

MINUTES
SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION
QUARTERLY COMMISSION MEETING

Wednesday, March 9, 2022

3:00 p.m.

Mequon City Hall
11333 N Cedarburg Road
Mequon, WI 53092

Christine Nuernburg Hall

Meeting Occurred in Person and Virtually via Video and Telephone Conference

Present:

Commissioners:

Charles L. Colman, Chairman
Michael A. Crowley, Vice-Chairman
Donna Brown-Martin
Thomas H. Buestrin
Jonathan Delagrave
James T. Dwyer
Brian E. Holt
Dewayne Johnson
Mary Knipper
Natalia Minkel-Dumit
Aloysius Nelson
Marcelia Nicholson
John O'Day
Robert W. Pitts
Daniel S. Schmidt
David L. Stroik
Adam M. Tindall-Schlicht

Excused:

James A. Ladwig
Jeffrey D. Schleif
Peggy L. Shumway
Gustav W. Wirth, Jr.

Staff:

Kevin J. Muhs
Benjamin R. McKay
Elizabeth A. Larsen
Catherine M. Pozum
Justin Kendall

Executive Director
Deputy Director
Director of Administration
Human Resources Assistant/Bookkeeper
Systems Analyst

ROLL CALL

Chairman Colman called the 278th 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 Ladwig, Schleif, Shumway, and Wirth had asked to be excused.

Mayor John Wirth welcomed the Commissioners to the City Mequon and the Village of Thiensville. He noted his appreciation for the planning concepts that have been put forth by the Commission and how they have impacted the development of the City of Mequon.

INTRODUCTION AND SEATING OF NEW COMMISSIONER (MILWAUKEE COUNTY)

Chairman Colman introduced Ms. Marcellia Nicholson, Milwaukee County Board of Supervisors Chairwoman, as the new Milwaukee County Commissioner. Mr. Colman noted that Ms. Nicholson will continue the unfinished term previously held by Mr. Theodore Lipscomb, Sr.

Ms. Marcellia Nicholson stated that she is happy to serve on the Commission and is looking forward to carrying out the Commission's work.

Mr. Nelson made a motion, seconded by Mr. Stroik, and carried unanimously, to formally seat Ms. Marcellia Nicholson as a Commissioner representing Milwaukee County on the Southeastern Wisconsin Regional Planning Commission.

APPROVAL OF MINUTES OF THE DECEMBER 8, 2021, QUARTERLY COMMISSION MEETING

On a motion by Mr. Schmidt, seconded by Mr. Pitts, and carried unanimously, the minutes of the December 8, 2021, Quarterly Commission Meeting were approved as published.

TREASURER'S REPORT

Mr. Colman called on Mr. Stroik to present the Treasurer's Report. Mr. Stroik noted that a copy of the Treasurer's Report had been provided to all Commissioners for review prior to the meeting and called attention to the following items:

1. Based upon disbursements through January 30, 2022, it is projected that total disbursements for the year will approximate \$8.3 million. Revenues are projected at about \$9.1 million, exclusive of interest income and miscellaneous revenues.
2. The Commission's Reserves Policy has a minimum reserve amount of \$5,170,571 and a maximum reserve amount of \$11,241,143. The audited cash and cash equivalents at end of year 2020 are \$6,682,980.
3. As of January 30, 2022, the Commission had in investments and cash on hand approximately \$7.0 million. Nearly \$6.0 million are invested in the State of Wisconsin Local Government Pooled Investment Fund. As of January 30, 2022, that fund was yielding 0.07 percent interest. Other funds are held in savings, checking, and certificate of deposit accounts at several banks.

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There being no further discussion, on a motion by Mr. Dwyer, seconded by Mr. Schmidt, and carried unanimously, the Treasurer's Report for the period ending January 30, 2022, 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 noted that the report had been provided to all Commissioners prior to the meeting. He also noted that the Planning and Research Committee had met once since the Commission's Quarterly meeting on December 8, 2021.

