

Waukesha County Board of Supervisors

Minutes of the Land Use, Parks & Environment Committee Tuesday, May 17, 2022

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

Present: Supervisors Tom Michalski, Jennifer Grant, Christine Howard, Robert Kolb, Brian Meier, Chris Mommaerts, and Ted Wysocki.

Also Present: Chief of Staff Sarah Spaeth, Legislative Policy Advisor Alex Ignatowski, Administrative Specialist Mary Pedersen, Parks and Land Use Director Dale Shaver, former Administration Director Norm Cummings, Senior Financial Analyst Alex Klosterman, Budget Management Specialist Stephanie Hall, Parks System Manager Steve Brunner, Community Development Manager Kristin Silva, Planning and Zoning Manager Jason Fruth, and Nick Wimmer and David Wimmer of Wimmer Communities.

Committee Welcome and Opening Remarks of the Chair

Michalski welcomed committee members and thanked them for serving. He said he will run the meeting according to Roberts Rules of Order and asked committee members to stay on topic.

Nomination and Election of Vice-Chair and Secretary

MOTION: Mommaerts moved, second by Wysocki to elect Grant as Vice Chair of the Land Use Committee. Motion carried 7-0.

MOTION: Grant moved, second by Wysocki to elect Mommaerts as Secretary of the Land Use Committee. Motion carried

Committee Duties and Responsibilities as Written in the County Code of Ordinances

Spaeth discussed the duties and responsibilities of the Land Use Committee as written in the County Code of ordinances.

Overview of the Department of Parks and Land Use

Shaver gave an educational presentation on the Parks and Land Use Department including work and partnerships with residents, businesses, employers, and builders and developers. He also reviewed their strategic plan, building a culture of continuous improvement among staff members, budget, and the Community Development Block Grant and HOME programs. He went on to highlight the various divisions within the department.

Discuss and Consider Ordinance 177-O-007 Amend Text Of Chapter 13, Article II And Chapter 14, Article II Of The Waukesha County Code Of Ordinances To Modernize Provisions Consistent With Current Park Operations

Shaver discussed this ordinance to amend various sections of Chapter 13 and Chapter 14 of the Waukesha County Ordinances to update according to current park operations.

MOTION: Wysocki moved, second by Howard to approve Ordinance 177-O-007. Motion carried 7-0.

Discuss and Consider Ordinance 177-O-006 Approve Permanent Access Easement To The Village Of Lannon For The Purpose Of Allowing Public Pedestrian And Non-Motorized Access On Waukesha County Property Known As The Bugline Trail Corridor

Siodlarz discussed this ordinance which will allow the County to grant a Permanent Access Easement to the Village of Lannon for the purpose of public pedestrian and non-motorized access on Waukesha County property on the Bugline Trail.

MOTION: Howard moved, second by Grant to approve Ordinance 177-O-006. Motion carried 7-0.

Discuss and Consider Ordinance 177-O-009 Modify The 2022-2026 Capital Plan And 2022 Budget For Capital Project 202204, Lake Country Trail STH 67 Underpass

Brunner discussed this ordinance which modifies the 2022-2026 capital plan and 2022 Capital Project budget to increase expenditure authority by \$556,900 for the design phase for the Lake Country Trail State Trunk Highway (STH) 67 Underpass project (#202204) and increase general government revenues by \$428,600 and use of Capital Project fund balance by \$128,300. This ordinance also moves the design phase (\$556,900) of the project up from 2023 to 2022 and the construction phase (\$2,332,000) up from 2025 to 2023. The project cost remains the same, but an additional \$128,300 of Capital Project Fund balance will need to be used in 2022 to cover the County's share of project costs which is offset by a reduction in the need for County funds in the same amount in future years.

In the previously adopted capital project, the department planned to apply for \$2.1 million in funding from the Federal Transportation Alternatives Project (TAP) in February 2022. Based on the estimated funding schedule, this would have allowed for the design phase in 2023 and construction phase in 2025. Since then, the department has worked with WisDOT to secure alternative funding that would allow for a more expedited project schedule than TAP funding would allow. The department applied for and was awarded funds sufficient to cover the \$2.1 million federal revenue budget through the federal Congestion Mitigation and Air Quality (CMAQ) Program in February of 2022, and in April of 2022 an advance of the funding was provided by the Bipartisan Infrastructure Law (BIL). This ordinance does not result in an impact to tax levy.

MOTION: Wysocki moved, second by Howard to approve Ordinance 177-O-009. Motion carried 7-0.

