

MINUTES OF TOWN OF HULLM COUNTY OF
PORTAGE, BOARD MEETING, MONDAY
JANUARY 31, 2011

1. Call to order by Chairperson John Holdridge at 6:30 p.m. at the Town Municipal Building, 4550 Wojcik Memorial Dr., Stevens Point WI 54482.

Present: Chairperson Holdridge, Supervisors Mel Bembenek, Dave Pederson, Dave Wilz and LaVerne Syens.

2. Citizens wishing to address the board non-agenda items. Agenda items are for discussion with possible action. . (This opportunity for citizens to ask questions, express opinions is a 21st Century version of the opportunity citizens had in historic New England town meetings.) Modern Wisconsin law requires that no government action can be taken until a topic is placed on the Town Board agenda and published 24 hours in advance of the meeting.

Dale Bembenek, 1567 Brilowski Road N – at last month’s meeting Fire Chief Mark Kluck indicated his willingness to give up a dry hydrant in order to receive wages for firefighters. Request board bring this up at a future meeting and revote on the 2011 budget a way to save \$10,000.

3. Announcement Chairperson and Supervisors

Supervisor Dave Wilz:

- Need to appoint an Advisory Committee to study safety.
- Have met with Mark Fritsche and Mark Kluck at the Fire Department to discuss the F.D. finance structure.
- Other Fire Departments will be surveyed.

4. Review/Revision of Town of Hull Ordinance on Residential Development in Hull

Chairperson Holdridge:

- Review of Town of Hull Road Standards
- Received email from Dave Glodowski Town of Hull engineer – will review for potential suggestions
- Item #1 – All road development and improvements for roads within subdivisions and non-major thoroughfares shall be at the developer’s expense.

Pete Kaminski:

- Item #5 – The traveled roadway of twenty-two (22) feet in width shall be surfaced with three (3) inches of hot mix (blacktop) with a four (4) foot graveled shoulder on each side.
 - Unless the road is classified as a collector road the shoulder width should be three (3) feet – collector roads should continue with a four (4) foot shoulder
- Item #11 – The road right-of-way (33 feet from the center line of the road) shall be free of trees, rocks, flower gardens, fences, sprinkler systems, railroad ties, and other obstructions.
 - Included with 33’ road right-of-way, cul-du-sacs with one hundred-thirty (130) foot right-of-way.

Motion Supervisor Pederson, second Supervisor Bembenek, to reaffirm costs of new road construction will be borne by the developer, including signage, etc. Motion carried.

5. Portage County Planning and Zoning position on Firkus Road Development proposal
Jeff Schuler, Director and Chuck Lucht, Associate Planner, Portage County Planning & Zoning Department were present –

Clerk's note – a map of the area being discussed is included with the minutes of the December 6, 2010 board meeting.

Correspondence from Jeff Schuler to John Holdridge dated January 24, 2011:

“You recently submitted a letter with questions regarding the status of the extension/relocation of Firkus Road in the Town of Hull. At this time I would like to summarize the information to date, and identify what steps will be required to process this request through the Portage County Planning and Zoning Committee.

Background. The Town of Hull has been approached with a unique situation. For many years, the developed east/west portion of Firkus Road in Hull has, for all intents and purposes, ended at the Koziczowski property. An additional 33' wide strip of land, owned by the Town of Hull (originally dedicated as potential road right-of-way) extended north between the Koziczowski property and what is now the Chopper Farms/Oberthaler property for a distance of some 1,200+ feet. A road was never developed along this north/south stretch. Recently, the owners of property adjacent to the north of Chopper Farms/Oberthaler (Gawlik and Firkus) have undertaken to sell land for residential development. In order to access this land, a new road has been proposed to be constructed north through the Chopper Farms/Oberthaler property.

The Town has been in negotiations with the landowners/buyers (Oberthaler, Hebbe, Broecker) regarding road location, installation costs, and other responsibilities, with many of the details settled to your mutual satisfaction. Recently, Portage County Planning and zoning staff introduced the idea of including “dashed lines” on the proposed survey map establishing the new Town road dedication. These lines were intended to 1) reserve a portion of the northern lots for future road, should it become necessary for development purposes, and 2) provide a general concept for now a future road segment might be extended to connect the new dead end road with the larger road network (North Reserve Drive).

