

**Village of Weston, Wisconsin  
OFFICIAL PROCEEDINGS OF THE PLAN COMMISSION**

held on Monday, June 10, 2019, at 6:00 p.m., in the Board Room, at the Municipal Center

**AGENDA ITEMS.**

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**1. Meeting called to order by Plan Commission Chair & Trustee Maloney.**

**2. Roll Call of Village Plan Commission by Secretary Parker.**

Roll call indicated 6 Plan Commission members present.

<u>Member</u>	<u>Present</u>
Maloney, Mark	YES
Sparks, Wally	YES
Gau, Duane	NO - ABSENT
Guerndt, Gary	YES
Jordan, Joe	YES
Meinel, Steve	YES
White, Loren	YES

Village Staff in attendance: Donner, Higgins, Wehner, Wodalski, Tatro, and Parker.

There were 3 people in the audience.

**3. Approval of minutes from the May 23, 2019 – Special PC meeting.**

***Motion by White, second by Meinel: to approve the May 23, 2019, Special PC Meeting minutes.***

Yes Vote: 6      No Votes: 0      Abstain: 0      Not Voting: 1      Result: PASS

<u>Member</u>	<u>Voting</u>
Maloney, Mark	YES
Sparks, Wally	YES
Gau, Duane	---
Guerndt, Gary	YES
Jordan, Joe	YES
Meinel, Steve	YES
White, Loren	YES

**COMMUNICATIONS**

**4. Opportunity for citizens to be heard.**

None.

**5. Written communications received.**

None.

**UNFINISHED BUSINESS**

**6. Discussion and Action on Plan Commission Rules of Procedure.**

**7. Discussion and Action on Plan Commission Code of Conduct.**

Maloney stated he is voting no for both of these, as he did for the Board of Trustees as more rules of procedure and a code of conduct. He feels there are plenty of prevailing items that keep this commission in

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place, especially when it says anything conflicting with the State of Wisconsin, when the State of Wisconsin supersedes. He is very troubled by how we are to place people on this commission. He feels since 2015, the 5 criteria to be considered when selecting members have not been considered. He brought up the Code of Conduct and how it states that profanity is not tolerated, and feels this commission does not need to be told not to use profanity. He is also troubled by any other committee or commission that does not have rules, procedures, or code of conduct on top of what is already there.

Donner mention how the commission does have some statutory authority. Maloney feels this is a level of control either by an administrator or by staff, and he does not know what the reasoning was back in 2015 that started this.

Sparks questioned what authority is there to remove a commissioner who does not follow this? He feels we are placing self-imposed rules with no enforcement mechanism. He also feels the Statutes cover the roles of the Plan Commission. He feels some of these are redundant and should have left with the former author.

Higgins stated these came out of the handbook that the State put together for Plan Commissioners. She stated these help explain the roles and responsibilities of the commissioners and helps staff to outline how the agenda will lay out and gives the commissioners rules of conduct on how to handle certain situations. She stated the Plan Commission can make legislative actions, quasi-judicial actions or administrative actions. She assured this came from her and not the previous administrator. She stated that book came out around that time (State updated), and staff thought it would be good to put some policy and procedures in place so they are all on the same page. She said this is not required. She stated there are some training classes held by the State the Plan Commissioners can attend, and members have attended over the years.

Guerndt asked for a paper copy of the book. Maloney stated we normally operate under Roberts Rules of Order, but yet we have never adopted it. Maloney stated we can have these available for reference, but he feels they do not need to sign and approve.

Sparks feels it is fine to hand out, but to have everyone sign a document that we can't enforce does not make sense to him.

Jordan stated it comes down to common sense. He would sign it, to acknowledge that he read it and understands what is being presented. Maloney stated if it is not mandated, he is trying to preserve his signature in his professional and business life. He said he will use this, but will not sign it.

Meinel feels it adds another level of bureaucracy that is not necessary, as is common sense and provided by Statute.

Maloney questioned if there is a code of conduct that staff has to sign. Higgins stated yes, there is an employee handbook that all employees had to sign. Maloney questioned if there is something in there that states not accepting premiums and gifts. Higgins stated yes. Guerndt felt it was very informational.

Higgins stated it would be the outside public that would bring legal action against the Commissioners, or possibly by the Village Board or President if they don't follow the procedures or state statutes.

