

MINUTES
of the Capital Area Regional Planning Commission

June 11, 2020 at 6:00 p.m.

Commissioners Present: Maureen Crombie, Grant Foster (departed 7:12pm), Kris Hampton, Mark Geller, Peter McKeever, Ed Minihan, Heidi Murphy, Ken Opin, Chair Larry Palm, David Pfeiffer, Bruce Stravinski, Caryl Terrell, Lauren Cnare (arrived 7:15pm)

Commissioners Absent: None

Staff Present: Melissa Breyer, Brittany Cobb, Linda Firestone, Sarah Fuller, Sean Higgins, Mike Rupiper, Caitlin Shanahan, Steve Steinhoff

Other Present: Brett Hofmeister (Johnson Block CPAs); 27 members of the public

1. Roll Call

Chair Palm called the meeting to order at 6:00pm. Quorum was established.

2. Public Comment on Matters not for Public Hearing

No members of the public wished to speak at this time.

3. **Consent Agenda (*all items below in #3 are actionable items*)**

a. Adoption of Minutes of the May 14, 2020 CARPC Meeting

b. Executive Committee Recommendations

- (1) **Approval of a Transition Plan for Sarah Fuller from Environmental Resources Planner to Environmental Engineer**
- (2) **Approval of Changes to CARPC Personnel Policies**
- (3) **Approval of June 2020 Disbursements and Treasurer's Report for May 2020**

Mr. McKeever moved to accept the consent agenda; Ms. Crombie seconded. The motion passed on a voice vote.

4. Presentation by Johnson Block CPAs on CARPC 2019 Financial Audit

Mr. Hofmeister presented an overview and highlights of the 2019 financial audit (https://carpc.sharepoint.com/:b:/g/EXtlGMuSevtHs0KwQ3GHTLkB3_ygUDGLEakdNJMgKRBN0g?e=HhXjn3).

5. **CARPC Responses to Racial Injustice (*actionable item*)**

After Chair Palm and Mr. Steinhoff summarized the reasons for this agenda item, and detailed the topics of conversation for the smaller groups and the need for the groups to set priorities, attendees were separated into breakout groups.

Concepts and ideas brought out by the breakout groups:

- Adoption of a resolution regarding diversity as a priority;
- Asking appointing authorities to prioritize diversity;
- Staff letter supporting diversity;
- Conduct education and training (perhaps hiring a trainer for addressing equity);
- Have conversations with AGMV Steering Committee members regarding diversity;
- Focus on what we can do to create affordable housing,
- Partner with Dane County Housing Initiative;
- Address how CARPC can support the transition from the Town of Madison to City of Fitchburg and City of Madison,
- Create good transportation, housing, and other community assets;

- Invite different groups to make presentations so CARPC can learn about their missions and they can learn about CARPC as a way to build relationships;
- Incorporate racial and social justice issues into CARPC's current plans;
- Partner with educational institutions to hire people of color when recruiting for intern positions;
- Improve communications;
- Focus on existing partnerships with AGMV members,
- Focus on hiring practices and intern recruitment,
- Talk to appointing authorities regarding diversity on the Commission;
- In general, focus as an Agency on things that we have responsibility for.
- Examine the history of racism in planning to understand how we got to this point;
- AGMV advisory committee was a very diverse group. We may want to talk to some of them to ask how we could reach out to people in their communities who are interested in diversity. AGMV has good ppl that we should reach out to. We must be careful not to make token actions.
- We need to add to the work program so that we are clear and have a process where we can go back and review what actions we have taken or not taken. This is something we should have been focusing on before now, and the Commission needs to actively be involved in this process.
- Our agenda statement should be reviewed to see if it has enough points that relate to equity, diversity, inclusion, and justice. We should also invite speakers to give presentations on these items.
- When discussing urban service areas, we should make time to talk about opportunities for affordable housing, improvements in education, or access to transportation.
- We should also have presentations on how to communicate and how to listen to others.

6. PUBLIC HEARINGS (7 pm)

- a. Public Hearing on Amendment of the *Dane County Water Quality Plan* and the *Dane County Land Use and Transportation Plan* by Revising the Sewer Service Area Boundary and Environmental Corridors in the Central Urban Service Area, Requested by the Village of McFarland

- (1) Applicant Presentation – Amendment Overview

Mr. Bremer and Mr. Schuenke gave the presentation (https://carpc.sharepoint.com/:b:/g/EWgQkD6Avi9JsJHg6i3Fiv8BL9_6B-iCylilr6tyiZ9zCQ?e=rZfrEk).

Commission discussion points included concerns with sump pumps running frequently in the existing development north of Elvehjem Road in the Village; problems with stormwater and groundwater management in some of the existing Village subdivisions; concerns regarding increased stormwater flow to Door Creek and Yahara River; the flex commercial development at the corner of Highways AB and MN; future plans for affordable/low-income housing; road upgrades on Highways AB and MN; and the availability of mass transit in the Village.