Requirements. Section 7.4.6.1 of the Portage County Subdivision Ordinance states that “the subdivider may be required to dedicate land for public roads and to construct such roads, as determined by the Planning and Zoning Department or town board.” In this case, the 66' wide area of land on Lots 1 and 2 of CSM 9778-42-108 and Lots 1 and 2 of CSM 9779-42-109 “Reserved for Future Public Roadway” is required, in order to allow a future extension of the new road segment, should it ever become beneficial or necessary to do so. Reserving it for future roadway does not require construction at this time. Any future construction of a road through this “reserved” area would be based on future development and Town road construction requirements and policies.

It seems the dashed lines extending west to North Reserve Drive listed as “potential future roadway” have caused a good deal of confusion. These lines were suggested in order to provide the one idea of how the road might eventually be tied back to North Reserve, creating a loop that would make the long dead end of the Firkus Road extension a more temporary situation. If an actual road extension were proposed in the future, Town road construction requirements and policies would again apply, as would review of the survey map establishing it.

Section 7.4.6.1(D) of the County Subdivision Ordinance states cul-de-sacs shall have a maximum length of 1,000 feet. In order for a dead end road longer than 1,000 feet to be approved, a Modification to this Ordinance section must be granted by the Portage County Planning and Zoning Committee. Modifications are considered on a case-by-case basis, and compelling reasons must be presented by the applicant to merit approval. This length limit was established for public safety and welfare reasons, to prevent the isolation of a large number of homes should their only access be cut off (like in the flooding of last September), and for other considerations such as use of resources (plowing, school bus routing, emergency services delivery, etc.). To be placed on the Planning and Zoning Committee

agenda, the person proposing the CSM will need to fill out the application paperwork, pay a \$350 fee, and appear to explain the request.

Planning and Zoning staff feel the most appropriate justification for supporting approval of the new road segment is that it will be replacing an existing segment that was identified as a possible road for many years, but never constructed. To that end, Planning and Zoning staff will only support the installation of the Chopper Farms/Oberthaler segment, if the existing 33' strip of land running along the eastern edge of the Chopper Farms/Oberthaler property is removed from consideration of ever developing as a dead end public road. This may include conveying the property to adjacent property owners. This is an issue the Town of Hull will need to resolve prior to application for modification to allow the new road segment.

We apologize for any confusion we inadvertently may have caused by adding the "dashed line" idea to the conversation. There is no Portage County Subdivision Ordinance requirement to include any reference to a future road (beyond the Firkus and Gawlik parcels). However, while not required, we find these types of notes on CSM's helpful should discussions on future development possibilities ever occur.

I Hope this has helped your understanding of the County's perspective on these issues. We look forward to meeting with you in person to discuss this memo, and resolve any remaining questions regarding this situation."

Discussion:

J Schuler there are two ways to do a RESERVATION for a road depending on circumstances

- Dedication can be required
- Arrangements for future road (whoever puts the road in will have to acquire property needed for the road). Would like RESERVE on CSM – an indication of where a road might go.

J Holdridge – who pays for the land?

J Schuler – if development occurs to the east of the proposed road the developer would have to purchase the land.

Jerry Koziczowski – if the proposed road goes in the town is land locking his piece of property. He had 33' road dedicated now cannot get to the back side of his property.

J Schuler – owner's developers must apply for Modification. Portage County is saying there is one (1) road or the other – beyond that it is an owner/town issue.

J Koziczowski, this became an issue when someone made a mistake in the zoning department.

Supervisor Pederson, when John Oberthaler purchased the property from Firkus' the property exceeded 15 acres/dedication not required. The county ordinance didn't apply.

J Schuler, abandon the 33' strip and returned to J Koziczowski or action taken so it is not a road. There cannot be 2 roads. Portage County Planning & Zoning Committee will make the final decision.

Tiffany Broecker, what harm in leaving the 33' strip set aside, it could be for future planning vs. complete abandonment.

J Schuler, there must be legal access to property; lots must be on a public street. Anything longer than 1,000 feet not acceptable as there is only a single access. While it may seem arbitrary to take that view Portage County P&Z will look at and make the final say. Staff will not support 2 roads.

