



City of Madison
Meeting Minutes - Final
PEDESTRIAN/BICYCLE/MOTOR
VEHICLE COMMISSION

City of Madison
Madison, WI 53703
www.cityofmadison.com

Tuesday, January 25, 2005

5:00 PM

Room 260, MMB, 215 MLK Jr. Blvd.
(After 6 pm, use Doty St entrance.)

CALL TO ORDER AT 5 P.M. BY CHAIR SHAHAN

Present: Ald. Robbie Webber, Ald. Austin W. King, Ald. Judy Compton, Charles S. Thimmesch, Mary P. Conroy, Susan M. De Vos, Matthew A. Logan, Mark N. Shahan, Charles W. Strawser III and Cheryl E. Wittke

Strawser (Alternate 1); one vacancy

Others Present: Arthur Ross and Naveen Chandra, Traffic Engineering; LeAnne Hannan, City Engineering, Bill Fruhling, Planning & Development; and Ed Ruckriegle, MFD

A APPROVAL OF MINUTES - November and December 2004 Meetings

**A motion was made by Conroy, seconded by King, to Approve the Minutes ...
The motion passed by acclamation.**

Shahan noted changes: November, page 4, second paragraph, delete reference to Mayor Cieslewicz as someone he met with. Then in the last sentence change Option 6C to Option 4B. December, page 11, first paragraph second sentence, revise to "access to them was separate from the pedestrian curb cuts...." Motion carried as amended.

B PUBLIC COMMENT - None

C ROUTINE ACTION ITEMS

C-1. [00007](#) Creating Subsection (175) of Section 12.1334 entitled "Parking Prohibited Except Temporarily While Attended by Operator" of the Madison General Ordinances, portion of Rugby Row.

A motion was made by Conroy, seconded by King, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.

Present: Ald. Judy Compton, Ald. Robbie Webber, Austin W. King, Charles S. Thimmesch, Mark N. Shahan, Matthew A. Logan, Mary P. Conroy, Cheryl E. Wittke, Susan M. De Vos and Charles W. Strawser III

C-2. [00008](#) Creating Subsection (156) of Section 12.53 entitled "Through Streets" of the Madison General Ordinances, portion of Junction Road.

A motion was made by Conroy, seconded by King, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.

- C-3. [00010](#) Creating Subsection (176) of Section 12.1334 entitled "Parking Prohibited Except Temporarily While Attended by Operator" of the Madison General Ordinances, portion of Virginia Terrace.
A motion was made by Conroy, seconded by King, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.
- C-4. [00012](#) Creating Paragraph 74. of Subsection (1) of Section 12.89 entitled "Heavy Traffic Routes" of the Madison General Ordinances, portion of Zeier Road.
A motion was made by Conroy, seconded by King, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.
- C-5. [00013](#) Creating Subsection (157) of Section 12.53 entitled "Through Streets" of the Madison General Ordinances, portion of Pleasant View Road.
A motion was made by Conroy, seconded by King, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.
- C-6. [00014](#) Creating Paragraph 75. of Subsection (1) of Section 12.89 entitled "Heavy Traffic Routes" of the Madison General Ordinances, portion of Thierer Road.
A motion was made by Conroy, seconded by King, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.
- C-7. [00015](#) Amending Subsection (561) of Section 12.132 entitled "Parking Prohibited At All Times" of the Madison General Ordinances, portion of Tree Lane.
A motion was made by Conroy, seconded by King, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.
- C-8. [00035](#) Amending Subsection (548) of Section 12.132 entitled "Parking Prohibited At All Times" of the Madison General Ordinances, portion of Commercial Avenue.
A motion was made by Conroy, seconded by King, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.
- C-9. [00033](#) Creating Subsection (177) of Section 12.1334 entitled "Parking Prohibited Except Temporarily While Attended by Operator" of the Madison General Ordinances, portion of Rethke Avenue.
A motion was made by Conroy, seconded by King, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.
- C-10. [00037](#) Accepting grant monies in the amount of \$136,770 from WisDOT for the

fabrication and installation of overhead, oversize street name signs at signalized intersections along arterial streets in Madison.

A motion was made by Conroy, seconded by King, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES. The motion passed by acclamation.

D MADISON POLICE DEPT. REPORT ON TRAFFIC RELATED ISSUES

When notified of Stephanie Bradley-Wilson's inability to attend, motion by King/Logan to refer carried unanimously.

E PUBLIC HEARING - None Scheduled

F SPECIAL PRESENTATIONS - None Scheduled

G PROPOSALS OF MEMBERS AND/OR PRIOR ITEMS

- G.1 [00321](#) NTMP 2005 Traffic Calming Priority List
No action required. Item will be on the next agenda.

Naveen Chandra, Traffic Engineering, was available to respond to questions. Members were asked for their initial input and request for additional information. The item would be on the next agenda as a public hearing and it was expected that the Commission would take final action on the 2005 program at the March meeting.

Conroy questioned the listing of Spooner Street twice on the list; Chandra explained there were two segments, one considered as a local street and the other considered as a collector street.

De Vos asked about the two programs noted at the last meeting: NTMP and the Pedestrian Safety Enhancement for Arterial Streets. The former had a process for ranking of potential projects while the latter did not. Shahan explained that this was an issue for discussion at a future meeting. He added that NTMP is for local streets and is basically the only program for these streets. The overlap between the two programs came with collector streets since NTMP funds were used on collectors as well as locals. NTMP was not solely focused on pedestrian safety; it dealt with neighborhood safety with traffic calming measures aimed at addressing issues of traffic speeds and volumes, whereas the Pedestrian Safety Enhancement program was a fund for improvements to aid pedestrians.

In response to a request from Ross, Chandra noted that they were working with Planning, the Alderperson and Wittke to identify neighborhood representatives interested in circulating a petition for improvements on Independence Lane so it potentially could be a project for 2006.

