

## TOWN OF GREEN BAY PLANNING COMMISSION MINUTES

**DATE:** 2/18/14

**TIME:** 7:07 p.m.

**PRESENT:** Bob Boncher, Dawn Goodman, John Metzler, Jack Salewski

**ABSENT:** Gary Jonet due to vacation; Mike Gilson due to vacation; Dianne Jacobs due to weather.

**Others Present:** Debbie Mercier; Kimberly Abts; Jacob Deterville.

**APPROVAL OF LAST MEETING'S MINUTES:** John Metzler opened the meeting and noted that the meeting notice was properly posted in 3 places. The January 21, 2014 Minutes were reviewed. Bob Boncher made a motion to accept those minutes as presented. Jack Salewski seconded the motion. All approved.

**(7:09 to 7:15 pm) ISSUE #1: Dean and Mary Abts CSM for the west end of parcel GB-568.**

The Planning Commission reviewed the CSM. A concern from the February Town Meeting regarding the size of the temporary cul de sac was resolved by Town Chairman, Lee DeChamps, who had called the Luxemburg Bus Driver's to see what amount of roadway they required to turn around and navigate in, and he found that the proposed size of the Abts temporary cul de sac should be sufficient for their purposes. The Planning Commission made the following decision:

**MOTION MADE BY** Bob Boncher to recommend to the Town of Green Bay acceptance of the CSM for the west end of parcel GB-568 for Dean and Mary Abts. **MOTION 2NDED BY** Jack Salewski **AYES:** 4 **NAYS:** none. **ABSTAIN:** none. **MOTION CARRIED.**

The Planning Commission left a note for Town Clerk Debbie Mercier to add it to the Town Board's March 11, 2014 Town's agenda.

**(7:16 to 7:20 pm) ISSUE #2: Adoption of New Franken Fire Department's Fee Schedule (this was issue #3 on the agenda, but was moved on the agenda because the Planning Commission decided item #2, "Development of a Resolution Authorizing the establishment of charges for NFFD Fee Schedule", was more appropriate for the Town Board to do).**

It was noted that this matter would involve a Zoning Amendment. #848-J was assigned.

It was also noted that this would be an addendum which would go along with: *The Town of Green Bay's Chapter 10, Section 5: Zoning Amendment #795-J: Chapter 10, Section 5 "Ordinance Authorizing Fire Chief to Make and Enforce Lawful Orders, Establish Emergency Fee Schedule, Collect and Disburse Emergency Fees, and Obtain Special Inspection Warrants". The purpose of this Ordinance is for the Town of Green Bay to empower the New Franken Fire Chief to enforce the Chief's lawful orders in the Municipal Court, to facilitate the charging and collection of Emergency Fees and restitution in appropriate cases, and to provide enhanced public safety and protection. Amendment #795-J was adopted back on 5/10/12.*

After review of the "New Franken Fire Department (NFFD) Addendum A Fee Schedule-2013", the Planning Commission made the following decision:

**MOTION MADE BY** Bob Boncher to recommend to the Town of Green Bay acceptance and adoption of the "New Franken Fire Department (NFFD) Addendum A Fee Schedule-2013". **MOTION 2NDED BY** Jack Salewski **AYES:** 4 **NAYS:** none. **ABSTAIN:** none. **MOTION CARRIED.**

The Planning Commission left a note for Town of Green Bay Clerk, Debbie Mercier, for a Public Hearing on the matter for 6:50 pm on March 11, 2014 and for her to also add it to the Town's Board meeting agenda that night.

**(7:21 to 8:20 pm) ISSUE #3: Development of a Fee Schedule for Citations of any Ordinance Violations of the Town of Green Bay. (this was issue #5 on the agenda, but was moved up on the agenda because the Planning Commission decided item #4, "Development of a Resolution authorizing a uniform Fee Schedule for the Brown County Sheriff Department and Town of Green Bay officials to use when issuing citations of any ordinance violations of the Town of Green Bay" would be more appropriately addressed by the Town Board.)**

Per the suggestion of Town Chairman, Lee DeChamps, the Planning Commission reviewed the Town of Scott's Schedule of Deposits(Ordinances). It was hoped this could be used as a model for a Uniform Fee Schedule for the

Brown County Sheriff Department and Town of Green Bay officials to use when issuing citations of any ordinance violations of the Town of Green Bay.

Planning Commission Secretary Dawn Delvaux Goodman had gone to the Town of Scott to talk with Dave Cerny, their Building/Zoning Administrator/Code Enforcement/Planning representative, in order to obtain their fee schedule and the Code Book to use as a reference.

1. Upon closer examination of both the Schedule of Deposits and the Code Book, the Planning Commission determined most of the ordinances the Town of Scott cites in the Schedule of Deposits do not match those of the Town of Green Bay, so in order to use this particular Schedule of Deposits, the Town of Green Bay would need to change or add new ones to it's own in order to make it work.
2. In addition, the Planning Commission noticed that some of the Town of Green Bay's ordinances would not be addressed if the Town of Scott's model was used.
3. The Planning Commission also found that the fees set forth by the Town of Scott differ from those the Town of Green Bay already has in place, and that in some cases, the fees were actually less than what the Town of Green Bay already cites.

Planning Commission Secretary Goodman stated she believed the Planning Commission should not and could not just adopt the Town of Scott's Schedule of Deposits because it was not consistent with what the Town of Green Bay had, and that someone cited for a violation that is not cited in the Town's own Code of Ordinances would then have legal grounds to object to such a citation and not pay it.

The Planning Commission noted that significant and extensive changes and additions to the Town's own Code of Ordinances would have to be made in order to use the Town of Scott's model.

It was also noted that some of the Town's fees cited in it's Code of Ordinances were higher than those cited in the model and/or were not cited in the Town of Scott model and that these differences could result in a loss of fees if they were omitted and/or ignored.

The Planning Commission asked Town Clerk Debbie Mercier to give an opinion on the matter. She stated she did not think the Planning Commission should proceed until she consulted with the Town's Association over some questions she had and it was discussed more at the Town's March Board meeting.

The Planning Commission made the following decision:

**MOTION MADE BY** Bob Boncher to table this matter until it consults with the Town Board at it's March Board Meeting and until the next Planning Commission meeting 3/18/14. **MOTION 2NDED BY** Jack Salewski **AYES:** 4 **NAYS:** none. **ABSTAIN:** none. **MOTION CARRIED.**

**Other Business:** Town Clerk Debbie Mercier told the Planning Commission that Brown County Planning wished to have an update on the Planning Commission's progress with the Working Lands Initiative project. Secretary Goodman explained that the Planning Commission had sent their Extensive Agriculture Ordinance information to Alison Volk of DATCP for a Cursory Review and that they were waiting to address the 9 adjustments DATCP had suggested be made, until the Town Board felt they should do so. They had been asked by Town Chairman DeChamps to wait until he felt there was more direction from the State level on the matter.

**Date & Time of Next Meeting were set:** Tuesday March 18, 2014 at 7:00pm, if it is found necessary for the Planning Commission to meet.

**Motion to Adjourn Made by:** Bob Boncher, Jack Salewski seconded. **AYES:** 4 **NAYS:** None. **Motion Carried.**

**Time of Adjournment:** 8:25 p.m.

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Planning Commission Chairperson

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Planning Commission Secretary