

NIRPC Executive Board Meeting
NIRPC/Forum Building, Portage, IN
August 29, 2013
Minutes

Call to Order: Chairman Dave Uran called the Executive Board meeting to order at 9:00 a.m. with the Pledge of Allegiance and self-introductions.

Commissioners present included Nancy Adams, John Bayler, Kevin Breitzke, Robert Carnahan, Christine Cid, Tom Clouser, Anthony Copeland, Jon Costas, Dave Decker, Jeff Dekker, Don Ensign, Karen Freeman-Wilson, Jeff Freeze, Michael Griffin, Rosalie Jacobs, Richard Ludlow, Tom McDermott, Blair Milo, Rich Mrozinski, Rich Murphy, Diane Noll, Anthony Pampalone, Don Parker, Shawn Pettit, Jim Polarek, Pamela Richard, Bob Schaefer, Tom Schmitt, Dave Shafer, Jim Simmons, Brian Snedecor, James Snyder, Ed Soliday, Joe Stahura, Jim Ton, Dave Uran and George Van Til.

Others present included Robert Alderman, Christopher Meyers, Rebecca "Sis" Williams, Val Gomez, Matt Mikus, Keith Benman, Joe Simonetto, Roy Dominguez, Rudy Velasco, Renae Jackson, George T. Janiec, Teresa Torres, Julie Roesler, Jim Nowacki, Joe Crnkovich, Jim Pinkerton, Julia Surber, Justin Mount, Ron Shimizu, John Rhyne, Oscar Sanchez, Jim Pinkerton, James Hunt, Eric Vance, George Malis, David Wright, Deb Backus, Celina Weatherwax, Kate Zale, Gary Mroczka, Daryl Lampkins, Kelli Dudley, Marci Kunstek, Barbara Blackmon, Darrell Robinson, Joseph Cunningham.

Staff present included Ty Warner, David Hollenbeck, Angie Hayes, Kathy Luther, Mitch Barloga, Eman Ibrahim, Steve Strains, Gary Evers, Sarah Geinosky, Jody Melton and Mary Thorne.

Report of the Chair: Chairman Uran read the letter sent to the City of Portage Police Chief by Ty Warner thanking him for service provided and that NIRPC has not requested a police presence at its meetings. An Executive Session of the Full Commission will be held on September 10 at 1:30 p.m. at NIRPC for pending litigation.

Approval of Minutes: The minutes of the July 18, 2013 Full Commission meeting were approved on a motion by Jim Ton, second by Kevin Breitzke.

Finance & Personnel Committee: Committee Chair Blair Milo reported that the committee met on August 14 in special session and their recommendation is that NIRPC remain at the Portage location with the following amendments to the motion: that completion of the internet upgrade be done by April 1, 2014 or a 10% monthly rent reduction will be enforced until completion of the upgrade; the build out and ADA compliance will be completed in a timely manner; actual rent costs will be based on space needs/usage based on per-square-foot price; and the lease term of either 5 or 10 years to be determined after a space needs analysis is approved. The committee was commended on their work in the completion of this difficult task. On a motion by Blair Milo, seconded by Jim Polarek, the Commission voted to approve the building lease to be retained at the Portage location.

Mayor Milo described the budget amendment for a transfer of \$5,047 from Salaries to Contractual Transit Oversight for sub-recipients. On a motion by Blair Milo; second by James Snyder the Commission voted to approve the budget amendment.

Environmental Management Policy Committee: Kevin Breitzke referred to the attached draft minutes. The next meeting is September 5 at 9:00 a.m. at NIRPC.

Transportation Policy Committee: Vice Chair Jim Polarek reported the TPC met on August 13 and heard an update on Amtrak funding, a presentation on the findings of the Northwest Indiana RailVISION report, an update on the proposed schedule to amend NIRPC's Comprehensive Regional Plan at the October Commission meeting regarding the Illiana. Gary Evers read the Public Comment Summary Report which will become part of the Transportation Improvement Plan. Comments will be posted on the website and released for public distribution. The public meeting was held on August 21 at the Kennedy Branch of the Gary Public Library. The location was not completely ADA accessible and will not be used again.

Mr. Evers said he saw no issues with adoption of the Air Quality Conformity and CRP amendment. With regard to Resolution 13-17 adopting the FY 2014-2017 Transportation Improvement Program, the need for a public meeting was overlooked back in June, and the situation was rectified and a public Open House was held in August. Gary believed a 30-day advance notice under NIRPC's consent decree with Everybody Counts, Inc. was not met. Commissioner Van Til asked what would occur if the TIP is not adopted. Gary responded that the delay of adoption of the TIP might result in problems in that under Amendment 1 to the TIP, transit operators would not be able to access federal funds until the TIP is adopted. The Federal Highway Administration is rejecting obligations for federal funds within FHWA's accounting system for INDOT's projects and so they are being harmed. Commissioner Van Til commented that the work done in the Ad Hoc Committee will help move the process forward. If Attorney Hollenbeck finds an issue, we can always go back but it would be better to vote positively in the hopes we do not have to revisit it again. Upon request for recommendation from legal counsel, Attorney Hollenbeck suggested the NIRPC Commission adopt the resolution contingent upon his legal opinion as to whether or not the 30 day issue would create a legal impediment.

