

MECKLENBURG-UNION METROPOLITAN PLANNING ORGANIZATION
Charlotte-Mecklenburg Government Center Conference Room 267
April 29, 2009
Summary Minutes

Members Attending:

Anthony Foxx (Charlotte), Jim Bensman (Cornelius), John Woods (Davidson), Brian Sisson (Huntersville), John Quinn (Indian Trail), Lee Myers (Matthews), Dumont Clarke (Mecklenburg County), Ted Biggers (Mint Hill), Bob Smith (Monroe), Jim Eschert (Pineville), Lynda Paxton (Stallings), Kim Rogers (Union County), Daune Gardner (Waxhaw), Nancy Anderson (Weddington), Brad Horvath (Wesley Chapel), Marion Cowell (NC Board of Transportation), Stephen Rosenburgh (Char-Meck Planning Commission)

1. Call to Order

Chairman Myers called the special April 29, 2009 MUMPO meeting to order at 7:00 PM.

2. Citizen Comment Period

Summary:

Bruce Anderson commented on Augustalee. He stated his concerns with the project's financing plan, specifically the use of tax increment financing (TIF) because that method is normally used in blighted areas. He also discussed the proposed interchange at Westmoreland Road, stating that it was a poor idea to construct an interchange at that location and that it would become heavily congested, similar to exit 25.

3. Transportation Improvement Program (TIP) Amendments

Presenter:

Robert Cook

Summary:

Mr. Cook stated that NCDOT requested that MUMPO amend the TIP for the following projects:

- ER-5100, roadside environmental and tree plantings (statewide project)
- M-0418, storm water improvements (statewide project)
- EB-5118, statewide bike and pedestrian facility development (statewide project)
- C-5106, installation of two state-mandated E-85 fueling sites (one is located in Charlotte)
- C-4956B, intersection improvements at NC 115 and Washam Potts Road

The TCC at its April meeting unanimously recommended that the MPO adopt the amendments.

Motion:

Jim Bensman made a motion to approve the TIP amendments as requested. Mayor Biggers seconded the motion. The motion was approved unanimously.

4. Augustalee

a. Thoroughfare Plan Amendment

b. TIP Amendments

Presenter:

Jeff Tarte, Mayor of Cornelius

Summary:

The issue before the MPO was to amend the Thoroughfare Plan and the TIP for the following projects:

Thoroughfare Plan Amendments

1. Construct a new interchange on I-77 at Westmoreland Road.
2. Modify the alignment of the Bailey Road Extension (also referred to as Jim Cooke Road)

TIP Amendments

1. A new interchange on I-77 at Westmoreland Road
2. The widening of I-77 from south of exit 23 (Gilead Road) to exit 28 (Catawba Avenue)
3. The widening of Statesville Road (US 21) from the northern limits of the NCDOT/Huntersville project northern limits to north of Westmoreland Road
4. The extension of Bailey Road (Jim Cooke Road) across I-77 to Northcross Drive
5. Improvements to Westmoreland Road
6. Construction of the Northcross Drive Extension from its current end to the new Bailey Road (Jim Cooke Road)

Mayor Tarte began by providing an overview of the project and its financial components. He emphasized that no TIP funds will be used to build the road projects and that all road work must be complete prior to any certificates of occupancy being issued. Mayor Gardner asked about “no” votes cast when this issue was brought before the TCC and the nature of the concerns. Mr. Bensman stated that TCC Vice-Chairman Bill Coxe wants a full study of I-77 before an interchange is approved, that there were concerns with impacts on exit 25 and concerns with project financing were expressed.

Dumont Clarke stated that the project had been presented to another county commission and that it was before the recession and that there is no commitment by Mecklenburg County to the project. He further stated that support for the requested action should not be interpreted as support for county participation in the project’s financing.

A motion was then made by Mr. Bensman and seconded by John Woods to:

- A. Modify the MUMPO Thoroughfare Plan to add the I-77/Westmoreland Road interchange and modify the Jim Cooke (Bailey Road Extension) Road alignment.
- B. Add all six projects to the MTIP, for year 2013, as privately funded projects excluding the use of TIP funds.
- C. Add all six projects to the 2015 horizon year in the current MUMPO LRTP update.

Brian Sisson stated that Mr. Coxe in speaking about the project did so on behalf of the Town of Huntersville in his role as transportation director. He further stated that he would vote to support the requests since no TIP funds are involved and because of the assurances that no certificates of occupancy would be issued until the road projects are complete.

Mayor Anderson asked Mr. Coxe why he was opposed to the project. In replying, Mr. Coxe said he was speaking as a resident of Mecklenburg County and as a transportation planner with 30 years of experience, then went on to state he was opposed to the addition of the interchange without examining it as a part of a system. He also noted concerns with the financing and that the new I-77 lanes should be constructed as managed lanes.

