

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

held on Monday, October 11, 2021, at 6:00 p.m., in the Board Room, at the Municipal Center

AGENDA ITEMS.

1. Meeting called to order by Plan Commission Chair & Village Trustee Loren White at approximately 6:00 p.m. [1:35:31 Zoom Meeting Recording]

2. Roll Call of Village Plan Commission (PC) by Secretary Parker.

Roll call indicated 7 PC members present and 1 Alternate was present.

<u>Member</u>	<u>Present</u>
White, Loren	YES
Meinel, Steve	YES
Cronin, Steve	YES
Guerndt, Gary	YES
Jordan, Joe	YES
Marshall, Gayle	YES
Mumper, Roy	YES
Maloney, Mark (Alt. 1)	EXCUSED
Zeyghami, Hooshang (Alt. 2)	YES

3. Roll Call of Joint Village & Town of Weston Extraterritorial Zoning Committee (ETZ) by Secretary Parker.

Roll call indicated 4 ETZ members present.

<u>Member</u>	<u>Present</u>
Olson, Milt	EXCUSED
Meinel, Steve	YES
Christiansen, Randy	EXCUSED
Cronin, Steve	YES
Hull, Mark	YES
Guerndt, Gary	YES

Village Staff in attendance: Donner, Higgins, Wheaton, Tatro, and Parker. Wodalski was present via Zoom. Attorney Yde was also present. There were no audience members present in-person or via Zoom.

PUBLIC COMMENT

None.

MINUTES FROM PREVIOUS MEETINGS [1:37:02 Zoom Meeting Recording]

4. Approve minutes from the September 29, 2021, Joint PC and BOT Meeting. (PC)

Motion by Meinel, second by Cronin: To approve the September 29, 2021, Joint PC/BOT Meeting Minutes.

Yes Vote: 7 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASS

<u>Member (PC)</u>	<u>Voting</u>
White, Loren	YES
Meinel, Steve	YES

Cronin, Steve	YES
Guerndt, Gary	YES
Jordan, Joe	YES
Marshall, Gayle	YES
Mumper, Roy	YES

5. Approve minutes from the August 9, 2021, Joint PC and ETZ Meeting (ETZ)

Motion by Hull, second by Guerndt: To approve the August 9, 2021, Joint PC/ETZ Meeting Minutes, with correction that under Section 6, f, roll call for vote on the CUP should reflect that Olson was absent, and needs to be shown as not voting.

Yes Vote: 4 No Votes: 0 Abstain: 0 Not Voting: 2 Result: PASS

<u>Member (ETZ)</u>	<u>Present</u>
Olson, Milt	-----
Meinel, Steve	YES
Christiansen, Randy	-----
Cronin, Steve	YES
Hull, Mark	YES
Guerndt, Gary	YES

COMMUNICATIONS, DISCLOSURES, AND RECUSALS [1:38:45 Zoom Recording]

6. Written Communications Received.

None.

UNFINISHED BUSINESS [1:38:54 Zoom Recording]

7. Project #20210270 – Seth Lerch, requesting a Conditional Use Permit to allow a Residential Business at his property at 7209 Ross Avenue, within the SF-L (Single-Family Residential – Large Lot) Zoning District. (Applicant Withdrew on 10/04/2021)

Wheaton explained a public hearing was held on this last month, where questions had come up by Plan Commission, who asked staff to follow-up with the applicant, as he was not present at the last meeting. Wheaton stated when she contacted the applicant, he informed her that an opportunity came up, where he can instead locate his business at a more suitable location (than at his residence), and that the applicant was now requesting to withdraw his CUP request.

Wheaton stated the cleanest way to take care of this now is for PC to simply deny the CUP application. If for some reason the applicant changed his mind and wanted to come back for a CUP, he would have to wait 1 year from the date of denial to apply. If the applicant wanted to appeal the decision, he would have to do so within 30 days of the decision. She explained that in the case of rezones, if no action is taken, then it is automatically approved. She stated that while this is still not the same language for CUP, if we don't take action, it could be perceived as PC approving.

