

## ADMINISTRATIVE MEETING

November 30, 2016

4:00 p.m. to 6:00 p.m.

Room 326

### AGENDA

1. **Call to order, introductions, opening comments**
2. **November 23, 2016 Administrative Meeting summary**
3. **Commission comments, questions**
  - Upcoming appointments
4. **City Manager's Report**
5. **Department discussions**
  - Community Development**
    - Green Meadow Development - Change of Conditions
    - **Consensus Direction to Manager:**
  - Public Works**
    1. Quiet Zone Project Update
    2. Raleigh Street Shared Sewer Service Project
    3. West Main Street Project Update
    4. Front Street Project Update
    - **Consensus Direction to Manager:**
6. **Committee discussions**
  - a) Audit Committee, City-County Board of Health, L&C County Mental Health Advisory Committee, Montana League of Cities & Towns  
– Mayor Jim Smith
  - b) Mayor Pro-Tem, Audit Committee, Helena Chamber of Commerce Liaison, Information Technology Committee, Transportation Coordinating Committee  
– Commissioner Dan Ellison
  - c) ADA Compliance Committee, Audit Committee, City-County Parks Board , Civic Center Board  
– Commissioner Rob Farris-Olsen
  - d) Board of Adjustment, City-County Administration Building (CCAB), Non-Motorized Travel Advisory Board, Transportation Coordinating Committee  
– Commissioner Andres Haladay
  - e) Business Improvement District/Helena Parking Commission ,Montana Business Assistance Connection, Public Art Committee  
– Commissioner Ed Noonan
  - f) Helena Citizens Council – **Passenger Rail Service Discussion**
7. **Review of agenda for December 5, 2016 Commission meeting**
8. **Public comment**
9. **Commission discussion and direction to City Manager**
10. **Adjourn**

**\*Donate to our city's holiday tradition of collecting nonperishables for FoodShare!\***

**\*Bring food to room 417 in the City-County building by 12/20/16.\***

*City of Helena, Montana*

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## **ADA NOTICE**

The City of Helena is committed to providing access to persons with disabilities for its meetings, in compliance with Title II of the Americans with Disabilities Act and the Montana Human Rights Act. The City will not exclude persons with disabilities from participation at its meetings or otherwise deny them the City's services, programs, or activities.

Persons with disabilities requiring accommodations to participate in the City's meetings, services, programs, or activities should contact the City's ADA Coordinator, Elroy Golemon, as soon as possible to allow sufficient time to arrange for the requested accommodation, at any of the following:

(406) 447- 8490

TTY Relay Service 1-800-253-4091 or 711

[citycommunitydevelopment@helenamt.gov](mailto:citycommunitydevelopment@helenamt.gov)

316 North Park, Avenue, Room 440, Helena, MT 59623

*City of Helena, Montana*

# Memo

To: Ronald J. Alles, City Manager  
From: Sharon Haugen, Director  
CC: Lucy Gengler, City Planning  
Thomas Jodoin, City Attorney  
Date: 11/25/2016  
Re: Consideration for amending conditions of Approval, Green Meadow Subdivision

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On October 17, 2016, the Helena City Commission approved the Helena City Commission approved Resolution No. 20311 annexing Lot 4A of COS #3035465 and authorized the City Manager to enter into an Agreement for Satisfaction of Annexation Conditions. One of the items outlined in that agreement is the timing of when the final plat for the Green Meadow Subdivision (a separate and distinct process from the annexation). The Annexation agreement required that the final plat be filed by December 15, 2016 The purpose of linking the two together was threefold 1) many of the requirements for the annexation were similar to the Conditions of Approval for the subdivision; 2) the filing of the final plat for the subdivision would result in the dedication and full installation of Benton Avenue and the annexation agreement outlines the timing of when building permits could be issued and when the buildings could be occupied.

On November 14, 2016, the Helena City Commission amended the Annexation agreement with regard to the timing of when foundation and above ground building permits can be issued. Subsequent to the approval, the applicant was notified by the Montana Department of Transportation that MDOT will not allow an approach onto Green Meadow Drive for the development. One of the conditions of approval for the Green Meadow Subdivision is that the applicant *must obtain an approach permit for the proposed access on to Green Meadow*. This decision by MDOT requires that the following action be taken: 1) the applicant must request that the annexation agreement be amended to allow additional time for the filing of the final plat (see attached letter) and 2) the applicant must make a formal request to change the condition of approval regarding the access on to Green Meadow. This will require completing a revised TIS study and further analysis from City staff.