On February 15, 2022, the Committee took the following actions:

1. Reviewed and acted to recommend to the Commission for adoption the following amendments to the regional water quality management plan:
 - a. SEWRPC Community Assistance Planning Report No. 128 (4th Edition): *Sanitary Sewer Service Area for the Village of Slinger and Environs*
 - b. City of Oak Creek sanitary sewer service area
2. Received an update on the Regional Food System Plan.

There being no discussion, on a motion by Mr. Pitts, seconded by Mr. Crowley, 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 two times since the Quarterly Commission Meeting on December 8, 2021.

On Thursday, January 20, 2022, the Committee took the following actions:

1. Reviewed and approved disbursements for five financial periods: year 2021 Nos. 23, 24, 25, 26, and year 2022 No. 1, for the period October 25, 2021, to January 2, 2022.
2. Reviewed and approved the Statement of Projected Revenues and Expenditures for the financial reporting period ending January 2, 2022.

On Thursday, February 17, 2022, the Committee took the following actions:

1. Reviewed and approved disbursements for two financial periods: year 2022 Nos. 2 and 3, for the period January 3, 2022, to January 30, 2022.
2. Reviewed and approved the Statement of Projected Revenues and Expenditures for the financial reporting period ending January 30, 2022.

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3. Discussed the overall salary increment target for year 2022.

There being no discussion, on a motion by Mr. Johnson, seconded by Mr. Stroik, 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 met two times since the Quarterly Commission Meeting on December 8, 2021. Chairman Colman's report on the January 20, 2022, and February 17, 2022, meetings follow:

At both meetings, the Committee:

1. Received and approved a report from the Administrative Committee relative to its meeting that day.
2. Reviewed and approved proposed contracts for planning work. Ten contracts were approved in January, and no contracts were presented in February. The details of those contracts were attached to the Committee report.
3. Received a report outlining progress on key planning efforts being undertaken by the Commission in 2022. The most recent progress report was attached to this report.

At the January meeting the Committee took the following actions:

1. Reviewed and approved a Reserves Policy for the Commission.
2. Reviewed and approved project amendments to the 2021-2024 Regional Transportation Improvement Program (TIP). These amendments to the 2021-2024 TIP were necessary to advance six existing projects and 23 new projects, which were approved by the Commission's Advisory Committees on Transportation System Planning and Programming for the Kenosha, Milwaukee, Racine, and West Bend Urbanized Areas.

At the February meeting the Committee took the following action:

1. Viewed a presentation of Citations of Recognition to the members of the Milwaukee County Independent Redistricting Committee by Milwaukee County Board of Supervisors Chairwoman and SEWRPC Commissioner Marcelia N. Nicholson.

Mr. Colman commented that he appreciated the presentation of the Citations of Recognition by Commissioner Nicholson and applauded SEWRPC staff on their work with the Milwaukee County Independent Redistricting Committee.

There being no further comments or discussion, on a motion by Mr. Nelson, 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

Community Assistance Planning Report No. 128 (4th Edition): *Sanitary Sewer Service Area for the Village of Slinger and Environs* (Resolution No. 2022-04)

Chairman Colman asked the Commission to consider Resolution No. 2022-04, noting the Resolution would revise the Village of Slinger sanitary sewer service area. He asked Mr. McKay to present this Resolution.

Prior to Mr. McKay's presentation, Mr. Muhs briefly reviewed the Commission's role in preparing sanitary sewer service area amendments as these amendments pertain to the Regional Water Quality Management Plan.

