

September 12, 2017

244314

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ENTERED
Office of Proceedings
September 11, 2017
Part of
Public Record

Ann D. Begeman
Acting Chairman
Office of Proceedings Surface Transportation Board
395 E Street, S.W., Room 1034
Washington, DC 20024

Re: **Docket No. FD 36137**
City of Fishers, City of Noblesville, and Hamilton County, Indiana
Petition for Partial Revocation of Exemption

Dear Ms. Begeman:

Enclosed for filing to the above-captioned proceeding is written comment representing the response of Save the Nickel Plate, Inc. ("STNKP"), to the "Motion for Leave to File a Rebuttal" (the "Motion") and "Reply to Requests for an Extension of Time and Rebuttal" (the "Rebuttal") of the Cities of Fishers and Noblesville, Indiana and Hamilton County, Indiana filed on August 31, 2017 with the Surface Transportation Board (the "Board"). A copy of this comment has also been served on the attorney, Robert A. Wimbish, who is representing the collective owners, City of Fishers, City of Noblesville, and Hamilton County (the "Owners"), of a railroad line in Indiana.

In order to most expediently address the many concerns our members have with the rebuttal, I will address said concerns chronologically as they appear within the Owners' submitted documents, providing quoted text from the Rebuttal as reference for our responses.

RE: "MOTION FOR LEAVE TO FILE REBUTTAL"

Page 1

"joint owners of a railroad line between Indianapolis and Tipton, Indiana (the "Line") previously authorized for abandonment but not fully abandoned."

All parties seem to agree on the material fact that the previously authorized abandonment was never consummated. STNKP takes issue with the Owner's request to only partially revoke the unconfirmed abandonment status, as this filing is only one of many instances where the opinion of the public has been suppressed, distorted, and manipulated in an attempt to "facilitate the Owners' objectives" of converting

this viable, publicly-owned railroad line to a recreational trail. Furthermore, there is circumstantial evidence (**see Attachment A**) suggesting that the only reason this railroad line has been disconnected from the National Rail Network is because the Hoosier Heritage Port Authority (the "Port Authority"), after being notified of the unauthorized removal by CSX of the crossover diamond in Indianapolis, failed to intervene in or challenge the removal of the Line's last remaining physical connection while also ordering the excursion train operator to stand down and take no action.

It remains the firm belief of STNKP that if the Board determines the Line is considered to be abandoned, the Board should not consider any partial revocation but rather should fully revoke any existing abandonment status to allow for the customary and procedural period of input, any offers of financial assistance from other railroad operators, and participation from potential rail service users. Additionally, the Board should take into consideration the fact that revenue freight operations continued on the Line nearly ten years after the initial unconsummated abandonment proceedings, when determining the present status of the Line.

"Several interested parties have come forward, both before and after the applicable 20-day deadline prescribed by 49 C.F.R. § 1104.13, to oppose the Petition."

STNKP challenges the assertion that the 20-day deadline prescribed by 49 C.F.R. § 1104.13 is applicable to written comments. The above quote from the Motion, which is presented by an individual who STNKP presumes has extensive prior experience before this agency, reflects a misunderstanding of C.F.R. § 1104.13. Specifically, 49 C.F.R. § 1104.13 is titled as "Replies and motions" and subsection (a) states, "A party may file a reply or motion addressed to any pleading within 20 days after the pleading is filed with the Board, unless otherwise provided." It appears, after examining various filings published by the Board on its website, that replies and motions are considered to be distinctly different from comments; and directly governed by 49 C.F.R. § 1104.13. Replies and motions are filed by parties wishing to actively participate in the proceedings while comments are a mechanism allowing for interested or affected parties to make passive contributions without full participation in the proceedings; in order that a more fully-developed record may be maintained.

There also seems to be a precedent of allowing comments which are filed outside of the 20-day timeframe to become part of the public record. For example, in the recent proceedings pertaining to Great Lakes Basin Transportation, Inc. and the Docket No. 35952, the Board appears to have accepted public comment for at least a period of 90 days between the initial application on May 1, 2017 and the Board decision on August 31, 2017. In light of the unintentional misstep of the Owners in suggesting that the Board disregard comments submitted after a 20-day period, STNKP requests that the Board closely examine and consider all comments submitted to these proceedings, until such time that a decision is rendered.

"...the opponents appear to presume, incorrectly, that the Board has jurisdiction over, and is entrusted to protect, intrastate passenger excursion train operations."

While STNKP does not presume that the Board has any direct jurisdiction over or obligation to protect intrastate excursion train operations, the following are excerpts from descriptions of the Board's purpose and authority, provided to the public on the Board's website:

“The Surface Transportation Board is an independent adjudicatory and economic-regulatory agency charged by Congress with resolving railroad rate and service disputes and reviewing proposed railroad mergers.”

“The agency has jurisdiction over railroad rate and service issues and rail restructuring transactions (mergers, line sales, line construction, and line abandonments)...”

“The agency has authority to investigate rail service matters of regional and national significance.”

“Most abandonment applications are filed by the rail carrier owning the track to be abandoned. The most frequent type of abandonment requests the STB receives is from a railroad stating that the track has not been used for two years or more (such a case is entitled “Notice of Exemption”) or that the track has so little traffic on it that it is clear that the carrier could not be making a profit on it (such a case is entitled a “Petition for Exemption”).”

“...the STB is given an administrative role in assisting carriers who wish to rail-bank their corridors as an alternative to a complete abandonment of the line...”

“Pleadings filed in opposition to abandonments are usually filed by shippers or receivers who are stationed along the line to be abandoned, but other persons may also file in opposition provided that they either challenge the railroad's statements as filed or offer evidence to show that the shippers and receivers on the line would suffer more harm by losing the rail service than the carrier would suffer by continuing to provide the service.”

STNKP asserts that the Board should exercise its full authority in this case by determining the merits of service disputes and opposition to the Owners’ statements as filed. Not only do opponents possess evidence that indicates the Owners have engaged in poor and deceptive management of the Line to ultimately derive their desired trail use, but this Line would serve as a vital rail corridor of regional significance in the near future.

With relatively little effort, the line could be reconnected, linking Kokomo, IN to the heart of downtown Indianapolis, over 50 miles away. This link would also provide renewed access to the National Rail Network. There are shippers, receivers and passengers along the line who have expressed interest in service, but have been left with no answers or solutions due to the lack of commitment by the Owners or Port Authority to maintain the integrity of the Line. The shippers and receivers along the line continue to experience lack of access to cost-effective rail service and stand to lose that permanently if the rails are removed.

RE: "REPLY TO REQUESTS FOR AN EXTENSION OF TIME AND REBUTTAL"

Page 3

"The Owners seek the requested, and carefully-limited, revocation to facilitate rail banking the Line..."

The use of the phrase, "carefully-limited", is troubling because it continues to implicate the Owners in their persistent efforts to inhibit public input and manipulate Board procedure in favor of their desires. Why would any of these proceedings need to be facilitated in such a way as to "limit" or only "partially revoke" abandonment, unless the Owners believed that their railbanking and interim trail use efforts are undesired, largely opposed, and might be defeated in favor of a viable railroad operator along the entire line?

"...the Petition demonstrated that partial revocation would be consistent with the Rail Transportation Policy of 49 U.S.C. § 10101."

While 49 U.S.C. § 10101 does not explicitly permit or forbid partial revocation, the follow items are specifically mentioned as a part of that policy:

"In regulating the railroad industry, it is the policy of the United States Government -

...

(2) to minimize the need for Federal regulatory control over the rail transportation system and to require fair and expeditious regulatory decisions when regulation is required;

...

(4) to ensure the development and continuation of a sound rail transportation system with effective competition among rail carriers and with other modes, to meet the needs of the public and the national defense;

...

(9) to encourage honest and efficient management of railroads;

..."

STNKP and the public seek only fairness and honesty in the handling of this Line, and we don't believe the Owners have fulfilled that criterion at all. It is for this reason that, as the topic comes before the Board for review, we seek its full authority and effect to produce a fair regulatory decision. The Line has been an integral part of our region since its initial construction beginning in 1849. And now, more than ever, the Indianapolis and surrounding communities, desire and require a viable rail option that provides a safe and efficient mode of transporting people and goods throughout the area.

"The Petition has triggered expressions of support for an excursion train operator that once operated over the Line - the Indiana Transportation Museum ("ITM") - and, by extension, for the restoration of isolated passenger train operations over the entire Line."

While many individuals do provide expressions of support of the ITM, the issue at hand isn't about a specific operator. In whole, it is about the future of the rail. However, in evaluating how the Owners have arrived at the trail proposal, it is imperative to ask the question, "Why are trains no longer running on the line?"

Amid safety and other allegations towards the ITM in 2015, the Port Authority suspended rail operations pending an investigation. Despite four (4) Federal Railroad Administration reports identifying no violations, a private report commissioned by the Port Authority which found the tracks to be in "surprisingly good condition," and a statement in an email from the Port Authority President stating that the rails were found to be adequate for the type of service being operated, the ITM was still permanently removed as the designated operator (**see Attachment B**). Note the evident conflict of interest that exists between the Port Authority President and his job as a Vice President at USI Consultants, carrying over \$2 million of roadway and corridor projects within the jurisdiction of the Owners.

The Port Authority released a Request for Proposal ("RFP") to seek a new operator of the railroad after deciding that the ITM was permanently removed as the official operator. While the RFP gives the appearance that the search for a new operator was handled fairly and objectively, material evidence indicates a high propensity for the existence of collusion in order to select the operator that best facilitates the Owners' objectives. The relevant facts are as follows:

- 5 operator proposals were submitted; 4 requested use of the entire line and described expanded operations as well as potential exploration of freight service.
- The highest scoring operator (by 200 points) was Iowa Pacific Railroad.
- After the Port Authority scored the proposals, the top two highest scoring proposals were provided to the Owners for interviews and final selection.
- As far as the public is aware, no interviews were ever conducted with Iowa Pacific or any of the four operators proposing use of the entire line.
- The Nickel Plate Heritage Railroad ("NPHR") was chosen by the Owners as the official operator.
- NPHR only requests to use approximately eight miles of the railroad in a sparsely populated area.
- Brenda Myers is the main strategist behind the NPHR proposal.
- Ms. Myers is also the President of Hamilton County Tourism.
- Ms. Myers also engaged in communications with local government officials five months before the RFP was announced, discussing a possible railroad proposal and stating that the railroad can only be profitable running North and South. (**see Attachment C**)
- NPHR's proposal, largely crafted and publicly supported by Ms. Myers, was adjusted to only include a small Northern portion of the railroad, and not the entire corridor.
- The NPHR submitted the only proposal that includes a form of "isolated passenger train operations" over the Line.

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"...the roughly northern half of the rail corridor's trackage from Noblesville northward to Tipton will be reserved for excursion passenger trains to be run by a newly-selected excursion train operator."

The current plans of the newly selected operator, NPHR, call for use of approximately 8 miles of the entire 37 mile corridor (21%). While the NPHR has spoken of plans to expand if determined feasible, the public

has expressed little confidence that this small passenger operation in a sparsely populated area will be sustainable for any significant period of time, without some type of subsidy from a local government or tourism department.

An email also exists which indicates that there is already interest in removing tracks on both the North and the South ends of the proposed trail use corridor (**see Attachment D**).

“...those opposing the Petition are asking the Board overrule the decisions of local government officials in order to protect non-common carrier passenger operations that are not within the Board’s jurisdiction and that are not the Board’s concern. Rather, the Board should resist the call to intervene...”

As noted previously in this comment, many of us opposing the Petition are aware that non-common carrier passenger trains are not directly within the purview of the Board’s jurisdiction. The facts concerning the local government’s role in inhibiting and diminishing the railroad’s ability to serve a common-carrier operator is what we ask the Board to closely examine. This matter concerns disputes about the management of rail service by the non-railroad carrier Owners, objections to the Owners’ statements as filed, and the development of a sound rail transportation system along this corridor.

The Board is urged to become involved for the sake of securing and protecting a regional rail artery through the heart of Indiana. As a regulatory agency tasked with protecting the honest and efficient management of railroads on behalf of rail users and the public, the Board’s authority is the public’s only hope in finding fairness and honesty in the handling of this Line. Despite the Owners’ dual roles as elected public official and railroad owners, their actions over the past few months have not represented a genuine intent or desire for fairness or honesty managing this asset and require the intervention of the the Board.

“Some of the responsive filings have been tendered after the customary 20-day deadline...The Owners expect that other replies to the Petition may yet be filed by interested parties...the Owner’s respectfully urge the Board to close the record at this time and to act on the Petition with appropriate alacrity.”

The question of whether or not the 20-day deadline is applicable has already been addressed above. The statement from the Owners that other replies may yet be filed should serve to reassure the Board of the significance of examining the nature of opponents’ arguments. To close the record at this time would only serve to support the Owners’ willful attempts to thwart public comment opposing their plan; which we believe qualifies as being within the Board’s jurisdiction.

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“The Owners oppose an extension. The comments filed thus far echo two common themes. Specifically, the Opponents - (1) object to the Owners’ rail banking efforts...foreclosing the near-term possibility of restoring intrastate passenger excursion service to the entire Line; and (2) accuse the Owners of not affording the public sufficient notice and input into the decision-making process leading to the filing of the Petition.”

There are numerous rail users and interested parties who have expressed a sincere desire and intent to utilize or support expanded rail service along this corridor; but who have been examining information prior to becoming involved officially. We've spoken with many private and public officials both locally and at a Federal level, who are on the cusp of becoming involved in this issue as well because of the obvious signs of official wrongdoing. Just as the Board needs to take appropriate time to examine the evidence, these interested parties have been closely examining all available information before deciding whether to engage the issue. Historically, the main obstacle has been the physical disconnection of the line from the national rail network; which occurred under the management of the Port Authority and the Owners.

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"The written record that exists at this time is sufficient for the Board to address the merits of the Petition, and is adequate to determine whether to grant the Owner's Petition."

In no way does the written record (if devoid of public comments) reflect the true nature and intent of the Owners' actions leading up to the Petition which has been filed with the Board. There would be great benefit and revelation of facts derived from a hearing. It is suggested that the Board exercise whatever process of discovery it is authorized to use in order to ascertain all written record of public involvement and sentiment regarding the future of the Line.

REBUTTAL

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"There is little, if any, meaningful dispute over the facts of the case or the status of the Line."

