



Duluth-Superior Metropolitan Interstate Council

MEETING SUMMARY

Wednesday, July 15, 2009, 7:00 PM

Meeting Location	WITC Conference Center, Superior, WI	
Meeting Chair(s)	Andy Peterson, Minnesota Co-chair	
Note Taker	James Gittemeier, Robert Herling	
Members Present	Broc Allen	Douglas County Suburban Townships
	Warren Bender	Superior Common Council
	Mike Coyle	Douglas County Board of Supervisors
	Earl Elde	St. Louis County Suburban Townships
	Melanie Hendrickson	Duluth Transit Authority
	Kay McKenzie	Douglas County Board of Supervisors
	Cindy Moe	St. Louis County Suburban Townships
	Jim Paine	Douglas County Board of Supervisors
	Andy Peterson	City of Duluth – Citizen Rep
Members Absent	Ed Anderson*	Superior Common Council
	Nick Baker*	Douglas County Board of Supervisors
	Wayne Boucher	City of Hermantown
	Jay Fosle*	Duluth City Council
	Troy Foucault	City of Proctor
	Garry Krause	Duluth City Council
	Dan Olson*	Superior Common Council
	Kevin Norbie*	City of Superior – Citizen Rep
	Steve O’Neil*	St. Louis County Board
	* Excused	
Others Present	Cindy Carlsson	MnDOT Central Office
	Ron Chicka	ARDC / MIC Director
	James Gittemeier	ARDC / MIC Planner
	Robert Herling	ARDC / MIC Planner
	Jason Laumann	NWRPC / Planner
	Dwight McComb	FHWA-WI
	Claudia Orvis	WisDOT Central Office
	Bobbi Retzlaff	WisDOT Central Office

1. Introductions and Agenda Review

Minnesota Co-chair Andy Peterson called the meeting to order at 7:03 p.m. and meeting attendees introduced themselves. Ron Chicka introduced Jim Paine, a new member representing the Douglas County Board of Supervisors (replacing Steve Baker), and welcomed him to the MIC.

Ron Chicka added that the annual Mid Year Review had taken place earlier in the day, and welcomed the participants from MnDOT, WisDOT and FHWA-Wisconsin who had stayed to attend tonight’s meeting.

Chair Peterson called for changes to the agenda. Ron Chicka requested that a voting item be added to consider an amendment to the Duluth Area TIP.

Chair Peterson noted that a quorum of ten members was not present to vote on the approval items on the agenda. *Ron added that there was usually a defined timeline for approval of TIP items and if they could not be voted on tonight, it was likely that a special meeting would need to be called prior to the next scheduled meeting on August 19.*

2. Meeting Summary of June 17, 2009

No changes were suggested to the previous month's meeting summary

Motion and Discussion Approval of the 6/17/09 meeting summary was deferred until a quorum was present for a vote.

3. Amendment #6 to 2009 - 2012 Duluth Metro Transportation Improvement Program

James Gittemeier presented an amendment to the FY 2009-2012 Duluth Metro TIP to include new FTA Section 5309 (Greater Minnesota Transit Allocation funding) to the Duluth Transit Authority (DTA) for the purchase of ten Class 700 buses in FY 2009, noting that some of the buses will be paid for with stimulus and the rest will be 5309 funding as a part of this amendment.

Motion and Discussion Approval of Amendment #6 to the 2009-2012 Duluth Metropolitan TIP was deferred until a quorum was present for a vote.

4. 2010-2013 Final Duluth Metro Transportation Improvement Program (TIP)

James Gittemeier presented the final Duluth Metro TIP for FY 2010-2013 for approval. He noted that since the Draft document was released for public review and comment in May, a public meeting had been held, interagency air quality review took place, and the project lists were updated. The TIP, after approval by the MIC Board, will be forwarded to Mn/DOT and FHWA for their approval, which usually takes place in the fall.

Motion and Discussion Approval of the final 2010-2013 Duluth Metropolitan TIP was deferred until a quorum was present for a vote.

