Bloomington/Monroe County Metropolitan Planning Organization
Policy Committee

Policy Committee Meeting Minutes
Sept. 9, 2011 McCloskey Conference Room 135, City Hall

Policy Committee minutes are transcribed in a summarized outline manner. Audio recordings are on file with the City of Bloomington Planning Department.

Policy Committee: Jack Baker (Bloomington Plan Commission), Susie Johnson (City Public Works), Mark Kruzan (Bloomington Mayor), John Lewis (IU Real Estate), Richard Martin (Monroe County Plan Commission), Kent McDaniel (Bloomington Public Transportation Corp.), Patrick Murray (CAC Chair), Andy Ruff (Bloomington City Council), Jim Stark (INDOT), Mark Stoops (Monroe Co. Commissioner), Dan Swafford (Ellettsville Town Council), Julie Thomas (Monroe County Council), and Robert Tally (FHWA).

Others: G. Michael Schopmayer (KDDK-Evansville), Chris Donahue. Note: 100+ other people were in attendance.

MPO Staff: Josh Desmond, Raymond Hess and Jane Weiser.

I. Call to Order—Mr. McDaniel called the meeting to order and explained the ground rules for public comment.

II. Approval of Minutes:

A. June 10, 2011--*Mr. Martin moved approval of the minutes.** He asked about item 3 in the minutes that relates to a communication from the chair regarding a future agenda to discuss legal representation of the MPO. Mr. Desmond explained staff has been looking into that but doesn't have a formal presentation to present to the committee yet. Staff intends to bring that forward as soon as possible. **Mr. Baker seconded. The minutes were approved unanimously.**

III. Communications from the Chair—No report.

IV. Reports from Officers and/or Committees

A. Citizens Advisory Committee—Mr. Murray said the CAC considered the amendments that were presented to bring the old TIP up to date with the new TIP. The CAC voted to approve all of the amendments except for the I-69 Section 4 item. That item failed. Regarding the amendments to the 2012 – 2015 TIP, the CAC voted to approve all of the items except for the I-69 Section 4 item.

B. Technical Advisory Committee—No report

V. Reports from the MPO Staff

A. FY2011 4th Quarter Progress Report—Mr. Hess presented the report. This quarterly report comes at the end of the 1st year of the 2-year Unified Work Program. 57% of the planning funds remain.

B. LRTP Task Force—Mr. Desmond presented the report on the progress of the Task Force. The group has been meeting for approximately a year. We have been discussing and analyzing

what other MPOs across the country are doing for their new Transportation Plans. The group will begin developing an RFP or RFQ for consultant assistance to develop a travel demand model for the 2035 LRTP.

Mr. Martin noted that in the report we did not get any update on current projects. He asked for an update on the bypass and the W. 3rd St. corridor specifically. The intersection at N. Walnut and the bypass is horrendous. We need more information about what is going on. Mr. Hess said staff will report on that in their next Project Quarterly Tracking report.

VI. Old Business

A. Policy Committee Meeting Recordings on CATS—Mr. Hess said the discussion at the last meeting was unresolved. Staff would like direction from the Policy Committee on whether or not the meetings should be regularly taped and rebroadcast on CATS. We need to reserve rooms for 2012 and schedule with CATS. He suggested that meetings that are recorded should be in Council Chambers. Non-taped meetings could be held in McCloskey. Ms. Johnson suggested putting this off to the next meeting. The rest of the PC concurred.

VII. New Business – *Action Requested on all New Business**

A. 2012 Meeting Schedule—Mr. Hess introduced the proposed schedule of meetings. We could reserve Council Chambers as a backup. Mr. Kruzan suggested reserving both rooms for the meeting dates. Mr. McDaniel, not hearing any objections, directed Mr. Hess to book both rooms for the proposed 2012 meeting schedule.

B. FY 2010-2013 Transportation Improvement Program Amendments—Mr. McDaniel suggested discussing these amendments in order, then accept public comment on all of them. Mr. Martin suggested approving Items a. through t. since they are being added to the 2010-2013 and have already been amended into the 2012-2015 TIP. The 2010-2013 TIP is the only valid TIP. Item u. was not accepted into the 2012-2015 TIP and should be dealt with separately. Mr. McDaniel agreed that items a through t could be opened up for questions. Mr. Hess explained further about the old and new TIPs and why these amendments are necessary.

