

## MINUTES

### SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

#### QUARTERLY MEETING

December 3, 2008

3:00 p.m.

Wisconsin Conference Room – Second Floor  
WisDOT M-Change Building  
1001 West St. Paul Avenue  
Milwaukee, Wisconsin

Present:

Excused:

Commissioners:

Thomas H. Buestrin, Chairman  
James T. Dwyer  
Susan S. Greenfield  
Gregory L. Holden  
William E. Johnson  
John M. Jung  
Robert W. Pitts  
Daniel S. Schmidt  
David L. Stroik  
Paul G. Vrakas  
John F. Weishan, Jr. (Representing  
Lee Holloway)  
Gustav W. Wirth, Jr.

William R. Drew  
Adelene Greene  
Mary A. Kacmarcik  
Michael J. Miklasevich  
George A. Torres

Absent:

Anselmo Villarreal

(via teleconference)

Richard A. Hansen, Vice-Chairman  
Nancy Russell

Staff:

Philip C. Evenson  
Kenneth R. Yunker  
Loretta Watson

Executive Director  
Deputy Director  
Executive Secretary

Guests:

Carrie Cooper  
Tracy Gilliam  
Emlynn Grisar  
Roberto Gutierrez  
Brad Heimlich  
Dewayne J. Johnson

WisDOT Staff, Environmental Justice  
WisDOT Supervisor, Zoo Interchange  
WisDOT Staff  
WisDOT Project Director, North South  
WisDOT Consultant Project Manager  
WisDOT Southeast Region Director

Reggie Newson  
Karl J. Ostby  
Courtney Reijo

WisDOT Operations Director  
Chair, Regional Transit Authority  
Carroll University

## **ROLL CALL**

Chairman Buestrin called the 223<sup>rd</sup> meeting of the Commission to order at 3:00 p.m. Roll call was taken and a quorum declared present, including Commissioners Hansen and Russell who participated in the meeting via teleconference. Mr. Evenson indicated for the record that Commissioners Drew, Faraone, Greene, Kacmarcik, Miklasevich, and Torres had asked to be excused.

## **WELCOME**

Chairman Buestrin, noting that the Wisconsin Department of Transportation Southeast Region Director Dewayne Johnson, was en route to the meeting from out State, called upon Reggie Newson, the WisDOT District Operations Director for welcoming remarks and introduction of the WisDOT staff that were attending the meeting to present certain information to the Commission. On behalf of the WisDOT, Mr. Newson welcomed the Commission to the M-change Milwaukee project office, noting that the office building had been acquired from Aldrich Chemical Company several years ago as part of the reconstruction project attendant to the Marquette Interchange. He noted that WisDOT had made a decision to utilize this particular building as a project office not only from the completion of the Marquette Interchange, but also with respect to the IH 94 North South project, the Mitchell Interchange project, and the Zoo Interchange project, all of which are in various stages of development. He then introduced those members of the WisDOT staff and consultant teams who would brief the Commissioners on three important topics: 1) the Zoo Interchange; 2) the IH 94 North South Corridor; and 3) environmental justice, with particular emphasis on how the Department has incorporated environmental justice concerns into the freeway reconstruction program.

## **BRIEFING ON STATUS OF WisDOT FREEWAY RECONSTRUCTION PROJECTS**

With the aid of handout materials (copies attached to Official Minutes), a lengthy presentation and discussion session ensued. Tracy Gilliam and Brad Heimlich briefed the Commissioners on the Zoo Interchange project, noting that the project has progressed to the point where a series of final alternatives attendant to addressing difficult traffic movement and capacity issues in the Interchange have been put out for public review. Final design decisions attendant to these matters should take place by mid-2009. Roberto Gutierrez then briefed the Commissioners on the IH 94 North South corridor freeway reconstruction project, noting that it extends from the Illinois State Line on the south through the Plainfield curve on the north, and to 35<sup>th</sup> Street on the west along IH 894. This briefing included a detailed viewing of a three-dimensional model of the future Mitchell Interchange. Reggie Newson and Carrie Cooper completed the briefing session with a presentation on how the WisDOT has addressed environmental justice issues.

