

TOWN OF HULL
PLAN COMMISSION
MEETING

October 22, 2013

TIME: 5:30 p.m.

- 1. CALL THE MEETING TO ORDER:** The Town of Hull Plan Commission Meeting was called to order on Tuesday, October 22, 2013 by Chairperson John Holdridge at 5:30 p.m. at the Town of Hull Municipal Building, 4550 Wojcik Memorial Dr., Stevens Point, WI 54482.

Present: John Holdridge, Bob Bowen, Shelley Binder, Bob Enright, Al Stemen, Jocelyn Reid and Secretary Patty Amman.

Absent: LaVerne Syens

- 2. APPROVAL OF MINUTES OF Hull Plan Commission July 23, 2013 meeting:** *Bob Bowen mentioned he was not listed as an attendee but he was, in fact, at the meeting as his comments throughout the minutes clearly show. Correction to the minutes to show the attendance of Bob Bowen. Motion to approve the minutes of the meeting of July 23, 2013 made by Al Stemen, seconded by Shelley Binder. Motion carried by voice vote.*

- 3. CITIZENS WISHING TO ADDRESS THE COMMISSION ON NON-AGENDA ITEMS. AGENDA ITEMS ARE FOR DISCUSSION AND POSSIBLE ACTION.**
NONE.

- 4. ANNOUNCEMENTS; CHAIRPERSON AND MEMBERS – MEETING OF PLAN COMMISSION WORKSHOP OF SEPTEMBER 26, 2013 – OTHER COMMENTS.**

Holdridge I was pleased we had an overwhelming turnout on that workshop for planning and zoning. We had our whole Board there and all our Plan Commission members. What's your impression of that in-service?

Enright I have my notes, I think the part where the people who are voting who are on the Plan Commission are supposed to recuse themselves if they have any association with the people with the proposal, I think that was the issue. I think the question was, what happens if they don't do that. Her answer to that was that a court could overturn the decision. It was the whole business of how there shouldn't be any bias.

Holdridge Conflict of interests.

Enright Right. I think you could raise an interesting issue because I think the mayor could say something like, "Well, my job is to foster economic development so you can't tell me I can't talk with people." I was thinking of the gas station. From what she said, the

proposals are to be put forth by whoever desires them and they're supposed to be judged by the plan commission in an unbiased way, without anybody that has a preconceived notion or some interest in the proposal passing or failing. That's why it struck me that there looked like there was some question about that.

Holdridge The City didn't seem to be concerned about that when they were reviewing it other than to get it approved. I think we should take a look at that point. Talk with Becky Roberts again because that would be of concern. Other thoughts?

One of the missing links is the relationship between this happening and 71 counties. Those counties have county plans and those towns are part of the county just like we are. That interplay between the county and the local town, she doesn't talk much about that. She talks about the Board of Adjustment. That's all at the county level. For most people, like the 17 towns in Portage County, there are 15 that are under Portage County zoning, 1 that doesn't have any zoning and 1 that has their own zoning. She's got very little discussion about this interaction, about the planning & zoning committee or planning & zoning department and then us down here at the town level, how that's supposed to work. This intergovernmental stuff is always confusing because we've got layers of government in this country. The notion that you create these governments with the 17 towns and villages, 1 city and then you've got the county board and all of a sudden you've got a lot of interest in government probably doesn't bear out. I've talked with Becky about this and that's a tougher thing for her to do rather than deal at the county level with county plans than start to look at the interplay with local government and the county. You think of the issues we've had, like this nuisance ordinance over on Maple Bluff Drive, the meetings were chaotic, they weren't well run. If you think the City was disorganized or arbitrary, the planning and zoning committee isn't much of a step up. There are two people on there who, besides being a county board supervisor, they're a town board supervisor. The vote for doing anything in terms of creating a new zoning district for those in R2 which is heavily residential was 4 to 1 against it. We still have a problem over in Maple Bluff. Our Town Board did an on-site over there. If you ever get a chance to go down Golla Road, the building faces Maple Bluff Road, go down Golla, there's an open lot there and you can literally walk back to see it. This place has all kinds of junk back there, equipment, pipes.

Binder I drove past the front some months ago but you can't see what all is going on because of the house.

Holdridge We went over to Dave Pringle's who owns that lot next to his house, he took us around. We went in through the back and looked at the back. As far as I'm concerned, the zoning system failed us. So now we're into the nuisance phase. We've tried to call the family over there and the phone was disconnected so we wrote a letter just saying that we want to come on-site and see what they've got. Finally she came in with a letter denying us to go on there and that's the first time we ever communicated with her. The county has been communicating with Bill Konopacky who does not own the property. We've been communicating with Rebecca Bohne who actually owns the property. Finally she responded. We met with Bob Konkol in executive session and Bob is going to send her a formal letter requesting that she meet with myself, another Board Member, Bob Konkol and keep Konopacky out of this thing. He doesn't even own the property. I got a copy of a court decision involving Konopacky and the Town of Alban. He owned some property out there and it was the same thing. They took him to court.

Nice guy and he's very congenial but we've still got this huge problem and we'll pursue it. If we can't sit down with her and work something out then we'll implement the nuisance ordinance.

Binder Does she live locally?

Holdridge Yes, she lives in the house. From what people have told me, she's a retired music teacher from Rapids, very meticulous. We're trying to deal with the situation. The neighbors are 100% behind us. That's kind of a high-rent district, those people living along the bluff there. We've got the neighbors living around the block who are totally against it. We know from our evidence that has decreased the property value. We're not caving on this thing. We just hope that she realizes because she owns the building that she is the one on the line on this stuff. Our ordinance says we can fine and so forth. So hopefully we'll be able to resolve that, but that's an on-going one.

Enright What happened to the idea that was raised at the workshop about making a different zoning district?

Holdridge I think that is going to come back. Patty Dreier had a listening session out here and she's going to push that. In other words take it away from the Planning & Zoning Committee and have the County Administrative function push that concept because that still makes sense. Right now there's R-2 zoning, it affects any town in Portage County that has R-2 zoning and it permits one unlicensed or one inoperable vehicle. But you can have as many vehicles on your property that are running and licensed as you want. Konopacky has got, when you go by there, maybe 5 or 6 of them. He could have 20 vehicles there. It's not against the zoning ordinance. How would you like to live in a residential neighborhood and you've got somebody who's got cars, trailers, vans and all kinds of junk in the backyard? That's what those people are facing over there.

Enright I thought what we heard at the workshop was that the town could have its own zoning too. It doesn't have to be the same. We're not limited to the categories that the county has.

Holdridge We can go over that tonight. Some of those readings talked about that. The problem with us having our own zoning, 31% of what you pay goes to Portage County. What do you get for that? What you don't get from the Town of Hull. Basically you get police service, the sheriff's department and you get planning and zoning services. 15% of what you pay goes to the Town of Hull where we do voting administration, pick up the garbage, plow the streets, volunteer fire department, all the basic services except police services and planning and zoning come out of the town with that 15% of your property tax. 31% comes from Portage County. So all of a sudden we're going to take over the planning and zoning function? Who's going to do that? They've got 2 enforcers of zoning up there. You don't have a planner, Chuck Lucht is gone, they're interviewing. If they would give us the money, I'd love to have our own zoning.

Enright So it's the cost of enforcement.