Mr. Martin asked about item j—new sign improvements. Mr. Hess explained the Policy Committee awarded those funds earlier this year and INDOT recently made a positive eligibility determination for the project. Mr. Ruff argued that it is INDOT's perspective that we do not have a valid new TIP. That has not been fully decided yet. The PC voted to approve the new TIP. Mr. Martin asked about new Item s – SR45 and Liberty Dr. intersection improvement. Mr. Hess explained that this is a new project in the old TIP but is an existing project in the new TIP.

a. Fullerton Pike/Gordon Pike/Rhorer Road (Monroe County)
b. Karst Farm Greenway Phase I (Monroe County)
c. Karst Farm Greenway Phase IIa (Monroe County)
d. Mt. Tabor Road Bridge #33 (Monroe County)
e. 17th St. and Arlington Rd. Roundabout (City of Bloomington)
f. Old SR 37 and Dunn St. Intersection Improvement (City of Bloomington)
g. Sare Road and Rogers Road Roundabout (City of Bloomington)

h. Tapp Road and Rockport Road Roundabout (City of Bloomington)
i. Upgrade Signs Zone 1 (City of Bloomington)
j. Upgrade Signs Zone 5-8 (City of Bloomington)
k. 25 Foot Buses (Bloomington Transit)
l. Fare Collection Equipment (Bloomington Transit)
m. Financial Management Software (Bloomington Transit)
n. Maintenance Equipment Rehab (Bloomington Transit)
o. Next Bus Customer Info System (Bloomington Transit)
p. Security Equipment (Bloomington Transit)
q. Bus Replacement (IU Campus Transit)
r. Passenger Amenities (IU Campus Transit)
s. State Road 45 and Liberty Drive/Hickory Leaf Drive Intersection (INDOT)
t. State Road 46 and Smith Road (INDOT)

*****Mr. Martin moved to adopt Items VII (B) "a" through "t" into the FY 2010-2013 Transportation Improvement Program as amendments. Mr. Baker seconded.**

Mr. McDaniel asked for public comment on the items in the motion only.

Chris Donahue commented on "Items e, g, h" - the City's roundabouts. He felt they were well designed for an excessive amount of speed. They could be designed to be a lot smaller at much less cost and to slow down traffic. He was especially concerned about the roundabout near Tri-North Middle School, the businesses on 17th St. and the low income neighborhood built on Crescent and 17th St. He would like to see designs more for bikes and pedestrians rather than for increasing speed in that area. Mr. Martin asked Ms. Johnson why they decided on the size of these roundabouts. Ms. Johnson said they worked with design engineers on all of the roundabouts. They followed the INDOT standards for a 20-year lifespan. Taking all of the growth projections in the area into account, the professionals said they should be this size. Mr. Ruff said there are on-going discussions about the designs of these roundabouts and the appropriateness of the designs. He understood that they could be modified with no problem. Mr. Baker commented on the plans for a roundabout on W. 17th St. That is a very dangerous K type intersection at this time. It was thought that a roundabout would be safer.

*****The motion carried 11-1.**

Mr. McDaniel introduced Item "u" as INDOT's amendment to add construction phases for I-69 Section 4 into the old TIP.

u. I-69 Section 4 (INDOT) Mr. Kruzan said that his "no" vote at the last meeting was based on the confusion the PC had on a 23-page letter that they had received and the fact that there wasn't sufficient time for INDOT to be able to respond. In the meantime we are now faced with the exact same issue that we were faced with last time. In his mind an additional "no" vote on this request just further antagonizes the situation and a "yes" vote many feel is premature until some certainty is established about what it is that is going to be done to accommodate the different needs in the community. He talked to Sam Sarvis and had asked INDOT to remove these TIP amendment requests related to I-69 Section 4. He couldn't talk to any committee members without violating the Open Door Laws. This is the first opportunity he has to ask all of the committee members that we establish a date

certain by which we submit whatever questions we have about the project, about any of the issues that we are concerned about with the project should it be designed through Monroe County through our MPO. All of that would be publicly available. The newspaper article today almost seems to suggest that there had been behind-the-scenes meetings. All of this material would be publicly available. He would like to set a date certain by which INDOT would respond knowing that there will be some questions that will be unanswerable (whether intentional or not) and knowing that some questions they can't answer because of pending litigation. He believed that the vast majority of the questions not only can be but must be answered. Subsequently Richard Martin has come up with an idea that Mr. Kruzan supports. But, Mr. Kruzan is not making the motion because he didn't think that it is one entity's prerogative to remove or add another entity's action item. But, he had asked INDOT to consider removing that with that plan of action in mind.

