

SUMMARY OF ADMINISTRATIVE MEETING

January 7, 2015– 4:00 p.m.

Room 326, City-County Building

1. Call to order, introductions, opening comments – Mayor Smith called the meeting to order. Commissioners Ellison, Elsaesser, Haladay and Haque-Hausrath were present. Staff present was: City Manager Alles; Executive Assistant Sarah Elkins; City Attorney Thomas Jodoin; Assistant City Attorney Iryna O'Connor; Police Chief Troy McGee; Community Development Director Sharon Haugen; Chief Building Code Official Jon Pallister; Parks & Recreation Director Amy Teegarden; Public Works Director Randall Camp; Assistant Public Works Director Phil Hauck; City Engineer Ryan Leland; Street Superintendent Ben Sautter; Human Resources Director James Fehr; Community Facilities Director Gery Carpenter; Fire Chief Sean Logan; Fire Marshall Craig Trapp; Administrative Services Director Tim Magee; HCC Coordinator Judy Garrity and City Clerk Debbie Havens.

Others in attendance included: HCC Representatives Ann Gilkey, Dick Sloan and Terry Ray, IR Reporter Al Knauber, Pete Brown, Brad Koon, Pam Attardo, Claudia Clifford, County Commissioner Good-Geise, Sarah Sather, Joy Bruck, John Rush, Kim Abbott, Matt Morgan, Allison Batch, Dick Sloan, Chere Justo and Leslie Gilmore.

2. December 17, 2014 Administrative Meeting Summary – The December 17, 2014 administrative meeting summary was approved as amended.

3. Commission comments, questions –

Upcoming appointments – There are no board appointments on the January 12th city commission meeting agenda.

Commissioner Ellison complimented Mayor Smith for the photo in the paper and for promoting the shuttle service from the Capital Hill Mall to the Capitol building.

Commissioner Elsaesser asked for an update on the lawsuit filed regarding a quiet title. City Manager Alles noted staff has it covered and there is no action required from the commission.

Commissioner Elsaesser stated he appreciates the quarterly list of contracts signed by the city manager.

Medicaid Expansion Discussion – Commissioner Haladay spoke in support of placing a resolution in support of the Medicaid expansion on an upcoming city commission agenda for a formal vote. He emphasized it is both morally correct and fiscally responsible for the state to do and again encouraged the commission members to move it forward.

Commissioner Haque-Hausrath also spoke in support of the resolution and would like to see it on an upcoming agenda in the near future. This is an appropriate action for the city commission to consider and act upon.

Mayor Smith stated it may be morally correct and fiscally responsible to do this; however, he believes there is a political risk in supporting the resolution. However, if there is concurrence to put the resolution on an agenda, he will support it, depending on the public comment received.

Commissioner Elsaesser stated he would not support bringing this forward to a city commission meeting agenda. Although he personally supports Medicaid expansion, the Montana legislature is the proper place for it to be considered.

Commissioner Ellison stated he has set his personal beliefs aside and has focused on whether this issue is appropriate for the commission to consider. If the commission is going to make this the city's business, he suggested the commission not limit it to one item before the legislature right now; there are many issues, both nationally and state the commission could choose to weigh in on. Commissioner Ellison stated he does not believe the city commission needs to tell the local elected officials what they should do. Therefore, he does not support moving the resolution forward. If it is on the agenda, he will listen carefully and try and make a good decision.

Commissioner Ellison also stated if the city commission takes a position that aligns with one political party, there could be resistance from the other party on issues that would benefit the city of Helena. He specifically mentioned any legislation the Montana League of Cities and Towns may bring forward and the funding for a new Historical Society Museum.

Public Comment – Mayor Smith asked for public comment.

Kim Abbott spoke in support of the city commission considering the resolution; it is important for the commission to weigh in.

Joy Bruck, State President of AARP Montana, encouraged the commission to endorse the resolution and put it on an upcoming agenda. There are several cities in Montana that have endorsed a resolution.

Commissioner Elsaesser stated at the 2013 session both he and Commissioner Ellison spoke in favor of legislation to allow infrastructure funding to pay for quiet zones. This is one example of when a city commissioner would testify on certain legislation.

Mayor Smith stated with great regret he would not support moving the resolution forward. Therefore there was not commission concurrence to move the resolution forward to a city commission meeting agenda.

4. City Manager's Report – City Manager Alles introduced Assistant City Attorney Iryna O'Connor. Attorney O'Connor addressed the commission.

City Manager Alles reported there were 13-riders the first day of the shuttle service and as of noon today, there had been 48-riders. Manager Alles stated there have been several emails regarding the city using discretionary funds to fund the shuttle. He clarified he does not have discretionary funds, the commission committed to pay up to \$25,000 for the shuttle service.

Commissioner Elsaesser congratulated and thanked everyone for making the shuttle service successful.

5. Department Discussions
Community Development

Potential Request for Central School Rehabilitation Permit – Manager Alles introduced the topic and commented as of today, the city of Helena has not received any type of application from the School District. Commissioner Haque-Hausrath submitted questions and the commission received a copy of the following memo from staff answering those questions:

Community Development Director Haugen reported on December 17, 2014, she was contacted by Chere Jiusto with the Montana Preservation Alliance regarding Central School repairs. Ms. Jiusto wanted to know what building codes may apply based upon reports provided by engineering firms that had done analysis on the seismic issues with the Central School building. Ms. Jiusto stated her understanding was the engineering reports conflicted with each other.

The Building Division could not comment about either report as we have not seen them nor has the School District submitted any plans for review. Without knowing the total scope of the work to be done would only be speculation as to what codes would apply. We have not been in discussion with either engineering firm regarding this project.

The Central School building has been used for elementary education (Building Class E1) by the Helena School District for many years and a change of use is not anticipated. Repairs to an "Existing" building could fall under the current International Existing Building Code (IEBC) or the International Building Code (IBC) Chapter 34, for existing buildings, depending upon the scope of work proposed by the School District. There may be many different codes that would apply depending upon the nature of the proposed work. The School District has not determined what repairs are needed at this time and it would be difficult to discuss which codes would apply.

