Plan Commission Meeting Minutes
Monday, December 14, 2020 at 6:00 pm
Virtual Meeting

Members Present: Mayor Tim Swadley, Chair; Todd Barman; Phil Caravello; Tom Robinson; Tom Selsor; and Brett Schumacher
Members Absent: Tom Majewski
Staff: Rodney Scheel, Director of Planning and Development; Michael Stacey, Zoning Administrator
Press: None
Guests: Phil Harrison; Vic Malling; Dennis Steinkraus; Rachel Snyder; Ryan Wiesen; Jamin Friedl

1. **Call to order.** Mayor Swadley called the meeting to order at 6:03 pm.

2. **Consider approval of the Plan Commission meeting minutes of November 9, 2020.**
   Motion by **Schumacher** to approve the minutes as presented, 2nd by **Caravello**. Motion carried unanimously.

3. **Council Representative Report.**
   Caravello stated the Common Council approved the ordinance to repeal group developments regulations.

4. **Staff Report - Status of Current Developments.**
   Scheel gave an overview of the current status of developments as outlined in the packet of materials. He highlighted that the Madison Powder Coating expansion project will now likely proceed. There were no questions.

5. **Set Public Hearing date regarding a TIF 4 allocation amendment to donate excess increment to TIF 5 and 8.**
   Ryan Wiesen, Assistant Finance Director explained the intent of the allocation amendment. TID 4 expenditure period will end in March 2021 and State law allows communities to allocate excess funds to other TID's.

   Motion by **Schumacher** to set a Plan Commission public hearing date of January 11, 2021 at 6 pm to amend TIF 4, 2nd by **Caravello**. Motion carried unanimously.

   Barman arrived at 6:08 pm.

6. **Request by Vik Malling to amend zoning ordinance section 78-722(7) Swimming Pool Standards. (public hearing on September 12 and postponed from November 9, 2020)**
   Scheel gave an overview of the proposed amendments.

   Barman likes the changes but questions the language in section 7.

   Attorney Rachel Snyder suggested modifying section 7.

   Vik Malling inquired whether there is a depth amount that triggers fencing. Scheel stated the regulations require fencing for any pool that has the ability to have a water depth greater than 36".

   The group discussed possible changes to section 7.

There was agreement to amend a portion of section 7 to read, "All pools, including those pools existing at the time of passage of this section, shall comply with the fencing requirements of this section."

Motion by **Barman** to recommend the Common Council approve the proposed ordinance as amended, 2nd by **Robinson**. Motion carried unanimously.

7. **Request by Phil Harrison to discuss the regulations for flags and banners used for commercial signage.** (Tabled on November 9, 2020)
Scheel explained the proposed ordinance amendments.

Barman suggested instead of allowing each business to have a feather flag, allow one feather flag per street frontage. This will prevent clutter.

Business districts in the City include: Planned Business, Neighborhood Business and Central Business.

The group discussed how this would affect the downtown. Scheel stated zoning regulates private property not signage within the public right-of-way. A separate ordinance regulates what is placed in the right-of-way in Ordinance Section 64-9.

A public hearing will be set for January 11, 2021.

8. **Discuss potential zoning code amendments to allow mobile food vending on private property.** (Tabled on November 9, 2020)
Scheel introduced Attorney Rachel Snyder who has been working on mobile vending ordinance amendments for the City.

Rachel Snyder gave an overview of the proposed ordinance amendments including handling mobile vending by licensing vs zoning.

Schumacher questioned whether the language would affect private use in a residential district. Rachel Snyder stated the intent is to regulate venders selling a product for consumption to the general public. A vendor hired by a resident to serve guests at a home would generally not be covered under these regulations. Schumacher would like to see language added to be clear that this does not apply for private residential use.

Barman stated there is considerable redundancy between General Temporary Outdoor Sales and Mobile Food Vending. Barman believes these 2 sections should be combined.

The group discussed whether or not to combine the sections. Consensus is to not combine the sections because one section is for temporary outdoor sales while mobile vending may become more permanent.

Barman stated the limit of 180 days/year will be a discussion point.

Schumacher would like the Chamber of Commerce notified of the public hearing for this agenda item.

9. Request by Junction 138, LLC for annexation approval of 1.152 acres of land from the Town of Rutland.
Scheel explained the request.

Motion by **Robinson** to recommend the Common Council approve this annexation, 2nd by **Schumacher**. Motion carried unanimously.

10. Request by Kettle Park West LLC for annexation approval of 4.010 acres of land from the Town of Rutland.
Scheel explained the request.

Motion by **Robinson** to recommend the Common Council approve this annexation, 2nd by **Schumacher**.

Caravello questioned if there is a way to pursue access to the west for the parkland. Dennis Steinkraus stated they will be looking at access to the west as part of future development.

Motion carried unanimously.

11. Future agenda items.
Sign code rewrite; Outdoor dining; USAA for Dvorak property

12. Adjournment.
Motion by **Schumacher** to adjourn at 7:25 pm, seconded by **Robinson**. Motion carried unanimously.

Respectfully Submitted,

Michael P. Stacey