

MORGANTOWN MONONGALIA
METROPOLITAN PLANNING ORGANIZATION POLICY BOARD
APRIL 17, 2014 MINUTES (DRAFT)

Members Present: Chairman Anthony Giambrone-Star City, Vice-Chairman Wesley Nugent-City of Morgantown, Mayor Patricia Lewis-Granville, Mayor Jennifer Selin-City of Morgantown, Mike Kelly-Board of Education, Dave Bruffy-Mountain Line, Joe Statler-Blacksville, Councilperson Marti Shamberger-City of Morgantown, Richard Warner-WVDOH, Commissioner Tom Bloom-Monongalia County, Councilperson Janice Goodwin-City of Westover, Commissioner Eldon Callen-Monongalia County.

Members Absent: None

MPO Director: Bill Austin

I. Call to Order

With a quorum present, Chairman Giambrone called the meeting to order at 7:00 PM.

Chairman Giambrone noted that there are guests attending the meeting and asked the Policy Board members to introduce themselves.

II. Public Comment

Mr. Rice, Chair of the CAC, stated that, in 2010, the CAC recommended approval of the original proposal for the Mileground project consisting of three phases, including the roundabout at the intersection with Hartman Run Rd with a four-lane divided highway on Mileground Rd. He further stated that the first phase of the project has been accomplished and since then more information and opinions have emerged. He expected that the Policy Board will move this project forward by making a decision based on information presented tonight.

James Gianola, representing the business owners at the Mileground, stated that business owners along the Mileground support improvements and progress that benefit all stakeholders. He further stated that the five-lane option is preferable, as it provides both mobility comparable to the four-lane divided highway and the flexibility for vehicles to turn left. It is best for the businesses and residents along the Mileground.

Mr. Gianola emphasized that the Mileground business owners care about safety on the Mileground and ask for a more comprehensive consideration for the options to improve the Mileground. He mentioned that Van Voorhis Rd is a five-lane road with heavy traffic volume and it has functioned well.

He suggested that the Board reconsider the recommendation on the Mileground based on better information to be presented tonight. He noted that the business owners at the Mileground are willing to give up extra property if necessary for the five-lane to avoid the four-lane divided highway on the Mileground.

III. Approval of Minutes

Chairman Giambrone then introduced the approval of the Minutes. Mr. Kelly moved to approve the March minutes as submitted; second by Mr. Bruffy. The minutes were approved with Commissioner Bloom voting no.

Commissioner Bloom inquired how many members were present in the CAC meeting in which the recommendation was made on the Mileground project. Mr. Rice replied that there were eight active members in the CAC and six of them were present during that meeting.

Commissioner Bloom then stated that the MPO's By-laws demands the quorum of seven for CAC meetings, and that the recommendation on the Mileground project was made without quorum in that CAC meeting, and therefore, the recommendation should be considered invalid. He further raised a concern that the CAC may not be eligible to make recommendations in past meetings due to insufficient quorum. He also noted that the MPO is authorized not only to vote for transportation project involving federal funding, but also to perform other powers and duties as described in the MPO's By-law. He further noted that the attendance of CAC meetings has not been appropriately documented. Mr. Bloom raised his concern that the MPO has not been operating in the way that the By-laws instructs.

Mr. Statler commented that the By-law addresses occasions when inactive members are not to be counted against quorum and that the eight consistent active CAC members shall have established a legitimate quorum for its meeting. He further commented that the MPO's decision-making process is open and transparent and that it may be imprudent to say that the MPO has not been following its By-laws

Mr. Austin noted that there are seven active members in the CAC and the lowest attendance that occurred was five. He also noted that the by-laws stipulate that a member absent for two consecutive meetings eliminates that member from being considered in the number required for a quorum at the next meeting. He also noted that attendance is recorded in CAC meeting minutes which are available to the public online.

IV. Financial Report

Chairman Giambrone asked Mayor Lewis to present the finance report. Mayor Lewis presented the MPO's March activities as follows:

-Beginning balance in November \$7,490.13 with expenditures of \$18,061.66 and two deposits totaling \$19,034.49, leaving a balance of \$8,462.96 at the end of March.

Ms. Shamberger moved for approval of the financial report as presented; second by Mayor Selin. With no discussion, the motion unanimously passed.