The current codes adopted by the State of Montana and by city ordinances will apply to whatever plans are submitted for review. The Building Division is committed to providing the necessary professional review of the submitted plans applying all current applicable codes to the scope of the work proposed, and to provide for the life, health and safety of the occupants.

We have received an email from Eric Kohring, Accessibility Home Modification IL Specialist, and Montana Independent Living Project. Mr. Kohring is interested in discussions involving ADA compliance with the Central School project as it applies to historical buildings. He speaks of new construction versus

alterations and how the new codes that are projected to be approved by the City Commission in late March impact the project.

Mr. Kohring also states in his email that “we”, (MILP), “would expect that whatever the use or extent of the renovation, accessibility would be integrated into any project to the maximum extent feasible and not simply the least they have to do.”

There is a Building Board of Appeals Process that reviews situations where there is a disagreement between a person or entity using the services of the Building Division and Chief Building Official or one of the division’s staff concerning the suitability of other methods of construction, the use of alternative materials or a claim that the reasonableness of the Chief Building Official’s interpretation rendered on the adopted code applicable to the appeal is incorrect or that the provisions do not, or should not, apply.

Such a disagreement as indicated above may be appealed to the Building Board of Appeals, pursuant to Section 3-1-4 of the City Code. The Board of Appeals, within 30 days of receipt of a request for hearing, will schedule a meeting date, hear, and render a decision on the appeal. The decision of the Board of Appeals may be further appealed within 30 days to the City Commission. The appellant must file a written notice of appeal upon the Clerk of Commission. The City Commission may review the decision of the Board of Appeals, hear evidence relative thereto, amend or alter the order of the Board. The appeal application may be obtained from the city website or from the Community Development Department.

Commissioner Haque-Hausrath thanked staff for the information; however, she would like to specifically discuss the following:

- (1) Section 1102.2 of the IEBC, which provides that when a historic building is determined to be “dangerous,” then no work is required except for what is necessary to correct the unsafe conditions. Does staff consider Central to meet the definition of “dangerous” in Section 202 of the IEBC? “DANGEROUS. Any building, structure or portion thereof that meets any of the conditions described below shall be deemed dangerous:
1. The building or structure has collapsed, partially collapsed, moved off its foundation or lacks the support of ground necessary to support it.
 2. There exists a significant risk of collapse, detachment or dislodgment of any portion, member, appurtenance or ornamentation of the building or structure under service loads.”

Commissioner Haque-Hausrath stated it would seem that the School District’s finding of seismic danger and emergency removal of the children in 2013 would support a finding of “dangerous” under Section 1102.2(2); she asked if staff agrees. Manager Alles and Community Development Director Haugen stated yes. City staff has no reason to dispute the engineer report and say the building is not unsafe.

Manager Alles stated once city staff receives an application from the School District, they will determine what codes would apply, depending on what is included in the application.

Director Haugen concurred with Manager Alles that there is a clear indication that Central School has been determined to be dangerous. The question is to what extent the School District has to do repairs. The city of Helena would use the existing building codes. Once the School District submits plans, city staff would review them under the existing building codes, based on what they wanted to do. She reiterated no plans have been submitted and until that happens, staff cannot respond. The existing building codes cross reference the IBC. Director Haugen reiterated when Jefferson School was remodeled, it was done under the existing building codes. The School District could bring them in under the IBC; again, it will be up to the School District. City staff has not directed the School District on what building codes they would bring the plans in under.

Chief Building Official Pallister concurred the School District can choose to use the International Building Code (IBC) or the International Existing Building Code (IBEC); however, they cannot use both. There may be cross references, depending on what the School District submits.

Commissioner Haque-Hausrath stated she appreciates the information; the concern she has is there is a rumor/idea that the School District cannot repair Central School, or any of the other historical

schools, because the city would require them to bring it up to city code. She wants to make it clear that the city would not expand the requirements. She then asked for clarification on the following:

1. Existing building code – unsafe conditions – what does this provision mean - Chief Building Official Pallister stated under 1102.2(2) if it is dangerous, they are allowed to fix the safety issues without bringing it up to code. However, there are things that would circulate back into the current building codes.

2. Chapter 11 – Historic Buildings – indicate repairs can maintain the status quo, would this be considered to be a repair and would not have to do any other upgrades. Is that the understanding for historical buildings. Mr. Pallister stated it would be what the engineer would deem necessary to repair the safety issues. Director Haugen stated the design plans would be from a structural engineer.

Commissioner Ellison stated this is all hypothetical at this point, however, if plans are submitted, who makes the decision on what codes are used and what process to follow. Manager Alles stated staff is obligated to enforce the proper codes adopted by the city commission.

Mayor Smith stated the School District could choose what code and to plan around it.

Commissioner Elsaesser asked for clarification, if the School District comes in with a set of plans for just improving the safety issues, could they bring in another set of plans for more extensive renovations and each would be a separate project and would be enforced under the two separate codes. Chief Building Official Pallister stated yes.

Mayor Smith noted Jefferson School would be a perfect example of doing just that.

Commissioner Elsaesser stated it would be possible for some overlapping of the two projects and asked if they could be done simultaneously. Chief Building Official Pallister stated there is nothing that would prohibit the two projects being completed at the same time.

Manager Alles stated if the School District is only going to fix the seismic issue, staff would not require additional upgrades.

Mayor Smith asked for public comment.

Chere Jiusto, thanked the commission for the discussion; there have been many conversations on what the future of Central School is. Her interest is to support the School District to make the building safe for the children and keep the school. Ms. Jiusto then asked if the School District would have to add an elevator if the School District only fixed the safety issue.

Leslie Gilmore, architect with CTA stated she is pleased to see the building staff present at the meeting and concurred with what building codes would be used. Ms. Gilmore stated she has recently worked on two older schools in Billings. When you are dealing with ADA, it kicks in when you renovate more than 20% of the primary space. There are three ways to comply with the IBEC and two ways to work with the IBC codes when working with historic buildings and addressing the safety issues.

