

(Approved)

**PLAN COMMISSION  
Minutes**

**April 2, 2018**

**Brillion City Hall**

**6:00 PM**

**CALL TO ORDER:** Mayor Gary Deiter called the meeting to order at 6:00 P.M.

**ROLL CALL:** Present were Mayor Gary Deiter, Lonnie Puskala, Zane Zander, Gerald Sonnabend, and Mike Buboltz. Also present was City Administrator/Clerk-Treasurer Lori Gosz. Absent were Al Ebert, Alderperson Joe Levash, and Public Works Director Andy Geiger.

**GUESTS:**

Beth Wenzel from the Redevelopment Authority Commission and Paul Birschbach.

**APPROVAL OF THE AGENDA:**

**Motion** – Buboltz moved to approve the agenda. Seconded by Puskala. Motion carried unanimously.

**APPROVAL OF THE FEBRUARY 5, 2018 PLAN COMMISSION MEETING:**

**Motion** – Zander moved to approve the February 5, 2018 Plan Commission Meeting minutes. Seconded by Buboltz. Motion carried.

**CONDITIONAL USE PERMIT:**

Gosz explained a Conditional Use Permit application was submitted by Elizabeth Wenzel for the property at 234 S. Main Street to be used as a short term rental property. She explained the application includes supporting documents from how the City of Appleton regulates this type of use. Gosz stated the City’s current Code for Conditional Use in a Residential District does not identify short term rental property as a Conditional Use.

Beth Wenzel explained she would like to purchase the home to be used as a tourist room house or vacation property. She stated there is not enough hotel space in the City. The house is a six (6) bedroom home and has two (2) bathrooms in which one (1) is handicapped accessible. The house would be rented out as a total house to one family; not per room. Puskala asked if there are enough bathrooms per State Code. Wenzel stated there will need to be improvements made per State Building Code.

Wenzel explained that State Law says the City can’t stop her from renting out the property, but can set restrictions to follow. Birschbach stated other communities have concerns of these types of homes; as known as “party houses”. Wenzel stated she does not want it to be a “party house”. Birschbach stated because this use is not listed in the current City Code for Residential Districts it doesn’t qualify as a Conditional Use. Birschbach stated without having the language in the City Code to permit the use as a Conditional Use Permit the City would be taking a risk that the hotel or anyone else might challenge the use. He recommended the City Plan Commission amend City Code before permitting the use. He would like to review the use and suggest language before the Plan Commission recommends the amendment to the City Code.

Wenzel stated she understands she will need to pay room tax.

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It was suggested to check with the City Attorney to see if she can rent out the house as is without a Conditional Use.

**GUENTHER PROPERTY:**

Gosz reported there has been an inquiry from an individual who is interested in purchasing the eleven (11) acre parcel on Round Lake Road and Horn Street. This individual would like to build a single family home on an eleven (11) acre parcel. Gosz explained in 2015 this was brought to the Utility Commission to extend a single water lateral to the property. At that time, the Utility Commission indicated they would rather see the water main extended from Horn Street on Round Lake Road to E. National Avenue in order to service the property. Gosz suggested the Plan Commission should consider whether or not this property should be divided into a subdivision verse allowing a single home on an eleven (11) acre parcel.

Birschbach questioned if this acre is targeted in the Comprehensive Plan. He suggested that he review this with Director of Public Works Andy Geiger and report back to the Plan Commission.

**BUILDING INSPECTOR REPORT:**

Monthly reports were reviewed by the Commission. Buboltz commented the report is nicely done.

**OLD BUSINESS:**

**A. RDA Downtown Redevelopment Project – Update:**

Beth Wenzel reported on the WEDC Grant announcement for the project.

She explained McMahon has been hired to prepare the specifications and bidding documents for the asbestos removal and demolition. Bid documents will go out to bidders within the next week. Bid selection will be at the end of April for work to begin in May. She explained McMahon was hired to assist with this due to the integral parts; i.e. water, sprinkler, electricity that needs to be disconnected from the Dollar General portion of the building. Gosz stated there was more asbestos found than originally presumed.

Wenzel reported the Fire Department would like to be able to do some training in the building before the demolition work begins.

**B. Brillion Iron Works Properties - Update:**

Gosz reported she received a call from Attorney George Marek who is representing the City on this project. The Ariens Company has submitted to the Seller their Work Plan for the Phase II Environmental Assessment. The Seller needs to respond by the end of the day April 2, 2018 whether or not they accept the Work Plan.

Gosz explained the Seller has indicated that they do not want the City to be named on the Phase II Report, but Ariens Company will agree to information in the report to be used by the City to prepare the necessary documents to the DNR to obtain a certified site inspection report, which is required for the creation of TIF under Act 70. A separate agreement will be drafted on this at no cost to the City.

Gosz reported Attorney Marak indicated several phone calls and emails have occurred to negotiate this. It was stated how important it is to hire an Attorney to protect the City's interests.

**NEW BUSINESS:**

(Approved)

Gosz reported she received a Public Hearing Notice from Calumet County Zoning Board of Appeals regarding Jonah Popp's request for a building code variance.

Buboltz reminded the Commission to consider areas in the City that can be developed for residential subdivisions. Mayor Deiter stated the Steinfest property is an area that can be considered. He will contact the Steinfests to see if they would consider selling to a developer. Birshbach stated he will contact developers from the Fox Valley that may be interested.

**ADJOURNMENT:**

**Motion** – Buboltz moved to adjourn the meeting. Seconded by Zander. Motion carried unanimously. The meeting was adjourned at 7:09 pm.

Lori M. Gosz  
City Administrator/Clerk-Treasurer