Mr. McKay 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 February 15, 2022, pending the public hearing of February 21, 2022. A sewer service area plan was first prepared in 1985 for the Slinger area and second and third editions of the plan were prepared in 1993 and 1998, respectively. The purpose of this amendment is to add lands to the north and east of the currently adopted sewer service area. In response to this request, a fourth edition of the plan has been prepared.
- The recommended amendment would add 525 acres, resulting in a 14 percent increase in the service area. The proposed additions to the service area include 24 acres of environmentally significant land. Future development in the proposed additions would consist primarily of industrial, residential, and business park uses under the Village comprehensive plan.
- The public hearing was held at the Slinger Village Hall. One individual, a property owner in the area proposed to be added to the sewer service area located in Section 16 in the Town of Polk north of Cedar Ridge Drive, spoke against the proposed expansion in that area. The individual stated that they did not want public sewer service nor to develop the property because it includes primary environmental corridor (PEC) and a conservation easement. Mr. McKay then clarified that there is a small amount of PEC located on the property; however, the conservation easement is located on a property north of the land proposed to be added to the sewer service area.
- During the public hearing, Village representatives noted that inclusion of land in the sewer service area does not mandate the provision of sewer service and the Village Board approved the sewer service amendment following the public hearing.
- It may be necessary for the Village to initiate facility planning for wastewater treatment plant expansion to accommodate development of the proposed total sewer service area.
- The amendment is consistent with the land use component of VISION 2050, the regional water quality management plan, and Chapter NR 121 of the Wisconsin Administrative Code governing the preparation of areawide water quality management plans.

There being no discussion, on a motion by Mr. Schmidt and seconded by Mr. Stroik, Resolution No. 2022-04 was adopted by a vote of 17 ayes and 0 nays (Copy of Resolution No. 2022-04 is attached to the Official Minutes).

City of Oak Creek Sanitary Sewer Service Area (Resolution No. 2022-05)

Chairman Colman asked the Commission to consider Resolution No. 2022-05, noting the Resolution would revise the City of Oak Creek sanitary sewer service area. He asked Mr. McKay to present this resolution.

Mr. McKay 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 February 15, 2022, pending the public hearing of March 1, 2022. The purpose of the amendment is to revise and re-delineate portions of a primary environmental corridor (PEC) that has been disturbed as part of a U.S. Environmental Protection Agency and Wisconsin Department of Natural Resources clean-up to remove certain contaminated soils and by the construction of Lake Vista Boulevard. The amendment will facilitate the construction of the proposed Lakeshore Commons residential development.
- No objections to the proposed amendment were expressed at the public hearing.
- The Oak Creek Common Council approved the sewer service amendment following the public hearing.
- The recommended amendment would remove about 18.79 acres of land from a PEC to accommodate the proposed Lakeshore Commons residential development and add about 23.3 acres of land to PEC located within the City of Oak Creek owned Lake Vista and Abendshein Parks to mitigate the PEC loss.
- The amendment is consistent with the land use component of VISION 2050, the regional water quality management plan, and Chapter NR 121 of the Wisconsin Administrative Code governing the preparation of areawide water quality management plans.

There being no discussion, on a motion by Mr. Dwyer and seconded by Mr. Nelson, Resolution No. 2022-05 was adopted by a vote of 17 ayes and 0 nays (Copy of Resolution No. 2022-05 is attached to the Official Minutes).

REVIEW AND CONSIDERATION OF AMENDMENTS TO THE TRANSPORTATION IMPROVEMENT PROGRAM (TIP) (Resolution No. 2022-03)

Chairman Colman asked the Commission to consider Resolution No. 2022-03, amending the 2021-2024 TIP. He noted that these materials were provided prior to this meeting. Mr. Muhs presented Resolution 2022-03, amending the 2021-2024 TIP. He indicated there were 15 existing projects and 18 new projects to be amended into 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 Programming in the Milwaukee, Racine, and West Bend Urbanized Areas.

There being no questions or comments, on a motion by Mr. Stroik, seconded by Mr. Schmidt, and carried by a vote of 17 ayes and 0 nays, Resolution No. 2022-03 was approved (copy of Resolution No. 2022-03 is attached to the Official Minutes).

PRESENTATION AND DISCUSSION OF THE POTENTIAL FOR THE COMMISSION TO BECOME AN ECONOMIC DEVELOPMENT DISTRICT UNDER THE U.S. DEPARTMENT OF COMMERCE: ECONOMIC DEVELOPMENT ADMINISTRATION'S PLANNING PARTNERSHIP PROGRAM

Chairman Colman asked Mr. Muhs to present to the Commission an overview of the Economic Development Administration's Planning Partnership Program.