One of the questions for the City Commission is whether they are willing to consider the amending the Annexation agreement to allow for the revised date for filing the final plat as proposed in the letter (new date would be June 15, 2016). The other question for discussion is to whether the City Commission is willing to entertain such an amendment to the subdivision and what concerns might they have when contemplating this issue. The purpose of this memo is to garner some discussion and to solicit any questions or concerns the Commission may have regarding this request and change in conditions prior to having the applicant move ahead with TIS and pursuing alternative access for this subdivision. Any formal action would have to take place at a regular meeting of the County Commission. This would include the change in the Annexation Agreement and as a spate action, approving a change in the condition of approval for the subdivision



MARC PARRIMAN CONSTRUCTION CO., INC.  
1601 CARTER DRIVE  
HELENA MT 59601  
[www.parriman.com](http://www.parriman.com)  
Phone: (406) 443-2345  
Fax: (406) 457-0592

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November 22, 2016

Lucy Morell-Gengler  
City Planning Department

Re; Green Meadow Subdivision

Dear Lucy,

As discussed in our meeting last week, our application for the second access onto Green Meadow Drive was denied by MDT. The access was one of the conditions of approval of the subdivision requirements. Due to the MDT denial we cannot meet that condition; this was not by our choice. We are asking for that condition to be eliminated. We believe that updated TIS information will show that the access is not needed and that Benton and Sandstone will easily handle all traffic generated from both Phases 1 and 2. We are willing to provide updated TIS information that supports this. We are planning on installing the rest of the improvements as identified in the TIS, including the condition which calls for the installation of a 10' wide total pedestrian access connection to Green Meadow Drive. We have an inquiry into MDT regarding the possibility of this pedestrian connection but, initially, do not foresee a problem with getting approval for that item at this point. The pedestrian extension is anticipated to be designed and installed in conjunction with the development of the Phase 2 parcel.

Due to these uncertainties, we are also requesting a 6 month extension for the filing of the final plat which is currently identified as December 15 in the annexation agreement. This will give us more time to iron out these items.

In the meeting last week, I believe you said that the final plat could not be approved until these conditions are met. I still don't quite understand why. It was my understanding that we agreed that Phase 1 and Phase 2 are separate "stand alone" projects and that Phase 1 could proceed and questions and problems associated with Phase 2 of the project could be addresses separately and at the time of the Phase 2 development process. Updated TIS information was provided by Stahly Engineering that shows a second access was not needed for Phase 1. I believe it was also discussed and was my understanding that a deed restriction placed on Lot 1 (Phase 2) would prohibit development of that parcel until either; the conditions were met, or changed. That deed restriction language could be included on the final plat. Once Benton Avenue has been completed it seems to me as if the Benton Avenue could be dedicated to the city and final plat process could be completed. Benton Avenue is very nearly complete. I think the installation of the sidewalks along Benton is the only item remaining that would need to be completed in order to consider Benton complete. Curbs & gutters, paving, water storm water & waste water have all been completed at this time. Depending on the weather, the sidewalks could be completed within a couple of weeks. Hopefully we can figure out some sort of timely resolution that the city is comfortable with and will allow the Green Meadow Final Plat/ Benton Avenue dedication to happen. Thanks for your help.

Sincerely,  
Marc Parriman



November 10, 2016

Cal Kunkel  
6238 Golden Eagle Way  
Billings, MT 59106

Subject: Green Meadow Helena LLC Approach Permit Application

The Montana Department of Transportation (MDT) has received your application for an approach onto Green Meadow Drive (U-5820). We have reviewed the application as well as the Traffic Impact Study (TIS) that was previously submitted. This development will have two forms of reasonable access via the extension of Benton Avenue and an internal connection to Sandstone Way. MDT will not allow an approach onto Green Meadow Drive for this development.

You can contact me at (406) 444-4262 if you have any questions or if you need additional information.

