



Evansville Metropolitan Planning Organization

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Seyed Shokouhzadeh, Executive Director

EVANSVILLE METROPOLITAN PLANNING ORGANIZATION POLICY COMMITTEE MINUTES

Regular meeting held at 4:00 p.m. in Room 301
Civic Center Complex – Administration Building
Evansville, Indiana

May 1, 2014

The foregoing are minutes and not intended to be a verbatim transcript. An audio version of the proceedings can be heard or viewed on our website at www.evansvillempo.com.

ROLL CALL

Members Present (voting):

Jack Corn, Stephanie Brinkerhoff-Riley, Todd Robertson, Donald Angel, Russell Sights, Richard Reid, Lori Buehlman, Rusty Fowler, Kevin McClearn

Members Absent (voting):

Mayor Lloyd Winnecke, Stephen Melcher, Angela Koehler-Lindsey, William Hubiak

Members Absent (non-voting):

Karl Browning, Rick Marquis, Scott Deloney, Marisol Simon, Tony Greep, Jose Sepulveda, Bernadette Dupont, Mike Hancock, Keith Damron, John Gowins, Michelle Allen

Evansville MPO Staff Present:

Seyed Shokouzadeh, Pam Drach, Rob Schaefer, Craig Luebke, Kari Akin, Erin Mattingly, Laura Lamb, Vishu Lingala

Others Present:

Robert Howard

1. APPROVAL OF MINUTES

Mr. Corn: The first item on the agenda is the approval of minutes from the previous meeting. I would entertain a motion for approval. (Motion was made by Mr. Robertson and seconded by Mr. Reid.) Voice vote. SO ORDERED.

2. OLD BUSINESS

A. Project Update

CITY OF EVANSVILLE

Washington Avenue-Weinbach Avenue Intersection

Ms. Lamb: According to INDOT's website, the proposed letting date has been pushed back to December 10th of this year. The City is still working on right-of-way acquisition.

Mr. Corn: And that's the reason for the delay?

Ms. Lamb: That's probably a good reason for it.

Pigeon Creek Greenway Passage Project - SR 66/Lloyd Expressway Pedestrian Overpass

Ms. Lamb: This project has been added to INDOT's website with a proposed letting date of December 10th of this year.

Evansville-Vanderburgh Sign Inventory and Replacement

Ms. Lamb: Both the City and County sign replacement projects have been added to INDOT's website with proposed letting dates of February 4th of next year. This is for sign installation.

Tekoppel Safe Routes to School

Ms. Lamb: This project has been added to INDOT's website with a proposed letting date of March 4th of next year.

VANDERBURGH COUNTY

Burkhardt Road-Virginia Street Intersection

Ms. Lamb: The consultant is working on finalizing right-of-way acquisition. The project is currently scheduled for letting on September 10th of this year.

Green River Road: Millersburg Road to Kansas Road

Ms. Lamb: Construction is underway, and the contract completion date is currently set at June 1st of next year.

Maryland Street Bridge Over Pigeon Creek

Ms. Lamb: Bids will be opened May 13th and if acceptable, the contract will be awarded May 20th.

TOWN OF NEWBURGH

Newburgh Sign Replacement

Ms. Lamb: INDOT is abandoning the Force Account approach for project execution; therefore, this project will be resubmitted as an RFP and go through the normal bid letting process.

INDOT

US 41 – Lloyd Expressway Interchange

Ms. Lamb: At the letting in January, all bids came in over the engineer's estimate. INDOT is working closely with the City of Evansville to make the contract more successful when it is rebid, which is scheduled for August of this year. Ongoing preparation work, including demolition and utility relocation, will continue until the contract is awarded and full-scale construction begins. The anticipated date that the modified interchange will open to traffic has not changed and is scheduled for the fall of 2015.

Mr. Corn: Do we know what they are doing now, will that involve moving the bridge, or is the bridge part of this bid that has to be made? The pedestrian bridge.

Mr. Fowler: The Pedestrian Bridge...we are looking at that. We are talking to the mayor about where we can move the old bridge to. There is some cost associated with that. INAUDIBLE

CITY OF HENDERSON

Green River Road: Osage Drive to Woodspoint Drive

Ms. Lamb: The project has been posted for bids with the response date set for May 13th. That's all the updates I have. Are there any questions or discussion about any of those?

Mr. Corn: Thank you Laura.

B. Transportation Alternatives Program Application

Ms. Mattingly: Last month we brought the draft Transportation Alternatives Program Application to you for review. We did not receive any comments or questions. So we have not made any changes to the application. The application you have in your packet is the same one you received last month. Once this application is approved, we will send out a call for project out later this month and we will come back at the June meeting and update everybody on where the call is at that point. We have almost completed the application guidelines that go along with the application. I do have a copy of it with me now if you want to see it afterwards. We will have that complete at the time we send the call out for projects. So with that, we request your approval for the application. It was approved this morning at the Technical meeting.