Commissioners requested that information on the current and future (with amendment) densities of the Village and a clarification of what is envisioned for the flex commercial development at the corner of Highways AB and MN be provided at the next meeting.

- (2) Open Public Hearing to Take Testimony from Registrants; Close Public Hearing

Chair Palm opened the public hearing.

Mr. Valenza voiced concerns about stormwater management and potential impacts on his property.

Mr. Ehlers made a statement about Veridian's efforts to offer affordable housing, as well as their intent to reduce stormwater runoff from their development to Town properties to the east compared to current conditions.

There was a discussion regarding the effectiveness of current stormwater management in the existing development along Elvehjem Road.

Chair Palm closed the public hearing.

(3) Commissioner Questions and Discussion

Discussion included stormwater flow to Mud Lake and future Dane County projects affecting Door Creek, the need to review and possibly revise sewer service area amendment policies to provide additional stormwater control, and the impacts of increased stormwater runoff into the Town of Dunn.

7. Amending the *Dane County Water Quality Management Plan* by Revising the Sewer Service Area Boundary and Environmental Corridors in the Cottage Grove Urban Service Area

a. Overview of Staff Recommendations

Mr. Rupiper gave the presentation and reviewed the proposed conditions and recommendations (<https://carpc.sharepoint.com/:b:/g/ER15UmMW0NpKopeqodhJLEMB-BJUG0CZsJD2J1cd1kALww?e=TT9zI3>).

b. Questions of Staff Recommendations

Discussion included impacts of stormwater on downstream properties and Koshkonong Creek; membership in or intergovernmental agreement with the drainage district; whether the WDOA statement about annexation should have any bearing on CARPC's recommendations; the discussions between the Village of Cottage Grove and the Town of Sun Prairie and whether the issues have been resolved; the Town of Sun Prairie's support of the proposed conditions and recommendations regarding stormwater discharged into the Town; the Village's legal rights concerning stormwater discharge downstream; and a future need for CARPC to review current sewer service area amendment policies.

Member of the public Mr. Haag (registered as Joyce Wagner), whose family owns property to the east of the amendment area, discussed the quantity of water that flows onto his family's property. He stated that his family was concerned that they, as the property owner, are going to be expected to infiltrate the water instead of the developer doing that. Later in the discussion, Mr. Haag stated that his family was not opposed to working with the developer to use part of the family's property as part of the stormwater management plan but there had been no communication from the Village nor the developer regarding this matter.

Per Mr. Updike, the Town of Sun Prairie holds a conservation easement on the property that is annexed by the Village and the Town will monitor and enforce that easement.

c. **Approval of CARPC Management Letter #2003 – Cottage Grove USA, Recommending to the Wisconsin Department of Natural Resources Amendment of the *Dane County Water Quality Management Plan* by Revising the Sewer Service Area Boundary and Environmental Corridors in the Cottage Grove Urban Service Area (*actionable item*)**

Ms. Murphy moved to approve CARPC Management Letter #2003 Cottage Grove USA and amend recommendation #4 to include impacts on Koshkonong Creek and move section 1.h. to recommendations; Mr. Opin seconded.

Mr. McKeever moved to amend the motion to include recommendation #3 become a condition and retain section 1.h. as a condition; Ms. Terrell seconded. Chair Palm requested a roll call vote.

Commissioners who voted yes: Cnare, Crombie, Geller, Hampton, McKeever, Minihan, Opin, Pfeiffer, Stravinski, and Terrell; Commissioners who voted no: Murphy; Commissioners who abstained: Chair Palm; and Commissioners who were absent: Foster.

The amended motion passed on a voice vote.

8. Approval of a Management Letter from the Commission to the Village of Cottage Grove Regarding Consistency of the Revised Urban Service Area Boundary in the Cottage Grove Urban Service Area with the *Dane County Land Use and Transportation Plan*

a. Overview of Staff Recommendations

Mr. Higgins reviewed staff recommendations, which included transmittal of the management letter finding general consistency with the *Dane County Land Use and Transportation Plan* and also urging the Town of Sun Prairie and the Village of Cottage Grove to engage in dialog about issues for mutual benefit, including discussion of future boundaries.

b. Questions of Staff Recommendations

Commissioners asked no questions.

c. **Approval of CARPC Management Letter #2003 – Cottage Grove LUTP citing substantial consistency between the proposed Sewer Service Area Boundary and Environmental Corridors amendment in the Cottage Grove Urban Service Area and the *Dane County Land Use and Transportation Plan* (*actionable item*)**

Mr. Minihan moved to approve CARPC Management Letter #2003 Cottage Grove LUTP; Mr. McKeever seconded. The motion passed on a voice vote.

