

**Plan Commission
of the City of Onalaska**
Tuesday, January 26, 2016
1

1 The Meeting of the Plan Commission of the City of Onalaska was called to order at 7:00 p.m. on
2 Tuesday, January 26, 2016. It was noted that the meeting had been announced and a notice
3 posted at City Hall.

4
5 Roll call was taken, with the following members present: Mayor Joe Chilsen, Ald. Jim Bialecki,
6 City Engineer Jarrod Holter, Jan Brock, Craig Breitsprecher

7
8 Also Present: City Clerk Cari Burmaster, Interim Land Use and Development Director Katie
9 Aspenson, Attorney Amanda Jackson of O’Flaherty Heim Egan & Birnbaum Ltd.

10
11 Excused Absences: Paul Gleason, Skip Temte, Andrea Benco

12
13 **Item 2 – Approval of minutes from previous meeting**

14
15 Motion by Ald. Bialecki, second by Craig, to approve the minutes from the previous meeting as
16 printed and on file in the City Clerk’s Office.

17
18 On voice vote, motion carried.

19
20 **Item 3 – Public Input (Limited to 3 minutes per individual)**

21
22 Mayor Chilsen called for anyone wishing to provide public input.

23
24 **Neil Jennings**
25 **3765 Emerald Drive East**
26 **Onalaska**

27
28 Neil addressed Item 5, stating he wants to hear Christopher Meyer’s input because he does not
29 understand the information he had received.

30
31 Mayor Chilsen said there will be a public hearing as part of Item 5 and suggested that Neil speak
32 at that time.

33
34 Mayor Chilsen called three times for anyone else wishing to provide public input and closed that
35 portion of the meeting.

36
37 **Consideration and possible action on the following items:**

38
39 **Item 4 – Public Hearing: Approximately 7:00 P.M. (or immediately following Public**
40 **Input) – Public Hearing and Consideration of an amendment to the Unified Development**
41 **Code (UDC) regarding the Mobile Home District (Title 13, Chapter 2, Section 8)**

42
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43 Katie said this is an amendment to the Mobile Home District to bring it into conformance with
44 State of Wisconsin Statutes. The proposed changes include:

- 45
- 46 • Remove references to the Mobile Home Park License and fees and insert language into
47 Section 7-17-2 of the Onalaska Code of Ordinances, as well as the City's Fee Schedule.
 - 48 • Modification of zoning district name to Residential – Manufactured and Mobile Home
49 District (R-MMH District).
 - 50 • Updated definitions.
 - 51 • Minimum acreage increased to fifteen (15) acres for a mobile home community and
52 minimum space dimensions for individual manufactured and/or mobile homes defined.
 - 53 • In lieu of a Mobile Home Developer's Permit, the City will require a Site Plan Permit for
54 any new or expansion to a mobile home community, with approvals required by the Plan
55 Commission and Common Council.
 - 56 • Updated references to State Uniform Dwelling Code and Electrical Code.
 - 57 • Removal of duplicative regulations as needed.
- 58

59 Katie referred to a memo written by Amanda and said she is present this evening if Plan
60 Commission members have questions.

61
62 Mayor Chilsen opened the public hearing and called for anyone wishing to speak in favor of an
63 amendment to the Unified Development Code (UDC) regarding the Mobile Home District (Title
64 13, Chapter 2, Section 8).

65
66 Mayor Chilsen called three times for anyone wishing to speak in favor of an amendment to the
67 Unified Development Code (UDC) regarding the Mobile Home District (Title 13, Chapter 2,
68 Section 8) and closed that portion of the public hearing.

69
70 Mayor Chilsen called three times for anyone wishing to speak in opposition to an amendment to
71 the Unified Development Code (UDC) regarding the Mobile Home District (Title 13, Chapter 2,
72 Section 8) and closed the public hearing.

73
74 Motion by Ald. Bialecki, second by Craig, to approve an amendment to the Unified
75 Development Code (UDC) regarding the Mobile Home District (Title 13, Chapter 2, Section 8).

76
77 On voice vote, motion carried.

78
79 **Item 5 – Public Hearing: Approximately 7:10 P.M. (or immediately following previous**
80 **hearing at 7:00 P.M.) – Public Hearing and Consideration of a substantial alteration**
81 **determination for the Nathan Hill Estates Subdivision Planned Unit Development (PUD)**
82 **for 402-412, 415, 422-432, and 442-452 Coronado Circle (Lots 1, 2 & 3 of Certified Survey**
83 **Map 1661047) and 415 Coronado Circle (Lot 1 of Certified Survey Map 1601242), and 462-**

84 **468 Timbercrest Drive, submitted by Chris Meyer of Dream Builders of Wisconsin LLC,**
85 **1589 Medary Lane, Onalaska, WI 54650 on behalf of Brian Miller of Nathan Estates LLC,**
86 **1820 Tahoe Place, Onalaska, WI 54650 (Tax Parcels #18-5955-0, 18-5955-2, 18-5955-6, 18-**
87 **5955-7 & 18-5955-8)**

- 88
- 89 1. Applicant shall abide by all requirements and conditions of previous Drainage and
90 Stormwater Plan approvals and with previous subdivision, plat and PUD approvals for
91 Nathan Hill Estates.
 - 92
 - 93 2. Rear yards to maintain a 10-foot buffer along rear property line for drainage purposes.
94
 - 95 3. The addition of decks will restrict future accessory structures.
96
 - 97 4. Homeowners' Association or Condominium Association will be established to address
98 maintenance, repair, and replacement of Coronado Circle, the buildings, including all
99 common areas and green spaces, ingress and egress easements, care and maintenance,
100 parking and restrictions, stormwater management/easement areas, as well as any
101 ownership or use restrictions. The Homeowners' Association shall provide a statement
102 of outstanding fees due and annual fees anticipated at the request of the owner or owner's
103 realtor (collectively, the "City Requirements").
104

105 All Homeowners' Association or Condominium Association documents shall be recorded
106 with the La Crosse County Register of Deeds prior to any land transfers. The Planning
107 Department shall be provided with a copy of all Homeowners' Association or
108 Condominium Association documents intended for recording for confirmation of
109 inclusion of the City Requirements. Failure to include the City Requirements shall cause
110 revocation of all permits for the development and shall cause no new permits to be
111 issued. Following recording of such documents, the recorded copies should be placed on
112 file with the City of Onalaska Planning Department. No amendment to the Homeowners'
113 Association or Condominium Association documents shall occur without a delivery of
114 the amendment to the Planning Department.
115

