

TOWN OF HULL BOARD MEETING,
COUNTY OF PORTAGE WISCONSIN
MONDAY AUGUST 6, 2012

- 1) Call to order by John Holdridge at 5:30 p.m. at the Town Municipal Building, 4550 Wojcik Memorial Dr., Stevens Point WI 54482

Present: Chairperson Holdridge, Supervisors Mel Bembenek, Dave Pederson, Dave Wilz and LaVerne Syens.

Others present: Clerk Janet Wolle, Road Foreman Pete Kaminski, Fire Chief Mark Kluck and EMS President/Administrator Mark Fritsche.

Excused: Treasurer Jim Kruziki

- 2) Pledge of Allegiance
- 3) Minutes of the June 13 and July 10, 2012 Board Meetings

Motion Supervisor Wilz, second Supervisor Syens, approve minutes of the June 13, 2012 meeting. Motion carried unanimously

Page 1 of July 10, 2012 MINUTES OF THE TOWN OF HULL BOARD MEETING COUNTY OF PORTAGE, s.b. **PORTAGE WISC.** HELD ON TUESDAY, JULY 10, 2012

Motion Supervisor Wilz, second Supervisor Bembenek, approve as corrected the minutes of the July 10, 2012 meeting. Motion carried unanimously.

- 4) Vouchers
Dave Wilz: Page 1 Custom Fab & Body \$6,082 for striping on FD trucks – is this required?
Mark Kluck – NFPA Standard
Dave Pederson – Standard developed by Association – strips could not be applied by FD?

Page 5 – Whelihan Glass \$143.65 – thermo pain window for building
Pete Kaminski – the pains for garage doors -had to have pains cut

Mel Bembenek - Page 1 Battery Products \$52.50 Deerskin gloves
M Kluck – gloves for wild land fires

Dave Pederson – Page 1 Charter Communication \$115.00
Mark Kluck - Modem at FD was out – replacement of internet connection

Page 3 Oshkosh Fire and Equipment
Mark Kluck - \$1,251 credit on generator; \$39 credit on marrying strap; \$477 cord reel which was a budgeted item

Page 5 Unifirst Corporation \$49.54 for wipers
Pete Kaminski – toweling and wipers used on trucks

Motion Supervisor Bembenek, second Supervisor Wilz, approve vouchers as presented and discussed. Motion carried unanimously.

- 5) Citizens wishing to address the board non-agenda item. Agenda items are for discussion with possible action.

Susan Zook, 1382 North Reserve Drive, regarding flooding in basement she feels occurred because of collapsed culvert on Woodview Drive.

- Sump pump stopped working
- Dehumidifier burned out
- Feel \$1,800 help with costs

Pete Kaminski a culvert on Woodview was collapsed however flooding occurred after 3" rain fall.

Ted Stoltz, 3627 Jordan Road requests discussion of FD insurance rating in Hull.

Mark Kluck – when Hull joins Metro FD in February test will be done and rates will lower.

T Stoltz, maintenance of ditches on Jordan Road – branches and leaves block culverts

Pete Kaminski – culverts/ditches cleaned

Fred Hoffman, 1884 Pella Dr – want to fill ditches in and contractor said cannot.

Dave Wilz – engineer looked at ditches last year.

- 6) Announcements – Chairperson and Supervisors

- Executive session at 7 p.m.
- Draft new proposal for refuse/recycle – submit to Veolia, IROW and Harter's
- August 7 6 p.m. meeting of Stevens Point Plan Commission re: annexation and zoning of parcel on NE corner of Badger & Hwy 10 E
- September 17 at 5:30 p.m. – Water Study Task Force will conduct a Public Hearing – SE sector of Hull included (will ask for volunteers to have water tested)

- 7) Reports:

- a. Clerk – No Report
- b. Treasurer - Excused
- c. Road Foreman
 - i. Mowing ditches
 - ii. Siren in northwest Hull will go up Wednesday
 - iii. Hauling granite on Driftwood Drive
- d. Fire Chief – Burning ban still in place
- e. EMS Administrator/President
 - i. 10 call ins July
 - ii. 72 call for year

- 8) Appearance of Veronica Isherwood candidate for District Attorney of Portage County in the August 14 election

- Been in DA's office since May 2011

- 11 years prosecuting
- Department head
- Own business
- Tough on crime – Punishment & rehabilitation
- Concern with open door policy – no one can enter DA's office without signing in
- Will follow in the footsteps of Tom Eagon

Addendum

Appearance by Louis Molepske Jr. Candidate for district Attorney of Portage County in the August 14 election

- ✓ Prosecute cases
- ✓ Worked in DA's office
- ✓ Currently assemblyman
- ✓ Lifelong democrat
- ✓ Treatment options important
- ✓ Budgets are tight
- ✓ DA's & ADA's are paid by the state

- 9) Certified survey maps for John and Ritz Brzezinski land in Section 11, Town 24 North, Range 8 East abutting Torun Road and Jordan Road

Motion Supervisor Bembenek, second Supervisor Wilz, approve the certified survey maps for John and Ritz Brzezinski land in Section 11, Town 24 North, Range 8 East abutting Torun Road and Jordan Road. Motion carried unanimously.