Motion by Guerndt, second by Mumper: deny CUP Application #20210270, due to Applicant withdrawing his application. Question - Cronin asked if we could put a caveat, that if something changes, that the applicant can re-apply prior to the 1-year wait period. Yde stated Plan Commission can simply motion for the acceptance of his withdrawal, as opposed to denying it. Higgins stated they could deny (per staff recommendation) or accept the withdrawal.

Motion by Guerndt, second by Mumper: to withdraw motion.

Motion by Guerndt, second by Mumper: to accept the withdrawal of the CUP Application #20210270.

Yes Vote: 7 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASS

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

8. Proposed Changes to Chapter 94, Article 13, Signs. [1:44:28 Zoom Recording]

Wheaton explained how this came to PC for review and discussion back in July, and was tabled then after some lengthy discussion. Wheaton commented on how staff has now worked with Yde on the review of our sign code and other municipal codes, and how there are four options for PC/ETZ to consider: 1) Pull the Sign Code out of the Zoning Ordinance, and rewrite the code (as per the Manitowoc example); 2) keep the Sign Code in the Zoning Ordinance, and rewrite the Code (as per the Wausau example); 3) keep the Sign Code in the Zoning Ordinance, and make minor changes (staff's proposed redline changes); or 4) leave the Sign Code as is.

Yde then went through a presentation he recently received from League of Municipalities Attorney Institute conference he attended.

Yde stated the general rule is that you want to leave out any regulations that apply to the actual message on a sign. He stated you also can't treat commercial speech any better than non-commercial speech.

Yde stated you need to look at what the safety and the compelling property value reasons for regulating signs.

He stated if you regulate based on size, setbacks, things that are not substantive related, then you will be fine. He stated you can't completely prevent people from expressing their opinion either, as far as if there are certain limitations on the ability to place signs out, such as people who live in apartments, who do not have "yards to display their signs". He commented on how if we are going to regulate based on time, space, size, and manner, that we do it consistently, and not based on the content.

White confirmed that we would be able to regulate signs that are placed in a vision triangle, posing a visibility threat. Yde stated that as long as we regulate these the same all across the board it is okay to regulate those.

Yde gave some examples of cases that have been heard, and how a lot of these end up going all the way up to the U.S. Supreme Court.

White confirmed that we are not able to regulate political signage that contains profanity or vulgarity. Yde stated if it is a political message or free speech issue, the Courts will likely strike it down and allow the signage. He stated the exceptions would be tobacco advertisement. He said for commercial advertising, there has to be substantial truth to whatever the message is on their sign. Yde stated if there was a political or free speech sign with vulgarity next to an elementary school, then a municipality may have a case.

Hull questioned Yde on Manitowoc's and Wausau's sign codes, specifically on yard signs. He stated it appeared Manitowoc totally surrendered the section of their code related to yard signs, and instead looks at those as "supplemental" signage, and allows supplemental signage in all districts, and regulates the signs only by square footage. They only require a permit for supplemental signage if it is being installed. He said rather than zoning districts, they go by area districts, and discussed the size allowances based on zoning district.

He stated how Wausau calls it Temporary Miscellaneous Signs, and explained it's definition being a temp sign that does not contain a commercial message. He stated Temporary Miscellaneous Signs is a sign group containing one sign category – yard signs, which is allowed in all zoning districts. He stated they then break this into two categories: stake sign and arm post sign. He stated they are allowed a 6-square foot maximum stake and allowed 10-foot square foot for an arm and post sign. Hull commented then how there are a number of footnotes on this particular ordinance, which now makes it extremely difficult to regulate. Hull went through the footnotes. Hull brought up about how the sign code used to have a time limit as far as how soon you can put signs up, prior to an election, and how long you can keep signs up after an election. He brought up the maximum square footage of signage that is discussed in the footnotes.