Mr. Stark said that based on the fact that the Mayor had asked INDOT to consider this, INDOT would like to make a motion. ***Mr. Stark moved to postpone their request to amend the TIP for I-69 Section 4 to the November meeting. They would like to also establish a date based on the Policy Committee's recommendation to have written questions submitted concerning the project. They will also establish a date by which INDOT will have written answers to those questions. ***Mr. Martin seconded and asked Mr. Stark to accept a friendly amendment: the PC establish a subcommittee of the MPO to work with INDOT and the Federal Highway Administration in the preparation of clear and concise answers to those questions and then bring that recommendation back before the MPO at the November meeting. The subcommittee should consist of the Mayor, the representative of the County Commissioners, the representative of the Bloomington Plan Commission, the representative from the Monroe County Plan Commission, the representative from Indiana University, and the representative of the Transit Authority.** In the last week, he has been inundated with information of all kinds and has been in communication with INDOT and FHWA. He still has many questions that need to be answered and is sure that everyone here does. The study has been released since their last meeting and has identified many design issues that still need to be resolved. We need to understand the details of the designs and the impacts to this community. He commended INDOT for having engaged us better in the last 9 months than they had engaged with us before. He asked that they continue and increase that engagement. Mr. Kruzan asked if they would be publically noticed meetings. Mr. Martin said yes.

Stark said that he agreed that this is a friendly amendment. A lot of questions can be vetted and answered and be prepared for the November meeting. He recommended that the PC choose one person to direct a lot of questions through from INDOT and FHWA. It was suggested that INDOT questions should go to Sandra Flum and FHWA to Bob Tally. Mark Stoops said he was not comfortable leaving this until November. He would accept the motion if the meeting would take place in late October or early November. Mr. Martin said the subcommittee could decide that. Mr. Desmond suggested waiting until the November meeting. He was afraid there would not be enough time to develop the questions, transmit them, receive the answers and review them. Then, they would resubmit them for refinement and then distribute those answers to the Committee a week prior to their meeting date. Mr. McDaniel asked what the sense of urgency is based on. Mr. Ruff said he thinks it would look really bad to have the November election before this is resolved. Mr. Ruff asked what legal counsel would be available to the subcommittee in case they needed legal advice. Mr. Martin said that is one of the questions that the subcommittee would have to address. Mr. Ruff said he was not comfortable with that. Mr. Ruff would like to get a commitment from INDOT that between now and late

October/November that there would be no construction activity in Section 4 in Monroe County. He asserts that the TIP that was adopted in May is valid. He doesn't want INDOT to use this period to forge ahead and begin activities that would not be allowed had the 2012-2015 TIP been properly included into the STIP without the section of I-69. If they could get that promise from INDOT, he could support this motion. Mr. Kruzan said he asked INDOT to delay the meeting until November date since it was the regularly scheduled PC meeting. INDOT would prefer that the vote would be today. He suggested a scenario in which questions would be submitted to staff by Tues Sept. 20 (giving people10 days to submit the questions to staff) then INDOT would have until Tues Oct 5 to provide answers. That would give us one full month of discussion and time for follow up and having everything be public prior to the election. Mr. McDaniel thought that no friendly amendments have been accepted except for Mr. Martin's amendment. He asked if they could vote on the original motion including Mr. Martin's one friendly amendment. ******Mr. Stoops said he had proposed a friendly amendment that they set the date to hear this agenda item on Oct. 28 at 1:30. Ruff seconded. The motion failed by a vote of 4-8.**

*****Mr. Ruff proposed a friendly amendment that INDOT not engage in any construction activity in Section 4 between now and the vote in October or November. Mr. Stoops seconded.**