Webber questioned why a project would be moved forward if there wasn't interest from the neighborhood as identified in the NTMP process. Ross explained that the Independence area is one in which the City is working to develop a neighborhood association and it was felt the NTMP program/process might be a way in which to resurrect this participation. Wittke pointed out that the Safe Community Coalition had a grant to work with neighborhoods to develop neighborhood associations. Webber said she was just seeking clarification since she knew in the past when there was a question about a project not moving forward, they had been informed that it was due to the fact that there wasn't neighborhood support for it. The approach had been to consider projects only with neighborhood support so as not to "waste time" furthering a proposal only to find later that change would not be accepted by the neighborhood.

Compton believed, however, that some projects warranted moving forward on them regardless of the neighborhood support and suggested the City had an obligation to address identified situations which ranked high in the evaluation process. Ross pointed out that the NTMP program was not the only program or way in which traffic safety improvements were addressed. Compton referred to South Thompson Drive as one with 71 points and it did not appear to have neighborhood support-primarily due to the neighborhood organization dissolving. She thought efforts were underway to reconstitute it and therefore hoped this project could be moved forward. She pointed out the differences between peripheral neighborhood involvement compared with inner city neighborhoods.

Shahan asked if monies were set aside for approved projects, which hadn't proceeded, e.g., Allen and Gilbert, a project on hold awaiting the outcome of the

speed hump policy review. Chandra indicated he believed that was the case.

Shahan wondered about Glenway Street since to him it appeared the street was functioning more as an arterial with upwards of 7,000 vehicles per day. Would there be any kind of traditional traffic calming measures that would be appropriate for a street such as this? Chandra responded traffic islands might be considered.

Thimmesch referred to what he understood from a recent meeting when they had an opportunity to review the NTMP process; i.e., a prerequisite to a street being considered was that it have neighborhood support; yet from what was being said, an individual could initiate the process. He found that inconsistent with the policy as described to him. If there wasn't broad base support for a project, there were other projects that would and may have a greater need that should be considered. Shahan explained that an individual can start the process but before it proceeds a petition needs to be circulated in the defined area and this petition submitted. The listing provided showed a section of locations in which interest had been expressed for a project but neighborhood support was not gained.

G-2. [00323](#)

Report Relative to City's Speed Hump Policy

No action was required; item will be on the next agenda as a public hearing.

Ross reported that the same process as that used for the NTMP review was planned for the speed hump report. Basically they were seeking initial input from PBMVC and identification of additional requests as it might relate to finalizing this report. A Fire Dept. representative was available to respond to questions and an email from Madison Metro had been provided to members.

Ed Ruckriegel, MFD, said the Fire Department's position was summarized in the report and he was available to respond to questions. Basically their concerns related to delayed response, impact on patients and potential for vehicle damage. They were not opposed to speed humps on residential streets but had a concern when they were used on higher volume collector and arterial streets. When the request for Gilbert Road came up and they looked at it, they found that from 1998 to present there were 475 fire responses via Gilbert Road and it represented a significant number when one considered any delays in response time. Their feeling was that there were many factors they had no control over as it related to delays (e.g., trains, vehicles parked illegally, etc.) but this was something they could control/avoid. For every minute of delay there is a 10% reduction in survivability of patients with cardiac problems, and in terms of a fire, a fire doubles in size for every 30 seconds. Because of the wheelbase for fire trucks, there is a jarring impact. Not only did one have to consider the discomfort to a patient in an ambulance, but one needed to realize that attendants in ambulances are not belted in and they could be injured as a result of the jarring related to a speed hump, similarly speed humps could impact monitoring equipment on ambulances.

Webber noted that with the research information provided in the report, there were several places which referred to designated primary routes for emergency vehicles and she asked if such a routing system existed for Madison's Fire Department. Ruckriegel indicated it did not; they considered collectors and arterial streets the response routes. He pointed out that in some ways certain routes become primary routes as more and more signal pre-emption equipment is installed but other than that nothing had been identified.

Webber asked if emergency response information related to Allen Street was available and indicated she didn't believe Allen Street was a significant route since it wasn't a link to the hospital or Campus Drive. Ruckriegel indicated it would have to be something he would have to look into. Webber suggested that Allen Street is a minor collector when compared with other collectors.

Ross pointed out that Metro had similar concerns to MFD as it related to paratransit transport, especially the comfort of passengers. Ruckriegel suggested that the City's Safety Manager might be contacted for reaction as to impacts of speed humps on paramedics, firefighters, maintenance equipment drivers, and Metro drivers. He wondered too about contacting City Engineering for feedback on how these speed humps might affect street surfaces-would there be more street damage?

Shahan asked if the Fire Dept. opposed speed humps on any collector and if so he wondered about the MFD reactions to the ones on Yuma Drive. Ruckriegel said he would have to know more as it related to which streets are the collectors-he had understood there were residential, then arterial and then collectors. Ross explained that it was basically local (residential) to collector (connector street between residential to arterial or between arterial and arterial),

and finally arterial. In terms of defining a minor collector, he thought a minor collector would have volumes up to 3,000 ADT and major collectors over 3,000 ADT. Ruckriegel asked if Yuma was considered a minor collector and Shahan said that functionally it had been classed as a minor collector, although he believed it was closer to a residential street. Possibly a consideration was the use of the street, was it primarily residential, was there commercial on the street, etc.? Ruckriegel said they could look at them on a case-by-case basis and then MFD could see if a pattern developed or whether or not there was an issue.

Thimmesch wondered how many streets had speed humps and Ross responded possibly 6-8 streets (Manitou Way, Gregory, Yuma, Dwight, Mandan Crescent, Saybrook, Academy, and Ferris). Thimmesch asked MFD position on these speed humps and Ruckriegel indicated they had not objected to their installation.