Mr. Muhs provided an overview of the potential for the Southeastern Wisconsin Region becoming an economic development district (EDD) under the U.S. Economic Development Administration (EDA). He noted that the Resolution adopting the latest Comprehensive Economic Development Strategy for Southeastern Wisconsin includes language regarding the Commission and the County Boards of Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha Counties exploring designation of the Region as an EDD, which would align local, county, and regional economic development efforts to carry out the recommendations of the CEDS. He further noted that the Milwaukee 7 Economic Development Partnership is in support of the Commission becoming the administrative agency for an EDD in Southeastern Wisconsin.

Mr. Muhs then reviewed the functions of an EDD. During the presentation the following questions and comments were made.

In response to an inquiry by Mr. Tindall-Schlicht, Mr. Muhs stated that Commission staff has been in contact with EDA staff from the Chicago Regional Office.

In response to a second inquiry by Mr. Tindall-Schlicht, Mr. Muhs stated that becoming the administrative agency for an EDD would not give the Commission bonding authority.

In response to an additional inquiry by Mr. Tindall-Schlicht, Mr. Muhs stated that there may be opportunities for the Commission to assist Counties and communities with obtaining economic development funds from the EDA.

In response to a final inquiry by Mr. Tindall-Schlicht, Mr. Muhs stated that the EDA staff has not discussed foreign trade zone issues with Commission staff, however, he will follow up with EDA staff.

In response to an inquiry by Mr. Stroik, Mr. Muhs stated that current staff can perform work related to the EDD, however depending upon the workload of staff, the Commission may have to consider hiring an economic development planner.

In response to another inquiry by Mr. Stroik, Mr. Muhs stated that the Commission would be the governing board of the EDD if the designation moves forward.

In response to an inquiry by Mr. Colman, Mr. Muhs stated that it is anticipated all the Counties within the Region would be included in the EDD.

In response to an inquiry by Ms. Brown-Martin, Mr. Muhs stated that the EDA would review the Region's EDD designation every five years.

In response to an inquiry by Mr. Johnson, Mr. Muhs stated that the Commission will be able to help coordinate grant requests that can implement the CEDS in its potential role as administrative agency of a Southeastern Wisconsin EDD.

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In response to an inquiry by Mr. Nelson, Mr. Muhs stated the EDA had discouraged pursuing EDD designation for Southeastern Wisconsin after the 2015-2020 CEDS was adopted. The EDA now has a more favorable view towards designating Southeastern Wisconsin as an EDD.

In response to an inquiry by Mr. Stroik, Mr. Muhs stated that county and local government applications for EDA funding opportunities will continue to be submitted and reviewed through the current process; however, more areas of the Region will become eligible for projects if the Region is designated as an EDD.

In response to an inquiry by Ms. Knipper, Mr. Muhs stated that the Commission could potentially need to spend funds on this program prior to receiving the funding from the EDA related to EDD designation.

UPDATE ON THE DEVELOPMENT OF A COMMISSION RESERVES POLICY

Mr. Muhs provided an update on the development of a Commission Reserves Policy, which was requested during the Annual Meeting on June 15, 2021.

Mr. Muhs stated that the Executive Committee approved a Commission Reserves Policy at the January 20, 2022, meeting. He further stated that staff had received guidance from the Commission auditors at CliftonLarsonAllen in developing this policy. He noted the policy is based on three areas of risk assessment: loss of operating revenues, damage to capital assets, and program development needs.

In response to an inquiry by Mr. Colman, Mr. Muhs stated that this policy will be periodically reviewed by the Commission.

Mr. Delagrave thanked the Commissioners and staff for developing a Reserves Policy.

CORRESPONDENCE/ANNOUNCEMENTS

Mr. Muhs stated that Chairman Colman had cancelled the March Administrative and Executive meetings.

ADJOURNMENT

There being no further business to come before the Commission, on a motion by Mr. Dwyer, seconded by Mr. Schmidt, and carried unanimously, the meeting was adjourned at 4:15 p.m.

Respectfully submitted,

Kevin J. Muhs
Deputy Secretary

KJM/BRM/EAL/cp
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