Holdridge Sure. We've got a low-budget operation. We've got 2 full-time clericals, 4 full-time road crew, a part-time board, Patty is part-time, Marilyn Kranig does the voting part-time. So if you're going to take over that function, you've got to have somebody to run it. Our assessor is part-time and our building inspector is part-time. If you could get the resources to come with you, I'd jump all over having your own zoning. The reason why we have to go with the nuisance ordinance is because the zoning system won't. I'll get you out an opinion about Konopacky and the Town of Alban, he's well known. He's been having challenges since before 1990. But he owned that property, she didn't have anything to do with that. So that's a real challenge.

Last night up at SPASH we had a full house.

Binder What was last night?

Holdridge It was on the wells, Well #11. I'll pass this around. Here's the Plover Heights Subdivision. That area, the City had tested those people within 1,400 feet of Well #11 prior to its start up, they were trying to protect themselves. But a lot of these people up here have failing wells and they're blaming it on Well #11. What we did was 2 weeks ago, this place (town hall) was full then, we asked them, who has failing wells? 15 people raised their hands. Then we said that we don't know enough. So Janet started calling well drillers. We got about 6 well drillers who operated out there and then Barb and Janet put together a survey they sent out to over 300 people. About 150 returned the survey. We announced that we'd have a meeting at SPASH, which we had last night. We really should have had it in the auditorium because the North Commons was full right out to the hall. This water really gets your attention. If you don't have it, that's a key element, water and air.

Bowen Did anyone disclose what kind of an agreement they made with the City? That's what's been missing in all of this.

Holdridge That's in my letter.

Bowen Yes, but it doesn't say anything. It just said they had an agreement. What's the agreement?

Holdridge I'm asking the mayor.

Bowen It never came out in the meeting?

Holdridge It appears to be very informal. It wasn't a formal sign-off or anything. Joel Lemke, who has all those names, they did have some kind of understanding that they wouldn't release it unless people want it released. It's just like our survey. If people want to keep their well data private, we would aggregate it probably but we wouldn't go ahead and release it. We got a list of the people and there was something like 58 households, 44 of which decided to have their water tested by the City. Those are all people within a 1,400 foot radius of Well #11. There was criticism; "Why did you take 1,400, why didn't you have 1,800?" There was all this technical stuff that came out. Pass this around. Janet, in her survey said well drillers have reported 27 new wells within the area. It's on-going. Now did all of this just randomly happen?

Bowen No.

Holdridge What's the causation? The case law on this is very scarce. There are laws on high capacity wells drawing down lakes and streams which everyone is concerned about but that doesn't worry me nearly as much as when a household loses water. There's the Lake Bulah decision that's out there. There's hardly any case law on when a municipality builds a high capacity well and it draws down the neighboring town's water. Apparently over in Saratoga, and I'm getting this from people knowing something about it but not know many details, Saratoga is adjacent to Rapids. Rapids put in a high capacity well and it drew down the households in Saratoga. They resolved it by Rapids having to kick in some money. There's another one over by Fond du Lac called Empire in which Fond du Lac literally bought some land in Empire and they put in a high capacity well and they drew down the water and they ended up paying. But none of these got into the court system. Our attorney Gerry O'Brien was on the Natural Resources Board and was chairman of it so he knows a lot of stuff about it. He researched it. In 1974 there was a supreme court, either a decision or a matter of policy, in which if you are a victim of somebody who has affected your well water, you have claims against that person. What is unique about Hull in terms of this is, who is harmed? If we were in the city and we had a municipal well, it would be the town government or the city that would be harmed. Because you have your private well, you are harmed and that's a private affair. In other words, you have to bring the action, collectively, the citizens. I made the point last night that we've had any number of incidents in which the Town Board has been very strong advocates for our neighborhoods. You can talk about Casimir interchange, you can talk Home Depot going in by Fairfield there. Last night I asked them, how many of you people want Hull to provide the leadership on this? Everybody wanted it. There was nobody that said, stay out of it. So that's the charge. So what are we in the process of doing? Trying to select a very good hydrologist. I'm constantly getting these names. One guy from Sentry was there last night and he gave Janet some names of hydrologists. So there are a number of them but we've got to get one that would probably be with a firm because a number of these hydrologists are one-man shows. The guy over at the university who does this stuff is a geologist. There is a guy at the UW-M who does it as a part-time sort of thing. But we need somebody who's got a support base/firm that can get into this. That was a huge crowd there last night. We didn't expect it. Barb ran off 50 copies but we probably had over 150 people there. So if you want to start getting people's attention, talk about water. Have neighbors who can't shower or drink.

Enright Are you saying there were 44 households that were contacted by the City?

Holdridge No, when the City did this pre-testing, I think it was a defensive move before the well went in. They did a testing and they picked a radius of 1,400 feet around that well. They notified 58 households in that area all in the Town of Hull. They contacted them but we weren't even involved. We didn't know who they were. The City contacted them and those 44 households had their water tested by the City.

Enright Before they drilled the high capacity well?

Holdridge I think it was a pre-test sort of thing.

Enright Then what happened after the well was drilled?

Holdridge My understanding was they did that then they tested the well and then they took another test but I don't know if that happened, they may not have done that. They may have just done the pre-test.

Enright Because the high capacity well is operating.

Holdridge Oh yes. It's been operating since May of 2012. Is that accurate?

Amman That is accurate.

Binder 2010 is what the letter says.

Amman 2012 is when it came on-line on a regular basis but they were doing pre-testing some time back (*back in 2010*).

Holdridge The City came out and made a presentation here. We've got 47 pages of narrative, we had it all on tape. Patrick Planton, who is a consultant from out of Fox Valley hired by the City, he went through that. This is a new kind of well, it goes down and it has these tentacles coming out from it at a certain depth. I think the real problem is that if this thing gets fully operational, the impact to the groundwater could be pretty substantial. That well, from what the City consultant says, will be the major well for the City of Stevens Point because they've got wells that are contaminated and have high nitrates.

Bowen It's so obvious. The last 30 years we've known that high capacity wells lower the groundwater table. Look at the Little Plover River, that issue. It's so obvious that if you put in a well, it's going to pump out more water than is coming back in.

Holdridge It may be obvious but you don't have the evidence.

Bowen If your well goes dry, that's pretty strong evidence.

Holdridge These wells, were they impacted by drought, were they impacted by the fact that the water table went below 35 feet? These people built houses 41 years ago and they have the very same sandpoint.

Bowen Ray Schmidt identified several issues like the screen could be closed.

Holdridge Lemke says he has 25 years of data but somebody has to get that data together, sit down, analyze it and see what is going on. In terms of our testing, I think a little over 100 people had their water tested.

Amman Yes, 108.

Holdridge That meeting is scheduled for November 14th (presentation of water testing results). I don't know if we can hold it here because we can only seat maybe 40 people. So we'll have to check into that. It's terrible at SPASH. The acoustics are terrible. I'm going to be so happy if this becomes our meeting room where we can put 100 people in here and have some sort of civil discussion.

Stemen Does SPASH charge us John?

Holdridge No, they don't charge us.

Binder But they would charge if you wanted the Annex Building downtown where we had the prior meeting? We use that for master gardeners and they don't charge for that.

Holdridge The Annex Building?

Binder That large room that we were in.

Amman How many did that hold though?

Binder 60 but if you take tables out and just put chairs.

