

**MINUTES
of the
Capital Area Regional Planning Commission**

February 11, 2016

CCB Room 351, 210 Martin Luther King Jr. Blvd., Madison WI

7:00 p.m.

Commissioners Present: Steve Arnold, Lauren Cnare, Mark Geller, Ken Golden, Kris Hampton, Peter McKeever (by phone; departed 9:06pm), Ed Minihan, Larry Palm, David Pfeiffer, Caryl Terrell (by phone; departed 8:30pm)

Commissioners Absent: Zach Brandon, Eric Hohol, Evan Touchett

Staff Present: Matt Covert (arrived at 7:35pm), Linda Firestone, Sean Higgins, Mike Rupiper, Steve Steinhoff

Others Present: Various members of the public

1. Roll Call

Chair Palm called the meeting to order at 7:03pm. Quorum was established.

2. Review of Agenda

3. **Approval of Minutes of the January 14, 2016 Meeting (*actionable item*)**

Mr. Arnold moved to approve the minutes of the January 14, 2016, meeting; Mr. Hampton seconded.

Mr. Geller made a motion that item 3 of the minutes be amended to read: "Mr. McKeever nominated Mr. Geller for the position of Treasurer ~~Secretary~~"; Mr. Golden seconded."

Amended minutes passed unanimously on a voice vote.

4. Public Comment on Matters not for Public Hearing

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

5. Discussion of Budget & Personnel Panel (*note: any members of BPP present at this meeting are invited to speak and will be included in all discussions under this item*)

There were no members of the BPP present. Chair Palm stated there were no meetings scheduled, and also that he had received a communication from Dane County Executive Joe Parisi, which he shared with the Commission, regarding the proposed changes to the Commission bylaws. There was no discussion at this time regarding this communication.

6. Presentation on "Landuse, Climate Change, and Yahara Lakes Flooding" by Dr. Ken Potter of UW-Madison.

Dr. Potter gave a presentation, which may be viewed at https://danedocs.countyofdane.com/webdocs/PDF/capd/2016/Misc/CARPC_021116/Potter-CARPC_021116.pdf. Questions were asked and a discussion ensued after the presentation.

7. Public Hearing: Amending the *Dane County Water Quality Plan* and the *Dane County Land Use and Transportation Plan* by Revising the Central Urban Service Area Boundaries in the City of Middleton

a. Amendment Overview (Sean Higgins)

Mr. Higgins gave a presentation.

b. Water Quality Plan/Water Quality Standards Compliance Staff Presentation (Mike Rupiper)

Mr. Rupiper gave a presentation.

Mr. Golden requested that the MPO provide a map of bus routes in future USA reviews. Mr. Higgins said that the MPO did provide one for this USA review.

Eileen Kelley, City of Middleton Planning Director, spoke about the layout of the units.

- c. Open Public Hearing to take testimony from registrants; close Public Hearing

Chair Palm opened the public hearing.

Don Hammes, a citizen of the City of Middleton, suggested that CARPC look into the cumulative impact of these units in Middleton on Lake Mendota.

Chair Palm closed the public hearing.

- d. **Approval of CARPC Resolution 2016-03 Amending the *Dane County Water Quality Plan* and the *Dane County Land Use and Transportation Plan* by Revising the Central Urban Service Area Boundaries in the City of Middleton (*actionable item, 8 votes required for approval*)**

Mr. Golden moved to approve CARPC Resolution 2016-03; Mr. Arnold seconded.

Mr. Arnold originally moved to amend the resolution to recommend 100% stay-on and then changed the amendment to change the condition of 90% stay-on to 100% stay-on and keep the recommendation of 100% stay-on for the ordinance change; Mr. McKeever seconded. No one had an objection to Mr. Arnold changing his motion. Ms. Kelley spoke about the impact this condition would have. The amendment to the resolution did not pass (three ayes; six nay's; Chair Palm did not vote).

Mr. Golden moved to amend the resolution to make a recommendation of 100% stay-on; Ms. Cnare seconded. This amendment to the resolution passed unanimously by voice vote.

Chair Palm requested that there be a presentation in the future to discuss the impact of different building styles.

The roll call vote for passage of the main resolution, as amended: Ayes: Mr. Arnold, Ms. Cnare, Mr. Geller, Mr. Golden, Mr. Hampton, Mr. McKeever, Mr. Minihan, Mr. Palm, Mr. Pfeiffer, and Ms. Terrell. Commissioners absent: Mr. Brandon, Mr. Hohol, and Mr. Touchett. There were no nays. The motion passed on a roll call vote.

- 8. Scope of Proposal Presentation to Amend the *Dane County Land Use and Transportation Plan* and the *Dane County Water Quality Plan* by Revising the Cross Plains Urban Service Area Boundary and Environmental Corridors in the Village and Town of Cross Plains (Sean Higgins, Mike Rupiper)

Mr. Higgins and Mr. Rupiper gave a presentation. The public hearing will be in Cross Plains at the March CARPC meeting.

Other updates given:

Cottage Grove (for April 2016 public hearing)
Madison-Pioneer Midtown: WDNR approved 11/23/15
Verona: Under review by WDNR

Mr. Rupiper reported on recent sewer extension approvals.

- 9. Approval of Revised CARPC Bylaws

Mr. Golden acknowledged the County Executive's memo to Chair Palm regarding the revision of the bylaws. Mr. Golden wants to wait a month in order to give the County Executive and his staff time to review the proposed revisions.