5. Transportation Conformity (Air Quality) Procedures Handbook Revisions

James Gittemeier presented MIC Resolution 09-07 approving the recent revisions made to the process for air quality conformity. Prompted by the federal SAFETEA-LU transportation bill, representatives from Mn/DOT, FHWA, FTA, MPCA, St. Cloud MPO and the MIC met to revise the Handbook, which identifies agreed-upon procedures to how each agency reviews the air quality impacts of transportation projects in their plans and programs (for example TIP and LRTP). He noted that the MIC is a part of this process, since the City of Duluth is classified by the EPA as an Air Quality Maintenance area, which means Duluth presently meets national air quality standards, but did not at one point in the past. He closed by requesting approval of the Resolution.

Motion and Discussion Approval of MIC Resolution 09-07 approving the revisions to the Minnesota Air Quality State Implementation Plan Handbook was deferred until a quorum was present for a vote.

6. Douglas County Comprehensive Plan Update

Jason Laumann, planner at Northwest Regional Planning Commission (NWRPC) in Spooner, WI, explained that Douglas County is moving into the final stages of a multi-jurisdictional comprehensive planning project involving the county and 16 local units of government that began in May 2007. The plan will, among other things, be used to guide land use decisions over the course of the next 20 years. The county and the majority of local units have completed the development of goals, objectives, policies and actions. An open house was held, with about 40-50 people who showed up at Solon Springs.

Jason discussed the timeline, the extensive pre-planning, the visioning which was based on a survey (the key instrument to the public participation) and base mapping, including a lot of data collection including existing land use inventory. Another key map shows development constraints, looking at what was developable and what isn't.

He added that Wisconsin's Smart Growth Law requires Comp Plans to contain defined elements, including population and housing projects. Andy Peterson asked about why there is an increase in housing units; Jason stated that household size is getting smaller and that is part of the reason why there is an increase in housing units. Jason discussed the land use projects, which is mostly forested. Kay McKenzie asked if there were priority areas to preserve agricultural areas relative to the purchase of development rights. Bayfield had a PDR program. The towns are discussing this; however the issue of money is the tricky spot.

Jason discussed the goals and objectives. One of the key concerns is affordability, especially as the cost of housing has increased.

Pat Henderson asked about consideration of watersheds and septic systems, and the issues factor into the planning process. Lake Superior Research Institute has presented on this issue. Issue of failing septic systems due to the clay soils.

Major focus of the transportation section was on maintaining the existing county trunk highway system. Some discussion about potential demands on the transportation system, including light rail, if Murphy Oil expands.

Agriculture discussion focused on the change in agricultural uses, particularly small scale farming. Broc Allen asked about "visual quality" under the Ag Resource Goals. Focused on the beauty of the place, save those places, but more so taking a look at the landscape as a whole, using earth tone colors, downcast lighting, saving the larger landscape for structural intrusion.

Natural Resource Goals – invasive species, runoff control and what are the impacts of impervious surface cover, protect the resources that exist now. Douglas County has forest-managed lands.

Utilities & Community Facility Goals – serve the needs of the public and maintain the existing facilities. Pat Henderson asked if broadband came up as an issue, which Jason said it did. Discussions about broadband and cell service.

Economic development – opportunities element, what resources can we capitalize on.

Intergovernmental Cooperation – surprised by how little communication takes place between governmental entities. State wants to formalize the inter-entity relationships. One of the outcomes of the plan is more discussion between jurisdictions.

Land Use– some don't want to see the county developed at all, while others want significant development. There needs to be a balance, with an emphasis on preserving the rural north landscape, though some said this is no longer the rural north.

Future land use mapping – a major outcome of the planning process. Each town has put together their own future land use map, and there are many discrepancies between the towns which ultimately will have to be consolidated into 1 listing of future land use categories.

What's next – the Douglas County Board will be asked to adopt the plan in December 2009.