Holdridge You're talking about the one on the first floor, that's a big room. That's where we had the in-service. We'll have to check that, I had forgotten about that.

Enright How far out can the City go and drill a well? Is this their extra-territorial land?

Holdridge No. They own that land. The people asked, "Who owns the land and how did they get it?" I think they bought that land before 1990. That's the old Boy Scout land that they bought and they can put a well there. The big controller is the DNR. They have standards.

Enright Do you know how deep the well is?

Holdridge The big well? I don't know right off hand but it's goes down then goes out with 8 spokes.

Stemen What did the mayor say on TV? I thought he said something like 10 million gallons a day. He said that cannot be the problem in the Town of Hull.

Holdridge Apparently he was more conciliatory on the 10:00 news. I didn't watch that but somebody watched that and said he was kind of playing hardball on the 6:00 news. So that paragraph is meant to say to the mayor, let's quit the secrecy and let's get the information out.

Stemen That was 2 ½ weeks ago and you haven't gotten an answer.

Holdridge Lemke is apparently his agent. One other thing; I gave you a copy of an article “U.S. Textile Plans Retool and Reopen”. In the Carolina’s and Georgia, those clothing manufacturers down there are almost deserted. They went to India, China and Mexico. This is an article from the large print New York Times in which, for a variety of reasons including transportation, this guy is coming back. I think he’s in South Carolina. But most people who look at that say, “yes, they’re going to bring back these jobs”. On the second page up in the corner, “Take Parkdale: The mill here produces more than 2.4 million pounds of yarn a week with about 140 workers. In 1980, that production level would have required more than 2,000 people.” So what’s happening – that stuff is becoming automated. In the old days, those were huge job creators. That’s surprising. Is there anything else you folks have?

So now we have to get a hydrologist and figure out how to get organized.

Stemen If you’re going to hire one John, be sure he’s got some integrity and he can’t be bought off.

Holdridge That’s right. The guy who is really, I got the name from the City, I looked at his resume and he’s done all this testifying in defending high capacity wells. Very well qualified I’m sure. He’s got a PhD but I’m not sure that’s the kind of guy we want. Any other announcements?

5. Certified Survey Map for Gary Swanson – land located in part of the NE ¼ of Section 21 and part of the SE ¼ of the SE ¼ of Section 16, Town 24 North, Range 8 East, Town of Hull, Portage County, abutting Wilshire Drive. Surveyor – Dale Rosicky.

Holdridge Patty, you’ve got this one printout on this?

Amman When I sent out the Plan Commission packets, we were missing the Lot Split Checklist and we just got that e-mailed to us recently. It gives a little bit more information about what is going on (*handout*). Jeremy Kurtzweil did review both of these CSMs and he said he found no reason to object or find fault with either and in his opinion, we can accept both of them.

Holdridge He’s our assessor. One of the big ones is always that #10 – “Lot abuts a public road”. They’ve got to have access to these lots. If you don’t abut a public road or have access you’re probably not going to get it through.

Amman It’s hard to figure out where it is on there so we put up this bigger map. (*pointed out the 2 locations on the bigger map where the CSMs are located*)

Holdridge Dave Way lives just north of there on the right hand side. This is on the left hand side as you go north. It looks like what he is doing is cutting out a lot, lot #2?

Binder There’s something already existing, there’s a house and garage already on there. He’s just going to this large lot. It’s very wooded around it.

Holdridge He must have a driveway going back there where his house it at. I think that's what he's doing.

Binder He has 33' marked off. It's interesting when nobody shows up to tell us about it.

Amman I sent him the information on the agenda for the meeting.

Binder It says Port Aransas, Texas, the owners.

Amman Yes, he's already down in Texas but I thought the surveyor would be here tonight.

Holdridge We should call him.

Amman I talked to him. I sent him the information. I don't know why he isn't here. He didn't say he wasn't going to come.

Holdridge He should be here. He's being paid by Gary Swanson. It seems to me that he ought to show up and present to us. Maybe what we should do is approve this conditionally subject to discussion with Dale Rosicky.

Binder Does anybody know what this stands for? Is it wetlands or a swamp area? You can see trees all around here.

Amman There's a legend on the bottom showing what those are.

Reid Hydric soils and wetlands.

Binder Okay, yes, there you go.

Enright They just want to change that to a residential zone. Is that what they want?

Stemen It looks like wetland over here.

Holdridge It's a land split.

Enright So they can keep the house maybe and sell off the rest.

Stemen The next time Mr. Rosicky comes, he can explain it to us.

Holdridge From what we know now, we're not objecting to it but we need an explanation.

Binder A little more information.

Bob Enright made a motion to table the Swanson CSM until Mr. Rosicky can further explain what it is that they are looking to do. Motion was seconded by Al Stemen. Motion passed.

6. Certified Survey Map for Mark & Tina Gawlik – land located in part of the fractional North ½ of the SW ¼ of Section 7, Town 24 North, Range 8 East, Town of Hull, Portage County, abutting Weatherfield Road and Biscayne Road. Surveyor – Dale Rosicky.

Holdridge Where is this one Patty?

Amman Weatherfield Road is this #6 post it note up on the big map. It's a little further north. Near I-39.

Reid Not far from the Catholic church.

Holdridge Is this the creek that goes over/near Casimir there?

Reid So it must back up to Infinity Lane?

Amman I think it's in that area.

Holdridge It's in that Biscayne area.

Amman Biscayne is one of the two streets it abuts to, along with Weatherfield.

Binder But I don't know what they're trying to do here.

Bowen What would be really helpful is if they would supply a text supplement in plain language where this is. Because if you're not comfortable using plat books and know....

Holdridge And most people aren't.

Bowen I've got plat books too, but this doesn't help. I couldn't tell you where this is. Who can tell me?

Stemen Casimir Church?

Bowen Is that where it is?

Reid If you go across I-39 and take a right past Infinity Lane.

Stemen Where there are a lot of new homes in there already.

Reid
Sawmill. Take a right there and Weatherfield is the next right. It's either Granite Ridge or

Bowen Is Weatherfield the one that goes back into the existing subdivision?

Reid Yes, it's a really short little section.

Binder Weatherfield is at the top of this map but the back lot, where does that have access up to the road? Lot 1.

Amman Biscayne is there on the far left as you're looking at that map.

Binder Yes, but I still don't see access. There still won't be access to Biscayne for lot 1.

Holdridge Patty, did we get one of the Lot Split Checklists for this?

Amman No because he said it doesn't pertain to this. I talked to him about that and he said it wasn't needed for this.

Holdridge What are they doing here?

Amman If you look at that first page then look at the second page, the only thing that is different is the connecting little arrows.

Stemen Explain it to us.

Amman He should be explaining this, but it had to do with the property taxes on that whole chunk, they were taxing it as if it was all buildable and I think some of it is not or it's a swamp or whatever so that's the reason they were splitting some of that out.

Stemen Mark and Tina Gawlik, what does he want to do here? Sell these lots? Are they looking for approval?

Binder Again, I don't see access for lot 1. We don't want to get anybody landlocked again.

Enright Are they asking to subdivide all these newly created lots or to split lots 1 and 2?

Holdridge This is all west of the Interstate. That's not that far from where you are Bob. That's on the east side. We need to have Mr. Rosicky come to the meeting in November.

Binder If he wants it to be approved, yes.

Holdridge The other one, the Swanson one, we've got the information there, that's pretty clear, right?