While STNKP generally agrees that there is little dispute over the facts presented, there have been omissions of critical facts regarding why the Indiana Transportation Museum (the "ITM") is no longer operating on the Line. It can be summarized as follows:

An internal disagreement between volunteer members of the ITM was brought outward when a letter alleging financial and safety issues was sent to the Owners and other recipients. The Port Authority immediately suspended railroad operations pending FRA inspections of the Line and of ITM's equipment. Four (4) individual FRA reports found "no violations" and an extensive private inspection commissioned by the Port Authority also cited no reasons for the operations to be permanently suspended. The author of the private inspection report states in the opening executive summary, *"The HHPA Mainline pays testimony to the attention to drainage and the engineering, construction and subsequent maintenance of the line throughout its history. The Consultant has never encountered a 37 mile length of track where there has been so little drainage issues for the majority of the trackage. There are isolated locations that must be corrected, but generally the Railroad is high and dry. The light rail, joints, and turnouts are in surprisingly good to fair condition overall."*

The President of the Port Authority, Michael Obergfell, also states in an email to all of the Port Authority members, Owners, and other involved parties, that the FRA inspection he attended determined the rails to be viable for the tourist trains operating across them. (see Attachment E)

So the key piece of evidence that the Owners failed to list in their chronological outline of facts was the mention of ITM being removed as the official operator with safety concerns cited as the reasons. And yet, all official documentation shows that the rails required maintenance but were safe for operation.

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“The Opponents want the Line preserved as is as a means to compel the Owners to deploy the entire Line in recreational train service.”

The Owners have incorrectly presumed that the purpose of our comments and requests of the Board are to specifically compel the Owners to exclusively deploy recreational train service. STNKP members simply desire to see a fair and honest accounting of public opinion regarding this publicly-owned asset to determine the best use of this corridor for the region. In no way does a closed-door plan, contrived by a limited number of elected officials, represent a proper carriage of public will. As is evidenced below, the Owners’ made only disingenuous displays of formality regarding public input sessions, and no unbiased public input was ever garnered or considered.

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“The Opponents frequently maintain that the Board should forbid the Owners from abandoning the Line, asserting, among other things, that passenger excursion revenue might meet or exceed the costs of preserving and maintaining the track. Such arguments are premature and misplaced. The Board has not yet granted the requested partial exemption...”

The purpose of many opponents intervening now is to urge the Board not to grant partial exemption as this would facilitate the Owners’ objectives, by skipping the Offer of Financial Assistance and other procedural steps of a full abandonment. It is critical that this line be given appropriate consideration through the full process of abandonment.

Page 9

“The Opponents are asking the Board to intervene on their behalf to instruct the leaders of Fishers, Noblesville, and Hamilton County that, rather than facilitating the communities’ trails use plans...the Board will require the Owners to retain the track in the interest of excursion train operations favored by a discrete contingent of area residents and train enthusiasts.”

STNKP believes that the leaders of Fishers, Noblesville, and Hamilton County are not facilitating the communities’ trails use plans through the current process. As a matter of technicality, a trail beside the rail was planned for this corridor in 2014 Master Plans, Transportation Plans, and Nickel Plate District Code (see Attachment F). The plan to remove the rail only became public in February 2017.

“While excursion trains are a plausible recreational resource, they are not universally welcome...”

Nor are trails universally welcome. But excursion trains aren't the basis for STNKP's opposition to the Petition. Rather, we seek the Board's intervention to ensure the preservation of a viable rail transportation corridor that connects many communities throughout the region. We believe there is ample opportunity to solicit more meaningful passenger, and even freight interest along the line.

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“...The allegations are also not well-founded. The public was given meaningful opportunities to comment on rail banking in local fora, and there is no evidence that the opponents' opinions were disregarded.”

Evidence abounds showing how divisive the Owners have been in cutting the public, and even some of their own fellow leaders, out of the planning process and disregarding their feedback. Some of that evidence includes:

- 1.) The trail conversion plan was announced, via a press conference, in a very definitive manner on February 28, 2017, to a completely unsuspecting public. Emails exchanged within the government prior to the announcement clearly show a unified and concerted effort among a few government officials to keep the plan secret from City Counselors, County Commissioners, members of the Port Authority, and the general public prior to the announcement (**see Attachment G**). Wouldn't you invite public feedback before announcing a fully developed strategy?
- 2.) The public website that was launched in coordination with the announcement of the Nickel Plate Trail proposal has always contained the following text:

“The proposed line was announced in coordination with Fishers Mayor Scott Fadness, Noblesville Mayor John Ditslear, and the Hamilton County Commissioners. After public listening sessions have concluded, the three entities will pursue support from a federal program known as rail banking. Rail banking allows the owners of the rail corridor to convert the railroad to a pedestrian trail, while preserving the right to re-establish a rail service along the line should that ever be needed or desired.” Source: www.nickelplatetrail.com (**see Attachment H**)

The statement above shows no intent to use feedback in guiding the planning process. As it reads, it suggests that the plan was already set in motion and that the listening session was only an obligatory requirement for such a public project.

- 3.) Mayor Scott Fadness of Fishers, Indiana, was committed elsewhere and didn't attend his own community's listening session on March 21, 2017 at the Fishers City Hall building. However, Mayor Fadness did attend the listening session in Noblesville; outside of his constituency.
- 4.) The Fishers listening session was, to put it lightly, pure chaos. It was merely a five minute presentation of the trail conversion plan and then a “break-out” where residents could visit any of

the departments represented at various booths to ask questions. The room was standing room only with approximately 250 individuals in attendance. There was a general sense of anger among everyone in the room for the lack of public testimony or feedback. The meeting instead felt like a method of public suppression and controlled confusion. Hamilton County Commissioner Steve Dillinger agreed with an email calling the session an embarrassment, and even said that he hoped Noblesville would not make the same mistake.

(see Attachment I)

- 5.) Very few city officials were taking any written notes of the comments they were receiving from the public. Deputy Mayor Leah McGrath was answering questions but was not seen taking any notes from feedback received. Many of the departments represented that night also lacked anyone taking notes.
- 6.) A phone conversation with Hamilton County Commissioner Mark Heirbrandt revealed that the Commissioners had little-to- no knowledge of the trail plan until late December, 2016. And even then, members of the public who spoke with the Commissioners on the evening of March 21 report witnessing vocal disdain and confusion from the County Commissioners who were unaware of most details regarding the project.
- 7.) The City of Noblesville decided to change the format of its meeting to include a public comment prior to their breakout session. The Council chambers and an auxiliary room were packed with approximately 400 individuals. All individuals who spoke, with the exception of one, spoke vehemently in support of retaining the rail. Video recordings of this public meeting can be provided if requested.
- 8.) Emails exchanged by and between Noblesville Deputy Mayor Steve Cooke prior to his community's listening session evidence a direct effort to recruit trail supporters to fill the front seats of the session in an attempt to diminish the message of supporters wanting to retain the railroad. Another email composed as a draft and sent to himself, quotes Deputy Mayor Cooke saying "Work with community leaders to bring an end to the rail line." (see Attachment J)

Of all the evidence collected to date, the malevolent nature of this email, showing the clear intent of a city official to build a coalition of community leaders aimed at destroying a railroad, demands that the Board involve itself and investigate this matter.

- 9.) In looking at circumstantial evidence pertaining to the Owners' claims that public input was adequately solicited up to and including their joint public meeting on July 31, 2017, a few points make it obvious that there was not full transparency in their process of public notice.

Specifically, the March listenings sessions were announced nearly one month in advance, at a time convenient for the working public to attend in the evening. This provided ample opportunity for members of the public to plan for attending the meeting. In so doing, nearly 700 local residents collectively attended the meetings.

If you turn your attention to the July 31, 2017 meeting, you then notice that the Owners tout their five days' notice of the meeting; the time of which was nearly impossible for members of the working public to attend at 8:15AM. Accordingly, there were approximately 8 members of the general public in attendance at a meeting whose topic had previously drawn hundreds to

participate. Does that sound like a small misstep or intentional sidestepping of certain public feedback regarding the actions they were about to take?

CONCLUSION

In conclusion, STNKP requests that the Board; having been given facts and evidence which shows the disingenuous nature of the Owners' actions and Petition, allow for an extension of time and further examination of how to best respond to the Owners' request.

Just as discovery provides for a more fully-developed case in court that yields verdicts derived from presentation of facts, we believe that an extension of time will allow further presentation of facts supporting the viability of the railroad line; as a corridor under the Board's jurisdiction. We also respectfully ask that the Board deny any request of partial revocation should an extension of time not be granted.

Thank you for your time and consideration in this matter.

Respectfully,

A handwritten signature in black ink, appearing to read "Logan J. Day". The signature is fluid and cursive, with the first name "Logan" being more legible than the last name "Day".

Logan J. Day
Group Facilitator

Save the Nickel Plate, Inc.
P.O. Box 48
Fishers, IN 46038

(317) 983-4449
info@savethenickelplate.org

Attachment A

----- Forwarded message -----

From: Tom Nichols

To:

Bcc:

Date: Wed, 2 Apr 2008 21:50:14 +0000

Subject: ITM landlocked (the diamonds are gone)

To all interested ITM members:

At about 4:45pm today I drove by the location of the Belt diamonds at CP-DX, at 21st & Massachusetts Avenue near Dearborn Street. **The interlocking diamonds were removed just today** and the double-track Indianapolis line has been straight-railed. CSX crews were on site tamping the just-laid panel track and checking it for proper gauge. So, our line is now permanently cut-off from the national rail network; likewise, the Indiana Rail Road is now prevented from accessing any potential freight customers in northern Marion, Hamilton, or Tipton counties.

This means ITM's only hope for an active connection to the national rail network is to lay new track south along the original LE&W / NKP right-of-way toward 10th Street and the former Mass. Ave. tower, to a switch on CSX track 2 somewhere east of Union Station. **I have no idea what HHPA and Don Seal have been up to since his March 17 e-mail ordering that no one from ITM is to do anything about this situation and that HHPA will handle it. They have obviously failed.**

I wonder if the just-released eGlobal report about ITM's future has anything to say about the issue of our now-permanent isolation from the national rail network.

Tom Nichols

ITM Co-supervisor of Conductor Training

5 attachments — [Download all attachments](#) [View all images](#)



03 CP280 diamonds + 280 Cabin.jpg

69K [View Download](#)

DX removal 20080402.jpg



40K [View](#) [Download](#)



DX removal2 20080402.jpg

45K [View](#) [Download](#)

Attachment B

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

INSPECTION REPORT

OMB Approval No.: 2130-0509

Inspector's Name Walsh, Patrick S.			Inspector's Signature Patrick S. Walsh Digitally signed by Patrick S. Walsh DN: cn=Patrick S. Walsh, o=FRA, ou=DOT, email=patrick.walsh@dot.gov, c=US Date: 2016.04.21 09:27:33 -0400			Inspector's ID No. 92921		Report No. 53		Date yy mm dd 2016 04 18		
Railroad/Company Name & Address INDIANA TRANSPORTATION MUSEUM Noblesville IN					R/C R	Division ITMZ	RR/Co. Representative (Receipt Acknowledged) Name Bruce Jarrett Title CMO Email _____ Signature _____					
From: City NOBLESVILLE		Codes 3590	Destination City & County			Codes	From Latitude					
State IN		18	City				From Longitude					
County HAMILTON		C057	County				To Latitude					
Mile Post: From		To	Inspection Point NOBLESVILLE				To Longitude					
Activity Code:	215										CARS	
Units:	3										3	
Sub Units:	0										0	

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/ USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
1	MO	81528	C	215	0203	A1			YARD	N	N	1	215

Description
OPERATING RESTRICTED CAR, EXCEPT UNDER FRA APPROVED CONDITIONS. CAR IS OVER 50 YEARS OLD FROM DATE OF ORIGINAL CONSTRUCTION.

Seal Applied	Seal Removed	Hazard Class	UN/NA ID

Violation Recommended ☐ Yes ☒ No Latitude: Longitude:

Written Notification to FRA of Remedial Action is: ☐ Required ☒ Optional Railroad Action Code Date(mm/dd/yyyy): Comments on back?

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/ USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
2	CI	66	F	215	0203	A1			YARD	N	N	1	215

Description
OPERATING RESTRICTED CAR, EXCEPT UNDER FRA APPROVED CONDITIONS. CAR IS MORE THAN 50 YEARS OLD FROM DATE OF ORIGINAL CONSTRUCTION.

Seal Applied	Seal Removed	Hazard Class	UN/NA ID

Violation Recommended ☐ Yes ☒ No Latitude: Longitude:

Written Notification to FRA of Remedial Action is: ☐ Required ☒ Optional Railroad Action Code Date(mm/dd/yyyy): Comments on back?

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

INSPECTION REPORT

(Continuation)

OMB Approval No.: 2130-0509

Inspector's ID No. 92921	Report No. 53	Report Date 4/18/2016
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Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/ USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
3	NP	7570	C	215	0203	A1			YARD	N	N	1	215

Description
OPERATING RESTRICTED CAR, EXCEPT UNDER FRA APPROVED CONDITIONS. CAR IS MORE THAN 50 YEARS OLD FROM DATE OF CONSTRUCTION.

Seal Applied	Seal Removed	Hazard Class	UN/NA ID
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Violation Recommended ☐ Yes ☒ No Latitude: Longitude:

Written Notification to FRA of Remedial Action is: ☐ Required ☒ Optional Railroad Action Code Date(mm/dd/yyyy): Comments on back?

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/ USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
4										N	N	0	

Description - [** Comment to Railroad/Company **]
NO EXCEPTION TAKEN TO INSPECTION OF FIVE PASSENGER CARS UNDER USC 20303.

Seal Applied	Seal Removed	Hazard Class	UN/NA ID
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Violation Recommended ☐ Yes ☒ No Latitude: Longitude:

Written Notification to FRA of Remedial Action is: ☐ Required ☒ Optional Railroad Action Code Date(mm/dd/yyyy): Comments on back?

Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/ USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
5										N	N	0	

Description - [** Comment to Railroad/Company **]
NO EXCEPTION TAKEN TO THREE LOCOMOTIVES UNDER USC 20303.

Seal Applied	Seal Removed	Hazard Class	UN/NA ID
--------------	--------------	--------------	----------

Violation Recommended ☐ Yes ☒ No Latitude: Longitude:

Written Notification to FRA of Remedial Action is: ☐ Required ☒ Optional Railroad Action Code Date(mm/dd/yyyy): Comments on back?

