



To the Bike/Ped commission:

Our Foundation appreciates you allowing us to give you an update on the trail today. We are excited it is a high priority and a recommended trail in the Graef consultant study. We know neighbors on both sides agree a trail along Highland Road would be safer than no trail at all, so it comes to which side of the road. Many residents of all ages come up to commend us for advocating safety of bikes and pedestrians to be separated from vehicular traffic on busy corridors.

First, we would like to present a brief history of our efforts over the past 3 plus years which has led to our Foundation's conclusion. If you could please hold your questions and comments to the end it would be appreciated.

The mission of the MT Trails Foundation is to work with the City to develop and support a system of family friendly bicycling and pedestrian off-road, paved trails throughout the Mequon and Thiensville communities. Our first project is the Highland Road Bike spur to connect the OIT with Rotary Park along Highland Road, a very busy thoroughfare. This vision was first presented to your commission at your Feb 2021 meeting for your approval to ensure it fit in with your long range plans, which it did.

The first half of 2021 we contacted Crossroads and the 4 residents in the Kellner subdivision in person which covered 80% of the trail. We also contacted other residents that we had phone numbers for (Mathwig and Deveroux) to get their thoughts on the path. While it was not all inclusive, it did cover residents on 90% of the path. Technically we did not even have to do that since the path would totally be on the City Right of Way as none of these homeowners owned that property, but abutted up against it. The liability of the path crossings is on City property. However, we wanted to be conscientious of the neighbors. In those initial conversations, Crossroads had asked us to look at the southside between OIT and Green Bay Road since it was a park (Highland Woods) with no crossings, which we did.

As such, we used the board member's personal monies and contracted with Ayres and Associates for a 60% design plan along Highland Road on the northside of the road from the OIT to Rotary Park and also on the southside of the road from OIT to Green Bay Road. We presented this to Crossroads and the 4 residents on the Kellner property in separate meetings in October of 2021. We also presented the \$1.2 million cost for final design and construction and a \$100,000 maintenance endowment. The path was entirely in the City right of way so there was no real estate acquisition required. At our October 2021 meeting with Mr. Kellner, he asked us to look at the southside ability to have a trail from Green Bay Road to River Road as he felt it would service more

people, which we willingly contracted with Ayres Associates for a 60% plan from Green Bay Rd to River Rd. During this process, we ran into 3 significant obstacles to having the path on the southside:

- After Ayres initial wetland delineations and surveys, Ayres came to us with a rough path alignment and estimated costs showing it would need to be primarily boardwalk due to wetlands and the cost would be significantly higher working under the telephone poles, resulting in the cost being \$700,000 more expensive. As such, we suspended going further with the 60% plan.
- We would have to acquire the property for MATC and the Hartmann's since their property line went to the center of Highland Road or they would need to sign ROW dedications to the City of that property.
- The Highland Woods property is under a land trust agreement with OWLT and the City which does not allow bikes or paved paths. The best we could do would be to go along the street which would require a retaining wall and removal of protected tree species. The City would not allow us to do either of these two things. Thus, the path could only be on the northside of the road between OIT and Green Bay Road and as such users would have to cross the road twice to get to Rotary Park.

These discussions and analyses took over a year and in January 2023 our Foundation's conclusion was that the northside is the only feasible trail site. Thus, we relayed to Mr. Kellner and Crossroads that we would be moving forward with the path on the northside and would request a right of way dedication from the City to be approved by the Common Council in March of 2023. While the meeting was publicly announced in the City Bulletin so all neighbors along Highland could attend, we still personally invited both Crossroads and Mr. Kellner to that meeting to ensure their voices were represented. Crossroads said they would attend, but Mr. Kellner told me in a phone call that he would not be a vocal opponent. He, nor any representatives of Mr. Kellner, attended. At the meeting, a representative from Crossroads came and expressed to the common council they were not opposed to the trail but wanted on record that we take into consideration their retention pond on the corner when designing the path. There were no other comments. The right of way dedication was approved by the Common Council at that March 2023 meeting.

As an aside, the 1 ½ years it took to get to this point, our Foundation was successful in obtaining a TAP grant from the federal government for \$988,000 and private funding from the community so we already had \$1.1 million raised towards the cost. Community support for this trail has been outstanding. We now have \$1.3 million raised.