Pam Attardo referenced the two schools in Billings which are historic buildings and have been recently renovated to address the safety concerns and have been remodeled. The city of Billings took a pro-active approach to work together with the School District when there is a proposal to close any school. There is a current check list that is used between the two entities that has been successful and is a good example of collaboration.

Pete Brown stated he would love to see Central School re-open. The School District is looking at a consolidation of schools and he believes Central School will not always be used as a school. He then referenced the CTA report and the costs to bring Central School up to safety standards.

Mayor Smith stated he hopes this discussion has addressed some of Commissioner Haque-Hausrath's concerns. Commissioner Haque-Hausrath concurred and stated for clarity it is not the city of Helena that is driving the costs of the Central School renovation.

Mayor Smith announced the city and county commissions are meeting with the School District representatives on January 8th at 4:00 p.m. He invited all interested persons to attend the meeting.

Commissioner Haladay stated this has been a good discussion; the School District's current plan does not include putting kids back into Central School for up to ten years. The comments he has received from citizens include concerns with the treatment and maintenance of the property while it sits vacant. The commission has an interest and the responsibility to assure there are no areas of "dead" zones within the city limits. The School District has shown no further interest in demolishing Central School, however, the building will need maintenance to assure public safety. Again, what is the plan for this historic structure that sits above Helena's downtown.

Commissioner Elsaesser stated the information today has been very helpful. He also mentioned there is an alternative review board if necessary. He looks forward to meeting with the County

Commission and School District representatives at the joint work session. The School District is the largest taxing entity that the citizens pay and it is important for the city to offer any assistance possible.

Commissioner Ellison stated he shares the comments of the other commission members that this conversation has been very helpful. He will be better prepared for the meeting tomorrow with the county and School District.

Mayor Smith concurred; he does not want to imply that the city has no interest in this historic structure.

Manager Alles stated construction in both the city and the county are supposed to follow the same building codes. However, the city of Helena has a building inspection program that makes sure people follow them and the county does not.

Consensus Direction to the Manager – No direction given to the city manager.

Public Works

Winter Streets Questions & Answers – City Manager Alles noted staff has attempted to answer the questions that Commissioner Haladay presented in an email.

“After our most recent snowfall, I began receiving complaints regarding snow removal on city streets. I solicited input from people concerning what specific concerns or suggestions they had with regard to snow removal. I found many of the comments to be constructive and reflect understandable complaints of people who use our streets day in and day out in the winter. I have done my best to synthesize them into a number of categories.

My hope is that they can each be reviewed by staff and addressed with the following considerations: (1) Do we already do this? (2) If so, can we do this better and what would it take? (3) If something is considered infeasible, why? (4) If a suggestion can be implemented, how will we go about it”?

Call volumes usually do increase during and after any storm event. In general, we would like to encourage the Commission to forward any complaints related to our City Streets & Traffic Divisions in order that we can respond to the complaint as soon as possible and we can log the complaint for future reference. During business hours please direct calls to 447-1566, after hours please use the non-emergency dispatch number 442-3233.

- We do have a small plow truck equipped with a sander and plow available for treatment of problem areas.
- We need the name and a phone number for the caller in order that we can make a prompt response and contact the caller.
- The Streets & Traffic Divisions categorize calls in four categories 1) inquiries 2) request for service 3) thank you and 4) complaints.
- After the Thanksgiving storm event we had seven calls and all were request for service. On the weekend after Thanksgiving storm we had three calls and all were request for services.
- Complaints to our office have been minimal.
- It is usually more efficient to address individual complaints than to change overall operations based on a specific complaint.
- We would also like to extend the offer for all Commissioners to ride along with our snow plow operators for a length of a shift during a storm event in order that they can have first-hand knowledge of what we do, how we do it, when and why we do what we do and the coordination that the operation takes from the entire Streets and Fleet staff to make it all happen on any given storm day.
- Our program as it currently exists is a result of years of refining after much input from staff and the public and tried and true methods from all over the country. We are always open to suggestions and always working to do better but it is a delicate balance between what we do, what we don't do and why. The slightest changes result in the loudest calls. We will do our best to address the below thoughts and ideas.

1. Mag. Chloride, or some deicer at all major three or four-way stops. There was a continual theme that the ice-packs at these locations are distinctly bad, melt when cars are idling on them, and then freeze again.

- The City Street Division has limited the use of liquid deicer over the past few years due to complaints from the public over its corrosive nature and that it freezes at temperatures below 25

degrees.

- The use of liquid deicer can also be controversial due to environmental concerns.
- The past Montana Legislative session did have a proposed bill that would have prohibited the use of liquid deicers state-wide. This bill was ultimately defeated.
- We do use the liquid deicer in our sander trucks to “pre-wet” the sand before it goes out onto the streets. Shooting the liquid onto the sand helps the sand melt into the snow pack and helps the sand stick to the snow and yet it is less likely to flow into the storm drains.
- It is not currently a goal in the City Snow Plow Plan to eliminate snow and ice from the City streets with the use of liquid deicer.
- It will require more and different equipment and considerably more funding for the liquid products. The exact amount of equipment and funding needed will ultimately depend upon the level of service expected.
- We have one chloride tanker truck with a 500 gallon tank. Historically this truck has been used only in the downtown area when temperatures are right.
- One risk in using the liquid deicer is in the event of a rapid temperature change it will freeze and the streets turn to ice.
- The liquid deicer can be used at the three and four way intersections as suggested.
- It will take one man and one snow plow and sander off a route. We will have to make adjustments to cover for the loss of one crewman or hire another individual to cover for this operation.

The use of chemical deicers can be somewhat controversial with studies and individuals on both sides of the issue. Attached is a portion of an article that might be helpful in understanding the pros and cons of deicing.

