

MINUTES
SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION
QUARTERLY COMMISSION MEETING

Wednesday, September 10, 2014

3:00 p.m.

Whitewater University Technology Park
Innovation Center
1221 Innovation Drive
Whitewater, WI 53190

Present:

Excused:

Commissioners:

David L. Stroik, Chairman
William R. Drew, Vice-Chairman
Thomas H. Buestrin
Charles L. Colman
Michael A. Crowley
José M. Delgado
Marina Dimitrijevic
James T. Dwyer
David W. Opitz
Robert W. Pitts
Nancy Russell
Daniel S. Schmidt
Linda J. Seemeyer
Peggy L. Shumway
David L. Stroik
Gustav W. Wirth, Jr.

Gilbert B. Bakke
David L. Eberle
Adelene Greene
John Rogers
Michael J. Skalitzky

Staff:

Kenneth R. Yunker	Executive Director
Michael G. Hahn	Deputy Director
Elizabeth A. Larsen	Business Manager
Debra A. D'Amico	Executive Secretary

Guests:

Tim Brellenthin	Walworth County Supervisor, District 3
Edward St. Peter	General Manager, Kenosha Water Utility
Charlene Staples	Walworth County Supervisor, District 5
David A. Weber	Walworth County Supervisor, District 7
David Bretl	Walworth County Administrator

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ROLL CALL

Chairman Stroik called the 246th meeting of the Commission to order at 3:00 p.m. Roll call was taken and a quorum was declared present. Chairman Stroik indicated for the record that Commissioners Bakke, Eberle, Greene, Rogers, and Skalitzky had asked to be excused.

WELCOMING REMARKS

Chairman Stroik asked Ms. Russell to introduce the members of the Walworth County Board who were in attendance at the meeting. Ms. Russell also introduced Mr. David Bretl, Walworth County Administrator. Mr. Bretl welcomed the Commissioners to Walworth County and the Innovation Center. In his brief remarks, he noted the good working relationship between the Commission and Walworth County.

APPROVAL OF MINUTES OF THE JUNE 18, 2014, MEETING

On a motion by Mr. Wirth, seconded by Mr. Drew, and carried unanimously, the minutes of the June 18, 2014, Annual Commission Meeting were approved as published.

TREASURER'S REPORT

Chairman Stroik asked Ms. Russell to present the Treasurer's Report. She 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, she called attention to the following items:

1. Based upon disbursements through August 10, 2014, it is projected that total disbursements for the year will approximate \$7.37 million. Revenues are projected at about \$7.38 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 \$4.4 million. The various accounts are identified on the second page of the report.
3. As of August 10, 2014, the Commission had in investments and cash on hand approximately \$5.2 million. Nearly \$3.85 million are invested in the State of Wisconsin Local Government Pooled Investment Fund. As of August 10, 2014, that fund was yielding 0.09 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. Dwyer, seconded by Mr. Delgado, and carried unanimously, the Treasurer's Report for the period ending August 10, 2014, was approved (copy of the Treasurer's Report is attached to the Official Minutes).

STANDING COMMITTEE REPORTS

Planning and Research Committee

Chairman Stroik 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 Annual Commission meeting on June 18, 2014.

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On August 5, 2014, the Committee took the following actions:

1. Reviewed and acted to recommend to the Commission for adoption an amendment to the regional water quality management plan pertaining to the Village of Menomonee Falls sanitary sewer service area. That amendment, scheduled for action later in this meeting, proposes the addition of approximately 86 acres of land adjacent to the planned sewer service area. The Village comprehensive plans recommend the subject area accommodate governmental and institutional uses, and low density residential uses. The subject site would accommodate about 143 housing units with an estimated population of 330 persons. This area also contains about 9 acres of environmentally significant lands with just over 0.5 acres of primary environmental corridor and about 8.5 acres of wetlands. There is adequate wastewater treatment plant capacity and no significant adverse water quality impacts attributable to development of the planned sanitary sewer service area plan.
2. Reviewed and acted to recommend to the Commission for adoption an amendment to the regional water quality management plan pertaining to the Greater Kenosha Area sanitary sewer service area. That amendment, scheduled for action later in this meeting, proposed the addition of a 317 acre area including about one acre of land located within existing street right-of-way, three acres of wetlands, and 313 acres of other open land. This area does not encompass any lands that have been identified as environmental corridor or isolated natural resource area. Upon full development, the subject site is proposed to be developed for warehouse/distribution use. There is adequate wastewater treatment plant capacity and no significant adverse water quality impacts attributable to development of the planned sanitary sewer service area plan.