- 116 5. Submittal of a Preliminary/Final and Subdivision Plat for review and approval by the
117 Plan Commission and Common Council. All abutting property lines to be modified to
118 centerline of the Coronado Circle easement. All drainage, access and utility easements
119 shall be reflected in the Plat.
120
- 121 6. Creation and recording of legal documents to define ownership, access easements,
122 drainage easements, utility easements (both for public water main, hydrant and private
123 service connections) and maintenance of Coronado Circle.
124

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- 125 7. The final lift of asphalt is required for the private street known as Coronado Circle. The
126 property owner shall provide a copy of a contract to install the final lift of asphalt to the
127 City Engineer. The final lift shall be installed to the satisfaction of the City Engineer
128 prior to October 15th, 2016 or prior to the final occupancy of any units under construction
129 on the final 6-unit building (422-424-426-428-430-432 Coronado Circle).
130
- 131 8. Coronado Circle shall not allow on-street parking on both sides. Restriction should be
132 added to the association documents.
133
- 134 9. Owner/developer must pay all fees and have all plans reviewed and approved by the City
135 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
136 and improvements installed per approved plans prior to issuance of the occupancy
137 permits.
138
- 139 10. All conditions run with the land and are binding upon the original developer and all heirs,
140 successors and assigns. The sale or transfer of all or any portion of the property does not
141 relieve the original developer from payment of any fees imposed or from meeting any
142 other conditions.
143
- 144 11. Any omissions of any conditions not listed in the minutes shall not release the property
145 owner/developer from abiding by the City's Unified Development Code requirements.
146

147 Katie said this request is to review two proposed changes. There currently are seven parcels
148 within Coronado Circle. Two parcels are owned by Coronado Villas, which owns Coronado
149 Circle (a private drive) and the two existing four-plexes located on the northern side of Coronado
150 Circle. The remaining five parcels are owned by Nathan Estates, LLC and include three parcels
151 with six-plexes that either have been constructed or are under construction. The remaining two
152 parcels currently are vacant in the center island of Coronado Circle. Katie said the applicant is
153 proposing the following changes:
154

- 155 • Increase the density of the center parcels to allow for two triplexes, a total of six units in
156 the center parcels. Currently, the property owner has approval to construct a twindo and
157 a triplex – a total of five units. Katie noted that in 2014 the property owner requested a
158 reduction from overall 24 to 23 residential dwelling units. This request would bring the
159 units back to the previously approved 24 residential units.
- 160 • Modify the PUD to allow the five parcels under control of Nathan Estates, LLC to
161 subdivide each residential unit so that each unit and portion of the lot may have separate
162 ownership in a “townhome-style” development with 24 individual lots (including the two
163 triplexes and three six-plexes). All 24 units would be part of a Homeowners' Association
164 or Condominium Association.
165

166 Katie said city staff, legal counsel and the property owners have reviewed all the modified
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167 conditions included in commission members' packets. Katie said staff recommends approval
168 with the 11 attached conditions of approval.

169
170 Mayor Chilsen opened the public hearing and called for anyone wishing to speak in favor of the
171 proposed changes for the Nathan Hill Estates Subdivision Planned Unit Development (PUD).
172

173 **Christopher Meyer**
174 **1589 Medary Lane**
175 **Onalaska**

176
177 "I'm the project manager for Nathan Hill Estates. When I first started this project with Nathan
178 Hills, many of the neighbors when we started the project came to me and asked exactly what was
179 going on. A lot of them had great ideas of what was going on, but they wanted confirmation of
180 it. When I said we were building the buildings as we were, for rental properties, some of them
181 knew that it was going to be that way, but they expressed their concern in the past [by stating]
182 they wanted more of the neighborhood to be owner-occupied homes. I guess that's been a topic
183 here several times with the area – not Coronado Circle specifically, but the neighborhood in
184 itself. As we started the project and got things going we started putting on the exterior siding
185 and the stonework and you could see the structure, a lot of the same people cornered me again
186 and said they were extremely happy with the quality of the materials that we're using and the
187 design of the building. In short, what we're proposing here tonight is ... The market is an ever-
188 changing place, and right now rentals are a very strong part of the market. But we would like to
189 have the opportunity to open up these homes for individual ownership also, which is what is
190 desired within the neighborhood. Nathan Hill Estates doesn't want to eliminate the possibilities
191 of having them as rentals, which is the original plan. They want to open up the possibility of the
192 three ways that these are being marketed right now. They're being marketed as rentals; they're
193 being marketed as rent-to-own; and they're being marketed as outright purchases for individuals
194 to come in. To make that happen, right now if we set them up and put them as a Condo
195 Association, which is an easier thing to do and more common in the past, when somebody comes
196 in and wants to purchase a home they can get a three-year balloon or a five-year balloon for
197 financing until 80 percent of the units are sold. Having them as a Homeowners' Association,
198 they can come in from day one and get a 30-year or 15-year fixed mortgage. Doing this and
199 making this change opens up homeownership possibilities as being a much stronger thing."
200

201 Katie read into the record the following letter regarding the Nathan Hill Estates Subdivision PUD
202 from Attorney William G. Skemp of Fitzpatrick, Skemp & Associates, LLC: "*As I am unable to*
203 *attend this public hearing I wanted to write to the Plan Commission in support of the request by*
204 *Nathan Hill Estates to individually parcel the various properties within the development and*
205 *establish a Homeowners' Association. Brian Miller and I are the owners of this development*
206 *and have spent a considerable amount of time and energy on this project to make it a project that*
207 *the City of Onalaska and the neighborhood would be proud of. Our current request before the*
208 *city is to allow these properties to be subdivided into individual units under a Homeowners'*

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209 *Association. The association will then continue to maintain the properties at the high level in*
210 *which they were built. We believe this is the best alternative for the property, neighborhood and*
211 *community. I thank you for your consideration to our request.”*

212

213 Mayor Chilsen called three times for anyone else wishing to speak in favor of the proposed
214 changes for the Nathan Hill Estates Subdivision Planned Unit Development (PUD) and closed
215 that portion of the public hearing.