Yde brought up how people who are keeping their signs up well beyond an election are not necessarily having those signs up for the election, it is more so expressing their beliefs and political positions, and would be considered political free speech, which is protected. Yde explained you can restrict the size of the sign, as long as you don't restrict the message. Guernndt stated this would eliminate some of the larger signs.

Guernndt questioned the example in the presentation of the Trump flag with profanity, and if that would be allowed. Yde answered it depends on the sign ordinance on how it relates to flag signs, and if there are size restrictions on flag signs. Guernndt commented that if people don't like what is on a sign, why they can't just ignore those.

Donner stated we need to identify what our goals are and what we want to accomplish with this. Yde does not think it is necessary to go the route of hiring a consultant, and pointed out the 4 options brought up tonight.

Higgins explained that the goal of bringing this to PC before was because after the last election, most of the staff and President Maloney had taken numerous calls from upset residents about the political signs still in place. She stated it was pretty much out of our control. She stated how our Code is written, businesses can't have a political sign without a permit, but we typically do not enforce it, as typically, people would put their signs up before the election and take them down after the election. She stated following the 2020 Presidential election, that did not happen.

Mumper stated he did not like Wausau's ordinance. He feels we should just modify our existing ordinance and wait and see how things go over with other communities and their sign ordinances, where then after a few years we will have a better understanding of what we can and cannot put into our sign ordinance. He is in favor of the idea of limiting number of signs and limiting the size of signs.

White suggested allowing an overall square footage of signs, where the resident could have one big sign or multiple small signs that if combined would not exceed a certain square footage. White feels we could craft the language to meet the conditions of political free speech and to also keep the restrictions to a bare minimum. Higgins stated we just need something to reference when talking to residents.

Wheaton explained an advantage of keeping the sign regulations in the zoning code would be in the case of the Special Exceptions, where it requires PC review and notification of neighbors.

Hull feels the draft revision that Wheaton has put together is very close to where we need to be. He feels limiting square footage is the best way to go. He discussed the use of the term Auxiliary Sign. Hull then stated if we go by the zoning district, we may want to consider breaking out RR-5 from RR-2, as the RR-5 would be much bigger lots. Mumper commented that he could see issues if you have a smaller neighboring parcel next to a larger rural parcel, and one neighbor wants a similar size sign like his neighbor. Hull then pointed out how we want to handle multi-family, will signs be allowed based on each unit? He stated we will have to decide on AR properties, and to consider the "no hunting" and "no trespassing" signs.

Marshall questioned in Section 3, under Temporary signs that there is a restriction of 30 days, and wonders if people will feel we are limiting the amount of time for their free speech. Wheaton stated we are not regulating

content there, just the length of time for the temporary sign. Wheaton stated we could change this to be longer.

Marshall feels our residents will be confused if we have the different categories. She questioned how in residential, it is only allowing 2 signs. She stated if there were 6 different races, could we be challenged that we are not allowing them to show their support for all their candidates? Yde stated it could be challenged.

Yde stated based on what PC wants to do, we can then move forward with a revised ordinance.

Cronin questioned if we can just not regulate temporary signs. Yde stated you will always want to regulate size, and that we need to make sure we are just regulating size, location, and number.

White stated it would be hard to regulate the number, but size yes. Yde stated you could end up with more signs outside of election areas.

Guerndt agrees we can't limit the number of signs, but that we can limit square footages. If during the election times, if the sign is over a certain size, then limit the time.

White agrees to go with option 3, in keeping the current sign code, but with making minor changes.

Hull brought up the auxiliary sign term, and how we need to put a definition back in. Hull feels that option 3 includes some substantial, but good, changes, and gave Wheaton credit for her amount of work.

Donner suggested we have Yde review Wheaton's changes and based on tonight's discussion add suggestions.

****Motion by Mumper, second by Cronin: to direct Attorney Yde to review the draft substantial changes to the zoning code and for staff to incorporate some of the comments tonight for temporary signs before and after events, to bring back to a future meeting, and to keep within the zoning code.***

Question: Hull suggested to have staff make questions per discussion and then forward to Yde for review. Wheaton stated we can still modify when this goes to public hearing.