Sincerely,

Jon Burnett, Systems Impact Coordinator  
Planning and Policy Analysis Bureau  
Rail, Transit & Planning Division

Copies: Jeff Ebert, P.E., MDT Butte District Administrator  
Dave Hand, P.E., MDT Great Falls District Administrator  
Danielle Bolan, P.E., MDT Traffic & Safety  
Jen Nelson, P.E., MDT Butte District Engineering Services  
Steve Prinzing, P.E., MDT Great Falls District Engineering Services  
Lee Alt, MDT Butte District Traffic Engineer  
Greg Wirth, P.E., Stahly Engineering

**Date:** November 23, 2016

**TO:** Ron Alles, City Manager

**FROM:** Ryan Leland, City Engineer  
Randall Camp, Public Works Director

**Subject:** Second Bid Award for the Quiet Zone Phase II - Project #15-31

The City of Helena first bid the Quiet Zone in July and received only one bid. That bid was more considered too expensive and the City Commission rejected all bids and decided to re-bid the project this fall. On Nov.15<sup>th</sup>, 2016 the City of Helena, through our consultant KLJ, received two bid for the Quiet Zone Phase II. The low bid for the base bid came in at \$480,880 with the three additive alternates totaling an additional \$347,723 (see attached bid tabs). Additive alternate #1 is for the pedestrian improvements to Benton (\$89,723), alternate #2 is the wayside horn at National (\$129,000) and alternate #3 is the wayside horn at Roberts (\$129,000).

The award for the low bid will change depending on which schedule is awarded. Helena Sand and Gravel is the lowest bidder for the base bid but if any of the additive alternates are awarded then the lowest responsible bidder will be Missouri River Contractors. Staff will be giving an update on the project and looking for direction from the Commission on whether to award the project and if so, which schedule would be preferred.

*City of Helena, Montana*



November 21, 2016

David Knoepke; PE  
City of Helena  
316 N. Park Ave.  
Helena, MT 59623

Re: Quiet Zone Phase II Bid Recommendation

Dear David:

On Tuesday November 15<sup>th</sup>, 2016, bids for the Helena Quiet Zone Phase II project were publicly opened and read aloud in the City-County Building conference room. Two contractors submitted bids for the project, Helena Sand & Gravel, Inc. and Missouri River Contractors. After reviewing the bid packages, it has been determined that both bids are “responsive” (i.e. bid forms were filled out according to the bidding instructions and the addendum was acknowledged).

In review of the bid package submitted by Helena Sand and Gravel, Inc., no errors were discovered. The following two minor discrepancies were discovered in the bid package submitted by Missouri River Contractors.

1. There was a math error on the base bid sheet. The total bid price for installation of the flexible delineators was \$320 greater than the price calculated using the unit price (\$33 per delineator x 16 delineators = \$528, not \$848). The error has been corrected on the attached bid tabulation using the unit price calculation.
2. The bidder’s list of project references does not include any projects which involve work similar to this project. However, we know that this company was recently created which is likely the justification for their lack of relevant company experience. We have worked with members of this company on other projects with their previous employer, and have confidence in their ability to complete the work included in this project.

Both of the bids received are significantly higher than the Engineer’s Opinion of Probable Construction Cost for the project. Attached is a bid tabulation showing the unit prices provided by the contractors, and the Engineer’s estimated unit prices. Following is a summary of the results:

	Helena Sand & Gravel	Missouri River Contractors	Engineer’s Estimate
Base Bid	\$480,880.75	\$485,201.20	\$258,066.64
Alternate 1 (Pedestrian Improvements, Benton Ave.)	\$129,863.55	\$89,723.90	\$60,574.35
Alternate 2 (Wayside Horn, National Ave.)	\$135,000.00	\$129,000.00	\$130,000.00
Alternate 3 (Wayside Horn, Roberts St.)	\$135,000.00	\$129,000.00	\$130,000.00
<b>Total</b>	<b>\$880,744.30</b>	<b>\$832,925.10</b>	<b>\$578,640.99</b>



We understand that it is the City's desire to award the Base Bid, Alternate 1, and possibly Alternates 2 and 3 (wayside horns.) It is not required that wayside horns be installed at National Avenue and Roberts Street based on the Federal Railroad Administration (FRA) Quiet Zone Rule. However, due to safety concerns associated with silencing train horns and making no improvements to these specific crossings, we recommend installation of wayside horns (award of Alternates 2 and 3). Montana Rail Link (MRL) and the Montana Department of Transportation (MDT) also recommend installation of the wayside horns. Attached is a letter from the President of MRL, stating this recommendation. Based on award of the Base Bid, Alternate 1, Alternate 2, and Alternate 3, Missouri River Contractors is the low bidder.

