

**Village of Weston, Wisconsin**  
**OFFICIAL PROCEEDINGS OF THE BOARD OF TRUSTEES AND PLAN COMMISSION**  
held on Monday, May 24, 2021, at 7:00 p.m., Dale's Weston Lanes, 5902 Schofield Avenue

**AGENDA ITEMS.**

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**1. Board of Trustees Meeting called to order by President Mark Maloney.**

Maloney called the meeting to order at 7:09 p.m.

**2. Plan Commission Called to Order by Plan Commission Chair & Trustee Loren White**

White called the meeting to order at 7:09 p.m.

**3. Roll Call by Clerk for Board of Trustees (BOT)**

Roll call indicated 6 Board of Trustees members present.

<u>Member</u>	<u>Present</u>
Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	YES
Meinel, Steve	YES
White, Loren	YES
Xiong, Yee	Excused
Zeyghami, Hooshang	YES

**4. Roll call indicated 7 Plan Commission members present.**

<u>Member</u>	<u>Present</u>
Cronin, Steve	YES
Guerndt, Gary	YES – Via Zoom
Jordan, Joe	YES
Marshall, Gayle	YES
Meinel, Steve	YES
Mumper, Roy	YES
White, Loren	YES

Village Staff in attendance: Donner, Higgins, Crowe, Wheaton, Trautman, Parker.

There were about 50 people in-person in the audience and 6 people in attendance via Zoom.

**5. Written Comments**

Donner discussed the email that came in from Gary Barnett. Higgins commented on an email received from Nader Khalil, of Jack Links (Country Fresh Meats).

**PUBLIC HEARING**

**6. Public Hearing – Adopt Components of the Village's Comprehensive Plan: Consisting of the Weston Avenue Corridor Plan as Part of Volume 3 – Supplemental Plans.**

**a. Presentation of Plan (MDRoffers & Staff)**

Roffers went through the presentation (attached).

**b. Open Public Hearing (BOT and PC)**

Maloney opened the Public Hearing at 7:46 p.m.

White opened the Public Hearing at 7:46 p.m.

### **c. Public Comment Period**

Gary Barnett, 5906 Weston Avenue, asked if we were to shrink the TID, if we would lose money? Roffers stated right now, all that is coming in from that property is farmland value. There is not a lot of benefit for that right now. If land were to develop residentially, it would have to come out of TIF. Those added taxes would not fund TIF but would just go to the general obligation. We can only take about 160 acres from TID for residential and still follow rules of TID, where at least 50% of the land in that area has to be used for commercial/industrial.

Jeff Roble, 7206 Von Kanel Street, was under the impression by the plan that we are planning to build a road from the existing Municipal Center to Ryan Street. It was clarified the discussion was on extending Municipal Street.

Tim Wunsch, 6510 Weston Avenue, commented on all the truck traffic air braking in front of his property. He knows it was previously brought up about access to Highway 29, at Ryan Street, and believes that is no longer a plan. Roffers stated based on review of State and Federal highway standards, they would not give another interchange, due to proximity to other interchanges. Maloney stated currently truck traffic comes off Weston Avenue, and some come off by County Concrete; however, when the trucks leave, they don't want to use the Schofield Avenue/Camp Phillips Road intersection, as it is narrow and a lot of traffic.

Kasey Berna, 4803 Shirley Avenue, commented that they just purchased their home, and is nervous with this plan. She likes her "edge of country" feel. She has concerns with increased traffic, noise, and impacts on Shirley Avenue. Roffers understands her concerns with the "country" being taken away. We try to plan for light uses adjacent to the residential areas. Roffers stated any changes to this area may be out 20 years. Roffers stated he feels this plan helps to make properties more valuable and sellable.

Maloney brought up the traffic on Weston Avenue, from Ryan Street to Camp Phillips, how safety becomes an issue with it becoming more heavily travelled.

Maloney brought up the correspondence from Nader Khalil, and how staff has replied to him on his questions. He commented on a question about the relocation of utilities, and how it has been noted that on the south side there will be a path with utilities underneath it, and then it crosses the road at Ryan Street. Maloney stated he thought the utilities were going to be on the north side, but that those details have to be worked out yet. Roffers thought the path was on the south side, at least on the west side of Ryan Street. Meinel stated he is a property owner there and that the path on the south side is not what was previously discussed. Roffers informed Meinel that he can recommend as a trustee that it get moved to the other side or participate in the process and see that it gets put in on the north side.

