

## MINUTES

### SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION QUARTERLY COMMISSION MEETING

Wednesday, September 12, 2018

3:00 p.m.

Concordia University  
Center for Environmental Stewardship  
Exhibit Hall, 2<sup>nd</sup> Floor  
Mequon, WI 53097

**Present:**

Commissioners:

Charles L. Colman , Chairman  
Michael A. Crowley, Vice-Chairman  
Steve Bostrom  
Thomas H. Buestrin  
Mike Dawson  
José M. Delgado  
James T. Dwyer  
Theodore Lipscomb, Sr.  
Aloysius Nelson  
Jennifer K. Rothstein  
Nancy Russell  
Jeffrey D. Schleif  
Daniel S. Schmidt  
David L. Stroik  
Gustav W. Wirth, Jr.

**Excused:**

Brian R. Dranzik  
William R. Drew  
James A. Ladwig  
Robert W. Pitts  
Peggy L. Shumway

Staff:

Michael G. Hahn	Executive Director
Kevin J. Muhs	Deputy Director
Elizabeth A. Larsen	Assistant Director - Administration

### **ROLL CALL**

Chairman Colman called the 264<sup>th</sup> meeting of the Commission to order at 3:00 p.m. Roll call was taken and a quorum was declared present. Chairman Colman indicated for the record that Commissioners Dranzik, Drew, Ladwig, Pitts, and Shumway had asked to be excused.

**WELCOMING REMARKS BY CONCORDIA UNIVERSITY WISCONSIN VICE-PROVOST MICHAEL UDEN AND OZAUKEE COUNTY ADMINISTRATOR JASON DZWINEL**

Vice-Provost Uden welcomed the Commissioners to the Concordia University Center for Environmental Stewardship. He noted the University is growing with the addition of the Plaster Free Enterprise Center which will house a medical clinic and an incubator and collaboration space to nurture business start-ups.

Ozaukee County Administrator Jason Dzwinel also welcomed the Commissioners to Ozaukee County and gave a brief history of the County, stating that Ozaukee was once part of Washington County.

**APPROVAL OF MINUTES OF THE JUNE 20, 2018, QUARTERLY COMMISSION MEETING**

Ms. Rothstein commented on her inquiry noted in the June 20, 2018, minutes concerning the temperature of stormwater runoff as it comes off of parking lots and roofs. Mr. Hahn noted that the temperature of stormwater runoff may addressed under the Wisconsin Department of Natural Resources (WDNR) stormwater discharge permit.

[Secretary's Note: Mr. Hahn contacted the WDNR regarding whether the Wisconsin Pollutant Discharge Elimination System (WPDES) stormwater discharge permit for the Foxconn manufacturing development site in the Village of Mount Pleasant, Racine County included any requirements regarding the temperature of stormwater discharged from the site to streams in the Des Plaines and Pike River watersheds. The WDNR staff noted that:

- The WPDES permit was developed according to the requirements of Chapter NR 151, "Runoff Management," and Chapter NR 216, "Storm Water Discharge Permits," of the *Wisconsin Administrative Code*,
- The only pollutant regulated under Chapters NR 151 and 216 is total suspended solids,
- There is no State stormwater standard for water temperature, and
- None of the streams receiving stormwater runoff from the Foxconn site is classified as a cold water resource, for which water temperature is especially critical.

Mr. Hahn and the WDNR staff member also discussed how the permitting process addressed the possibility of infiltrating some precipitation onsite, which can be effective in mitigating high runoff water temperatures in some instances. The WDNR staff mentioned the Chapter NR 151 infiltration exemption for sites with low infiltration capacities, and said that the Foxconn site was exempt from a requirement to infiltrate runoff because of soils having low infiltration capabilities.]

On a motion by Mr. Schmidt, seconded by Mr. Dwyer, and carried unanimously, the minutes of the June 20, 2018, Quarterly Commission Meeting were approved as published.

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## TREASURER'S REPORT

Chairman Colman presented the Treasurer's Report. He noted that a copy of the Treasurer's Report had been provided to all Commissioners for review prior to the meeting. In commenting on the report, he called attention to the following items:

1. Based upon disbursements through August 5, 2018, it is projected that total disbursements for the year will approximate \$7.5 million. Revenues are projected at about \$7.8 million, exclusive of interest income and miscellaneous revenues.
2. The total amount of funds held by the Commission in the various operating, liability, and reserve accounts approximates \$4.5 million. The various accounts are identified on the second page of the report.
3. As of August 5, 2018, the Commission had in investments and cash on hand approximately \$5.9 million. \$4.5 million are invested in the State of Wisconsin Local Government Pooled Investment Fund. As of August 5, 2018, that fund was yielding 1.95 percent interest. Other funds are held in savings, checking, and money market accounts at several banks.

