

SUMMARY OF ADMINISTRATIVE MEETING
March 23, 2011, 4:00 p.m.
Room 326, City-County Building - 316 N. Park Avenue – Helena

1. Call to order, introductions, opening comments – Mayor Smith called the meeting to order. Commissioners Cartwright, Elsaesser and Thweatt were present. Commissioner Ellison was excused. Staff present was: City Manager Ron Alles; Community Development Director Sharon Haugen; Public Works Director John Rundquist; Assistant Public Works Director Phil Hauck; City Engineer Ryan Leland; Non-Motorized Transportation Coordinator Allen Cormany; Parks & Recreation Director Amy Teegarden; City Attorney David Nielsen; Administrative Services Director Tim Magee; Fire Chief Steve Larson; Police Chief Troy McGee and City Clerk Debbie Havens.

Others attending all or a portion of the meeting included: HCC representative Chris Goss, Kadrmas Lee & Jackson's Engineer Brad Koon and Public Affairs Manager Melissa Lewis; Mark Annas, Eric Reisenberger and IR Reporter Allyson Maier.

2. **February 23, 2011 Administrative Meeting Summary** – The February 23, 2011 administrative summary was approved as submitted.

3. **Commission comments, questions -**

A. Upcoming Appointments – There are no appointments on the March 28, 2011 city commission meeting agenda.

Commissioner Cartwright thanked Public Works Director Rundquist, Assistant Public Works Director Hauck and City Engineer Leland for taking the time to tour areas of the city where there are bike/ped issues. He complimented the street department for doing a great job in keeping the streets cleaned over the winter.

Commissioner Cartwright asked for an update on the recent raid on the medical marijuana operations. City Manager Alles and Chief of Police McGee gave an overview of the Helena Police Department's involvement in the raids. Officers were not involved in the investigation or search of the premises. Commissioner Cartwright thanked Chief McGee for the involvement the Helena Police Department was included in. Mayor Smith spoke of the professionalism the Helena Police Department showed during the raids and working with the other law enforcement agencies.

Commissioner Elsaesser stated he did a ride along with the Street and Police Departments when the Phillips-Conoco mega loads were taken through town.

Commissioner Elsaesser asked if any tenants have picked up tenant recycling permits. Director Rundquist stated eight permits have been issued.

4. **City Manager's Report**

A. Manager Alles had no items to report on.

5. **Department Discussions**

Public Works

Quiet Zone/Median Options – Public Works Director John Rundquist reported the city entered into a contract with Kadrmas, Lee & Jackson Engineers to do a study on a quiet zone. Director Rundquist introduced Engineer Brad Koon and Public Affairs Manager Melissa Lewis.

Engineer Brad Koon reviewed the Railroad Quiet Zone Preliminary Feasibility Study and the five options available for commission consideration. Included in the various options were the installation of mountable medians with reflective traffic channelization; four-quadrant gate upgrades; way-side horns and non-traversable curb medians with channelization devices. Kadrmas, Lee & Jackson recommended the city consider implementing Option 3. The estimated construction costs for Option 3 would be \$330,000 with medians installed at Joslyn, Benton and Montana Avenues and wayside horns at National and Roberts Streets.

Mr. Koon noted Federal Railroad Administration does not have any requirements dealing with pedestrian traffic in a quiet zone unless there is a pedestrian only access and there are not any of those in Helena. There are several options the commission could consider regarding pedestrian traffic. Mr. Koon noted they also looked at pedestrian traffic between the signals and fencing would be the best option.

Ms. Lewis reviewed the following funding options that were identified:

- Montana Rail Link
- TIGER III – Discretionary Grant Program
- Section 130 Federal Funding for Safety Upgrades
- FRA Safety Technology Grant Program
- Federal National Highway Traffic Safety Administration Funding
- FRA Rail Line Relocation and Improvement Grant Program

- FRA Railroad Rehabilitation and Improvement Financing Program
- Congressionally Directed Funding
- Tax Increment Financing (TIF) Options
- Special Improvement District Financing
- Special District Financing
- General Obligation Bonds
- Street Maintenance Assessment
- Gas Tax Fund

Ms. Lewis spoke on the various funding options and addressed the pros and cons of the individual options. Of the fifteen funding options, six were identified as having some potential; the FRA Loan Program, Special Improvement District Financing, Special District Financing, General Obligation Bonds, Gas Tax and General Funds.

