

Madison Area Metropolitan Planning Organization (MPO)
April 6, 2005 Meeting Minutes

1. Roll Call

Members present: Ken Golden, Eileen Bruskwewitz, Kris Euclide, Lisa MacKinnon, Al Matano, Rose Phetteplace, Laura Rose, John Volker, Robbie Webber
Members absent: Bob Dye
Staff present: Bob McDonald, Bill Schaefer, Bob Pike

2. Approval of March 2, 2005 Meeting Minutes

Moved by Euclide, seconded by Matano, to approve March meeting minutes. Motion carried.

3. Communications

E-mail from Michael D. Barrett regarding MPO agenda item # 8.

4. Public Comment (for items *not* on MPO Agenda)

None

5. Consideration of Press Release, Citizen Participation Effort, and Generalized Schedule for Preparing the 2006-2010 Transportation Improvement Program (TIP) for the Dane County Area

McDonald stated that these documents follow the same format and general schedule approved by the MPO Board last year. Moved by Bruskwewitz, seconded by Matano, to approve. Motion carried.

6. Consideration of Letter of Transmittal Requesting Projects for STP-Urban Funding and TIP Update

McDonald introduced the item, which requests local units of government, Dane County, and WisDOT to submit projects for inclusion in the TIP and for local units of government and Dane County to submit projects for potential STP-Urban funding. Moved by Bruskwewitz, seconded by Matano, to approve letter. Motion carried.

7. Public Hearing on Representation on the Madison Area MPO Board

Golden opened the public hearing.

Gary Werner, 2302 Lakeland Avenue, Madison, spoke representing the Dane County Environmental Smart Growth Coalition, a coalition of environmental organizations in Dane County. He emphasized the need for regional planning that considers what is best for the region, not just individual local jurisdictions, and noted that the MPO's jurisdiction covers most of the county. He urged the MPO board to maintain its current balance of persons with a particular perspective from various municipalities and persons who, he assumed, have the primary responsibility to take a regional perspective looking at the whole MPO planning area. He hopes that the MPO's work will be meshed with that of the comprehensive plan and the other efforts to create a vision for the county.

Royce Williams, 2437 Fox Avenue, spoke, representing himself. Williams said that the MPO represents one of the few moves toward metropolitan government in the state, courtesy of the federal government. He noted his involvement in the county comprehensive planning effort. He believes that the county appointments to the MPO board should be de-emphasized, because the county doesn't have much of a role in urban areas of the county. He said this has been a big problem with the comprehensive plan, because the question keeps arising whether the plan is dealing with the whole county or just the unincorporated part of the county.

Topf Wells, representing Dane County Executive Falk, said Falk was open to a compromise on this issue whereby one of her appointments would be changed from a City of Madison resident to a small city or village resident.

Golden closed the public hearing.

8. Consideration of and Possible Action on Madison Area MPO Board Representation and Other Applicable Considerations Regarding Appointments

Golden opened the discussion by stating that this issue has been on the board's agenda for several meetings, and that analysis has been presented on the population distribution within the MPO area and representation percentages. He thanked Euclide for pointing out that the federal regulations permit other considerations such as low-income populations and environmental justice. Webber mentioned an e-mail she received from Mike Rewey in which he stated that lane miles of roadway under each jurisdiction should be taken into consideration. She said McDonald was on the list of recipients, but McDonald said he didn't receive it. Euclide added that financial contributions to the transportation system should be considered. Some discussion followed regarding the fact that the residency requirement for appointments doesn't mean that the appointee must represent the interests of those jurisdiction(s). All board members should make decisions based on what he or she thinks is in the best interests of the metropolitan area as a whole. Golden noted that Euclide had brought up the idea of adding other requirements for appointees besides the jurisdiction of residency, for example that the appointee must reside in a low-income area.

Volker proposed switching the residency requirement of one of the Dane County Executive's appointments from the City of Madison to a small city or village within the MPO area. He said the cities and villages' representatives had discussions with the county executive's office and had agreed to this compromise. Golden clarified that under Volker's proposal the County Executive would still have three appointments, but only one from Madison and two from a small city or village, and that the RPC requirement would be removed. Discussion then turned to the effective date of the change. McDonald said the terms of the current County Executive appointees were up April 1. It was clarified that under the proposal the change would take effect with the appointments serving from April 2005 to April 2007. Webber expressed concern over the focus on residency. She said the MPO must look at the whole region and the transportation needs of the whole metropolitan area. Focusing purely on residency may feed into the conflicts that have occurred with the RPC and continue to occur at the county level. If a change is going to be made, the board needs to consider whether all of the representation needs laid out by federal law are being met. Laura Rose said that residency is one thing to consider, but it doesn't mean the appointee can't have a regional perspective or that these other considerations can't be considered as well. She expressed concern about taking away one of the Madison appointees and giving it to the small cities and villages. She suggested just adding a small city/village representative to make a 12-person board. Golden said we had a 13-member option that McDonald put together that was intended to do exactly what Rose is referring to. It would add a Madison appointee and a small city/village appointee, so there would be six appointees by the Mayor, three by the County Executive, two by the small cities and villages, one by the towns, and one by WisDOT. Golden said a second variation of the 13 had the two additional appointees by the Mayor and small cities and villages, but also reversed the County Executive's appointments so that two would be small city/village residents. This is scenario 5. Bruskewitz said the representation percentages actually mirror better the population percentages under that scenario.