Ross said the issue was did they want to 1) keep the status quo (up to 3000 ADT), 2) expand it to 5,000 ADT with consultation with the MFD and Madison Metro, or 3) allow only on local streets and not allow speed humps on any collector streets.

Thimmesch said he looked forward to the debate and added that personally when it comes to life and safety issues, he has grave concern about putting obstacles in the way.

Wittke asked for clarification on speed humps and speed tables. Ross said there wasn't a clear terminology that was used. Professional literature indicates that a speed hump would have a parabolic curve surface of about 12-14 ft. long and the speed table would have a flat top. Madison exclusively uses what is generally referred to as speed table; 10 ft. top and 6 ft. approaches on either side for 22 ft. total. Heights may vary-but generally they were 3.5".

Shahan asked about the impact of changing the height from 3.5" to 2.5" particularly as it might relate to a higher volume street. There would be less jarring with the lower table but it also would have less impact on lowering speeds. DeVos noticed discussion in her neighborhood about the use of speed tables at crosswalks at lower heights; it would identify the pedestrian area for increased safety and could serve also as a traffic calming measure. Ruckriegel said he wouldn't know the impact of speed tables as being suggested; he was familiar with what was used in Madison and they resulted in slowing fire trucks to 10-15 mph. Strawser referred to the research in the report in which it indicated in Minneapolis they had gone with longer flat tops to reduce the impact on transit vehicles.

Compton referred to the speed hump on Ferris Avenue and a complaint she had received about water being retained and it eventually turned to ice creating an unsafe situation. Ross said drainage was a consideration in the installation of these so this might be something that needed to be looked into. Shahan referred to the Appendix of the NTMP report, which referred to the issue of drainage related to speed humps.

Shahan appreciated the data and summary produced and asked if an effort could be made to see if there was any more information on different heights and widths of speed humps-can you design a speed hump for different speeds and volumes?

Wittke asked if there were other traffic calming measures than speed humps for

collector streets; Ross responded that typically for higher volume streets, they looked into traffic islands.

Compton wondered how the "potholes" which are prevalent on some City streets impact the various sized vehicles; it appeared these potholes were "natural" traffic calmers. Ruckriegel commented that although the impact to their vehicles could be similar to that of speed humps, they considered potholes to be a temporary situation.

Webber provided some history on the origins of the request for the speed hump report as it related to the Allen Street traffic-calming project.

Ruckriegel suggested they may want to get positions from other city agencies, such as the Street Superintendent, Motor Equipment Supervisor, Metro Manager, City Engineer, and Safety Coordinator for the City. He surmised they would have similar concerns as the MFD did. Ross explained that these agencies were involved when the policy evolved and the question of whether to make a change or not might warrant asking them again. He referred to the information provided and noted the differences in communities, such as not considering speed humps on truck routes, and another which would not install speed humps on bicycle routes. A constant among the communities was the concern about emergency response and transit.

Shahan asked that members identify anything else they would like to have before the item comes back for final discussion and action.

Compton said she would like to receive an official position from the Bicycle Federation. Additionally she asked to hear from Metro; Shahan noted the communication from them and asked if she wanted them to be present when the issue was discussed and she said yes.

Wittke asked for a summary of other measures to be considered for higher volume streets-primarily pedestrian islands and traffic circles (as volumes rise, islands become the more appropriate measure).

King asked if they could have a list/map of streets within one-half mile of hospitals and the primary routes that would be used by MFD. For example, he couldn't imagine Allen Street being used for emergency routing, although it was acknowledged it was a bus route. For bus routes, they could use the bus route map. Ruckriegel said he would look into what he could provide but if it could not be done electronically, he doubted he would be able to provide the information by the next meeting.

Wittke asked for a listing of the effectiveness of the different traffic calming measures in slowing traffic, etc. Shahan thought some of the data might be found in the Appendix of the NTMP policy and there might be some references listed as well. In terms of data related to Madison's experience, the City didn't do regular before- and after-studies due to resource constraints. Ross said they might be collecting some more data, but would not be doing any more studies until spring.

Wittke wondered about the MFD trying a couple of pilots with the different configurations to test their impacts.

Compton referred to her prior request to the Police Dept. for some kind of report/evaluation of the effectiveness of traffic calming measures in areas where they are in place-for example, she believed vehicle speeds had slowed on Buckeye. Shahan indicated he would follow up with Dryer on whether or not something could be provided as well as asking Bradley-Wilson at the next meeting.

Shahan suggested providing a list of locations of speed humps to Ruckriegel to see if they could conduct a test run on the different locations. The functional classification of the street should be provided along with the locations. Ruckriegel restated that the position of the MFD is that speed humps are acceptable on local residential streets. If the same design is to be used, their position is they are not good for arterials or collectors. If the design changes, they would have to again review and assess the impacts. The only speed hump in which Firefighters had indicated concern about was the one on Academy Drive. Shahan suggested any data of that nature and a review of the list of locations against complaints or problems that the MFD now experiences would be helpful.

- G-3. [00184](#) Communication dated November 14, 2004 from T. Simmons, 3126 Gregory St. re: hazards of commuting to work by bicycle.
- A motion was made by Ald. Webber, seconded by Strawser III, to Rerefer to the PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION Item re-referred to the next meeting The motion passed by acclamation.