Mr. Corn: Any questions? I would entertain a motion for approval? (Motion was made by Ms. Buehlman and seconded by Mr. Angel.) (Voice vote.) SO ORDERED.

3. NEW BUSINESS

A. Town of Chandler Request to Amend By-Laws

Mr. Corn: Is Brian Lucas Here? Or Rob Coghill? We have extended them the opportunity to come to the Technical Committee. They have passed up that opportunity. We have asked them to submit any projects they would like us to help them with and they passed on that project. I'm going to table that item, but we can

have some discussion on it if you like before we table it. It seems to me if they were interested, they would be here.

Mrs. Brinkerhoff-Riley: Mr. Chairman, this letter of March 16th, they sent us this letter and then you responded and they didn't respond back?

Mr. Corn: They did respond. They asked to be put on the board. That was their response.

Ms. Brinkerhoff-Riley: Did anyone respond to this letter, the March 6th?

Mr. Shokouhzadeh: Yes we did. We responded to the letter and told them we were going to put them on the agenda and we requested that they be here if they had any questions.

Ms. Brinkerhoff-Riley: Okay, I just wanted to make sure.

Mr. Shokouhzadeh: We can get you a copy of the letter.

Mr. Corn: We have also extended the opportunity for the past year to come to a Technical Committee meeting and voice their ideas and so far we have gotten no response.

Ms. Brinkerhoff-Riley: I wish they would. I just know that, I don't know if anyone else had noticed, but the widening as you go into Chandler, is that an INDOT project?

Mr. Corn: Yes.

Ms. Brinkerhoff-Riley: I know there was a lot of flooding. The flooding in Chandler, it seems there is a lot of flooding. It just seems like it would be a no-brainer for them to participate. So it's kind of confusing.

Mr. Corn: Well they can participate without being a member of the Board. My fear is that if we would make them a member of the Board, then Darmstadt would want to be a member of the Board and every other small operation would want to be a member of the Board. The last time, it took two years when we added someone to the Board because it is somewhat of a lengthy proposition. We will table that.

Mr. Sights: INAUDIBLE PORTIONS the by-laws that you have presented to us, that will be adopted in June... and if I'm reading right, that calls for INAUDIBLE... so you're going to tag this to it as presented? There are two other counties on the MPO now. Other than Vanderburgh, is Warrick and Henderson? Is that correct?

Mr. Corn: Correct.

Mr. Sights: Warrick County has 2 members, Henderson County has 2 members, this may sound selfish but if we give Warrick County 3 votes, and Henderson County only has 2 maybe that could get a little lopsided,? So as it stands now, Mr. Chairman, are you asking to approve these by-laws as presented?

Mr. Corn: Right. Any other comments or questions? We will table the item this time.

B. Draft Evansville MPO By-Laws

Ms. Akin: As Russell had mentioned, you have the draft By-Laws in your packet. We do seek review of this, for this month and we would like to approve it in June. The last update to the By-Laws was approved in

1991 and consisted of one page. The certification review report completed in February 2013 by Federal Highway, the EPA and Federal Transit Administration recommended that we update our By-Laws. And the By-Laws update is an element to be completed in the Unified Planning Work Program in fiscal year 2014 which goes through June 30th of this year. We created this new document by reviewing other MPO By-Laws. We looked at several regulations such as Indiana Open Door Law and other federal and state regulations for government agencies and not-for-profits. The copy in your packet today is slightly different than what was sent out last Thursday. We just addressed some minor editing such as some fonts and a couple of grammar, where we left out some colons and took out parentheses. So if you want to review these and you do have comments on them, please make sure you look at this copy that I have presented to you guys today. So does anyone have any questions on the draft By-Laws?

Ms. Brinkerhoff-Riley: I have a question. I didn't mean to argue for them to be. I just thought it was odd that they would ask and then not appear at their opportunity. Could I get a copy, I know you said the one was from 1991 that was just one page? (Kari presented Ms. Brinkerhoff-Riley with a copy of the current by-laws) I just wanted to look at them. Is there anything significant? Obviously they have a lot more content. But did you change anything really about the old By-Laws?

Ms. Akin: We didn't really change anything materially. Although we did add in, actually I'm going to give you our Articles of Agreement as well because I believe what was in our original Articles of Agreement should have been in our By-Laws instead of that. So in our Articles of Agreement, I believe that's back when we only had maybe seven members on our Policy Board. So this new By-Laws brings our Policy membership up to 13 to be more current. So that is the main change that we had and that is the main reason why we are updating these.