Jon Costas motioned to adopt Resolution 13-15 for the Air Quality Conformity Determination; seconded by Tom McDermott. Discussion followed. Jim Ton suggested the Commission adopt Resolutions 13-15 and 13-16 as presented and defer a vote on 13-17 pending legal opinion. Chairman Uran suggested voting on each resolution separately with the caveat for attorney review for each. Jon Costas amended his motion to adopt Resolution 13-15 with the caveat for attorney review as suggested by Chairman Uran; seconded by Tom McDermott. Commissioner McDermott stated he was confident with Attorney Hollenbeck's advice and urged passage of all three resolutions. Chairman Uran stated that money put in transit should not be lost. He also called for the adoption of the Public Comment Summary Report. Chairman Uran called for a vote on Resolution 13-15; motion carried. Jim Ton motioned to adopt Resolution 13-16 pending attorney review; seconded by Kevin Breitzke. In response to a call for clarification by Tom Schmitt, Evers replied that the Schererville Kennedy Avenue project was funded in two phases. The Commission voted to approve Resolution 13-16 for the Amended 2040 Comprehensive Regional Plan. Tom McDermott motioned to adopt Resolution 13-17 for the FY 2014-2017 Transportation Improvement Program pending legal review; seconded by Kevin Breitzke; motion carried with two no votes. Motion was made by Tom Clouser and a second by Dave Dekker to adopt the Public Comment Summary Report; motion carried.

Mr. Evers responded to questions as to NIRPC mailing lists and attendance at the public meeting that he thought the contact list numbered about 2500 but said he really didn't know for certain and under a dozen people showed up to the public meeting. Tom McDermott commented that public meetings typically have low turnout. Commissioner Polarek added that CMAP reported that the public comment

period for the Illinois portion of the Illiana Expressway will conclude on September 3rd. The next Transportation Policy Committee meeting is scheduled for 9:00 a.m., Tuesday, September 10th.

Public Participation Plan: Ad Hoc Sub-Committee Chair Anthony Copeland reported that the Committee submitted its findings to Chairman Uran. There were five meetings, several emails and phone conversations. He thanked Karen Freeman-Wilson, Nancy Adams, Tom Clouser, Jim Ton, George Van Til, Geof Benson, Michael Griffin, Ty Warner, Mary Thorne, other NIRPC staff and Everybody Counts staff Rudy Velasco, Teresa Torres, Renae Jackson and George Janiec. The process brought everyone closer. Chairman Uran Thanked everyone's participation and Jim Ton added that through meaningful discussions it became clear that this Plan must live on and must always be revisited.

Pathway to 2040 Committee: Committee Chair Michael Griffin highlighted the flyer for the Livable Centers Workshop to be held for small communities on September 5 from 3 p.m. to 5 p.m. at NIRPC. The last meeting was held on July 11 and presentations included by Pat Popa on best practices for the Town of Highland and the Marquette Plan update and the livable centers initiative. Staff has met with 20 communities to establish their livable and neighborhood centers. The next Pathway to 2040 Committee meeting will be held on October 10 at 9:00 a.m.

Land Use Committee: Committee Chair Rich Murphy reported that the committee met on July 17 and August 14. Discussion centered on the final list of voting members and there was an excellent sharing of ideas and projects between communities. There is a desire to increase the attendance and commissioners were encouraged to attend the meetings. There was a presentation on green alleys increasing safety, quality of life, and improving public access from Sergio Mendoza. Updates included livable centers and Creating Livable Centers funding program. The committee reviewed the draft application and project eligibility and criteria. A federal partnership for sustainable communities event was held in Gary on July 19 to discuss visions for four Gary neighborhoods as well as a tour of those neighborhoods.

Legislative Committee: Committee Chair Tom McDermott reported the first meeting was held about issues for 2014 including the composition of the NICTD board, the RDA reauthorization, the Illiana, and the Marquette Plan. The Committee will meet tomorrow at 1:30 p.m. at NIRPC. In response to a question by Kevin Breitzke about the upcoming legislative visits, Rep. Soliday responded that opportunities are scheduled for visits to the steel mills, the South Shore from September 12 to 14. The first Summer Study Committee meeting is September 12 to consider how many ports we should have on Lake Michigan and creating a transit-oriented development policy at NICTD to renew declining neighborhoods. Christine Cid commented that NICTD has partnered with the RDA to study TOD and transportation on the South Shore. Attorney Hollenbeck added that there were over 60 non-northwest Indiana legislators signed up to attend. Rich Murphy said discussion of a new station in downtown Michigan City was a result of TOD.

INDOT: Anthony Copeland reported that all the paperwork has been signed for the land transfer, and permits have been signed for Cline Avenue.

Other Business:

- Bob Carnahan announced that Cedar Lake is holding a parade of lights on November 23 and requested three NIRPC commission members to judge the parade entries.