H NEW BUSINESS ITEMS

- [00324](#) Capital Avenue Sidewalks
- Motion to recommend to BPW two-sided sidewalk on Capital Avenue carried on 7-2 vote.*
- A motion was made by King, seconded by Ald. Webber, to Refer to the BOARD OF PUBLIC WORKS Documentation received by PBMVC was also to be provided to BPW. The motion passed by the following vote:
- Aye:** Webber, King, De Vos, Logan, Shahan, Strawser III and Wittke
- No:** Thimmesch and Conroy
- Non Voting:** Compton

Leanne Hannan from City Engineering was available and she provided a brief overview. As a result of a request to look into installing sidewalks on Capital Avenue between Old Middleton Road and University, City Engineering found that it is a 36 ft. street on a 70 ft. right-of-way with curb and gutter and no sidewalks. It would be a standard 5 ft. sidewalk except in a few locations where it was narrowed somewhat to save a tree. It would be ADA compliant, in terms of the cross slopes and grades. Driveway approaches would be replaced so as to add the sidewalk cross section through the driveway. In order to save a number of trees, the path of the sidewalk meandered rather than running parallel to the curb; however, about half the trees would still need to be removed. Staff had met with the neighborhood group on two occasions and the issue would be before the Board of Public Works as a public hearing on February 16. Assuming approval by the Board of Public Works and then the Common Council, construction would begin in the summer and time would be given for property owners to remove/relocate their private landscaping in the right-of-way. The neighborhood was divided on whether the project should proceed. Ald. Holtzman believed there was an identified need because of the requests he had received, the use of the street as a connecting route to University Avenue and surrounding businesses, existence of City and school bus stops, etc.

Thimmesch asked the process; did it require a consensus of the neighborhood prior to proceeding? Hannan indicated sidewalk projects were initiated in a variety of ways. The Alderperson could request a project be put on the schedule, residents can submit petitions to proceed, or a safety or drainage issue could result in a project being undertaken. This request was initiated by the Alderperson based on communications he had received for it.

Ross referred to the aerial photo, which had been provided with the mailing showing roughly the sidewalk alignment.

Persons registered for and against the proposal and some spoke. Registrations are listed below and a summary of the proponent and opponent arguments provided.

In Support of Sidewalks

Alison Craig, 13 Veblen Place (spoke and submitted a copy of her comments).

Janice Fjellman, 5810 Julia Avenue (spoke and submitted a copy of her comments).

Mary Lindquist, 5809 Julia Street (spoke and submitted statement, petition signed by 60, pictures, maps, traffic volumes, 30 statements, and additional letters from those who could not attend).

Gary Lindquist, 5809 Julia Street

Mike Beyler, 1667 Capital Avenue #22 (spoke).

Summary of comments in support:

- Desire for sidewalks to provide a safe walking route along a major connector street in the neighborhood between Old Middleton Road and University Avenue. Need is not only for children but adult pedestrians to provide access to lakefront parks, businesses, bus stops to the downtown, etc.
- Volume of traffic (4000 vpd), speed of motorists, lack of respect given to pedestrians in the street, and fears related to drunk drivers.
- Unanimous support by Veblen residents via a petition.
- Petition circulated in 4-block radius of Capital Avenue, with support for

sidewalk.

- Sympathy to Capital Avenue property owners due to City's assessment policy.
- Cited citywide statistics as relates to pedestrian injuries and felt it was a matter of time before someone was seriously injured on Capital Avenue.
- Cited personal experiences while walking in the street.
- Sidewalks are planned for Old Middleton Road in 2006 and this would complete a connection from Old Middleton to University Avenue.
- Requested their submittals be provided to Board of Public Works when the issue is before them.
- Sidewalks would provide a safer walking environment for evening walkers.

In Opposition to Sidewalks

Richard Wm. King, 1625 Capital Avenue (spoke).
Victoria Trujillo, 1609 Capital Avenue (spoke and submitted statement).
Elizabeth Freitick, 1656 Capital Avenue (spoke and a letter was also submitted).
Michael Lomperski, 1648 Capital Avenue.
Barbara Lomperski, 1648 Capital Avenue (spoke and submitted letter from she and her husband).
Bernard Trujillo, 1609 Capital Avenue (spoke and letter submitted).
Douglas Flygt, 1626 Capital Avenue (spoke and submitted a statement).
Jill Robinson Wren, 1622 Capital Avenue.
Barbara Johnson, 1613 Capital Avenue (spoke).
Patricia Koenecke, 1640 Capital Avenue (spoke).
Neal McGuffin, 1656 Capital Avenue (spoke).
Kathleen Lindas, 1632 Maple Avenue (spoke and provided a folder of material including 4 letters sent over the past three months).
Gerald Lindas, 1632 Maple Avenue.
Chris Wren, 1622 Capital Avenue (spoke and provided a letter).
Judy Aspinwall, 1602 Capital Avenue (spoke and provided some pictures demonstrating the devastation to the street with the removal of the tree-showed recent improvement at University and Capital Avenue).
Helen Martin, 1809 Capital Avenue (spoke).
Michael Dean, 1667 Capital Avenue, Suite E (spoke as property owner of 24 unit apartment building and addressed issues related to his property and access to/from it due to grades and corresponding sight lines).
Kenneth Frankowski, 1654 Norman Way (spoke).
Larry Nash, 1621 Capital Avenue.
Patty Dean, 1667 Capital Avenue Suite E (spoke).

Summary of comments in opposition

- Speakers in opposition asked for referral of the issue to a Spring Harbor neighborhood comprehensive plan process that was being undertaken and anticipated to be completed in next 8-20 months. The comprehensive plan could address not only pedestrian safety, but also bike traffic, high volume of vehicles and include more than a two-block area. The planning effort might be used as a model for other neighborhoods/areas.
- King referred to problems he expected to be exacerbated for his two blind children with a meandering sidewalk vs. the current situation in which they walk next to the curb or up on the lawn if a car is parked. He questioned whether the plan was ADA compliant as it related to a blind person. Additionally he pointed out sidewalks would attract his children to the sidewalk and that would open up access to surrounding areas for his children, including University Avenue, thus, in his mind, "opening up a can of worms".