Ms. Cnare asked how Chair Palm will pursue this. Chair Palm will respond in a letter after tonight's meeting.

Mr. Golden made the suggestion that we should ask for any comments the County Executive and his staff wish to make about either version 1 or version 2 be in writing and not verbally. Chair Palm stated that was part of our communication to the BPP members.

Mr. Arnold commented, if CARPC hears by March 3rd (which would be a month) that Mr. Parisi had some concerns in writing, then on March 10th the Commission would still only have the options of passing a version of the bylaws or doing something for a future meeting. Mr. Arnold would ask the corporation counsel to address versions 1 and 2 separately and explain why the Commission should not pass them, or if the Commission should pass them and later amend them, or amend them first before passing them what the corporation counsel specifically would like to see in the amendments. Speaking to the letter as it relates to the agenda item being currently discussed, it does not seem like amending the bylaws is going to address the County Executive's repeal and replace request. So Mr. Arnold did not

know if anything the Commission does would be satisfactory. So if there is something that would actually cause the corporation counsel to become more involved in the BPP and CARPC and so on, that is what the Commission would like to know by March 3rd.

Mr. Golden made the motion that the Commission delay action on both versions of the bylaws that are on the agenda for one month and the Commission indicate in its communication to the County Executive that the Commission would like a reply on a date one week prior to the date of the Executive Committee meeting that happens before the commission meeting and that the response be in writing. Mr. Arnold seconded.

Mr. Golden made his motion with the thought that staff should have a week to review the response back from the County Executive and perhaps make a recommendation to the Commission of whether to adopt it or not (or staff could leave that to the Commission). Then the Executive Committee could digest both the County's response and the staff response and so then hopefully it would come to the Commission pre-digested.

Chair Palm reminded the Commissioners that the Commission would have to pass either amendment as a whole.

Mr. Arnold made the suggestion that the Commission could pass one of the two versions and bring an amendment to the next CARPC meeting to fix something that the County Executive does not like. That way the revision of the bylaws is not held up because of an item that is a concern of the corporation counsel.

Mr. Golden suggested that CARPC respond to the County Executive's statements about what would happen to the levy amount should CARPC no longer exist.

Mr. Steinhoff gave an overview of the CARPC attorney's research on what would happen to the CARPC levy if CARPC did not exist. Jon St. Peter concluded that the levy amount would not go down. However, experience of the Town of Cottage Grove indicates that local municipalities may be able to successfully challenge reallocation of CARPC funds to other County budget items.

The motion passed unanimously on a voice vote.

- a. **Approval of Version 1 of the Revised Bylaws (*actionable item*)**
- b. **Approval of Version 2 of the Revised Bylaws (*actionable item*)**

The vote has been delayed a month for both versions.

10. Approval of the Report on the Recommendations of the Policies and Criteria Advisory Group (PCAG), January 2011 (*actionable item*)

Mr. Steinhoff gave a review of what was requested at the January CARPC meeting regarding the PCAG report.

Mr. Geller moved to approve the report on the recommendations of the policies and criteria advisory group (PCAG); Mr. Golden seconded.

Mr. Golden made an amendment to the motion to accept the PCAG report and then approve the report on the PCAG recommendations from staff; Ms. Cnare seconded. The amendment passed unanimously on a voice vote.

The main motion, as amended, passed unanimously on a voice vote.

11. Urban Service Area Review Process Discussion

A white paper was created by staff for discussion purposes. Mr. Steinhoff gave a verbal presentation. The paper was well received as a useful discussion and decision-making guide. This will be discussed at the CARPC retreat.

12. Approval of February 2016 Disbursements and Treasurer's Reports for January 2016 (*actionable item*)

Mr. Geller moved to approve the February 2016 Disbursements and Treasurer's Reports for January 2016; Mr. Hampton seconded. The motion passed unanimously on a voice vote.

13. Report and Discussion on A Greater Madison Vision

Mr. Steinhoff gave a verbal presentation on A Great Madison Vision. Mr. Dee Allsop from Heart & Minds Strategies will be here on Tuesday, February 16, to give the results of the values study. There are now four co-chairs of the Steering Committee. There are also sub-committees in place. Planning Committee; Fund Development Committee, Outreach Committee, Values Study Committee, and Executive Committee. Marketing/Media is a need that is not formed into a committee as of yet.

14. Report and Discussion on Potential Program for FUDA Monitoring

Mr. Covert gave a presentation. Commissioners voiced support for the monitoring approach presented. Questions were asked after the presentation.

15. Report of Deputy Director / Report and Discussion on Division of Community and Regional Planning Activities Discussion

Mr. Steinhoff gave a verbal report. Mr. Rupiper gave an update on the hiring of the Environmental Engineer. The quarterly Regional Trends Report will be posted soon. The CARPC newsletter will be issued next week. The staff is talking to an outside consultant about updating the CARPC website.

16. Report of Chair / Discussion

Chair Palm gave a verbal report.

- 2016 CARPC Retreat Planning

Mr. Palm and Mr. Steinhoff spoke about the plans for the 2016 CARPC retreat. CARPC is hiring a facilitator. The goal is to take the Commission back to square one as to what CARPC does. Most of the Commissioners are able to attend.

17. Future Agenda Items (Next meeting is March 10, 2016, at Cross Plains)

Changes to the personnel manual

18. Adjournment

Mr. Hampton moved to adjourn the meeting; Mr. Arnold seconded. The meeting was adjourned at 10:10pm.

Minutes taken by Linda Firestone