In spring 2023 we then went out for RFP's and secured Kapur, Inc. for the final design work. We were moving forward well within our deadline to get final design plans done by August 2024 to ensure we would have the TAP grant 2025 monies for construction.

In March 2023, MT Trails Foundation mailed out the notifications to all northside neighbors that we were moving forward with the path. As an extreme surprise to us, the homeowners between Green Bay Road and Rotary park signed a petition sent to the City that they felt the path would be safer on the southside and service more people, given the MATC campus and the 155 homes (Meadows and Villa Du Parc subdivisions). This group then met with the City without inviting MT Trails Foundation and the City concluded that to resolve the issue we should jointly perform a safety study to

determine the safer side. As such, we put a stop to the final design work on the northside while we performed the safety study. We contracted with TADI, a reputable traffic and analysis firm that was recommended by the City and agreed upon with the northside group. The results came out and were reviewed with the northside group and, after numerous renditions, was finalized on April 22, 2024, as follows:

“Results from the pedestrian/bicycle risk assessment show that Southside has 36-37% more exposure than Northside for the weekday peak hours and 53% more exposure than Northside during the Weekend peak hour. Therefore, the north side of Highland Road would provide the safest route overall. In addition, the Northside provides direct access to the trail for all residents on the north side of Highland Road and all residents on the south side of Highland Road can access the trail from the proposed crosswalks at N.River Road and MATC campus. The southside option would not have direct access to the trail for residents on the north side of Highland Road.”

From this safety study the City told us to continue with the northside. The northside group then went to the City and required a meeting with our Foundation board and the northside neighbors to discuss their continued concerns. This meeting took place July 1, 2024, at City Hall and the following decisions were agreed upon requiring the northside neighbors to do by November 1 or MT Trails would continue on the northside:

Proposed agreement by MT Trails with the concerned Northside neighbors regarding constructing the path on the south side between Green Bay Road and River Road (southside) versus the north side between Green Bay Road and River Road (northside)

Steps to be completed by concerned northside neighbors:

- 1. At their expense and at the agreement of TADI, they will continue to work with TADI to reach a satisfactory resolution to the analysis of the southside safety study. Otherwise, the final report issued April 22, 2024 will stand which shows the northside of the trail is safer.*
- 2. Obtain written approval from the Army Core of Engineers that the wetlands on the southside under federal jurisdiction can be filled in and a paved trail can be built on the land.*
- 3. Reopen the conversation with MATC and obtain MATC’s legal approval they will allow the trail on their land. MT Trails had these conversations in 2022 with their executive director, Dr. Richard Busalacchi, but nothing formal through their legal department.*
- 4. Reopen conversation with the landowners in the Meadows and get their approval.*
- 5. Extend the TAP grant design deadline from August 2024 to January 2025.*

RESULTS: The northside neighbors have only successfully completed 2 of these 5 steps. The wetlands could be filled in per the USACE and the grant deadline was extended to January 2025. The other 3 points have not been satisfactorily completed.

1. The Northside neighbors commissioned and paid for a new safety study with TADI and was updated with July 2024 traffic data. That safety study used data on July 19 from 3-7 pm for the week data and Saturday July 20 10am – 3 pm for the weekend data. Here is summary:

TADI
August 2, 2024

**Table 1: Pedestrian/Bicyclist Risk Evaluation
(Green Bay Road to Rotary Park)**

Evaluation Period	Evaluation Scores	Option 1 (North Side)	Option 2 (South Side)
Friday PM Peak Hour	Walking/Biking Exposure Score =	304	289
	Crossing Exposure Score =	1,285	1,286
	Total Exposure Score =	1,396	1,340
Saturday Peak Hour	Walking/Biking Exposure Score =	326	310
	Crossing Exposure Score =	1,388	1,638
	Total Exposure Score =	1,714	1,948

The new study showed both sides relatively equally during the weekday (within 4%) 14% safer the northside the weekends.

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The Risk Assessment Scoring Criteria is shown in [Appendix B](#).