2. *Start shifts earlier than 4 AM. The general perception from respondents was that by time the plows are out on the snow routes, people are already beginning to drive in residential neighborhoods, packing down the snow into ice that takes longer to thaw.*

- Timing is nearly impossible to predict with storms. It is our plan to get people to work in the morning, travel through and around town all day and then get people home in the evening in the safest conditions we can provide. For that our shifts need to be timed in order that we can get the most from our crew.
- We can start shifts earlier than 4:00 a.m. but that will cause the operators shift to end earlier in the day and therefore we may not have the coverage for later in the day and in the evening. Getting home from work can be as precarious as getting to work depending on the timing of the storm.
- If we start earlier in the morning and the storm is ongoing it will not be any more noticeable that we have plowed and we will have to go over the same area again before the bulk of the traffic hits at peak hours.
- Peak hours of traffic in Helena are 7:45 am to 8:15 am, 11:30 a.m. to 1:15 p.m. and 3:30 p.m. to 5:30 p.m. We have found that a bigger response from 4:00 am to 9:00 p.m. serves the mass in the most efficient manner.
- Even if we start earlier, we will not be in residential areas before the snow is packed down by residents on their way to work unless the priorities are shifted from the emergency snow routes to neighborhood streets.
- We believe that the volume of traffic before and after the peaks is equally served by our current schedule. With a crew of four operators beginning at 4:00 a.m. we can make two passes on all the snow routes to open them but not curb the snow. A fifth operator beginning at 4:00 a.m. is designated to the schools and the capital area. We do this as a safety measure even though not all the school streets are on designated snow routes.

3. *Use contractors for an early shift to have better overall coverage, and then have City Plows take over, maintain, and clean up the remaining areas.*

- Most contractors in the Helena area have small trucks, plows, and other support equipment that is not of the scale of the City fleet. These are typically used to plow parking lots.
- There are some bigger contractors that have motor graders and loaders that could possibly be used but this equipment is much slower than the use of City snow plows.
- It would be difficult to track and monitor what contractors do on the streets and how to coordinate their work with City crews as a storm evolves.

- We would need to explore if any contractors would have the time and the proper equipment to plow city streets. We have not budgeted for the use of contractors for snow plowing and sanding previously.
- Another option would be to increase the number of city operators. Our operation would be more coordinated and communication would be more immediate to deal with the changing environment throughout the storm.

4. Plow to the Curb. The perception is that only doing the driving lanes is building up mounds of snow that then melt, run back into the street, and freeze again.

- A big berm along the curb causes cars to park farther from the curb and into the street causing for narrow driving lanes and difficulty reaching the residence.
- The build-up of snow impedes the mail delivery and inhibits pick up at the mail boxes by the public.
- When the snow is very light it runs like water and it can push up onto the sidewalks and into driveways at any plowing speed.
- It has been our general rule to stay two (2) feet away from the curb to help prevent the three above mentioned drawbacks which are the biggest complaints that come to the City of Helena Street Division.

5. One person suggested looking into a plow used by Evanston, Wyoming, which apparently has a plow patent for plowing to the curbs.

- The City of Evanston Wyoming is located at 7000 foot elevation and they get near 70 inches of snow a year. The City of Helena is at 4000 foot elevation and receives approximately 38 inches of snow each year.
- Evanston has a population of approximately 12,500 and Helena has a population of 30,000.
- Evanston runs wing plows on the sides of their plow trucks and they have snow gates on those wings. The Evanston Street crew has fabricated the snow gates that are on the wings but they do not have a "patent" on the plows.
- The Street Superintendent in Evanston said the gates serve the purpose of removing the snow from the driveways but the use of the gate City-wide creates another set of problems: It causes for a slower response city wide because it takes more time to clear the driveways and eventually the snow piles up in front of mail boxes and driveways so it does not completely solve that problem.
- The use of wing plows could be a good addition to the City of Helena fleet the Commission could consider purchase in the FY16 budget.

6. Alternate side parking requirements. To pull off #4 there would have to be a concerted effort to move cars off of at least one side of the street on specific days. People suggested that if this is infeasible immediately, then the City's website should have information about which routes are going to be plowed at what times, so that concerned individuals can, at a minimum self-select to move their cars. For example, 10th Avenue is basically too narrow to plow when people park on both sides of the streets, but residents have indicated they will move their cars if the City will tell them when the plows are coming.

- The plowing of individual streets is a moving target all day and every day and different for every storm. We are unsure of how to post information about which routes are going to be plowed and at what times when we are unsure when a storm will hit, how long it will last, and how much snow will fall.
- Adjustments are being made fast with as many as nine or ten trucks on the streets at the same time with inputs coming in from residents, public safety officials, School Districts officials and others.
- It is very difficult to know when a truck is going to be on a certain street at a certain time. It would also be very difficult to notify people in a timely manner to move cars on a city-wide basis and the administrative staff time of notification could be very cumbersome.
- This process could cause more consternation to the public if residents were notified that the snowplow will be at a certain place at a certain time and that truck was not available either due to breakdown or being called off to respond to a more pressing need.

7. Fix uneven, or the perception of uneven, plowing. A recurring comment, last winter as well, was that the City appears to plow some streets multiple times, while ignoring other streets. Posting completed routes on the website should help. Also, any internal checks to ensure we're

not being redundant. This specific comment came from downtown businesses that felt downtown was ignored.

- This perception is reality. The existing City Snow Plow Plan indicates the City stays on the Designated Snow Routes until the storms cease before moving to lower priority streets. This is due to the volume of traffic and the need to keep the major intersections sanded.
- If we complete all the emergency snow routes on Monday and get another 8 inches Monday night, by policy we go back and do the emergency snow routes again on Tuesday.
- The majority of the calls we get from citizens are to inform us of slick conditions on the major snow routes versus the residential areas.
- Every time we plow a street it pushes off the sand applied on the last pass thus having to sand again.
- We do try to get to the arterials and collectors plowed during the storm.
- The City of Helena makes every effort to snow plow every residential street in town within two days of the end of a storm. Most time we can accomplish this task within a day to a day and a half of the end of the storm.
- A comparison with other major Montana cities can be found in the City of Helena Snow Policy. Other cities either do not plow residential areas (Billings, Butte) plow them only when impassable (Great Falls) or if snow exceeds 3 or 4 inches (Bozeman, Kalispell). Missoula policy is similar to the current City of Helena policy.
- Missoula policy does state “upon cessation of snowfall and the completion of the plowing and sanding/deicing of the priority routes, plowing of residential street may be conducted between the hours of 8:00 a.m. and 5:00 p.m. This will give residents adequate time to remove cars from the street if possible. Vehicles parked on streets will be plowed around if they are not removed from the street.”
- The downtown and the schools are the first areas we go to when a storm begins or when the crew starts in the morning.
- The downtown business area actually receives additional service with the application of De-icer and complete snow removal via the use of the grader, the snow blower and trucks to haul the snow to a storage location and therefore the downtown area is far from being ignored.
- At the current time the City does not have the technology to post real time snow plowing of streets and/or routes and we are not sure of the benefit of posting completed routes on a map after the fact.

