

**MINUTES FROM THE OHIO RAIL DEVELOPMENT COMMISSION  
REGULAR BI-MONTHLY MEETING  
SEPTEMBER 16, 2020**

**CALL TO ORDER**

Vice Chairman Jackson called the meeting of the Ohio Rail Development Commission to order at 11:02 a.m. on Wednesday, September 16, 2020. The meeting was held virtually via GoToWebinar. Vice Chairman Jackson introduced Jacque Annarino from ODOT's Office of Environmental Services who was present to moderate the meeting. Ms. Annarino provided the Commissioners and members of the public with an overview of instructions on how to participate in the webinar.

**MEMBERS PRESENT VIA GOTOWEBINAR**

Vice Chairman Solomon Jackson, Commissioners Allen Biehl, Mark Johnson, Bill Lozier, Rachel Johanson (DSA), Eric Richter, Tom Zitter and Representative Michael Sheehy were present via GoToWebinar. Roll call was taken. There were seven voting members present, therefore a quorum was obtained.

Director Marchbanks arrived at 11:04 a.m., immediately following roll call.

**APPROVAL OF THE MINUTES OF THE JULY MEETING**

Vice Chairman Jackson asked for a motion to approve the minutes of the July 15, 2020 meeting. Commissioner Lozier moved to approve the minutes of the July meeting and Commissioner Biehl seconded the motion. Roll call was taken with eight votes in the affirmative. The minutes of the July 15, 2020 meeting were approved.

**EXECUTIVE DIRECTOR'S REPORT**

Executive Director Dietrich presented his report to the Commissioners, found on page eight of the Commission packet. He reported that, in response to constituent concerns and ORDC's efforts to be proactive in safety matters at grade crossings, ORDC created a policy in consultation with the Federal Highway Administration for projects involving pedestrian treatments at railroad-highway grade crossings. This particular policy addresses how ORDC will evaluate projects originating from a pedestrian safety concern. Executive Director Dietrich invited Commissioners to review Attachment A within his report which details the issue and ORDC's response.

Executive Director Dietrich reported the Rail Grade Crossing Adaptability Study will hold its final stakeholder meeting on Thursday, September 17<sup>th</sup> at 10:00 a.m. and invited all who wish to participate in this virtual event to please do so. Additional information on the study can be found on page 59 of the Commission packet. Executive Director Dietrich stated ORDC Secretary-Treasurer Megan McClory will be giving a report on the Study during the "New Business" portion of today's meeting.

Vice Chairman Jackson asked for Commissioner questions. Commissioner Lozier inquired about Attachment A and asked if the Pedestrian Treatments at Rail-Highway Grade Crossings is purely an ORDC initiative or if this initiative is being prioritized at the federal level. Commissioner Lozier also asked Executive Director Dietrich to address whether federal funds could be utilized in response.

Executive Director Dietrich responded the policy is ORDC-initiated in response to requests we are receiving as well as accident history at crossings. He indicated ORDC worked with the Federal Highway Administration's Ohio Division to review the initiative to determine federal eligibility. The intent is to develop criteria that would allow ORDC to expend federal funds to address safety concerns and be responsive to constituent inquiries about this issue.

Commissioner Lozier inquired about the fatality statistics indicated on page 17 of the Executive Director's Report and stated that the five-year average appeared to stay between six and eight crashes at gated crossings. He asked if the Rail Crossing Adaptive Capacity Study is addressing this issue. Executive Director Dietrich reported the Study is one of the ways ORDC is addressing this issue but that there are other means of addressing this concern as well. ORDC implemented its own version of a roadway safety audit to review other factors that could be contributing to the crashes at gated crossings. He specifically mentioned engineering improvements, other than lights and gates, as a means to improve safety. These improvements could involve cantilevers, LED warning devices, turn lanes, etc.

There were no further questions.

## FINANCE REPORT

Megan McClory, Secretary-Treasurer, presented the Finance Report to the Commissioners, which can be found on page 39 of the commission packet. Secretary-Treasurer McClory reported the state is currently in the Fiscal Year '22-'23 budget process. This is the process that helps to create the Governor's executive budget which will be released early in 2021 for enactment in July of 2021.

Secretary-Treasurer McClory stated two ORDC project maps have been updated for FY '19-'20 which identify both freight and safety projects. These maps will be made available on ORDC's website. Secretary-Treasurer McClory reported the maps tell the story of the work being done by ORDC and the success of its programs.

Secretary-Treasurer McClory spoke about the current fiscal year's hiring freeze and budget reductions. She reported ORDC currently has one fulltime vacancy and two intern vacancies that staff will look to fill once the budget restrictions are resolved.

A draft meeting schedule for calendar year 2021 is included on page 50 of the meeting packet. Secretary-Treasurer McClory asked that the Commissioners preview the proposed dates and notify staff of any conflicts.

Vice Chairman Jackson asked if the Commissioners had any questions for Secretary-Treasurer McClory. There were no further questions.

Prior to the presentation of Resolution 20-09, Vice Chairman Jackson indicated that he must recuse himself from the discussion due to a conflict of interest and asked Executive Director Dietrich to guide the Commission in selecting a presiding officer for the next project.

Vice Chairman Jackson recused himself from the meeting at 11:19 a.m.