The Engineer's Opinion of Probable Construction Cost was prepared based on our experience with previous projects, and reference to a compilation of average bid prices on Montana Department of Transportation projects. Both of the bids that were received on the project are considerably higher than the Engineer's Opinion of Probable Construction Cost. However, the project has now been bid two times, and it is not likely that rebidding the project will result in significantly lower prices. Therefore, it is our recommendation that the base bid and three alternates be awarded to Missouri River Contractors in the amount of \$832,925.10.

Please call me at (406)449-7764 if you have any questions or need additional information.

Sincerely,

KLJ

A handwritten signature in blue ink that reads "Bradley Koon". The signature is written in a cursive, flowing style.

Brad Koon, P.E.  
Project Manager

Enclosure(s): Bid Tabulation  
June 9, 2015 Letter from Montana Rail Link

Project #: 15-31

TABULATION OF BIDS  
 QUIET ZONE PHASE II (BASE BID)  
 CITY OF HELENA



Bid Letting: November 15, 2016

				Engineering Estimate		Helena Sand & Gravel, Inc. Helena, MT		Missouri River Contractors Helena, MT	
ITEM NUMBER	UNIT DESCRIPTION	QTY	UNIT	UNIT PRICE	Engineering Estimate TOTAL SUM	UNIT PRICE	Helena Sand & Gravel, Inc. TOTAL SUM	UNIT PRICE	Missouri River Contractors TOTAL SUM
<b>BASE BID</b>									
109200005	MOBILIZATION	1	LS	\$ 23,460.60	\$ 23,460.60	\$ 108,000.00	\$ 108,000.00	\$ 81,500.00	\$ 81,500.00
202020140	REMOVE BITUMINOUS PAVEMENT	690	SQYD	2.22	1,531.80	11.00	7,590.00	9.00	6,210.00
203020100	EXCAVATION-UNCLASSIFIED	622.0	CUYD	10.00	6,220.00	11.00	6,842.00	10.00	6,220.00
203020200	EXCAVATION-UNCLASS BORROW	264	CUYD	15.00	3,960.00	26.00	6,864.00	45.00	11,880.00
203020375	TOPSOIL-SALVAGING AND PLACING	329	CUYD	10.00	3,290.00	10.00	3,290.00	10.00	3,290.00
301020340	CRUSHED AGGREGATE COURSE	222	CUYD	35.00	7,770.00	60.00	13,320.00	75.00	16,650.00
301020625	AGGREGATE TREATMENT	162	SQYD	1.00	162.00	6.50	1,053.00	10.00	1,620.00
401020022	COMMERCIAL MIX-PG 64-28	36	TON	150.00	5,325.00	485.00	17,217.50	400.00	14,200.00
603010532	CSP 24 IN 0.064	56	LNFT	60.37	3,380.72	65.00	3,640.00	80.00	4,480.00
608010112	CONCRETE MEDIAN CAP	155	SQYD	42.94	6,638.52	45.00	6,957.00	55.00	8,503.00
609010030	CURB-CONC MEDIAN TYPE A	1,467	LNFT	9.52	13,963.94	17.00	24,935.60	22.00	32,269.60
609010200	CURB AND GUTTER-CONC	1,471	LNFT	25.55	37,594.27	38.00	55,913.20	39.00	57,384.60