At the conclusion of the WisDOT presentations and attendant question and answer period, Mr. Buestrin thanked the WisDOT Regional Director, Dewayne Johnson, and all of the WisDOT and consultant staffs who participated in this process of bringing the Commissioners up-to-date on these regionally important endeavors.

## **APPROVAL OF MINUTES OF SEPTEMBER 10, 2008, MEETING**

On a motion by Mr. Wirth, seconded by Mr. Vrakas, and carried unanimously, the minutes of the Quarterly Meeting of September 10, 2008, were approved as published.

## **TREASURER'S REPORT**

Noting that Commissioner Drew was unable to attend the meeting, Chairman Buestrin asked Mr. Evenson to present the Treasurer's report. Mr. Evenson noted that a copy of the report had been provided to all Commissioners for review at the meeting. In commenting on the report, he called attention to the following items:

1. Based upon disbursements through November 9, 2008, it is projected that total disbursements for the year will approximate nearly \$6.81 million. Revenues are projected at about \$6.88 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 \$3.13 million. The various accounts are identified on the second page of the report.
3. As of November 9, 2008, the Commission had in investments and cash on hand nearly \$2.96 million. About \$2.23 million are invested in the State of Wisconsin Local Government Pooled Investment Fund. As of November 9, 2008, that fund was yielding 1.9 percent interest. Other funds are held in savings and checking accounts and in certificates of deposits at several banks.

There being no questions or comments, on a motion by Mr. Holden, seconded by Mr. Johnson, and carried unanimously, the Treasurer's Report for the period ending November 9, 2008, was approved (copy attached to Official Minutes).

## **STANDING COMMITTEE REPORTS**

### **Planning and Research Committee**

Noting that the Planning and Research Committee met once since the Commission Quarterly meeting on September 10, 2008, Committee Chairman Schmidt reported the following items:

On November 18, 2008, 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 sanitary sewer service area for the City of New Berlin. That amendment, scheduled for action later in this meeting, involves the addition of two relatively small areas in the central portion of the City to the planned sewer service area. These two areas, together compassing about 45 acres of land, would be developed largely for light industrial use. The proposed amendment was found to be consistent with the adopted regional land use plan.
2. Reviewed and acted to recommend to the Commission for approval the Commission's proposed 2009 Overall Work Program. That program will be considered for adoption by the Commission later in this meeting and was found by the Committee to be consistent with the Commission's adopted 2009 budget.

There being no questions or comments, on a motion by Mr. Pitts, seconded by Ms. Greenfield, and carried unanimously, the Planning and Research Committee report was approved.

**Administrative Committee**

Noting that the Administrative Committee had met three times since the Commission Quarterly meeting on September 10, 2008, Committee Chairman Stroik reported the following items:

On September 25, 2008, the Committee took the following action:

1. Reviewed and approved the Commission disbursements for five financial reporting periods: Year 2008 Nos. 15 through 19, extending over the period July 7, 2008, to September 14, 2008.
2. Reviewed the Statement of Projected Revenues and Expenditures for the financial reporting period ending September 14, 2008. With about three-fourths of the year completed, the projections indicated a year end surplus of about \$41,000.
3. Received a report that the Wisconsin Department of Administration had informed the Commission that the 2007 audit report was sufficient for that Department's purposes and that there were no issues to be resolved.

On October 23, 2008, the Committee took the following action:

1. Reviewed and approved the Commission disbursements for two financial reporting periods: Year 2008 Nos. 20 and 21, extending over the period September 15, 2008, to October 12, 2008.
2. Reviewed the Statement of Projected Revenues and Expenditures for the financial reporting period ending October 12, 2008. With about 80 percent of the year completed, the projections indicated a year end surplus of about \$57,000.
3. Received a report that group medical insurance rates for 2009 through the Group Insurance Board operated for local governments by the State of Wisconsin increased, but by significantly varying amounts. The standard plan, which is used by few employees, increased by about 10 percent. Of four health maintenance organization plans offered on the basis of uniform benefits, the plan offered by Anthem had an extraordinarily large increase of over 37 percent, while the three others had increases ranging from five to ten percent.