Donner stated the scope has a 10-foot multi-use path on the south side for the first 1/3<sup>rd</sup> mile from Camp Phillips Road, and then sidewalk on the north side, and from thereon, would be a 10-foot multi-use path on the south side, and once you get to Ryan Street, it moves to the north side. Donner stated that is the way that the signed contract scope had been written up, and that is what they are looking at now. Donner stated this can change. Wodalski stated we had talked about putting it on the north side, so that if the utilities were underneath it, it would be easier to connect to the utilities on the north side of Weston Avenue without digging up the road. He said it is not something that was necessarily set in stone, and if you look at the right-of-way and other potential utility connections, we can place that path on the side that we decide we need to. Wodalski stated this is just in preliminary design with surveying going on right now, and when a concept is developed later this fall, we can put the path on the side that we think is the most beneficial and makes the most sense. Wodalski stated he was not sure that we should even make any commitments to the side at this time.

Maloney stated he remembers in discussion about putting the path on the side, where we don't have to tear road up, just a 5' or 10' path, and he recalls the discussion was to have it on the north side.

Zeyghami does not think we could fit a 10-foot path, as the separation between sewer and water utilities needs to be 8 feet, and then there is stormwater there too.

Donner stated we have existing facilities along Weston Avenue from Von Kanel Street to Camp Phillips Road. He stated the sewer is along the center of the road and the water is along the north side.

Maloney stated a path on one side all the way up is better than jumping across different locations.

Gary Buchbeger, 5410 Weston Avenue, stated property owners along Weston Avenue would all agree that road needs to improve, and the main problem is the amount of semi traffic travelling along Weston Avenue, from Camp Phillips Road to Ryan Street. He asked if we couldn't simply change the designated truck route so that semis coming off of State Highway 29 have to take Camp Phillips Road to Schofield Avenue or County Road J to Schofield Avenue. He feels that especially since we are talking about adding a multi-use path, the large semis should be traveling along Weston Avenue at 50mph.

Maloney stated the issue is there are a number of homes along Ryan Street, from Schofield Avenue to Commerce Drive, who have submitted many complaints on the semis driving past their homes. He stated also, a lot of truck drivers do not want to go to the Schofield Avenue and Camp Phillips Road interchange because of how tight that is and how busy that intersection is.

Guernndt questioned who directed the semi-truck route to go off of Weston Avenue, versus down to Schofield Avenue. Maloney stated he did not think there was a specific route set, directing trucks down to Weston Avenue.

White commented on our trucks and Tito's trucks hauling material out to Ryan Street.

Jordan stated during the spring road weight limits, there are times where the Wausau Supply trucks can't run Ryan Street up to Weston Avenue. Jordan explained they received many complaints from the residents along Ryan Street from Schofield Avenue to Commerce Drive. They started heading south to Weston Avenue to cut down on the amount of traffic on Ryan Street, to the north. He stated they could have their drivers leaving their facility head east to County Road J. He said there are oftentimes the drivers may go Schofield Avenue to County Road J. He stated typically trucks coming from Camp Phillips Road would turn east on Weston Avenue, which is most likely what their GPS would direct. Jordan stated his concern is to do something with the road, for those drivers turning left on Ryan Street, so the drivers do not run someone over who is trying to turn left. He stated if the Village follows through with making the road east of Ryan Street 3 lanes, that would alleviate issues for people turning left there. Jordan stated Wausau Supply would support anything the Village has planned to mitigate the traffic flow safety risk.

Buchbeger questioned the semis from Wausau Supply could not get out to Schofield Avenue on Zinser Street. Jordan stated he could direct his drivers to go that way, which most probably would; however, most GPS units are going to route a 73,000 gross weight vehicle that is 50-feet long to Weston Avenue, as that road is not designated as a light-duty, 8,000-pound road. Any vendors he has not control over, who solely use GPS, will most likely be routed along Weston Avenue. Buchbeger stated a message to all business owners in the Business Park, should be sent encouraging them to ask their drivers to take Schofield Avenue to County Road J, or Schofield Avenue to Camp Phillips Road. Buchbeger commented that during the weight limit season, there are still some semis that drive down there, and there are never any police officers around. Buchbeger feels it should be the responsibility of the business owners to tell their drivers where the best and safest route would be and encourage them to take it.