609010305	REMOVE CURB AND GUTTER	73	LNFT	3.52	255.90	15.00	1,090.50	20.00	1,454.00
610100101	SEEDING AREA NO 1	1	ACRE	478.23	334.76	1,700.00	1,190.00	1,700.00	1,190.00
610100326	FERTILIZING AREA NO 1	1	ACRE	94.56	66.19	600.00	420.00	900.00	630.00
610100555	CONDITION SEEDBED SURFACE	1	ACRE	109.47	76.63	500.00	350.00	750.00	525.00
616343914	CONDUIT-PLASTIC 1 1/2 IN	512	LNFT	7.08	3,624.96	10.50	5,376.00	11.50	5,888.00
616783007	PULL BOX-COMPOSITE TYPE 2	1	EACH	638.79	638.79	800.00	800.00	850.00	850.00
617000000	FOUNDATION-CONCRETE	4	CUYD	1,000.37	4,001.48	1,100.00	4,400.00	1,000.00	4,000.00
617033214	CABLE-COPPER 3AWG14-600V	627	LNFT	1.07	670.89	1.00	627.00	1.00	627.00
617123110	CONDUCTOR-COPPER AWG10-600V	1,881	LNFT	0.59	1,109.79	0.75	1,410.75	1.00	1,881.00
617183056	STANDARD-STL TYPE 10-A-500-6	8	EACH	2,145.29	17,162.32	2,600.00	20,800.00	2,700.00	21,600.00
617303300	HIGH EFFICACY LUMINAIRE LED - 400W EQUIV.	4	EACH	587.54	2,350.16	1,250.00	5,000.00	1,450.00	5,800.00
617305300	HIGH EFFICACY LUMINAIRE LED - 250W EQUIV.	4	EACH	225.00	900.00	1,250.00	5,000.00	1,450.00	5,800.00
617333160	SERV ASSEMB-60 AMP	8	EACH	2,635.00	21,080.00	2,000.00	16,000.00	2,150.00	17,200.00
618030080	TRAFFIC CONTROL	1	LS	32,500.00	32,500.00	92,000.00	92,000.00	95,000.00	95,000.00
619010086	SIGNS-ALUM REFL SHEET IV	101	SQFT	26.06	2,626.85	24.00	2,419.20	25.00	2,520.00
619010230	REMOVE SIGN	4	EACH	46.20	184.80	37.00	148.00	50.00	200.00
619010300	POSTS-TUBULAR STEEL	664	LB	5.88	3,904.32	8.00	5,312.00	8.25	5,478.00
619010340	POSTS-TUBULAR STEEL-SQ-PERF	56	LB	7.01	392.56	11.00	616.00	12.00	672.00
619010740	FRANG SIGN POST BKWY-3 IN RD (76 MM)	8	EACH	969.50	7,756.00	1,000.00	8,000.00	1,300.00	10,400.00
619011180	DELINEATOR-FLEX SURF MTD YLW	16.0	EACH	65.76	1,052.16	48.00	768.00	33.00	528.00
620010301	CURB MARKING-YELLOW EPOXY	24	GAL	254.45	6,106.80	350.00	8,400.00	300.00	7,200.00
620011260	WORDS AND SYMBOLS-WHITE EPOXY	20	GAL	295.94	5,918.80	350.00	7,000.00	400.00	8,000.00
620011265	WORDS AND SYMBOLS-YELLOW EPOXY	8	GAL	305.06	2,440.48	350.00	2,800.00	400.00	3,200.00
620013955	REMOVE PAVEMENT MARKINGS	12,778	LNFT	1.93	24,661.54	2.00	25,556.00	2.00	25,556.00
620013960	STRIPING-WHITE EPOXY	12	GAL	65.51	786.12	130.00	1,560.00	175.00	2,100.00
620014960	STRIPING-YELLOW EPOXY	29	GAL	56.12	1,627.48	130.00	3,770.00	175.00	5,075.00
999999997	CONDUIT BORING	127	LNFT	20.00	2,540.00	35.00	4,445.00	60.00	7,620.00
<b>TOTAL ESTIMATED PROJECT COST (Base Bid)</b>					<b>\$ 258,066.64</b>		<b>\$ 480,880.75</b>		<b>\$ 485,201.20</b>