Discuss and Consider Ordinance 177-O-008 Authorization To Execute Amended Memorandum Of Understanding With City Of Waukesha Regarding Waukesha County's "Urban County" Community Development Block Grant Program

Silva discussed this ordinance which authorizes the Community Development Block Grant Program to modify the existing memorandum of understanding (MOU) with the City of Waukesha to increase the amount apportioned to the City to 60% (increased from 50%) of the funding that the City would have received from U.S. Department of Housing and Urban Development (HUD) had it kept its Community Development Block Grant (CDBG) entitlement community status. The total amount allocated to the County from HUD is not affected by this MOU and may vary from year-to-year. Based on the last HUD grant award, the city would be allocated approximately, \$263,000, an increase of \$44,000. In addition, this ordinance increases the City's representation on the CDBG board from one member to two members. This ordinance does not result in a direct levy impact.

MOTION: Howard moved, second by Mommaerts to approve Ordinance 177-O-008. Motion carried 7-0.

Discuss And Consider Ordinance 177-O-001 Year 2022 Amendment To The Comprehensive Development Plan For Waukesha County (1A – Poplar Creek Club II, LLC, Town Of Brookfield)

Fruth, N. Wimmer, and D. Wimmer discussed this ordinance to amend the Waukesha County Comprehensive Development Plan for five properties located in Section 29 of the Town of Brookfield from the Commercial and Office Park and Low Density Residential categories to the Mixed Use category to allow for mixed residential, office, hotel and commercial use.

MOTION: Howard moved, second by Meier to approve Ordinance 177-O-001. Motion carried 7-0.

Discuss And Consider Ordinance 177-O-002 Amend The Waukesha County Shoreland And Floodland Protection Ordinance District Zoning Map Of The Town Of Brookfield And The Town Of Brookfield Zoning Code By Conditionally Rezoning Certain Lands Located In Part Of The SW ¼ Of Section 29, T7N, R20E, Town Of Brookfield, Waukesha County, Wisconsin, From The B-2 Local Business, R-2 Residential, Hg High Groundwater And C-1 Conservancy Overlay Districts (County) And The B-2 Limited General Business, Rm-2 Multi-Family Residential And C-1 Conservancy Districts (Town) To The R-3 Residential District (County) And The MU-1 Mixed Use District (Town) (RZ97)

Fruth discussed this ordinance to rezone five properties located in Section 29 of the Town of Brookfield from the B-2 Local Business, R-2 Residential, HG High Groundwater and C-1 Conservancy Overlay Districts (County) and the B-2 Limited General Business, RM-2 Multi-Family Residential and C-1 Conservancy Districts (Town) to the R-3 Residential District (County) and the MU-1 Mixed Use District (Town) to allow for mixed residential, office, hotel and commercial uses.

MOTION: Wysocki moved, second by Howard to approve Ordinance 177-O-002. Motion carried 7-0.

Discuss And Consider Ordinance 177-O-003 Amend The Text Of The Town Of Mukwonago Zoning Code By Repealing And Recreating Subsection 36-283(D) Relating To Conditional Uses And Amend Appendix A Regarding In-Law Dwelling Units And Appendix B Regarding Free Standing Solar Energy Systems (RZ98)

Fruth discussed this ordinance to repeal and recreate Subsection 36-283(d) of the Town of Mukwonago Zoning Code relating to conditional uses and amend Appendices A and B relating to in-law dwelling units and free-standing solar energy systems.

MOTION: Grant moved, second by Wysocki to approve Ordinance 177-O-003. Motion carried 7-0.

Discuss And Consider Ordinance 177-O-004 Amend The Town Of Mukwonago Zoning Map By Rezoning Several Properties Located In The SE ¼ Of Section 7 And NW ¼ Of Section 10, T5N, R18E, Town Of Mukwonago, Waukesha County, Wisconsin, From The A-1 Agricultural District To The R-1 Residential District (RZ99)

Fruth discussed this ordinance to rezone several properties located in Sections 7 and 10 of the Town of Mukwonago from the A-1 Agricultural District to the R-1 Residential District.

MOTION: Howard moved, second by Wysocki to approve Ordinance 177-O-004. Motion carried 7-0.

Discuss And Consider Ordinance 177-O-005 Amend The Town Of Oconomowoc District Zoning Map Of The Waukesha County Zoning Code For The Town Of Oconomowoc By Conditionally Rezoning Certain Lands Located In Part Of The W ½ And The NE ¼ Of Section 31, T8N, R17E, Town Of Oconomowoc, From The A-2 Rural Home District To The B-3 General Business District (RZ94)

Fruth discussed this ordinance to rezone property located at W394 N5298 Reddelein Road in the Town of Oconomowoc from the A-2 Rural Home District to the B-3 General Business District in order to allow for storage and warehouse use.

MOTION: Kolb moved, second by Grant to approve Ordinance 177-O-005. Motion carried 7-0.

Next Meeting Date

- June 21

Executive Committee Report of May 16

Michalski said the Executive Committee, at their last meeting, approved several ordinances and appointments, and heard a presentation on American Rescue Plan Act (ARPA) funding.

MOTION: Kolb moved, second by Howard to adjourn at 10:44 a.m. Motion carried 7-0.

Respectfully submitted,

Chris Mommaerts

Chris Mommaerts
Secretary