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

INSPECTION REPORT

OMB Approval No.: 2130-0509

Inspector's Name Blaydes, Fred E.		Inspector's Signature		Inspector's ID No. 11291		Report No. 84		Date yy mm dd 2016 04 28					
Railroad/Company Name & Address INDIANA TRANSPORTATION MUSEUM P. O. BOX 83 NOBLESVILLE IN 46061-0083				R/C R RR/Co. Code ITMZ	Division SYSTEM Subdivision SYSTEM		RR/Co. Representative (Receipt Acknowledged) Name PETE MCCORMACK Title TRACK SUPERVISOR Email [REDACTED] Signature _____						
From: City INDIANAPOLIS		Codes 2210		Destination City & County		Codes		From Latitude					
State IN		18		City CICERO		0850		From Longitude					
County MARION		C097		County HAMILTON		C057		To Latitude					
Mile Post: From 0005.20		To 0028.00		Inspection Point MAIN TRACK				To Longitude					
Activity Code:	MTH	MTW	TOM	RWP	RMM	MSB	DER	TOY	YTW	TREC			
Units:	22	1	2	1	1	6	2	6	1	1			
Sub Units:	0	0	0	1	0	0	0	0	0	1			
Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
1										N	N	0	MTH
Description - [** Comment to Railroad/Company **] PERFORMED A COURTESY INSPECTION OF THE INDIANA TRANSPORTATION MUSEUM RAILROAD (ITMZ) FROM MILE 5.2 (INDIANAPOLIS, INDIANA) TO MILE 28.0 (CICERO, INDIANA). THIS RAILROAD RUNS FROM MILE 3.0 IN INDIANAPOLIS TO MILE 39.2 (TIPTON, INDIANA). THIS RAILROAD IS A NON-PROFIT TOURIST RAILROAD. IT IS OPERATED SOLEY BY VOLUNTEERS OF THE ITMZ. IT IS NOT CONNECTED TO THE GENERAL RAILROAD POPULATION ON EITHER END. THE TRACK IS NOT OPERATED ON SOUTH OF MILE 5.1 (38TH STREET). IT IS OPERATED ON FROM MILE 5.1 TO MILE 16.3 FOR 17 DAYS IN AUGUST EVERY YEAR AND MAY BE OPERATED ON FOR INDIVIDUAL SCHEDULED TOURS. THE ITMZ STARTS OPERATING IN APRIL AND CONTINUES OPERATING TO THE END OF THE YEAR FOR IT'S TOURIST SEASON. THE NORMAL DAYS OF OPERATIONS ARE ON THE WEEKENDS. SPEACIAL TOURS MAY BE SCHEDULED DURING THE WEEK SUCH AS FOR SCHOOL TRIPS. THE TRACK FROM MILE 16.3 TO 39.2 IS THE SECTION NORMALLY USED FOR TOURS. ITMZ IS THE OPERATOR ON THIS TRACK. THE OWNER IS THE HOOSIER HERITAGE PORT AUTHORITY.													
Seal Applied		Seal Removed		Hazard Class		UN/NA ID							
Violation Recommended ☐ Yes ☒ No				Latitude:				Longitude:					
Written Notification to FRA of Remedial Action is: ☐ Required ☒ Optional				Railroad Action Code		Date(mm/dd/yyyy):		Comments on back?					

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

INSPECTION REPORT

(Continuation)

OMB Approval No.: 2130-0509

Inspector's ID No. 11291	Report No. 84	Report Date 4/28/2016
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Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
2										N	N	0	YTW

Description - [** Comment to Railroad/Company **]

THE INSPECTION STARTED WITH WALKING THE YARD IN NOBLESVILLE. THE YARD TRACKS ARE NOT OPERATED ON WITH PASSENGERS. THEY ARE USED FOR STORAGE OF CARS AND MAINTENANCE EQUIPMENT. THE TRACKS DO HAVE SOME MAINTENANCE ISSUES. TIE CONDITION IS WEAK THROUGHOUT. TIE DISTRIBUTION AND JOINT TIE CONDITION COULD BE IMPROVED. HEAD BLOCK TIES COULD STAND TO BE REPLACED. ONE GAGE MEASUREMENT OF 58 1/4-INCHES WAS MEASURED. GAGE BETWEEN 57 1/2 TO 58-INCHES WAS MEASURED IN A FEW LOCATIONS. SWITCH POINT FIT COULD BE IMPROVED. SOME RAIL BRACES WERE LOOSE AND OFF. ONE STRIPPED JOINT WAS OBSERVED. TRACK SURFACING COULD ALSO HELP ESPECIALLY IN THE SWITCHES. NO OPERATIONS OCCUR AT MORE THAN 10 MILES PER HOUR, AND MOSTLY LESS THAN THAT.

Seal Applied	Seal Removed	Hazard Class	UN/NA ID
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Violation Recommended ☐ Yes ☒ No	Latitude:	Longitude:
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Written Notification to FRA of Remedial Action is: ☐ Required ☒ Optional	Railroad Action Code	Date(mm/dd/yyyy):	Comments on back?
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Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
3										N	N	0	MTH

Description - [** Comment to Railroad/Company **]

THE CONCERN ON THE MAIN TRACK IS TIE CONDITION WHICH IS WEAK THROUGHOUT. VARIOUS LOCATIONS THROUGHOUT THERE ARE AREAS WITH SEVERAL CONSECUTIVE DEFECTIVE TIES, AS WELL AS JOINTS WITH POOR TIE CONDITIONS. ONE SWITCH ON THE TURNOUT SIDE AND PART OF THE SIDING HAS BEEN REMOVED FROM SERVICE DUE TO TIE CONDITION. SEVERAL AREAS ON THE MAIN TRACK HAVE 10 MILE PER HOUR SPEED RESTRICTIONS DUE TO TIE CONDITION. THE NORMAL TIMETABLE SPEED IS 20 OR 25 MILES PER HOUR. THERE ARE NEW TIES ALONG THE RIGHT OF WAY AND STOCKPILED IN THE YARD. THEY WERE INTENDED TO BE INSTALLED BUT THE WORK HAD BEEN STOPPED. THERE ARE SOME SURFACE ISSUES THAT ALSO NEED MAINTENANCE AT ROAD CROSSINGS, BRIDGE APPROACHES, AND IN WEAK TIE AREAS. THERE ARE A FEW LOOSE JOINTS WITH GAGE MISMATCHES. ONE JOINT WITH LOOSE BOLTS HAD A GAGE MEASUREMENT OF 57 7/8-INCHES. OVERALL TRACK CONDITIONS ON THE MAIN TRACK ARE FAIR BUT MAINTENANCE IS NEEDED TO KEEP THEM FROM DETERIORATING TO POOR. 10 MPH SPEED IS ON MANY WEAK AREAS.

Seal Applied	Seal Removed	Hazard Class	UN/NA ID
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Violation Recommended ☐ Yes ☒ No	Latitude:	Longitude:
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Written Notification to FRA of Remedial Action is: ☐ Required ☒ Optional	Railroad Action Code	Date(mm/dd/yyyy):	Comments on back?
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DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

INSPECTION REPORT

(Continuation)

OMB Approval No.: 2130-0509

Inspector's ID No. 11291	Report No. 84	Report Date 4/28/2016
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Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
4										N	N	0	TREC

Description - [** Comment to Railroad/Company **]

TRACK INSPECTION RECORDS WERE NOT AVAILABLE FOR REVIEW. I WAS TOLD THAT THE TRACK INSPECTION NOTES WERE RECORDED ON THE DISPATCHER LOGS. ITMZ DOES HAVE A TRACK INSPECTION FORM THAT WAS NOT BEING USED. I INSTRUCTED THE ITMZ VOLUNTEER EMPLOYEES THAT THE TRACK INSPECTION FORM SHOULD BE COMPLETED, DATED, AND SIGNED FOR EACH DAY OF INSPECTION. THERE WAS ALSO NO RECORDS OF HI-RAIL INSPECTIONS PRODUCED. I WAS TOLD THE TWO HI-RAIL VEHICLES ITMZ HAVE ARE CURRENTLY OUT OF SERVICE. THE HI-RAIL VEHICLE USED FOR TODAY'S INSPECTION WAS PRIVATELY OWNED BY ONE OF THE VOLUNTEER EMPLOYEES. NO RWP TRAINING RECORDS WERE MADE AVAILABLE FOR REVIEW. THE TRACK SUPERVISOR HAS APPROXIMATELY 16 YEARS IN TRACK MAINTENANCE. HE STATED THE HE HAD ATTENDED A PART 213 TRAINING SEMINAR IN CHICAGO IN 2011.

Seal Applied	Seal Removed	Hazard Class	UN/NA ID
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Violation Recommended	☐ Yes ☒ No	Latitude:	Longitude:
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Written Notification to FRA of Remedial Action is:	☐ Required ☒ Optional	Railroad Action Code	Date(mm/dd/yyyy):	Comments on back?
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Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
5										N	N	0	RMM

Description - [** Comment to Railroad/Company **]

ITMZ HAS SEVERAL PIECES OF ON-TRACK EQUIPMENT. NONE ARE EQUIPPED WITH OPERABLE RADIOS. NOT ALL ARE EQUIPPED WITH FIRE EXTINGUISHERS. NOT ALL HAD AN OPERATORS MANUAL ON THEM. FIRST AID KITS WERE ALSO LACKING ON THE EQUIPMENT. I DID NOT OBSERVE ANY OF THE EQUIPMENT IN OPERATION AND DO NOT KNOW HOW MANY ARE OPERABLE OR TO WHAT REPAIRS MAY BE NEEDED TO MAKE THEM SAFE FOR ON-TRACK USE. THE ON-TRACK EQUIPMENT IS OLD, USED EQUIPMENT, FROM OTHER RAILROADS, AND WILL NEED SOME UPDATING TO BE CURRENT.

Seal Applied	Seal Removed	Hazard Class	UN/NA ID
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Violation Recommended	☐ Yes ☒ No	Latitude:	Longitude:
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Written Notification to FRA of Remedial Action is:	☐ Required ☒ Optional	Railroad Action Code	Date(mm/dd/yyyy):	Comments on back?
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Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
6										N	N	0	MTH

Description - [** Comment to Railroad/Company **]

A RE-INSPECTION WILL BE CONDUCTED TO ASSESS THE TRACK THAT WAS NOT TRAVERSED, AS WELL AS REVIEWING MORE PART 213 AND PART 214 ISSUES WITH THE ITMZ. THE RAILROAD IS CURRENTLY SHUT DOWN FROM OPERATIONS BY THE OWNER OF THE PROPERTY, THE HOOSIER HERITAGE PORT AUTHORITY. I DO NOT SEE ANY IMPROVEMENTS BEING MADE AS LONG AS THE RAILROAD IS NOT ALLOWED TO OPERATE. THE PROPERTY OWNER HAS HAD INSTALLED, BY AN OUTSIDE CONTRACTOR, SWITCH POINT CLAMPS AT THE TWO ENTRANCES TO THE YARD. ALL ITMZ EQUIPMENT IS LOCKED IN THE YARD.

Seal Applied	Seal Removed	Hazard Class	UN/NA ID
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Violation Recommended	☐ Yes ☒ No	Latitude:	Longitude:
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Written Notification to FRA of Remedial Action is:	☐ Required ☒ Optional	Railroad Action Code	Date(mm/dd/yyyy):	Comments on back?
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DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

INSPECTION REPORT

OMB Approval No.: 2130-0509

Inspector's Name Crawford, Robert D.			Inspector's Signature			Inspector's ID No. 19316		Report No. 118		Date yy mm dd 2016 05 04			
Railroad/Company Name & Address INDIANA TRANSPORTATION MUSEUM 825 Park Dr Noblesville IN 46060						R/C R		Division SYSTEM		RR/Co. Representative (Receipt Acknowledged) Name Larry M. Elliott Title Road Foreman of Engines Email [REDACTED] Signature _____			
						RR/Co. Code ITMZ		Subdivision SYSTEM					
From: City NOBLESVILLE			Codes 3590		Destination City & County			Codes		From Latitude			
State IN			18		City					From Longitude			
County HAMILTON			C057		County					To Latitude			
Mile Post: From To			Inspection Point HOBBS DEPOT OFFICE						To Longitude				
Activity Code:	HSL	225P	225R	225C									
Units:	1	1	1	1									
Sub Units:	0	0	17	0									
Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/ USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
1										N	N	0	HSL
Description - [** Comment to Railroad/Company **] No exceptions noted. Inspected at Hobbs depot office 811 employees hours of service (HOS) records for period from January 1, 2015 to April 30, 2016 for compliance of for compliance of Title 49 CFR 228.405. The Railroad did not require or allow a train employee to remain or go on duty after that employee had been on duty 12 consecutive hours without at least 10 consecutive hours off duty.													
Seal Applied		Seal Removed		Hazard Class		UN/NA ID							
Violation Recommended ☐ Yes ☒ No						Latitude:		Longitude:					
Written Notification to FRA of Remedial Action is: ☐ Required ☒ Optional						Railroad Action Code		Date(mm/dd/yyyy):		Comments on back?			
Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/ USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
2				225	0025	H				N	N	1	225P
Description Exception noted. Inspected at Hobbs depot office posting of monthly accident/incident report for compliance of Title 49 CFR 225.25. The railroad failed to properly posted a current and complete listing of all employee injuries and occupational illnesses reported to FRA for the past consecutive twelve month period, within 30 days after the expiration of the most recent month during which the injuries and illness occurred.													
Seal Applied		Seal Removed		Hazard Class		UN/NA ID							
Violation Recommended ☐ Yes ☒ No						Latitude:		Longitude:					
Written Notification to FRA of Remedial Action is: ☐ Required ☒ Optional						Railroad Action Code		Date(mm/dd/yyyy):		Comments on back?			

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

INSPECTION REPORT
(Continuation)

OMB Approval No.: 2130-0509

Inspector's ID No. 19316	Report No. 118	Report Date 5/4/2016
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Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
3				225	0011					N	N	1	225R

Description

Exception noted. Inspected at Hobbs depot office records, for period of 2014-2015, of monthly reporting of F6180.56 which is a year end report part of the F6180.55 report of "Railroad Injury and Illness Summary" to FRA Washington D.C. for compliance of Title 49 CFR 225.11. Reporting of accidents/incidents/injuries/deaths/or occupational illnesses as required under CFR Part 225.19: Failure to timely file a complete and accurate (including meaningful narratives where required) of FRA form F6180.56 (described under CFR Part 225.21) - Year end summation report of F6180.55 for 2014-2105 missing and is required to be submitted as part of the monthly Railroad Injury and Illness Summary (Form FRA F 6180.55) for the month of December of each year.

Seal Applied	Seal Removed	Hazard Class	UN/NA ID
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Violation Recommended ☐ Yes ☒ No	Latitude:	Longitude:
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Written Notification to FRA of Remedial Action is: ☐ Required ☒ Optional	Railroad Action Code	Date(mm/dd/yyyy):	Comments on back?
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Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
4				225	0033	A				N	N	1	225C

Description

Exception noted. Inspected at Hobbs depot office posting of "Internal Control Plan" for compliance of Title 49 CFR 225.33. The Railroad failed to properly adopted and comply with a written internal control plan that meets the requirements of this part, 225.33(a)(1) and (2).