TABULATION OF BIDS  
 QUIET ZONE PHASE II (ALTERNATES)  
 CITY OF HELENA



Bid Letting: November 15, 2016

				Engineering Estimate		Helena Sand & Gravel, Inc. Helena, MT		Missouri River Contractors Helena, MT	
ITEM NUMBER	UNIT DESCRIPTION	QTY	UNIT	UNIT PRICE	Engineering Estimate TOTAL SUM	UNIT PRICE	Helena Sand & Gravel, Inc. TOTAL SUM	UNIT PRICE	Missouri River Contractors TOTAL SUM
<b>ALTERNATE 1</b>									
109200005	MOBILIZATION	1	LS	\$ 5,506.76	\$ 5,506.76	\$ 20,000.00	\$ 20,000.00	\$ 2,000.00	\$ 2,000.00
301020340	CRUSHED AGGREGATE COURSE	2	CUYD	35.00	70.00	60.00	120.00	90.00	180.00
301020625	AGGREGATE TREATMENT	19.0	SQYD	1.00	19.00	6.50	123.50	50.00	950.00
401020022	COMMERCIAL MIX-PG 64-28	4	TON	150.00	615.00	485.00	1,988.50	475.00	1,947.50
608000020	SIDEWALK DRAIN	1	EACH	1,200.00	1,200.00	2,400.00	2,400.00	2,500.00	2,500.00
608010020	SIDEWALK-CONCRETE 4 IN	288	SQYD	72.32	20,806.46	59.50	17,118.15	50.00	14,385.00
608010050	SIDEWALK-CONCRETE 6 IN	13.3	SQYD	81.69	1,086.48	108.50	1,443.05	75.00	997.50
608010125	DETEC WARNING DEVICES-TYPE 1	14	SQYD	347.70	4,867.80	400.00	5,600.00	500.00	7,000.00
610100490	TURF REINF MAT-NATURAL FIBER	1	SQYD	5.80	5.22	800.00	720.00	650.00	585.00
616343914	CONDUIT-PLASTIC 1 1/2 IN	223	LNFT	7.05	1,572.15	10.50	2,341.50	12.00	2,676.00
617000000	FOUNDATION-CONCRETE	2	CUYD	910.26	1,729.49	1,100.00	2,090.00	1,000.00	1,900.00
617123110	CONDUCTOR-COPPER AWG10-600V	693	LNFT	0.58	401.94	0.75	519.75	1.00	693.00
617183056	STANDARD-STL TYPE 10-A-500-6	1	EACH	2,107.56	2,107.56	2,600.00	2,600.00	2,600.00	2,600.00
617303300	HIGH EFFICACY LUMINAIRE LED - 400W EQUIV.	1	EACH	598.36	598.36	1,250.00	1,250.00	1,300.00	1,300.00
617573070	RECTANGULAR RAPID FLASING BEACON (SOLAR)	1	LS	10,100.00	10,100.00	18,000.00	18,000.00	18,000.00	18,000.00
617673200	SIG STANDARD TYPE 1-200	3	EACH	564.36	1,693.08	7,150.00	21,450.00	7,500.00	22,500.00
618030080	TRAFFIC CONTROL	1	LS	5,000.00	5,000.00	28,000.00	28,000.00	5,000.00	5,000.00
619010086	SIGNS-ALUM REFL SHEET IV	13	SQFT	24.51	308.83	24.00	302.40	25.00	315.00
619010088	SIGNS-ALUM REFL SHEET IX	50	SQFT	23.48	1,176.35	27.00	1,352.70	29.00	1,452.90
619010200	RESET SIGNS	1	EACH	220.19	220.19	320.00	320.00	350.00	350.00
619010230	REMOVE SIGN	4	EACH	38.96	155.84	37.00	148.00	50.00	200.00
619010340	POSTS-TUBULAR STEEL-SQ-PERF	116	LB	6.79	787.64	11.00	1,276.00	12.00	1,392.00
620011260	WORDS AND SYMBOLS-WHITE EPOXY	2	GAL	273.10	546.20	350.00	700.00	400.00	800.00
<b>TOTAL ESTIMATED PROJECT COST (Alternate 1)</b>					<b>\$ 60,574.35</b>		<b>\$ 129,863.55</b>		<b>\$ 89,723.90</b>
<b>ALTERNATE 2 (National Avenue)</b>									
999999998	WAYSIDE HORN	1	LS	\$ 130,000.00	\$ 130,000.00	\$ 135,000.00	\$ 135,000.00	\$ 129,000.00	\$ 129,000.00
<b>TOTAL ESTIMATED PROJECT COST (Alternate 2)</b>					<b>\$ 130,000.00</b>		<b>\$ 135,000.00</b>		<b>\$ 129,000.00</b>
<b>ALTERNATE 3 (Roberts Street)</b>									
999999998	WAYSIDE HORN	1	LS	\$ 130,000.00	\$ 130,000.00	\$ 135,000.00	\$ 135,000.00	\$ 129,000.00	\$ 129,000.00
<b>TOTAL ESTIMATED PROJECT COST (Alternate 3)</b>					<b>\$ 130,000.00</b>		<b>\$ 135,000.00</b>		<b>\$ 129,000.00</b>



Montana Rail Link, Inc.  
101 International Drive  
Post Office Box 16390  
Missoula, Montana  
USA 59808

(406) 523-1500  
(800) 338-4750  
www.montanarail.com

June 9, 2015

Mr. Brad Koon, PE  
Kadrmass, Lee, & Jackson, Inc.  
2969 Airport Road, Suite 1B  
Helena, MT 59601

Subject: Draft Notice of Intent (NOI) to Establish a Railroad Quiet Zone under 49 CFR Parts 222 and 229