Jordon commented that the best and safest route is most likely not to take Schofield Avenue to Camp Phillips Road, due to the amount of high traffic on Schofield Avenue. Jordan feels for trucks to instead go east on Schofield Avenue to County Road J would be a better alternative.

Guernndt stated there are legitimate concerns, but looking at a corridor plan that has the potential for hundreds of acres of industrial land. Buchburger stated he is referring to the issue today, not the issue 20 years from now.

Maloney read over the e-mail responses given to Kahlil by staff.

Buchburger questioned what about the sewer and water assessments, and asked how much are the property owners going to get hit with sewer and water costs.

Donner stated we are going through preliminary plans for the street right now, which is connected to the sewer and water utility extension. He stated the process will involve a public informational meeting later this year. He stated at that point in time, we will have a preliminary knowledge of what the costs may be then, and how the costs might get covered. He stated as far as special assessments, that is part of the right-of-way acquisition process, not the right-of-way plat. Donner stated we need to get more details ourselves before we can answer that. Donner stated water and sewer are planned along the entire corridor, as the road is reconstructed.

A resident questioned if there is a plan to use TIF money to offset costs of construction. Roffers stated anything we can use to minimize or defer makes sense. Roffers stated it could be deferred too until the time of development. Roffers stated as the process moves forward over the next couple years, those questions will be answered. Maloney stated that a majority of Plan Commission or Board is in agreement that we do not want owners to have to sell their property because of this project.

Meinel stated he is uncomfortable approving a plan tonight if the costs are not determined yet. We should know if a certain percent of the project will be paid for by the TIF. Meinel stated he owns some property towards the corner (by Camp Phillips Road and Weston Avenue), and the sewer and water aspect does not affect him, as it is already there, but it bothers him to think of those existing landowners with long parcels of land.

Barnett is not crazy on deferring payments either, as while they are getting older, they don't want to pass these costs on to their children. He would rather get it done with right away.

Roffers stated we do not have enough information to know those costs, and right now Plan Commission and the Board have to establish a vision for what they want to see here. He stated we have a general concept plan that the Board and Plan Commission has two years to sort out. He stated we have to start somewhere, and if you require all the answers before you take the first step, you will never get anywhere. Meinel feels the residents need to know approximately what their costs may be as part of this plan. He stated how the Village extended sewer and water to the golf course so that some development could occur, and that never occurred, and we deferred the costs to both owners.

Donner stated this is a planning document, and we still have to go through the process to determine the total costs of the project. Donner stated discussions at Public Works is that we determine the assessment amount, based on project. Donner stated he would favor doing something similar to what they are doing for the project to the north, capping to assessment cost at what the similar costs would be to replace the system. He stated there will be a public hearing on this in December, and that at this time, he feels this does not need to be part of the corridor plan adoption. Questions are being raised on if we have the ability to use TIF and stated it will determine how much meets the "but for" test to justify. He stated these two issues are very much related, but are two different discussions – the corridor plan and the special assessments relative to the utilities.

Roble agrees it is the job of the Board to plan this, but feels there should be estimates on what this will cost them.

Meinel stated he feels it will be difficult to change things once this plan is approved. He feels it will be too late to change what some of those expenses and assessments will be. Higgins stated it is a policy decision that the Board will have to make. Meinel would like to see this part of the plan.

Mumper questioned if people can get a range on costs, based on Weston's prior experiences. Donner stated the costs on private property, the Village is not really privy to that, as every home is different. All we can address is how we propose the assessments to be. Donner stated our goal is to not take people out of homes, and stated at how at a recent Public Works and Finance Meeting, the philosophy of just charging a similar assessment to what it would cost to replace a private system may be the route they go. This is a detail to discuss at the public informational meeting in December.

White commented on how the assessment policy has changed over the years, and also how utilizing TIF funds requires the "but for" test. White stated soil borings have not even happened yet. Donner stated we are just getting to that stage.