8. Clear designated bike routes. This complaint came from year-round bikers. Specifically, complaint that the bike/ped bridge over I-15 is not always maintained, forcing bikers and walkers out into an (already) reduced roadway. I was unsure whether the bike/ped bridge is the City’s responsibility. However, the same holds true for city-maintained streets. Our “designated” bike routes are mainly off of main streets, meaning they are normally not maintained well. This forces bike traffic onto slightly less-icy main routes, and creates dangerous conflicts.

- The I-15 bike/ped bridge is a State Maintained route and the City Street Division has no responsibility for this bridge.
- The City Street Division plows bike routes according to the priority of the street be it a snow route, major arterial, collector or residential.
- The Street Division always responds to calls from the biking community as soon as possible and this is not just for plowing but with sweeping the shoulders and any other calls from the biking community.
- The following is an email dated December 1, 2014: “Thanks to you and your crew for the great job of sweeping streets. This is really important to us at the Helena Bicycle Club. As I have stated in the past, if shoulders are free of debris, it allows cyclists to ride there. This makes for safer conditions for cyclists and motorists alike. So, once again, thank you very much and I look forward to working with you next year.”

9. Better address snow build-up at areas with concrete medians. This specific comment related to the intersection of Butte and Montana where there is a raised median on the north-south crosswalk. Plowed snow continually builds up around it and causes cars to bottom-out and generally pose driving problems. This sentiment should apply to any areas where we have a raised impediment in the middle of a street.

- The snow build up at this intersection is a result of MDT clearing Montana Avenue which is a very

wide route and there is considerable snow moved to the curb side.

- We will more closely monitor this Butte – Montana Avenue intersection and try to improve the situation. We also have a raised median at the intersections of Boulder and Montana Avenue so we need to see if we have the same problem there.

US ROADS Road Management Journal

Environmental impact

A major concern in using chemicals for winter road maintenance is environmental impact. Studies show that soils, vegetation, water, highway facilities, and vehicles are all affected, so it is very important to use chemicals wisely. Most soil and vegetation damage occurs within 60 feet of the road and is greatest close to the pavement.

De-icing chemicals are highly soluble and follow any water flow. Salt concentrations in Wisconsin's surface and ground water have increased since the early 1960's, the [Wisconsin] Department of Natural Resources [WDNR] reports, but aquatic life has not yet been affected that we know of. In drinking water sources, which the WDNR also monitors, salt concentrations are within recognized safe limits. In some reported cases, groundwater carrying de-icing chemicals has contaminated wells, but most of these apparently were caused by seepage from poor storage facilities.

De-icing chemicals can accelerate deterioration in concrete and steel structures. New construction methods are reducing this impact, but highways and bridges do suffer from chemical damage. Vehicle corrosion is also accelerated. Corrosion on vehicles and structures is estimated to be the largest cost impact of chloride based chemicals. Even relatively small amounts of chloride will significantly accelerate existing corrosion.

Commissioner Elsaesser submitted the following comments through an email dated January 5, 2015:

- 1. Can public works provide an estimate of costs to plow snow to the center and remove snow that factors in existing capacity and previous experience? Is the estimate of snow removal cost *\$18,850 per mile based on previous experience removing snow? How does this cost compare to the current per hour cost of snow plowing or no snow removal operations during the winter? Could savings be realized by not having to re-sand areas while snow and ice melts? Traffic control beyond using some cones is not mentioned. Forty hours with a five-person crew is cited for snow removal in the areas listed. Miles of snow removal is not mentioned.***
- 2. Are snow complaints logged and mapped?***
- 3. During the first storm this winter season, 3 of 5 trucks were down at some point. What can be done to better prepare snowplow trucks for winter and better utilize staff time for plowing streets?***
- 4. Plowing 2 to 3 ft. from the side and never clearing the parking lanes (utility bill insert 2014) leaves an obstacle for pedestrians. Persons end up crossing ice for days even in priority areas such as downtown. Could parking lanes be cleared and the 2/3ft rule be modified in some areas?***
- 5. How would the labor and capital costs of buying a new plow to addressing sidewalks or driveways compare to operation changes using existing equipment?***
- 6. Can residents legally clear public streets, such as parking lanes or alleyways?***
- 7. Could alternative hours be established for snow plowing over weekends and evenings as needed?***

Manager Alles asked the commission if there are better ways to improve the snow removal policy, he would like to hear it. He acknowledged the good work that has been done. If the city is going to implement changes, Manager Alles suggested those changes be tried as a pilot change on a specific section of the city.

Commissioner Elsaesser stated he appreciates that the drivers are doing a great job; however, the concern he has heard a lot is the operation seems to be inefficient and he doesn't understand why the snow cannot be pushed up on the boulevards. He is unclear on operations versus policy. One example is snow routes, is the need to clear the cars from the emergency snow routes a policy or operational decision. How does the commission explore improving the program; some of staff's answers do not seem consistent.

Commissioner Elsaesser referenced the efficiency study on the solid waste operation; the commission saw immense opportunity for savings. He is interested on how we can get genuine reviews on ways to improve the snow plowing policy; if he is totally wrong and we cannot do better that is fine. There are a lot of dangerous scenarios that exist after a snow storm. He recognizes there are variable conditions out there, but staff seems to be rigid on the set Monday through Friday operation. He would

ask staff to look at opportunities to do better.