On September 10, 2014, the Committee took the following actions:

1. Reviewed and acted to recommend to the Commission for adoption an amendment to the regional water quality management plan pertaining to the City of Burlington sanitary sewer service area. That amendment, scheduled for action later in this meeting, proposes the addition of 82 acres of land which includes one acre of land currently in residential use, ten acres of land located within road rights-of-way, and a 28-acre isolated natural resource area consisting entirely of wetlands with the remainder of the subject area consisting of land in agricultural use. It is envisioned that the land outside of the isolated natural resource area would be developed as an Aurora Health Care medical complex. Finally, there is adequate wastewater treatment plant capacity and no significant adverse water quality impacts attributable to development of the planned sanitary sewer service area plan.

There being no questions or discussion, on a motion by Mr. Drew, seconded by Ms. Russell, 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).

INTERGOVERNMENTAL AND PUBLIC RELATIONS COMMITTEE REPORT

Chairman Stroik asked Mr. Crowley to present the Intergovernmental and Public Relations Committee report. Mr. Crowley stated that the Intergovernmental and Public Relations Committee has met once since the Annual Commission meeting on June 18, 2014.

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On July 1, 2014, the Committee took the following action:

1. Reviewed the Commission's provision of County surveying services. Recommended the Commission continue to provide county surveyor services to the five Southeastern Wisconsin Counties which the Commission currently serves, with the potential for expansion to the other two Counties upon their request. Reviewed a Commission County surveying staffing estimate and budget proposal, and recommended transmittal of the 2015 budget to the five participating Counties.

There being no questions or discussion, on a motion by Mr. Colman, seconded by Mr. Schmidt, and carried unanimously, the Intergovernmental and Public Relations Committee Report was approved (copy of the Intergovernmental and Public Relations Committee Report is attached to the Official Minutes).

ADMINISTRATIVE COMMITTEE REPORT

Chairman Stroik 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 met three times since the Annual Commission Meeting on June 18, 2014.

On June 26, 2014, the Committee took the following actions:

1. Reviewed and approved the 2013 Audit report prepared by certified public accountants from the firm of Scrima, Kabitzke & Co., S.C. The audit report indicated that the Commission had a year-end fund equity balance of about \$3.62 million. This amount compares with a fund equity balance of \$3.45 million at the end of 2012. The auditors found no material weaknesses in the Commission's internal fiscal control procedures.
2. Reviewed and approved disbursements for financial reporting periods: Year 2014 Nos. 11, 12, and 13, extending over the period May 5 to June 15, 2014.
3. Reviewed the Statement of Projected Revenues and Expenditures for the financial reporting period ending June 15, 2014.
4. Reviewed and approved renewal of the Commission's business insurance for the term of July 2014 to July 2015.
5. Reviewed and discussed the building tuckpointing project.

On July 31, 2014, the Committee took the following actions:

1. Reviewed and approved disbursements for two financial periods: Year 2014 No. 14, and No. 15; extending over the period June 16 to July 13, 2014.
2. Reviewed and approved the Statement of Projected Revenues and Expenditures for the period ending July 13, 2014.
3. Authorized the Commission staff to retain the certified public accounting firm of Scrima, Kabitzke & Co., S.C., to conduct the audit of the Commission's calendar year 2014 operations.
4. Reviewed and discussed the building tuckpointing project.

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5. Reviewed and approved purchase of a proposed computer network update which will provide additional data storage capacity and updates the current backup procedures.

On August 21, 2014, the Committee took the following actions:

1. Reviewed and approved disbursements for two financial periods: Year 2014 No. 16, and No. 17; extending over the period July 14 to August 10, 2014.
2. Reviewed and approved the Statement of Projected Revenues and Expenditures for the period ending August 10, 2014.
3. Reviewed the progress of the building tuckpointing project and approved the Commission Chairman and staff to accept the most appropriate bid.

In response to an inquiry by Mr. Delgado, Chairman Dwyer stated that Harwood Engineering was hired to determine the scope of the building façade repair project, develop a request for proposals, recommend a contractor, and oversee the project. The Chairman and staff had requested approval to accept the most appropriate proposal prior to the September Administrative Committee meeting due to the need to have the project completed this fall.