Stemen Well, it's sketchy; I don't know how clear it is.

Holdridge You want to table both of these?

Bowen Either the surveyor has to be present or he provides a detailed narrative.

Holdridge Request the surveyor to attend the meeting.

Binder Or a representative.

Shelley Binder made a motion to table this due to lack of information and the surveyor or a representative needs to attend the November meeting if they want the CSM to be approved. Motion was seconded by Bob Bowen. Motion passed.

7. Zoning Education – Sections on Introduction to Zoning and Ordinance Adoption / Amendment.

Holdridge This is helpful, at least it's formal. I marked a couple things in the section.

Binder It's copied out of this handbook.

Holdridge Yes, that's where it comes out of. On page 3, you've got these different kinds of zoning. Floodplain zoning and shoreland zoning is really controlled by the state. My understanding is the county could be tougher, have more requirements than the state but they've got to at least meet the state requirements. On the bottom there it says, "In addition, communities may opt to implement additional forms of zoning such as farmland preservation zoning, construction site erosion control and storm water management zoning..." that's where the question you raised about another kind of zoning classification for residential, there's no reason they couldn't do that if they want to. Every zoning classification has a map plus the text. Obviously the map is the biggie.

Enright I get the impression from that meeting that Jeff was disinclined to create a new zoning area because they didn't want to use one for special cases in the county as I recall, because they could be repeatedly asked to use that. The zoning classifications would be really complicated. I was referring to the meeting when the Plan Commission was talking about the guy with the junk cars. It was a Plan Commission meeting and someone asked if you could do this. I think he should speak for himself but I recall him thinking that would not be a good idea.

Holdridge His boss, Patty Dreier came out here for a listening session. She said she thought that was a good idea and she's going to push it.

Enright Oh, I see.

Holdridge For urban use. Let it be up to the town. The town can decide if they want that kind of zoning.

Enright But it would be a county zoning category.

Holdridge All zoning is county, right? We're under county zoning.

Enright What I thought I heard in the workshop is that we could create our own category.

Holdridge I'm not sure.

Enright You mentioned the problem that it would be expensive to enforce it.

Holdridge Right, absolutely. We are under county zoning so if we create a new category, that has to be under county zoning. If you create that, you have to get the county support.

Enright If you're inclined to do that, I would ask Rebecca Roberts because I think she said we could do that. If we're not going to do that, then it wouldn't matter. But if that's still an option, I think she said we can do that.

Binder But isn't that the same as there, communities may opt to implement additional forms of zoning?

Enright That's what I thought she said.

Holdridge Again it has to be approved by the county board as we are under county zoning. We may choose....what was the one we had so much problem with?

Binder Lot averaging.

Holdridge Lot averaging, they couldn't even explain it to us. Schuler was out and I think also Chuck, but they differed. It had never been used. It was adopted from out east. We could use that but we never understood it and they couldn't explain it to us.

Enright It wasn't even clear what the average had to be.

Holdridge They had the ordinance but they couldn't explain it. The point I'm trying to make is for us to adopt a zoning classification, it's got to be in the toolbox of the county because we are under county zoning. If we could go out and say, yes let's have a R-1 district that is a residential district and it requires you don't have (*excess*) cars.

Enright I thought that's what she said.

Holdridge If we could do that, I'd be all in favor of doing it except somebody has got to enforce it. We've got at least 2 positions there at the county level to enforce all this stuff. Tracy Pelky and Chris Mrdutt.

Enright So if we adopted it, the county would not enforce it?

Holdridge I don't know. I think they would enforce it if it was part of their toolbox. Schuler has some reservations there probably because that's more work for them. I can understand that. Then they talk about conditional permit uses.

The next page down at the bottom, Amendments and Rezoning: it says, "The governing body is responsible for adopting and amending the zoning ordinance with input from the plan commission." We are advisory and we give them input and that's clear in the literature.

On the right hand side of page 5 there's this Planned Unit Development (PUD). That's the proposal they've come up with, a Planned Unit Development.

Up on the top of page 6 it says "First, the ordinance must be guided by and consistent with an adopted comprehensive plan." Remember one of the points Becky kept making was it's got to be consistent with the plan. She said that a number of times.

On page 7 there's the Process to Adopt or Amend a Zoning Ordinance and it says under #1 Petition to adopt or amend, "A petition to amend the zoning ordinance may be made by a local landowner, the plan commission, or the governing body." Under Public Hearing, that next section, I put a question mark there. It says, "When making significant changes to an ordinance, opportunities for public participation prior to the public hearing are recommended to ensure that the ordinance is understood and accepted by the public." The public hearing is where we really do hear from the public. I'm not so sure what she means here. Are we expected to communicate with all sorts of people? I see the public hearing as the crucial one.

On page 8 at the top they talk about Class 1 notice and Class 2 notice. That comes up all the time. If it's Class 1 notice, it's in one newspaper publication, Class 2, they say at least one week before the act or event. That public notice is really crucial. Last night Gene Kemmeter was there from the Portage County Gazette and Becky from the Stevens Point City Times, the internet group. There was nobody there from the Stevens Point Journal, nobody. In fact, according to Janet, we've got to check this out, they didn't publish the notice of the meeting.

Binder I never saw anything.

Holdridge They didn't publish that.

Enright Which one?

Holdridge The one last night.

Binder I didn't know about that meeting at all.

Stemen I didn't either.

Reid Yes, I didn't either.

Holdridge Janet religiously sends this stuff in. They published other stuff but they didn't mention this.

Binder Is the Stevens Point Journal your....

Holdridge That's our official newspaper.

Binder I never saw anything for tonight's meeting either. I was looking the last couple of days and I even looked again today and there was nothing about our planning meeting. There were all these other plan commission meetings but there was nothing about the Town of Hull.

Amman I had e-mailed and faxed it and Barb said she didn't see it in the paper either.
Enright I went to a session with UW System counsel with the lawyers there on open meetings, and you're required to notify the press. They're not required to publish it. It might be legal in them doing that, but it's not very responsible. Maybe a letter might embarrass them into doing the job.

Holdridge I think the editor for the Stevens Point Journal lives in Wausau. He's got that newspaper and this newspaper. They terminated this Linda Taylor, the editor.

Bowen Which date was the meeting discussed that Hull was going to have this meeting? That was in the paper as an article.

Binder Not in the Stevens Point paper. I think there was something in the Gazette and I don't get that.

Bowen I was behind about a week and I was reading that and I thought I saw that.

Holdridge We met over at the University. Bob Enright, Paul McGinley, Gene Kemmeter and several others, Ray Schmidt. We had invited Gene Kemmeter to the meeting as we were talking about this and that's what he wrote up in the Gazette.

Bowen That's it then, okay.

Holdridge He mentioned this meeting, last night. The paper that goes to more households than the Gazette, the daily newspaper, never published it.

Over on page 9, Town Approval of County Zoning, maybe this is what you're getting at Bob (*Enright*). "Towns must approve of a county general zoning ordinance in order for it to take effect in the town. Once approved, a town may only "opt out" of county zoning if the county adopts a comprehensive revision." In other words, if we get it and then they decide to revise the whole zoning, according to this, we can opt out of that. "A comprehensive revision means a complete rewriting of the zoning ordinance that includes numerous changes to zoning provisions and the alteration or addition of zoning districts. The town has up to one year to approve the comprehensive ordinance revision." I circled that. This whole section is pretty important in terms of understanding our relationship with the county.