Seal Applied	Seal Removed	Hazard Class	UN/NA ID
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Violation Recommended ☐ Yes ☒ No	Latitude:	Longitude:
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Written Notification to FRA of Remedial Action is: ☐ Required ☒ Optional	Railroad Action Code	Date(mm/dd/yyyy):	Comments on back?
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DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

INSPECTION REPORT

OMB Approval No.: 2130-0509

Inspector's Name BRILL, RICHARD			Inspector's Signature <i>Richard A. Brill</i>			Inspector's ID No. 11598		Report No. 41		Date yy mm dd 2016 05 20			
Railroad/Company Name & Address HOOSIER HERITAGE PORT AUTHORITY					R/C R	Division SYSTEM		RR/Co. Representative (Receipt Acknowledged) Name Rhonda Klopfenstein Title Email Signature					
RR/Co. Code XHOH					Subdivision SYSTEM								
From: City NOBLESVILLE		Codes 3590		Destination City & County				Codes		From Latitude			
State IN		18		City						From Longitude			
County HAMILTON		C057		County						To Latitude			
Mile Post: From To				Inspection Point NOBLESVILLE MUSEUM				To Longitude					
Activity Code:	HGCR	228											
Units:	1	1											
Sub Units:	70	12											
Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
1										N	N	0	
Description - [** Comment to Railroad/Company **] Had meeting with Indiana Transportation Museum and reviewed Hours of Service and Highway-Rail Grade Crossing Records. Discussed Technical Bulletin S-08-02 Clarification Regarding the Application of the Requirements Associated with Warning Time Testing of Highway-Rail Grade Crossing Active Warning Systems, Technical Bulletin S-99-06 Clarification of Application, Interpretation and Enforcement of 49 CFR Section §234.273, and Regulation 234 Subpart E Emergency Notification System. Working with railroad on information needed on recordkeeping forms.													
Seal Applied			Seal Removed			Hazard Class			UN/NA ID				
Violation Recommended			☐ Yes ☒ No			Latitude:			Longitude:				
Written Notification to FRA of Remedial Action is:			☐ Required ☒ Optional			Railroad Action Code			Date(mm/dd/yyyy):			Comments on back?	

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

INSPECTION REPORT

OMB Approval No.: 2130-0509

Inspector's Name Walsh, Patrick S.		Inspector's Signature Patrick S. Walsh Digitally signed by Patrick S. Walsh DN: cn=Patrick S. Walsh, o=FRA, ou=DOT, email=patrick.walsh@dot.gov, c=US Date: 2016.07.27 14:21:15 -0400		Inspector's ID No. 92921	Report No. 85	Date yy mm dd 2016 07 24							
Railroad/Company Name & Address INDIANA TRANSPORTATION MUSEUM Noblesville IN				R/C R RR/Co. Code ITMZ	Division Subdivision SYSTEM	RR/Co. Representative (Receipt Acknowledged) Name Bruce Jarrett Title CMO Email Signature _____							
From: City NOBLESVILLE	Codes 3590	Destination City & County			Codes	From Latitude							
State IN	18	City				From Longitude							
County HAMILTON	C057	County				To Latitude							
Mile Post: From To		Inspection Point ITM				To Longitude							
Activity Code:	224												
Units:	2												
Sub Units:	0												
Item	Initials/Milepost	Equipment/Track #	Type/Kind	49 CFR/USC	Defect	Subrule	Speed	Class	Train #/Site	SNFR*	RCL**	# of Occ.***	Activity Code
1										N	N	0	
Description - [** Comment to Railroad/Company **] NO EXCEPTION TAKEN TO LOCOMOTIVES 426 CIL 50 AND NP 83. NO EXCEPTION TAKEN TO TOURIST/EXCURSION CARS INSPECTED.													
Seal Applied		Seal Removed		Hazard Class		UN/NA ID							
Violation Recommended		☐ Yes ☒ No		Latitude:		Longitude:							
Written Notification to FRA of Remedial Action is:				☐ Required ☒ Optional		Railroad Action Code		Date(mm/dd/yyyy):		Comments on back?			

**HOOSIER HERITAGE PORT AUTHORITY RAILROAD
TRACK INSPECTION REPORT
AND
REHABILITATION PLAN
Tipton, Hamilton and Marion Counties**

I. INTRODUCTION

A. Background and Scope of Work

The Hoosier Heritage Port Authority (HHPA) has retained the services of Jannotti Rail Consulting, Inc. (referred to in this report as the “Consultant”) to inspect, evaluate and provide a report for the track on the passenger railroad extending through Tipton, Hamilton and Marion Counties. The Consultant shall provide a rehabilitation plan based on the inspection which categorizes priority locations. The Track Inspection and Rehabilitation Plan is based on the inspections performed in October, 2016 which concentrated on bringing the Railroad up to FRA Class Two level of service. Also included in the Report’s Scope of Work is to provide options for reconnecting the HHPA to Norfolk Southern Railway on the northern end in Tipton, Indiana. The “Plan” also includes an “Order of Magnitude Estimate of Probable Costs” (Attachment V) that can be utilized for the rehabilitation planning and securing the adequate funding.

The Consultant’s inspection is based on the minimum criteria set forth by the Federal Railroad Administration’s (FRA); “Track Safety Standards” Title 49, Part 213 for Class Two track.

The Consultant recognizes that the minimum criteria required by the FRA for making safe and reliable movements over a section of track are the absolute minimum standards which should be adhered to regarding freight and/or passenger rail service. The trackage was inspected with the emphasis on Class Two Track standards which are described below.

B. Executive Summary

“Every railroad tells its’ own story”, and this Railroad is no different. The HHPA Mainline pays testimony to the attention to drainage and the engineering, construction and subsequent maintenance of the line throughout its history. The Consultant has never encountered a 37 mile length of track where there has been so little drainage issues for the majority of the trackage. There are isolated locations that must be corrected, but generally the Railroad is high and dry. The light rail, joints, and turnouts are in surprisingly good to fair condition overall. Work regarding those items will be required to bring the track to a “reliable” Class Two level of service but overall the steel components of the track are in relatively good condition. Crosstie conditions have been improved with a 4,849 tie replacement from Fishers to 38th Street in 2013, however a quantity of ties will still be required in isolated locations to cover all Class Two

Attachement C

From: Brenda Myers <bmyers@hamiltoncountytourism.com>
Sent: Wednesday, November 16, 2016 5:08 PM
To: John Ditslear
Cc: Steve Cooke; Alaina Shonkwiler; Judi Johnson
Subject: Discuss Train

Mayor Ditslear,

I am reaching out because a group of us not connected with the ITM is, on its own without any encouragement, pulling together a potential proposal to rework the tourism railroad operations along the Nickel Plate line should there be interest on behalf of the Hoosier Heritage Port Authority.

This is not news to many — it's out there that we're working on this — but we'd rather not broadcast it. I've already been asked by the media and I've said it is what it is — a folly, a Brenda crazy idea — and we're just noodling on this as of now. And not ready for any public dissemination. We do not own the rights to operate anywhere. We are just testing a concept.

We do have a trifecta of interest — we would develop the non-profit program provider, the town of Atlanta would work with us on a new location for the train, and a for-profit professional railroad operator would serve as the equipment provider. It would be a whole new business model. We might run freight north of Cicero even to help it balance the budget.

We are not sure we can get the numbers to work out, but I wondered if we could chat by phone even to help us understand the degree to which you would even allow/desire train operations in Noblesville.

The only way to make it make money is to move south and north, but I am conscious of the fact that you might not be that keen on a lot of trains.

The excursion schedule would be different than the current business model. Better trains, bigger prices, pretty much Friday-Saturdays.

Also, a lot of activity would originate north to south, landing north of the square.

We would not anticipate using the park currently in our business planning as that works through its issues and concerns.

Let me know if you have a moment to talk — what a good time for a phone call might be.

Thank you so much,

Brenda



BRENDA MYERS
PRESIDENT/CEO

37 East Main Street
Carmel, IN 46032

Attachment D

From: Michael Obergfell [REDACTED]
Date: August 16, 2017 at 9:57:25 AM EDT
To: "Mayor John Ditslear" [REDACTED]
Mayor Fadness [REDACTED], Christine Altman [REDACTED]
[REDACTED] "Steve Dillinger" [REDACTED]
[REDACTED] Mark Heirbrandt [REDACTED]
[REDACTED] "Eric B. Pethtel" [REDACTED]
[REDACTED] "David George" [REDACTED]
[REDACTED] "Bradley J. Davis" [REDACTED]
[REDACTED] "Glen Schwartz" [REDACTED], "John
Beery" [REDACTED]
[REDACTED]
[REDACTED] "Brad D.
Beaver" [REDACTED]
Cc: Rhonda Klopfenstein [REDACTED] "Cathy Hale" [REDACTED]
[REDACTED] "Anne Hensley" [REDACTED]
Poindexter ([REDACTED] Michael A.
Howard [REDACTED]
[REDACTED]
**Subject: HOOSIER HERITAGE PORT AUTHORITY - NEGOTIATIONS WITH NICKEL
PLATE HERITAGE RAILROAD**

Dear Port Authority Owners and Board Members,

I just wanted to update you on current issues with the selected operator, Nickel Plate Heritage Railroad (NKPH). I, along with Eric Pethtel, HHPA Board VP, Rhonda Klopfenstein, Exec. Director and our Counsel, Anne Poindexter, met with NKPH leadership, Brenda Myers, Tom Hoback, and Wiley Brown on Tuesday August 8th at Hamilton County Tourism's office in Carmel. It was a great meeting to discuss their plans for the line from Noblesville to Atlanta, with their base of operations out of Atlanta, IN. Mr. Hoback is a very sharp railroad insider with many years of experience in bringing a failing line back into prominence. Good article on Tom, FYI: http://www.inrd.com/documents/mileposts/mileposts_summer_2015.pdf

Their group is working on financing currently, which is the first step in this process, along with HHPA preparing an operations agreement to be approved by the HHPA Board and then executed with the NKPH. Our counsel is working on the agreement currently. The NKPH's desire is a 5 Year Term with option of 5 year extension if operations are successful and our Board approves of their operations after 5 years of successful service. After execution of the operations agreement, they would present a work plan to our Board for approval and then begin repair work on the line from Downtown Noblesville to just north of Atlanta. Currently they are looking at possibly some storage of equipment on the Devon Lead which is the spur that used to go over to the power plant on White River at Riverwood (crosses SR 19 north of 2016th Street). HHPA's right-of-way extends approximately 1,300 feet to the east of

SR 19. This would not be allowed until the spur and crossing is rehabilitated, and security fencing is placed along a cleaned out RR right-of-way, to help deter trespassing and vandalism. Their work plan includes hiring out all rehabilitation work to qualified railroad contractors, to bring the rail back to at least Class I standards for initial operations. Since they are just doing short excursion type trips, not a set schedule such as the former Fair Train, they do not need to run at higher speeds, at least not initially. Long-term, they may wish to get all facilities up to Class II Standards, which would allow operations up to 25 MPH.

There are still many issues to work out, but we have started the process. Our goal is to have an agreement to them for review by the end of this month, and if all goes well with their financing, we'd hope to approve their operation agreement in September, with work on the tracks to follow this fall into winter. Operations would not begin until next Spring at the earliest. Ticket sales and events would be run out of Atlanta, in conjunction with Mr. Muffins Trains shop in Atlanta. <https://mrmuffinstrains.com/> I would encourage everyone to visit their shop in Atlanta and talk to the owners who are an integral part of the vision for the new operation and the long-term vision for the Town of Atlanta as a railroad themed town. The owners, Mr. and Mrs. Stephen Nelson, were part of the proposal submitted by NKPH. Their store hours are Tuesday through Friday, 10:00am to 5:00pm and Saturday 10:00am-3:00pm, according to their website.

Since the NKPH would only be running from Noblesville to Atlanta, the portion of the tracks from Atlanta to Tipton would be unused, like the portions of the line from Noblesville south. Our discussions last week for this portion of the track included NKPH removing the crossings and paving the roads at each crossing in Tipton County. This portion of the tracks has to be included in the rail banking application, along with the rest of the line, so it is preserved in perpetuity for future use. In the future, depending on how the NKPH progresses, it could be included in their long term operations if possible. The right-of-way would still have to be maintained, such as performing annual weed spraying and brush cutting, etc. to ensure good relations with adjoining land owners. This will hopefully be included in the operations agreement, or taken over as an annual function of the HHPA Board. This work can be done using hi-rail trucks, which can drive across the paved road intersections that will be removed, thus access would not be an issue.

Other issues still need resolved, such as the NKPH wishing to salvage some of the ties, tie plates, etc. from the southern portion of the line prior to demo for any future trail, after rail banking is approved. This would help defray their maintenance costs and help ensure long-term success of their operations. Due to the light nature of the rail that exists along our line, certain size tie plates, tie bars, rail, etc., are hard to come by these days, or are expensive as they have to be reproduced, so salvaging what can be salvaged will help defray their long-term costs and ensure they have parts available to properly maintain the portion of the line to be utilized. I do not want to start ripping up any portions of the line until the rail banking is approved, so if anyone gets requests for such, as we recently did for the 86th street crossing by the city of Indianapolis, please stick with a unified message that nothing will be removed until the rail banking application is approved, including stop signs and signals at all the crossings. Then we will work with Fishers and Noblesville on their plans for the future of the areas from Noblesville south, to properly decommission the line. We

currently have a contract with a firm that is doing signal inspections and upkeep of the batteries that are at each signalized crossing, to ensure they stay in working order and the electrical portions don't deteriorate into a state of disrepair. Hopefully long-term we can salvage these materials and possibly use them at the portions that will be in operation.

HHPA is also in the process of starting the search for a new Executive Director, as Rhonda will be resigning come the end of the year, as her family is relocating to Tennessee due to her husband's job relocation. If you know of any good candidates, please send them my way. The position is part time, has to deal with all Board functions, operations coordination with our railroad operator, and do all the HHPA's accounting and audit responsibilities. If anyone of our Owners has a part time employee that would want a second part-time job that might fit this bill, please see if they are interested, or anyone else you might think would be a good candidate.

A lot has to happen between now and the start of the NKPH operations, but I wanted to at least let you know that we have begun discussions with the selected operator and they are working feverishly on their end to get started in accordance with their proposal. I'm sure you have questions, concerns, etc., please feel free to send them to me or call me at any time. Lastly, I would ask that Fishers keep everyone updated on progress of the rail banking process at least once a month, so everyone is fully informed.