Public Comment:

- George Malis, Sierra Club stated the Sierra Club Duneland Group adopted a resolution opposing the Illiana and supports no-build.
- Roy Dominguez, Everybody Counts thanked the Ad Ho Committee for their time. A public transit system is necessary as a civil rights matter and the discussion should continue. He said the resolutions passed today on a contingency have not been approved and asked that Everybody Counts or their counsel be notified of Mr. Hollenbeck's determination. Mr. Dominguez mentioned that NIRPC provided a non-computerized contact list after several requests. There were four members of the general public at the Merrillville open house and one at the East Chicago open house. Chairman Uran asked how many from Everybody Counts attended. Mr. Dominguez responded that four members of Everybody Counts attended the first meeting; one attended the second. Chairman Uran commented that there are commissioners, stakeholders and members of the public present at various NIRPC meetings as an all-inclusive group.
- Joseph Cunningham, Gary asked why NIRPC's meetings are not announced in the papers. He also stated that NIRPC's meetings are held in Portage and the transit system is insufficient to get the people without transportation out to meetings. Changes should be made to include the poor, disenfranchised, and disabled to have a voice.
- Jim Nowacki, Gary commented previously his disappointment with the sidewalks of the improvement project on US 20. He reported that the sidewalks installed over the last 45 days are a remarkable improvement over the sidewalks installed previously, which are still disastrous. Mr. Nowacki thanked INDOT for heeding his pleas. Sidewalks are also needed on US 20 between Utah and Lake Streets. Transit-oriented development requires sidewalks to have a livable community. Of 540 transportation projects, only 10% were bike or pedestrian projects.
- Renae Jackson, Gary thanked the Ad Hoc Committee for their time and enjoyed working with them. Ms. Jackson asked for a copy of what was accomplished. Chairman Uran responded that the documentation was received from Commissioner Copeland just this morning. It is in review and will be provided for dissemination. Commissioner Copeland added that since the committee was appointed by Chairman Uran, the report was provided to him.
- Teresa Torres, Everybody Counts commented that she appreciate the efforts of the Ad Hoc Committee; however, the information as well as the final draft of the Public Participation Plan should be provided to the public prior to a vote.
- Kelli Dudley, Chicago Counsel and Board Member of Everybody Counts commented the only attorney identified as working for NIRPC over the last 20 years was David Hollenbeck. She said she had concerns that Hollenbeck didn't know the terms of the consent decree. She said that Hollenbeck advised against informing the NIRPC Commission of the terms of the consent decree. She stated the staff bungling was an embarrassment. When pressed for a mailing list, staff responded that Mary was on vacation and her computer couldn't be accessed, but then later were able to access the computer and emailed us from her account. Dudley asked the Commission to do the right thing with their staff.
- David Wright, GPTC stated that the Plan amendment and the TIP are very important not only to INDOT but to GPTC as well. Grant money can be impacted by a delay in adopting the TIP and that the work in the TIP has not ended and staff or counsel must work with Everybody Counts to let us know what we need to do because right now we have no TIP to apply for a grant. Please notify the transit operators as soon as possible of counsel's determination. Sidewalks along US 20 in Miller are needed.
- Ricky Mason, Merrillville commented that a regional public transportation is seriously needed in northwest Indiana.

- William McKinley, Sr., Gary gave a brief self-introduction and commented that minorities are always made to feel that they do not belong. Nothing has changed in over 60 years. As a person of color with sight impairment he gets treated differently. People want equal treatment. People don't realize what it's like until they or someone in their families experiences it. Also, people don't know about transportation issues and funding; they need to know.
- Barbara Blackmon, Gary commented that she felt sorry for the transit system in Hammond. She asked that the attorney notify people of his decision and asked why there are no meetings held in Gary or someplace that is transit accessible.
- Teresa Torres, Everybody Counts commended Gary Public Transit, East Chicago Public Transit, North Township Trustee's Office for their joint endeavor to provide transit to the Lake County Fair. Ms. Torres referred to a poster that said "still waiting" remarking that it was drawn 20 years ago in 1990. People cannot make contributions unless they have access to retail, jobs, meetings, etc. The laws are made to ensure that everyone has an opportunity to contribute all that they have to give.

Chairman Uran closed the public comment section.

Announcements:

- Blair Milo mentioned an event on September 27 in LaPorte County of 30-50 manufacturers showcasing all things made in LaPorte County. Tonight is the final Arts in the Park concert.
- Don Ensign announced that September 14 is Hebron's block party on Main Street.

Report of the Executive Director: Ty Warner commented that he was pleased to see the hands-on effort by Commissioners both in the Ad Hoc Committee and on the building lease issue, and that this is a Commission that is not afraid to roll up its sleeves and work on such things. We have early on identified that the mailing list is not centralized and have been working to improve it and integrate it into one list that can also interface with social media. Twitter and Facebook are active, and NIRPC is doing much more to get information to the public in the ways that more people are getting their information. Sarah Geinosky had put together and posted on our website a Google maps-integrated, interactive map to see detailed information on all the TIP projects. He also underscored the livable centers workshop, as this work is highly innovative for our region.

Adjournment: On a motion by Jim Polarek and a second by Brian Snedecor, Chairman Uran adjourned the meeting at 11:10 a.m.