There being no questions or discussion, on a motion by Mr. Schmidt, seconded by Mr. Schleif, and carried unanimously, the Treasurer's Report for the period ending August 5, 2018, was approved (copy of the Treasurer's Report is attached to the Official Minutes).

## STANDING COMMITTEE REPORTS

### Planning and Research Committee

Chairman Colman asked Mr. Schmidt to present the Planning and Research Committee report. Mr. Schmidt stated that the Planning and Research Committee has met twice since the Commission's Quarterly meeting on June 20, 2018.

On August 7, 2018, the Committee took the following action:

1. Reviewed and acted to recommend to the Commission for adoption the following amendment to the adopted regional water quality management plan:
  - a. Greater Kenosha sanitary sewer area

Today, September 12, 2018, prior to this Commission Quarterly Meeting, the Committee took the following action:

1. Reviewed and acted to recommend to the Commission for adoption the following amendment to the adopted regional water quality management plan:
  - a. Village of Germantown sanitary sewer area

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There being no discussion, on a motion by Mr. Stroik, seconded by Mr. Bostrom, and carried unanimously, the Planning and Research Committee Report was approved (copy of the Planning and Research Committee Report is attached to the Official Minutes).

**Administrative Committee Report**

Chairman Colman asked Mr. Dwyer to present the Administrative Committee report. Mr. Dwyer noted that the report had been provided to all Commissioners prior to the meeting. He also noted that the Administrative Committee had met three times since the Quarterly Commission Meeting on June 20, 2018.

On Thursday, June 28, 2018, the Committee took the following actions:

1. Reviewed and considered a closed session employment matter.

On Thursday, July 19, 2018, the Committee took the following actions:

1. Reviewed and approved disbursements for four financial periods: Year 2018 Nos. 11, 12, 13, and 14 for the period of May 14, 2018, through July 8, 2018.
2. Reviewed the Statement of Projected Revenues and Expenditures for the financial reporting period ending July 18, 2018.

On Thursday, August 16, 2018, the Committee took the following actions:

1. Received a presentation on the 2017 Commission Audit Report.
2. Reviewed and approved disbursements for two financial periods: Year 2018 Nos. 15 and 16 for the period July 9, 2018, through August 5, 2018.
3. Reviewed the Statement Projected Revenues and Expenditures for the financial reporting period ending August 5, 2018.

There being no further discussion, on a motion by Mr. Dwyer, seconded by Mr. Pitts, and carried unanimously, the Administrative Committee Report was approved (copy of the Administrative Committee Report is attached to the Official Minutes).

**Executive Committee Report**

Commission Chairman Colman, as Chairman of the Executive Committee, provided the Executive Committee report. He stated that the Executive Committee had met two times since the Quarterly Commission Meeting on June 20, 2018.

On Thursday, July 19, 2018, the Committee took the following actions:

1. Received and approved a report from the Administrative Committee relative to its meeting that day.
2. Reviewed and approved five proposed contracts for planning work. The details of these contracts are set forth in a table attached to this report.

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3. Received a report outlining key planning efforts being undertaken by the Commission in 2018. The most recent report is attached to this report.
4. Reviewed and approved the contribution of the Transportation Improvement Program (TIP) towards achieving the performance goals of VISION 2050 and the established targets for the national performance measures.
5. Reviewed and approved amendments to the 2017-2020 Regional TIP. These amendments to the 2017-2020 TIP were necessary to advance three existing projects and seven new projects, which were approved by the Commission's Advisory Committees on Transportation System Planning and Improvement Programming for the Milwaukee, Racine, Round Lake Beach, and West Bend Urbanized Areas.
6. Received a communication from the Executive Director formally indicating his intent to retire effective December 31, 2018. In discussing this matter, it was the consensus of the Executive Committee that the Commission should follow the same procedure in selecting a new Executive Director as that followed in 1996 when Dr. Bauer retired, in 2008 when Phil Evenson retired, and in 2016 when Ken Yunker retired. Under this procedure, the Executive Committee would proceed with full authority to determine the procedure to be followed in selecting, and select and appoint, a new Executive Director. It was also agreed that the Commission Chairman would inform all Commissioners, and invite them to attend and participate in the August Executive Committee meeting.
7. Received and approved a proposal to replace the Commission building sidewalk.

On Thursday, August 16, 2018, the Committee took the following actions:

1. Received and approved a report from the Administrative Committee relative to its meeting that day.
2. Reviewed and approved two contracts for planning work. The details of these contracts are set forth in a table attached to this report.
3. Received a report outlining key planning efforts being undertaken by the Commission in 2018. That report is attached to this report.
4. Reviewed and approved amendments to the 2017-2020 TIP. These amendments to the 2017-2020 TIP were necessary to advance two existing projects and one new project which were approved by the Commission's Advisory Committee on Transportation System Planning and Improvement Programming in the Milwaukee Urbanized Area.
5. Appointed Deputy Director Kevin J. Muhs to succeed Michael G. Hahn as Executive Director of the Commission effective January 1, 2019, and authorized the Commission Chairman, Treasurer, and Administrative Committee Chairman to negotiate an employment contract with Mr. Muhs.