Yes Vote: 7 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASS

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

Hull questioned if it was necessary for ETZ to take action on this, with some of the ETZ members not present. After some discussion, it was decided that ETZ was not taking action tonight, as this will be brought back again later.

PUBLIC HEARINGS

None.

REFERRALS FROM GOVERNING BODY

None.

NEW BUSINESS

None.

STAFF REPORTS [2:49:40 Zoom Recording]

9. Acknowledge Report re: September 2021 Staff-Approved Certified Survey Maps and Site Plans

10. Acknowledge Report re: September 2021 Building Permits

Motion by Guerndt, second by Meinel, to acknowledge Items #9 - 10.

Yes Vote: 7 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASS

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

Motion by Hull, second by Cronin: to adjourn ETZ at 7:23 p.m.

MISCELLANEOUS [2:50:45 Zoom Recording]

11. Project Updates

a. Weston Avenue Corridor Plan

b. TID #1

Donner stated these next 2 items were placed on the agenda per Cronin's request.

Donner explained how AECOM is working on the design and study for reconstruction of the Weston Avenue Corridor Plan. He stated they will be 35% completed with the design by the end of November, at which time we were going to hold an informational meeting on the recommendations and the plan. Donner explained that one thing that was discussed with AECOM, during the scoping of the project, is they were acknowledging that there will be fewer right-of-way needs on the east half (east of Ryan Street) of the project, and for that reason they are recommending that area be reconstructed first and the west side (from Cth-X to Ryan Street) be done second.

Cronin stated the reason he brought this up has to do with the 13 people who attended the TID #2 public hearing, who brought up concerns about TID #1. He feels you can't talk about TID #2 without discussing TID #1. He wanted to bring this discussion back to be sure no one is having a change of heart with anything that was already decided with either of those projects. He feels it warranted a discussion as it appeared there was quite a few people who did not seem happy with the direction that we were heading there.

Donner stated the discussion of the corridor project, and becoming the #1 priority in TID #1, followed the scapping of the Camp Phillips Centre project.

Marshall stated that when we were looking at the corridor plans, how no financials were given at that time, and she is not sure what the payback would be as there were no financials discussed during the corridor plan.

Higgins stated you would not have financials with the corridor plan, as it is a planning document. She explained the responsibility of the PC is to look at the Future Land Use (FLU) plan and determine the type of

development they want along the corridor. She stated that then the TIF plan is one of the tools that you use to implement the FLU plan. She reiterated that one of the roles of the PC is to determine the land use of the Village. She stated PC is not necessarily going to have the financials with it.

Donner explained the 2018 TID #1 project plan amendment (found on the Village's website: <https://westonwi.gov/599/TID-1>), which was done through an approval process with the Joint Review Board and Village Board, which contained the current project plan of eligible projects in TID #1. Donner explained how in the State Statutes, the Village Board decides and recommends the creation of the TID or the amendments, etc., and then is delegated to Plan Commission. However, after the Village Board created this TID #1, there was a recommendation that they create a CDA (Community Development Authority) for making some decisions and handling the duty that would normally be in the Plan Commission's hands. He stated the other reason for creating the CDA was so that the Village could issue the lease revenue bonds, so then the debt taken out of the TID would not impact the Village's debt limit. He stated the lease revenue bonds were attached to these LOC's (Letter of Credit), where most of the time they were dependent on developers creating increment for those projects that they were issued for, so they had to make up for any deficit that may have been there for lack of increment creation. The CDA was the authority that made any plan amendment changes in the TID's. In 2020, the Village changed and put the role back into Plan Commission review for this amendment hearing. Donner stated how this plan has been approved and adopted, and gone through all the processes. Donner had Wheaton pull up (from the website) the TID#1 Project Plan, which showed all the potential projects and estimated costs. He pointed out how there are more projects listed in this plan than are conceivable and possible, but just like TID #2, we had to include any project that could be possible within this project plan. He pointed out how Weston Avenue became a priority #1. He commented on how the project plan includes something in the range of \$95 million, but how the TID #1 would only be able to support \$41 million. He stated this does not say these projects are going to be done, as any project considered would have to go for Village Board approval. He re-iterated how we are currently in the design phase of the Weston Avenue project at the direction of the Village Board, who is the governing body directing what may or may not be done in TID #1 right now. Higgins stated this adopted plan is also part of the Comprehensive Plan.