216

217 Mayor Chilsen called for anyone wishing to speak in opposition to the proposed changes for the
218 Nathan Hill Estates Subdivision Planned Unit Development (PUD).

219

220 **Neil Jennings**

221 **3765 Emerald Drive East**

222 **Onalaska**

223

224 “I’ve been here a number of times on this area up there. I thought we had it resolved, but I guess
225 we don’t. My question to Chris and Brian is, didn’t you know what this property was when you
226 purchased it a year ago? It was all laid out what it should have been then. They changed it from
227 four-plexes to six-plexes, and they did it without a hearing on it because they were told that it
228 was a non-substantial. They look like barns from the back side. The front sides look beautiful.
229 The back sides, where I live and other [residents] live, look like great big barns. Plus, we have a
230 lot of drainage problems out there. They don’t want to address it. [They’ve said], ‘We’ll take
231 care of it.’ They told one guy, ‘We’ll fill in your yard if water is coming in.’ He was there long
232 before they were. We want to work with them. We’ve tried working with these people. Now
233 they come along and say they’re going to sell them and they’re going to have their own
234 association. There’s already an association out there, so now we have two associations out there.
235 They should have to come under the ones that are already established there, if that’s the case.

236

237 My other question I have is, how many of you people [Plan Commission members] went out and
238 looked at this? You’re going to be voting on it. You went out and looked at it? You drove by
239 and looked to see what they’re doing? Well, you can see the mess that it’s going to create. It’s
240 getting so dense in there that those in the center should be owner-occupied like it was originally
241 supposed to be. I think everybody would be happy with that. Like I said, they still have
242 drainage problems. There are no curbs out there. The water will shoot down across the land. I
243 had water for the first time. I talked to Chris. They were OK. They took the city’s thing. I said,
244 ‘I can’t help it. I have water.’ He came out and he did put a berm in; I have to say that. He was
245 very cordial about that. [He did put] a berm in there, but we shouldn’t have to do that. You
246 shouldn’t pit neighbor against neighbor. The codes should say, ‘This is it.’ They still have some
247 drainage problems there on the rest of them they’re building. This is the one gentleman who
248 lives next to me. He had a lot of water in his basement. The city came out and said, ‘We talked
249 to the builders and they said, ‘We can’t do anything now. It’s frozen. We’re going to landscape.’
250 ’ All it probably would have taken is \$15 worth of sandbags laid across there until they could do

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251 it. But no, [they let] it go. That's why our group opposes this.”

252

253 **James Allen**
254 **3767 Emerald Drive East**
255 **Onalaska**

256

257 “Neil is my neighbor; we share a twindo there. I will speak on how the construction has affected
258 me. My yard kind of ended up getting rained into in December – quite consistently. My sump
259 pump broke down. I had to get a sump pump replaced, and basically I think it was running 24/7
260 for quite a long time. I stood in my backyard and I would just sink. I called the City Engineer
261 because we do have a drainage ditch that comes down the right side. It was designed for
262 drainage, and I don't know that when this section was originally developed if they were thinking
263 about building that many buildings up there. Basically what's happening is I'm going to get the
264 runoff of all this water coming down that drainage ditch. Before these buildings were here, in
265 the spring it would create a wide enough path that it looked like a river coming down. I'm
266 seeing some erosion at the bottom of the drainages. I've had the City Engineers out there twice.
267 The second time [Assistant City Engineer] Kevin [Schubert] came out because of the drainage
268 from the construction that was running into my yard, he suggested that I hire somebody to fill my
269 yard. I said, 'I really shouldn't have to do that because that would be quite a large cost for me to
270 fill in my yard so it's high enough so the water drains off.' That was [Kevin's] suggestion,
271 which I was a little bit upset to even hear from the city because he told me at the point when that
272 water was coming off that that's not how that construction should have been set up. It should
273 have been set up so the drainage was coming off into that ditch. It wasn't done at the time, and I
274 don't know that when it was fixed ... That was probably a temporary fix because the way Kevin
275 explained it, there had to be something buried into the ground so that it caught the water and took
276 it down the drain.”

277

278 **Pat Ceponis**
279 **423 Timbercrest Drive East**
280 **Onalaska**

281

282 “[I live] right across the street from where they're proposing this new building. When we bought
283 our property almost three years ago, we were told the property directly across from us – we are
284 in a twindo – was also going to be an owner-occupied twindo. We chose our area after looking
285 in Holmen and Trempealeau and other locations because of our view. We were told that the
286 larger apartments, townhomes would be around the outer circle, but it would not obstruct our
287 view. If you come in and you build these six-plexes that you're talking about, you're obstructing
288 our view. You're taking even more away from the people who have been living there for many
289 years. We pay our taxes. We support our community. In that three years, our house has been
290 shaken numerous times because of all this construction. It goes 24/7. I agree that it does not
291 happen at night, but they're out there first thing in the morning and late at night. We haven't
292 been able to have our windows open in the spring and in the summer for two years now. We're

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293 willing to put up with that thinking we would at least have quality, and now you're proposing to
294 take that away from us by erecting a triplex right in front of us. We would just ask that you give
295 some consideration to your taxpayers who have been there for several years, Neil among them.
296 They have real legitimate concerns about what's been going on in that area. Thank you."

297

298 **Robert Schloesser**
299 **3728 Harter Drive**
300 **Onalaska**

301

302 "I live on the corner of Timbercrest East and Harter Drive, so we look out over the construction
303 area. I think as far as the six-plexes [are concerned], that's probably water over the dam at this
304 point – no pun intended. I guess when I hear that they want to have those available as owner-
305 occupied, I can imagine that somebody will buy one of those and live in it until they want to
306 move somewhere, and then it will become a rental unit again unless there's an ordinance that
307 says they have to stay as owner-occupied. My biggest concern is increasing the number of
308 rentals in the center part of the circle. I was never aware that there were more than two twin
309 homes planned for that area. I understand now that there was a twin home and a triplex, and
310 they're being asked to have that be two triplexes. Once again, if they're not owner-occupied
311 we're adding to the rental population in the area. The other problem I have with adding more
312 units to that area is traffic and parking. There just doesn't seem to be enough right now. I don't
313 know where the parking is going to be for all the units we have there. I can see at some point in
314 time I'll probably have a row of cars parked along the curb on Timbercrest Lane East where our
315 house is. I just think it's the wrong thing to do to add more units to that small area. I just can't
316 see that supporting two triplexes. Thank you."