The results of the HCC Quiet Zone Survey Results were also given to the commission. Engineer Koon reviewed the Quiet Zone Application Process.

Commissioner Cartwright referred to Option One versus Option Three and noted it didn't change the risk index any and asked why the increase in costs of \$200,000. Mr. Koon noted with option three there would be additional safety with the installation of a wayside horn. Commissioner Cartwright stated it sounds like we are addressing insurance and liability and not changes to safety. Mr. Koon stated he believes the crossings would be safer with the installation of wayside horns. Commissioner Cartwright asked if the risk index considers safety. Engineer Koon stated it does not count a wayside horn as an increase in safety.

Commissioner Cartwright noted there is potential for additional rail traffic if one or more of the coal ports are built. He asked if the city could do half of a quiet zone and then work with MDT to complete the other half. Mr. Koon noted the city could choose to do a smaller area and include only two or three of the crossings.

Commissioner Thweatt asked which of the crossings would be the most beneficial for the residents. Mr. Koon stated he believes the Joslyn and Benton Avenues crossings have the most residents adjacent to them.

Commissioner Elsaesser asked with the medians is there an option to add pedestrian access and if so would the cost increase. Director Rundquist noted staff would have to continue to look at all options. Commissioner Elsaesser asked on National Avenue if the current gates could be enlarged and not require additional gates or a wayside horn. Mr. Koon stated he would have to research the question and report back.

Mayor Smith asked if there are advantages/disadvantages to a permanent closure of any of the current crossings. Mr. Koon stated it is an option; however, it might not be the best one for the city to consider. Mayor Smith stated he continues to be concerned with safety and asked if the quiet zone is implemented would the safety be at the current level. Mr. Koon stated once the improvements are made, vehicular traffic would be as safe if not safer; however, the pedestrian traffic would not hear the horn; however, the train itself is fairly loud. Commissioner Cartwright noted when a train is going through; the crossings would still have the signals that would alert the pedestrians.

Commissioner Elsaesser asked if all the crossings currently have gates. Mr. Koon stated yes. Commissioner Thweatt asked if the study includes information on the current sound level compared to the level if wayside horns were installed. Mr. Koon referred the Commission to pages 17-26 of the study. Commissioner Thweatt asked where the data came from. Mr. Koon explained a computer program was used to determine the noise level for both the horn sound and the wayside horn and noted they are all estimates.

HCC Representative Chris Goss stated he would present the report to the HCC members. Commissioner Thweatt referred to the HCC survey results and asked if there was any geographic identification available on who took the survey. Mr. Goss stated he did not know if the geographic identification was included in the survey.

Mark Annas thanked the commission for moving forward and having the study completed. Safety and the quality of life continue to be the key factors for him.

Erick Reisenberger noted the HCC survey did ask where people lived; however, it was not coordinate it with those who had issues with the horn sound. He also spoke of the increased train traffic being anticipated in the future. He asked if a SML is installed at each intersection, would the city's insurance liability increase. Administrative Services Director Tim Magee stated he does not believe the premiums would increase do to a quiet zone. Mr. Reisenberger asked if a quiet zone is implemented, when would trains be required to blow the horns. Mr. Koon stated when the switch tracks are being used or when an emergency exists the trains would blow the horns.

Engineer Koon noted the quiet zones are reviewed every five years; therefore, if the train traffic increases it would be reevaluated.

Commissioner Thweatt noted different train engineers have different styles of blowing the horns and asked what the regulations are for blowing the horns. Mr. Koon noted there is a pattern and it requires the horn to be blown 15-20 seconds prior to entering the crossing.

Commissioner Elsaesser asked once the improvements are installed is the maintenance costs still the responsibility of the railroad. Mr. Koon stated the maintenance to the arms would be the city's responsibility. Public Works Director Rundquist noted the city currently is responsible for the crossing arms.

Mayor Smith asked if there are results available from other communities who have implemented quiet zones. Ms. Lewis referenced the study and noted there are comments from the three communities who have implemented quiet zones.