Mrs. Brinkerhoff-Riley: Those don't have a lot in them. It makes sense though that your Articles include everything that is missing in those By-Laws. Thank you.

Mr. Corn: Any other questions?

C. FY 2013 Evansville MPO Audit by the State Board of Accounts

Ms. Akin: There's copies of the audit in your packet as well. It was filed April 8th of this year. Page 24 shows all the different grants we received and were audited for our fiscal year end for fiscal year 2013. So we did have 13 grants this year totaling over a million dollars. Normally, we have about eight grants. So this was significantly more. Then also there was no matters reportable, is what the audit said.

Mr. Corn: Apparently you have been more successful than the city. Any questions?

D. Draft FY 2015 Evansville MPO Budget

Ms. Akin: You also have a copy of the proposed budget in your packet, a budget trend sheet, and a sheet explaining the changes in the budget from the previous year. These are all the values that were approved last month for the fiscal year 2015 UPWP. There is one exception. Henderson is participation in the Regional Pavement Management Process. So we are really excited about that. So KYTC has approved \$100,000 in Kentucky PL discretionary funding for Henderson to use in this project. The City of Henderson and Henderson County will be sharing the \$25,000 local match for it. So the budget is increased by \$125,000 to accommodate this project. Also, there is no increases in the local shares from the previous five years and one thing I wanted to note in our By-Laws, I did put some definitions in there between a local share and a local match because I know there is always a lot of confusion with that. A local match is like if you have a construction project or your have a special project that needs a match. That's the non-federal share portion.

So that's a local match. And the local share is the non-federal share for our operating costs for our annual PL or planning funds that we get. If you look on the second page, that's what the budget will look like. We are just asking for review of this this month. Then we would like it to be approved at our June 5th meeting because our fiscal year begins July 1st. And I tried to break it down again just between operating expenses and then our special projects expenses. So if you look in the blue column, almost at the very end of the table, it says "operating subtotal \$906,182." So that number has not changed from the UPWP and all those numbers above it are all, you have seen these for the past three or four months. It's just the numbers that are below that. Those are special project expenses, and this is what the consultants get paid for those projects. So that's our METS COA project, our air quality television show with WNIN using CMAQ, our Evansville Bicycle/Pedestrian Master Plan and the Regional Pavement Management Program. Then on to the left is the revenues and I did break it out a little bit more this year as opposed to last year so you can see where it says "general federal funds", the 15-4520, all of those are all planning funds that we use for operating. Then the second table, it says "special projects federal funds". Those are all the federal funds that we are receiving to do the regional pavement management in the Evansville Bicycle/Pedestrian Plan. The third table is the local shares. So that's the section that has not changed for the past five years. That's the local match for us to do our operating and to match our PL funds. Then the last part is the local match. That's what I was saying that's the non-federal shares to match those federal funds for those special projects that don't happen annually. They just happen every once in awhile. Then if you go to the second page, that's just our normal operating expenses. So I cut that out at the \$906,000 and this is a change from last year 2014 to this proposed 2015. The ones on the bottom where it starts with "Audit", those reasonings were all in the trend reports for the UPWP that I passed out in the packets the past two months. Then the other ones, the ones above there, those are broken out a little more than what they were in the UPWP packet. The very last page, these are actual budgets from 2010 through 2014, then our proposed budget for 2015. I didn't break out the income at the top, but at the bottom for the expenses, I pulled out all the consulting expenses because those change every single year. So you can look at the base operating subtotals and maybe have a better understanding of the trends from each year instead of looking at 2014 and seeing that our total for 2014 was \$958,000 and then we are jumping to \$1,962,000 this year. Does anyone have any questions on this?

Mr. Sights: INAUDIBLE STATEMENT We are happy to be part of the Pavement Management Program. We would like to extend a thank you to KYTC for providing us with the Federal funds to participate.

Mr. McClearn: You're welcome.

Mr. Corn: Back to item A under New Business, I think I kind of missed there. I need a motion to table that. (Motion was made by Mr. Reid and seconded by Mr. Robertson.) Voice vote. SO ORDERED.

4. OTHER BUSINESS

A. 3rd Quarter FY 2014 Quarterly Reports

Ms. Akin: In your packet, you have the 3rd quarterly reports for Indiana and Kentucky. These were performed January 1st through March 31st. It's just a project update status, sort of what Laura does except it is for what we do in the office for our traffic counts. For example, in Indiana, we did 147 traffic counts. So you can read through these. We do have one for Indiana and one for Kentucky. If you have any questions on any of those, you can definitely call our office and we can discuss those projects.

Mr. Corn: Any questions? (None.)