Cronin confirmed the Weston Avenue Corridor Plan was adopted by the Plan Commission earlier this year. He confirmed the TID #1 was done by Village Board and CDA, and the Weston Avenue Corridor Plan was adopted by the Plan Commission and Village Board.

Higgins stated this plan started earlier. It was about a year ago that we had that initial meeting with the major property owners along Weston Avenue. Originally, when this went through, the focus was on Camp Phillips Centre, and we needed to know what to do with Weston Avenue and what the land uses would look like, which is when Plan Commission went through the project and adopted the corridor plan.

Meinel wants to know how the assessments will be handled to owners along Weston Avenue. He is uncomfortable in saying that we are progressing and spending TID money on this and not knowing, for someone who owns a stretch of land along there that is half-mile in length, what the assessment will be for those people. He stated if those costs will be absorbed by the TID, then we need to make that statement. Meinel stated there are other people who have had sewer and water put in adjacent to their properties, who were assessed. He feels we need to do more on releasing the financial obligations on what this is going to mean to people.

Donner mentioned how there will be some right-of-way impacts, and we won't know what those are until there is 30% design. He said that proper way to do this legally is to initiate the eminent domain process. There will be the need for whatever area of property there might be, and from that appraisals are done to determine the value, and then the Village would be acquiring property. He stated this is different from the other projects. He

stated there will be some trade-off there. He stated he envisions this to be limiting the amount of the assessment and create a connection fee for the future, and could be a deferred assessment, as he does not envision people are going to start connecting, nor does he recommend it. Donner stated we would rather see redevelopment than individual homes hooking up.

Guerndt stated his understanding was that this was all going to be handled through the TID, and that if he were to divide and sell off his property the developer would be assessed a certain dollar amount for connection onto that moving out to that development. He anticipates there will be interest on that too. Donner agrees that this will all have to be defined.

Guerndt questioned what the difference is if the Village buys an industrial park and puts sewer and water in there, what is the difference if they are running the TIF to expand more development for an industrial park or commercial property. He wonders why we are hammering a homeowner, when he thinks we technically should not be, as we may bankrupt the owner. He feels this will be more when someone wants or needs, and that connection fee should not be \$150,000 because the line stretches across all 40 of their acres, but instead would be more like \$15,000 or \$20,000. Guerndt agrees the road needs to be fixed and agrees that it makes sense to put in the utilities before fixing the road.

Cronin commented on how there was a lot of people who came in and voiced their concern, and it sounded like those people felt the TID should be closed. He feels we need to be able to meet in the middle with those people.

White stated how these TID's have debt assigned to them, and we can't close them until the debt is paid off. He stated once that is done, we can close them and have all the funds for what we need to do (road construction) come out of the general fund. He stated the point in going through this is to find a way to finance these without increasing any of this. He stated how Ehlers predicted that we would have enough increment there to pay for the debt.

Marshall commented that she was told there is \$15 million debt in TID #1 and \$8 million in the bank, cash on hand. White stated some of that money is prescriptive and we can't just pull that out. Marshall feels part of that \$8 million could be used now to pay on the \$15 million debt.

Meinel feels we need to have those discussions on the financials, before there is another meeting. He wants to know people understand what is happening and documented correctly. Guerndt stated he got the impression from that earlier meeting that Buchberger was assured he would be okay. Guerndt is concerned that once this gets to the Board level, everything could change.