On November 20, 2008, the Committee took the following action:

1. Reviewed and approved the Commission disbursements for two financial reporting periods: Year 2008 Nos. 22 and 23 extending over the period October 13, 2008, to November 9, 2008.
2. Reviewed the Statement of Projected Revenues and Expenditures for the financial reporting period ending November 9, 2008. With about 85 percent of the year completed, the projections indicated a year end surplus of about \$70,000, exclusive of income from interest and miscellaneous sales.
3. Received a report on employee enrollment in the 2009 group medical insurance program. A total of 58 Commission employees elected to obtain medical insurance coverage, paying at a minimum 20 percent of the premium cost. Seven Commission employees declined medical insurance coverage. The adopted 2009 budget of about \$742,000 for medical insurance premiums will be adequate.

There being no questions or comments, on a motion by Mr. Vrakas, seconded by Mr. Hansen, and carried unanimously, the Administrative Committee report was approved.

**Executive Committee**

Noting that the Executive Committee had met three times since the Commission Quarterly meeting on September 10, 2008, Chairman Buestrin reported the following items:

On September 25, 2008, 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 four contracts for planning work. The details of those contracts are set forth in a table included with the agenda for this meeting.
3. Received work program reports relative to the preliminary recommendations of the water supply system plan being proposed by the Commission's Water Supply Advisory Committee; participation by Commission staff as a member of the Milwaukee Working Group On Climate Change Impacts; and preparatory work relative to the creation of a new advisory committee to guide the forthcoming regional housing study.
4. Appointed the Commission's Chief Environmental Engineer, Michael G. Hahn, to a non-voting seat on the Southeastern Fox River Commission.
5. Received a report that the American Civil Liberties Union of Wisconsin Foundation had filed, on behalf of the Milwaukee branch of the NAACP, a complaint with the U.S. Department of Labor, Office of Federal Contract Compliance, relative to hiring and employment practices at the Commission. To date, the Commission has not been contacted by U.S. Department of Labor officials concerning this matter.
6. Received a communication from the Walworth County Board of Supervisors reporting on an expression of gratitude to former Commissioner Allen L. Morrison for his long and faithful service on behalf of Walworth County on the Regional Planning Commission.

On October 23, 2008, 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 one contract for planning work. The details of the contract are set forth in a table included with the agenda for this meeting.
3. Received a report that the Commission's EJTF has recommended that the Commission undertake, with the aid of independent contractors, socio-economic impact analyses attendant to all regional plan elements, including the forthcoming regional water supply plan. It was the consensus of the Committee that the Commission staff respond to that Task Force recommendation in a positive manner consistent with budget realities.
4. Received a report that the quadrennial Federal certification review of the Commission's transportation planning program was underway, including the solicitation of public comments on that process. It is expected that U.S. Department of Transportation officials will provide the certification findings and respond directly to the Commission early in 2009.
5. Created a 30-member Housing Study Advisory Committee after soliciting recommendations from a number of parties, including the Environmental Justice Task Force. That new committee will be

chaired by Commissioner Drew who has an extensive background and a great deal of experience on housing matters in the City of Milwaukee.

6. Received a report that Racine County has acted to reappoint Commissioner Miklasevich to the Commission for a six-year term to expire on September 15, 2014.

On November 20, 2008, 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 one contract for planning and related work. The details of the contract are set forth in a table included with the agenda for this meeting.
3. Received a report that staff work on briefing county and local elected officials on the recommendations made in the preliminary regional water supply plan was well along and ongoing, and that a series of ten public informational meetings on this matter is being scheduled for the month of January and the beginning of February.
4. Received a report that the Washington County Board of Supervisors would soon consider formal adoption of an updated county jurisdictional highway system plan. Pending that Board action, the updated plan will be ready for Commission endorsement during the first quarter of 2009.
5. Received a report relative to actions taken by the City and County of Milwaukee that address, in part, concerns about the Commission's governance structure. A resolution unanimously adopted by the Common Council of the City of Milwaukee and a report adopted by the Milwaukee County Board of Supervisors relative to the relationship between Milwaukee County and the Commission were discussed. Copies of these materials have been placed at your desk today and will be discussed later in this meeting.