**Motion by Sparks, second by Meinel: to acknowledge they were provided the Rules of Procedure and Code of Conduct and that no further action or signature is required. White opposed.**

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

<u>Member</u>	<u>Voting</u>
Maloney, Mark	YES
Sparks, Wally	YES
Gau, Duane	---
Guerndt, Gary	YES
Jordan, Joe	YES
Meinel, Steve	YES
White, Loren	NO

## **REFERRALS FROM THE BOARD OF TRUSTEES**

### **8. Discussion and recommendation to the BOT on the preliminary Site Plan for the Village's future Canoe/Kayak Launch, 6005 County Road J**

Donner stated this came from the Board after the discussion about a \$34,700 environmental impact fund grant that the Village received from the County. Donner explained how this canoe/kayak launch project was on hold since last year, and recently found out from the County that the funds needed to be used by the end of this construction year. During the last Board meeting, the Board approved the idea of constructing the launch and directed staff to bring this to Plan Commission so that it can be developed under our current zoning regulations.

Maloney questioned if this grant is something that needs to be matched (cost shared)? Donner stated no. Maloney questioned the cost for asphalt. Wodalski stated the cost of the asphalt would be covered within the grant funds. He stated the curb and gutter would add \$15,000 to the cost.

Maloney stated he is fine with the gravel approach, and was concerned about the 25% contingency. Wodalski stated a 25% contingency was added due to the small size of the lot. Some of the contractors could up their costs because of having to use non-standard paving equipment. Guerndt questioned Wodalski if his numbers were based on a bid. Wodalski stated he received some preliminary numbers from a company we get road patching estimates from.

Maloney questioned if they could use the money to construct more parking area if the site remained gravel with less beautification? He feels a person would also get more traction on a slope using gravel than pavers. Wodalski stated the pavers would only be used on the slope near the bottom. White stated with just gravel, the gravel would get washed down into the river. It was confirmed this will be pavers with grass growing through.

Higgins showed the members the layout of the property. There was some discussion of the high usage of this site.

**Motion by Sparks, second by Guerndt: to approve the preliminary site plan, not to exceed exact grant amount of \$34,600. Q: Guerndt confirmed the curbing is not going in. Jordan questioned the estimated dollar amount, thought it was high. Wodalski stated when the Ross Avenue (4 years ago) launch was put in, it was at a square foot cost of \$22.50. Wodalski stated he just inflated the cost by 2.5% per year. Jordan stated he purchased these pavers from County Concrete. Wodalski stated this is a contractor installed price. Maloney confirmed there was no landscaping included in this cost, that our goal is to simply get cars off the side of the road. He said that beautification can come later. It was explained the grant is an up to amount, so if we don't spend it all, we will only get what we spend. White verified that a thank you letter was sent out to the Will family for donating land. Guerndt questioned if we should offer some kind of a gift. Higgins stated she thought the contingency of the land donation was to provide a sign and dedication to the family when the launch site was built.**

Yes Vote: 6      No Votes: 0      Abstain: 0      Not Voting: 1      Result: PASS

<u>Member</u>	<u>Voting</u>
Maloney, Mark	YES
Sparks, Wally	YES
Gau, Duane	---
Guerndt, Gary	YES
Jordan, Joe	YES
Meinel, Steve	YES
White, Loren	YES

## **NEW BUSINESS**

### **9. Discussion and action on Eau Claire River, LLC's PGA Excavation Facility Site Plan, developers request for waiver of building and site design standards pursuant to Section 94.10.03(16)(a), 7315 Zinser Street (Project #20191314).**

Gary Guerndt, 8201 Ryan Street, representing Eau Claire River, LLC, recused himself from the Commission during this discussion. Also, Nick Bancuck, of MTS, and Randy Wanta, of Wanta & Son Builders were present.

Guerndt stated initially, he asked Wanta for a building price for the structure, after working on the design for about a month, he then worked with Wanta on what the front would look like. He then came in and met with Higgins and Wehner and found out the Zinser Street elevation does not meet the requirements of the code, since the west side (facing Zinser Street) did not have the required 40% natural material. He said the difference was with the required fastener-less materials. In order to have hidden fastener material, you need to add another stud wall on the building, and put these panels in to hide the fasteners. He pointed this has recently started getting enforced, and how this requirement was put in when Dean Zuleger was the administrator, but it was never enforced then. Guerndt explained that by installing the hidden fastener system, it creates what is called "oil canning", which is what is happening with Badgerland Overhead Doors new building, where the panels are sagging. In order to put this system on, they need closed cell foam that sprayed into the panel that is 2 ½" - 3" thick, and this adds a lot of cost.

Maloney confirmed the issue is that the Zinser Street side does not have the required brick or other approved materials. Maloney stated this is an industrial look, and how when he drives down Ross Avenue, past Greenheck they were going through an industrial look (which matches the industry). Maloney confirmed the existing material on the Zinser Street side of Guerndt's current building is stucko.

Guerndt described the proposed building and how he is sticking an extra \$250,000 to dress the front of the building up (facing STH-29). He described the \$10,000 end wash bay door that is black glass. He said the black glass on the east side of the front is being made to look like a black glass door to make the building aesthetically pleasing, and can be used for a future tenant spot.