J Holdridge, in 1991 a 33 foot strip was dedicated by Jerry Koziczowski. This was never plowed. Jerry put up a cable, never paid taxes. Do not want the town to get in to issues with the 33' strip. Support abandon and return to J Koziczowski.

D Pederson, abandonment takes Jerry's access.

J Schuler, there was land dedication for road right-of-way. While the land was dedicated it did not required putting in a road.

Teri Koziczowski, retiring soon and now town is closing off the land for development.

J Koziczowski, that land has been ½ of a road since 1940.

J Holdridge, do not want to monitor a 33 foot strip.

T Koziczowski, there are arbitrary lines shown on the map, why are we not given the same obligation?

J Holdridge, initially our preference was to use the 33 foot strip. Jerry was not forthcoming. The developers then came up with the middle route. Cannot use 33' for a road because Hull demands 66'. J Schuler, there should be official mapping done for future roads. At some point figure out how many lots are too many lots and understand concessions. Again staff will recommend the road has to be one way or the other.

Chuck Lucht, at the time of the sale parcels of 15 acres or more did not require review by the county. This has been changed.

J Holdridge (to Jerry Koziczowski), how many lots do you want to create?

J Koziczowski, 75 acres worth of lots.

Dan Hebbe, in the area marked with dash lines/reserved, can a gravel driveway go in?

J Schuler – yes.

D Wilz, instead of reserving the land why not dedicate it?

J Schuler – if going to dedication would have to be part of the modification. Suggest all attend the hearing on the Modification. Approval of the Modification request will allow going ahead with the town.

Motion Supervisor Syens, second Supervisor Bembenek, east/west dash lines to be on the Firkus/Gawlik and Oberthaler properties shall be on the maps and marked as RESERVED to prevent building of structures in this area (Range 8 Section 4) Motion carried.

Motion Supervisor Bembenek, second Supervisor Wilz, the east/west dash lines on the Oberthaler and Firkus properties are to be removed (Range 8 Section 4). Motion carried.

Motion Supervisor Bembenek, second Supervisor Syens, contingent upon approval of the modification request of Oberthaler, Gawlik, Firkus, Hebbe and Broecker, by Portage County Zoning Committee, the 33' dedicated land will be abandoned and shall go back to Jerome and Teri Koziczowski.

Motion Supervisor Bembenek, second Supervisor Syens, to amend the abovementioned motion contingent upon approval of the modification request of Oberthaler, Gawlik, Firkus, Hebbe and

Broecker, by Portage County Zoning Committee, road construction of the 66' proposed road will take place prior to abandonment of the dedicated 33'.

Aye – 4

Nay – 1

Motion carried.

6. Town of Hull Goals/Objectives for 2011

Review of spread sheet showing recommendation/accomplishments. Items 1-9 were recommendations from the audit in 2010: 1. Complete inventory of capital (equipment) assets; 2. Develop a record retention policy; 3. Undertake cross training for employees; 4. Maintain current and complete (only official) personnel files; 5. Obtain suggestions to resolve potential internal conflict from employer during performance review; 6. Establish a “Code of Conduct and Conflict of Interest” policy; 6. Establish an Inventory Control System; 8. Review purchasing Practice & Procedure; 9. Review gas procedures Practice & procedures.

Additions to the goals/objectives:

Ordinance update; Policy for Procedure Review; Hull Management Plan; Employee Handbook; Financial Plan – 20 years; Subdivision Ordinance; Review of Fire Dept. Operation; Citizen Response & Opinion Plan; Water Survey; Safety Survey.

D Wilz, suggest adding Safety Advisory Committee – with completion date of April 1, 2011

D Pederson suggests adding Grant Process – Planning & Zoning is always a resource.

Motion Supervisor Wilz, second Supervisor Syens, place Town of Hull Goals/Objectives for 2011 on the agenda of the February 21 board meeting (4th Monday). Motion carried.

7. Adjournment: Motion Supervisor Wilz, second Supervisor Bembenek, adjourn the meeting. Motion carried. Meeting adjourned at 8:07 p.m.

Janet Wolle, Clerk