On page 10, the second paragraph, it says Criteria for Reviewing Zoning Amendments, that second one, "When considering a landowner request to rezone a property, it is recommended that local decision-makers follow the rules of procedural due process described in Chapter 2. These rules ensure that decision-makers are impartial, that public input is confined to the public hearing, and that decisions are based on pre-determined standards." That's maybe what Becky's talking about in that due process part. One of the things, after reading about what Mr.

Konopacky did out in Alban, as we pursue this, the Town Board has to make sure we're following some kind of procedural process for that. Any other reaction to that?

A motion was made by Enright to accept the report on Zoning Education. Motion seconded by Bowen. Motion passed.

8. Wisconsin Towns Association – Bill in Wisconsin Legislation permitting Towns to pull out of County Zoning.

Holdridge I got this from the Wisconsin Towns Association, Mike Pagel, he's chairman for the Town of Lanark. We've got what is called a Portage County Unit of the Wisconsin Towns Association of which all 17 towns get together about quarterly to discuss things. I thought he should put this on the agenda and the towns take some action. It hasn't been done, in fact, Patty, why don't you tell them what you discovered today.

Amman I called Julie Lassa's office to see what was going on with this bill. I spoke with Doug and he said it is not a bill yet. It doesn't have a bill number. I then called the office of Representative Andre Jacques, the one who is sponsoring this. They told me that it's not a bill yet, it's not dead, but it isn't a bill yet either. They're trying to garner more support or co-sponsors who will get this rolling a little bit more. It's kind of in transition mode.

Holdridge On page 2 down at the bottom it talks about this change: "The changes do not allow towns to withdraw from shoreland and floodplain zoning which would remain a county requirement." Shoreland and floodplain protection is a state concern and that is set in the law. The only difference is the county can make it stronger. For example, move the setback further back than what the state recommends.

Binder I read the analysis and to me it's like they did all this smart growth and wanted everybody to have a comprehensive plan. Now this is like saying, we're going to let you go back and do whatever you want, if you want to opt out. To give the towns more flexibility. It seems like they're going away from all that planning they wanted to do 10-15 years ago. Did anybody else look at it and wonder if we're going backwards?

Holdridge The only thing I would say about it, I would like the town to have the option of getting out of county zoning, if the town itself wanted to do that.

Binder That's what this allows. If you say you want to then it takes like a year from that. It's not an overnight process. Then it's a window of opportunity then after that it closes again.

Holdridge That's all I would say; give the towns the flexibility. If you have a zoning management operation at the county level and you're disappointed in it, why shouldn't the local government have the option to pull out of that if the elected body says they would like to.

Binder Isn't what they wanted to do with smart growth? To have all the towns fall under the county—they all had to come up with a comprehensive plan. There was money attached to it at one time.

Holdridge That smart growth is kind of a dirty word now.

Binder That's just it. It's back to what it was before.

Holdridge My point about a lot of this stuff, give the local government some options. If their elected officials and their plan commission say, maybe we want to get out of this thing with the county, then why shouldn't they have the option? You could possibly not have any zoning. We've got a town in Portage County like that. The City of Houston has no zoning. You've got these places with a lack of regulations. Myrna's got a relative who lives down in Houston and they love it.

Binder Until somebody wants to put a factory next to your house.

Holdridge I don't know what the practical reality is on that.

Binder There's got to be some regulation there.

Holdridge I'm sure there's something.

Binder It may not be called zoning, maybe it's called something else.

Holdridge That's my only point about this is if people aren't happy, the people I'm talking about are the plan commission and the town board. What do you think Bob?

Bowen Is this ordinance specific or are we talking about withdrawing from the entire zoning structure of the county?

Holdridge It sounds like, if this is a bill that gets passed and signed by the governor and becomes law, you would operate like it's written here. They talk about 2015, the local government would have the option of formally withdrawing from county zoning.

Bowen That puts a tremendous burden on the town.

Holdridge That's right.

Bowen With the kind of technical expertise to establish a zoning ordinance and a compatible comprehensive plan.

Holdridge And who's going to enforce it?

Bowen Yes, who's going to manage it?

Stemen Sounds like a costly deal.

Bowen So it's a great idea to be independent, autonomous but can you handle it?

Holdridge The other thing is you've still got that 31% that's going to the county paying for planning and zoning services and you're not even participating.

Bowen Right.

Binder We're thinking of our little town but there are some pretty good size townships like the Town of Waukesha. They would have the resources to have their own people on board. There are still some large townships. So exactly, more cost to the towns to have the program.

Holdridge One of the advantages to this, if you had it on the books, it could sort of be a threat. If you get, from the planning and zoning commission, sort of tacitly supported by the department, the kind of reaction the Town of Hull got to the problems over on Maple Bluff Road, if any of you were there, you saw what happened, the plan commission didn't even listen to their own staff. So if you get that and say this thing is so confused and disjointed....

Bowen Another impression I have is this undermines the cooperative approach to land-use planning. We should all be together and here we're talking about this.

Holdridge It does.

Binder There's no fiscal carrot here. It's not like they say, if a town opts out, you would not have to pay as much towards the county. There's no fiscal incentive for us.

Holdridge If you could take some of that with you when you leave.....

Bowen Yes, right. That would be something different. But I don't think that's included.

Binder No, there's nothing in there for fiscal.

Enright Could you explain the part that says "if the town board has been granted the authority to exercise village powers". It's on page 3 right below Analysis by the Legislative Reference Bureau. It said it previously. When does a town have the authority to exercise village powers?

Holdridge The Town of Hull adopted in 1967 that they would be a town that would have village powers. Now you're saying, what does that mean?

Enright Yes, what does it mean?

Holdridge I'm not sure what it means.

Enright I thought the whole issue of annexation of town land was we lacked village powers.

Holdridge What's the details of that? I don't know.

Enright We have village powers?

Bowen I always understood that village powers was a barrier to another municipality annexing your land.

Enright Right. So if that is the case, if we have that, we should use it, right?

Holdridge We quoted that in our nuisance ordinance. The right to protect the public health, morals and property. That's, by formally adopting village powers, one of the things the town gets. Protect the public health, welfare, etc.

Enright We can't just say we've got village powers. That's got to be granted by state law doesn't it?

Holdridge No. I asked Janet and she said, "No, we adopted it in 1967."

Enright Some of those powers but not other ones?

Holdridge I don't know what they are, Bob, that's my point.

Enright How can we find out?

Holdridge I know it did not stop any annexation.

Bowen No, exactly.

Holdridge Going way back to the 1980's.

Enright What kind of power do we have? I think we should find out.

Stemen So what good is it?

Holdridge There is an article I picked up at a Town's Association meeting that talks about village powers. I think we should review that. Maybe that was somewhat what Becky was talking about.

Stemen Chuck talked about that the last time he was here, village powers.

Holdridge Supposedly if you adopt that, you have authority that you wouldn't have if you haven't adopted it. I don't know if the size of the town is a factor.

Enright This idea would allow a town to undermine county zoning ordinance.

Holdridge They could get out of county zoning, yes. It would be up to the town.

Bowen What kind of action are you looking for on this? Review?

Holdridge Review and see what your reaction is.

Bowen My reaction is, I think, negative at this point. I don't think it's a good idea.

Holdridge Because?