There being no further questions or discussion, on a motion by Mr. Dwyer, seconded by Mr. Nelson, and carried unanimously, the Executive Committee Report was approved (copy of the Executive Committee Report is attached to the Official Minutes).

## **CONSIDERATION OF APPROVAL OF THE TRANSPORTATION IMPROVEMENT PROGRAM AMENDMENTS RESOLUTION 2018-16**

Chairman Colman asked the Commission to consider Resolution No. 2018-16, noting the Resolution would amend the Transportation Improvement Program. He then called upon Mr. Muhs to present the projects and the resolution.

Mr. Muhs presented Resolution 2018-16, amending the 2017-2020 Regional Transportation Improvement Program (TIP). He indicated there are two existing projects and 29 new projects to be amended to the TIP. He stated that the addition of these projects to the TIP was approved by the Commission's Advisory Committees on Transportation System Planning and Improvement Programming for the Kenosha, Milwaukee, Racine, and West Bend Urbanized Areas. He further stated that the majority of these projects are preliminary engineering for bridge replacement or reconstruction projects.

Ms. Rothstein commented on the PASER rating system for roads and inquired about a similar rating system for bridges. Mr. Muhs stated there are two bridge rating programs: one that rates bridges on structural condition and another that rates bridges based on any potential design deficiencies, such as safety issues or inadequate capacity. The bridges selected for funding as part of this TIP amendment were based upon local government requests through the Wisconsin Department of Transportation's local bridge program.

Mr. Dwyer commented that bridges are inspected annually and that the inspections are much more involved than those for roadways.

In response to an inquiry by Mr. Lispcomb concerning project selection, Mr. Muhs stated that the Racine Dr. bridge, being a pedestrian bridge, was selected for funding through the Federal Transportation Alternatives Program, for which project selection in the Milwaukee Urbanized Area is jointly administered by Commission staff and the Wisconsin Department of Transportation. Projects from that project selection, which is separate from the projects funded through the local bridge program and included in this proposed TIP amendment, will be presented to the Commission for amendment into the TIP at a later date.

Ms. Russell noted that the bridge at Peters Road, which is included in this amendment, has been closed for a couple of years, resulting in a 10-mile detour.

Mr. Schmidt noted that the CTH H bridge in Kewaskum has been the site of numerous crashes, at least one crash per year.

In response to an inquiry by Mr. Wirth, Mr. Muhs stated that the replacement of the Covered Bridge Road bridge in Ozaukee County is not the Covered Bridge in Covered Bridge Park, Cedarburg.

There being no additional questions or discussion on a motion by Mr. Schmidt, seconded by, Mr. Schleif, and carried by a vote of 15 ayes and 0 nays, Resolution 2018-16 was approved (Copy of Resolution 2018-16 attached to official minutes).

## **CONSIDERATION OF AMENDMENTS TO THE REGIONAL WATER QUALITY MANAGEMENT PLAN**

### **Greater Kenosha Area Sanitary Sewer Service Area (Resolution No. 2018-17)**

Chairman Colman asked the Commission to consider Resolution No. 2018-17, noting the Resolution would revise the Greater Kenosha area sanitary sewer service area. He asked Mr. Hahn to present this resolution.

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Mr. Hahn noted that:

- This sanitary sewer service area amendment to the regional water quality management plan was approved by the Commission's Planning and Research Committee at its August 7, 2018, meeting.
- The recommended amendment would expand the sewer service area to include certain additional lands along the IH 94 corridor that were subject to the approved boundary agreement between the City of Kenosha, the Village of Somers, the Town of Paris, and the Kenosha Water Utility.
- An area of 6.4 square miles located on both sides of IH 94, north of CTH E is proposed to be added to the sanitary sewer service area.
- The subject site includes 0.3 square mile of environmentally significant land, 0.5 square mile of existing urban land, and 5.6 square miles of agricultural and open land. The site would be developed in industrial/business park, commercial, and residential uses.
- The areas proposed to be developed as residential use would accommodate about 3,630 housing units with an estimated population of 8,930 persons.
- The recommended amendment would expand the sewer service area by about 7 percent.
- The expansion is consistent with the regional land use plan and the regional water quality management plan, and there should be no significant adverse water quality impacts attributable to the development of the planned sanitary sewer service area.
- A public hearing was held on July 30, 2018, and no objections to the proposed amendment were expressed at the hearing.