B. Subdivision

Docket No: 3-S-2014 Kinway Park Two Kins Investment, LLC, Owner

Ms. Lamb: This is an 18-acre, 78-lot residential subdivision on the north side of Heckel Road just east of Oak Hill Road in Vanderburgh County. This may look familiar because it came as a rezoning in the past. It was in June or July of last year. It was proposed as a 296-unit apartment complex. That rezoning was denied and now they are subdividing the ground as a residential subdivision. The property is currently undeveloped farm ground. The proposed ball park is located adjacent to the east. The westernmost access was aligned with Pebble Stone Drive in Keystone Subdivision as we requested in the original comments for the rezoning. Heckel Road is being proposed for widening by the County to three lanes and sidewalks on at least one side of the road. In our discussions with the developer, they expressed their intent to ask for a waiver of sidewalks in the subdivision and our recommendation is that sidewalks should not be waived. That's the only subdivision that I have. Are there any questions about that?

Mr. Reid: The sidewalks are all on half the street?

Ms. Lamb: In the subdivision or on Heckel Road?

Mr. Reid: In the subdivision.

Ms. Lamb: They intend to ask for a waiver of sidewalks completely. They could potentially ask for a partial waiver and do sidewalks on one side of the street. As we think now on Heckel Road, they are planning to put sidewalks on one side of the road and they believe that is going to be on the north side which would be adjacent to this property. We have the ball park adjacent to that and then I believe there is a trail proposed, a bike/ped trail at Green River Road. So we have a lot of reasons to ask for the sidewalks to be installed.

Mr. Corn: Will this have to be rezoned?

Ms. Lamb: No, it is zoned agricultural or single family residential. They didn't get the multi-family zoning.

Mr. Corn: They were trying to go from single to multi-family?

Ms. Lamb: Right.

Mr. Corn: They got turned down so now they are going back to single.

Ms. Lamb: Right.

Ms. Buehlman: Maybe they are not wanting to do sidewalks because these are such small lots.

Ms. Lamb: It might be but I'm not sure that that's a good reason.

Mr. Sights: It would be more important to do sidewalks in an area with smaller lots for sustainability purposes. May I ask another question...

Ms. Lamb: Sure

Mr. Sights: It says here that the owner is Two Kins Development, LLC. Who is the developer?

Ms Lamb: I believe they are one in the same. But I'm not positive about that.

Mrs. Brinkerhoff-Riley: What's sort of the power of this body in terms of when you say you don't think sidewalks should be waived? Who will actually waive them?

Ms. Lamb: For this area, it would be the County Commissioners?

Mrs. Brinkerhoff-Riley: So we will make a recommendation then?

Ms. Lamb: Yes, we make a recommendation, that's correct. Since it's a subdivision, it will go to the Area Plan Commission Board for their recommendation but the sidewalk waiver is actually under the County Commissioners' control.

Mrs. Brinkerhoff-Riley: Then just a comment. I know that also some issues related to sidewalks and often I know that the city, when we annex and whether you like it or not, we often are left with residential areas that don't have sidewalks because they were originally a waiver. Even in my neighborhood, and I live over by the Roberts Stadium site. I live on a block that has sidewalks on three sides but that fourth. So I've got two that turned four yesterday. So when we ride our bikes, and we ride around the block, you have to go out into the street on that one. I do see the value and also sort of the long-term planning for school buses where sidewalks don't exist. They have to ride the bus. Even when they are otherwise close to the school. So I think as a planning perspective, I agree with you.

Ms. Lamb: Thank you.

Mr. Corn: The County rewrote the ordinance after I wrote it for the City many years ago. They put a waiver in. When I wrote it for the City, there is no waiver. That was one of the reasons was that we were taking in areas that had no sidewalks and then turning around and having to put the sidewalks in.

Mr. Robertson: I may be all wet, but didn't we not just have the 2040 plan that talks about neighborhoods and sidewalks and all of that? Didn't that all, we just invest a number of dollars into understanding how important it is for neighborhoods to have inclusive of sidewalks. I would think that if we were making a recommendation, just in my opinion, that would also be factored in that if we are projecting and we have invested this type of money, I think we ought to take that into consideration and not consider waivers in place of if you develop a subdivision, you ought to have inclusive sidewalks. Then they already talked about there is a bike path and a pedestrian path. So I think those ought to be inclusive in my opinion.

Mr. Corn: Well there was an ongoing argument in the County when we passed that ordinance. Some of the subdivisions were large, large, large lots and they would have to put in sidewalk that went nowhere. That was why they included the waiver factor. But if I had my way back then, I would have said no waivers. But we did get that in the City but not in the County. Any other questions? (None.)

C. Approval of Bills

Mr. Corn: I would entertain a motion for approval bills. (Motion was made by Ms. Buehlman and seconded by Mr. Angel.) Voice vote. SO ORDERED.

5. PUBLIC COMMENTS

None.

Meeting adjourned.