There being no questions or comments, on a motion by Mr. Dwyer seconded by Mr. Stroik, and carried unanimously, the Executive Committee report was approved.

#### **BRIEFING ON THE RECOMMENDATIONS OF THE SOUTHEASTERN WISCONSIN REGIONAL TRANSIT AUTHORITY**

Chairman Buestrin then recognized the Chair of the Southeastern Wisconsin Regional Transit Authority, Karl Ostby. He asked Mr. Ostby to brief the Commissioners on the recommendations recently made by that Authority.

With the aid of a slide presentation (copy attached to Minutes), Mr. Ostby then briefed the Commission on the RTA's recommendation to Governor Doyle and the State Legislature that were made in the prior month. In so doing he thanked the Commissioners for all of the help given by the Commission staff to the RTA as it addressed its legislative charge. In essence, after conducting about two years of research and deliberations, the RTA has recommended that it continue as a permanent transit authority for southeastern Wisconsin with an initial service area of Kenosha and Milwaukee Counties and the eastern portion of Racine County; that the RTA be empowered to contract with the current transit operators in its region for local service or assume such operations as may be locally desired, with there being established local transit planning groups in each county; that the RTA be able to levy up to a 0.5 percent sales tax dedicated for transit, with all revenue generated from such a tax to stay within the county of origin and that the RTA be granted bonding authority to cover capital improvements, including those required to establish the KRM commuter rail service as recommended in the regional transportation plan. Mr. Ostby

concluded his remarks by noting that the RTA's report had recently been submitted to Governor Doyle and to members of the State Legislature and that a series of briefings is being held for local governments and community groups relative to this important matter.

In a brief discussion which followed Mr. Ostby's remarks, Mr. Weishan noted that earlier in the day, the Milwaukee County Public Works, Transportation, and Transit Committee had voted by a 6 to 1 margin to reject the subject RTA proposal described by Mr. Ostby. He noted that members of the Milwaukee County Board of Supervisors are not necessarily opposed to an RTA, but have a number of concerns with the particular proposal recently put forth.

At the conclusion of that discussion, Mr. Buestrin thanked Mr. Ostby for his presentation and indicated that the Commissioners would follow this matter with great interest.

### **ADOPTION OF AMENDMENT TO REGIONAL WATER QUALITY MANAGEMENT PLAN**

#### **City of New Berlin Sewer Service Area (Resolution No. 2008-11)**

Chairman Buestrin asked the Commission to consider Resolution No. 2008-11, noting that the Resolution would revise the City of New Berlin sewer service area. He asked Mr. Schmidt to present the resolution.

Mr. Schmidt noted that all Commissioners had received for review prior to the meeting a copy of Resolution No. 2008-11, together with a copy of a SEWRPC staff memorandum dated September 2008. He recalled that the proposed amendment had been reviewed by the Planning and Research Committee at a meeting held on November 18, 2008, and was recommended for adoption by the Committee.

There being no questions or comments, on a motion by Mr. Schmidt, seconded by Mr. Stroik, and carried unanimously, Resolution No. 2008-11 was approved (copy of Resolution No. 2008-11) attached to Official Minutes).

### **CONSIDERATION OF APPROVAL OF THE 2009 OVERALL WORK PROGRAM**

(Resolution No. 2008-12)

Chairman Buestrin asked the Commissioners to consider Resolution 2008-12 adopting the Commission Overall Work Program (OWP) for calendar year 2009. He asked Mr. Yunker to briefly comment on the program.

Mr. Yunker noted that the Planning and Research Committee, at its meeting on November 18, 2008, had reviewed and recommended approval of the 2009 Overall Work Program. He further noted that, from a budgetary perspective, the work program provides for a level of effort very close to that envisioned when the 2009 budget was approved. He then indicated that the work program had been informally approved by the Federal and State transportation funding agencies at a meeting held on October 2, 2008. Given that approval and given the recommendations of the Planning and Research Committee on this matter, formal action by the Commission on Resolution 2008-12 would now be in order.