7. Long Range Transportation Plan 2035 – Project Lists & Model Results

Robert Herling gave a status report on the MIC's update of Long Range Transportation Plan (LRTP). He reported that the MIC was still working with URS to resolve errors with the traffic model. He also presented the preliminary efforts to conduct a financial capacity analysis, explaining that the methodology was the sticking point and yet to be resolved—the issue being the many differences in accounting methods and project definitions among the various jurisdictions.

He mentioned the MIC's July meeting with FHWA, when there had been extensive discussion about this, and said he would be sending out a revised methodology to TAC members in the coming days and would also be requesting additional information from them.

He also mentioned the draft list of LRTP improvement projects that was sent out to members prior to the meeting, and then asked for questions or comments regarding the project list or the financial capacity analysis.

8. 2009 MN-CPG Contract MOU and 2010 MIC Work Program and Budget

Ron Chicka explained that the MIC Board officers, along with MIC Deputy Director Sheldon Johnson of NWRPC, recently met with ARDC Administration plus the ARDC Board Chair to finalize the signing of the 2009 Minnesota Consolidated Planning Grant contract – the major portion of the MIC's budget. At issue was ARDC's local match commitment; specifically, "minimum 20%" language in the contract that they were not comfortable with. Their concern is that it could potentially make them liable for a match amount beyond their means. ARDC's Executive Director suggested some alternative language; however, the federal highway and DOT staff in St Paul would not alter their standard contract for one MPO.

To get around this impasse, and to get the funds for 2009 flowing, it was suggested by ARDC Administration that a short Memo of Understanding (MOU) be drawn up that outlines our mutual agreement about the amount the local match for the current year, and process for communicating any proposed changes. This MOU, for approval by both the ARDC and MIC Boards, would be filed with the budget for 2009.

ARDC Director Pat Henderson reiterated that the MOU is an agreement between ARDC and MIC only, and commented that there needs to be more direct communication between ARDC and MIC. She added that the MIC work program will not be adjusted without discussion with ARDC first.

Andy Peterson commented that only the Board chairs, not MPO staff, should sign the MOU.

Ron also reported that the 2010 work program and budget, which was developed at the end of last year, will need to be revised before the end of 2009. There will be a reduction in ARDC matching funds to the MIC (from \$97,000 down to approximately \$70,000). This reduction will impact the amount of federal funds that come to the MIC and the budget shortfall will partly be resolved by not filling the 4th planner position (due to Holly Butcher's departure earlier this year). Ways to augment the budget include seeking funds from the HTAC's partnering agreement and possibly requesting that the jurisdictions for which the MIC performs small area/transportation plans contribute funds towards the studies.

Earl asked how close we have come to using the \$90,000. Ron answered that we haven't, but we have come close, due to special projects and when the MIC was fully staffed.

Ron closed by reporting that a meeting between MnDOT and FHWA officials, MIC staff, board chairs and ARDC administration is being set up in September to review budget concerns and go over many other items of how the MPO is to function within the existing agreement with ARDC and NWRPC.

Motion and Discussion Approval of the MOU between the MIC and ARDC, with the signature change as suggested, was deferred until a quorum was present for a vote.

9. Superior On-Street Bike Route Planning

James Gittemeier reported that MIC staff is forming a steering committee to guide the process of identifying the official on-street bike routes in Superior as well as determining the appropriate route identification methods, including bike route signage and pavement markings. The first task of the committee will be to determine which roads should be analyzed for their bicycle compatibility. The steering committee will consist of representatives from the City of Superior, Douglas County, YMCA, health organizations local bicyclists and other stakeholders.

He also discussed the confusion of bicycle access to the Bong Bridge. This issue is two-fold, with different issues on the Minnesota and Wisconsin sides. On the Wisconsin side, there is confusion of where to enter the bridge, if bicyclists can take the lane/shoulder or if they are allowed only on the separate bike/ped path. In addition, there is difficulty in finding the

bike/ped path entrance as it is a bit obscure and is not marked for bicyclists. On the Duluth side, there is a separate entrance to the Bong Bridge for the bike/ped path. However, despite a well signed bike route system leading bicyclists to the bridge there still is much confusion on where to enter the bridge. Part of this problem is due to the overgrown vegetation near the bike/ped path entrance sign.