317

318 **Judy Degenhardt**
319 **301 Crestwood Lane**
320 **Onalaska**

321

322 "I agree with Bob, because where we live it's all rentals except for three homes. There are three
323 owner homes on Crestwood Lane. Especially in the winter, with this inside parking, you always
324 have somebody parked in front of your mailbox so the paper person can't get there. They just
325 throw the paper on the driveway. Nowadays everybody has two cars, and some of them have
326 three depending on if you have children or not that drive. That's a problem. Another problem
327 we have – and I know some of you were here at the last meeting – our house, for some reason,
328 whoever the inspector was when they built our house, they must not have ever checked it
329 because we have the sump pump on our side of the duplex, and the other neighbors next to us
330 don't have one. So consequently we're getting the water from up top of the hill. It comes down
331 and goes into our basement, and it has to be pumped out. And now with all these six-plexes
332 behind us, what is that going to do? I know we've talked to Chris, and he was going to try to get
333 it so when he excavates it and does it correctly so we don't have all this water. But there are so
334 many rentals out there now, and so many people have so many cars that it's really getting to be a

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335 problem. Thank you.”

336

337 **Nancy Allen**
338 **3767 Emerald Drive East**
339 **Onalaska**

340

341 “I’m the wife of Larry Allen, who was just up here, and we live on the other side of the Jennings.
342 We live in the twindo that is just below all of the construction. At the beginning of December
343 when it was warmer and when it was raining, that’s when we had the terrible problem with
344 water. As Larry said, our sump pump gave out and it was just terrible. Our backyard, if you
345 stepped in it, you just sank way down. We were able to get a new sump pump, and it was just
346 spouting water out of the back of the house. Larry spent almost two hours carrying pails of
347 water out to the front to dump so it wouldn’t go back in and go back into our house. I’m just
348 really worried about what will happen when the snow melts and when we get more rain and
349 things start coming down off that hill again. What I really want to see is for the builder to be
350 responsible to put in some type of structure and not just some Band-Aid that’s there right now
351 that will take care of this water problem. You’re hearing a lot of people talking about their sump
352 pumps and things like that. And believe me, it’s a problem.

353

354 We bought our house as an investment, as most people do. We don’t want to see it washed
355 away. I hope that you will realize that this water thing is a really big deal and something needs
356 to be done about that. So again, if there could be something that can be put in writing that some
357 type of structure needs to be put in place and it has to be perhaps okayed by somebody who
358 knows something about these type of structures so they can’t just put in any old type of Band-
359 Aid and people who are being affected by this water can have some type of safety measure so
360 that they don’t lose their investment. I think that’s very fair. It would have to be looked at by
361 someone and okayed because this really is only fair to those people who have been in their
362 homes and paid their taxes and do not deserve to have the rug pulled out from underneath them.
363 Thank you.”

364

365 **Ken Frank**
366 **413 Crestwood Lane**
367 **Onalaska**

368

369 “As mentioned earlier by one of the gentlemen, one of my concerns is the density there and
370 amount of cars that are there. I have some concerns should the unfortunate need arise for
371 emergency vehicles being able to navigate through that area. And I believe that part of the
372 original plan there were two exits out of Nathan Hill Estates, and now we’re down to one, so I’m
373 concerned about the traffic and also the lack of green space that we have. I would like to see this
374 move forward with some type of green space for expanding on the housing. Thank you.”

375

376 Mayor Chilsen called three times for anyone else wishing to speak in opposition to the proposed
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377 changes for the Nathan Hill Estates Subdivision Planned Unit Development (PUD) and closed
378 the public hearing.

379

380 Motion by Craig, second by Ald. Bialecki, to approve with the 11 conditions listed the proposed
381 changes as presented by staff for the Nathan Hill Estates Subdivision Planned Unit Development
382 (PUD) for 402-412, 415, 422-432, and 442-452 Coronado Circle (Lots 1, 2 & 3 of Certified
383 Survey Map 1661047) and 415 Coronado Circle (Lot 1 of Certified Survey Map 1601242), and
384 462-468 Timbercrest Drive, submitted by Chris Meyer of Dream Builders of Wisconsin LLC,
385 1589 Medary Lane, Onalaska, WI 54650 on behalf of Brian Miller of Nathan Estates LLC, 1820
386 Tahoe Place, Onalaska, WI 54650.

387

388 Ald. Bialecki said, "I'll second [Craig's motion], but that's with the understanding that if this
389 does get approved tonight that the concept design is conceptually only. The reason I say that is
390 that's not over here yet tonight when this is done. There still has to be a plat review done, and
391 what that means is the City Engineer will look at the drainage, the swales, et cetera to make sure
392 things fit out there. It's not that this is a done deal yet, and I believe that you've heard every
393 comment they're concerned with right now, and likewise for the builders, correct?"

394

395 Jarrod said, "I think the drainage issue isn't part of what is being discussed tonight because the
396 density would be in the center of the Coronado Circle drive. But the area in question does have a
397 20-foot drainage easement and was platted that way from Emerald Drive East along the back lot
398 lines through that area of all the individuals who spoke today. There is a large, storm sewer inlet
399 at the end of that drainage way. We have this in various spots in the community. The 20-foot
400 drainage swale was a condition of the site plan that this development has that, when their final
401 landscaping is done – which they haven't totally accomplished yet on that first six-unit building
402 that is just to the northeast of the property [of] the downstream individual next to the inlet –
403 they'll have to make sure that that swale is put back in to what is supposed to be there.

