

# Waukesha County Board of Supervisors

## Minutes of the Public Works Committee Thursday, August 11, 2022

Chair Hammitt called the meeting to order at 8:30 a.m.

**Present:** Supervisors Keith Hammitt, Jim Batzko, Darryl Enriquez, Joel Gaughan, Christine Howard, Darlene Johnson, and Richard Morris.

**Also Present:** Chief of Staff Sarah Spaeth, Administrative Specialist Mary Pedersen, Principal Assistant Corporation Counsel Deb Price, Public Works Director Allison Bussler, Engineering Services Manager Karen Braun, Civil Engineer Matthew Cowap, Airport Manager Kurt Stanich, and Programs and Projects Analyst Aimee Scrima.

### **Approve Minutes of July 26**

MOTION: Johnson moved, second by Enriquez to approve the minutes of July 26. Motion carried 7-0.

### **Next Meeting Date**

- September 15 (Capital Projects)

### **Advisory Committee Reports**

Morris said they Wisconsin River Rail Transit Commission met in Dodgeville last week and will meet next month in Baraboo.

### **Announcements**

Hammitt noted that funeral services for former County Board Supervisor Ted Wysocki will be held on Saturday.

### **Caselaw Update: Brief Overview of Supreme Court Decision: Backus v. Waukesha County, 2022 WI 55**

Price gave background on this case which involved a homeowner who sued the County due to the County needing a portion of their land (temporary limited easement) for a road improvement project (CTH M). Price discussed how the County compensates homeowners for these types of easements. In this case, the easement did not affect the value of the property and the County only needed the right to use two small portions of land for a short time to complete the project. Price argued against the current statute for easements and that it allowed for much more than just compensation for temporary limited easements whereby the Supreme Court agreed 4-3. Price said this is a huge win for the State DOT, local governments, and taxpayers.

### **Discuss And Consider Ordinance 177-O-047 Create A Parking Regulation For CTH K In The City Of Brookfield And Village Of Menomonee Falls**

Braun and Cowap discussed this ordinance which creates a "No Parking Anytime" zone along the north side of CTH K east of Emerald Hills Drive easterly to Cranes Crossing Boulevard and the south side of CTH K east of N Brookfield Road to the beginning of the west radius for Shasta Drive and from

the end of the east radius of Shasta Drive easterly to Cherokee Drive, in the City of Brookfield and Village of Menomonee Falls. Staff studied parking along CTH K in the Village of Menomonee Falls to address safety concerns and the report revealed existing conditions along CTH K are inadequate for off road parking and maintaining safe sight distances for the residents with access to CTH K.

Braun distributed aerial maps of the area and explained the safety concerns (no shoulders, drainage ditches meet the road) and accidents which began when the business owner expanded the property which is now too big to accommodate the 37-spot parking lot.

Hammitt asked if the County can do anything to help the business owner with his parking issue. Braun said it would be cost prohibitive which she explained in detail. Answering Howard's question, Braun said this does not meet the village's requirements for expansion and did not know why the permit was granted. There needs to be enough parking to accommodate building capacity. Batzko also had concerns and said the business owner did everything correctly. Hammitt wanted to hear from the business owner and County Board Supervisor Jennifer Grant as this property is in her district.

MOTION: Gaughan moved, second by Morris to approve Ordinance 177-O-047. Motion defeated 2-5. Hammitt, Batzko, Johnson, Enriquez, and Morris voted no.

#### **Overview and Tour of Waukesha County Airport**

Stanich and Scrima gave history and an overview of the airport and led the committee on a tour of the airport grounds.

MOTION: Morris moved, second by Gaughan to adjourn at 11:00 a.m. Motion carried 7-0.

Respectfully submitted,

*Christine M. Howard*

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Secretary