He reported that the field work and modeling will be completed by the end of the year with a goal of putting together a Transportation Enhancement application in the winter and completion of the plan as well.

10. Project Updates

MIC Mid-Year Review

Ron reported that on July 15th, state and federal representatives from both states conducted the annual Mid-year Review covering all aspects of the MIC Work Program including the LRTP, TIP and budget.

House Transportation Bill

Ron reported that last month, the House Transportation and Infrastructure Committee (Congressman Oberstar, Chair) released the Surface Transportation Authorization Act of 2009 – the next version of the federal bill with SAFETEA-LU set to expire by the end of September. No funding levels are attached to the bill at this point. The metropolitan planning (MPO) program is prominent throughout the bill. The major change is that the population threshold for attaining MPO status rises to 100,000 for new MPOs in this next bill--not surprising as there are simply too many urban areas of 50,000 or more across the country with limited resources to fully fund them all. MPOs in this lower population range would be “grandfathered” in, adding that the MIC is safe because the combined population of the Duluth-Superior urbanized area is greater than 100,000. Duties of a MPO are not otherwise drastically altered in this draft bill.

Duluth Depot Steering Committee

Ron reported that an open house for the Duluth Depot Master Plan took place last month to invite comment from the public on what they would like to see the Depot and the surrounding sites become in the future. He was interviewed extensively on the many different planning efforts the MIC has conducted in the vicinity of the Depot that seek to aid all modes of movement in this area. Specifically, the Downtown Duluth Modal Connections Study (the MIC’s most recent effort, calling for improvements to bike and pedestrian amenities around the Depot and improved connectivity to the DECC area), was brought to light many times. These recommendations will be incorporated into this planning effort, which is being led by St. Louis County. Additional open houses are set for later in the summer as ideas are drawn up by the consultant and the steering committee team.

Wisconsin ARRA Projects

Ron reported that additional ARRA projects are set to be acted upon by the legislature’s Joint Finance Committee (JFC) for 2010. Two projects in the MIC area are on listed on the County’s website that detail funding under the ARRA. The City of Superior has been awarded its proposed

East 5th Street project (as prioritized by the MIC) and Douglas County has a project on Route C (from STH 35 to Kronberg Road) in Superior Township. He and Sheldon will be taking the necessary steps in the coming months to amend these new projects into the current 2009-2012 TIP, or else to include them as new projects in the upcoming 2010-2013 version.

Wisconsin MPO Comments – SAFETEA-LU Reauthorization

Ron reported that MIC Policy Board members recently received a copy of a letter sent to Senator Herb Kohl that represented a combined effort of all the Wisconsin MPOs regarding comments and recommendations toward the next federal transportation bill. This letter was sent to the entire Wisconsin congressional delegation (House and Senate members). The MPO Directors in the state have been corresponding for a number of months on this topic. (They conducted a similar effort in Minnesota at the start of the year.)

The letter emphasizes many aspects of the role the MPO plays in the local transportation planning and policy arena for the urban area. They also stressed a number of key points relevant to the collective MPO group in the state including retaining MPO designation for urban areas of 50,000 or greater in population – they should be “grandfathered” in. This is in response to a move by federal agencies that seeks to potentially de-emphasize the role of MPOs in this population category. They also called for maintaining or expanding the role of MPOs in local investment decisions of federal funds – i.e., giving the MPO more control over funding decisions.

Mn/DOT Bike-Ped Outreach

James reported that staff from Mn/DOT’s Office of Transit-Bike/Ped Section met with Mn/DOT District 1, ARDC, MIC, City of Duluth, Fit City Duluth and DTA representatives on June 30, 2009. The meeting was scheduled as an information gathering and outreach session to find out about bike/ped initiatives in Northeast Minnesota as well as to answer questions about how the Bike/Ped Section at Mn/DOT can be a resource to groups, organizations and agencies working on bike/ped issues.

11. Adjournment

With no further agenda items or announcements, Chair Peterson adjourned the meeting at 8:52 pm.