Guerndt stated with their existing building, he struggles with the comments he hears from all other developers and designers, they are struggling to bring in new businesses to our community. He stated this is a business park, not a retail center area, like Schofield Avenue. He understands how some standards will be required there (Schofield Avenue), but does not understand how we can require these standards on an industrial facility to the tune of \$250,000 - \$300,000, because he wants to build in Weston and not in Wausau. There are curb & gutter requirements, landscaping requirements, and aesthetics on buildings that are excessive. He feels we have an opportunity to try to fix some of this. He commented with Jordan's new facility, that his customers are not going to care what kind of aesthetics he has out in front of his property. It's hard to continue to be competitive with their product when there is a \$50,000 requirement added. He commented how we are losing businesses to Wausau because of our "no" attitude, the costs, material % requirements, and the requirements to go through architects, and staff's telling them to redraw things.

Guerndt stated his issues for his plan have to do with the landscaping and the point system, and if we need to be this stringent in the industrial park, and for industrial purposes. If staff is going to be this stringent, who will be the police officer when all the plants and shrubs die. He stated with his existing building they have a 5-foot buffer in front of their property before the sidewalk, and that buffer area is supposed to be a landscaped area, and he has had to replace those plants 5 or 6 times now due to all the salt on the sidewalk and roads. He explained how with his subdivision (Misty Pines) he had asked Wodalski not to have the street crew salt the streets in his subdivision the first year, because the nursery he bought the street trees from would not warranty any dead trees due to salt. Unfortunately, following freezing rain events this winter, they had to salt, and some of his trees died. He said if we are going to keep our sidewalks and parking lots safe, Weston can't be expecting them to put in that landscaping. He brought up about all the landscaping that is dying along the Schofield Avenue corridor. He stated the cost to replace is not just on the materials, but the labor too.

Maloney asked Guerndt to confirm the waivers he is requesting. Guerndt stated the fasteners (requirement to use hidden fasteners all the way around his entire building) and the required siding material along the Zinser Street side of building. Guerndt stated he also has issues with the requirements for landscaping, setbacks, fencing, and ribbon curb.

Guerndt stated that he will do fencing, but at the time right now, he is not quite sure about the kind he will put in. He stated they do not want to put ribbon curb in the front of his building, where Bancuck has it shown. Guerndt explained when he told Bancuck he did not want the ribbon curbing, that Bancuck stated Weston requires it shown. Guerndt explained he does not plan to put that in there, and always questioned the need for curb, that it would be just one more contractor having to come in and put ribbon curb in. He stated the water will shed across there to a drainage swale. Guerndt stated he has heard the argument that the curbing protects the asphalt edges, and explained how his current building does not have any curbing along the edge of the asphalt, and his 16-year old asphalt has no damage to the edges.

Guerndt feels a revision to these requirements should be considered and looked at going forward for the next applicant.

White questioned if the material shown is aluminum, and Wanta clarified it is steel, a heavy corrugated panel to give it an industrial look. Guerndt pointed out the section that looks like wood is an aluminum material.

Jordan questioned Wehner, if by code, is Guerndt required to finish the side that faces State Highway 29, or would he be allowed to use metal there. Wehner commented that is the front of Guerndt's building. Maloney questioned if Zinser Street is technically the front side of the building, and if Guerndt could just beautify that side. Higgins stated there are special regulations in place for projects when they face State Highway 29, and how buildings have to have a certain finished look when facing State Highway 29. She said there use to be a requirement to do this on all four sides, but it was changed with this code update in 2015 to reduce the requirement.

Maloney commented how it is a huge deal for these business owners to take on these costs, and then try to make the business work. Maloney feels this new building will look great. Guerndt pointed out this is just an excavator shop, and he could have saved himself \$250,000 and built in Wausau, but logistically, he wants it next to his main shop.

Sparks stated that he struggles with the hidden fasteners requirements. He stated it bothers him to be driving around and seeing all of Weston's buildings with fasteners. Higgins stated Zuleger is who added the hidden fastener requirement in the code years ago. She stated what would then happen then are the plans submitted for approval to the Plan Commission would all say they were using hidden fasteners, but then the businesses would not use those. She stated at one point, she was directed to stay out of the Business Park. She stated we are currently enforcing the ordinance as written. Higgins stated if Plan Commission and the Board does

not like certain regulations, then they need to change those through the amendment process. Staff is only doing what we are hired to do, enforce the code.