- Speakers suggested sidewalks would diminish safety for children due to 1) sidewalk would negatively change the character of the street (due primarily to loss of trees) and in turn increase chance that motorists would drive carelessly at excess speeds-"broken window" phenomenon; and 2) sidewalks would create illusion of safety and be a kid magnet, increasing opportunities for children to interact with motorists-e.g., darting in the street after a ball.
- Existing conditions keep pedestrians aware of traffic conditions/situations.
- Concerns over whether due process was given to the neighborhood and the divisiveness this has caused within the neighborhood. A chronology of the process was provided. Challenged the Alder's claims that the Alder had received substantial demand for sidewalks and that his decision to initiate the process had been carefully deliberated after collecting input from affected property owners and exploring alternatives. Suggested the process was fast tracked and property owners only learned of the issue at a January 13 meeting. Repeatedly addressed the issue of fairness, equity and legality as it related to the Capital Avenue property owners. Contended the property owners were left out of the loop. Suggested that although Ald. Holtzman may have proceeded in a legal manner, he had done so in a deliberate and unfair manner to those on Capital Avenue and to the larger Spring Harbor neighborhood in the opinion of Wren. Pointed out the Alder had told residents there would be a meeting in which engineers would present information about the sidewalk plan and the engineers would provide background on other approaches taken to date; and they contended this is not what occurred-instead sidewalks were a fait accompli.
- Petition of Capital Avenue property owners unanimously opposed sidewalk construction. Webber sought clarification that it was property owners and did not include apartment dwellers; petition was signed by the property owners.
- Addressed issue related to the walking environment, specifically aesthetic and the impact of a pleasant tree-lined environment vs. stark cement area.
- Cited experience walking on the street and questioned statements relative to lack of safe conditions-is it more perception than fact? Claimed no traffic incidents in at least 44 years.
- Repeated concerns about the loss of trees and the impact on their environment.
- Repeated concerns about impact on their landscaping and property values.
- Cited concern over costs/assessments when compared to the benefits, particularly those residents on a fixed income.
- The environment of the street with its trees and landscaping was a reason for moving into the neighborhood and this would be seriously impacted with the installation of sidewalks.
- No need to rush to a decision, particularly with the onset of a neighborhood planning effort.
- With the elimination of trees, there were more opportunities for water run-off onto Baker and Laurel Crest, an area that has already experienced problems with flooding (e.g., summer of 2004). Lomperski elaborated on the problems envisioned with water run-off.
- Consider using existing road area for pedestrians and bicyclists; e.g., possibly through parking removal.
- Remove parking on one side of the street to lessen the congested situation which arises with through traffic and parked cars.
- There isn't a complete sidewalk system in the area, so why is this link critical. Sidewalks did not exist on some of the streets where proponents were asking for them on Capital Avenue.
- Failure to consider alternatives that are less costly.

- An alternative might be to consider sidewalks on one side only.
- Why does the sidewalk on Capital have to move ahead of sidewalks on Old Middleton Road?
- In 1983/4 when curb and gutter were installed, sidewalks were discussed and not included because of lack of support of the neighborhood.
- Cited years living on the street and raising families who safely used the street without sidewalks.
- A review of letters of support indicated that the evidence suggests that the concern of the letter writers is pedestrian safety in conjunction with traffic control and not sidewalk construction per se. Sidewalks should not be considered as a sole solution.
- Martin, a resident in the portion of Capital Avenue on the other side of University Avenue, supported residents, pointing to the unimproved nature of her section of Capital Avenue which connects to Lake Mendota Drive and claimed their concerns were addressed with lowering of speed limits (done by the Village of Shorewood Hills). She emphasized the need to bring the Capital Avenue residents into the decision-making process.
- Questioned the safety of pedestrians due to driveway access, grades and sight lines with the sidewalk plans, for example for the apartment at 1667 Capital Avenue. Michael Dean suggested it would result in flying skateboarders, etc. coming down the grade toward this driveway with a 14% slope and he worried about motorists' ability to react. They needed more time to look into issues such as this. Patty Dean noted the same issues would apply to the other apartment complexes on the street.
- Suggested considering alternatives to using conventional engineering strategies, such as a defining a path or pedestrian corridor along the street without adding the 5 ft. pavement through use of different materials, markings and signing.
- Cited recreational walking opportunities on basically unimproved streets in the area, which provided a pleasant natural environment, and couldn't see why Capital Avenue was being singled out.

King was questioned about his statements regarding sidewalks being more harmful to his daughters than the lack of sidewalks and he repeated his reasons for not supporting the sidewalk and described walking maneuvers used by his children.

Lindquist was asked if she was aware of the Shary Bisgard letter asking for referral to the neighborhood plan; she indicated the neighborhood plan was a good idea but did not believe this issue needed to be held for the outcome of that effort because it was a safety issue needing to be addressed.

Trujillo was asked if she ever felt sidewalks were appropriate; she responded they had a benefit but at what cost. In this situation, that meant the loss of 47 trees resulting in conditions that would increase traffic speeds. If the issue was truly safety, she believed it could be addressed in different ways, e.g., altering traffic patterns and including traffic calming measures. Shahan referred to the pedestrian plan (p 12) and asked for a reaction to the statement "Streets without sidewalks have 2.6 times more pedestrian crashes than expected on the basis of exposure. Streets with sidewalks on one side have 1.2 times more crashes than expected and streets with sidewalks on both sides have 1.2 times fewer crashes than expected." Trujillo said sidewalks were not addressing the issues related to traffic volumes and speeds and possible traffic calming measures.

Related to the due process issue, Trujillo enumerated dates that support Capital Avenue residents' contention that they were ignored in the process and the request was initiated without their involvement.

Staff was asked about any discussion about sidewalks for Capital Avenue prior to last year; Ross responded that in looking through the agency's location files, he found some communications from Ald. Holtzman in 1999 asking staff to look at the possibility of sidewalks.

Wittke asked about the policy as it related to adjacent property owners paying for the improvements and asked Trujillo how much of the opposition was due to the assessment policy. Speaking for himself, Trujillo said he supported the arguments presented earlier by wife and believed the situation for his family would be less safe and was concerned about the environmental impacts.