Manager Alles stated staff cannot go all the way to the curb when plowing snow, it creates issues with snow being piled on driveways and adjacent to mail boxes. He then addressed the emergency snow routes and removing cars off the street. Currently the city has the authority to declare an emergency; however, is the trade-off worth the police officers taking time to write tickets and call for the tow truck instead of answering calls for assistance. Staff is willing to post notifications asking citizens to remove their vehicles; however, there are several ordinances that may have to be amended. Manager Alles addressed Commissioner Elsaesser's comments on the operation versus policy and stated the snow policy lays out the city's priorities. City staff has changed the routes to accommodate the type of storm. The individual drivers know the specific routes and adjusts accordingly.

Manager Alles encouraged the commission to do a ride along with a snow plow driver. Commissioner Elsaesser stated he recognizes a policy change would require an amendment to the ordinance.

Street Superintendent Sautter stated he cannot say anything better than City Manager Alles. Every neighborhood wants something different and it is a balancing act for staff. He encouraged the commission to forward any complaints to staff to give them the opportunity work with the person. Staff is willing to do anything the commission wants; however, he encouraged that it be done on a small scale. He too invited the commission to do a ride along.

Mayor Smith asked for public comment, none was received.

Commissioner Ellison stated he appreciates the response from staff on Commissioner Haladay's original questions and thanked staff for them. He recognizes it is a balancing act for city staff to make the streets safe for everyone. He is satisfied with the job being done; however, if the commission can define on an area for improvement, he is willing to listen.

Commissioner Haque-Hausrath stated the commission does receive complaints regarding snow removal. The issues have been identified by staff; however, is it possible to implement two different protocols for mail boxes, one for when the mail box is located on the houses versus the mail box being on the street. Commissioner Haque-Hausrath stated she believes the residents would be willing to move their cars from the street and should be asked to voluntarily to do so, specifically from the emergency snow routes and other areas as the plows get to specific sections of the city. She recognizes the town is based on on-street parking and it is difficult to plow to the streets.

Commissioner Elsaesser stated he appreciates responsiveness to complaints. However, it is a very chaotic system and there is room for improvement. Why aren't the streets being plowed in the first place. This is not a personal attack on staff, complaints are not going to implement an effective system. He believes the citizens will remove their vehicles from the streets if informed they need to do so.

Manager Alles stated he does not take the comments as personal attacks on staff. However, staff does a good job. Commissioner Elsaesser stated there is one policy for the entire city; however, that does not work. He would like to see snow removal on certain streets; however, staff's response is by the book and cannot change the policy.

Mayor Smith stated the city has a Snow Policy that staff follows and noted that he is not getting a lot of complaints. He does travel around the city and it appears the plan is working well. The street department does not work just 8-5, Monday through Friday. At this time, he is not inclined to revamp the entire ordinance. He has noticed cars are parked and plowed in and he would be willing to look at voluntary cooperation with moving vehicles.

Commissioner Haladay stated it is a rare day in the winter when he doesn't get a complaint regarding the plowing of the streets. He asked his original questions based on what he was hearing. The one that shows the most promise is a soft roll out of having residents move their cars after a storm. If staff could give some level of certainty of when the plow is going to be in the area, he too believes the citizens are willing to move their cars. If the commission can figure out a general policy and staff can figure out on how to implement it. The city needs to meet a certain level of service; however, the residents will be asked to do their part.

Mayor Smith stated the current policy is a collaborative effort between the city and the citizens. He noted staff thoroughly researched the commission's questions and provided answers. There seems to be consensus to move forward with the policy on having cars removed from the streets when the plow is going to be in the area.

Commissioner Elsaesser stated when people deliver a comment to the commission; they figure it is a public comment. If there are policies that need to be changes in order for staff to do a better job, then he wants to hear what they are. Even if cars move around the corner and parking lanes are not cleared it

does not fix the problem.

Commissioner Haque-Hausrath stated she is also interested in a revised sidewalk removal ordinance and would like to see this in place before next winter. Manager Alles stated there is a draft ordinance ready for commission review; however, it was pushed off due to timing. Staff plans on bringing it forward prior to next winter.

Consensus Direction to the Manager – To discuss a plan on how to do a soft roll out/ volunteer program to have cars removed from the street after a storm and staff will work on how to implement the plan.

Quiet Zone Update – City Manager Alles introduced the agenda item. City Engineer Leland introduced Brad Koon with KLJ Engineering, who gave the following update to the commission:

1. REPORTING PERIOD: Through December 31, 2014

2. PROJECT DESCRIPTION:

• What is a Quiet Zone?

- Throughout most of the state of Montana, railroad locomotives are required to sound a horn 15 – 20 seconds prior to a train's arrival at every public crossing, but not more than ¼ mile in advance of an at-grade vehicle crossing. A quiet zone is a section of rail line at least one half mile in length that contains one or more consecutive public roadway – rail grade crossings at which locomotive horns are not routinely sounded. Development of a quiet zone requires construction of improvements at vehicle crossings such as four quadrant gates, center medians, wayside horns, or crossing closure.

• What is Allowed in a Quiet Zone?

- Trains are allowed to sound horns in a quiet zone if determined necessary by the engineer
 - Pedestrians crossing the tracks
 - Signs of danger at a vehicle crossing
 - Other signs of danger as determined by the engineer
- Trains will also sound horns when utilizing industrial spurs that are outside of the SSM at Benton Avenue, Montana Avenue, and Carter Drive.
 - In summary, trains will periodically sound horns in the City of Helena even after development of the Quiet Zone