Donner stated we will have to have a public hearing even for a deferred assessment. Donner stated his philosophy would be that there would be a connection fee that we can collect at the time someone wants to connect. Guerndt question who absorbs the costs for the stretches along a wetland area. Donner stated this is usually something for the Village in oversizing costs. Donner stated the unserved areas usually gets picked up by the utility. Donner stated these are all still decisions to be made by the Village Board. Donner feels there will be a minimal amount, similar to the costs to replace a private system on a private lot.

Guerndt commented on how there were several PC members who came into the meeting wanting to see Schofield Avenue get done, but after hearing what the residents at the meeting had to say, he changed his opinion on it. Guerndt then went into discussion on why he feels there may be distrust from the community and how he feels we need more input shared with the public.

Donner stated if the Weston Avenue project is done in 2 pieces, they would be estimated at around \$10 million each, and it may be different as we get closer to that detail on design. He said that if only ½ is done, then we could undertake the project and have it paid back, and the TID could be retired in 2026. When doing the 2nd piece, it would be another 2 years.

Cronin stated that he agrees something has to be done with Weston Avenue, but he feels it is a little concerning that we are doing the east end first, as the west end is in worse shape. Guerndt stated because of all the bureaucracy that it will take to get this done, that the east end is the easiest path to get it done. He feels the other side will take as long as it takes to get the east side done to just get all the properties lined up to even do the project, and Guerndt understands there is a time crunch to expend the dollars in the TID (2026 to commit, then 2031 to spend).

Meinel feels it would be better to start from Ryan Street and work westward to Camp Phillips, due to the amount of property to be improved upon is substantially more than working the other direction, with the wetlands. Guerndt commented how the utility costs are going to be significant running from Ryan Street to Camp Phillips.

Donner stated the decision to move forward with this project will be with the Village Board.

Cronin stated that it is hard to plan when they don't know the costs. Higgins explained the Comprehensive Plan is a 20-30 year document. It is difficult, but you have to think about what do you want the Village to look like for your kids or grandkids. She stated this is setting the vision with the Board on what the Village will look like. She stated this is why we look at this every 5 years and re-assess, and how we are required to update it every 10 years. She stated the TID is a tool for planning. She discussed the Camp Phillips Centre project and how something will eventually be there, just not as big.

Donner stated when we are at the 35% design on the Weston Avenue plan, we will have and then can give more information.

Cronin stated if we do the east end first, we better let the owners know. Donner stated we can do the west end first still, as we are not locked into anything yet. Higgins clarified that that AECOM is engineering the design. Roffers work ended with the adoption of the Weston Avenue Corridor Plan.

Zeyghami stated that anything we do on Schofield Avenue would be an improvement to the business district. He feels that when people want to shop, they go to Rib Mountain, as the only thing we have is a Target. He stated we now have a lot of mechanics shops along there. He stated we need to improve Schofield Avenue if we want to bring people in.

c. TID #2 [3:41:33 Zoom Recording]

Higgins stated the JRB will meet next Wednesday, Oct. 20th, at 3:00pm, to look at the boundary amendment. If approved, it makes it affective as of January 1, 2021 (back to beginning of year).

Donner questioned if he is hearing a sentiment from Plan Commission that they would be willing to revisit a project plan of a lesser scope, that is focused on Schofield Avenue improvements and developer incentives. Meinel stated that he is not interested in that.

White commented on how there were suggestions on how that money is used, at an earlier meeting by Plan Commission, that we need have more incentives for developers, and how those changes were made in the

draft plan. He stated how we can still make amendments to the TID #2, we just can't add more property. Donner stated if we were to make any other amendments, it would have to be done by April 15, 2022.

Jordan is open to looking at it again with a focus on business development. His issue is with public infrastructure or the water improvements. He feels we need to focus on developing more business.

Marshall stated the previous plan had mixed use, with retail on the bottom and apartments on the upper level. She stated she has no appetite for building apartments with taxpayer money.

Higgins stated there is a big movement for workforce development and affordable housing, this is in the form of several bills quickly moving through the State Legislature because of the housing issues. Marshall asked for a copy of that information.