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

EXECUTIVE COMMITTEE REPORT

The Executive Committee met two times since the Annual Commission Meeting on June 18, 2014.

On July 31, 2014, 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 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 2014.
4. Reviewed and approved an amendment to the 2013-2016 Regional Transportation Improvement Program (TIP). This amendment to the 2013-2016 TIP was necessary to advance 10 projects, all of which were approved by the Commission Advisory Committees for Transportation System Planning and Programming for the Kenosha, Milwaukee, Racine, Round Lake Beach, and West Bend Urbanized Areas.
5. Reviewed and approved the submittal to the Federal Transit Administration of the Commission's Title VI Program.
6. Reviewed and approved amendments to the 2014 Overall Work Program.

On August 21, 2014, the Committee took the following actions:

1. Received and approved a report from the Administrative Committee relative to its meeting that day.

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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 2014. This current key planning efforts status report is attached to this report.
4. Reviewed and approved an amendment to the 2013-2016 Regional Transportation Improvement Program (TIP). This amendment to the 2013-2016 TIP was necessary to advance 20 projects, all of which were approved by the Commission Advisory Committees for Transportation System Planning and Programming for the Milwaukee Urbanized Area.
5. Reviewed and approved the transfer of historic Milwaukee County topographic maps to the American Geographic Society Library.

In response to an inquiry by Mr. Coleman, Mr. Yunker stated that when a plan is updated, prior plan forecasts are reviewed for their accuracy, and implementation to date of the prior plan is evaluated.

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

CONSIDERATION OF AMENDMENTS TO THE REGIONAL WATER QUALITY MANAGEMENT PLAN

Village of Menomonee Falls Sanitary Sewer Service Area (Resolution No. 2014-17)

Chairman Stroik asked the Commission to consider Resolution No. 2014-17, noting that the Resolution would revise the Village of Menomonee Falls sanitary sewer service area. He asked Mr. Schmidt to present the resolution.

Mr. Schmidt noted that this sanitary sewer service area amendment to the regional water quality management plan was approved by the Commission Planning and Research Committee at its August 5, 2014, meeting. He said the recommended amendment would expand the sewer service area, adding 86 acres to the planned sewer service area, an expansion of less than 1 percent. The expansion includes about 9 acres of environmentally significant land, consisting of 0.5 acres of primary environmental corridor and 8.5 acres of wetlands. He then noted that the expansion is consistent with the regional land use plan, the regional water quality management plan, and the expansion was requested by the Village of Menomonee Falls. It was approved by the Village of Menomonee Falls Board of Trustees after a public hearing.

There being no questions or discussion, on a motion by Mr. Schmidt, seconded by Mr. Dwyer, Resolution No. 2014-17 was approved by a vote of 16 ayes and 0 nays, (copy of Resolution No. 2014-17 is attached to the Official Minutes).

Greater Kenosha Sanitary Sewer Service Area (Resolution No 2014-19)

Chairman Stroik asked the Commission to consider Resolution No. 2014-19, noting that the Resolution would revise the Greater Kenosha sanitary sewer service area. He asked Mr. Schmidt to present this resolution.

Mr. Schmidt then proceeded to present the sanitary sewer service amendment to the regional water quality management plan and stated that it was approved by the Commission Planning and Research Committee at its August 5, 2014, meeting. He said that the recommended amendment would expand the sewer service area, adding 317 acres to the planned sewer service area, an expansion of less than 1 percent. The expansion includes about 3 acres of wetlands and there are no environmental corridors or isolated natural

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resource areas in the subject area. He further noted that the expansion is consistent with the regional land use plan and the regional water quality management plan, and was requested by the Kenosha Water Utility. This sanitary sewer service amendment was approved by the Kenosha Water Utility Board of Commissioners after a public hearing.

There being no questions or discussion, on a motion by Mr. Schmidt, seconded by Mr. Pitts, Resolution No. 2014-19 was approved by a vote of 16 ayes and 0 nays, (copy of Resolution No. 2014-19 is attached to the Official Minutes).

City of Burlington Sanitary Sewer Service Area (Resolution No. 2014-21)

Chairman Stroik asked the Commission to consider Resolution No. 2014-21, noting that the Resolution would revise the City of Burlington sanitary sewer service area. He asked Mr. Schmidt to present this resolution.