Sincerely,

Michael J. Obergfell, PE | President

Hoosier Heritage Port Authority

33 N 9th Street, Suite 215

Noblesville, IN 46060

Cell: [317 965-9167](tel:3179659167)

Attachment E

On Aug 2, 2016, at 8:12 PM, Michael Obergfell <obergfell@usiconsultants.com> wrote:

Dear HHPA Board Members & Owners,

As noted in my previous email last Wednesday that is copied below, ITM was informed that HHPA required the information highlighted/bolded as listed. The following is an update as of today on those items in the order listed in my previous email:

- 1) HHPA has not received any of the medical, vision, or hearing certifications of their Engineers or Conductors as required by the CFR's listed in our Revised Policy of Use.
- 2) HHPA has not received notification that check rides of these same individuals are up to date or in progress.
- 3) HHPA has not been provided access to any drug or alcohol test results on their personnel or ITM's program in general.
- 4) HHPA did receive a track inspection report from ITM's inspector (PDF Attached), it listed two items, some trees that needed trimmed and some ties that need replaced in the area near the fairgrounds. ITM reported that they have installed 80 new ties in that area, and were working down there today. I will report more on track condition from Fishers to the Fair Grounds later in this report. It is worth noting that ITM's track inspector certifications have not been received by HHPA, thus we cannot rely on this current inspection report as we have no proof that the inspectors certifications are up to date in accordance with CFR requirements. Track inspection information in the past has never been reported to HHPA, after years of asking for such information. In the past, we have been told that ITM's inspectors don't put anything in writing, it's all in their inspectors head, which is unacceptable. I learned today that to be a certified track inspector, there are FRA courses that need to be taken and tests they have to pass. None of this documentation has been provided to HHPA.
- 5) HHPA has received a draft On Track Safety Program from ITM. However, since this is a draft, they apparently have not had a safety program to date, and I'm sure this means their personnel are not up to speed on what it contains. They did provide us with a draft at least, which is a start. (I've attached for your information)
- 6) HHPA did receive an updated Timetable from ITM (attached for your information). The Timetable is a document that every railroad maintains that lists all their personnel in charge, speeds on all sections of the track, areas where slower speeds are required, etc. However, the only thing ITM changed from previous Timetable provided was the cover page with a new date and the second page of updated contacts/personnel. The DSLE's ITM listed are Engineers that either no personnel file was provided to HHPA to review at our inspection of their personnel files by HHPA's Executive Director and Consultant, so we have no records of their qualifications. Their DSLE that was at the file inspection review meeting was moved from the DSLE category in the timetable because we informed them that he did not have current certifications to show us. The other DSLE that ITM listed in their updated Timetable we have been told that he was no longer going to volunteer. So basically we have no records to verify any of their DSLE's are certified to the CFR regulations. The DSLE is probably the most important person with any railroad, as they oversee the training of all Engineers and Conductors. This alone, in my opinion, should be reason to maintain our suspension of ITM until a properly certified DSLE is presented to HHPA with all required documentation.
- 7) Cleaning of culverts and bridges. ITM's president sent an email that stated the following: "The abutments on the Fall Creek bridge have been cleaned off and other bridges will have the same done this week as our volunteers can get to them. A thorough cleaning of the Fall Creek, Allisonville Road, and State Road 19 bridge bearing areas and an assessment of each must wait until a contractor can be hired to do the work according to the 5-year Bridge Maintenance Plan. Specialty equipment, reclamation of debris, and traffic control will be required for this work. Our plan will be to complete this in the spring of 2017." I have been unable to verify the cleaning of the Fall Creek bridge as of today, but as of Friday when I inspected the Fall Creek bridge, no work had been completed, and there is some serious rusting issues of the lower chord of the truss that needs to be addressed soon.
- 8) ITM provided HHPA with a copy of the FRA equipment inspection report on the remaining coach cars that were not inspected previously by the FRA (PDF Attached). As with all the other FRA reports since we issued the Revised Policy of Use, nothing was listed except that no violations/exceptions were noted. This is a main concern of mine and our consultants. We do not feel the FRA wants to

get in the middle of this issue and has thus issued no violations. It is my understanding from our Executive Director that the inspections could not have been very thorough, as the inspector was there for a very short time on a recent Sunday. Since the ITM is considered a tourist railroad at this time, they really are not subject to FRA inspection requirements like a freight or passenger railroad would be held to. I personally think that the HHPA should take no comfort in these reports, especially after what I was educated on today during a hi-rail inspection with our consultant and a railroad contractor that I will brief you on later in this email. I also believe that ITM's operations need to be held to a higher standard than a normal tourist operation, since they want to operate at speeds up to 25 MPH and due to the fact that all the crossings from Noblesville to the Fairgrounds cross very heavily traveled roads, and are loaded with passengers, so no safety issues should be compromised. From the education I've received recently, most, if not all tourist operations run at Class I railroad speeds of 10 MPH or less.

- 9) HHPA did receive a maintenance plan from ITM for the remainder of 2016 (PDF Attached). I find it to be woefully inadequate, but you can form your own opinion. My opinion is based on the recent report they provided to us that noted they netted almost \$290,000 (after expenses) on the Polar Bear Express this past winter. Only proposing \$145,000 of maintenance is well short of the \$300k we were told they would be working towards, especially considering the revenue they reported on the Polar Bear Express, and the lack of maintenance over the past several years.

Today, I went on a hi-rail trip with a contractor from the Louisville area that our railroad consultant Ms. Hale secured to come give me an education on what inspectors look for and give us their "off the record" opinion of the current conditions. Both gentlemen that came are FRA Certified Inspectors. Although they said the track was in fairly good condition for a tourist railroad, they showed me several areas that should not have passed an FRA inspection or the inspections of ITM's track inspectors. It is worth noting that the contractor said they would not recommend any speeds over 10 MPH, which is the limit for Class I rails, and what most tourist railroads run at or below, thus the opinion that they were in fairly good condition for a tourist railroad. At one point, I asked them to get up to 25 MPH, which is the limit for Class II rails, and the ride was very bad, which they explained was due to the age of the rail and the fact that the ties were not in good condition overall. As ties weaken/rot, the track shifts more and deflections occur that after time are permanently engrained in the rails. These permanent deflections cause trains to oscillate at higher speeds, which is typically the underlying cause of most derailments. In addition, they found numerous defects for even Class I rails, such as inadequate satisfactory ties at several locations where old abandoned spurs or turnouts and switches are located on the mainline. These areas has no good ties within the turnout limits, which is a Class I defect. This means that no operations at any speeds should occur until a Class I defect is repaired. I was informed by one of the inspectors that previously worked for the company that did our federal aid tie replacement project a couple of years ago, that these ties in the switch and turnout areas were not touched due to the fact that they are longer ties and such ties were not provided as part of the tie replacement project. We also stopped at several spots to inspect the areas on foot, and at two of the handful of spots that we stopped at we found one of the rail splice bars we inspected at each location had a crack in it, which is also a Class I defect. We did not have time to inspect the whole track on foot, and since the contractor donated their time today, I wasn't about to ask them to do so. That said, I'm sure we didn't luck out and find the only two cracked bars on the 11 miles of track from Fishers to the Fairgrounds. How many of these splice bars are cracked is unknown, but finding two at the handful of stops that we made has me very worried as to the overall state of these important splice locations on the rail.

The other major issue is the sight distance at most of the crossing in Marion County. Since brush cutting has not taken place, sight distance is very limited at most crossings. This is a very dangerous situation even though stop signs are present at these streets. At 25 MPH a train comes at you pretty quick if not paying attention, and with the infrequent use our tracks see, this is a serious safety issue in my opinion as most frequent users of these roadways are not used to encountering trains.

A full listing of the items we found are as follows:

Class I defects found (cannot operate even at 10MPH or less):

- Switch ties are bad and loose joints at the switch south of 96th Street

- A center break compound bolt, 3 ½ x 6 on 115 lb side and 2 1/5 x 5 on 90 lb side just north of Masters Road
- Need new Head Block ties at switch south of 82nd Street

Class II defects found:

- Quarter Break Point Bar, 9AR, south of Kessler

Additional Repairs needed before train movements:

- Clean out crossing depression next to rail at Kessler Blvd
- Replace ties North of Fall Creek and in the area of Citizens Energy water treatment plant, Class I due to condition of tie

Additional Requirements to run as Class I:

- Slow order at all crossings and curves
- Site obstruction at Graham Rd due to brush
- Bent Rail south of 71st Street, slow order

What is needed for Class II Service throughout (up to 25MPH max speed):

- Ties and surfacing
- Rail Splice Bolts Tightened
- Brushing cutting at crossing, site obstruction
- Take out turns

With all of this said, I see no way that I can recommend to the Board and Owners that HHPA lift the suspension of ITM's operations and allow the Fair Train to run starting this Friday. I want your feedback before I present this to ITM tomorrow. I see no way ITM can come into compliance that quickly, and these issues are not issues that should be rushed through just for the sake of the Fair Train. The liability is too high to waive our requirements in my opinion. I value your feedback and want to ensure we are all united on this front, so please respond with any concerns or input you have as soon as possible. I would like to know if each and every one of you are in agreement with our findings and direction.

I apologize for the length of these correspondences, but these issues require such. Running a railroad is serious business, lives are at stake each and every time the train runs.

If you would like to discuss any concerns/issues you may have, please feel free to call me on my cell.

If everyone is in agreement, I will put together a press release for all communities to review/comment on, and then utilize so our message is consistent and clear when we go public.

Sincerely,

Michael J. Obergfell, PE | **President**

Hoosier Heritage Port Authority
33 N 9th Street, Suite 215
Noblesville, IN 46060
Office: 317-776-8268 | Cell: 317 965-9167

Attachment F



NICKEL PLATE DISTRICT CODE

Adopted: February 17, 2014 - Ordinance #111813A

Amended:

December 15, 2014 - Ordinance #110514C

September 21, 2015 - Ordinance #081715E

April 18, 2016 - Ordinance #041816F

September 19, 2016 - Ordinance #071816C





SECTION 9 - MASTER PLAN

9.1: Nickel Plate District

The Nickel Plate District, identified in Figure 9.1, Nickel Plate District Extent Map, encompasses the area that has historically served as Fishers' downtown. This District comprised nearly the entire community when there were only around 800 residents and the community was known as Fishers' Switch. Now, the District is transforming into an area where a community of almost 90,000 people can call the 'heart of the community' and where they can go to live, work, shop, and dine.

Dating back to a time when it was referred to as Fishers' Switch, the area was built off of the activity and commerce from the railroad. Though few remnants of those times remain, the railroad could once again unlock greater potential for the Nickel Plate District through connection to Indianapolis and other regional destinations. The makeup of the Nickel Plate District has gone through many transformations over its long history and will continue on that path as new life is injected into the Nickel Plate District and the growth of Downtown Fishers continues.

The Nickel Plate District encompasses a wide variety of land uses and also serves as the civic hub of the community. The District includes residential properties, small businesses, large retailers, office uses, dining, and municipal facilities. These municipal facilities include parks, an amphitheater, library, fire station, police station, municipal center, bureau of motor vehicles, train station, and court.

Major thoroughfares running through the Nickel Plate District, both east-west and north-south, pose challenges to walkability yet at the same time have the potential to be the lifeline for future development by providing a constant flow of people into the District. The District is also well positioned for attracting reinvestment with the location of the 116th Street and Interstate 69 interchange on its eastern boundary which adds to the ease of access to and from the area.



Currently, areas of the Nickel Plate District are separated by development and major transportation corridors. For example, two significant open spaces, Roy G. Holland Memorial Park and the Municipal Center grounds, need better connectivity through trails, paths, sidewalks, and streets. These connections are to be created through this Code as they contribute greatly to the recreational and public needs of the District.

The vision of the Nickel Plate District can be seen in Figure 9.4, Conceptual Master Plan. This Code sets forth a framework to achieve this vision through public and private investment. Though the District may not develop exactly as depicted on the Master Plan, this Code intends to maintain the character that was envisioned as part of this planning process.

Fishers Bicycle and Pedestrian Master Plan

Fishers, Indiana

July, 2014



Study Area Map

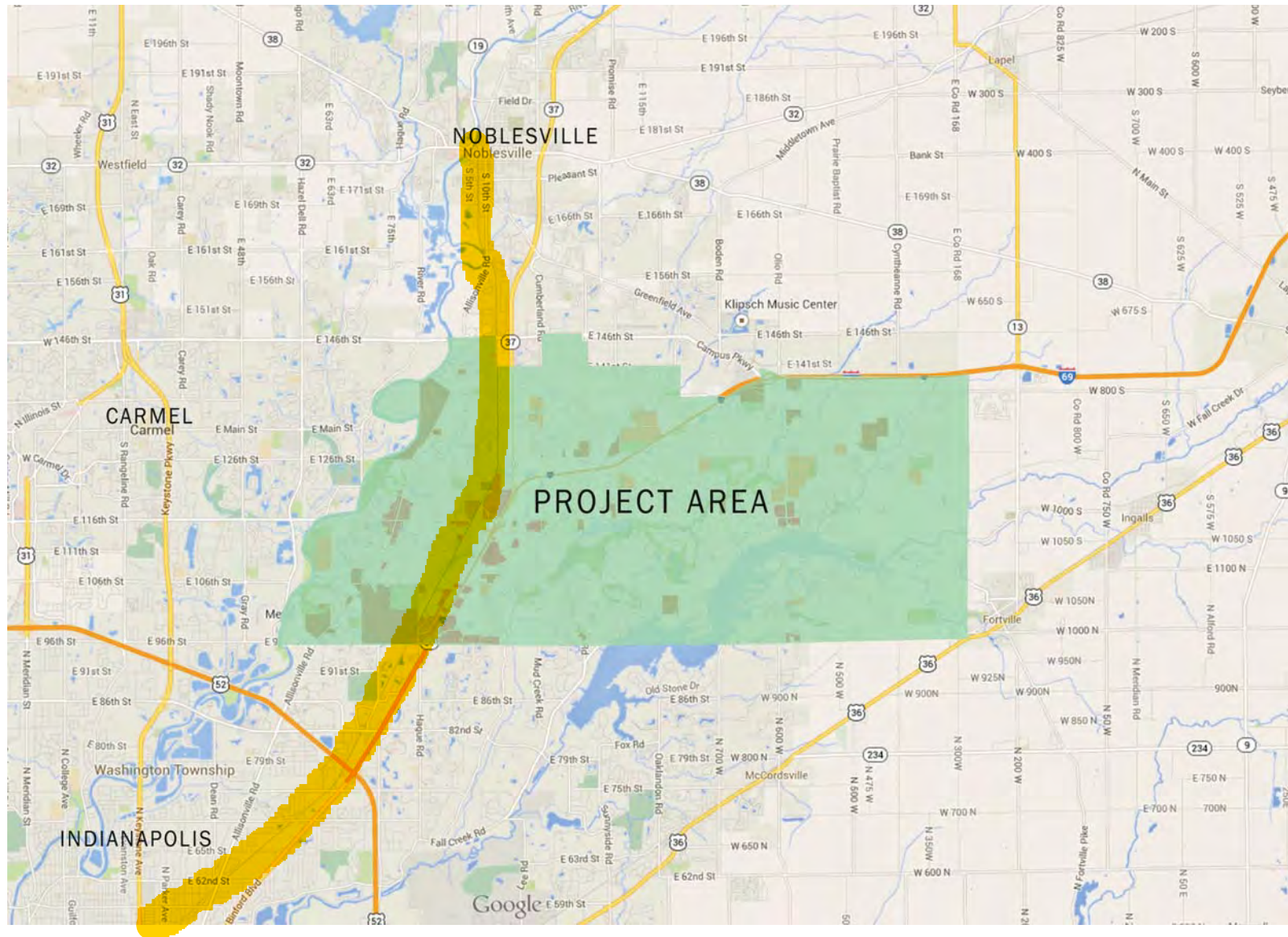


Figure 1: Study Area

PUBLIC INPUT

The Project Process Diagram shown in Figure 7 illustrates the process utilized to gather public input. Other tools utilized to gather input included a WikiMap Survey and a project website. The project website was updated following each phase of the process to inform the public on the progress of the master plan while also gathering additional input. Two Community Forums were conducted to gather public input. The first Community Forum was conducted in March, 2014. This forum presented existing facilities and asked the public for feedback on where they currently ride and walk, destinations that they would like to connect with, areas of conflict, and comfort level of certain routes.