Shahan questioned Flygt; if after the neighborhood plan was completed and sidewalks were recommended, would his position change? Flygt said overall he was opposed to sidewalks if it meant the loss of trees-the most important thing. As a regular walker he did not see the need for the tradeoff; there was little pedestrian traffic on the street.

Referring to the number of comments about traffic calming, Webber asked if any of the residents had contacted the department and started the NTMP process for consideration with other projects. Lindas was not aware of any efforts, they had just learned of the program and wanted the City to hold off on the sidewalk project until they had an opportunity to undertake these efforts.

In response to a question relative to drainage, Hannan indicated that the only storm sewer is at the intersection of Capital and University and indicated its route was not mapped. Since water had no where to drain except to this storm sewer, there was an issue about the viability of speed humps because of drainage issues inherent in their design.

King asked Wren if he thought referral of the sidewalk issue to the neighborhood plan process would actually change the division between the property owners who will pay for the sidewalk and those requesting a sidewalk. Wren responded that he believed it would; a great deal of anger being expressed was based on being shut out of the process; Capital Avenue interests have been ignored. He referred to the email about prior discussions about sidewalks dated April 2004, and said the neighborhood was totally unaware of it. The request was initiated sometime in April and a meeting was held at that time and again Capital Avenue people were not informed. The only communication they received from the Alderperson was in response to an inquiry sent to him by residents. While the neighborhood comprehensive review was being touted as an effort to review the transportation infrastructures, there was this push to move the Capital Avenue sidewalk project along as a stand-alone element.

DeVos asked the status of the comprehensive plan; Wren understood they were in the process of selecting a consultant and the study was to occur over a 6-10 month period. DeVos asked why it was occurring now instead of some years ago. Wren said he moved in his home in August 1999 and this had been the first he had heard of any initiation of a project. The newsletters had indicated a general

neighborhood concern about traffic but said nothing about a sidewalk project being planned. In fact in his review of the newsletters, he said he found a 2001 letter by the Alder stating that restoring parking would improve safety for pedestrians because they could move between cars. Wittke followed up on King's question about how moving forward on the neighborhood plan would change people's position; how would one be persuaded through a deliberative process to change one's position. Wren responded that he did not believe sidewalks were needed on Capital Avenue and this position might not change. He said he believed that there are broad community interests as well as pure self-interests, and he thought the neighborhood plan process would consider alternatives. But to date there had not been this process. Wren referred to book he highly recommended, entitled "Wisdom of Crowds" by James Surowiecki, which spoke to various factors for groups to arrive at wise decisions.

Webber asked Martin the route students in the Old Middleton Road and surrounding area would use to get to Spring Harbor School, wouldn't it be Capital Avenue? Martin explained that for years the neighborhood association had lobbied for sidewalks and a signal at Norman Way as well as at Capital Avenue. She suggested the walk routes could be a part of the follow up efforts in the neighborhood planning process. Wittke asked if Martin felt referral to a neighborhood plan process would unify the neighborhood or serve to divide it. Martin responded she had been involved with the neighborhood organization for years and noted their advocacy for traffic improvements to allow pedestrian movement.

To a question from Webber, Patty Dean said she became aware of the matter from several residents who expressed concern about the trees. Asked about resident questions when renting, Dean said they asked more about bike routes and bus stop locations, and did not mention any issues with there being no sidewalks.

DeVos asked Beyler how he felt about the request to refer the issue to the neighborhood planning process; he responded that he did not think it would make much difference because of the need for a connection between Old Middleton and University and there weren't many options for providing that connection.

Strawser/Webber moved to suspend the rules to meet past 8 p.m.; motion carried unanimously.

Ald. Steve Holtzman explained in April 1995 and before taking office, there was a controversial project to remove parking on one side of the street on Capital Avenue, which was done under protest from some in the neighborhood. The request came out of concern for safety due a number of sideswipe accidents that had occurred. The issue was revisited a few years ago and parking was restored; partly to give some coverage for people walking. Since 1995, safety concerns had been an ongoing issue. Between 1995-2000, he had sponsored somewhere in the neighborhood of 7-8 large neighborhood meetings dealing with traffic issues, including those related to St. Dunstan. Also a plan for Old Middleton Road was approved by the Commission in 2000 and is scheduled in the City's capital budget for 2006. The project includes sidewalk on one side of Old Middleton Road, due mainly to topography problems resulting in steeper driveways on the south side of the street. In 1995-1996, he recalled a person had contacted him about making provisions to more safely get her children to school. He had reached her recently

and asked if she was interested in participating in the current process; she had indicated that her children were no longer in elementary school so she no longer had that focus. In 1996 they pursued completing the linkage of sidewalks on Brody Drive; it involved 12 lots. The property owners were not supporting sidewalks and it became a hotly contested issue in the 1997 election, and it clearly demonstrated how difficult it is to retrofit sidewalks in neighborhoods. He referred to the Pedestrian Plan issued in 1997 which came out somewhat as an aftermath of the charged Brody sidewalk issue and the plan repeated comments about the difficulties in retrofitting sidewalks, but he emphasized, the plan did not back away from the value of sidewalks.

In the current process a variety of issues had been identified and he referred to Lindas' list of 20 alternatives in one of her communications. Many of these issues had been identified in the testimony tonight; but none had to do with providing protected space for pedestrians as called for in the Pedestrian Plan. Rather they were directed at traffic calming, removing buses, placing sidewalks on Norman Way, etc.-primarily removing pedestrians, traffic and buses from Capital Avenue. He contended the arguments put forth about sidewalks decreasing safety or that sidewalks lead to a "broken window phenomenon" leading to a decline in the neighborhood were inaccurate. He reiterated it further demonstrated how difficult it is to retrofit sidewalks in a neighborhood. He believed it was important that someone listened to the steady stream of complaints/suggestions for sidewalks.