- 10) Public Hearing on proposed annexation to Stevens Point and development of 15+ acres at the northeast corner of Highway 10 East and Badger Avenue

Meryl Lee Nelson – 5732 Algoma

- Oppose development and to install gas station
- Urban Sprawl
- Loss of wetlands
- Gas station could pose safety risk if tank leaks
- Threat to wells
- Health and esthetics - orderly development of Stevens Point

Ann Leahy – 5970 Westminster

- Need broad vision of land use – gas station on wetlands does not compute
- Nice gateway to enter city “Tree City”
- Against poor commercial development

Ann Garber – 5893 Clark

- Opposed to development
- Remember farm land and work done by elected officials and volunteers (ad hoc)
- Jumping over vacant area
- Concerned about urban sprawl

Memo from Bob Enright - 5753 Algoma

To: Town of Hull Board

From: Bob Enright, Member Town of Hull Plan Commission and Resident of
Woodlands Acres Subdivision

Re: Proposed Annexation and Commercial Development of Highway 10 and
Badger Ave.

Date: August 6, 2012

I regret that I am unable to attend the August 6th Town of Hull Board meeting. Nevertheless, I have spoken with a number of my neighbors in the subdivisions to the south of the proposed commercial development of north-east corner of Highway 10 and Badger Ave. Without exception, the residents of these neighborhood are opposed to commercial development of the lot in the north-east corner of Highway 10 and Badger Ave, and they are doubly opposed to the construction of a gas station at this location. The residents have good reasons to oppose this development and I agree with them.

I have been involved in land use planning in the town of Hull for nearly 20 years, first as a citizen and as a member of the Parkdale Development Site Plan Committee, and as a member of the Town of Hull Plan Commission. Throughout this time, I have seen a number of people work hard to achieve harmony and cooperation between the Town of Hull and the City of Stevens Point with respect to land use issues.

This proposal is far out of step with the spirit of cooperation between the Town of Hull and the City of Stevens Point for orderly development that encourages appropriate commercial use of land. The Parkdale Site Planning Committee, in 1998 (of which I was a member) was a prime example of sensible and effective planning of Hull land for annexation to the City of Stevens Point. It involved representation of the City of Stevens Point and the Town of Hull. The site plan excluded the land to the east of Badger because the wooded land is a natural area and the majority of it is wetlands. This annexation and land use change violates the understanding made between the two municipalities and it goes against the spirit of cooperation and harmony many people worked hard to create.

A significant number of vacant commercial lots remain within the Parkdale development. It is inappropriate to skip over these commercial lots in order to develop natural area/wetlands commercially. Moreover, while a gas station would not be permitted in the Parkdale development, the present proposal seeks to build a gas station on natural, wooded land that is largely wetlands. The Town of Hull Board, the Stevens Point Planning Commission, and the Stevens Point Common Council should not endorse a proposal that so clearly circumvents the joint efforts of the City and the Town to bring about sensible planned development in border areas.

The Town of Hull adopted a Comprehensive Plan as part of a state mandated requirement to ensure orderly and sensible land use changes. The Town of Hull Plan does not provide for commercial develop of this area. A significant component of all comprehensive plan is the inter-governmental relations chapter. To my knowledge, the City of Stevens Point has never notified the Town of Hull that its plan contradicts the Town's

plan by planning for commercial development or the construction of a gas station on Town of Hull wetlands and natural areas.

The proposal poses a significant risk to well water in the surrounding neighborhoods. Underground gasoline tanks and the runoff from oil and other toxic chemicals from vehicles threaten the drinking water of residents in the area and beyond.

The area does not need an additional gas station. Fleet Farm's gas station is only a half-mile away. The Mobile is only .3 miles beyond that, and the BP is only additional ¼ mile away.

The proposed land use change would significantly alter the character of the area. It would draw additional traffic congestion, noise, and light, as well as ruin the natural beauty of one of the entry points to the City of Stevens Point. It would foist this undesirable character on local residents, who have lived with the understanding that this area is off-limits to commercial development (especially a gas station).

In sum, the proposed land use change offers none of the parties involved any benefits, while is significantly hurts local residents. The City of Stevens Point will not be well-served by allowing inappropriate land use that belies its moniker of the Gateway to the Pineries by destroying trees and wetlands in order to serve the commercial interests of a few individuals.

