



**Technical Advisory Committee Meeting Minutes
May 27, 2009 McCloskey Conference Room 135, City Hall**

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

Attendance

Technical Advisory Committee: Kurt Babcock (Co. GIS), John Carter (Monroe Co. Community School Corp.), Jane Fleig (CBU), Christina Fulton (for Andrea Roberts- City Public Works), Russ Goodman (City ITS), Lew May (BT), Tom Micuda (City Planning), Doug Norton (Rural Transit), Emmanuel Nsonwu (INDOT), Adrian Reid (Bloomington Engineering), Mike Trexler (Bloomington Controller), Jim Ude (INDOT), Bill Williams (County Highway), Dave Williams (Bloomington Parks) and Gregg Zody (Monroe Co. Planning).

Others: Mary Jo Hamman (Michael Baker), David Butts (INDOT), Jim Stark (INDOT) Jay Mitchell (INDOT), Raymond Hess (MPO Staff), Jane Weiser (MPO Staff), and Scott Robinson (MPO Staff).

- I. Call to Order—Adrian Reid called the meeting to order.**
- II. Approval of Minutes:**
 - A. April 22, 2009—**Mr. Micuda moved approval. Ms. Fleig seconded. Unanimous voice vote.
- III. Communications from the Chair—**No report.
- IV. Reports from Officers and/or Committees**
 - A. Updates on BMCMPPO funded projects**

Mr. Williams reported that the Smith and Rogers curve correction should be completed by the end of August.

Mr. Reid said that the City is gearing up for their Henderson St. Safe Routes project. They are asking for bids for engineering services for the 17th and Arlington roundabout project. They are also advertising for engineering and right-of-way services for the South Rogers St. project.

Mr. May said that BT is in the designing and engineering phase of the Downtown Transit Facility project. They have had a stakeholder and a general public charette that went very well. There will be another charette during the week of June 15. Things are moving along well.
- V. Reports from the MPO Staff**
 - A. FY 2009 3rd Quarter Progress Report—**Mr. Hess presented the report. Any unused funds from FY 2009 will carry over to FY 2010 since it is a 2-year work program.
 - B. Crash Report CY 2005-2007—**Mr. Robinson presented the report. The report should be finalized by the June 26 Policy Committee meeting. He noted that moped/motorcycle crashes and crashes with buses are being tracked now too.
- VI. Old Business –** No Old Business

VII. New Business

A. FY 2009-2010 Unified Planning Work Program Amendment—Mr. Hess presented the report. We are amending the existing FY 2009-2010 Work Program. Any committee comments or recommendations can still be included. Staff wants the Policy Committee (PC) to take action on this at their June 26 meeting. The revised total funding for FY 2009-2010 is \$961,037.50. Our cost share for that is \$768,830.00 federal and the local share is \$192,207.50. Annual tasks for FY 2009 are all still funded. Annual tasks for FY 2010 remain largely unchanged. There is one new consultant project for BT's Grimes Lane Operation Facilities Study that is in Element 502 and is funded in the amount of \$60,000. FHWA has given us Planning Emphasis Areas (PEAs). Under Element 104 there is language dealing with census support and coordination. MPO and Long Range Planning staff has been in touch with the Census Bureau staff to update the census tracks and boundaries are. Under 201 there is a new project called Quarterly Project Tracking Program. FHWA requires quarterly reports for projects in the TIP. We will be starting this in the first quarter of 2010. Mr. Williams said that he has found this a good tool for his tracking of projects. Mr. Hess discussed the local handling of TE funds. The PC adopted guidelines for developing a program administration committee. That will be posted online soon. Mr. Hess reported on ADA Compliance Plans. This will come back to the TAC on June 24.

Mr. Micuda asked Mr. Reid what he envisions for the 2nd Street feasibility study. Mr. Reid said they want to finish what they started since it's been worked on for a while. They need to consider the hospital's decision. Mr. Reid would like to use the same consultant.

Mr. Micuda asked Mr. May about a general timeline on the Grimes Lane facility. Mr. May said he would like to start it in July 2009 and have it completed by 2010.