Mr. Schmidt stated that this sanitary sewer service area amendment to the regional water quality management plan was approved by the Commission Planning and Research Committee at its meeting earlier today. He said that the recommended amendment would expand the sewer service area, adding 82 acres to the planned sewer service area, an expansion of less than 1 percent. He further noted that this expansion includes a 28-acre isolated natural resource area consisting entirely of wetlands, and is consistent with the regional land use plan and the regional water quality management plan. This expansion was requested by the City of Burlington and was approved by the City of Burlington Common Council after holding a public hearing.

There being no questions or discussion, on a motion by Mr. Schmidt, seconded by Mr. Drew, Resolution No. 2014-21 was approved by a vote of 16 ayes and 0 nays, (copy of Resolution No. 2014-21 is attached to the Official Minutes).

CONSIDERATION OF AMENDMENT TO THE 2013-2016 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM

Chairman Stroik asked the Commission to consider adoption of an amendment to the 2013-2016 Regional Transportation Improvement Program (TIP) and Resolution No. 2014-22, noting that these materials were provided prior to this meeting. He then called upon Mr. Yunker to present the projects and the resolution.

Mr. Yunker explained that the TIP is a listing of transportation projects proposed to use Federal funds by local and State governments for public transit and arterial streets and highways throughout the Region. He said that TIP projects are reviewed by Commission staff to ensure consistency with the regional transportation plan. He added that the TIP, and its amendments, are reviewed and approved by Commission Advisory Committees on Transportation System Planning and Programming (TIP Committees) for each of the five urbanized areas in which include representatives by local governments, the Wisconsin Department of Transportation, the United States Department of Transportation, the Wisconsin Department of Natural Resources, and the U.S. Environmental Protection Agency.

Mr. Yunker stated that there were three proposed amendments to the 2013-2016 TIP being presented in Resolution 2014-22. One amendment involves proposed changes to an existing project in Milwaukee County and the remaining two proposed amendments involve adding new projects to the TIP -- one being the reconstruction of W. Wisconsin Avenue from N. 38th Street to N. 35th Street in the City of Milwaukee and the other project being the reconstruction of about 3.7 miles of STH 165 from IH 94 to STH 31 in the Village of Pleasant Prairie in Kenosha County. He then noted that all projects were reviewed and approved by the appropriate TIP Committees.

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In response to an inquiry by Mr. Stoffel on the right-of-way acquisition costs involved with the construction of the Beerline Bicycle path in the City of Milwaukee, Mr. Yunker stated that the proposed project would be located within an abandoned railroad right-of-way, and that the costs being programmed for right-of-way acquisition for the project is associated with the purchase of that right-of-way.

There being no further questions or comments, on a motion by Mr. Crowley, seconded by Ms. Russell, and carried by a vote of 16 ayes and 0 nays, Resolution No. 2014-22 was unanimously approved (copy of Resolution No. 2014-22 is attached to the Official Minutes).

PRESENTATION ON THE ROOT RIVER WATERSHED RESTORATION PLAN

Chairman Stroik asked Mr. Yunker to introduce Mr. Michael G. Hahn, Deputy Director. Mr. Yunker announced that Mr. Hahn was promoted to Deputy Director of the Commission. He added that Mr. Hahn has been with the Commission staff for almost 30 years and most recently has been the Chief Environmental Engineer, managing the Commission's Environmental Division. Chairman Stroik congratulated Mr. Hahn on behalf of all the Commissioners and commented on how pleased the Commissioners are about Mr. Hahn's appointment.

Mr. Yunker then called on Mr. Hahn to give a presentation on the Root River Watershed Restoration Plan (copy of presentation materials attached to Official Minutes), with Mr. Yunker noting the Plan was adopted unanimously by the Racine County Board of Supervisors.

During and after Mr. Hahn's presentation, the following questions and comments were made and addressed.

Mr. Opitz asked how the Commission staff evaluated the potential positive and negative outcomes of dam removal in formulating their recommendation. Mr. Hahn replied that the staff identified competing environmental effects, and concluded that, on balance, the positive effects outweighed the negative. He cited an example of the release of sediment accumulated behind the dam being a relatively short-term negative effect that could be mitigated to some degree, but noted that in the long-term the transport of sediment in an alluvial river is a natural process.