Bowen Because we need a cooperative approach to land-use planning, the support of a well-staffed zoning department which we don't have, so that's why I don't think it's a wise idea for a town, at least, of our means.

Enright It also could affect people outside of your town; that other towns could then do that too. We're all influenced by what county zoning is. If the Town of Hull decided to go against what the county says is reasonable zoning because somebody wants to build something inconsistent with zoning and planning..... it would be a weakening of the political control over land uses, it seems to me.

Holdridge It could if the town didn't have a vision of what they want. You've been on this Plan Commission a long time and we interact with the county on different things. I've been frustrated a number of times because they just don't seem competent. We've had different people out here. Are you better off to have that? Is this bad enough that we'd rather have our own zoning? That means you've got to have zoning ordinances, you've got to have enforcement and personnel. How would you rate the Portage County Planning and Zoning Department?

Enright In situations where the interests of the town were at stake, the county did not stand up for the town or the county in general. They should have some independent perspective and authority in contrast with the City. They are independent, it's a separate body.

Holdridge They should be above all the local entities.

Enright Right.

Holdridge To me, that goes back to the chapter in the comprehensive plan about intergovernmental cooperation. Who gets people to cooperate? The county doesn't do it and the mayor wants to do all his secret deals, where is the county on this? They were nowhere.

Bowen They should have been all over him.

Enright I'm not sure this law would help that any but it would certainly put some pressure on them.

Holdridge They would be very disappointed if the largest town in Portage County decides to not be part of the planning and zoning for the county. We're the third largest municipality and the largest town and if we said we're not happy for a whole range of reasons, with the operation down there and we've got a law like this that says we can do that, subject to the board and the planning commission, I think it would send an awful strong message. After that comes the whole question of staffing. After all, what does the Planning and Zoning Committee do? They basically serve the unincorporated areas of Portage County. Plover's got their own; the City of Stevens Point has their own.

Binder When I mentioned there was nothing fiscal, I see at the very end on page 4 it says, "For further information see the local fiscal estimate, which will be printed as an appendix to this bill." That we don't have, probably because it hasn't moved that far in the bill process. It would be interesting, the local fiscal estimate.

Holdridge When you're looking at government, how long do you want to accept incompetence? I remember Jefferson in the Declaration of Independence, he's got great language, he's a great writer, how long will we tolerate it. He's talking about the American Revolution and he said there's a time in which man will rise up and oppose things that are intolerable and that should not be taken for light and transient reasons. It's his great language. Of course he's appealing to the nation on the abuses of Great Britain. When are we, as citizens, going to start saying there's something wrong out there with that system?

Enright Do you think in the instances where we have been at variance with the City, if we were separated from that, would we have had more voice? Or is it just that we've given up on them to represent us? Would we have had an independent voice if we were separate?

Holdridge Oh yes. We could say no zoning but we would probably want zoning. Now would we want the same kind of zoning they have? Would we want lot averaging? That would bring it right back to us. Somebody said you've got to have somebody that's going to be an expert on that. We had Chuck Lucht out here and finally towards the end he was getting pretty good. But early discussions with him and this whole system, that was less than ideal.

Enright It seemed to me as if the County doesn't really have authority over the City anyway. They look to zoning and planning to get their opinion on things but I don't know that the County could have stopped it, could they?

Holdridge I don't know. Jeff Schuler said this is a conflict between planning and annexation powers. What he never did was use the bully pulpit, saying publically why doesn't the City and Town all get together on this, why don't we cooperate? He never said that. He never took any position on that. If Chuck Kell were the director down there, because he's the guy that got this all started, I think he would have been out in front on this. Schuler was not. Any reaction? Is there a motion to approve or disapprove or should we just table it?

Enright I would like to understand this village powers deal. I would also like to know if there is any way that the town would get any more authority in decision making if this

were law. Decision making in terms of controlling borders. Because I don't see how it would be in here.

Holdridge I don't either, with annexation.

Enright Right. By having our own zoning and by exercising village powers, if we have them, does it give us any ability to sort of force the City into intergovernmental cooperation?

Holdridge Then it might have merit.

Enright Yes. I would think that it would be possible that it does. I'm concerned that maybe this is just a device to undermine zoning in general in which case it probably wouldn't serve any purpose.

Holdridge It would certainly undermine county zoning.

Enright What I'm suspicious of is in some places local interests might be able to want a change in land use or zoning that's not really in the interest of the county but that this would be a way by which the....if you would get control over the political government, the town, then you would essentially have a unregulated land use.

Holdridge If you had a 5 member board of renegades, you might decide that some of this zoning, let's just get it out of there.

Enright Right. The same thing in the town that the city did here. Saying why don't we just go and build on wetlands because the county can't tell us to stop because we've done that? I'm suspicious that getting away from, especially since towns don't have the money or resources to be able to run their own planning and zoning, why would you want to be divorced from them other than if you just didn't want to have to obey them? That's what I'm concerned about it. So if we understood this better, we could decide whether to show our interest in it.

Bowen There's another side too, considering this is in the legislative review board, it's not a bill as such, it would be inappropriate to take any position on it until we get more information.

Motion made by Bob Bowen to table any action on this until more information is available to explain it better. Motion seconded by Jocelyn Reid. Motion passed.

9. Portage County Planned Development Zoning District.

Holdridge This is another new zoning district. My question was, let me refer you to page 4, second paragraph from the top – (b) “A recommendation from the Town Board shall be required to be received by the Portage County Planning and Zoning Department prior to the Planned Development district rezoning request and Preliminary Development Plan request being brought

before the Portage County Planning and Zoning Committee for public hearing, review and action. The landowner/agent/developer is expected to work closely with the Town government to facilitate expedient processing by the Town Plan Commission and Town Board.” It says, a recommendation. It doesn’t say the town board could recommend, we don’t want this, or, there’s all these problems. But it doesn’t say that would kill the proposal.

Bowen I know, that’s what I discovered. It could exclude or include.

Holdridge You guys could make a recommendation, we just don’t agree with you. I called Chris Mrdutt this morning. If you go to page 1, where it lists 6 points, it’s the next paragraph, “Unlike other Portage County Zoning districts, the PD District designation is only applied in specific circumstances, after review and approval by the Portage County Planning and Zoning Committee and Board of Supervisors; there are no pre-approved locations. The PD District may only be approved in towns that have taken specific action to allow its use, based on a discussion of the concept in their Comprehensive Plan.” That last statement is where I say the town really does have control.

Binder We can say, no.

Holdridge We don’t want it. But that’s the only statement I found in reading this where it really says the town does have some clout.

Binder Did you go to this meeting / public hearing?

Holdridge No, I didn’t go. I don’t oppose it. If the town wants to adopt it, fine. It’s really pretty detailed. When I read this thing, my concern was Pete Klismith. Weber Realty, that sign was pulled Jocelyn.

Reid Was it?

Holdridge It was pulled but he has another realtor from Wausau, this guy is strictly commercial. I could see Pete Klismith getting a hold of this thing and say, that’s what I’m going to have, a planned development right over there. He could initiate it and it starts by going down to the Planning and Zoning Department and they start the whole process. The next thing you know is you have the ball rolling and you could be stuck. Absent this language. My feeling on this, what they ought to do is have some kind of section on town action that is required. Don’t bury it here. Let’s have a statement, paragraph about the town where it clearly stands out.