Sparks stated we need to change a lot of these issues with the zoning code, if it is causing us to lose businesses to other municipalities, and that we need to change to keep competitive, as business is booming right now. Sparks stated right now we need the growth, the jobs, and the tax revenue. Sparks stated for Guerdnt to have to take on an additional cost of \$250,000 to meet our building standards, he would not blame Guerdnt for looking elsewhere. Guerdnt added this does not include the costs for landscaping and curb & gutter, which those would bring the cost closer to \$350,000.00. Sparks feels this is an industrial setting and does not feel some of those requirements are needed. Higgins stated part of the problem is that Zuleger created this as a Business and Technology Park, and he put stringent requirements and covenants on it. She feels this should just be called an Industrial Park. She commented on how a lot of the properties here have a lot of greenspace, which they will never grow in to, and most industrial areas does not have a lot of greenspace. At one point, when they created the TIF and the business park, the governing body wanted it to be totally different. She stated it was all originally zoned Business and Technology, there was no Industrial Zoning out there. She said the only area of the Village that was zoned for an industrial use was over by Crystal Finishing and across from the Municipal Center. Higgins pointed out how the zoning in the Business Park was similar to the zoning by the hospital back when she first came in 2003. She explained that now with more industrial businesses coming in there, we have changed the zoning of land there to industrial, so they can do more with less restrictions. Higgins stated within the commercial districts, we want some more of those amenities and landscaping, and people shopping and dining want the area to look nice. If an update is made to the Code commercial and industrial should have different requirements.

Higgins stated as far as the comments on all the businesses going elsewhere, how we really do not have a lot of land available that is industrial. Guerdnt stated what he is hearing is that when a potential business goes and talks to a contractor, and the contractor finds out the business is looking for land in Weston, that the contractor then suggests they find a different piece of property elsewhere. Higgins stated this is frustrating as these are all the contractors that she has worked with over the last 16 years, and not one of them has come in to talk to her about this. Meinel stated those contractors won't say anything, because they still need to work with staff on other projects. Maloney stated while he was running for office, he heard about this from the people who build here, and how there is a perception out there. Wehner feels these are just assumptions. Maloney stated when he and Sparks were running for office, there were a lot of assumptions out there that they were not for growth, which is not true. Maloney stated he is for common sense smart growth. Maloney stated the Village was tabbed as naysayers and telling everyone "no".

Maloney brought up how he remembers years ago our struggling with Samuel's Group to get their privacy fencing up, and when driving around that area, he feels their yard will be beautiful.

Meinel feels the Village has not been fair to the employees, with the landscaping put in. He said it is different when down by the hospital area, but he is noticing all the dead plant areas around there from the salt. How we enforce landscaping when we can't keep up with it ourselves.

Guerdnt stated he can understand staff's side, as staff wants black and white regulations that they can enforce. He stated he cares about the community and he wanted this to come before the Plan Commission because this needs to be changed for the community. Guerdnt stated he was the only one who is willing to speak up, but there are a lot of others who feel the same. He said the other builders do not want to talk, as they need to continue working with staff. He wants to see us grow and more of these projects coming in to Weston, but with the restrictions we have in the areas of the industrial park we have, it's not going to happen, as these people just do not have the extra money.

Maloney stated the extra money that could be saved on these projects could go towards employee development, etc. Guerdnt stated he has an issue with being told unless the backyard of a property has the screened fence up, that an occupancy will not be issued, where then you look at the Municipal Center, and our

own yard is not screened. He realizes the Municipal Center was here first, but how can we enforce this when we do not have our own back yard screened. Higgins stated she had the screening included in our budget, but then the Board took that out of the budget. Guerndt stated the businesses do not have this in their budget either. Higgins stated this is another item for Plan Commission and the Board to take up. Higgins stated that while people like Guerndt are here who care about the community, there are also many people out there who don't care. She stated she was not here when those regulations, the Business Park, and the TIF District was put in place to know why these regulations went in. She said she has heard lots of stories about the "tin can alley" and the old industrial park area across from the municipal center. Guerndt stated that was a comment from Sid Samuels to Zuleger, and how Samuels does projects like the hospital. Guerndt stated that Samuels had issue with having to follow those regulations when building in an industrial park (versus something like the hospital area).

Donner stated he remembers that "tin can alley" phrase coming up in 1996-1997, during the public hearing for the TIF District. Those were the sentiments of the Board at the time, and something that was not enforced or implemented as it was meant to be.