9. **Adoption of CARPC Resolution 2020-08 Approving CARPC 2021 Preliminary Budget and Levy Charge (*actionable item*)**

Chair Palm explained the concept behind the wording of the resolution. The Executive Committee edited the original resolution to change some of the language.

Mr. Geller moved to approve the 2021 budget; Ms. Terrell seconded.

Mr. Hampton moved to amend the motion to substitute the Executive Committee version of the resolution; Ms. Cnare seconded. The amendment passed on a voice vote.

The amended motion passed on a voice vote.

10. **Adoption of CARPC Resolution 2020-09 Expressing Appreciation to Tony Vandermuss for His Service and Contribution to the Capital Area Regional Planning Commission (*actionable item*)**

Ms. Terrell moved to adopt CARPC Resolution 2020-09; Mr. Minihan seconded. The motion passed on a voice vote.

11. **Adoption of CARPC Resolution 2020-10 Adoption of CARPC Bylaw Amendments (*actionable item; supermajority vote*)**

Mr. Hampton moved to adopt CARPC Resolution 2020-10; Mr. Minihan seconded. The motion passed on a voice vote.

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13. Reports

a. Executive Chairperson and Executive Committee

- (1) Review of Banking Deposits
- (2) Discussion of Options for CARPC Health Savings Retirement Programs
- (3) Potential CARPC Roles in Assisting with Filling Commissioner Vacancies

Chair Palm reported that the Executive Committee supported the staff recommendations that CARPC deposit funds in the Local Government Investment Pool and CARPC potentially sign up with Precision

Retirement to handle retiree payout funds. He also summarized the discussion regarding CARPC's role in filling Commissioner vacancies.

b. Members of the Madison Area Transportation Planning Board

Mr. Minihan reported on the joint MPO/CARPC meeting, the MPO and CARPC staffs working on reopening the office; and the MPO's new logo.

c. Agency Director/Division Director, Community and Regional Planning

Mr. Steinhoff referred to the written Director's report and asked for questions. No questions were asked.

d. Deputy Agency Director/Division Director, Environmental Resources Planning

Mr. Rupiper referred to the written Director's report and asked for questions. No questions were asked.

14. Future Agenda Items (Next Executive Committee meeting is 6pm on July 6, 2020, location TBD; next CARPC meeting is 6pm on July 9, 2020, location TBD)

CARPC Retirement Program (actionable item)

Discussion on CARPC's official policies

CARPC policies and how CARPC can have a regional impact

Staff will bring forward possible actions and recommendations regarding racial justice

15. Adjournment

Mr. Opin moved to adjourn; Mr. Stravinski seconded. The motion passed on a voice vote. The meeting adjourned at 9:35 pm.

Minutes taken by Linda Firestone and reviewed by CARPC staff

Respectfully Submitted:



Kris Hampton, Secretary

Members of the public who attended the meeting:

1. Adam Artz (Pinnacle Engineering Group)
2. Brian Berquist (Town & County Engineering is available for questions (did not indicate which item))
3. Andrew Bremer (Community and Economic Development Director, Village of McFarland); supports item #6 and wishes to speak for item #6 public hearing
4. Nick Bubolz (Town & County Engineering) is available for questions (did not indicate which item)
5. Brad Czebotar (Village of McFarland)
6. Chris Ehlers (Veridian Homes) is available for questions (did not indicate which item)
7. Matt Giese (Village of Cottage Grove)
8. David Kanning (Madison Area Transportation Planning Board) is available for questions (did not indicate which item)
9. Larry Konopacki (Stafford Rosebaum, LLP, attorney for the Village of Cottage Grove)
10. Kris Krentz (Skaalen Retirement Services) is available for questions (did not indicate which item)
11. Kevin Lord (MSA Professional Services); is in support and is available for questions during Public Comment on Matters not for Public Hearing
12. Forbes McIntosh (Consultant for Dane County Cities and Villages Association)
13. Robert Procter (attorney)

14. Melissa Ratcliff (Dane County Supervisor); supports item #6 but does not wish to speak
15. Todd Rizzo (Greywolf Partners) is available for questions (did not indicate which item)
16. Erin Ruth (Village of Cottage Grove); is in support and is available for questions during Public Comment on Matters not for Public Hearing
17. Mark Seidl (Pinnacle Engineering Group)
18. Matt Schuenke (Administrator, Village of McFarland); supports item #6 and wishes to speak for item #6 public hearing
19. Eric Thompson (MSA Professional Services on behalf of the Village of Cottage Grove)
20. Lyle Updike (Town of Sun Prairie)
21. Kevin Urso (Urso Bros LLC)
22. Clair Utter (member of the public)
23. Jacqueline Utter (member of the public)
24. Wayne Utterback (member of the public)
25. Timothy Valenza (Prairie Street Designs); is neutral and wishes to speak for item #6 public hearing
26. Joyce Wagner (member of the public)
27. Robert Wipperfurth (member of the public)