Bowen Who is the approving body of a proposal? Let’s say Pete or somebody decides to apply for this. Who is the approving body? Is it the Planning and Zoning? Is it the County Board? The Board of Adjustment?

Holdridge The Planning and Zoning Committee is a little like the Hull Plan Commission. The approving body is really the Portage County Board of Supervisors.

Enright It actually says that on page 4.

Binder On number 1 in the paragraph that you talked about and above that it says, “after the review and approval by the Portage County Planning and Zoning Committee and Board of Supervisors.” and again on page 4.

Enright Item 3, final development plan, it says in there, “approved by the Portage County Board of Supervisors”.

Holdridge This is pretty elaborate if you look at this. It’s pretty detailed. I’m wonder where they got this idea, was this from out east too? I haven’t asked that, but it came from somewhere. Chris asked me if this would be something the Town of Hull could use. In some situations, it might be. It’s obviously not going to go at the Casmir interchange.

Bowen But we’ve already done something like this in the area. We said that was a unique area on that side of I-39 and we went ahead and established some conditions that would develop that area in an esthetic manner and not damage the natural beauty of the area.

Holdridge Under this they’re talking about a maximum of 10 acres.

Enright This whole idea, this is really what the Parkdale Development did. Because it had the mix of dwellings, multi-family dwellings and commercial. We didn’t need this. But in that site plan it was possible to get an agreement of where it was going. I’m not sure this does that.

Holdridge I think the Village of Park Ridge, that was considered a planned unit development, where Walgreens is. So this isn’t new.

Enright No but it says the purpose of this is to do it in ag land. So that would be more of a town or county area.

Holdridge Except as I understand, it could be done anywhere. The guy that is supporting this strongly is Barry Jakowski, the guy who is very vocal at Planning and Zoning usually. He represents the area down in the Town of Grant and Almond, down south. I said, “Chris, why is he supporting this?” Well he’s been established as limiting this so as to not endanger agricultural land. Instead if somebody wanted to build a house and create problems for sprayers and all the rest, you could locate this and that would be your planned unit development. That would take the energy out of things. Somebody else said to me, “I wonder if he’s got land that would fit into this thing?” He was very active in supporting this. Anyway, Chris asked me and I said, “Yes, under certain circumstances, this might fit in some parts of Hull.” So I’m not opposed to it. Leave it up to the town boards if they want to do it. If they have the support of their citizens. Any other comments on that? How do you folks feel on that? Are you comfortable supporting it?

Binder As long as they have that provision in there about allowing towns to opt out. This was a public hearing today so do they need some feedback from each town?

Holdridge I don't think he ever came out here but he was out to some towns and he got some static primarily on the fact that is this something being forced onto towns.

Enright I would like to see what kind of comments came up at the meeting today because I have a feeling some people know or understand this a lot better than I do. So it might be premature to say we approve this. I think this was more for information and comment.

Binder Somebody has to publish the minutes for this meeting.

Holdridge We can get you that. I don't want to spend a lot of time on this.

Binder No, but it would be interesting, like Bob said, who showed up.

Enright In some sense, it looks like it's a good idea and an interesting one but I'm suspicious that there's something I don't understand about this.

Holdridge The biggest thing I want to understand is if the town board doesn't support it, it's dead. That's all I've got to understand.

Reid But is that the case?

Binder Have you discussed it with the town board?

Reid If the town board does not support it, then it's a dead deal?

Holdridge I said, "Chris, where in this letter does it say that the town board..." and he finally came up with that paragraph I read. I had marked this up and circled it and he said, "That's the language."

Bowen If the town board supports this, they do so on the basis that they can opt out of any zoning that affects....

Holdridge I'm not so sure I'm going to bring it to the Town Board.

Bowen It seems that it's an attempt to refine the existing planning and zoning process for a special situation.

Holdridge Yes and the special situation could be agricultural areas where you can focus all this development in one spot, don't antagonize the farmer by somebody selling a lot off in an area where they maybe fertilize and all the rest of those problems, all the conflicts you get into out there. I think that is probably the origin of this.

Reid In that paragraph B on page 4, "A recommendation from the town board shall be required...." are they changing the word "recommendation" to "approval" because what if the town board recommended not to go ahead with it? It just says "recommendation".

Holdridge That's right. It says recommendation and the recommendation might be that we don't want to be any part of this.

Reid Then what happens?

Bowen It also sounds like if you recommended or approved it and then a proposal was submitted that you didn't like, you could block it or opt out.

Holdridge That's what I get from it. I read recommendation just like you're saying. So what? We recommend. Do we recommend it not be approved? Do we recommend it go forward? It doesn't say that. It just says you've got to recommend something. It doesn't say, if we're totally negative on it, from this paragraph, it still doesn't say, because we've met the obligation of recommending. But I think this other paragraph is the crucial one. I suppose you have to be careful when this gets adopted that it gets adopted as they sent it out not somebody striking that. I would say we could just table this thing and see what happens.

Bowen I think Bob's suggestion was a good one. Wait and see what they say at today's meeting.

Binder It could be going back to the drawing board.

Holdridge I think this thing has been around the block a number of times. I remember Tim from the Town of Plover called me and he was upset about it. I told him that I really hadn't read this thing.

Enright Did he say what he did not like about it?

Holdridge I think from a town perspective, you see this heavy hand coming down from the county on the towns. Who has to meet and who has to judicate with their citizens? It becomes the town's responsibility. Most towns don't have the staff we have. I would guess they don't have a full-time person at the Town of Plover and some of these other towns so all of a sudden you're getting this stuff that says the towns have to participate or should participate and it looks like one more regulation that they come down with. We'll see what we get. I assume it's going to be passed down and approved as long as it's optional. They've had some other provisions that are optional.

Enright If I understand this correctly, instead of saying, I want to change the zoning from agricultural to industrial or commercial or something like that, you could come in and say we're going to take this big plot and we're going to have some of it agriculture, some of it commercial. So we'll keep that stream there, but under the old plan, you couldn't build there because of natural or agricultural areas or there's a stream there.

Holdridge That restriction. But there may be shoreland zoning. But as I read this, the developer and the town is involved in it. The county is involved in it because if the developer gets an idea, he goes to Chris Mrdutt or Tracy Pelky and they write up one of those like what we saw tonight on what is going to be done or planned. That's what gets the ball rolling. Sooner or

later they've got to come to the Town. The Plan Commission looks it over and ultimately it goes to the Town Board. The Town Board is the final authority. If we don't want it, it sounds to me like it isn't going to happen. When we were doing that I-39 West area, there was a real concern because we had an issue up on DuBay where some developer came in and was going to build a bunch of condos or something and there was real concern with some of those people over in I-39 West, what would stop some developer from building a bunch of condos somewhere near the Wisconsin River. They wanted no part of that. Why couldn't a developer or some landowner say, "I've got 10 acres and I want a planned unit development like this." He gets a developer and they lay it all out and go to the county and ultimately it comes to the Plan Commission and Town Board and we say no. We could also say yes. In certain areas, that would be a pretty big yes. I would favor the option. Some of these towns like Buena Vista, Lanark and in the south where they have a lot of farmland, ag land and there's some threat these people are going to move from the city and buy 4 acres and build a house right in the middle of farmland and all of sudden you've got the conflicts between the farmers and the non-farmers. You have this kind of stuff all over. So I think this is something that would try to get away from that. You'd have all the planning done, all the roads and all the rest of it. I would say we'll just see what happens. We'll get the minutes and see what the comments are.