Mumper stated he would be willing to look at this again if it is for business. He commented, though he understands why, but for some it is hard when it's a big secret on who is coming in. Higgins stated PC makes decision for future land use, not who is coming in. If a business fits the zoning and/or FLU, we will not turn them away. Higgins stated the only time we have to base something on the Comprehensive Plan FLU is if there is a rezone occurring.

Donner stated how currently TIF funding is based on a PAYGO (Pay as you go) system, and this system is not working, since we have less than 10 years left.

Higgins stated TIF #2 should be used for redevelopment.

Cronin stated he is concerned about projects listed that are outside of the TID #2.

Mumper agrees he'd like to see development. If we are going to develop anything other than a Target, we need a way to find a way to make a clearer presentation on the benefits of how to bring money back to community.

White commented if we are willing to look again, it would be only with projects specifically in TID #2 boundary. Jordan agrees we need to find a better way on how to present this to the public.

Marshall stated one of the hurdles is the overreliance on TID#2, as 23% of our values is in the TID, which she feels is TID #1's problem. She feels we overly rely on people outside the TID to pay for the TID. She stated the State recommends a maximum of 12% of equalized value in the TID, as it does not support operating revenues (police, fire, snow plowing, etc.). She stated that anyone outside the TID has to pick up more than 23%, because we are pulling in \$6.4 million of property taxes in the TID, and the properties outside of the TID have roughly that same amount. White stated the other governing entities also get the money, so not all of that comes back to us.

Donner stated if TID #1 closes \$670,000 comes back to the levy. If TID #2 closes, it would be about \$64,000 coming back. Marshall stated for any increment in the TID, the levy limits are raised for everyone outside the TID, incrementally by year. Donner stated growth in the TID counts towards our new growth. Marshall stated that since 1998, the taxpayers have been subsidizing. Donner stated baseline value stays in the general levy. Higgins stated TID #1 was created before the 12% went into effect. Marshall asked if it would be possible to subtract some lands. Higgins stated how the school district would get hit hard if we just up and closed the TID. Donner stated how Finance Committee has talked about closing this in stages, but we have to keep enough equalized value in there.

d. Chapter 14 Building 4:18:15

Higgins stated things coming forward.

e. Park Impact Needs Assessment

Higgins explained how previous discussion on this were had, and how we are looking at breaking this into two parts: Parkland Dedication and Maintenance Fees. She stated this will be coming back soon for more discussion.

f. Metro-Wide Housing Study

Higgins stated we started this process and how this will continue into next year. Higgins stated the metro-wide is being led by the NCWRPC and the County has supplied funding along with the member municipalities.

g. Comprehensive Plan Update – Includes Comprehensive Outdoor Recreation Plan (CORP) Update

Higgins stated with the update for the CORP plan coming, we are taking another look at updating the housing, transportation, land use, and park & recreation sections of the Comprehensive Plan.

Meinel asked what our consultant (MDRoffers) is charging, and how he would like to see a comparison of fees from other consultants. Zeyghami stated the \$25,000 is for the contractor, not the consultant. Meinel is concerned about the behind-the-scenes costs. White stated that staff is skilled, but Roffers has more expertise and time to work on these plans.

12. Announcements & Commissioner Remarks.

Mumper questioned if we could have these higher level discussion items brought up in a separate meeting. Higgins stated she looks at what is on the agenda already, which is why some of these other topics have been delayed. Cronin would be fine to hold a special meeting on some of these items.

Tatro commented those people complaining, they should participate in the meetings, such as via Zoom. This way they would be more familiar with what is going on.

ADJOURNMENT

13. Adjournment of ETZ

ETZ adjourned earlier in the meeting at 7:23 p.m.

14. Adjournment of PC

Motion by Guerndt, Second by Jordan, to adjourn at 9:03 p.m.

Loren White, Plan Commission Chair and Village Trustee
Jennifer Higgins, Director of Planning & Development
Valerie Parker, Recording Secretary