Euclide cautioned the MPO board against changing the number of persons on the board for two reasons. If there is a reason to change based on population, this can be accomplished with Volker's proposal to reverse the county executive's appointments (scenario 2). The other reason is that this may require having to go through the whole designation process again. In response to Royce William's comments, she said the county has a major role in the MPO process because the MPO is the closest thing we have to a metropolitan-type government and brings the broadest possible perspective versus parochial jurisdictional interests. The County Executive's appointments are the most important in terms of looking at the broader countywide perspective on these transportation-planning issues and fulfilling the role of acting as a metropolitan entity. Dane County also owns and operates the airport and the county highway system. She said she didn't support any change that would diminish the county executive's appointment authority. However, she recognized the efforts to

try to reach a compromise in terms of representation. She also wanted to make sure that a process rule was agreed to that these representation issues would only be considered following the census every ten years. MacKinnon said she agreed with Euclide on the importance of the county's appointees because it is a body that is larger than any particular local jurisdiction represented here. She emphasized the need for the whole board to take a regional perspective. Bruskewitz agreed with MacKinnon regarding the responsibility of all board members to look at the region as a whole, but said the individual members all offer a different perspective or insight based upon where they live. That is the reason for the different residency requirements—to ensure the appointees can represent different viewpoints, not to take a narrow, parochial perspective on the issues. It is important that some appointees have the ability to represent the interests and the ideas and the thinking of municipalities other than the City of Madison. Bruskewitz disagreed with the concept that the county executive should make these appointments, and liked the fact that the towns were able to select their own representative. She thought it was very important that the appointee represent, in this case, the perspective of the small cities and villages in terms of the larger view. She didn't think there was a need for a larger board. Phetteplace agreed with Bruskewitz. Her first inclination, she said, is that the small cities and villages should receive one of the county appointments. However, she wanted to work through the options and would support any consensus if there were one. She asked Volker if there were any expectation of re-evaluating the proposed change to see if the cities and villages feel their interests are being represented. He said no, but it could be revisited after the two-year appointment is up. There could also be a sunset date.

Golden said everyone had been right tonight. His primary concern was keeping the peace and he wanted to contribute to that. He said there were three issues or points that made him think the board should take a slightly different direction. The first is geography. Even though one strives for a regional perspective, you always know the area where you live better. He proposed adding language that the appointing authorities should consider geographic diversity or balance in making their appointments. Secondly, he thought similar language might be added for other factors as well. These include persons residing in environmental justice areas and persons with a disability. He said it would be easier to achieve geographic balance and representation of these other perspectives with a larger board. He didn't think expanding the board would negatively affect its functionality. He suggested that scenario 5 addresses the proportionality problem, but also the goal of expanding the board's diversity or the number of different perspectives in terms of these factors. Laura Rose said she liked that idea and didn't think 13 members was an unmanageable number at all. She didn't think expanding the board size would require re-designation. Stroman said that she could see the new census numbers was the trigger for looking at this issue. She agreed it makes sense to look at these other factors and refine them. However, she was concerned that expanding the board size was simply a way of achieving a new structure based strictly on population. Golden said there is no guarantee that the various factors would be considered, but each of the appointing bodies has a process that involves advice and consent. The problem in becoming too specific and prescriptive is that you end up not being able to fill the positions.

Euclide said she supported the idea of identifying appropriate factors to be considered in the appointments, but didn't think the board should go beyond that. She opposed scenario 5, which Golden suggested. She said it would significantly increase the representation from the cities and villages, and it would diminish the county executive's role because it lowers the percentage of board members she would be appointing. It would also increase the City of Madison Mayor's role, because only one Madison appointee would be a county executive appointment. MacKinnon agreed and said she would not be comfortable making changes to the number of board members unless we had a certain answer regarding the need for re-designation if the board was increased to 13 members. McDonald said a re-designation would not be necessary if everyone agreed to the change in board members and representation. Schaefer said any change would require a revised agreement with the Governor. McDonald agreed, but said that is different than the re-designation process. McDonald said a revised agreement would require the signatures of not only the Madison Mayor and Governor, but other chief elected officials as well.

Volker said his proposal is pretty fair as far as increasing the representation of the cities and villages without reducing the County Executive's or Madison Mayor's authority. Language could be added regarding consideration of these other factors that have been discussed, but it should be relatively simple given all of the special needs. Bruskewitz clarified that Volker was proposing scenario #2, switching one of the County Executive's appointments from a Madison to a small city/village resident. Rose said she didn't like the fact that the proposal diminishes Madison's representation, which is the reason she proposed just adding an appointment.