10. Update on Water Issues in the Town of Hull.

Holdridge The first one has been completed. The last one is the big issue about Well #11. Then we've got Paul McGinley who got some money to do some studies on the origin of nitrates among other things. Bob (*Enright*) is going to try to analyze that area in the southeast sector of Hull in which there is a lot of testing over 25 years or so and try and figure out what that tells us. That one with the Stevens Point monitoring wells analysis, that is something we got from the City only because those wells were put in by the City in our right of way. We have a right to that. They never asked our permission and now they're prepared to share the data with us. Back when this came up, and these were monitoring wells put in by the City, Joel Lemke said, "If you guys don't want those wells, we'll pull them out". I said, "Don't pull them out. We should keep them and get the data from those already in there." There are 6 of them in our right of way. They've got others in the right of way of Hwy. 66 which would be the county/state right of way. There are a few of those. This is data that could be really important in that Well #11 issue. Patty actually plotted this on a graph by year and sometimes it goes up, sometimes it goes down. We've got a monitoring well right out here, right off our parking lot that the City is actually collecting data on, right?

Amman Yes, they check it once a year.

Holdridge That one went in back in 1993 when we had all that rain.

Bowen We dug ditches and all that.

Holdridge In the Meadow Manor subdivision, I went into some of the houses and there was a foot of water coming up in some of the basements. It was bad news. I never figured out who put these in. I thought the county had done them. But it's actually the City.

Enright So they're testing water quality or what?

Amman Depth to water, water level, quality.

Holdridge They might have tested for quality too but it's basically depth to groundwater. So anything else?

Enright What's up with that for-sale sign for the land that's across the street from the Hilltop Pub? There's a for-sale sign. It says it's conservancy.

Binder And that house up there now has a for-sale sign.

Holdridge Are you talking about the one that was remodeled up on top of the hill?

Enright The land that is associated with that that goes down to the river.

Binder That's Town of Hull.

Holdridge I don't know about that.

Enright Unless it's just maybe for sale. It does say conservancy.

Binder Is there some kind of plant down there? A magnesium plant? Down by the river.

Holdridge By the river down the hill, remember that?

Binder There's a road going in there.

Holdridge A road going in off of Hwy. 10.

Binder When she was at the meeting here a few months ago I was thinking I knew her from somewhere. She works at Charter in the office.

Holdridge What was that about?

Binder I don't know why she was here.

Enright Didn't we give them a variance to do an addition onto the building? And it wasn't that long ago, less than a year ago.

Binder She was here at the last meeting.

Holdridge What are you talking about?

Stemen It was that Kosobucki.

Enright I was just surprised because we had acted on that, giving them permission to make some changes to the house and now it's for sale?

Holdridge So is this to the west of that house that sits up on the hill?

Enright Right. The house is for sale and the land to the west of it, down to the river.

Holdridge That's almost where you come up into Stevens Point there.

Enright I was just curious if we knew anything about it. If there's some change of owner, I guess it doesn't matter to us.

Holdridge Who's got it listed?

Enright I can't remember, it was a different kind of sign for the house than it is for the land.

Binder So the City must have jumped over that because next to that is the BP station. So if that's the Town of Hull, the City must have jumped over the BP station? That's been there a long time.

Enright All the land surrounding the new Kwik Trip all the way up to Hwy. 10 all of that now is in the City of Stevens Point. Right?

Binder On the west side of Old Hwy. 18, that's all City. Across the street from Fairfield south is Town of Hull.

Holdridge That lady across the street was in her house for 51 years.

Enright She's still there I assume.

Binder Yes, she's still there.

Enright I was wondering if there's going to be some change taking place there with traffic coming off the interstate. Some people have told me, who go past that area, that the traffic is backed up on the off ramp there.

Binder Thursday's and Friday's it starts backing up.

Holdridge We're not surprised are we?

Enright Not at all.

Holdridge The City should have checked that, analyze the traffic flow and associate it with the DOT.

Stemen At that meeting, John, the guy from Kwik Trip was there and he said they did a study and there would be no traffic problems.

Holdridge There we go.

Stemen He was an expert from out of town.

Holdridge I can conceive of nothing but traffic problems out there.

Binder I would like to petition for the traffic lights for us going onto Hwy. 10 that we get a flashing yellow light. Like tonight, I wanted to get out onto Hwy. 10, across from me which is the Target light. There are 4 cars. They're all making a left turn onto Hwy. 10 but I've still got the red light. I cannot make a left turn until they're all done then my light changes to green. So let's get us a flashing yellow light so when they're all turning, because nobody is going straight from there. Very seldom.

Enright They might now.

Binder South across, once in awhile. Most of them are going from Target, they're going left out onto Hwy. 10 and us on the other side have to wait.

Holdridge Why don't you send us an e-mail. If you go into Trigg's in Stevens Point, they've got one of those flashing lights. It's great.

Binder Yes, I was up to Trigg's today and it was like, yes, that's what we need. Then you go down to Crossroad Commons and they have that down on the corner by Kohl's too, flashing yellow light. Especially now that the Kwik Trip is open

Holdridge I was coming back from a Solid Waste meeting. My wife was driving and she pulled up there and there was truck on the right hand side and she was going to turn right. The light changes and she goes out. All of a sudden 2 bikers came across on their bikes, never stopped, and I saw them and said, "Watch out!" and she stopped. Those kids would have gone right across the hood of our car. Neither one had helmets on. They never followed the light/yield.

Binder What's happening with the building? Did you do bids again on the town hall? Anything happening on the town hall?

Holdridge We're going to get it down to \$600,000 just as the citizens authorized.

Stemen What are you going to leave off to get it down to \$600,000?

Holdridge It's an interesting process. We had an architect that said we're going to keep it within \$600,000 but he kept adding on stuff. He had that stuff in there and all that did was drive the price up. It was crazy. And he kept saying, oh yes, we're going to stay within the \$600,000. We had 2 bids. One was over \$900,000 and the other was over \$700,000. We want to have a good meeting room here where we can put stuff up, have decent acoustics and microphones. Not like some of the stuff we've gone to. Last night was a good example, it was terrible. So the architect throws in one of these automatic screens.

Binder A smart screen.

Holdridge Yes, a smart screen. You know how much that costs? Over \$60,000. This is an automated screen that you push a button and it comes down. There were 2 bids on that from different companies but they were all around \$60,000. Now we don't need a \$60,000 screen.

Reid We can pull the screen down.

Holdridge That's what they had in that room #5 at the County. They had a pull and you just pulled the screen down. The other alternative is just paint the wall white.

Binder Just project it off the wall that's light colored.

Enright No cost over-runs.

Holdridge We're going to be very strict. They understand that.

11. DATE OF NEXT HULL PLAN COMMISSION MEETING: *The next Plan Commission meeting will be held on Tuesday, November 19, 2013. This is the changed date since the original date of the 24th would have fallen in the week of Thanksgiving and deer hunting week.*

12. ADJOURNMENT: *Motion made by Shelley Binder to adjourn meeting, seconded by Al Stemen. Motion carried by voice vote. Meeting closed at 7:45 p.m.*

Respectfully submitted,

Patty Amman, Hull Plan Commission Secretary
Town of Hull, Portage County