404

405 As the individual stated, my Assistant City Engineer, Kevin Schubert, was on site a couple of
406 times to talk to individuals out there. I did not personally go out there with Mr. Meyer
407 representing the developer at the time [last] fall. We had an unusual December where we
408 received 4 inches of rain late in the year. But this spring, the rest of those units, the developer is
409 on notice that the whole swale needs to get graded out. But I will note that this swale will
410 always carry water. It will always have water in it, and it's probably not going to totally alleviate
411 the problem of a sump pump running with the soil conditions that you have in that area. It is
412 heavier soils. It is a natural drainage system that's going to carry that water down to the inlet at
413 the corner unless the city would install a storm sewer system to go up that drainage way and
414 install inlets along through there. That would be the only way that that system would probably
415 totally dry out. When those units were actually constructed, a lot of the units, before any of the
416 units were actually put into the Coronado Circle development, we've been out in that area
417 meeting with individuals shortly after that development went in in 2005. Some of the units that
418 are in that area have been there for a number of years."

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419
420 Jarrod noted there were drainage issues both at 301 and 303 Crestwood Lane in 2009 and 2010
421 and said the drainage plan will be reviewed upon completion of the second unit being
422 constructed along the back lot line of Coronado Circle.

423
424 Craig said he considers water to be “a key issue,” adding that while he is sensitive to density he
425 does not view it as something that will halt the project. Craig said, “With all due respect, Jarrod
426 – and I know water has always been a problem out there – are we going to be taking steps to
427 make sure that no additional runoff really exacerbates the situation?”

428
429 Christopher Meyer admitted there were concerns with the water runoff when he first assumed
430 control of the project and said, “That was one of the very first set of stipulations that were put in
431 place for Nathan Hill Estates – to follow a very strict water abatement program. The biggest
432 challenges were in December with the big rain. We had an erosion control plan in place per the
433 city’s approval, and it did wash out in an area that was about a foot and a half to 2 feet wide. It
434 just let out, and some water did go on the neighboring yard. It went down and around. But it
435 was put back in. I rented a Bobcat and got it right back in. When the project is done we will
436 have a city-approved water abatement followed to a ‘T.’ ”

437
438 Craig said, “What I’m concerned about in the interim is, what can we do, if anything, to help
439 ensure that, for the short term – and I know you’re going to put something in place for the long
440 term that will help resolve that situation – what are we doing in the short term to make sure that
441 these folks don’t have ongoing problems?”

442
443 Christopher said there is a 6-inch curb cut into the soil on all sides to the back of the building,
444 and to the side of the building. Christopher said water is not leaving the property into the water
445 easement; rather, it is remaining there and soaking in. Christopher noted that that was the
446 erosion control plan and said, “In a way, because of the huge amount of rain that we had in a
447 short amount of time, that caused part of the problem because instead of it leaving slowly all
448 along the back of the property, that one corner about a foot and a half wide let loose. That was
449 repaired, and instead of a 6-inch in that area it’s quite a bit deeper. But literally right now we’re
450 trying to keep all water on premise. We’re not even having any of it leave. By April, we should
451 be in the position to start final landscaping on the final phase of the outer circle. By May, this
452 whole thing should have sod in place, water going into the water easement and taken care of.”

453
454 Jan noted that the Homeowners’ Association would involve all 24 parcels and asked if
455 individuals who rent a property will be required to pay for the association.

456
457 Christopher said yes, noting that the Homeowners’ Association’s rules and regulations will be
458 written stating each home will have a monthly fee. Christopher said this must be “spelled out
459 and given to the city.” A certain percentage must be directed toward roof repairs, siding,
460 maintenance and snow removal, among other things. Christopher said, “The renter, per se, is not

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461 going to be responsible for paying that fee. But the owner of the building will be paying that fee
462 out of the rental income.” Christopher noted that one of individuals representing the ownership
463 of Nathan Hill Estates is an attorney and said, “What is going to be written into there is, if fees
464 are not paid a lien, per se, can be put against the property to get the fees paid.”

465

466 Jan asked how this will be enforced.

467

468 Christopher said the Nathan Hill Estates Homeowners’ Association will enforce this.

469

470 Craig said, “Once a unit is sold and it becomes owner-occupied, can it go back to being a
471 rental?”

472

473 Christopher said yes and noted that the original zoning for this area was rental.

474

475 Katie noted that the entire area of Coronado Circle (seven parcels and the road) was all approved
476 when the final implementation plan went in. Katie also noted that this always was meant to be
477 rental property and said, “What they’re doing now is allowing the opportunity for home
478 ownership, which originally they wouldn’t have been able to do. By having this change come
479 forward they’re just allowing the opportunity to have home ownership, whereas before the city’s
480 hands were tied. ... It could go back to being rental because that’s what the original zoning has
481 been approved back when this development was originally done.”

482

483 Craig said, “I just thought that was a point that was brought up that I thought had merit. Does
484 that go back to rental again? Is that something that maybe ... Can that be considered as once it’s
485 sold and becomes owner-occupied, can’t it remain that?”

486

487 Christopher said, “I can see the thought process with that. But with the zoning being what it is, I
488 can’t see how that can be enforced. It is zoned for rental property.” Christopher asked Jarrod if
489 it is zoned for rental property, or if it was approved as rental property.

490

491 Craig said it was approved as rental property and stated, “I don’t think zoning says it has to be
492 rental or non-rental. That’s why I disagree with your assessment.”

493

494 Amanda noted that it is part of the Planned Unit Development.

495

496 Mayor Chilsen asked if the property may be owner-occupied at the beginning and move back to
497 rental.

498

499 Katie said a PUD allows the specification of permitted uses and conditional uses. It also states
500 what can be done with the different parts of the PUD. Katie noted that Nathan Hill Estates had
501 certain areas designated as commercial and senior housing, and a map noted where these uses,
502 including owner-occupied and rental, were supposed to be located. Katie noted the map depicts

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503 where the different areas are and said, “Tonight they’re not asking to change that. They’re just
504 asking for the opportunity to allow owner-occupied where they currently have rental.”

505
506 Craig said, “I’m asking, might it not be worthy of consideration to add a condition that says once
507 something is sold it becomes owner-occupied and remains so?”

508
509 Ald. Bialecki expressed reluctance over including such a condition. Ald. Bialecki noted that
510 owner-occupied properties would tend to bring more stability to the area in terms of types of
511 residents. However, Ald. Bialecki also cited the example of a resident being transferred out of
512 state and unable to sell his home immediately and said he believes there should be some
513 flexibility.