Donner stated the figure for the river crossing, exclusive on connections on site, is \$22,000 per lot. Donner stated looking at the equivalent lots, but different because of large lots we would look at differently.

Guerndt understands the residents questions, and questioned how do we deal with assessment for Buchberger who does not develop for years. Guerndt understands it makes sense to add new lines when reconstructing the road. A lot of people on Board of Trustees and Plan Commission who understand the concerns. Guerndt agrees it is too premature to be able to come up with numbers yet, and stated we have to move forward, but costs are a concern. He feels the concerns of the residents are if the project is going to costs too much, is the Board going to consider their concerns then or just go ahead with the project.

Roffers stated the Board has authorized AECOM to design, and has not approved anyone to build it yet. Cost estimates will be received and from there we will need to determine how to finance.

Meinel stated as a Trustee and Plan Commission Member, he has only seen one comment, in all this information, on what the costs will be, by Wodalski for \$780,000 for the planning and engineering. He stated that was the only comment made for the \$28 million in improvements. He is not comfortable now knowing what people's costs are going to be.

Buchberger commented that if the sewer and water assessment is something that will be totally outrageous, he has had thoughts of possibly donating land to wildlife services and forget the rest. He feels he and his wife and neighbors down the road will have difficulty with the costs. He does not want to be forced to sell his property to pay the assessments. He supports Weston Avenue improvements and if you get the semis off the road, and come up with a way without gouging the residents. Maloney commented these residents also paid for Village road projects that benefited other people. Buchburger stated this is a street used by many of the Weston property owners, not just the residents up and down the stretch. Maloney feels BOT and PC will not assess residents at those numbers.

Cronin asked if sewer and water will come back before PC. Donner stated the project goes before PW&U and then BOT.

A resident commented if he wanted to sell right now, he would have to disclose this potential project. Higgins stated a lot of time people will come talk to us and we'll work with them on the zoning allowed. Higgins stated a piece of land with access to public sewer and water is valuable.

**d. Close Public Hearing**

Maloney closed at 8:43 p.m.

White closed at 8:43 p.m.

**e. Discussion by Board of Trustees and Plan Commission**

Roffers went through the changes, which includes Transport way (included in the presentation). Prior concept gave access to Transport Way from Weston Avenue.

Maloney and White both thought they were planning a mountable median in the center of Weston Avenue. Meinel stated we do not want to restrict the right-in, right-out. Roffers stated they would just need to delete that last sentence. It was stated that during a motion, we would incorporate any changes tonight.

Jordan questioned (Lots 6, 7, 8, & 9), as we widen the road and take away frontage from those lots, would be give those people a driveway permit to access.

Donner stated one of the reasons to go to this plan. We would currently (and yesterday) have to give a permit to make a driveway.

Jordan stated he believes in the preliminary discussion we were going to have a mountable median. Maloney remembers there being a shared driveway between Lots 5 & 6 and Lots 7 & 8. Higgins stated this is now being brought up, as we are letting them know it needs to be corrected.

Meinel stated we should not have to be correcting things. He stated in previous meetings, before he was involved in Plan Commission, he remembers discussing at the hearing on the condemnation of the cul-de-sac on Transport Way. He feels it is not appropriate today that they (BOT and PC) have to go back and defend what their previous discussions and approvals were. Roffers stated we are offering a correction tonight. Meinel stated he was supposed to have access to the lot to the left of his property. He stated and now the plan shows differently. He stated it is now because of trying to keep all the different meetings and discussions straight.

White stated that he was at all of those meetings, and was tonight in favor of having mountable curbs. He recalls discussion previously made on how we did not want to buy land or put in a road, and we wanted to let people to have in and out access (left and right) to their properties, and we did not want to prevent them from going across the road, going to the west.

Jordan stated the rest of the drawings that we are seeing are showing a non-mountable curb median. Roffers stated these are just concept plans showing a cross section of an entire quarter mile section of road. Roffers stated this concept plan is neither mountable nor non-mountable. Jordan stated this shows a curb with a place for stormwater. Roffers stated a majority of that quarter mile will have a curb. Jordan stated he just wants to be sure, in front of those lots, there is mountable curb.