3. SUMMARY OF ACTIVITIES COMPLETED TO DATE:

- The limits of the proposed quiet zone have been identified and include the following at-grade crossings: (Joslyn Street, Benton Avenue, National Avenue, Montana Avenue, Roberts Street, Carter Drive)
- A diagnostic review was coordinated and held including an onsite visit to the site by the City of Helena, Montana Rail Link (MRL), Montana Department of Transportation (MDT), and KLJ.
- Rail Grade crossing forms were updated by MRL and submitted to FRA.
 - Updated rail information was entered into the FRA Quiet Zone Calculator.
- Updated vehicle traffic information was provided by the City of Helena.
 - Updated vehicle traffic information was entered into the FRA Quiet Zone Calculator.
- Submitted preliminary diagrams showing the proposed SSM improvements (center medians) were submitted to MDT for the Benton Avenue, Montana Avenue, and Carter Drive Crossings.
- Received informal notification from MDT of acceptance of the proposed center median SSM's for the Benton Avenue, Montana Avenue, and Carter Drive Crossings
- Coordinated a meeting with FRA in Helena and visited each grade crossing. Members from the City of Helena, FRA, MRL, MDT, and KLJ were present.
- Prepared tentative recommended Supplemental Safety Measures (SSM's) and improvements for each crossing
 - Joslyn Street Center Medians \$85,000
 - Benton Avenue Center Medians - \$80,000
 - National Avenue Wayside Horns \$152,000
 - Montana Avenue Center Medians \$116,000
 - Roberts Street Wayside Horns - \$150,000
 - Carter Drive Center Medians - \$93,000
- Updated the FRA Quiet Zone Calculator based on the tentative recommended SSM's.
- Prepared preliminary project cost estimates based on tentative recommended SSM's.

- Received a letter from Montana Rail Link discussing closure of Roberts Street Crossing

PROJECTED ACTIVITY NEXT PERIOD

- Upon receipt of final requirements from MDT, finalize the recommended Supplemental Safety Measures (SSM's) and improvements for each crossing.
- Obtain approval of SSM's for each crossing from the City of Helena
- If necessary, update the FRA Quiet Zone Calculator based on the proposed final SSM's.
- Prepare a Notice of Intent (NOI) and submit to the City of Helena, MRL, BNSF, MDT, and FRA, summarizing the City's intent to develop a railroad quiet zone. There will be a 60 day comment period upon submittal of the NOI.
- Address comments resulting from submittal of the NOI.
- Prepare an updated cost estimate for design and construction of the recommended improvements.

4. ESTIMATED TIME OF COMPLETION

- Receive response from MDT on grade crossing SSM's 1/12/2015
- Submit Notice of Intent (NOI) (60 Day Comment Period) 1/30/2015
- Final Date for Submittal of Comments on NOI 3/30/2015
- Update cost estimate for design and construction of SSM's 4/17/2015

5. ENGINEERING BUDGET STATUS (Through December 31, 2014)

- Preliminary Engineering Budget - \$17,500
- Remaining Budget - \$6,269
- Spent To Date - \$11,231
- Preliminary Engineering Budget

Mr. Koon estimated the total costs as presented would be \$690,000. The next steps would be to get direction from the city on what they want and then the next process would kick in.

Commissioner Haque-Hausrath asked Mr. Koon to explain what a way-side horn is. The horn would be mounted at the crossing and directs the sound right at the traffic. Commissioner Haque-Hausrath stated she thought the commission had discussed not using the way-side horns.

Commissioner Haque-Hausrath referred to a recent correspondence from MRL, it appeared that they implied if the city were to close Roberts, MRL might help fund an underpass on Montana Avenue. She then asked is this something that should be considered in conjunction with the quiet zone.

Commissioner Ellison asked how a center median crossing works. The center median keeps traffic further back and does not allow traffic to go around the crossing arms. The train would then not have to blow the horns due to traffic not being able access the tracks.

Commissioner Elsaesser asked if crossings for Centennial Trail are considered in the report. Dedicated funds in the street utility, consideration of telecom settlement funds, and several discussions regarding ADA/Bike/Ped safety have included looking at the potential to compliment investments in Centennial Trail with establishing a railroad quiet zone.

Commissioner Elsaesser stated he believes the commission should be looking at a two-lane underpass on Montana Avenue. However, MRL does not see the underpass happening anytime soon.

Mr. Koon stated MRL is interested in closing Roberts Street; however, they have not committed a specific amount. Manager Alles stated MRL will not pay for a quiet zone; however, they may fund safety measures.

Mayor Smith thanked Mr. Koon and staff for the update; the only thing missing is the \$690,000. The letter from MRL was oblique, there was mention if Roberts Street was closed, MRL may have funds for safety measures.

Mayor Smith stated he sent a personal note thanking MRL for the letter; however, a formal response needs to be send to MRL. If MRL wants to close Roberts Street, the city should hold out for funding on the underpass.

Commissioner Haque-Hausrath concurred a response should be sent to MRL indicating that closing Roberts is worth a bit. She is interested in taking further steps with the Quiet Zone, with the caveat of not doing the Roberts Street crossing and she would not support the way-side horn at National Avenue.

Mayor Smith stated there has been some interest in using a portion of the protested taxes for some of the funding of the quiet zone. He asked Manager Alles to bring that discussion forward.

Commissioner Elsaesser asked if Manager Alles has enough direction to pursue the options discussed today. Manager Alles noted the transportation plan would be the appropriate place to address the closing of Roberts Street. There was some discussion on the way-side horn and the commission will need to make specific decisions prior to moving forward with the quiet zone. Manager Alles asked Mr. Koon if the city were to choose not to do one of crossings does that affect the quiet zone.

Mr. Koon stated it would not affect the area of the quiet zone if one of the crossings had nothing done.

Commissioner Ellison agreed with Commissioner Haque-Hausrath's comments if the city were to close Roberts Street, it is worth something. He would like Manager Alles to work it in with the response to MRL.

Consensus Direction to the Manager – Manager Alles will draft a response to MRL that will include the city's willingness to look at closing Roberts Street and looking at a grade separation on Montana Avenue. The commission will review the letter prior to sending.

Scopes of Work Discussion – Manager Alles stated the commission typically does not look at the scopes of work for specific projects. However, he wants to make sure the commission's direction is included.

- **Centennial Trail West and Joslyn/Country Club Road Intersection**

Commissioner Elsaesser stated in an email on January 5th that the scope of project should include an option that utilizes Leslie right-of-way, right-of-way connecting to Country Club west of the intersection, and then along Country Club. This scenario would best meet commuter and recreational uses of the trail. Additional paths to connect to the wildlife center and into potential new entrances to Spring Meadow State Park could come at a later date and might be more seasonal paths that are part of the open lands district. The scope should include a "sidewalk" scenario for parts of Country Club that may not have adequate right-of-way for a separated path as defined by CTEP.