514
515 Christopher noted that the area was set up as rental as part of the PUD long before Nathan
516 Estates, LLC purchased the property in late 2013 and said, “We’re really not changing the rules
517 by going from a rental to a homeowner back to a rental. We’re just asking to have the flexibility
518 to improve the neighborhood to the point ... We’ve had people come to us and say, ‘Can we buy
519 these?’ And we’ve literally right now had to say, ‘No, you can’t.’ Nathan Hill Estates has put a
520 lot of time, energy and a lot more funds into these buildings than what one would put into a
521 normal rental project. The end of this development is to have the flexibility to do this because
522 markets change. I think it is a good point that if it does go back to rentals it’s not going back to
523 something that’s brand-new and not thought of.”

524
525 Mayor Chilsen asked if density is being altered.

526
527 Katie said one of the proposed changes is to increase the density of the center island from a
528 triplex and a twindo to two triplexes.

529
530 Christopher noted that this change would be a return to the original density that had been
531 approved.

532
533 Mayor Chilsen said it is possible to decrease the density.

534
535 Christopher noted that there already had been a decrease in density in 2014 and said the request
536 is to return to the original density.

537
538 Ald. Bialecki noted that a past proposal called for a multistory apartment complex on the site and
539 said, “I think tainting a little bit toward ownership gives a sense of stability to that area, along
540 with the association being more responsible for their property versus a possible perception of
541 ‘We’re transient [and] we don’t care.’ ”

542
543 Jan asked if the two triplexes will be one story.

544

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545 Christopher said there currently is a 24-inch drop in the center of the building already present.
546 This drop follows the elevation. Chris said, “We’re going to take the exact same building that
547 we’re putting up now and make it into two separate buildings. It will follow the same
548 architectural design that we are currently building. One will face north, and one will face south.”
549

550 In response to an inaudible question from an unidentified audience member, Christopher said the
551 original plan was to have the driveways go out toward her home. The driveways will not go out
552 toward the home with the new plan, but rather Coronado Circle.
553

554 Christopher and audience members engaged in a conversation that was inaudible on the
555 recording.
556

557 Christopher addressed a concern raised by an audience member regarding drainage and water
558 runoff of the first constructed 6-plex and said a downspout on the first building will be changed
559 from going down and around the building, with part of it being directed toward the water
560 easement.
561

562 Jarrod noted that the original PUD had four-unit buildings along the outside of the circle. With
563 the new configuration, Nathan Estates lowered it by two units, and Nathan Estates is asking to
564 put six units in the center. The original 2005 PUD had two twindos in the center – one facing
565 Timbercrest Drive East, and one facing the internal circle. The new configuration removed two
566 units on the outer circle. Nathan Estates went from four-unit to six-unit structures, but the
567 density was decreased. Jarrod said the proposal is to construct two triplexes in the center circle.
568 This will bring the density of the entire Coronado Circle area back to 32 units.
569

570 Katie asked if the Plan Commission is voting to approve both of the proposed changes.
571

572 Ald. Bialecki said yes.
573

574 On voice vote, motion carried.
575

576 **Item 6 – Public Hearing: Approximately 7:20 P.M. (or immediately following previous**
577 **hearing at 7:10 P.M.) – Public Hearing and Consideration of a rezoning request filed by**
578 **Steven Jirsa, 1024 Monroe Street, Onalaska, WI 54650 to rezone the property at 1024**
579 **Monroe Street, Onalaska, WI 54650 from Public & Semi-Public (P-1) District to Single**
580 **Family and/or Duplex Residential (R-2) District (Tax Parcel #18-1187-0)**
581

582 1. Rezoning Fee of \$300.00 (PAID).
583

584 2. Park Fee to be waived.
585

586 3. Any future improvements to this parcel will be subject to additional City permits (i.e.,

587 building permits).

588

589 4. Owner/developer shall pay all fees and have all plans reviewed and approved by the City
590 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
591 and improvements installed per approved plans prior to issuance of the occupancy
592 permits.

593

594 5. All conditions run with the land and are binding upon the original developer and all heirs,
595 successors and assigns. The sale or transfer of all or any portion of the property does not
596 relieve the original developer from payment of any fees imposed or from meeting any
597 other conditions.

598

599 6. Any omissions of any conditions not listed in committee minutes shall not release the
600 property owner/developer from abiding by the City's Unified Development Code
601 requirements.

602

603 Katie said this is a potential rezoning from P-1 to R-2 and noted that Steven Jirsa is in attendance
604 and available to answer questions this evening. Katie noted that a house was constructed in 1966
605 and said it now is considered nonconforming. The purpose of this rezoning is to remove the
606 nonconforming status and rezone the property to Single Family and/or Duplex Residential.
607 Doing so would bring the property into conformity with the remainder of the neighborhood.

608

609 Mayor Chilsen opened the public hearing and called for anyone wishing to speak in favor of the
610 rezoning request.

611

612 **Steven Jirsa**
613 **1024 Monroe Street**
614 **Onalaska**

615

616 “[My residence] is not a public playground; it’s my house. I’m just looking to get it rezoned to
617 R-2.”

618

619 **Richard Johnson**
620 **1020 Monroe Street**
621 **Onalaska**

622

623 “I’m Steve’s next-door neighbor, and I’m here to affirm that this would be a good change in
624 zoning.”

625

626 Katie noted she had received an email from Ryan Wessel of 1014-1016 Monroe Street stating he
627 supports the change in zoning for 1024 Monroe Street.

628

629 **Mark Von Ruden**
630 **1025 Monroe Street**
631 **Onalaska**

632
633 “I’m also in favor of the change. I’m in a similar zoning situation with [Steven], so hopefully
634 we’ll get his straightened out and then I’ll be back to file on mine. I would appreciate the
635 consideration.”

636
637 Mayor Chilsen called three times for anyone else wishing to speak in favor of the rezoning
638 request and closed that portion of the public hearing.

639
640 Mayor Chilsen called three times for anyone wishing to speak in opposition to the rezoning
641 request and closed the public hearing.

642
643 Motion by Ald. Bialecki, second by Craig, to approve with the six listed conditions a rezoning
644 request filed by Steven Jirsa, 1024 Monroe Street, Onalaska, WI 54650 to rezone the property at
645 1024 Monroe Street, Onalaska, WI 54650 from Public & Semi-Public (P-1) District to Single
646 Family and/or Duplex Residential (R-2) District.