Guerndt commented to Roffers about how he missed those couple of meetings, and how it was discussed in those about making mountable curb. He stated he also remembers only doing 4 lanes for the first certain amount of feet and then going to 2 lanes with a turning lane, he did not realize we were doing 4 lanes all the way up to Heeren Street. Roffers clarified the 4 lanes will end halfway between Von Kanel and Camp Phillips Road is where the 4 lanes will end. Guerndt questioned

where it talks about landscaping in the boulevards, will this just be solid concrete in the boulevards? Roffers stated the Board and Plan Commission will have 1.5 years of design to decide that.

Meinel questioned the proposed future path. Roffers suggested Meinel make a recommendation on where he would like to see the path and he will change it. Meinel stated this is the 5<sup>th</sup> time this plan has come before them and the changes are not reflected from past meetings. Roffers stated he did not realize the path was being moved to the north side and will make that change. Roffers stated when looking at the text in this plan, it does not say north or south.

Wodalski stated the typical sections shown in this plan does show the path on the north side of the road. White stated the some of the drawings show flag curb along the roadways and medians. He said when you get to Alternative 2, the curbing is gone.

White confirmed we are just talking about the first area of Alternate 4, from Camp Phillips to a ¼-mile east of Camp Phillips Road, where we discussed we did not want flag curbs or flag curbs in the median, we wanted to be able to drive over it. Donner confirmed with a transition to a rural section. White said if we did have to have flag curb, it would be similar to the way Schofield Avenue and Camp Phillips Road is with the short piece where you can't drive over it. White stated that does not think it is appropriate to buy properties, or to restrict access into properties, or for us to spend more money than necessary, and still only have one-way access to these streets or these properties is not the way it should be. He stated, in his opinion, whoever makes the motion needs to be sure when we talk about Alternative 4, there is no flag curb from the edges of the roadway and from the median so that you can drive over that. Jordan agreed with White's suggestion.

Wodalski stated that a lot of this discussion is related to a driveway cut, and he suggests we allow driveway cuts where access points would be necessary, and part of this too is there is a left-turn lane there, and you don't want people turning out into there. He stated these are all engineering details that we are not close to having designed out yet. He stated there may be some benefit to having solid curb at least through the turn lane, and at this time he is not sure where the exact property lines are. The details of where that is will come out, and if the intention is that there is access for left turns for the south properties, there is still a desire to have a flat curb, so that someone does not end up with 400' of access where they can just drive in and out as you get closer to the intersection. He stated this is somewhat the point of having a solid median for a certain distance. He stated you could have a median at least through the turn lane, just so there are fewer conflict points for that turn lane close to that intersection.

White confirmed we are talking about the west side of Lot 5 in that diagram. Jordan confirmed Wodalski is stated to having a flag curb adjacent to a property coming around that curve, and then establishing where that driveway would be permitted for that particular lot where that curb cut would occur, between Lots 5 & 6. Jordan stated he is okay with that, but is not okay with having any flag curb on the median, thought is okay for that short distance. Wodalski stated the median would have a curb cut lining up with the driveway curb cut on the south side. Wodalski stated if they would rather switch to a 2-way left-turn lane to transition out of that 4-lane a lot faster and have that shared left turn-lane then throughout that duration, if it will work for that intersection design.

Guerndt stated it was his understanding that we were going to reduce that down so that the 4-lane was not going to be that long.

White confirmed with Wodalski that we would make a curb cut across that median for every driveway access along those lots (Lots 6, 7, & 8). Cronin clarified it would be one full mountable median. Maloney stated the median curb would stop at 300 feet, to line up with the Lot 6 driveway. Wodalski stated that he understands the intent, but when we get to the point of design of that intersection, if there are any reservations from a safety standpoint, he would prefer to not say this is exactly how it will be set until after they can go through the engineering design.

Guerndt agrees that intersection still needs some help, and feels everyone will work together to make sure it is safe and to the satisfaction of all down the road. Guerndt questioned if we will get a chance to look at the sewer and water, if this will come back to Plan Commission or just Public Works. Donner stated typically, the protocol is Public Works and Village Board have the decision-making authority on utilities, but if Plan Commission requests to see that, we can bring it here too, for their recommendation to the Public Works and Village Board.