***Motion by Sparks, second by Meinel: to approve the request to waive the building and site plan design standards requested by the applicant. Q: Higgins questioned which standards are being waived. She stated that a landscape plan has not been submitted yet. Jordan clarified to Guerndt that his intentions are to bring the other items to the next Plan Commission Meeting. Guerndt answered yes. Guerndt then requested that the Plan Commission recognize that we need some improvements on this. Sparks stated that needs to be listed on the agenda. Sparks stated there is a second part to this discussion on staff's Request for Consideration, but that it is limited. Jordan stated in order to allow Guerndt to start his project, he is good with waiving the building and site plan design that has been approved by staff to date. Higgins stated the request was to receive a waiver from the prohibitive material section and the corner lot section, which required the street side of the building to match the front of the building. Plan Commission would be approving the architectural drawings as shown, so Guerndt can go ahead and order the building.***

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

<u>Member</u>	<u>Voting</u>
Maloney, Mark	YES
Sparks, Wally	YES
Gau, Duane	---
Guerndt, Gary	ABSTAIN
Jordan, Joe	YES
Meinel, Steve	YES
White, Loren	YES

Sparks questioned if we do any of the zoning code changes on our own, and why is everything run through a consultant. Higgins stated staff can do the changes, but it is faster for Roffers to do this as a planning service to get this done, based on our current workload. Higgins stated if we hire Roffers to do this, we can potentially get changes ready for July. Higgins stated if the members could give us some parameters, where we can go ahead and get a public hearing scheduled, we would have to do this within the next two weeks. Higgins stated in her budget she has a planning services where she can use Roffers to work on small code changes. She stated we also increased our budget so that he can help with other projects (site plan review in Camp Phillips Centre). She stated how Roffers is very familiar with our code and we can use him as an extra staff person.

Guerndt commented how he feels the new Economic Development Coordinator (Tom Chartrand) position will be very important, and how if we can make some corrections to our code, and then have Chartrand go out and talk to the contractors and businesses, asking and talking to them about what their biggest concerns are.

Higgins stated one of the things that came out of that audit was to reconvene or create that business council. She stated that she talked to Chartrand about how one of things he will be doing is to create that group. She said this would be more of the staff interaction, where during that last business group meeting, staff was there but were not able to interact. The goal would be to have an advisory council of business owners who are willing to sit on it. Sparks stated it is also important to have Plan Commission members sit on that too. Higgins agreed and stated that last time it was the Zoning Steering Committee who was there, as we were dealing with zoning code updates.

Maloney stated this new position was created with a positive force, and stated our “win” will be when the business community starts to sell us (their community).

Guerndt commented how he understands how Higgins is overwhelmed with what she has going on, and Wehner knows the zoning code inside and out, and is very good at what he does. However, Guerndt feels Wehner gets defensive and is quick to say “no”. Guerndt stated we need the customer to feel that we care about them, and that we want their business in our community, and that we will talk to staff and look at what other possible options there are to make this work, before just saying “no”.

Higgins stated a lot of this is how we receive the questions. Usually, we try to have a meeting with those people to learn more about what they want to do, and we usually have enough staff members in the room so that we can answer all their questions – this is what usually works best. However, sometime we get people calling in, asking random questions, leaving staff unsure of what they are asking for, which has an impact on the response they receive.

Meinel feels the issue is the response is always black and white, per the zoning code. He questioned Higgins when talking with the consultant, what items will she be discussing with him, as we can’t just say we want to be business friendly. Higgins stated typically, if a business sends us a site plan that staff can review in advance of the meeting and react off of, we can try to figure ways out through the code, versus when something is submitted and they are looking for a response right then. Higgins explained how the new code is less restrictive, and now how staff has been given a lot more leeway if they follow the code, and the Plan Commission then is who has the options of granting waivers if someone does not want to follow the code.

Guerndt commented how before Higgins was told to stay out of enforcement, and now how we have a staff person designated to doing this 100%, who knows the code better than her. He stated they come in as layman people, and they do not know our procedure, which he feels is pretty intense. You have to go online and apply, and if you do not have any or all of the required information you don’t go any further with the application. Higgins stated when we have the opportunity to meet and discuss projects ahead of time with people, we can give them all the information on what they need before they apply. Higgins stated people like Bancuck, are getting really good at our process. The outside contractors (such as for Kwik Trip or Target) have commented on how they liked the ease of the site plan review and really like the online process for submitting plans and building permits.

Guerndt stated that for places like Kwik Trip, they are doing a large amount of these projects all over and are used to this, where someone local who has a project would be overwhelmed to come in, making sure they have all of our policies and procedures covered.

Maloney commented on his recent experience coming in to get a shed permit, and how initially he was told to apply for this online, and when Maloney told him he did not want to do this online, how Maguire brought out his laptop and met with Maloney in the front conference room and completed the permit with him. Maloney stated it only took Maguire a handful of minutes, but if he had to do this himself at home, it probably would have taken a few hours. Maloney stated that he does not want to learn how to do a shed permit online, as he most likely will never have to do another permit again (it’s different for contractors who are taking out many permits for projects). Higgins stated if a resident contacts us ahead of time and makes an appointment, or if they come in and either Maguire and Tatro are available, they will sit down with the person and help complete the permit.