Mr. Nsonwu said that INDOT will be reviewing the UPWP and Mr. Hess will send the self-certification statement for their review.

B. FY 2010-2013 Transportation Improvement Program—Mr. Hess said that the draft TIP was developed in coordination with the LPAs. Staff issued a call for projects on April 23 and had several meetings with LPAs to make sure that we were fiscally constrained. The project proposals were due by May 13. We opened up public review of documents last week. The review period will remain open until June 18. The TAC and PC will be able to review all the comments before making a final recommendation at the June 24 meeting. Since we now have a Complete Streets Policy, this TIP will be different than other TIPs. Most of the projects will be exempt. It only pertains to local, federally funded road projects which are not yet past 30% complete in design or have passed their preliminary field check. Included in this packet are 6 projects which are subject to the Complete Streets Policy. These projects include the City of Bloomington (COB) Tapp Rd/Country Club/Rockport Rd intersection improvement, the COB Sare and Rogers Rd. roundabout, COB Old SR 37 and Dunn St. improvements, Monroe County Mt. Tabor Rd Bridge #33, COB 17th & Arlington roundabout, and Monroe County Fullerton Pike/Gordon Pike/Rhorer Rd. improvements. He asked for comments as soon as possible.

Mr. Reid pointed out that the local match on the 17th and Arlington project reflects the old amount they requested from STP. The local match should be around \$346,207.

Mr. Micuda asked Bill Williams if he could provide the TAC an update on the RFP for the Fullerton Pike project. Mr. Williams said that the RFP was collectively put together between Mr. Micuda and himself. The project has been advertised with several responses. They plan to shortlist the number of consultants soon. They have \$1 million already appropriated from the TIP and local funds.

Mr. Micuda asked Mr. Reid if Engineering had an idea if there would be a signal or a roundabout at Tapp Rd project. Mr. Reid said that they would prefer to install a roundabout.

C. I-69 Hardship Right-of-Way Acquisition (*Recommendation Requested*)

Mr. Hess reminded the TAC that they heard a petition from INDOT to include in the TIP a hardship right-of-way property acquisition at the southwest corner of Tapp Rd and SR 37. That property would eventually be used for the I-69 project. The property owner had been unable to sell the property. The Policy Committee heard it in March and turned it down. There is some new evidence that INDOT would like the MPO to consider and would like the MPO to revisit this issue. They have presented some costs for the project. Since the Policy Committee took action on this in March, staff is considering this a new request. The petition has been advertised and the public comment period will continue until June 18th. Staff will compile the public comments and present it to the Policy Committee prior to their vote. INDOT wants to bring to the MPO's attention that in the Code of Federal Regulations language that states that a project of regional significance needs to be amended into a TIP regardless of funding source. The PC discussed at length whether the State could just use local funds to avoid amending it into the TIP. There were also questions about ramifications of the actions of the Policy Committee which still remain unclear at this time.

Mr. Butts of INDOT noted that this petition was presented to the TAC and the CAC prior to the March 13 Policy Committee meeting. He reminded the TAC about the details of the property and the situation. Since the initial hardship request, the property owner has indicated that they are having some medical difficulties and subsequent financial difficulties. Because this is a tiered process and Tier 1 has been approved, INDOT has the privilege to carry out this acquisition. He had not been made aware of the information in Title 23 CFR-450.324 Paragraph D at the time of the Policy Committee meeting.

Mr. Micuda pointed out that INDOT is actually asking for the hardship acquisition of a single property. INDOT is not asking for the local MPO amending its TIP for I-69 itself. Does INDOT assert that this regulation applies because the project itself is regionally significant but the acquisition is for a single property? Acquiring a single property is not typically seen as a regionally significant action in an MPO context. Is INDOT asking the MPO to amend its TIP for any I-69 related acquisition?

Jay Mitchell of INDOT said that the regulations state that any regionally significant project has to be included in the TIP even though it may not be directly in your MPO area. Any project that requires federal action would have to be placed in the TIP. Even though it is a very small item, it does have to be in the TIP by virtue of the fact of its relationship to the I-69 project. INDOT is mainly concerned with this particular parcel.