Anthony Foxx stated he believed the project represented an innovative public-private partnership, and that it was discussed at a City Council meeting and that Council’s direction was to support the project. Mayor Gardner then asked about the public involvement process. Jonathan Guy of Kimley-Horn Associates replied by reviewing the outreach efforts (public meeting, 30-day public comment period, media advertising).

Mr. Foxx asked Mayor Tarte about constructing the new I-77 lanes as managed lanes. He replied that he had no concerns with that, and Mr. Bensman added that if NCDOT says managed lanes are acceptable, the Town would be fine with them being constructed in that manner. Bob Smith asked about including the TCC’s action that, in recommending approval of the TIP amendments, no commitments for project prioritization in the Long Range Transportation Plan (LRTP) project ranking process are established. Chairman Myers asked Mr. Bensman if he would accept the two amendments to his motion: stating that managed lanes are preferred option and that approval of the TIP amendments will not establish LRTP ranking commitments. Mr. Bensman replied that he would accept the managed lanes amendment but would not accept the ranking process amendment.

Mr. Cook asked if the advertising done for the public involvement effort made any reference to action related to the LRTP. Cornelius staff and consultants stated that the advertising did not reference LRTP-related action. Mr.

Cook advised the MPO not to act on Item C because of the lack of public notice and because it would be pre-determining the development of the LRTP. After considerable discussion, it was decided to amend Item C to state the six projects would be included for modeling purposed in the 2015 horizon year of the LRTP, but that the issue would have to return to the MPO for final approval of the projects being included in the 2015 horizon year.

Mr. Clarke asked if Item B could be amended to drop the reference to “privately funded projects” and replace the phrase with “to be funded from sources other than TIP funds.” Mr. Bensman indicated that he was agreeable to the change.

Motion:

Mr. Cook asked Chairman Myers to restate the motion. Chairman Myers then restated the motion:

Item A stands as presented: modify the thoroughfare plan to add the I-77/Westmoreland Road interchange and modify the Jim Cooke (Bailey Road Extension) Road alignment.

Item B stands, except that the reference to “privately funded projects” will be removed and replaced with the phrase “to be funded from sources other than TIP funds.”

Item C is amended to read that the six projects will be included in modeling for the 2015 horizon year of the long-range transportation plan but will have to come back to the MPO for final approval for inclusion in the 2015 horizon year. Item C was further amended to state that managed lanes are the preferred option for the new lanes to be constructed on I-77.

Upon being put to a vote, the motion passed with 35 votes cast in favor of the motion and two votes cast in opposition. Mecklenburg County cast the two votes in opposition.

5. I-485

Presenter:

Vice-Chairman Foxx

Summary:

Vice-Chairman Foxx stated that he sent a letter to Chairman Myers about I-485 and wanted to address the MPO on that subject. He noted that at the March meeting the MPO decided to allocate its STP-DA stimulus funds to the TCC-recommended list of projects despite NCDOT Secretary Conti’s request to consider putting the funds toward I-485. He added that since that action the Governor has suggested that MUMPO does not support completing I-485, therefore, in order to eliminate any ambiguity about local support for the project, the MPO should reconsider Mr. Conti’s recommendation.

Chairman Myers stated that the meeting was a special meeting called to discuss specific matters, and that only in urgent situations should additional matters be discussed. He mentioned that he had talked with Jim Trogdon, NCDOT’s chief operating officer, and reported that Mr. Trogdon indicated that Mr. Conti is comfortable with the MPO discussing I-485 at its May meeting. Chairman Myers added that he believed Mr. Sisson’s motion on the economic stimulus issue at the March meeting was quite clear regarding the MPO’s support for I-485.

Mr. Foxx stated that he believed the MPO had tied Mr. Conti’s hands by its March action and had not provided him with an unambiguous message that it would support using economic stimulus funds on I-485. He also noted that he believed the situation was urgent and should be discussed at the meeting. Mr. Sisson stated that he believed that the Governor had tied Mr. Conti’s hands and that it should be the Governor’s job to find the money for the project, not MUMPO’s.

Mr. Foxx suggested that he and Chairman Myers send a letter to Mr. Conti that explicitly restates Mr. Sisson’s March motion and to indicate that MUMPO will consider using stimulus funds on I-485. After some discussion of this issue, it was agreed to send a letter to Mr. Conti.

6. Adjourn

Mayor Biggers made a motion to adjourn the meeting. The motion was seconded by Mr. Sisson. The meeting adjourned at 8:45 PM.