Montana Rail Link (MRL) has reviewed the NOI dated June 1, 2015 prepared by your office and submitted on behalf of the City of Helena. MRL has the following comments on this NOI:

1. The language of 49 CFR Parts 222 and 229 clearly places the responsibility for creation, implementation and maintenance of a railroad quiet zone with the public authorities having jurisdiction over the public grade crossings within the limits of the desired quiet zone. It is MRL's understanding that the State of Montana is the public authority for the railroad grade crossing on Montana Avenue (DOT #060 193 P) and may share jurisdiction with the City of Helena for the railroad grade crossings on Carter Drive (DOT #060 190 U), Benton Avenue (DOT #060 199 F), and Joslyn Street (DOT #098 742 R). This will require that any notice of establishment for this desired quiet zone include statements from both the City of Helena and the State of Montana, which comply with 49 CFR 222.43 Part B (ix), specifically:

*"A statement signed by the chief executive officer of each public authority participating in the establishment of the quiet zone, in which the chief executive officer shall certify that the information submitted by the public authority is accurate and compete to the best of his/her knowledge and belief."*

2. While use of the Nationwide Significant Risk Threshold (NSRT), Risk Index with Horns (RIWH) and Propose Quiet Zone Risk Index (QZRI) as described and calculated in the NOI is allowed in 49 CFR Parts 222 and 229 to permit establishment of railroad quiet zones, MRL believes it to be ill-advised to use these concepts to avoid installing any type of safety enhancements at the Roberts Street and National Avenue crossings. Regardless of the overall risk index ratings for the railroad crossings within this

C-43....Quiet Zone

Mr. Brad Koon, PE

June 9, 2015

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desired quiet zone, the fact remains that the actual risk for users of the railroad crossings on National Avenue and Roberts Street may increase with the elimination of the regular sounding of train horns. Installation of some type of street or signal improvements to mitigate the loss of routine sounding of train horns within this desired quiet zone would seem to be in the best interest of the users of these two grade crossings.

3. It is also noteworthy that the establishment of a railroad quiet zone does not mean that the sounding of locomotive horns will be completely eliminated within the limits of the zone. There are many railroad operations, including the backing of equipment, which require the use of locomotive horns for the benefit and safety of railroad employees. Train horns may also be sounded if any of the railroad crossing signals within the quiet zone are reported or observed to be malfunctioning, if an emergency situation occurs, or if the public appears to be unaware of the approach of railroad equipment. All of these soundings of the train horn are permitted by 49 CFR Parts 222 and 229.

4. Lastly, there has historically been a significant problem with trespassing onto and over MRL's right of way in the vicinity, but outside the limits, of the Benton Avenue crossing (DOT # 060 199 F). It is MRL's opinion that failing to discuss or address the aggravation of this problem due to the elimination of train horns is a serious omission in the planning and design of this proposed quiet zone.

If you wish to discuss any of these comments in more detail, please feel free to contact me or MRL's Chief Engineer, Randy Gustin. You can reach Mr. Gustin at 406-523-1442 or by email at [rgustin@mtrail.com](mailto:rgustin@mtrail.com).