Referring to the time line, Holtzman said it was appropriate to proceed now since sidewalks had been placed on University Avenue in 2003 and this would provide a continuation of the sidewalk system. Collector streets, such as Capital Avenue, were identified in the Pedestrian Plan as ones needing special attention. Although he acknowledged that most of the streets in his district were unimproved, he envisioned that these conditions would remain. He contended the primary issue as it related to opposition is the cost.

Referring to the neighborhood plan he said it was a project he had put to the neighborhood for several years and they had received matching funds to investigate a vision for commercial revitalization along University Avenue. To refer to it as a comprehensive neighborhood plan was incorrect. He referred to the Erdman property where there is a plan to build a "green building" and his vision was to have this project happen in concert with the neighborhood efforts so it might result in a small commercial project to serve the neighborhood. There would be pedestrian and bicycle linkages included, and if a TIF district is established, it might include some traffic infrastructure improvements-street lighting and signaling. There is a \$10,000 grant and matching funds were expected from the neighborhood. The scope was limited because there wasn't funding to do a comprehensive plan in the already built neighborhood, where it is virtually impossible to retrofit improved streets.

In terms of the Spring Harbor Neighborhood Association, Holtzman suggested that since the Brody sidewalk issue, the association has shied away from anything that is controversial. They had not and he believed would not take a position on Capital Avenue sidewalks. He was confident there would never be a suggestion from the neighborhood for sidewalks or an improved street in the neighborhood.

Referring to NTMP, Holtzman reminded members of his involvement early in the process and ongoing. It was a very popular program and the central organizing principle of the program is that it is a grassroots expression of a neighborhood's desire to slow down traffic and the program only works with that kind of support. Holtzman said he had provided copies of the NTMP to the neighborhood and it has always been out there as a possibility, but no one in the neighborhood has taken up the project even though the opportunity and offer to facilitate the process has been there.

Holtzman emphasized the importance of sidewalks to provide safe pedestrian travel but the controversy with sidewalks was primarily with how the improvements were paid; the assessment policy is something he had tried to change and he briefly addressed some of those issues.

Holtzman asked the Commission to affirm the Pedestrian Plan and it was one of the reasons he had asked for referral to PBMVC before the issue was before the Board of Public Works and Council for action. He summarized that the request had been initiated after calls had been received over the years about the concern for pedestrians and it came to a head in the past year with the latest round of requests. He referred to discussions and copies of letters going back to primarily last year, so he questioned the claims about lack of knowledge. If that were so, how did a petition get circulated and signed in the summer? If more discussion was needed, then why were meetings that had been scheduled for November 8 and December 16 canceled. Staff had been asked to design the improvement using their best professional judgment, and this request was made last spring. The neighborhood tactic now seemed to be delay, and he suggested that to delay the project would kill it. He urged affirmation of the Pedestrian Plan.

DeVos asked about the claims about fairness and lack of notification to Capital Avenue residents. Shahan elaborated that the claim was made that the survey was put forth in April and a letter went out in June and people viewed having the survey before it was discussed in the neighborhood as *fait accompli*. Holtzman responded there was a meeting of the Spring Harbor Neighborhood General Membership in April and September (or maybe early October). This entire project lies within that neighborhood association. The president of the NA was involved and aware of the issue as were others who had attended the last NA meeting. No one from the NA had asked for the item to be on the agenda, it was published in the newsletter so he believed there had been adequate notification. He had been at each of the meetings and he did not know why it wasn't put on the agenda, but he had discussed it after the meeting. In terms of the claim of fairness, he contended there had been plenty of opportunities to contact him or neighborhood officials. In fact, they had meetings over and above what it would take to implement the assessment district; in fact, this PBMVC review was not required but he believed people should have the additional opportunity to voice concerns.

Thimmesch referred to the testimony challenging the process. Although reference was made to St. Dunstan and other issues, when Thimmesch reviewed the documentation provided, there appeared to be a wealth of evidence to the fact that much documentation was created after the fact. This included Holtzman's testimony about trying to schedule meetings on November 8 and December 16 and yet the petition of opposition was dated in July and petition in favor are dated in late Nov-December 2004 and January 2005. Holtzman said he had responded to a number of letters and had mentioned earlier that some of the letters he

copied Traffic Engineering had somehow been missed and not included in the file, e.g., the Lindas and Freitick letters. He had mentioned the Nov. 8 and Dec. 16 meeting since they had been scheduled just for the Capital Avenue neighborhood to discuss their concerns, and the meetings were canceled. Barbara Lomperski had asked him to wait until they saw the design and this design had been prepared for the meeting on December 16. At that time, he met with Engineering and Traffic Engineer staff in preparation for the meeting. Jill Wren then asked that the meeting be postponed and it was rescheduled in January. In advance of that, there was plenty of information about there being a focus on improving pedestrian safety on Capital Avenue. The petitions in opposition would not have been submitted in July if it were fait accompli with no opportunity for input. In fact, he had sought out professional input so that they could develop a design with the least amount of impact and yet address pedestrian safety issue. He could not account for the neighborhood association not taking the issue up when they had an opportunity to do so and were fully aware of it. He found it disingenuous to claim the process was being sped up or that there had been some breach of process when there had been plenty of communication and unlimited offers to meet with the neighborhood.

Webber referred to the materials that showed knowledge from March, petition in July, etc. so she believed there had been opportunity to discuss it. She referred to the number of streets in her neighborhood without sidewalk and she knew that the residents generally did not want sidewalks. She doubted that the residents weren't aware that the issue would come up. She clearly understood residents objection to having to pay 100% for sidewalks; she pointed out the City subsidizes road, why not sidewalks? However, current City policy did not provide for that at this point. But on the other hand, sidewalks were a part of the infrastructure of the City and she referred to the Pedestrian Plan and the reference to the mechanism for retrofitting sidewalks in already developed area. Capital Avenue was a collector street between Old Middleton and University Avenue and she considered sidewalks important, particularly considering the proximity to schools, commercial districts and bus stops. Sidewalks were not just for the healthy but they served important links for those in chairs, those who have difficulty walking, for parents with strollers, etc. and it was important to provide safe walking facilities for the community as a whole. She was sympathetic to the arguments about the loss of trees but when it came to whether or not a sidewalk would be provided she would support sidewalks.