She said Parker can assist too. Higgins stated there are those people who interact with Tatro and Maguire after hours on the permits and are able to get their permits taken care of that way. Higgins stated the front office (previously her office) is now being set up as a meeting room where there will be a computer in there for staff to assist people with permits.

Guerndt brought up an issue that he has heard when a business owner wants to come in and talk to staff about a potential project, and where that person just wants to draw it out on scratch paper to get initial thoughts from staff; how they have been told that they need to get an architect to draw their proposed plans up and submit them for staff to review. Higgins stated that concept plans can be hand drawn but it is expected that final plans are more formally drawn up. An architect is no longer required. This was a change that was made in January 2019. Jordan stated he typically works with Urban Construction, as they are familiar with the types of projects he has. He stated Dale Pickruhn will not come in to Weston with another company, Pickruhn will ask the company if there isn't another municipality that would be easier to do this process. Guerndt stated this is what he is hearing too, and it really bothers him that this is happening.

Donner stated other communities have standards too. Meinel stated it is not just the standards, it is also the delivery of the information too. Jordan agreed other communities also have standards, but they are not to the detail that Weston requires. Higgins stated the requested plans are no different than what was required when we used to do paper submittals and paper packets for the Plan Commission. Jordan stated he agrees, but the people feel they are no longer competent enough to do those. Jordan stated for example Jeff Babl is perfectly capable of drawing up plans, but Babl will not do that anymore because of the detail we are requiring, he now sublets to REI, which then costs Jordan more money.

Sparks stated we need to do this approach right. Just bringing Roffers and people from the previous meeting in for another sit down will not be enough. Sparks commented on how they had this roundtable meeting with businesses back in 2017, and now it is 2019, and he is hearing that nothing has been changed in two years. Sparks feels there needs to be a different approach, and that there is a reason for the different make-up of this commission, because we need to change this and need to get Weston as being business-friendly, and it should not be a customer walking in the door to "no"; it should be staff asking "what would you like to do, and let's sit down and find out how we can get this done". Sparks stated the initial meeting should be finding out how to make something work, and has to be moving forward and positive. Sparks feels it should be this commission, Roffers, and the business people meeting. Sparks feels that by having three well-known business people in our community on this commission will bring the credibility and credence, that those business people will respond and will come, and feel that they will get a response. Sparks stated if it were him, as a business person, who sat around that table two years ago, and how still nothing has changed. Wehner pointed out all the resolutions that have been passed, to change ordinances in the last two years. Higgins stated the changes that were made in January, were those that were talked about through the round table discussion and the survey that was sent. Sparks stated not enough has been changed to change the business people's mind set. Higgins asked how would we know that more needs to be changed if these people will not come in and say anything to staff or the elected officials. Sparks feels the business people just coming in to talk to staff about concerns will not change anything. Sparks agrees it needs to be a two-way communication, and now he thinks getting Guerndt, Jordan, and Meinel involved will help draw those business people in so that we can get them engaged and get that discussion going. Sparks stated we need to find out from the business people if there are things about our code that need to be changed, and if there are things we are doing now that needs to be done differently. Sparks stated we are very pro-growth and pro-business, and how we need that business growth to help with the tax base, as it is tough enough to maintain current services with what we are currently pulling in.

Guerndt commented on how staff says changes have been made, and questioned how do we let those contractors all know those were even done. Sparks stated we need to do something differently to bring the businesses in, and to let them know about the changes made, but to also find out if there are additional changes needed to allow us to be competitive. Sparks feels the businesses came to staff and got burnt, so now they do not want to come back, and so we need a different approach as to how we educate the business

people, the developers, the construction people and let them know that Weston is open for business and we are going to help them get their project going.

Maloney commented on how people will vote with their feet. If they are upset and are going somewhere else, they are not going to come to you to tell you, as they will just leave. Maloney stated that instead of telling someone “no”, we need to help find a solution.

Meinel commented about the June 6<sup>th</sup> letter staff sent on the site plan review, stating “not approved”. How instead of just saying not approved, it could have stated “the curb and gutter that is not included in the plan has to be addressed by Plan Commission”, versus just “not approved” (appearing that the site plan is dead). Wehner explained the letter explains how certain things need to be revised and this is how you can meet them. Meinel stated this is not how he took the letter.

Sparks feels it is best to have a sit down meeting with people to go over the plan, and how a “no letter” should state something like, “hey, I got your plan and was wondering if you could come in and we can start talking about this, and let’s see how we can make this work.”

Donner stated the zoning code is the map the staff needs to follow. When staff reviews a set of plans, we have to give feedback to the applicant. When we come to a point where we are not in agreement, is when the applicant would then come to the Commission and say he wants to do something different, which is when the commission can make changes to allow them to do something different.