V. Committee Reports

None

VI. Directors Report:

- a. **MPO Operations Update**-Mr. Austin stated that the MPO staff is working on a study of the Greenbag Rd and Kingwood Pike-Dorsey Ave Intersection. A presentation on that study will be given to the Board in the May meeting. He noted that the recently purchased Synchro 8 software is being used to evaluate alternatives proposed in the intersection study.

Mr. Austin further stated that the MPO is working with the WV DOH to develop TIGER Grant applications for the area, including funding for an in-depth study on the proposed new bridge crossing on Monongahela River.

- b. Status of Previous TIP Amendment Request** –Mr. Austin stated that the Brookhaven Rd TIP Amendment has been updated with correct description and it will be represented to the Board for consideration at the next meeting. He also noted that there will be a TIP Amendment requested for Mountain Line Transit Authority as the Federal Transit Administration requested.

VII. Presentation on Mileground Alternatives

A presentation was given on the Mileground alternatives by Mr. Bailey, Interim State Highway engineer with the WV Department of Transportation, Division of Highways.

At the conclusion of this presentation, Mr. Bailey stated that the five-lane allows vehicles to make left turn on Mileground Rd, which reduce the congestion at the two intersections at Hartman Run Rd and Eastern Hill during AM and PM peak hours, and that, based on engineering judgment, building five-lane on Mileground Rd is recommend by the WV DOH.

Mr. Bailey also noted that the option of building median openings allowing left turns and U-turns from the highway at certain locations on the Mileground increases the right-of-way impact of the project and is therefore not recommended.

Commissioner Callen commented that the most appropriate solution to service both business on the Mileground and traffic traveling through the Mileground is the five-lane on Mileground Rd with a roundabout at the intersection with Hartman Run Rd, which would facilitate continuous movement throughout the whole Mileground corridor. He stated that the roundabout should be large enough to accommodate merging traffic. He also noted that he thinks the Airport Blvd should be rerouted.

Mr. Bailey noted that a roundabout on the intersection of Hartman Run Rd will introduce enormous impacts upon the adjacent area and that the WV DOT tries avoid such impacts.

Mr. Bruffy commented that a roundabout at the Hartman Run intersection will smooth traffic flow from Mileground Rd, as verified by the study. He concurred with Commissioner Callen's opinion with regard to building a roundabout at that location.

Mr. Bailey pointed out that the traffic model shows that significant queues will occur on Hartman Run Rd and Airport Blvd if a roundabout is built at that intersection.

Mr. Kelly commented that the five-lane option benefits both traffic heading to the Mileground businesses and traffic leaving that business.

Commissioner Bloom suggested to separate the five-lane issue and roundabout issue and to vote them independently. He further recommended the Board to proceed to reconsider the original recommendation which supports four-lane with raised median.

Mr. Bruffy inquired if crossing pedestrians will be accommodated under the five-lane option and if any pedestrian island is being considered.

Mayor Selin commented that there are pedestrians crossing the Mileground, and that raised medians at selected locations under the five-lane option may increase the safety for those crossing pedestrians as well as reducing the crash hazard resulting from left-turning vehicles. Mayor Selin mentioned that Patterson Dr. is a five-lane road without any pedestrian islands, which is considered dangerous to crossing pedestrians.

Mr. Bailey responded that a sidewalk will be built on one side of Mileground Rd and that creating pedestrian islands at certain locations will be considered in future design-level studies.

Mayor Selin inquired about the counts for the left-turns on the Mileground and the impact of those left-turns on a potential roundabout at the intersection with Hartman Run Rd.

Mr. Bailey responded that the scenario of five-lane with a roundabout was not investigated by the traffic model.

Commissioner Bloom asked to expedite the matter and made a motion to reconsider the Mileground recommendation.

Mayor Selin commented that this meeting is to gain information regarding the Mileground issue, and it is not a decision-making meeting and a vote should not be taken.

Mr. Statler stated that he agrees with the five-lane option. He then stated that the Mileground topic is listed as a presentation in this meeting's agenda, which does not allow the Board to vote for the issue at this meeting, according to Robert's rule of order. He also stated that, to comply with the Open Government Proceeding Act, the meeting agenda should be posted 72 hour in advance, which means that the earliest meeting, in which the Mileground issue can be subject to vote, is next Wednesday.