Thimmesch asked what action was expected; Shahan responded that PBMVC was to provide their recommendation on the issue to the Board of Public Works.

Thimmesch asked Holtzman that in light of his comments, how did he reconcile Shary Bisgard's January 22, 2005, letter, explicitly stating that while she had not gotten approval by the Spring Harbor NA of which she is President, the NA would address pedestrian and bicycle safety as part of their BUILD project. He appreciated the reference to the excellent opportunity as it related to the Erdman property but he claimed Holtzman's reference to this BUILD project was basically contrary to this statement. Holtzman responded that he has ten years of history in working with Bisgard during her tenure on the NA and he knew her strong antipathy for controversy. He saw this emerge at the January 13th meeting. Bisgard had signed the petition in support of sidewalks and included a statement in her letter about "pedestrian walkways are badly needed along that road. You can't have people walking in the same general area with more than 4,000 cars on

weekdays. It isn't safe." He claimed she recognized the need but knew she was also adverse to controversy. He assured Thimmesch that going back to 1996 the NA under her leadership has shied away from controversy and would not take a position on this issue. Because of this record, he gave this communication equal weight as that of any other communication from any other citizen. In fact the neighborhood hadn't even taken the initiative to sponsor the discussion on the matter in the two meetings that had been held since it was initiated.

Thimmesch referred to the paragraph in Bisgard's letter (1/22/05) that "The homeowners who live on Capital Avenue believe they have not been allocated enough time to adequately prepare their position before you. It is important that their opinions be considered and that they are given time to prepare their argument and be adequately heard." He referred to testimony and documentation supporting this claim. Holtzman referred to the file that contained dozens of pages of letters including responses he had prepared. He said he couldn't imagine what more time would bring. He referred again to the fact that most of the communications in opposition do not address issues of pedestrian safety. He suggested they were crying delay for the sake of a process issue rather than substantively addressing the pedestrian safety issue.

Shahan suggested a motion was in order and Ross pointed out that the Commission would not be voting on whether or not to install sidewalks, that decision rests with the Board of Public Works and Common Council; rather the commission was being asked to present a recommendation that would be available to the Board of Public Works when this item was taken up at the February 16 meeting.

King/Webber moved to recommend to the Board of Public Works two-sided sidewalk on Capital Avenue.

King said the arguments were about pedestrian safety on the two blocks of Capital Avenue and assessments to the property owners who do not want to pay them. This is a common occurrence with street improvements when assessments are involved. The issues were what's best in the interests of the City as a whole, the direction the City is heading, and how do the goals of the City impact property owners. A goal of the city is pedestrian safety as documented in the Pedestrian Plan and he believed this could only be accomplished with the installation of sidewalks on both sides of the street. He was sorry that the number of trees had to be removed. He urged support of the motion.

Strawser saw three issues: 1) process which he would not offer anything further on. 2) trees, a legitimate concern, and 3) costs. He wondered if there was a possibility to use the 36 ft. pavement and with changes in the parking, consider building the sidewalks within the existing 36 ft. Holtzman said that request had been made of Engineering and it had been rejected. Hannan indicated that she understood the city did not want pedestrians in the roadway and in conflict with vehicles. Holtzman said cost was a factor due to having to remove curb and gutter-it would double the cost.

Wittke agreed that although it was a difficult recommendation, considering the charge of the Commission to support pedestrians and sidewalks, she would be supporting the motion. She agreed with comments about the City's assessment policy and wondered about changing this policy; it was suggested that this

matter be put on the Commission's pending list.

Conroy said she didn't support action at this time because of issues raised about process as it related to the Capital Avenue residents and the opportunity for broad participation.

Thimmesch asked to go on record as saying that in the short time he had been on the Commission he was not totally convinced that listening to constituency is totally ignored.

Shahan referred to the documentation that had been provided to the body and suggested that it be forwarded to the Board of Public Works. This was considered friendly to the motion.

Motion carried 7 to 2 with Conroy and Thimmesch voting no and Compton no longer at the meeting.

H-2 [00364](#) Accepting the Vision Document for the Allied Community as presented by the Mayor.

A motion was made by Ald. Webber, seconded by Strawser III, to Refer to the PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION. The motion passed by acclamation.

H-3. [00337](#) Adopting the Allied-Dunn's Marsh-Belmar Neighborhood's Physical Improvement Plan. 10th Ald. Dist.

A motion was made by Ald. Webber, seconded by Strawser III, to Refer to the PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION. The motion passed by acclamation.

J MEMBER REPORTS FROM OTHER COMMITTEES - SUMMARY OF PREVIOUS MEETINGS' BUSINESS

J-1. Plan Commission

Item referred.

J-2. LRTPC December & January Meetings

Item referred.

J-3. Joint West Area Campus Committee

Item referred.

J-4. Joint SE Campus Area Committee

Item referred.

K REPORTS OF OFFICERS AND/OR MEMBERS FOR INFORMATION/DISCUSSION

K-1. Executive Secretary Report
Item referred.

K-2. Items by Chair
Item referred

K-3. Items for Referral and/or Announcements
Item referred.

ADJOURNMENT

Motion by Austin/Logan to adjourn carried at 8:50 p.m.

INFORMATIONAL ENCLOSURES

**12/28/04 Memo re. Standard Board, Commission and Committee Meeting
Procedures (Handout)**

1/24/05 Regional Transportation Plan 20030 Notice

1/18/05 News Release re Pedestrian Countdown Signals on East Washington

Prepared by Ev Fahrback, Recording Secretary