Commissioner Elsaesser stated he is pleased with the study results. He is interested in having staff look into longer medians that would have a pedestrian refuge and possibly using CTEP funds and work with the rails companies to help install them. He has not made a final decision on how to proceed.

Commissioner Thweatt stated this is not a high priority for spending public money. He believes those affected by the noise should pay for the improvements. He asked for further information on the decibel levels that create a noise problem, determine the boundaries of the affected areas and then look at creating an assessment district based on those boundaries. Commissioner Thweatt stated he would not support moving forward unless a special district could be created.

Ms. Lewis stated she has additional information on the Special Improvement District Financing (SIDF) Option. Commissioner Thweatt asked what the cost would be to do additional studies that would be required to create a SIDF. Ms. Lewis stated she would have to follow-up with the commission regarding costs.

Commissioner Cartwright stated he would ask staff to look at the Joslyn and Benton crossings to how feasible a quiet zone would be for those two and bring back costs and public comments for further discussion. Commissioner Cartwright stated he does not believe a district could be created that would not include the entire city.

There was commission concurrence to continue the discussion of a quiet zone. Mayor Smith stated he is willing to look at all the funding options that have been presented. City Manager Alles noted creating a district is very complicated and if it were tiered it would be near impossible.

Manager Alles asked if there is commission concurrence to spend additional funds to get more information. Commissioner Elsaesser stated he is not interested in a further study of creating a SIDF; however, he would support bringing back the quiet zone conversation once the commission has had time to review the report. Mayor Smith asked if the quiet zone could be added to the matrix for further discussion. Manager Alles asked what the commission's expectations would be when staff brings it forward again; should staff develop a plan to move forward including a budget to do so. If there is commission concurrence to develop a plan and budget, cuts would need to be made elsewhere.

Mayor Smith stated he would recommend the commission spend some additional time with the study and if interested, agree on one of the options and begin looking for funding. Manager Alles stated he will bring the quiet zone back in a month or so for further discussion.

Commissioner Elsaesser stated he is interested in having further discussions with the identified partners. Mr. Koon offered to answer any questions the commission or staff might have. Director

Rundquist asked the commission to forward any questions/comments him and Assistant Public Works Director Phil Hauck.

CTEP Recommendations – City Manager Alles reported the FY11 beginning CTEP available balance was \$882,263. To date, the City Commission has allocated this CTEP balance to the projects listed below:

Beginning Balance	\$882,263
1. Centennial Trail	\$367,000
2. C.R. Anderson Sidewalks	\$102,500
3. Guardian Building Sidewalk	\$ 36,017
4. Way to Go Campaign	\$ 15,000
5. Broadway/Last Chance Gulch ADA	\$101,534
6. Pioneer Village, Janet & Beltview Parks Sidewalks	<u>\$115,446</u>
	\$737,497
Ending Balance	\$144,766

The City of Helena has been informed that the FY12 CTEP allocation will be \$170,529. This will put the CTEP balance to be allocated at \$315,295. The following list of Projects was not funded during the last allocation of CTEP (not in priority order).

1. Capital High School Pedestrian Crossings	\$ 50,786
2. Helena Middle School – Rodney Street Crossing	\$ 18,450
3. Bryant Elementary Speed Reduction	\$ 16,193
4. Jefferson Elementary Speed Reduction	\$ 16,193
5. C.R. Anderson Pedestrian Crossings	\$ 33,367
6. Central Elementary Pedestrian Crossing	\$ 41,219
7. Helena/Roberts/Gallatin Pedestrian Improvements	\$114,794
8. Bill Roberts Sidewalks	\$ 51,874
9. Broadway Underpass Trail	\$249,552
10. Cooke Street/Helena Avenue Connection (HATS)	\$ 59,899
11. ADA Sidewalks (10 Intersections)	\$ 99,822
12. Lyndale Overpass Area Sidewalks (Getchell)	<u>\$ 22,558</u>
	\$773,742

Staff would like direction on the desire and process used to allocate the remaining FY11 CTEP balance and the anticipated FY12 CTEP revenue.

City Manager Alles referred to the March 1, 2011 memo with the recommendations from the Non-Motorized Travel Advisory Council (NMTAC). It was noted that some of the projects on the NMTAC do not qualify for CTEP funding.

