different from initial proposal. Consider adoption of PER as submitted or with alterations to enable submission for transmission line project and other funding upon approval by Rural Development.

Accept Public Comment

Possible Motion: Move to adopt PER as presented and submit as appropriate with proposal for transmission line project. OR, Move to adopt PER as altered by discussion and submit as appropriate with proposal for transmission line project. OR, Move to continue to another meeting.

The Mayor, City Engineer, and Council discussed the Water System Draft PER document. Pattie Berg motioned to adopt the Water System PER document as presented and submit as appropriate to the proposal for the transmission line project. Lee Blanchard seconded the motion. All said Aye. Motion carried and passed.

H. New Business- Items for Discussion and/or Action

1. Resolution 2023-13A: Adopt Policy on CDL license – Public Works Division

Discussion and/or Action

Continued from Work Session Discussion on 11/21: Resolution 2023-13A: proposal to adopt a policy on CDL licenses for Public Works Division.

Accept Public Comment

Possible Motion: Move to adopt Resolution 2023-13A as presented. OR Move to adopt Resolution 2023-13A as amended. OR Move to continue discussion to another meeting.

The Mayor, City Attorney, and Council reviewed the drafted Commercial Drivers License Policy and made a couple of changes to the document. The Mayor said that other towns in Montana are having the same issues with the CDL process and it has been taking 6-8 months to get a CDL. All CDL drivers without their learners permit will be required to take entry level driver training. It was mentioned to see if an entity in Montana would be able to provide the Entry Level Driver Training either in person or online.

The effective date is December 4, 2023. Page 1, 2. Strike out “or” and change to “and”, be able to obtain a valid CDL within 90 days of hire. Page 1, 4. Strike out “accommodations” and change to “assistance”. Page 2, Step 2:, strike out “unless the employee meets exemption requirements and is exempted by the City”. Page 3, Step 4 and Step 4.5, strike out “Date” and change to “Target Date”. Step 4, insert after the first sentence, “Paid work time should be at City Hall or at work with approval of supervisor during a normally scheduled shift.” Page 4, Step 5 and Step 6, strike out “Date” and change to “Target Date”. Step 5: remove one and three notations. Page 5, Consequences for Failure to Obtain and Maintain a Commercial Driver License, July 1, 2024 will be, (add to this sentence), “subject to disciplinary action up to termination” strike out “terminated”.

The City will need to review the Public Works Supervisor and Public Works Employee job descriptions and update to reflect policy changes.

Lee Blanchard motioned to adopt Resolution 2023-13A as amended. Pattie berg seconded the motion. All said Aye. Motion carried and passed.

I. Thank you to Lee Blanchard for Service on City Council.

The Mayor and Council thanked Lee Blanchard for his Service on the City Council.

J. Comments/Discussion

1. Future Business

2. Mayor's Comments—Rick Nelson

The Mayor said that HB355 (approximately \$111,000) had previously been mentioned and the City is in desperate need of a new water scada system, it would cost approximately \$50,000. The Mayor said that City has approximately \$600,000 of Gas Tax funds. The Mayor said that it would be a great idea to plan on to pave a block on each side of main street and side streets, (25 blocks, costing approximately \$480,000) and get it on the schedule for the paver contractor now.

3. Council Comments/Discussion

a. President of the Council—Ron Coleman

Ron Coleman said he is just playing catch up with taking care of his wife and surgery will be next Wednesday with her pacemaker and hopefully back home Friday.

b. Council Member—Lee Blanchard

Lee Blanchard said that he appreciates the opportunity to serve on the City Council. If the City needs anything with computers he is still available if needed.

c. Council Member—Pattie Berg

Pattie Berg said that the next Parks Advisory Committee meeting would be December 14th.

d. Council Member—Rick Ellison – not here tonight.

K. Council Review of Financials

L. Claims Signing/Motion to Approve the Bills

Pay the Bills

Accounting Claim Check #'s 19465-19476 November 22-30 for \$7,999.37

Accounting Journal Vouchers November 1-30 next time.

Payroll & Electronic Check #'s 9626-9645 November 16-30 for \$22,333.86

Utility Billing System Adjustments Journal Vouchers November 1-30 next time.

Received a copy Budget Expenditure/Revenue November next time.

The Mayor and Council received the Pay the Bills and the monthly Budget Expenditures/Revenues. The Mayor asked if there is a motion to pay the bills. Lee Blanchard motioned to pay the bills as presented. Pattie Berg seconded the motion. All said Aye. Motion carried and passed.

M. Motion/Vote to Adjourn the Meeting

The Mayor asked the Council if there is a motion to adjourn the meeting. Pattie Berg motioned to adjourn the meeting. Lee Blanchard seconded the motion. All said Aye. Meeting adjourned at 9:00 pm.



Michelle Stidham
City Clerk-Treasurer



Mayor – Rick Nelson