I urge the Town of Hull Board, the City of Stevens Point Plan Commission, and the Common Council of Stevens Point to deny this request for annexation for the purpose of commercial development.

Susan Zook – surprised DNR would allow gas station in wet lands.

Chairperson Holdridge:

- No one wants gas stations
- All want stop & go light
- Water valuable commodity
- Vacant buildings along Highway 10 E

11) Closing of the Public Hearing and discussion by the Hull Town Board

Motion Supervisor Syens, second Supervisor Bembenek, close the public hearing – 7 p.m.
Motion carried unanimously.

Motion Supervisor Pederson, second Supervisor Bembenek, Town of Hull Board oppose the annexation of property and commercial development (particularly a gas station) located at the northeast corner of Badger Avenue and Highway 10 E. Motion carried unanimously.

12) Heartland Bike Club request to Adopt-A-Road Old Highway 18 from Brilowski Road (County Rd R) to the Stockton town line (.92 miles)

Motion Supervisor Wilz, second Supervisor Bembenek, approve the request of Heartland Bike Club to Adopt-A-Road Old Highway 18 from Brilowski Road (County Rd R) to the Stockton town line (.92 miles). Motion carried unanimously.

13) FD Response System – Mark Kluck Fire Chief

- Signal sent to Fire Department, chief or assistant chief so know who will be responding to a fire
- Firefighters call lamResponding.com to report they are responding to an event
- Requested for in 2012
- Used by the Village of Plover

Motion Supervisor Pederson, second Supervisor Bembenek, table action. Motion carried unanimously.

14) Update on raffle policy

Fred Hoffman - if a is added to the ticket so individuals can indicate they do not want to donate at this time a raffle via the mail is legal.

- Without the raffle the FD does not have a fund raiser.
- Information was received from Trent Graham, Postmaster St Pt PO
- Will be mailing raffle tickets out in 2 weeks

Motion Supervisor Wilz, second Supervisor Bembenek, move forward and allow raffle until it is determined it cannot be done. Motion carried unanimously.

15) Phil Deffenbaugh proposal for creating electric recording of assessment data

Not taken up at meeting

16) Weight limit on Hull roads – new research findings

Not taken up at meeting

17) Installation of stop signs on Jordan Road at the intersection with Wilshire Drive

Not taken up at meeting

18) Roadway maintenance policy on vegetation

Not taken up at meeting

19) Denial by TRIP Committee of Woodview Drive as a Local Road Improvement Project (LRIP)

Not taken up at meeting

20) Hull municipal building remodeling – Structure of investigation and process to decision moving forward

Not taken up at meeting

21) Operator's license application from: Carmen Coey, Corey Zencka, Sara Pionkowski

Motion Supervisor Bembenek, second Supervisor Pederson, grant Operator's licenses to Carmen Coey, Corey Zencka and Sara Pionkowski. Motion carried unanimously.

Chairperson Holdridge - The Board will convene in closed session as allowed by Wisconsin State Statute 19.85(1) (g), conferring with legal counsel with respect to the claim of Susan Zook.

The Board will reconvene in open session as allowed by Wisconsin State Statute 19.85(2). Possible action regarding claim involving Susan Zook.

Motion Supervisor Pederson, second Supervisor Bembenek, convene in closed session as allowed by Wisconsin State Statute 19.85(1)(g), conferring with legal counsel with respect to the claim of Susan Zook.

Roll call vote:

Bembenek – Aye

Holdridge – Aye

Pederson – Aye

Syens - Aye

Wilz – Aye

Motion carried.

Present Attorney Brian Formella.

Discussed:

- Legal merits
- Town doesn't have liability
- Claim denied by Hull's insurance carrier Rural Insurance
- Policy based reasons
- Contact Susan Zook
- Copy of all correspondence to insurance company

Motion Supervisor Bembenek, second Supervisor Pederson, reconvene in open session as allowed by Wisconsin State Statute 19.85(2). Possible action regarding claim involving Susan Zook.

Roll call vote:

Bembenek – Aye

Holdridge – aye

Pederson – Aye

Syens – Aye

Wilz - Aye

Motion carried.

Possible action regarding claim involving Susan Zook.

Motion Supervisor Pederson, second Supervisor Syens, deny the claim of Susan Zook based on insurance company rejection; legal immunity of government; concerned about setting precedence. Attorney to draft a denial letter. Motion carried unanimously.

Adjournment: Motion Supervisor Wilz, second Supervisor Pederson, adjourn the meeting. Motion carried unanimously. Meeting adjourned at 8:05 p.m.

Janet Wolle, Clerk