Executive Director Dietrich suggested a motion be made to select Commissioner Lozier as the presiding officer over the next item of business before the Commission; Cleveland and Cuyahoga Railway, LLC. Commissioner Biehl moved to approve the motion and Commissioner Johnson seconded the motion. Roll call was taken with seven votes in the affirmative, one recused.

#### RESOLUTION 20-09 – Cleveland & Cuyahoga Railway, LLC – Emergency Culvert Repair

ORDC staff member Tim Brown presented Resolution 20-09 to the Commissioners which can be found on page 51 of the meeting packet. Mr. Brown reported the Cleveland & Cuyahoga Railway, LLC project is located in Solon and is adjacent to a current ODOT bridge project in the area. ODOT Engineers alerted OmniTRAX, the owning railroad, of the culvert's degradation. In June of this year the culvert and embankment failed and temporarily cut off the sole customer using that section of the line, Nestle, Inc.

Mr. Brown introduced David Arganbright, VP of Government Relations for OmniTRAX, Inc., to present the project. Mr. Arganbright thanked the Commissioners for their consideration. He reported the total project cost was estimated at \$600,000 and said the company was very grateful to ORDC for the commitment of up to \$300,000 in funding to assist with these necessary repairs. Mr. Brown asked the Commissioners if anyone had any questions for Mr. Arganbright. There were no questions.

Commissioner Lozier asked for a motion to approve Resolution 20-09. Director Marchbanks moved to approve Resolution 20-09 and Commissioner Zitter seconded the motion. Roll call was taken with seven votes in the affirmative, one recused.

Vice Chairman Jackson returned to the meeting at 11:28 a.m.

#### PROJECT BRIEFING – Huhtamaki, Inc. – Facility Expansion

ORDC staff member Tom Burns presented the project which can be found on page 56 of the commission packet. Mr. Burns stated this project is located on the Greenfield Line which is a previous CRISI grant recipient. He introduced Michael Wadsworth, Plant Manager for Huhtamaki, Inc., to present the project. Mr. Wadsworth reported Huhtamaki is a manufacturing facility in New Vienna which makes injection molded products for the retail and consumer goods markets. The company manufactures premium tableware products under the Chinet brand as well as ice cream lids, General Mills frosting cans and lids, and plugs for sauce dispensers used by McDonalds and TacoBell. The company plans to add two additional lines to expand their Cut

Crystal capacity and rehabilitate two existing lines. Huhtamaki, Inc. employs more than 200 people in New Vienna.

Mr. Wadsworth reported a significant portion of their plastic resin is delivered by railcar to the facility and that maintaining the rail access helps the plant stay competitive. The total project investment is now up to \$15 million. Mr. Wadsworth stated how valuable the relationship with ORDC has been to their company and he thanked the Commission for its support.

#### COMMITTEE REPORTS

None. Vice Chairman Jackson stated neither the Administrative nor Policy Committees met in September so there are no Committee Reports.

#### OLD BUSINESS

Vice Chairman Jackson asked if there was any Old Business to tend to. There was none.

#### NEW BUSINESS

##### Ohio Rail Grade Crossing Pilot Study (aka Adaptive Capacity Study) – Megan McClory, Secretary-Treasurer, ORDC

Secretary-Treasurer McClory gave a presentation on the Adaptive Capacity Study. This study was implemented as a result of the many constituent/community concerns ORDC has received for occupied and blocked crossings. The purpose of the study is to obtain objective, quantitative data that will assist ORDC in making decisions about the impacted crossings.

Over the past 15 months the consultant for this project, CPCS, assisted in developing the methodology to evaluate the grade crossings and produce a score that will assess the crossing's importance, redundancy and overall adaptability. Secretary-Treasurer McClory explained the individual components used to develop the Adaptive Capacity Score. Two pilot areas in Lorain and Butler Counties were identified and utilized for testing. Secretary-Treasurer McClory reported the team is now at the end of Phase 2, which will result in a final report.

As previously reported by Executive Director Dietrich, Secretary-Treasurer McClory reiterated the final stakeholder workshop will take place on Thursday, September 17<sup>th</sup> at 10:00 a.m. All are invited to participate.

Vice Chairman asked if there were any questions on the Adaptive Capacity Study. Director Marchbanks commented that Governor DeWine is always encouraging the use of data and that this project is exciting. There were no questions.

Executive Director Dietrich thanked ODOT and specifically Scott Phinney for all his work on this project. Vice Chairman Jackson echoed Executive Director Dietrich's comments.

## PUBLIC COMMENT

Question: Will the Adaptability Study and related tools be available for access by RTPOs for project development?

Answer: Executive Director Dietrich reported this is one of the items staff needs to find out from the stakeholders. What level of information do stakeholders want? How do they want to access this information? Executive Director Dietrich reported a process will need to be developed for timely updates of the information.

Secretary-Treasurer McClory reiterated that the information will be made available to stakeholders, but it will be a question of “how” to distribute the information.

Question: Dina Lopez from the Mid Ohio Regional Planning Commission - Thank you so much to both Megan McClory and Matt Dietrich for their efforts in sharing this valuable tool with the Mid Ohio Regional Planning Commission and our committees.

Question: Does ORDC have any enforcement authority on blocked crossings?

Answer: Executive Director Dietrich responded that ORDC does not have any enforcement authority. There were no further questions.

## ADJOURN

Vice Chairman Jackson adjourned the meeting of the Ohio Rail Development Commission at 11:58 a.m.