Sincerely,



Thomas J. Walsh  
President

pc John Althof, MDT

**November 25, 2016**

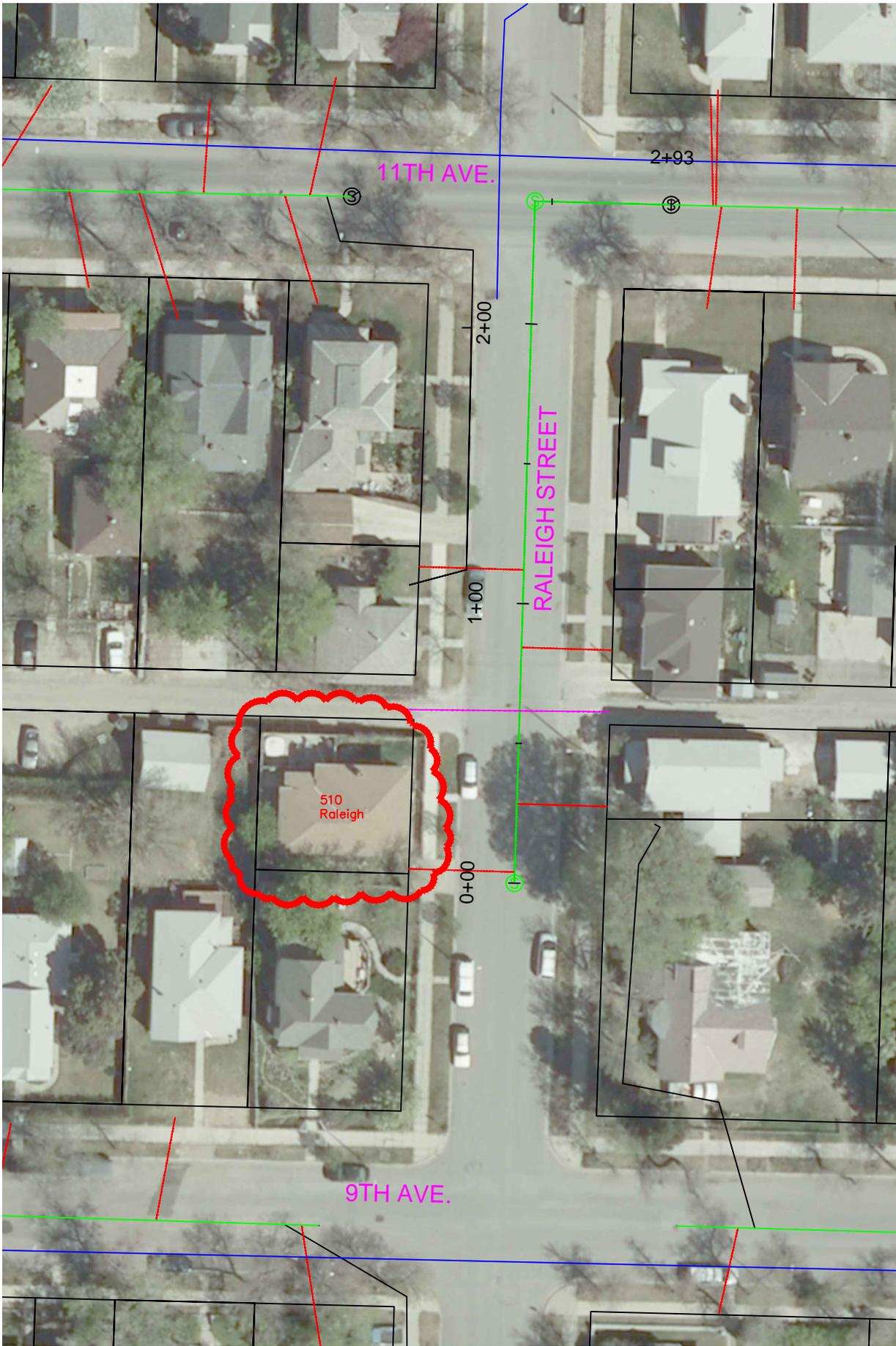
**TO: Ron Alles, City Manager**

**FROM: Ryan Leland, City Engineer  
Randal Camp, Public Works Director**

**Subject: Raleigh Street Shared Sewer Project**

City Staff will be at the meeting to describe the current shared sewer service project. As with last year, there is another emergency failed shared sewer service on Raleigh Street between 9<sup>th</sup> and 11<sup>th</sup> Ave. The house at 510 Raleigh has a failed sewer service that is connected with 732 and 736 9<sup>th</sup> Ave. The service connects under the house of 736 9<sup>th</sup> Ave. and would require substantial excavation of the yards to even temporarily fix the service. The City Commission budgeted \$100,000 to start to address shared sewer services around the City. This project will be able to correct four shared or long services. The estimated cost of the project is around \$60,000. Staff received three quotes for the project with Missouri River Contractors being the lowest at \$55,000. Staff has worked with DEQ, which was very helpful, to get an emergency approval for the extension. Work will begin as soon as a contract can be signed.

*City of Helena, Montana*



**November 25, 2016**

**TO: Ron Alles, City Manager**

**FROM: Ryan Leland, City Engineer  
Randal Camp, Public Works Director**

**Subject: West Main Update**

City staff will present an update of the West Main Project. Jeff Larsen, the City's Consultant, is responding to review comments from FEMA and MDT.

*City of Helena, Montana*

**November 25, 2016**

**TO: Ron Alles, City Manager**

**FROM: Ryan Leland, City Engineer  
Randal Camp, Public Works Director**

**Subject:** Update on Front Street Design

Staff will provide an update on the Front Street Design. City Staff is currently negotiating the scope and fee with a consultant for a design and bid package

*City of Helena, Montana*