Prior to beginning discussions on the CTEP funding, Manager Alles reported City Attorney Nielsen has submitted an application for right-of-way acquisition to MRL adjacent to Centennial Trail. Commissioner Elsaesser asked if the application for right-of-way was for Phase One of Centennial Trail. City Attorney Nielsen noted it was for the entire length of the proposed trail. Commissioner Cartwright noted the majority of the right-of-way is west of Centennial Park.

The city has received approval from MDT for the Broadway/Last Chance Gulch ADA project and a contract with MDT for Centennial Trail; however, with not having obtained the easements from MRL staff has not brought that forward. Staff is looking at re-scoping the project in order to move forward this construction season. Once staff has met with the consultant, the project would go back to NMTAC for

review.

The commission has approved the Guardian Building sidewalk; Broadway/Last Chance Gulch crossing and the parks sidewalks.

Mayor Smith spoke of the two different recommendations presented to the commission last year. He asked staff what criteria were used in developing their recommendation. Director Rundquist stated the biggest criteria staff has is identifying matching funds to complete the projects.

Commissioner Elsaesser asked if the commission has already committed to funding projects 1-6. City Manager Alles noted the projects have been committed to; however, all the funding sources have not been identified. There was commission concurrence not to revisit the projects (1-6 listed on staff's memo) that were funded last year. City Manager Alles stated the only project that might need to be re-visited is Centennial Trail and only if the scope is changed in order to begin Phase I this year. NMTAC is in agreement to get some of the projects started this year.

Commissioner Elsaesser stated he is concerned with losing another year of construction on Centennial Trail. Director Rundquist stated the CTEP funded projects take a very long time and city staff has no control over when MDT's review will be completed. Engineer Leland stated the reason for re-scoping the Centennial Trail Project would be to move forward as quickly as possible.

City Manager Alles referred the commission to the memo from Public Works Director Rundquist and Assistant Public Works Director Hauck and asked for direction from the commission on the expenditure of the \$315,295 CTEP funds. Manager Alles also referred the commission to NMTAC's recommendation for 2011 Projects. The recommendation includes projects that do not qualify to use CTEP funds.

Mayor Smith asked what process is used for making the decision on the CTEP allocation; would staff recommend the commission adopt specific projects. City Manager Alles explained in years past, the commission discussed and ultimately approved a set amount of CTEP funds to allocate; as projects were identified staff would bring them forward for commission approval. Last year, staff gave the commission six identified projects and included them in the budget. Manager Alles stated it his intention to use the same process this year.

In addition to the projects being recommended by staff and NMTAC, there is a community discussion taking place to improve pedestrian traffic in the Sixth Ward area; specifically the Bryant School area.

Commissioner Cartwright stated these estimates on the projects listed on staff's memo are a result of what came in over the transom; we asked if anyone had an idea and it was included. This is way different than how we do the rest of the transportation plan; i.e. set priorities for the system; work through the reasons for doing certain projects and not others. From that observation, he believes NMTAC was asked to review Chapter Six of the Transportation Plan and pull out the projects that would be a top priority. That is how NMTAC's 2011 project list was developed, some qualify for CTEP funding and other do not.

Commissioner Cartwright suggested staff look at the project ranking from NMTAC and treat them like transportation projects; including how all funding sources would be allocated and come up with a recommendation that makes the most sense for the transportation system. Commissioner Cartwright also suggested not allocating the entire \$315,295 CTEP funds.

Manager Alles stated staff has to look at matching funds for projects. He recognized in the past there have been outside funding sources that have helped fund some CTEP projects.

Commissioner Cartwright summarized he would consider selecting the projects by using engineering criteria and funding them by cash available criteria. Commissioner Elsaesser stated he likes establishing a list; however he is not clear on the funding options. He referred to the NMTAC list of recommendations and ask how difficult would it be to establish costs for each project.