Commissioner Bloom stated that, at the last meeting, he had requested that the Board vote for a possible reconsideration of the Mileground recommendation.

Mr. Austin stated that he did not recall that, at the last meeting, whether or not there had been a discussion of vote at this meeting. The request from the WV DOH was for a presentation on Mileground alternatives

Mr. Statler mentioned that in the January meeting, the Mileground issue was brought up and the Board agreed to take a vote on the issue in the March meeting when the presentation on Mileground alternatives was to given by the WV DOH.

Mr. Statler also mentioned that before this this issue can be subject to vote at the Policy Board meeting, the TTAC and the CAC should review and make recommendations for it, as requested by the MPO's By-laws.

Commissioner Bloom noted that the CAC does not have a quorum and therefore is not eligible to make recommendation to this Board.

Commissioner Bloom suggested that the Board move a motion to reconsider the recommendation made on the Mileground improvements and put that motion on a vote, and thereafter, the issue of bylaws and procedure be discussed.

Commissioner Callen seconded the motion. The motion was approved unanimously.

Mr. Statler stated that he supports the five-lane option. He then stated that the Policy Board should take its action by following the procedure established by its By-laws, so that potential confusion or challenge to the legitimacy of that action can be avoided. Mr. Statler further noted that the earliest date for the Board to take action on this issue is next Wednesday, based on the rules articulated in the Article V, Section 7 of the MPO's By-laws.

Mr. Austin made a clarification that the nature of this action by the Board is to make a recommendation as an advisory body, which is not governed by the rules mentioned by Mr. Statler, and that an action allocating federal funds has different kind of nature and such action does not necessarily have to have to comply with the same rules.

Mr. Statler commented that, under the MPO's By-laws, it may not appropriate for the Police Board to make a decision without opinions from the TTAC and the CAC, and that the validity of an expedited vote on the Mileground in this meeting may be subject to challenge under two sections of the By-laws.

Commissioner Callen concurred with Mr. Statler's opinion.

Mr. Gianola appreciated the Board's motion to reconsider the Mileground issue and agreed with Mr. Statler's opinion. He also noted that the decision is important because both public and private interests are involved.

Commissioner Bloom concurred with Mr. Statler's opinion. He further mentioned that the TTAC and the CAC are not binding bodies to this organization, and therefore, there is no necessity to take opinions from those committees in the next meeting.

Mr. Statler commented that the Board is not obligated to adopt opinions from the TTAC and the CAC, but the procedure must be followed in the event of an action involving federal funding.

Mayor Selin asked how meetings for the TTAC and the CAC can be arranged under the projected time frame.

Mr. Austin noted that an attempt will be made to schedule a meeting on next Monday or Tuesday, and an email poll can be conducted if needed. He further noted that the CAC has 7 consistently active members, which constitute a quorum for its meeting.

Mr. Rice asked that what the CAC needs to decide upon and present to the Policy Board for the next Policy Board meeting.

Commissioner Callen recommended that the subcommittees decide upon the issue of cross-section treatment on Mileground Rd and the issue of intersection treatment at the intersection with Hartman Rd.

Commissioner Bloom suggested that the subcommittees need to choose and make a recommendation between five-lane and four-lane with raised median.

Mr. Statler inquired if the study incorporates enough area to accommodate a potential roundabout.

Mr. Bailey replied that the roundabout option had been considered in previous studies and compared with the signal option.

Commissioner Callen stated that the essence of the motion from the Board at this meeting is that there will be no continuous divided highway on the Mileground

Mayor Selin commented that small medians at selected locations would create a safer environment on the Mileground.

Chairman Giambrone announced that the next Policy Board meeting will be held at 6:00 pm on Wednesday, April 23, 2014.

VIII. Other Business

Mr. Austin noted that the MPO's Audit is on the table for the Board's review and it will be distributed via email prior to the May meeting. He also mentioned that not all seats are filled at the CAC, as noted on the 2013 October MPO Policy Board Retreat, and that a list of CAC members will be forwarded to the Policy Board members, asking for evaluating the person representing their agencies and appointing new members if they are no longer able to fulfill their duties.

Chairman Giambrone thanked Mr. Bailey for the presentation, Mr. Gianola for representing the Mileground business owners, and Mr. Rice for the comments he made tonight.

The meeting adjourned at 9:12 PM.