Moved by Volker, seconded by Euclide, to change the MPO board representation by revising the requirements of the County Executive's appointments so that one appointee must reside in the City of Madison and two must reside in a small city or village within the MPO area, and by adding language that appointing authorities shall consider geographic diversity and representation of persons with special needs in making their appointments. The change is effective for the April 2005 to April 2007 appointment term. Webber suggested a friendly amendment to add consideration of representation by transit dependent and low-income populations and persons with a disability. Euclide suggested a friendly amendment to change the wording from "consider" to "are encouraged to consider" to make it clear that consideration of these factors is not a mandate.

Motion failed 4-5 on a roll call vote with Golden passing (Aye—Euclide, MacKinnon, Stroman, Volker; No—Bruskewitz, Matano, Phetteplace, Rose, Webber)

Moved by Rose, seconded by Webber to expand the board membership to 12 by adding one county executive appointment for another person who resides in a small city or village in the MPO planning area, and to also add the language regarding the factors for appointing authorities to consider. Golden made a friendly amendment to eliminate the requirement that one of the Madison appointees be a RPC member with the understanding that we would go back to that if a new agency is created to replace the RPC.

It was clarified that the motion would give the County Executive an additional appointment, so that she would have four—two from the City of Madison and two from a small city or village. At Webber's request, McDonald calculated the representation percentages for the 12-member board. He reported that with the WisDOT representative the percentages were as follows: City of Madison (58.3%), small cities and villages (25%), towns (8.3%), and WisDOT (8.3%). Without WisDOT, the percentages were: City of Madison (63.6%), small cities and villages (27.3%), and towns (9.1%). Volker said he didn't think the small cities and villages would support this proposal unless they were to make the extra appointment themselves. Topf Wells said that the County Executive had not reviewed this possibility, but thought she would support it. Golden said Volker was suggesting that instead of the County Executive having four appointments, she would continue to have three and the cities and villages would gain a second appointment. Wells said he didn't think the County Executive would support that second option. Euclide said she would reluctantly support the motion, but would do so only if it is a compromise that would be satisfactory to the cities and villages. Euclide asked Volker why he wouldn't support the motion, given that the cities and villages would gain an extra representative as with his previous motion. Volker said the compromise that had been worked out with the County Executive's office included an agreement that the appointment would be made in cooperation with the cities and villages. He said that increasing the County Executive's appointments to four increased her authority a bit too much. Phetteplace expressed concern about the even number of board members for voting purposes. She also felt that if a representative is simply going to be added that the cities and villages should be able to make that appointment directly.

Motion passed 6-4 on a roll call vote (Aye—Euclide, MacKinnon, Rose, Stroman, Webber, Golden; No—Bruskewitz, Matano, Phetteplace, Volker).

It was clarified that the effective date of the change is for the April 2005-April 2007 term and that the list of factors for the appointing authorities to consider is to include geographic balance in representation.

9. Status Report by MPO Board Members on Projects Potentially Involving the MPO

- **Transport 2020 Implementation Task Force:** Golden said an RFP for the next phase of the study, PE/EIS, was sent out.
- **USH 51 (USH 12/18 to I 90/94/39) Corridor Study:** McDonald said the policy committee has not met yet. The technical committee has met a couple of times. WisDOT District 1 and its consultant KL Engineering made a presentation to the MPO board at its last meeting. Phetteplace added that the City of Madison has requested a presentation from WisDOT on this project.

10. Discussion of Future Work Items

- Discussion of RTP Alternatives for Plan Update
- Dane Co. Clean Air Coalition
- West Side Bicycle Corridors Study
- Mid-West Regional Rail

11. Announcements and Schedule of Future Meetings

Matano mentioned a newspaper article that said two townships in Dane County were going to impose policy restrictions on bicycling on town roads. He wondered if MPO staff could obtain information on the implications of the ordinances. Golden said this is outside the MPO area and he would advise against taking any action on it for that reason. Matano said he just wanted to tap staff's expertise. Matano also said there was a group trying to get a ped/bike overpass at University Ave. near Midvale Blvd. Mayor Cieslewicz suggested instead looking at reconstructing University Ave. in a manner similar to Queen's Boulevard in New York where would be two travel lanes in each direction and a service road. This has the advantage of separating traffic by purpose and providing two refuge points for pedestrians. Golden and McDonald said they were concerned about the right-of-way implications.

After attempting to schedule a special meeting for discussion of the land use/transportation alternatives to be developed for the regional transportation plan update, it was decided to take this item up at the next regular meeting scheduled for May 4, 2005 at 5 p.m. McDonald said he would try to find a more comfortable location for the meeting.

McDonald presented a schedule for the federal certification review. He noted that on July 6 Federal Highway Administration (FHWA) staff would make a presentation to the MPO during its regularly scheduled meeting, and hold a public hearing immediately after.

Webber said other MPOs in the state have either recently gone through a re-certification or are in the process of going through re-certification. She said that comments have been raised in those reviews about some of the things that MPOs should be taking into consideration and what they should be focusing on, including perhaps heightening consideration of land-use issues. She was thinking in particular of SEWRPC. She asked that staff find out more information about these reviews.

12. Adjournment