Ms. Fleig asked Mr. Hess to remind her of their previous action. Was it to forward it to the Policy Committee with a positive recommendation? Mr. Hess said yes.

Mr. Robinson asked if the representatives from INDOT were planning to attend the CAC meeting later in the day. They said they would attend. He had heard a comment that if the property is rented it is not qualified for this program. Mr. Butts said that he had never heard that requirement. The people who have deemed this hardship application qualified are aware of all of the conditions in this situation.

Ms. Fleig said that she didn't see the situation any differently than she did previously. She moved to send this on to the Policy Committee with a positive recommendation. Mr. Nsonwu seconded.

Mr. Micuda said that it has not yet been explained to the Policy Committee or this committee the consequences of a "No" vote at the Policy Committee. It was a concern to the PC that they were not given specific direction by either INDOT or FHWA what would happen if the PC voted "no." That was his only concern about taking action now. We have essentially the same information that we had a couple of months ago when the TAC made a positive recommendation. No committee yet has any understanding from INDOT or FHWA about the consequences of the same outcome at PC. At some point that needs to be conveyed so that all of us at the MPO have the facts before any final decision. Since the PC has that hesitation, he has that same hesitation. He suggested waiting a month since we have the opportunity to take action on June 24 before the PC meets on June 26. He assumed that INDOT before now and the 24th would have some more specific guidance for us regarding consequences.

Mr. Stark said that he would be meeting with the Commissioner tomorrow. Among other things, they are going to discuss what those consequences could be. No one at the meeting today has the responsibility to make those decisions. They would like to get that information to everyone so that it could be reviewed before you take action on June 24 and June 26. He was glad that everyone was being positive about their thought process. He wanted to make sure that all the information from FHWA is clear and concise. Things could happen since there would be an imbalance between the TIP and the STIP. That is where FHWA has real problems. It is how the federal government does business. He wished he had had the meeting before so that he could have had the information at this meeting. He felt it would be best for the TAC to make a decision at the June 24 meeting. Mr. Nsonwu pointed out that I-69 is already approved in the long range plan and the TIP is set on the long range plan. The TIP and the long range plan have to be in sync. If they are not, there are going to be some issues. Mr. Reid said we understand that concept but our Policy Committee is more interested in the ramifications.

Mr. Micuda said that his issue is that FHWA wants us to have the continuous, cooperative planning process with all of our MPO partners. The PC is posing a question as to whether or not we can have a difference of opinion in the local MPO on a policy issue but still be running a good process. We can have a legitimate disagreement over a particular INDOT project. He wants to hear from FHWA in this process about how our process is or is not in compliance with their rules and procedures. He thinks there is an assertion that is being made by PC members

that we just have a difference of opinion regarding a project and we have a right as a local MPO to exercise a difference of opinion when we have it. Mr. Butts said he agreed that local MPOs do have that right. That is one of the things that they are finding out. He didn't have an answer on that today. Mr. Reid asked if we could table the motion. Mr. Hess said TAC will have a chance to vote before the next PC meeting and that there will be ongoing discussions with INDOT on this issue. Mr. Nsonwu encouraged the TAC to make the recommendation today. Mr. Stark said that it really wasn't necessary to vote today.

Mr. Zody moved to table the motion until the next meeting on June 24. Mr. Micuda seconded. Mr. Stark suggested that the CAC do the same thing at their meeting. Mr. Hess said that staff could recommend that but it would be up to them. **The motion to table was approved by unanimous voice vote.**

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

A. Topic Suggestions for future agendas

IX. Upcoming Meetings

A. Technical Advisory Committee – June 24, 2009 at 10:00 a.m. (McCloskey Room)

B. Citizens Advisory Committee – June 24, 2009 at 6:30 p.m. (McCloskey Room)

C. Policy Committee (special meeting) – June 26, 2009 at 1:30pm (McCloskey Room)

Adjournment

These minutes were adopted by the Technical Advisory Committee at their regular meeting held on June 24, 2009 (RCH 06/24/2009)