The second Community Forum was held in May of 2014. Information was presented concerning suggested routes for proposed facilities. This included identification of facility types for each of the routes. Participants were asked to rate the suggested routes and comment on plan elements. Both of the Community Forums were well attended and included a diverse cross section of participants from the pedestrian and cycling community.

A full summary of the input received at the Community Forums is included in the appendix. Comments received at these meetings was documented on maps and included:

- Current routes and destinations
- Desired routes and destinations
- Areas of conflict
- Areas in need of replacement or upgrade
- Feedback on proposed routes
- Feedback on proposed facility type
- Feedback on intersection and infrastructure improvements

In addition to the Community Forums, a Project Advisory Committee (PAC) was formed to guide development of the plan and broker community support and awareness for the plan. The Project Advisory Committee was comprised of community leaders with an interest in active transportation alternatives, economic development, and healthy living including representatives from local hospitals, the YMCA, local cycling and running stores, the Chamber of Commerce, Hamilton County Tourism Inc. and City staff including the departments of Community Development, Engineering, Parks, Public Works and Police. Meetings were conducted to gather

a broad cross section of public comment and to better understand the current system and maintenance policies. Recommendations were reviewed with the PAC to help determine community priorities.

WIKIMAP SURVEY

WikiMap is an online interactive public involvement platform that allows participants to identify and comment on specific challenge areas and opportunities to improve walking and biking. A WikiMap was prepared for the Fishers Bicycle and Pedestrian Master Plan and publicized on the Town's website.

The map was open for participation from Thursday March 27th through Monday April 21st, 2014. During this time, 113 people logged into the WikiMap site and created accounts. The majority of participants (106 of 113) completed the Intro Survey, with nearly half providing input on the map itself. Map input consisted of identifying specific locations (points) that are barriers, destinations, or opportunities, as well as routes (lines) that are desirable for walking and/or biking.



Figure 7: Public Input Process

Chapter 5 | Proposed System

INTRODUCTION

The Proposed Route Map is an ambitious network of facilities for the City of Fishers. It consists of adding over 46 miles of multi-use paths, 31 miles of bike lanes, 16 miles of greenways, 5 miles of trail adjacent to rail, and detailed improvements for intersections. These additional facilities combined with the existing facilities will provide a comprehensive system of active transportation alternatives. Proposed improvements include updating existing facilities to improve their safety and comfort levels. All of the proposed routes directly relate to the Hub and Spoke Concept providing connections between the hubs and key destination points.

The Proposed Route Map was developed in conjunction with the Project Advisory Committee, input from public meetings, survey and input from WikiMap, input received through the project website and input received directly by Fishers staff. The map represents the results of a detailed inventory and analysis process combined with public input.

This is a dynamic plan and will require some revisions as the years pass. There will be opportunities to add facilities not currently included in this master plan and changes in land use patterns may change priorities. Changes to the system will also occur as outreach efforts begin for each of the segments

within the system such as changing a specific side of the road to avoid a drainage problem or creek. Changes shall then be analyzed to determine if they add to the efficiencies of the overall system and are not revisions that reach only a few with no specific destination or use.

PEDESTRIAN NETWORK

The major elements of the pedestrian network are sidewalks, multi-use paths and street crossings. The sidewalk is where people do most of their traveling by foot and is the space where they should be able to walk feeling safe and secure from automobiles. The goal for the pedestrian network is to provide an attractive walking environment while allowing for streetscape amenities (benches, light poles and trash cans) and utilities. Street crossings shall improve pedestrian safety and comfort through better design of intersections and pedestrian signals. Providing adequate crossing opportunities and minimizing delay at traffic signals for bicyclists and pedestrians will improve safety for all users of the roadway while providing alternative modes of travel for residents. Another key focus of the pedestrian network is filling in the gaps where sidewalks are missing to provide a complete route between people's homes and their desired destinations.

BICYCLE NETWORK

The proposed bicycle network will better accommodate bicyclists traveling in Fishers. The majority of cyclists in Fishers are currently younger or families who prefer to ride on multi-use paths. For this reason, the largest facility provided for bicyclists in the new system is the multi-use path. However, facilities have also been provided for the more avid cyclist who is comfortable on the roadway. As there is more of a focus on active transportation options there will be more demand for these types of facilities. For this reason, the system includes a grid of bike lanes and signed routes throughout the community.

Providing regional connections is another focus of the bicycle network. Connections with neighboring attractions such as the Monon Rail-Trail provide benefits to not only the residents of Fishers but also to the residents of neighboring communities by providing a larger network of facilities with direct access to the amenities within Fishers drawing these people into Fishers.

Proposed Route Map

LEGEND

WATERWAY	
PARK/OPEN SPACE	
SCHOOLS	
INSTITUTIONAL	
RETAIL/COMMERCIAL CENTERS	
EXISTING SIDEPATH	
EXISTING SHARED USE PATH	
EXISTING BIKE LANE	
EX. CONNECTOR SIDEWALK	
EXISTING TRAILHEAD	
PROPOSED SHARED USE PATH	
PROPOSED SIDEPATH	
PROPOSED BIKE LANE	
PROP. SHARED LANE MARKINGS	
PROP. TRAIL NEXT TO RAIL	
PROPOSED GREENWAY	
PROPOSED SIDEWALK	
FACILITY IMPROVEMENT	

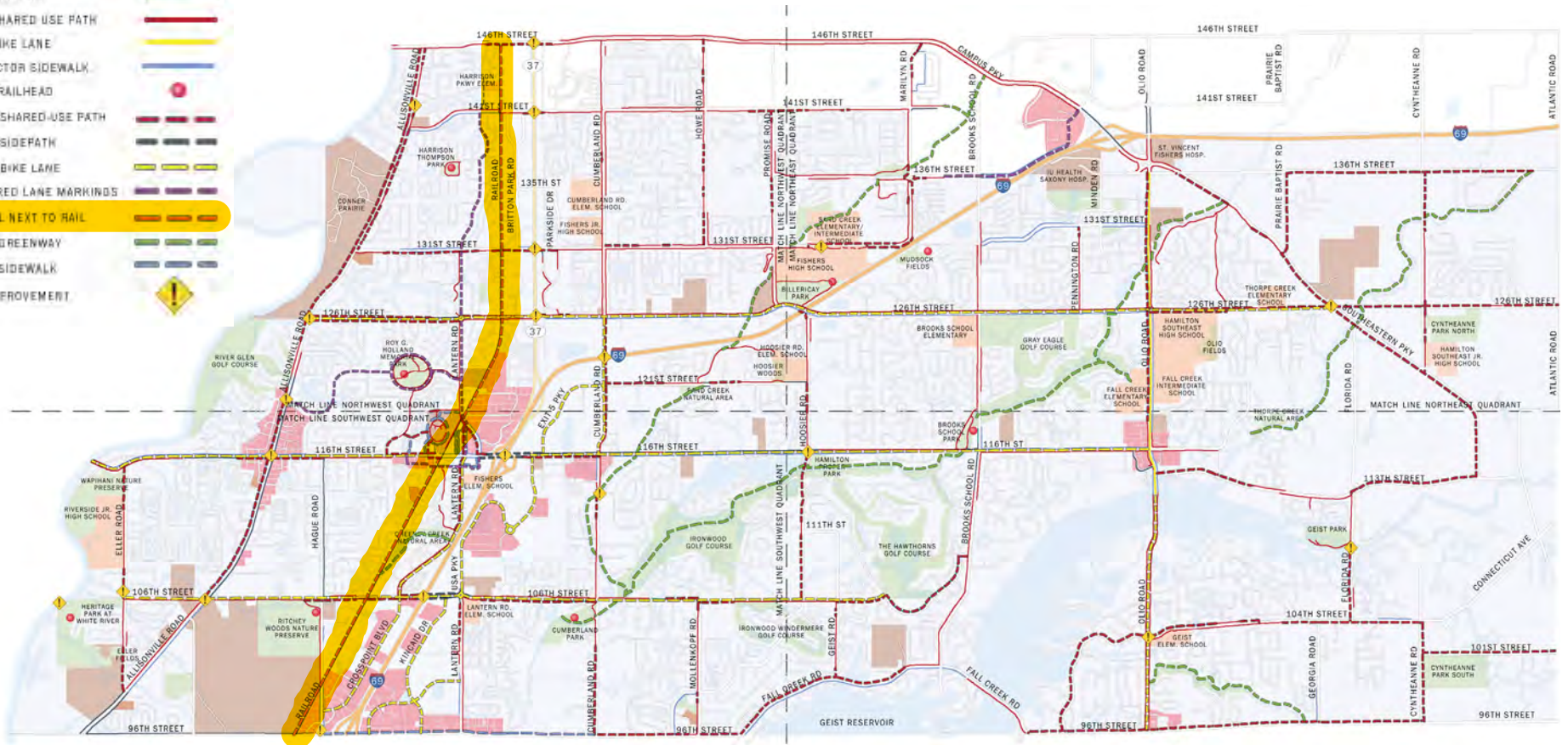
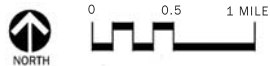


Figure 18: Proposed Route Map



Northwest Quadrant Proposed Route Map

LEGEND

WATERWAY	
PARK/OPEN SPACE	
SCHOOLS	
INSTITUTIONAL	
RETAIL/COMMERCIAL CENTERS	
EXISTING SIDEPATH	
EXISTING SHARED USE PATH	
EXISTING BIKE LANE	
EX. CONNECTOR SIDEWALK	
EXISTING TRAILHEAD	
PROPOSED SHARED USE PATH	
PROPOSED SIDEPATH	
PROPOSED BIKE LANE	
PROP. SHARED LANE MARKINGS	
PROP. TRAIL NEXT TO RAIL	
PROPOSED GREENWAY	
PROPOSED SIDEWALK	
FACILITY IMPROVEMENT	

MAP KEY

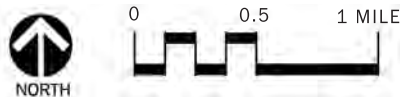


Figure 19: Northwest Quadrant Proposed Route Map

Chapter 5 | Proposed System

DOWNTOWN DETAIL

The downtown area serves as the primary hub of the proposed system. Many events are currently held within the downtown at the library and the amphitheater. This area was identified as a high priority destination for all levels of bicycle users and pedestrians. Many residents of Fishers would like to be able to travel to this area without using their automobiles. In addition, the available parking and other facilities make this the ideal location for future programs highlighting bicycling and walking in Fishers for those that can not access the downtown by bike or foot because of distance or other restraints. The downtown hub will incorporate a higher density of facilities catering to the bicyclist and pedestrian including bike parking (for commuters and larger events), seating, wayfinding, and repair stations.

The downtown area does present some challenges for people riding their bikes and walking. 116th Street carries a high volume of traffic. This street is also constricted in width by existing buildings in the downtown area. Existing sidewalks accommodate walkers but bicyclists can only travel in the roadway. The comfort level for bicyclists riding on 116th Street is intolerable for most riders.

The strategy for accommodating both pedestrians and bicyclist within and through the downtown area involves separate facilities for

each. Pedestrians will continue to have direct and straight access through the downtown on sidewalks along 116th Street while bicyclists will be given options for traveling through the downtown on routes parallel to 116th Street. Bicyclist can continue to travel along 116th Street but would be required to either join traffic or dismount and walk their bikes along the sidewalks.

Pedestrian Recommendations: The pedestrian infrastructure improvements involve the addition of multi-use pathways and sidewalks. The proposed facilities connect gaps in the current system while providing accommodations for pedestrians throughout the downtown. As development occurs within the downtown area sidewalks and the pathway system shall be further developed as new roadways are established within this area (see recommendations in the Nickel Plate District Code Ordinance #111813A). Sidewalk widths shall be adequate to accommodate pedestrians and amenities such as seating and lighting.

Bicycle Recommendations: The narrow pavement width and available right-of-way for 116th Street restricts the addition of bicycle facilities along or adjacent to the street. The pavement width is too narrow to accommodate bike lanes and the distance between the curb and building face is too narrow to provide an off-road facility. The recommendations for bicyclist includes the

safest solution for the majority keeping in mind that most riders are not comfortable riding in traffic along this portion of 116th Street. Although these connections are not direct routes along 116th Street, they do provide direct routes from the different areas of Fishers to key destinations including the library, the amphitheater, and the edge of the shopping district downtown.

Proposed multi-use paths along Commercial Drive and Lantern Road connect with existing paths along Municipal Drive. Bicyclist can utilize the existing pathways around the Municipal Complex and continue back to 116th Street along another proposed pathway adjacent to the drive leading to the Post Office. The right-of-way for 116th Street widens at this location allowing for the addition of a multi-use path to continue the route along 116th Street. In addition, bicyclists can utilize proposed facilities running parallel with 116th Street to the south including a trail along the railroad and a shared lane route along South Street.

Chapter 6 | Implementation

Mid-Term Capital Projects Recommendations (6-10 years)			
Project	Description	Notes	Miles
Southeastern Pkwy. (136th Street to Prairie Baptist Road)	Multi-use Trail	Gap in system	0.40
Southeastern Pkwy. (Prairie Baptist Road to 126th Street)	Multi-use Trail	Gap in system	0.53
Eller Road (106th Street to 116th Street)	Multi-use Trail	Intersection Improvement at S.R. 37	0.47
Eller Road (106th Street to Allisonville Road)	Multi-use Trail		0.32
Howe Road (146th Street to 141st Street)	Multi-use Trail	Gap in system	0.18
Howe Road (141st Street to 131st Street)	Multi-use Trail	Gap in system	0.46
Marilyn Road (Campus Pkwy. To 141st Street)	Multi-use Trail	Gap in system	0.21
141st Street (Howe Road to Marilyn Road)	Multi-use Trail	Gap in system	0.50
Promise Road (141st Street to 131st Street)	Multi-use Trail	Gap in system	0.33
121st Street (Cumberland Road to Hoosier Road)	Multi-use Trail	Gap in system	0.68
Mollenkopf Road (96th Street to Windemere Road)	Multi-use Trail	Gap in system	0.15
Allisonville Road (106th Street to Sunblest Blvd.)	Multi-use Trail	Renovation of existing sidewalk to trail	1.64
Lantern Road (116th Street to Cheeney Creek)	Multi-use Trail	Part of Nickel Creek Trail	0.49
Lantern Road (106th Street to N. by NE Blvd.	Multi-use Trail		0.31
131st Street (Parkside Drive to Allisonville Road)	Multi-use Trail	Gap in system	1.20
116th Street (Hague Road to Fishers Station Road)	Multi-use Trail	Ex. Sidewalk to Trail/Intersection Impr. 37	0.62
Olio Road (126th Street to Campus Parkway)	Multi-use Trail	Renovation of existing sidewalk to trail	1.00
Hawthorne Ridge (106th Street to Brooks School Road)	Multi-use Trail	Renovation of existing sidewalk to trail	0.86
Southeastern Parkway (126th Street to 113th Street)	Multi-use Trail		1.76
106th Street (Geist Road to Hawthorne Ridge)	Multi-use Trail		0.38
116th Street (Fishers Point Blvd. to White River)	Bike Lane		1.15
116th Street (Cumberland Road to Olio Road)	Bike Lane		3.97
106th Street (Cumberland Road to Windemere Blvd.)	Bike Lane		2.07
126th Street (Olio Road to Southeastern Parkway)	Bike Lane		1.27
126th Street (Allisonville Road to Lantern Road)	Bike Lane		1.08
Crosspointe Blvd. (Hague Road to 106th Street)	Bike Lane		1.04
Lantern Road (106th Street to 116th Street)	Bike Lane		1.20
N. by NE Blvd. (Lantern Road to 96th Street)	Bike Lane		0.87
Trail next to Rail (96th Street to 116th Street)	Trail Adjacent to Railroad		2.27
Sand Creek Greenway (I-69 to Campus Parkway)	Greenway		2.33
Fall Creek Greenway (Fall Creek Elem. To Campus Pkwy.)	Greenway		1.70
Thorpe Creek Greenway (Southeastern Pkwy. To 136th St.)	Greenway		2.15
116th Street (Exit 5 Pkwy. To Commercial Blvd.)	Sidewalk	Both sides of Intersection	0.71
106th Street (Lantern Road to I-69)	Sidewalk	Both sides of Intersection	0.65