647
648 On voice vote, motion carried.

649
650 **Item 7 – Reconsideration of a request for a Conditional Use Permit to allow the operation**
651 **of a child care center at 1001 Quincy Street, Onalaska, WI 54650 in a Public & Semi-Public**
652 **(P-1) Zoning District, submitted by Andy LeFebre on behalf of Rivers Harvest**
653 **Church/Rivers Harvest Inc., 1001 Quincy Street, Onalaska, WI 54650 (Tax Parcel #18-697-**
654 **0)**

- 655
656 1. Conditional Use Permit Fee of \$150.00 (PAID).
657
658 2. Site Plan Permit required for any alteration to the existing parking lot, building footprint
659 or accessory structure.
660
661 3. Fencing to comply with standards set forth in Section 13-6-10 of the Unified
662 Development Code.
663
664 4. All signs require permits.
665
666 5. Owner/developer shall pay all fees and have all plans reviewed and approved by the City
667 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
668 and improvements installed per approved plans prior to issuance of occupancy permits.
669
670 6. All conditions run with the land and are binding upon the original developer and all heirs,

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671 successors and assigns. The sale or transfer of all or any portion of the property does not
672 relieve the original developer from payment of any fees imposed or from meeting any
673 other conditions.

674
675 7. Any omissions of any conditions not listed in Plan Commission Sub-Committee Minutes
676 shall not release the property owner/developer from abiding by the City's Unified
677 Development Code requirements.

678
679 8. Property owner to enter into an agreement in form and substance acceptable to the City
680 regarding payment for services (PILOT).

681
682 Ald. Bialecki noted that the Common Council had referred this item back to the Plan
683 Commission because Rivers Harvest Church should have been informed that a PILOT needed to
684 be established. Ald. Bialecki noted that this item had been discussed at the January 19 Plan
685 Commission Sub-Committee meeting and said the city's legal counsel had met with church
686 representatives and a resolution has been reached. Rivers Harvest Church is utilizing its facility
687 as a daycare 36 percent during the week.

688
689 Motion by Ald. Bialecki, second by Craig, to approve a request for a Conditional Use Permit to
690 allow the operation of a child care center at 1001 Quincy Street, Onalaska, WI 54650 in a Public
691 & Semi-Public (P-1) Zoning District, submitted by Andy LeFebre on behalf of Rivers Harvest
692 Church/Rivers Harvest Inc., 1001 Quincy Street, Onalaska, WI 54650. Rivers Harvest Church to
693 be assessed a PILOT of \$707 per year versus the original total of \$1,965.

694
695 On voice vote, motion carried.

696
697 Ald. Bialecki said Rivers Harvest Church representatives are asking the Plan Commission to
698 reconsider the location of the fence on its property, which was installed prior to applying for a
699 building permit for the entire project. Ald. Bialecki said the Plan Commission had determined,
700 by virtue of the UDC, that the fence required a 3-foot setback. Ald. Bialecki referred to the
701 January 19 Plan Commission Sub-Committee meeting and said Andy LeFebre had noted that the
702 Coulee Golf Bowl's fence is right to the sidewalk. Ald. Bialecki pointed out that the difference
703 is the Town of Onalaska, where the golf course is located, does not have the same code the City
704 of Onalaska does. Ald. Bialecki said, "I don't know that there's any reason I could go against
705 the code as it stands right now with that 3-foot setback."

706
707 Lee Fehr, legal counsel for Rivers Harvest Church, cited the examples of St. Paul's Lutheran
708 Church, Hilltopper Heights Park, an office building along Sand Lake Road, and Mathy
709 Construction as locations where fences are against the sidewalk. Lee noted that Rivers Harvest
710 Church's fence already is in existence and said it improves the use of the facility for the children
711 when they play outside.

712
Reviewed 1/28/16 by Katie Aspenson

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18

713 Craig said, “I appreciate your perspective, but what the ordinance does is it seeks to eliminate the
714 placement of obstacles in close proximity to public use areas. As state statute says, which I’m
715 sure you’re aware of as a counselor, that anytime you look at variations every property is judged
716 on its own merits. There may be circumstances that we are unaware of when looking at other
717 properties that allowed those fences to be placed where they were. What I will tell you is when I
718 look at this, using that type of reasoning that, ‘They did it’ or ‘They did it’ without knowing the
719 circumstances surrounding that, even if it’s an oversight, tells me that, ‘They’re speeding.
720 Therefore, I can too.’ And that’s simply not the case. And without any danger, I disagree.
721 Walking on the inside of that sidewalk does not allow you to walk freely swinging your arms
722 without rubbing your knuckles on that fence. That’s what this ordinance is intended to do. It’s
723 allowing free use of those public areas unencumbered and unimpeded by obstacles that could
724 affect their use. And clearly, a fence does just that. Now, it’s not about putting lights on the
725 fence. It’s not about what somebody else did. The fence, in my mind, needs to be set back.”
726

727 Lee referred to a photograph of Rivers Harvest Church’s property and said the fence on the
728 adjacent Brandywine property goes to the sidewalk. Lee also suggested that the City of
729 Onalaska should move its fence at Hilltopper Heights Park if Rivers Harvest Church sets back its
730 fence. Lee then addressed the PILOT program, calling it “a very dangerous program.” Lee said,
731 “We negotiated, and whenever you negotiate on something like a tax you run into the difficulty
732 of being arbitrary and capricious. If you don’t happen to like me, I don’t get a deal. If you
733 happen to like me, maybe I don’t have to pay anything. I think you should really review this
734 PILOT program and codify it so that all parties, whether they’re Andy’s church or St. Paul’s
735 Lutheran or St. Pat’s or whether it’s some non-religious people that are opening a daycare, they
736 all get the same treatment. When I went to our meeting with our City Attorney, I heard, ‘Let’s
737 negotiate.’ What I felt was, ‘I have the opportunity here either to get a better deal than the next
738 citizen or to get a lesser deal.’ I don’t think that’s the way city government should be run, so I
739 would request that the counsel look at that PILOT program and probably abandon it or straighten
740 it out.”
741

742 Andy noted that Craig had expressed concerns about lighting at the Plan Commission’s
743 November 17 meeting and said this is why a lighting solution for the fence had been included in
744 commission members’ packets.
745

746 Craig said, “Safety has a lot to do with having an obstacle, which I brought up very clearly,
747 within that area of use for that public use area.”
748

749 Andy said it will be possible to move the fence, but he noted that it is on a slight hillside, “which
750 makes it a little more difficult and not a great spot for the fence. But we can do whatever needs
751 to be done. I just think we brought up the other examples that the city, if it’s a safety factor, how
752 many people of the city have been hurt at Hilltopper [Heights] Park because that’s been there for
753 30 years? If it’s a safety factor, that’s one thing. But has the city been sued because there’s a
754 fence on the sidewalk? It’s just something to consider.”