Donner commented on how today was Chartrand’s first day, and one of the intents with him is to have him do some customer outreach. Donner is concerned to hear that the business people will talk amongst themselves, but not directly to staff about their issues. Maloney stated we are talking about business owners who are not used to being treated like this.

Maloney then brought up the issue with address changes, and how instead of calling people, we simply sent letters out. He commented on how a resident felt it was so heavy-handed that he came in to the office very upset. Maloney feels if this would have been done by phone, this never would have happened. Wehner stated he feels that particular person would have been just as upset through the phone. Sparks feels that we need to show people that we are working for them and that we care. When we show we care, they will talk to us. When people feel we don’t care, they shut down and we lose business. Sparks stated the business people know way more than what we do about running a business, and how these people use their hard-earned money in employee people and we need to respect that, as these people are helping to support our community through jobs, tax revenue, etc. What we have done has not worked, and to defend what we have done in the past is not going to be an answer. We have to change the way we do business here. We need to be about service, not about internal, but has to be an external focus. He stated when staff realizes this is the only reason why we are here, this is when we will start to turn a corner. We need to remember that we serve these people, they don’t serve us. Sparks feels we have that backwards, and we need to fix it.

Maloney questioned how we move forward directing staff with Roffers to modify the code on this next section here. We have some members from Plan Commission, staff, and Roffers meeting, which won’t be done in one meeting, but perhaps several.

White commented the motion should be to begin the process to modify the code, to allow for changes in the zoning code, not necessarily metal fasteners or industrial zoning districts. White commented on the use of Roffers to assist with changes to the code, and how prior to Roffers, the code was not changed since the 1980’s. Jordan stated he is in support of our working with Roffers on this. He stated Roffers is a great facilitator.

Higgins reminded the members that her staff is just enforcing what was put in to the zoning code by the Plan Commission and Board. Higgins stated we don’t have special opinions on this and a lot of time, we don’t have

the leeway to make some of the decisions on this. Higgins is concerned if the business people don't come in, that we will not get anywhere. Sparks stated this is why Plan Commission needs to be involved this time around.

Sparks stated we need to reach out to the businesses with phone calls and explain how we are trying to make some changes here, trying to make this more business friendly, and would like them to show up at a Plan Commission meeting, so that we can discuss this. How we will be bringing in a consultant and try to make changes so this works for us.

White commented an issue he sees is that there will be contractors that will want to see change in 30 days. Guerndt stated in the meantime, we can explain to them to bring their plans in and if they are not to code, then we will take those to Plan Commission.

Tatro stated when he started here, everything went to Plan Commission and Board, which added a lot of extra review time. Now staff does most of the review. Higgins stated we are trying to make this more business friendly by allowing staff to go through to do some of the review and get projects approved faster.

Guerndt stated perhaps Wehner's communication on this, should instead say this is what the code says you need to meet, otherwise you need to bring to Plan Commission (and explain why). Guerndt feels right now, everything stops at the door with staff. Higgins stated the letter should explain their options through Plan Commission. Maloney stated but it does stop with staff, if we have a complacent Plan Commission and Board of Trustees.

Guerndt stated prior to their selling their Hilgemann Street building, he got a hand-slap letter when Greenheck moved out, and Hodge moved in, because he did not follow protocol by having the tenant come to the Village, and basically the letter states the Village will approve if the tenant can rent from them. Higgins stated we have to verify the zoning, that the use is a permitted use. Guerndt stated he talked to Wausau to see if they do this too, and was told they do not. Guerndt stated unless the Village wants to start paying his lease payments, the new tenants should not stop here. He gave examples of needing a dumpster enclosure and about the existing parking lot. Higgins stated if Board and Plan Commission does not want us doing this anymore, we won't. Higgins stated the zoning permit was something she implemented as the code called for it and we had issues of businesses going into zoning districts they should not be in. All codes are written this way but Wausau is not enforcing it.

There was discussion on how to move forward, and it was agreed that Roffers should come in and meet with Plan Commission and the next time around with business owners. Maloney stated he does not hear issues with homeowners, just the businesses. Higgins questioned if this will be primarily for the industrial businesses.

Jordan questioned what are we doing for the commercial properties along Schofield Avenue that are not getting sold. Higgins stated those are more for the CDA to talk about as there may be TIF dollars to be used to turn those back into greenfield sites. Jordan stated he does not want to limit this just to industrial, as he is also concerned about the commercial properties.

White commented by having Roffers assist with the code, he is familiar with where there may be further cross referencing to be considered when making changes to the code.

Sparks would like staff to bring their top ten, and would like Plan Commission members to reach out to business people they know to find out what their top 10 issues are. Then to let the business people know we will be having one meeting to discuss this, and that they are welcome to sit in, and then we will bring this back to fine tune it, but really want their feedback.