Mr. McDaniel said he didn't think they have the power to do that. Mr. Ruff said they could propose an amendment since Mr. Stark didn't respond to his request. Stark said could not pledge to delay any construction in Section 4. This amendment is for within the MPO boundaries. Mr. Ruff said that it was not clear that this section could be broken out under federal guidelines and the portion of Section 4 within MPO boundaries the only portion not constructed. Mr. Stark said that INDOT could not commit to that. Stoops said he thought the entire section has to be approved before any construction within the section is approved. Mr. Tally of FHWA has specifically approved the record of decision for Section 4. INDOT is allowed to construct all other sections of I-69 except for that within the MPO's urban area boundary. So INDOT is allowed to develop the rest of the project and advance construction requests to FHWA for consideration for funding. Mr. Tally said that there are 26.68 miles to the project and 1.78 miles are within the MPO.

Ruff asked if it was true that the project has to be in our TIP before the ROD could be issued for Section 4. Mr. Tally said that the Project is included as the next phase in your current TIP. Mr. Stoops asked if I-69 is not included in this TIP—is INDOT just going to ignore it. Tally said the issues on the TIP really reside between this board and INDOT. Your current TIP remains in effect until June 26, 2013. Stoops noted that the board specifically amended that 2010-2013 TIP and voted to remove I-69 from our current TIP. But, since Indiana has not certified the current TIP, you are not allowing that to be included in any kind of consideration. Tally said FHWA only considers projects included in the 2010-2013 TIP would be advanced for federal consideration. Stoops asked that it seems that if we do not include I-69 INDOT will just ignore it and not certify the TIP. Does that bother FHWA at all? Mr. Tally said that it does. They never want to see a TIP expire but this is between MPO and the State.

Mr. Stark said that he thought Mr. Stoop's questions are good ones and should be part of what is being answered going forward. He asked to vote on his original motion.

Mr. Ruff said that at the meeting in May when this MPO voted by large margin to not include I-69 in the TIP, he didn't believe that it was procedural questions or some lack of information. He thought it

was due to it becoming apparent that INDOT doesn't have a plan to fund this project. It goes from Evansville to Indianapolis. It became clear to many members of this board that with declining revenues there was a real possibility that Section 4 may never be finished at least not without draining funds from incredibly, much more important projects from around the state. INDOT admits that they do not have funding sources for Sections 5 and 6. He presented a quote from Cher Elliott said that "those sections have no source of funding at this time." It become obvious that not only is this not funded but we have no idea what to expect in terms of what we are to get because of the changes that INDOT was making at every opportunity in the first 3 sections which would never had been started anyway if it hadn't been for the sale of the Toll Road. That money could have gone for many other needs including education. That is why it was never started by any other governors. We have more information that these concerns are legitimate. For example, the intersection of Section 4 at SR37 is going to be a stoplight instead of an interchange. The 2012-2015 STIP has almost no money for Sections 5 and 6. He didn't think that in light of the fact that we voted based on largely those concerns and we have not been provided with any reasonable evidence that there is available funding for the rest of this project without literally diverting a major percentage of all of the available funding for maintenance and construction and repair in the rest of the state for years to come—he didn't see the need to postpone this. Nothing has changed. He asked the PC to vote the way they voted in May. He believes that the 2012-2015 TIP is valid. The Indianapolis TIP that was voted on in May was not accepted by INDOT. The evidence is even clearer that there is no real plan to build this project particularly after the current governor leaves office. The state could be stuck with this half-baked, half-cocked project that doesn't bring any of the "benefits" that had been predicted. Mr. McDaniel noted that Mr. Ruff's motion was still on the table. Mr. Kruzan clarified that the motion that they are voting on was about the initial conversation on no construction until November. Mr. Ruff restated his motion.

Mr. Baker said that he could not vote on this motion since it is outside of their purview. INDOT has said what they are going to do. We can say whatever we want to here but it has no value. He will not vote on this motion.

Mr. McDaniel called for the vote. A voice vote was taken. It was agreed that the motion failed.