There being no questions or discussion, on a motion by Mr. Nelson, seconded by Mr. Schmidt, Resolution No. 2018-17 was approved by a vote of 15 ayes and 0 nays (Copy of Resolution No. 2018-17 is attached to the Official Minutes).

**Village of Germantown Sanitary Sewer Service Area (Resolution No. 2018-18)**

Chairman Colman asked the Commission to consider Resolution No. 2018-18, noting the Resolution would revise the Village of Germantown sanitary sewer service area. He asked Mr. Hahn to present this resolution.

Mr. Hahn noted that:

- This sanitary sewer service area amendment to the regional water quality management plan was approved by the Commission's Planning and Research Committee on September 12, just prior to the Commission meeting.
- The recommended amendment would expand the sewer service area by 473 acres, resulting in a 5 percent increase in the service area. This includes 63 acres of environmentally significant lands, 31 acres of existing urban land, and 379 acres of agricultural and other open land.
- The residential development would accommodate a population of about 34 persons.

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- Area A on Map 1 of the report encompasses 32 acres; is identified as industrial/office use under the Village comprehensive plan; and does not contain wetlands, environmental corridors, or isolated natural resource areas.
- Area B encompasses 431 acres and includes 61 acres of environmentally significant land, 30 acres of existing urban land, and 340 acres of agricultural and other open land. This area would be developed in industrial/office, commercial, and mixed uses.
- Area C encompasses 10 acres and includes two acres of environmentally significant land and eight acres of agricultural and other open land. This area would be developed in residential uses, accommodating 14 single-family lots in the Wrenwood Subdivision.
- The expansion is consistent with the regional land use plan and the regional water quality management plan, and there should be no significant adverse water quality impacts attributable to the development of the planned sanitary sewer service area.
- A public hearing was held on September 10, 2018, and no objections to the proposed amendment were expressed at the hearing.

There being no questions or discussion, on a motion by Mr. Nelson, seconded by Mr. Schleif, Resolution No. 2018-17 was approved by a vote of 15 ayes and 0 nays (Copy of Resolution No. 2018-17 is attached to the Official Minutes).

### **CONSIDERATION OF GIS MAP SERVER UPDATE**

A memorandum concerning the need to redesign and update the Commission's regional map server and survey document interactive search application was distributed to the Commissioners. Ms. Larsen reviewed the memorandum with the Commissioners, noting that these applications have not been updated since 2009, and that the software the current website is using is no longer supported. In particular, she noted that Washington and Waukesha Counties have both requested this upgrade so they can more efficiently access LiDAR and orthophoto data.

A motion by Mr. Stroik to redesign and update the Commission's regional map server application and survey document search application at a cost not to exceed \$40,000 was seconded by Mr. Dwyer. There was no discussion, and the motion was carried unanimously.

### **CORRESPONDENCE/ANNOUNCEMENTS**

Chairman Colman announced that the Administrative and Executive Committee Meetings for the month of September have been cancelled. He then asked Mr. Hahn if there was any correspondence or announcements. Mr. Hahn said there was no correspondence but stated that the Commission Environmental Justice Task Force (EJTF) held a retreat on July 12, 2018. During that retreat presentations were heard on the history of discriminatory practices and the concentration of minority populations and low-income populations in the Region. The EJTF also considered how regional planning can be a part of the solution to regional disparities.

Mr. Hahn stated that Reginald Jackson, Head Griot of the Black Holocaust Museum, gave an informative presentation on the history of discrimination in Milwaukee. He further stated that if there would be sufficient interest, he could arrange for Mr. Jackson to give this same presentation to the Commissioners. An e-mail with more information and potential dates for the presentation would be forthcoming.

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[Secretary's Note: When subsequently contacted by Commission Staff, a significant number of Commissioners indicated interest in a presentation by Mr. Jackson. Mr. Jackson gave a presentation to Commissioners and Commission staff on the "Hidden Impact of Segregation" immediately following the November 6, 2018 Planning and Research Committee meeting.]

Mr. Hahn then stated that each Commissioner had received a VISION 2050 Amendment handout indicating the dates and times of the Kenosha, Milwaukee, and Racine County public meetings.

**CONFIRMATION OF DATE, TIME, AND PLACE OF THE DECEMBER COMMISSION MEETING**

Chairman Colman indicated that the next full Quarterly Commission meeting will be held on Wednesday, December 5, 2018, at 3:00 p.m. in Milwaukee County. The location for this meeting will be confirmed at a later date.

**ADJOURNMENT**

There being no further business to come before the Commission, on a motion by Mr. Wirth, seconded by Mr. Bostrom, and carried unanimously, the meeting was adjourned at 3:40 p.m.

Respectfully submitted,

Michael H. Hahn  
Deputy Secretary

MGH/KJM/EAL/ce  
#245457