Mid-Term Project Implementation Chart

Long Term Capital Projects Recommendations (11-20 years)			
Project	Description	Notes	Miles
126th Street (Atlantic Road to Southeastern Pkwy.)	Multi-use Trail		1.63
96th Street (Cumberland Road to Fall Creek Road)	Multi-use Trail		1.06
Fall Creek Road (96th Street to Brooks School Road)	Multi-use Trail		1.37
Cumberland Road (96th Street to 106th Street)	Multi-use Trail		0.65
96th Street (Fall Creek Road to Cyntheanne Road)	Multi-use Trail		2.86
104th Street (Georgia Road to Cyntheanne Road)	Multi-use Trail		1.01
Cyntheanne Road (104th Street to 96th Street)	Multi-use Trail		0.71
136th Street (Prairie Baptist Road to Southeastern Pkwy.)	Multi-use Trail		0.78
Prairie Baptist Road (Southeastern Pkwy. To 136th Street)	Multi-use Trail		0.58
Florida Road (Geist Park to 104th Street)	Multi-use Trail	Bridge improvement	0.54
101st Street (Cyntheanne Road to the county line)	Multi-use Trail		1.07
Springstone Road (Olio Road to 96th Street)	Multi-use Trail		1.20
113th Street (Florida Road to Southeastern Pkwy.)	Multi-use Trail		0.92
Heritage Park Bike/Ped. Bridge to Carmel	Bridge		NA
Cumberland Road (116th Street to 126th Street)	Bike Lane		1.00
126th Street (Olio Road to Southeastern Pkwy.)	Bike Lane		1.30
Olio Road (113th Street to 96th Street)	Bike Lane		1.70
Trail next to Rail (Lantern Road to 146th Street)	Trail next to Railroad		2.74
Sand Creek Trail (116th Street to Cumberland Road)	Greenway		1.30

Long Term Project Implementation Chart

Attachment G

From: "Steve Cooke" <scooke@noblesville.in.us>
 Date: Sunday, December 11, 2016 8:28 PM
 To: <jhaggarty@meyer-najem.com>
 Subject: Update on Rail/Trail Team (CONFIDENTIAL)

Jonathan:

Hope you're doing well. Our team had a good meeting on Friday. There have been 2 major developments that I need to update you on. **They are highly confidential so please don't share outside our team.** You'll see some notes on these in a Google Doc that summarizes our meeting, but I'm putting more details below for you. In a nutshell:

- **Hamilton County Tourism and Excursion Train:** New plans for excursion train are coming soon from Hamilton County Tourism – with cost to fix train and potential new private operator of rail to make it a destination and tell the history of Indiana rail. HCT is putting out an RFP on this. But **Fishers and Noblesville are likely to not support this idea. I'm meeting with Brenda Myers from HCT this week to learn more.**
- **Nickel Plate Trail:** Mayor Ditslear and I met with Mayor Fadness this week, and were surprised to learn that **Fishers is already moving ahead with plans to build this trail.** They've already done some preliminary design, budget and legal work to resolve some of the issues we would have researched (regarding property reversion rights once the rail is gone). Next, Noblesville will be doing budget work as well to see what our portion of the trail might cost. We're thinking a joint announcement may come as early as January to announce Fishers and Noblesville plans to create this trail.

What if these both get announced during next month? Our HCLA group has decided that this development means our project should take a different approach. **There won't be any need for a community meeting / panel discussion in the spring. And we're not sure about a report. We all pretty much support the trail idea anyway – so we are throwing our focus fully on Nickel Plate Trail.** You'll see in the planning document that each of us is doing some research and prepping for possibly helping with the January announcement. I'm going to offer that to Fishers and basically ask – what can we do to help? I'm sure there will be plenty for you to help with come January.

And then where our project goes from there will depend on the January announcement. **We discussed possibly changing focus to building grassroots support for trail in the northern cities/towns of Cicero, Arcadia and Atlanta assuming Fishers and Noblesville will be announcing their plans for the trail.**

If you have any questions – let me know! And I'll bring more about both the above projects to our next meeting.

Speaking of which – are you able to meet in Noblesville on Friday, January 6 from 3:30 to 6:30? That's our tentative date/time, but wanted to ask you first.

Thanks,

Steve Cooke

7/22/2017

[REDACTED]

From: Greg O'Connor <gpoconnor@att.net>
Sent: Thursday, August 4, 2016 10:33 AM
To: Steve Cooke
Subject: Re: ITM

Thanks Steve! Don't get too wrapped up ... [REDACTED] is a concerned citizen, but never seems to lead the charge ... Likes to send lots of E-mails!!! I think there is a financial solution, but the entire management structure there would need to be "blown up" and rebuilt. If Brenda is that big a proponent, maybe the County should take it over and run it.... Just a thought She has the money to make the repairs as does the County overall

Greg O'Connor, SVP
[REDACTED]

On Aug 4, 2016, at 8:50 AM, Steve Cooke <scooke@noblesville.in.us> wrote:

Hey, Greg:

Thanks for email chain below with [REDACTED] about the Fair Train. I will chat with Mike Hendricks to see about finding out how much the repairs would cost. However, it's worse than just brush on the tracks that some organization like Serve could handle – rusted and cracked rail fasteners, etc.

I will also see if I can find out the economic impact for not only the Fair route, but the restaurant excursions up north – I'm wondering if Hamilton County Tourism has those figures.

In the meantime, here's the Star's article that includes comments from the Mayor, Dillinger and Fadness:

<http://www.indystar.com/story/news/2016/08/03/safety-concerns-halt-fair-train/87997068/>

Thanks,

Steve Cooke

From: Greg OConnor
Sent: Thursday, August 04, 2016 7:21 AM
To: Steve Cooke <scooke@noblesville.in.us>
Subject: Fwd: ITM

Hey Steve!

Thought I'd send this on for your review. I have no reason to want to fund the first \$ for ITM since they've been mismanaged for some time. However, do we have any idea what the extent of

Begin forwarded message:

----- Original message -----

From: Michael Obergfell

[REDACTED]

Date: 2/27/17 4:59 PM (GMT-05:00)

To: John Beery <JBeery@noblesville.in.us<<mailto:JBeery@noblesville.in.us>>>, "Eric B. Pethtel" <pethtele@fishers.in.us<<mailto:pethtele@fishers.in.us>>>, David George [REDACTED], Glen Schwartz [REDACTED], Bradley James Davis <brad.davis@hamiltoncounty.in.gov<<mailto:brad.davis@hamiltoncounty.in.gov>>>

>

Cc: Rhonda Klopfenstein

[REDACTED]

Subject: Fishers/Noblesville Press Conference

Dear Board,

I was just informed that our owners will be holding a press conference tomorrow at 10:30am at the fishers train depot to discuss their plans for the line, at least thru fishers and Noblesville. Please attend if you want to hear it first hand.

Sincerely,

Mike

Sent from my Verizon, Samsung Galaxy smartphone

From: Steve Cooke <scooke@noblesville.in.us>
Sent: Monday, February 27, 2017 8:28 PM
To: John Ditslear; John Beery; Robert Herrington; Michelle Glodowski
Subject: Fwd: Fishers/Noblesville Press Conference

County Council knows and Indy Star has their story without us but we're fine according to Christine and Leah.

Steve Cooke
City of Noblesville

Sent from my iPhone

Begin forwarded message:

From: Christine Altman <Christine.Altman@hamiltoncounty.in.gov>
Date: February 27, 2017 at 8:19:19 PM EST
To: Steve Cooke <scooke@noblesville.in.us>
Subject: Re: Fishers/Noblesville Press Conference

Council was notified tonight. I think we are fine.

Christine Altman, Mobile Account

On Feb 27, 2017, at 8:08 PM, Steve Cooke <scooke@noblesville.in.us> wrote:

Commissioner -

FYI - I'm not sure when you are notifying the County Council but the HHPA president I invited to the trail announcement (Mike) just notified their entire board.

As you know HHPA isn't really a problem but depending on who they tell it may get out to your Council.

Sorry - I made it clear to the few contacts I told today that we are keeping it confidential.

Steve Cooke

City of Noblesville

Sent from my iPhone

Attachment H

[ABOUT THE NPT](#)[NEWS](#)[FISHERS](#)[NOBLESVILLE](#)[CONTACT](#)

The proposed line was announced in coordination with Fishers Mayor Scott Fadness, Noblesville Mayor John Ditslear, and the Hamilton County Commissioners. After public listening sessions have concluded, the three entities will pursue support from a federal program known as rail banking. Rail banking allows the owners of the rail corridor to convert the railroad to a pedestrian trail, while preserving the right to re-establish a rail service along the line should that ever be needed or desired.

For more information, visit the [FAQ section](#) or contact the [City of Fishers](#) or [City of Noblesville](#) Nickel Plate Trail teams.

[CONTACT THE CITY OF FISHERS](#)

npt@fishers.in.us

[CONTACT THE CITY OF NOBLESVILLE](#)

npt@noblesville.in.us

Attachment I

----- Forwarded message -----

From: <StevenCDillinger@aol.com>

To: <fadnesss@fishers.in.us>, <jditslear@noblesville.in.us>

Cc: "Mark Heirbrandt", "Christine Altman"

Bcc:

Date: Wed, 22 Mar 2017 10:53:38 -0400

Subject: Fwd: Fw: [REDACTED]

From: StevenCDillinger@aol.com

To: fadnesss@fishers.in.us, jditslear@noblesville.in.us, Christinealtman@me.com, mark.heirbrandt@hamiltoncounty.in.gov

Sent: 3/22/2017 10:50:40 A.M. Eastern Daylight Time

Subj: Fwd: Fw: [REDACTED]

I just received this e-mail and thought you all needed to see it from [REDACTED]

Frankly, I would have to agree with him. Hopefully we will not make the same mistake on Thursday.

Steve Dillinger

From: [REDACTED]

To: [REDACTED]

Sent: 3/22/2017 9:40:42 A.M. Eastern Daylight Time

Subj: Fw: [REDACTED]

On Wednesday, March 22, 2017 9:06 AM, [REDACTED] <[REDACTED]> wrote:

I was embarrassed for Fishers tonight at the Nickel Plate Rail meeting. I'm not great with numbers, but I would estimate 400 citizens showed up to learn, understand and discuss this proposed 9.3 million dollar project. What city management and the Fishers elected officials did was disgraceful. First and foremost the [REDACTED] mayor didn't show up. No reason given. I guess it just wasn't worth listening to the people that he works for. As it turned out, there was no presentation or group discussion anyway. The city manager took 5 minutes to introduce and congratulate those officials that found it at least important enough to show up, and make sure their sheep know how hard they work and what great results they achieve. Then they set up 4 tables the police chief, parks department, city attorney and some other department and invited the 400 people to get in line and ask your questions, voice your concerns or support one on one. The deputy mayor promised they would "take scrupulous notes." I saw not one person taking notes for the 30 mins I watched this dog and pony show. Half the people left as soon as the format was announced. Others waited in line 20 deep or sat in chairs that the citizens had to unstack and arrange in rows and filled out a questionnaire no one will ever read let alone respond too.

This is not transparency. This is a group of elected officials dividing and squashing their constituents.

I would hope that with the Seminary Park fiasco still fresh in everyone's mind and the secrecy surrounding this project and recent others, that our mayor and elected officials understand that their constituents are concerned with the complete lack of transparency and deserve the right to be heard and united in their views, not divided and squashed. I would hope that Mayor Ditslear won't bury his head in the sand and refuse to answer the publics question and most of all show up. In that same manner, I would hope the officials who are their to represent the city will make

their presentation to the whole group and not just to the ones patient enough to wait 20 or more deep in a line no one is "truly" listening too.

It was painfully obvious Fishers officials have made up their mind. If Noblesville follows the same format, they have also.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Attachment J

From: "Steve Cooke" <scooke@noblesville.in.us>
Date: Monday, September 05, 2016 10:39 AM
To: "Steve Cooke" <scooke@noblesville.in.us>
Attach: IMG_5969.JPG; IMG_5970.JPG; IMG_5971.JPG
Subject: SWQ Trail along 7th Street

Driving around Southwest Quad, and specifically along 7th Street - I was thinking more about replacing the railroad tracks with a trail. Between 8th Street and 7th Street includes the sidewalk, rail tracks and the large City easement - and together would be a fantastic place for a trail and possibly some structures. Would hope this could encourage private development of neighborhoods on both sides - along 8th Street and in SWQ.

Plan:

- Work with community leaders to bring an end to the rail line. Too costly to fix the tracks and not used enough. Better to use for trail and connect northern Hamilton County with southern Hamilton County.
- Plan out trail and costs.
- Budget
- Target for completion in 2023 to celebrate county's (and city's) bicentennial.

7/22/2017

From: Steve Cooke [mailto:scooke@noblesville.in.us]

Sent: Saturday, March 4, 2017 7:54 AM

To: Jonathan Haggarty <jhaggarty@meyer-najem.com<mailto:jhaggarty@meyer-najem.com>>

Subject: Need Trail Supporters on 3/23

Hi, Jonathan:

Can you invite other pro trail people to the 3/23 listening session in Noblesville? We're going to need as many pro trail people filling the seats because the train people will probably be there in force.

Our Council members could later vote "no" on the Nickel Plate Trail later on if a vocal minority is loud enough. I've seen it happen already on other projects.

As you know the Noblesville session on 3/23 is 6:00 to 8:00 at City Hall - 16 S. 10th Street.

I'm asking trail fans to arrive and take a seat up front by 5:30 before the 6:00 presentation begins to ensure they get a spot. This could be standing room only.

I'm making this request privately to you rather than to our entire HCLA team to prevent word getting out of what I'm trying to do.

I appreciate any help.

Thanks,

Steve Cooke
City of Noblesville

Sent from my iPhone

From: Steve Cooke <scooke@noblesville.in.us>
Sent: Tuesday, February 21, 2017 2:03 PM
To: Mike Howard
Subject: FW: Legal docs on Nickel Plate
Attachments: Executive Summary.pdf

Mike – Attached is Fishers’ executive summary on the Nickel Plate railroad work he’s done. Obviously this is all confidential for now.