There being no discussion, on a motion by Ms. Greenfield, seconded by Mr. Jung, and carried unanimously, Resolution 2008-12 was approved, said resolution providing for the adoption of the Overall Work Program for calendar year 2009 (copy of Resolution No. 2008-12 attached to Official Minutes).

### **REPORT OF NOMINATION COMMITTEE AND ELECTION OF COMMISSION OFFICERS FOR 2009-2010**

Chairman Buestrin then asked Mr. Schmidt, Chairman of the Nominating Committee, to assume the

Chair. Mr. Schmidt noted that the Nominating Committee, as appointed by the Commission Chairman in accordance with the Commission Bylaws, consisted of himself as Chairman and representative of Washington County; and Commissioners Adelene Greene, Kenosha County; Gregory L. Holden, Walworth County; William E. Johnson, Ozaukee County Michael J. Miklasevich, Racine County; George A. Torres, Milwaukee County; and Paul G. Vrakas, Waukesha County.

Mr. Schmidt reported that the Committee had met on November 18, 2008, in the Commission offices, and had acted unanimously to nominate the following individuals for election to the offices indicated for a two-year term:

Chairman..... David L. Stroik  
Vice-Chairman ..... Richard A. Hansen  
Secretary ..... Adelene Greene  
Treasurer ..... William R. Drew

Mr. Schmidt asked if there were any additional nominations from the floor for the offices of Chairman, Vice-Chairman, Secretary, and Treasurer. There being none, it was moved by Mr. Dwyer, seconded by Mr. Schmidt, and carried unanimously, to elect Mr. Stroik to serve as Chairman, Mr. Hansen to serve as Vice-Chairman, Ms. Greene to serve as Secretary, and Mr. Drew to serve as Treasurer, as nominated by the Nominating Committee, for calendar years 2009 and 2010.

Mr. Buestrin then resumed the Chair and congratulated the new officers on their election. He noted that he will continue to serve on the Commission should Governor Doyle act on his proposed reappointment which was submitted by the Ozaukee County Board of Supervisors.

#### **CORRESPONDENCE/ANNOUNCEMENTS**

Mr. Evenson reported that he had placed on the Commissioners desks two important items of information. The first is a resolution unanimously adopted by the Common Council of the City of Milwaukee directing its lobbying staff to seek a change in the governance structure of the Commission that would provide for Commission representation on a population proportional basis. Should such legislation not be obtained, the resolution calls upon the Milwaukee County Board of Supervisors to formally withdraw from the Commission. The second item is a report adopted by the Milwaukee County Board of Supervisors and prepared under the direction of Mr. Weishan. That report, he said, seeks to identify ways in which the relationship between Milwaukee County and the Commission can be strengthened. The report calls upon the State Legislature to authorize a Legislative Audit Bureau program audit of the Commission that would address, in part, the population representation issue raised by the Common Council of the City of Milwaukee. The Milwaukee County report also calls upon the Commission to establish a strong presence in the central city of Milwaukee by stationing at such a location a staff team that would focus on urban issues. Given the nature of these materials, Mr. Evenson concluded, it would be appropriate for the Commission to refer such materials to its Intergovernmental and Public Relations Committee, with a view toward having that Committee meet early in 2009 to discuss these materials and to report back to the Commission.

After a brief discussion, it was moved by Mr. Wirth, seconded by Mr. Dwyer, and carried unanimously, to refer the two documents described by Mr. Evenson to the Intergovernmental and Public Relations Committee for its consideration and report back to the Commission. (Copies attached to Official Minutes).



**CONFIRMATION OF DATE, TIME, AND PLACE OF MARCH QUARTERLY MEETING**

Chairman Buestrin indicated that the Commission's new Chair would be communicating with all Commissioners as to committee assignments and the schedule of meetings for 2009. He noted that the Bylaws would call for the next meeting of the Commission to take place at 3:00 p.m. on Wednesday, March 4, 2009, and that meeting place likely would be in Ozaukee County.

**ADJOURNMENT**

There being no further business to come before the Commission, on a motion by Mr. Holden, seconded by Mr. Wirth, and carried unanimously, the meeting adjourned at 5:15 p.m.

Respectfully submitted,

Philip C. Evenson  
Deputy Secretary

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Attachments