Mr. Opitz inquired whether the Commission staff was aware of studies on the effects of dam removal on riparian property values. Mr. Hahn indicated that there are studies indicating both positive and negative impacts on property values, but, in general, the effects would be expected to be positive. Mr. Yunker added that staff identified cost, potential impacts on the environment, effects on homeowners living along and using the impoundment, and any riverbed ownership issues in evaluating alternatives. Mr. Hahn said that the Commission staff met with the Racine County staff to review the Commission staff's recommendation, which was based solely on environmental considerations. He added that the County staff was comfortable with that approach, and with cultural and cost considerations being addressed by County staff and the County Board of Supervisors as they decide what action to pursue regarding the dam. Mr. Yunker stated that staff is currently working with Milwaukee County in preparing an environmental assessment of alternatives for the Estabrook dam on the Milwaukee River. He noted that there has been consideration of several options, including complete removal of the dam or replacing the dam with a rock ramp and maintaining a portion of the impoundment, enabling fish passage from the downstream to the upstream side of the dam.

[Secretary's Note:

In addition to the rock ramp and removal alternatives, an alternative to rehabilitate the existing dam is evaluated in the environmental assessment.]

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Mr. Opitz inquired about the environmental effects of recent dam projects in the Region. Mr. Hahn said that removal of the North Avenue dam had enhanced the Milwaukee River and its wildlife. He further said that dam removal enabled fish to migrate from Lake Michigan upstream into the Milwaukee River watershed.

In response to an inquiry by Mr. Colman, Mr. Hahn stated that the removal of the dam would negatively impact the recreational fishing at the dam site, as the fish would no longer congregate below the dam. However, removal of the dam as an impediment to fish passage would open up many more areas of the River and its tributaries to fishing.

Mr. Stoffel asked why the County owns the dam since it is located in the City of Racine. Mr. Yunker said that Commission staff would contact Racine County for information regarding their ownership of the dam.

[Secretary's Note:

The SEWRPC Root River watershed plan report (SEWRPC Community Assistance Planning Report No. 316, *A Restoration Plan for the Root River Watershed*) notes that "transfer of ownership of the dam from the Horlick family to Racine County was initiated in 1974 and finalized in 1977. The Commission staff contacted Racine County regarding the reasons for County ownership of the dam. They provided a March 22, 1976, "Notice of Proposed Dam Transfer," that stated that the reasons for the proposed transfer were "Racine Count(y's) interest in restoring (the) dam, protecting property values, (and) providing recreation." The September 10, 1974, County Highway and Park Committee resolution authorizing purchase of the Horlick property, which was in the Town of Mt. Pleasant at that time, states that it was "deemed to be in the best interests of Racine County to acquire additional open land for recreational purposes," consistent with the recommendations of the 1966 SEWRPC comprehensive plan for the Root River watershed. The east abutment of the dam is located on County park land.]

In response to an inquiry by Chairman Stroik relative to property owners living along a river having the responsibility to remove woody debris along their property, Mr. Hahn stated that landowners along a river can take care of removal of debris as long as they are not disturbing the banks of the river. If there is disturbance of river banks, the landowner would need a Chapter 30 permit from the State. He noted that this situation is always a source of contention as to which local unit of government has responsibility for various components of river and stream maintenance.

CORRESPONDENCE/ANNOUNCEMENTS

Chairman Stroik asked Mr. Yunker if there was any correspondence or if there were any announcements.

Mr. Yunker said there were none and then noted that Commission staff was in the middle of the third set of public meetings for VISION 2050.

Chairman Stroik then noted that Commission staff had received three bids for the building façade repair project, with the best qualified and best referenced contractor being Berglund Construction Company, who also submitted the lowest cost bid. The project is scheduled to begin within the month at a cost of approximately \$125,000. The work is due to be completed by mid November.

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CONFIRMATION OF DATE, TIME, AND PLACE OF DECEMBER 2014 QUARTERLY MEETING

Chairman Stroik indicated that the next Quarterly Commission meeting is scheduled for 3:00 p.m. on Wednesday, December 3, 2014, in Milwaukee County.

Mr. Yunker briefly noted that Commissioners had previously requested the Wisconsin Department of Transportation (WisDOT) to speak at a Commission meeting. The December 3rd Commission meeting will include a WisDOT presentation on transportation funding, and an update on major transportation projects in Southeastern Wisconsin.

ADJOURNMENT

There being no further business to come before the Commission, on a motion by Mr. Drew, seconded by Mr. Wirth, and carried unanimously, the meeting was adjourned at 4:25 p.m.

Respectfully submitted,

Kenneth R. Yunker
Deputy Secretary

KRY/MGH/EAL/dd
#220538 QrtlySep14Min

Attachments