Guerndt commented that Roffers probably has the top 10 issues from that meeting a few years ago. Guerndt commented in that report there was something about how staff may come out as being a little abrasive.

Higgins stated this was in the audit and on the survey Roffers had. Maloney asked for that list to be shared and then we could add to it.

Maloney stated on the July 8<sup>th</sup> Plan Commission meeting, we will discuss the top 10 or 15 list. Donner pointed out the audit is where Chartrand's position came out of. Maloney stated we need someone to be out there cheerleading, and to come back and talk to the people who enforce the code, and not necessarily be the one representing the code. It was discussed that eventually we should have Chartrand here to communicate to Plan Commission what he is hearing. Higgins stated he could also report to her on what he hears, as she felt he would be more attending CDA.

There was discussion on whether Roffers should attend the July 8<sup>th</sup> meeting, but they agreed the first meeting would be just Plan Commission, and then bring him in at the August meeting.

Higgins brought up the list of 5 that came out of the audit: parking lot requirements, including curbing; requirements of sidewalk on both sides of road; landscaping requirements; sign regulations; building material standards, which some believed did not even advance aesthetic objectives.

There was discussion of how many surveys were sent out, and who it was sent to and how many responses we received, which was extremely low (1,500 surveys, with 169 responses).

***Motion by Jordan, second by Sparks: for Plan Commission to review the audit report with intention to discuss an agenda to present to Roffers at a following meeting.***

Yes Vote: 6      No Votes: 0      Abstain: 0      Not Voting: 1      Result: PASS

<u>Member</u>	<u>Voting</u>
Maloney, Mark	YES
Sparks, Wally	YES
Gau, Duane	---
Guerndt, Gary	YES
Jordan, Joe	YES
Meinel, Steve	YES
White, Loren	YES

#### **10. Discussion and action on Planning & Development Department Draft Customer Service Survey.**

Higgins stated this draft customer satisfaction survey is something that came out of our audit.

Meinel suggested to defer this until after we have our meeting in July. Guerndt questioned if there is some kind of an event we could host to get contractors, etc. to come in (like a cook-out). Maloney is in support of that idea.

White feels doing mailings are time consuming, but some don't want to do the computer. Guerndt feels to do survey after meeting. White feels we should do a paper survey too.

***Motion by Meinel, second by Guerndt: to defer until the July Plan Commission meeting.***

Yes Vote: 6      No Votes: 0      Abstain: 0      Not Voting: 1      Result: PASS

<u>Member</u>	<u>Voting</u>
Maloney, Mark	YES
Sparks, Wally	YES
Gau, Duane	---

Guerndt, Gary	YES
Jordan, Joe	YES
Meinel, Steve	YES
White, Loren	YES

**STAFF REPORTS**

- 11. **Acknowledge Report re: May 2019 Staff-Approved Certified Survey Maps and Site Plans.**
- 12. **Acknowledge Report re: May 2019 Building Permits.**
- 13. **Acknowledge Report re: May 2019 New Business Occupancy Permit Issuance.**

***Motion by White, second by Sparks: to acknowledge the reports (11, 12, & 13).***

Yes Vote: 6      No Votes: 0      Abstain: 0      Not Voting: 1      Result: PASS

<u>Member</u>	<u>Voting</u>
Maloney, Mark	YES
Sparks, Wally	YES
Gau, Duane	---
Guerndt, Gary	YES
Jordan, Joe	YES
Meinel, Steve	YES
White, Loren	YES

**14. Review of 2019-2020 Projects/Tasks for Plan Commission.**

Higgins pointed out this is an ongoing list, and she will give updates on where we are at. A big item coming up has to do with the Pauls' Farm. Maloney questioned if this topic could be moved up. There was discussion of water and sewer potentially getting extended there. Higgins stated with the current comprehensive plan and land use, they can't do this. There is a study being done about a water/sewer crossing that will occur under the river. Donner stated service could be temporarily brought in from Sandy Meadows, but we are still incorporating things in our utilities study. The timing seems to never be matching.

Guerndt stated he viewed that property previously, and he suggested they have a wetland delineation done, and thought it was way too much money to make it feasible. Donner commented we have to step back and look at how we will accomplish bringing sewer and water past these other properties, such as, Trotzer Lane, etc. Donner stated the developer generally does all the onsite improvements.

**MISCELLANEOUS**

**15. Next meeting date – Monday, July 8, 2019 @ 6:00 p.m.**

**16. Remarks from Staff and Commission Members.**

None.

**ADJOURNMENT**

**17. Adjournment PC.**

**Motion by Sparks, Second by Meinel to adjourn at 8:00 p.m.**

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