White feels water, sewer, and stormwater should be taken up by the Public Works & Utility Committee. Guerndt stated he would like Plan Commission to have some input on the utilities, since we told the residents present at tonight's meeting that we would have their backs on this. Cronin is not comfortable for us to say yes to this, and then for this to, a year later, only go to Public Works for approval, and this Resolution is attached saying Plan Commission and Village Board are in approval, and then everyone is getting hit up with a bit assessment for utilities.

Zeyghami stated there will be a public hearing before Public Works for all the residents to attend. He stated the assessments will all be based on the engineering at that time, it won't go through based on tonight. He stated at that public hearing, the residents can make their statements, and then based on that a recommendation will be made to the Village Board. Higgins stated that Plan Commission Members can attend the Public Works meetings and voice your concerns.

Mumper stated he is on both committees and will not forget this issue when it is brought up. Donner stated the Board has indicated their perspective on this tonight also.

**f. Recommendation from Staff.**

Staff recommends approval.

**g. Discussion and Action on Resolution No. 2021-PC-004: A Resolution Recommending Adoption of the Weston Avenue Corridor Plan as a Component of Volume 3 – Supplemental Plans of the Comprehensive Plan of the Village of Weston, Marathon County, Wisconsin (PC)**

***[Clerk's Note: Motion within meeting Zoom recording begins at 4:09:50]***

***Motion by Jordan, second by Mumper, to recommend the Weston Avenue Corridor Plan, with exception of eliminating Figure 7 and the dialog associated with it, and instead recommending that there be a mountable curb median in front of Lots 5, 6, 7, and 8 to allow access to the east and west onto Weston Avenue, and the multi-use path placed on the north side of Weston Avenue. Q: Meinel stated he recused himself. Marshall asked, out of all the TIF projects we have, if Weston Avenue is a priority. Donner stated this is the direction we received from the Board about a year ago. He stated after the Camp Phillips Centre project died, the Weston Avenue Corridor was noted as our number 1 priority. Donner confirmed Plan Commission is stating this is with the common access to Lots 5, 6, 7, and 8. White stated as far as he is concerned, if they want common access, they can have it. If they don't want common access, he feels they should be able to have individual driveways. Roffers confirmed the motion was to have mountable curb to enable Lots 5, 6, 7, & 8 to have east and west***

**access onto Weston Avenue through two shared driveways. White interprets the motion that they can each have their own driveway.**

Yes Vote: 5      No Votes: 0      Abstain: 2      Not Voting: 0      Result: PASS

<u>Member</u>	<u>Voting</u>
Cronin, Steve	YES
Guerndt, Gary	Abstain
Jordan, Joe	YES
Marshall, Gayle	YES
Meinel, Steve	Recused
Mumper, Roy	YES
White, Loren	YES

**h. Discussion and Action on Ordinance No. 21-013: An Ordinance to Adopt Components of the Village's Comprehensive Plan: Consisting of the Weston Avenue Corridor Plan as Part of Volume 3 – Supplemental Plans (BOT)**

***[Clerk's Note: Motion within meeting Zoom recording begins at 4:14:26]***

**Motion by Zeyghami, second by Fiene, to recommend Ordinance No. 21-013, as per Plan Commission's Resolution No. 2021-PC-004. Q: Zeyghami questioned Roffers about the additional space needed for other utilities such as TDS, Charter, etc., as they will not be able to go through the right-of-way to be considered. Roffers stated those could be within the minimum setback area. Donner commented that you could not do a subdivision without a private utility easement. Zeyghami brought up on Mesker Street having to move the lines.**

Yes Vote: 5      No Votes: 0      Abstain: 1      Not Voting: 1      Result: PASS

<u>Member</u>	<u>Voting</u>
Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	YES
Meinel, Steve	Recused
White, Loren	YES
Xiong, Yee	Excused
Zeyghami, Hooshang	YES

**ADJOURNMENT**

**7. Adjournment of Plan Commission.**

**Motion by Jordan, Second by Guerndt: to adjourn at 9:17 p.m.**

**8. Adjournment of Board of Trustees.**

**Motion by Fiene, Second by Meinel: to adjourn at 9:17 p.m.**

Mark Maloney, Plan Commission Chair and Village President  
Jennifer Higgins, Director of Planning & Development  
Valerie Parker, Recording Secretary