PART F – CONCLUSION

A bicycle spur safety evaluation was conducted on two alignment options along Highland Road. As an update to the April 15, 2024 Trail Safety Memo, TADI performed additional traffic counts during peak pedestrian and bike activity on the OIT Trail and at the study area intersections on July 19 & 20, 2024 under favorable weather conditions for bike and pedestrian activity (during non-COVID times) to better assess and more accurately determine the traffic counts for the cars, bicyclists, and pedestrians along Highland Road and River Road. From the safety risk assessment analysis using the updated bike/ped/traffic counts and projections, the safety results indicate the south side trail would be safer on weekdays (five days of the week) and the north side trail would be safer on weekends (two days of the week). This additional data and analysis from Friday and Saturday, July 2024, indicate the south side trail would be safer for more days of the week than the north side.

As mentioned in the previous memo, further safety enhancements are recommended at the Cedarburg Road intersection, which are to replace the existing pedestrian signals to countdown pedestrian signals and changing the existing crosswalk pavement marking to high visibility markings, such as the existing OIT crossing at Mequon Road. With either option, the future River Road crossing is recommended to have high visibility pavement markings with bicycle/pedestrian warning crossing signs as a minimum. The safety risk assessment assumed that there would be a Rectangular Rapid Flashing Beacon (RRFB) at River Road crossing Highland Road for both alignment options.

Considering the weekday data was on a Friday afternoon in summer when MATC classes were not in session, it may not be representative of the safety of the 2 MATC crossings when school is in session and may have changed the results to show the northside safer during the weekdays as well.

We diligently worked with the northside neighbor group to help them achieve the other 3 steps, but were not successful:

- We worked with David and Nicole Hartmann to obtain a ROW dedication (which they were favorable to the path but have not yet signed the ROW dedication)
- We had meetings and phone calls since September 2024 with MATC to obtain their approval and ROW agreement. The executive director (Jonathan Mies) was not convinced the new safety study conclusion showed the southside safer and he requested proof that the Hartmann's and Meadows were approving it, which we could not obtain. Also, an email we just received Dec 9th from Sherry Terrell-Web, MATC's legal counsel, said approving the ROW agreement could not be started until January 2025 and would need to be approved by their BOD and the state which could take 6 months and they would not proceed unless the City approves the southside is the better option.

We met with the Meadows homeowners on November 21st and they were adamantly opposed. They were 1) not convinced the new safety study conclusion showed the southside safer, 2) were concerned of the safety of their children since the trail would be 7 feet from their backyard where their children play and their playsets are located, 3) were concerned of the safety of the trail users at their subdivision crossing, given there are 66 cars going in and out of the subdivision and many are inexperienced teenage drivers. They sent a letter to the City and MATC dated December 4, 2024, expressing these concerns.

After taking all of this into account our Foundation's position is:

1. Residents on both sides of the road are in agreement that we need safer pedestrian and bike access along Highland Road.
2. Both sides of the road are safer than no trail at all. The original safety study from April 2024 shows the northside significantly safer during the week and weekends. The July 2024 safety study shows the north and south side relatively equally safe during the week (within a few points) and shows the northside is significantly safer on the weekends. Given that, our Foundation concludes the northside is safer.
3. The trail is a good distance from the northside neighbor's front yards while it is within 7 feet of the neighbors backyards on the southside.
4. We have full ROW and authority from the City to move forward on the northside while we could not move forward on the southside.
5. On December 10th we were just granted an extension from WisDOT to submit our approved final design by March 25, 2025 to still obtain 2025 monies to complete the path. We can meet this deadline on the northside, while we would have to forfeit the grant if we were to go to the southside and would have to reapply for the grant for 2028 monies (as monies for 2026 and 2027 are already claimed). This could be the end of a safe off-road bike and pedestrian trail along Highland Road which could be avoided by going on the northside.

6. Not building a safe trail for the community's benefit would set a dangerous precedent for the community going forward and put at risk improving our community's bike and pedestrian access in the future. To ignore Graef's study would be extremely detrimental to the majority of residents and is against the wishes of the City and Village, who obviously see the need of safer bike/pedestrian access or they would not have commissioned this Graef consultant study.

Therefore, our conclusion is to move forward on the northside with the bike path as approved by the City in March 2023. Our board and committee members are excited about bringing this wonderful asset to the community next year.

Respectfully submitted,

MT Trails Foundation

12/12/24