*****Mr. Stark's motion is to postpone INDOT's request to amend the TIP until the November meeting. He suggested setting the dates of Sept. 20 for all written comments to be answered by Tues., Oct. 5. This includes a friendly amendment that a subcommittee is established made up of the representatives consisting of the Mayor of Bloomington, the representative of the Monroe County Commissioners, the Bloomington Plan Commission, the Monroe County Plan Commission, Indiana University and the Bloomington Transit. They would work with Bob Tally (FHWA) and Sandra Flum (INDOT). Mr. Martin seconded.**

Ms. Thomas wanted to see Councilman Ruff on the committee. Mr. Ruff appreciated Ms. Thomas' comment but was comfortable with the representation as long as those representatives can serve at full capacity. She wanted assurance that their submitted questions would be submitted to INDOT in the form in which they were submitted. She agreed with Mr. Ruff's comments and concerns. Mr. Martin said that they will get many people submitting the same question in slightly various forms. He assumed that there would be some consolidation of the questions so that they can be reasonably answered. Mr. Stark said they could answer each question that they receive. Mr. Kruzan said that all of the questions

are public record. This subcommittee is not just about answering questions. It is also about negotiating all of the various aspects of the project including Section 5. Mr. Stoops didn't think that the questions would be far-reaching enough. He thought that the questions would address small remediation. He would like the committee to negotiate and get commitments from INDOT. The commitments have to mean something. He has learned from people who have dealt with I-69 in the southern part of the state that commitments don't mean anything to INDOT. Mr. Martin said we need to ask that question. Mr. Kruzan said we can't prevent them from moving forward. He reported that we got in INDOT's way the best we could in the Bypass discussions but we had almost no negotiating power. He had very little help in the negotiations but finally got commitments for sidepaths, the pedestrian underpass and some safety improvements. He still didn't trust that they would necessarily happen. We need the same discussions and negotiations concerning I-69. Mr. Stoops said INDOT has been much more open in the last year than they have ever been. But, once I-69 is in our TIP our leverage is completely gone. Mr. Kruzan was concerned about INDOT using local dollars to pay for I-69 instead of the many improvements we still need in the area. Mr. Kruzan wants to know who will pay for all the local roads and projects—for all the collateral damage of I-69 on the local community. There will be changes that we will be expected to make that stem from I-69 but we won't have the funding.

Mr. McDaniel called for the vote on Mr. Stark's original motion to move the vote to November and to create the subcommittee.
*****A roll call vote was taken. The motion carried by a vote of 9-3.**

C. FY2012-2015 Transportation Improvement Program Amendments

a. Upgrade Signs (Monroe County)—Mr. Hess clarified these amendments to the "new" 2012-2015 TIP are warranted so that the document is up-to-date when it gets added the STIP. The Policy Committee awarded HSIP funds to the both the County and the City earlier this year to upgrade signs to meet federal sign standards. These projects were recently determined to be eligible by the State and need to be added to the TIP.

b. Upgrade Signs Zones 5-8 (City of Bloomington) amend into (new) 2012-2015 TIP. Mr. Hess introduced this amendment.

c. Heritage Trail Phase II (Town of Ellettsville)—amend into (New) 2012-2015 TIP since the project is slated for 2014. Mr. Martin asked costs and funds for this project. Mr. Hess presented the information. This project was also recently deemed eligible to receive funds and needs to be added to the TIP.

Mr. McDaniel asked for a motion concerning items a-c. **Mr. Baker moved to incorporate items a-c into the FY 2012-2015 TIP. Mr. Stoops seconded the motion. Voice vote was taken. The motion passed unanimously.**

Mr. McDaniel asked for public comment. There was none.

d. I-69 Section 4 (INDOT) (deferred discussion)

VIII. Communications from Committee Members *(non-agenda items)*

A. Topic Suggestions for future agendas--none

IX. Upcoming Meetings

A. Technical Advisory Committee – September 28, 2011 at 10:00 a.m. (McCloskey Room)
B. Citizens Advisory Committee – September 28, 2011 at 6:30 p.m. (McCloskey Room)
C. Policy Committee – November 4, 2011 at 1:30 p.m. (Council Chambers)
D. Mr. Martin suggested that a subcommittee meeting be planned for 4:00 pm on 9/19 in McCloskey.

Adjournment

**Public comment prior to vote (limited to five minutes per speaker)*

The minutes were approved at the PC meeting held on November 4, 2011 (11/4/11 rch).