Director Rundquist noted some of the NMTAC projects do not qualify for CTEP funding. Assistant Public Works Director Hauck reviewed the NMTAC recommendations and made the following observations/recommendations:

Helena Avenue Bike Improvements – Project could be funded through street maintenance;
West side ramps on I-15 to Washington Street - Good project however it is a MDT responsibility and the

city should not allocate the city's CTEP funds;

Benton & Euclid/Lyndale Intersection – Again, it is a good project, however, it is a MDT responsibility and the city should not allocate the city's CTEP funds;

Getchell Sidewalks – This project is included in staff's recommendation as #12;

North Benton Avenue Bulb-Outs - There are options for funding and again street maintenance funds may be able to be used. Commissioner Elsaesser asked if the idea is to reduce the bulb-outs. Director Rundquist stated neither he nor Engineer Leland would recommend changing the bulb outs. The bulb-out works as it is intended to; it slows down traffic and makes the pedestrians visible. The bulb-outs themselves might be able to be modified to allow bike traffic.

Pedestrian Crossing at Corner of 5th and Montana Avenue - MDT responsibility and city staff will ask MDT to install it. Engineer Leland noted this is a four-lane uncontrolled intersection and there are studies that show installing a cross walk at an uncontrolled intersection is un-safe.

11th Avenue Sidewalk, North side of 11th from Capitol Hill Mall to Albertsons - #7 – MDT responsibility and could be included in any improvements along 11th Avenue.

Broadway – California Corridor - The commission has the authority to order the sidewalks in; this would be a difficult project to fund with getting all the property owners to agree to participate. Staff is unsure how to get this project accomplished.

South end of Cruse sidewalks (Dale Harris Park) - If CTEP funds are used the match would come from the Parks Department. Commissioner Thweatt spoke on how wide Cruse Avenue is in this area and asked if there is a way to narrow it down.

Batch Field Trail, Bill Roberts Sidewalks along N. Benton, Garrison Street Trail – This was submitted as a project last year and would make sense with the match coming from the Golf Course.

Centennial Trail right-of-way acquisition - Staff has not had an opportunity to review this proposal and is not ready to address this project.

Commissioner Cartwright noted these last few projects are not feasible. He suggested taking the four NMTAC projects that are eligible for CTEP funding and integrate them with staff's recommendation and develop a priority list for commission discussion/consideration and look at other funding sources for the required match. He also observed we should only fund worthwhile projects, even if that meant leaving some of the CTEP money unobligated.

Commissioner Elsaesser asked how the acquisition of right-of-way would be funded. Manager Alles noted general fund monies could be used. Director Rundquist noted the portion of the trail that is on NMTAC list is located in the county. Commissioner Elsaesser asked if the Share the Road signage could be funded through street maintenance funds. Staff will have to review the projects and report back to the commission.

Manager Alles clarified the recommendation is for staff to take the four NMTAC projects and staff's recommendation and prepare a priority list, look at funding sources and bring back for further discussion. Further discussion was held on all the list of all projects, including those being discussed with the school district and the list including both motorized and non-motorized projects.

5. Committee discussions

a) ADA Compliance Committee, Audit Committee, Board of Health, Civic Center Board, Montana League of Cities and Towns – Mayor Smith – No report given

b) Audit Committee, Board of Adjustment, Non-Motorized Travel Advisory Committee, Intergovernmental Transit Committee – Commissioner Cartwright – No report given

c) Helena Chamber of Commerce, Information & Technology Services (IT&S), Montana Business Assistance Connection (MBAC), Pre-Release Screening Committee – Commissioner Ellison – No report given

d) Audit Committee, City-County Weed Board, Public Art Committee, TCC – Commissioner Elsaesser – No report given

e) BID/HPC, City-County Admin Building Board, City-County Parks Board, TCC - Commissioner Thweatt – No report given

f) Helena Citizens Council – HCC representative Chris Goss reported the HCC has a meeting this evening and will discuss the proposal of integration of the four city boards to the HCC.

Review of agenda for March 28th meeting – Commissioner Thweatt noted he will be out of town from April 10th to April 26th and asked that the final vote on the Growth Policy be brought back sometime in May. Community Development Director Haugen stated it will be staff's recommendation that the commission hold the public hearing on March 28th, allow staff to prepare a summary from the hearing and bring it back for final consideration sometime in May. She asked that the commission prepare any amendments they may have prior to final consideration.

8. **Public Comment** – No public comment received.
9. **Commission discussion and direction to City Manager** – No discussion held.
10. **Adjourn** – Meeting adjourned at 6:05 p.m.