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755
756 Jan asked if the fence at Hilltopper Heights Park was erected prior to the setback coming into the
757 UDC.

758
759 Jarrod noted that most of the fences that were cited have been there “a long time” and said he
760 does not know when the 3-foot setback behind the right-of-way was added to the UDC. Jarrod
761 said, “It would lend itself to both arguments that all these fences have been there a long time.
762 But I know of no instance where we have had something come about due to the fence being next
763 to the right-of-way. With that said, it is in the code. If they have a reason due to slopes or
764 something and they want to try and leave the fence, maybe it’s better to try and get a variance.”
765

766 Craig noted that the City of Onalaska has a Board of Zoning Appeals, and he also noted that
767 under State of Wisconsin Statute whatever exists on a similar location does not guarantee a
768 variance for Rivers Harvest Church’s location. Craig said, “Everything is judged based on its
769 own merits.”
770

771 Andy inquired about the fence at Coulee Golf Bowl.
772

773 Jarrod said the City of Onalaska had installed the fence as part of the 2001 Green Coulee Road
774 project. Jarrod noted that the fence is located within the Town of Onalaska, but the City of
775 Onalaska had installed the fence to protect pedestrians. Jarrod added that the fence is set back
776 approximately 1 foot from the right-of-way.
777

778 **Item 8 – Consideration of a request to extend the Final Plat submittal requirement for one**
779 **year, as requested by Kevin Fry, on behalf of Elmwood Partners, 1859 Sand Lake Road,**
780 **Onalaska, for the 4th Addition to the Country Club Estates Plat (Tax Parcels #18-3566-100**
781 **& 18-4479-0)**
782

783 Motion by Ald. Bialecki, second by Jarrod, to approve a request to extend the Final Plat
784 submittal requirement for one year, as requested by Kevin Fry, on behalf of Elmwood Partners,
785 1859 Sand Lake Road, Onalaska, for the 4th Addition to the Country Club Estates Plat.
786

787 On voice vote, motion carried.
788

789 **Item 9 – Consideration of a request to extend the Final Plat submittal requirement for one**
790 **year, as requested by Dr. Leo Bronston, on behalf of French Valley, LLC, 1202 County**
791 **Road PH, Suite 100, Onalaska for the French Valley Neighborhood Plat (Tax Parcels #18-**
792 **4480-0, 18-4481-0, 18-4482-1, 18-4485-0)**
793

794 Motion by Ald. Bialecki, second by Jan, to approve a request to extend the Final Plat submittal
795 requirement for one year, as requested by Dr. Leo Bronston, on behalf of French Valley, LLC,
796 1202 County Road PH, Suite 100, Onalaska for the French Valley Neighborhood Plat.

797
798 On voice vote, motion carried.

799
800 **Item 10 – Update on Village of Holmen Comprehensive Plan Update**

801
802 Katie said the Village of Holmen is holding a Planning Commission Public Hearing at 6:30 p.m.
803 on Tuesday, February 23. Katie said a copy of the Comprehensive Plan Update may be obtained
804 from the City of Onalaska Planning Department as well as online. Katie noted that a copy of the
805 City of Onalaska’s Comprehensive Plan Update has been sent to the Village of Holmen, and the
806 City of Onalaska is reviewing the Village of Holmen’s to see if the two plans are compatible
807 with each other.

808
809 **Item 11 – Update on Conditional Use Permit for the cell phone tower at 111 Sand Lake**
810 **Road, Onalaska, WI 54650, applicant R. Shane Begley, 14114 S. Country Circle, Gordon,**
811 **WI 54838 on behalf of Elinor Thorud (Sand Lake Development, LLC); Brian Meier**
812 **(Central States Tower); and Verizon Wireless (Tax Parcel #18-767-1)**

813
814 Katie noted the Plan Commission had previously approved a CUP for the tower and said the
815 tower only was able to go up approximately 87 feet. The applicants had filed for a variance with
816 the City of La Crosse Board of Zoning Appeals, but the request was denied. Katie noted that a
817 lawsuit is underway and said it is her understanding that the City of La Crosse is continuing to
818 enforce the Airport Overlay Zoning District.

819
820 **Item 12 – 2015 Development Year End Report**

821
822 Katie noted there is a year-end report for all the development that occurred in 2015 and said
823 there is data dating back to 2006. Katie said that while the number of residential building
824 permits issued in 2015 was less than the five-year average, permits are being issued for “larger
825 and higher-valued projects.” The number of commercial permits issued in 2012 exceeded the
826 five-year average with 102. Katie said continued commercial development and permit issuance
827 is expected in 2016.

828
829 **Item 13 – Update on modification to the Unified Development Code (UDC) Section 13-6-16**
830 **pertaining to signs**

831
832 Katie said she intends to start a working group as the city’s sign code is “in great need” of
833 updating. Katie said she will be working with Craig and City Attorney Sean O’Flaherty, and she
834 said she also will be contacting commercial businesses and asking for input. Katie promised to
835 provide the Plan Commission with updates.

836
837 Ald. Bialecki noted a constituent had raised a concern that there is a conflict of interest because
838 Craig is employed by a sign company.

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839
840 Amanda said she does not have an issue with Craig assisting the working group if he can lend an
841 impartial view based on his experience with respect to signs.

842
843 **Adjournment**

844
845 Motion by Ald. Bialecki, second by Jarrod, to adjourn at 8:27 p.m.

846
847 On voice vote, motion carried.

848
849
850 Recorded by:

851
852 Kirk Bey