Mayor and I met with Mayor Fadness awhile back, and they’re ready to lead the charge on this. We’re planning to do a joint announcement on this on Tuesday, February 28 at 10:30 a.m. in Fishers. Again – the funding is not there yet.

Chris is available to chat at some point after we get through NITC. I’d like to be part of any call if possible.

Thanks,

Steve

From: Greisl, Chris [mailto:greislc@fishers.in.us]
Sent: Friday, February 17, 2017 1:03 PM
To: Steve Cooke <scooke@noblesville.in.us>
Cc: McGrath, Leah <mcgrathl@fishers.in.us>
Subject: RE: Legal docs on Nickel Plate

Steve,

I apologize for the delayed response. Things have been quite hectic around here! I am attaching an executive summary that we are preparing to share with our council for your consideration. It provides a good overview without getting into the legal weeds.

My research included portions of the line within Noblesville as well, so no need to independently research the deeds in your area. I will be happy to share the memo with Mike Howard for his review and consideration.

Please let me know if there is anything I can further assist with. Enjoy your weekend!

Sincerely,

Chris Greisl

City Attorney, Administration

P 317.595.3414



www.fishers.in.us



From: Steve Cooke <scooke@noblesville.in.us>
Sent: Sunday, February 26, 2017 1:01 PM
To: Elrod; Ashley; McGrath; Leah
Cc: Robert Herrington
Subject: RE: DRAFT: NPT Media Materials
Attachments: FAQ - 2017 - Nickel Plate Trail_cooke edits.doc; PR - 2017 - Nickel Plate Trail_cooke edits.doc

Team Fishers – Again, great work!

The Run of Show looks good. Where should we tell people to park? We have several likely coming from our Council, and probably other stakeholders who will likely attend as well.

Attached are my revisions to the release and FAQ that I see so far. Robert will follow up with the quote from Mayor Ditslear and possibly other changes to make it clear about the connectivity to other trails and our downtown.

Basically – We needed to revise where we say the Nickel Plate ends in Noblesville. The estimate before was up to SR32. But since we're turning the Nickel Plate onto the Midland Trace Trail at Pleasant Street – that's what we need to say where the NP ends. You'll see what I mean when you review my edits. However, we're not revising the budget estimate yet to account for this change. But geographically speaking, it's less confusing to say it stops at Pleasant (for now hopefully!).

We'll certainly be excited to pull up the tracks from 8th Street and over SR32/38 – but no need to confuse the public with this specificity.

In the FAQ, I also added paragraphs about Rail Tourism and Mass Transit. Feel free to revise accordingly or take out that question altogether. We could certainly put in talking points that could sway people away from both – but I think it's best to remain somewhat neutral to give some cover to our partners.

Let me know if you have any questions.

Thanks,

Steve

From: Elrod, Ashley [mailto:elroda@fishers.in.us]
Sent: Saturday, February 25, 2017 1:09 PM
To: McGrath, Leah <m McGrathl@fishers.in.us>; Steve Cooke <scooke@noblesville.in.us>; Robert Herrington <rherrington@noblesville.in.us>
Subject: DRAFT: NPT Media Materials

Good afternoon –

Attached are the materials we'll plan to distribute for the announcement Tuesday. Please take a few minutes to review and let me know your changes. Our engineering and legal depts. are reviewing all materials also, so there may be some minor adjustments.

FYI – I did not address the alternative options to the trail in the release. I thought that could be something we take care of during media interviews if they ask. If you feel like we should include, I'm happy to discuss.

1. Press Release

- a. We'll need approvals for Mayor Ditslear and Commissioner Altman quotes
- b. Please confirm all facts/statements throughout
- c. I need Noblesville's boilerplate to add at the bottom.

2. Run of Show

- a. Details the order of the press conference

3. FAQ Sheet

- a. We've added several FAQs here since the meeting, so please review for accuracy.
- b. There are few details I do not have the information for. Those are highlighted in yellow.

4. Renderings

- a. Noblesville and Fishers renderings are included here.
- b. *Noblesville – have you sent your renderings to be printed as presentation boards? We also plan to have our trails master plan map printed if you would like to do the same.

5. Website

- a. URL secured (nickelplatetrail.com)
- b. Content is under development and will feature basic information for these areas:
 - i. About the Nickel Plate Trail – general overview + “why a trail” supporting documentation from SC
 - ii. City of Fishers – detailed info and updates
 - iii. City of Noblesville – detailed info and updates
 - iv. FAQs – general FAQs
 - v. Contact Us – links to city emails

Robert - can you share the media advisory once you've completed? We'll plan to send this first thing Monday morning.

As for the event:

- Weather: It's looking a little better for Tuesday with it now just showing a 50% chance of rain. Plan B: we'll relocate all components of the announcement to the 4th floor of The Switch
- We will have power (probably via quiet generators), a mult box, and speaker/mic system. Our IT services will be on-site in the event there are any issues.
- DPW is hanging the usual signage found at the platform. We'll also have event-specific signage of renderings
- Photography and social media support: let's confirm who is taking photography via cell or high-resolution camera. We'll plan to periscope the event, so any additional social media support we can get during the event will be helpful.

Thanks everyone for your help pulling together the information – it made my job easy!

Enjoy your weekend.

Ashley

Ashley Elrod

Director, Public Relations

P 317.595.3132 C 317.650.9827



www.fishers.in.us



From: Steve Cooke <scooke@noblesville.in.us>
Sent: Wednesday, February 22, 2017 7:54 PM
To: John Ditslear
Subject: Email for Directors -- Nickel Plate Trail
Attachments: Nickel Plate_Council Presentation_02 22 2017.pdf

Mayor – I think we should let our Directors know about the Nickel Plate project before the 2/28 announcement. We then will need their help with a community meeting in late March.

Would you like me to send this message below or would you like this to come from you?

Thanks,

Steve

Directors:

Attached is a presentation we gave to Council tonight during an exec session for an exciting project we are proposing. On February 28, Noblesville and Fishers will jointly announce converting the Nickel Plate Railroad line to a multipurpose trail.

We understand that given the heritage of Noblesville's Nickel Plate Rail, there may be some push back from a vocal minority. However, trails are also a big part of what makes Noblesville so special. And this trail – if funded and approved – could bring several benefits:

- Improve walkability for residents living near the trail
- Create opportunities to connect with Fishers
- Spur development for new residential and commercial opportunities
- Help bring greater connectivity for the Pleasant Street project
- Allow for future opportunities to connect with other cities to north and Indianapolis to the south where the Nickel Plate connects with Monon Trail

We wanted you to be aware of this project before it is announced. Feel free to read through the presentation and let me know if you have any questions. In addition to the 2/28 announcement, Robert is working with Fishers on a joint news release and website with an FAQ to better inform the public, as well as letters that would go out to nearby residents.

Within the City we'd like to work together across several departments to host a community "listening session" on the evening of Thursday, March 23 here at City Hall so residents can learn more about the project and ask questions of department directors from Economic Development, Engineering, Parks/Rec, Planning and Police and Fire.

I'll follow up with more information soon and a meeting invitation to discuss the project to prepare for the 3/23 event if you feel your department should be involved.

Thanks,

SIGNATURE

From: Steve Cooke <scooke@noblesville.in.us>
Sent: Wednesday, March 8, 2017 2:35 PM
To: Christopher Lutz
Subject: RE: Northern Hamilton County Trail - Nickel Plate Railroad and Port Authority Involvement

That makes sense. Lots to think through. We are getting beat up pretty badly, although I'm hoping that our public meeting on 3/23 can start to turn more people to our side. Hoping a grassroots effort for trail will come together.

Both our city's challenge is sort of a game of chicken. If Noblesville knew that Cicero was officially on board the trail idea, then that would make it easier for us to say "sorry" to train people and extend our trail north to connect with Cicero since any train would going north would not happen. But if we just extend our trail north and get rid of trains at Forest Park, then we're evil in the eyes of our train people. They could say – why bother extending north if Cicero isn't doing a trail?

From: Christopher Lutz [mailto:lutzforcicero@gmail.com]
Sent: Wednesday, March 08, 2017 12:25 PM
To: Steve Cooke <scooke@noblesville.in.us>
Subject: Fwd: Northern Hamilton County Trail - Nickel Plate Railroad and Port Authority Involvement

I did not request a vote last night for several reasons but I was asked to delay it so I agreed to next council meeting. I think there were several who want to give those in support of train(Brenda) an opportunity to speak and I could not disagree so it was moved to next week. I believe there is support but I did receive the question about Noblesville and county plans. Essentially what good does the trail do if it stops when you get out of Cicero? Noblesville has no plans to come north from forest park etc.

Good question and I hope to use the Hamilton trail plan as a partial answer to the north but not sure how I will respond to the portion south.

FYI I did not have the released version and if the following email till today so I could not share last night.

I will try and call tonight.

Chris

Begin forwarded message:

[REDACTED]

From: Steve Cooke <scooke@noblesville.in.us>
Sent: Wednesday, March 15, 2017 1:45 PM
To: [REDACTED]
Subject: Connecting with City of Noblesville

Hi, Gloria:

It was good meeting you this morning at the Hamilton County Republican breakfast. I'd like to learn more about the work of Purdue Extension – especially here in Hamilton County.

The senior apartments I was talking about (known as Stony Creek Apartments by Real America) would be located just south of Pleasant Street, on the west side of 16th Street – so that's just south of the Street Department property. They were trying to get federal funding, but they were put on a waiting list, which may delay their construction until later this year. If it happens, given the proximity to your location, maybe I can connect you with them? The City would plan to build a sidewalk going north on 16th up to Pleasant, so they would have a walkable connection to you.

The other area development coming soon in a roundabout the City plans to build on Pleasant Street at 19th (next to the Post Office). This should help a great deal with traffic flow on Pleasant.

You also mentioned you are the wellness coordinator, which brings me back to our conversation this morning about multipurpose trails.

Is the Nickel Plate Trail something you think that you could support, and could help connect us with others who are interested in trails? I could really use some grassroots help.

Right now – the Nickel Plate Trail is just an idea we've proposed doing to connect with Fishers. It's a long way off from happening – and nothing is guaranteed. The trail would run from 96th Street up to Pleasant Street where it will connect with the future Midland Trace Trail that will run through Noblesville east-west.

However, there is a small but very vocal group of pro-train people who want to keep the train tracks – even though they need to raise \$5 million to repair the tracks and much more to start up a new operator. The City has concerns that (a) the train operation would not be sustainable financially – and then we'd miss this opportunity to build the trail; (b) the trails would get used year-round on a daily basis by more people; (c) lead to greater redevelopment in Noblesville that could certainly use it; and (d) increased trains running north-south through Noblesville will create traffic problems for our growing city including at Logan Street, Conner Street, all the intersections up and down 8th Street – and then 146th Street in particular.

We're hosting an Open House Listening Session at Noblesville City Hall on March 23 from 6 p.m. to 8 p.m. I'm assuming someone who specializes in wellness would also favor more trails for greater walkability. And if that's the case, I'd welcome your support!

More information can be found here: <http://www.nickelplatetrail.com>.

Let me know if you have any questions about this project. Or if you'd like to attend the Open House Listening Session on March 23 to learn more. Please bring your wellness friends!

Thanks,



Steve Cooke, Deputy Mayor

Mayor's Office O: 317-776-6324

City of Noblesville F: 317-776-6363

16 S 10th Street

Noblesville, IN 46060

www.cityofnoblesville.org

From: Steve Cooke <scooke@noblesville.in.us>
Sent: Monday, March 20, 2017 11:45 AM
To: Laci Giboney
Subject: Update from City of Noblesville - GOP Breakfast, Nickel Plate Trail and Third Phase

Hi, Laci:

Hope you are going well for you! I wanted to see if you had any updates about Transformations to share. Are things progressing with the temporary home over on SR38? How about any progress on Third Phase?

Below are some updates I wanted to share with you:

Hamilton County GOP Breakfast

House Speaker Brian Bosma attended at this event last week and updated community leaders on what's happening at the Statehouse this session, and to answer questions. I'd say that 85% of the discussion was focused on fighting heroin abuse in Hamilton County and helping people overcome addiction. So this topic is very much on people's minds.

Nickel Plate Trail

You may have seen the announcement back in February about the Nickel Plate Trail that Noblesville and Fishers have proposed to connect our communities with a multipurpose trail from 96th Street to Pleasant Street where it would meet up with the future Midland Trace Trail and then Riverwalk.

Since you are looking at Third Phase as a potential home someday, I thought you might be interested in this given the train tracks run right behind this property. I actually walked this section of the train tracks a few weekends ago to see what it was like. I imagine having trail access for Third Phase would provide a great recreational opportunity for your residents in treatment. And we plan to add a new NPD bike patrol to help maintain safe trail use.

Obviously, this proposal has not been without its detractors. The City of Noblesville only began to consider the trail after the Hoosier Heritage Port Authority (HHPA) shut down ITM's rail operations in 2016 due to safety and management concerns. We evaluated our options and determined a trail would benefit our growing community of 60,000 in several key areas:

- Improve safe walkability and connectivity with neighborhoods and business districts
- Provide daily, year-round recreational amenity that supports good health
- Spur development and re-development for residential and commercial opportunities
- Increase surrounding property values
- Create new opportunities for art, history and culture that celebrate what is unique about Noblesville
- Contribute to the City's comprehensive plan and alternative transportation plan

In addition, one major concern of ours for the rail option is that increasing the number of trains running north and south through Noblesville would contribute to our traffic congestion – not only for today, but also for the future growth of our historic downtown area. Trail users are much easier to manage at intersections than passing trains. And if the trail extends across 146th Street, we would look at installing a bridge or tunnel. There's simply no way we can have trail users running across this busy corridor, just as we cannot have trains halting east-west traffic as well.

We also determined that the option of safely combining rail and trail together (which requires 125-foot widths) is not feasible given the added costs and disruptions from right-of-way and property acquisition.

But there is a light at the end of this tunnel for rail enthusiasts.

At this time, we've not made any plans for the trail north of the Riverwalk near the Pocket Park. So it's very possible a historic excursion train could still run from Forest Park, and head north through the County. It's up to the communities of Cicero, Arcadia and Atlanta if they wish to go with rail or trail, and for the HHPA to select a new operator if they choose to – as long as the safety of our residents and visitors is priority number one.

The City will host an *Open House Listening Session* at Noblesville City Hall on Thursday, March 23 from 6-8 p.m. where I will give a brief presentation and then attendees can speak with City staff one-on-one to ask questions or offer feedback.

If you'd like to attend and hear more, feel free to join us! I would welcome your attendance and that of others who want to see more opportunities for recreational activities that are possible on a trail like we're proposing.

More information can be found here: <http://www.nickelplatetrail.com>.

Let me know if you have any questions about this.

Take care!

Sincerely,



Steve Cooke, Deputy Mayor

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