A barricaded path using the existing parking lane of Joslyn should be included as a lower cost option to safely connect this section of the trail and the safe school sidewalk route. Protective median could be made aesthetic with planters and public art.

Commissioner Elsaesser asked what is included in the range of scenarios for the Joslyn/Country Club Road Intersection. There seemed to be commission consensus for establishing a temporary style four-way stop at this intersection with basic crosswalks across Leslie and Joslyn to connect to Centennial West and make the intersection safer. Is this scenario considered and what are the improvements to the west lane that are envisioned.

Commissioner Haque-Hausrath concurred with Commissioner Elsaesser's comments; the city needs to be flexible on what we require along Country Club and include a portion of Leslie Avenue. She also agreed with the proposal of separated use in the street along Joslyn. Solution for now would be a four-way stop and keep the costs down and make it safe.

Commissioner Haladay also agreed with Commissioner Elsaesser's comments. He stated the estimated costs for the Joslyn intersection seems very high. He stated squaring up the intersection and installing four stop signs would be fine; the city is building a pedestrian trail and should not be concerned about the traffic flow. The traffic can choose to take alternative routes as most of the traffic is coming in from the county and do not pay city street assessments. He would support the cheaper solution to install the four-way stop and making the trail safe. Commissioner Haladay commented that the non-motorized funding is rapidly disappearing.

City Manager Alles referred to Commissioner Elsaesser's recommendation that utilizes Leslie right-of-way, right-of-way connecting to Country Club west of the intersection, and then along Country Club, where the county purchased property. Commissioner Elsaesser stated generally that is correct, the idea is to connect to Country Club; what the county does is important but doesn't necessarily mean the trail will go through the property.

Manager Alles then asked for clarification on the additional paths to connect to the wildlife center and into potential new entrances to Spring Meadow State Park and if they should be included in the scope of work. Commissioner Elsaesser stated these could be included as options.

Manager Alles asked Commissioner Elsaesser if it is his recommendation the scope should include a "sidewalk" scenario for parts of Country Club that may not have adequate right-of-way for a separated path as defined in CTEP. Commissioner Elsaesser stated if needed for right-of-way requirements.

Manager Alles clarified the recommendation for a barricaded path using the existing parking lane of Joslyn should be included as a lower cost option to safely connect this section of the trail and the safe school sidewalk route. Protection median could be made aesthetic with planters and public art. Commissioner Elsaesser concurred and stated that would include the very basic four-way stop scenario at the intersection.

- **Front Street Projects**

Commissioner Elsaesser in his January 5th email asked the following questions:

1. How problematic is having some in-street flow along this section of street? Is this the highest priority for a \$1.5+ million dollar project?
2. Could drainage at the end of the street, the only place I have seen water pooled during extreme rain events – address some of the concerns?
3. What other capacity issues may be causing on street flow in this area? Could other storm water improvements on public or private property reduce the need to expand these pipes?
4. Are there other bottlenecks in the system?
5. Scope should include a scenario that does not tear up the street for larger pipes and instead manages in street flow and establishes water diversion throughout the larger storm system.

City Engineer Leland explained the reason this project went forward is due to the pipe under Front Street is deteriorating and has to be replaced. This project has been identified as a need since 2003 and the pipe was in poor condition at that time.

Commissioner Ellison disclosed he is involved with a family business in the Bitterroot that has WGM Group under contract. This contract has nothing to do with the city of Helena.

Mayor Smith asked for public comment. Karen Powell, 790 Front Street, stated she owns a business on Front Street and none of the business owners have been notified of the potential project. Staff needs to reach out to the businesses. It was a surprise to her that this project was moving forward, which will have a major impact on her business.

Engineer Leland stated the commission is looking at the preliminary engineering report and the scope of services which recommends 20 public meetings be held.

Mayor Smith stated he is interested in replacing pipe; however, he is not interested in bringing stormwater above ground.

Commissioner Haladay stated he would like to see the design and talk about what Front Street will look like. Manager Alles noted the scope of work gives the commission options to consider.

Commissioner Haladay asked if the fee estimate is coming out of the gas tax funding. Assistant Public Works Director Hauck stated gas tax would pay a share; however, both stormwater and water funds will also be used. Once the contract is finalized, the cover sheet will show what funding will be used.

Commissioner Haladay asked if the commission approves the scope of services, what is the soonest date construction would begin. Engineer Leland stated construction would begin late in 2016 or early 2017. The design and public input will take time.

Commissioner Elsaesser stated this is an exciting project and private investment could compliment the project. He looks forward to additional discussion.

Manager Alles stated he will bring the Front Street project scope of work back for further discussion.

- Helena Avenue/Roberts Street (Helena Industries Crossing) - Due to the meeting adjourning, no discussion held.

6. **Committee discussions**

- a) Audit Committee, City-County Board of Health, Civic Center Board, L&C County Mental Health Advisory Committee, Montana League of Cities & Towns – No report given.
- b) Audit Committee, Board of Adjustment, Helena Chamber of Commerce Liaison, Information Technology Committee, Transportation Coordinating Committee — No report given.
- c) Intergovernmental Transit Committee, Non-Motorized Travel Advisory Board, Transportation Coordinating Committee – No report given.

- d) ADA Compliance Committee, Business Improvement District/Helena Parking Commission, City-County Parks Board, Montana Business Assistance Connection – No report given.
 - e) Audit Committee, City-County Administration Building (CCAB), Public Art Committee – No report given.
 - f) Helena Citizens Council – HCC representative Dick Sloan reported the HCC looks forward to working with the commission/staff on the recycling. The HCC is always looking at ways to revitalize the membership.
7. **Review of agenda for January 12, 2015 City Commission meeting** – No discussion held.
 8. **Public Comment** – No public comment received.
 9. **Commission discussion and direction to the City Manager** – No discussion held.
 10. **Adjourn** – Meeting adjourned at 6:05 p.m.