

TOWN OF LA POINTE
AMENDED MINUTES
AMENDMENTS IN ITALICS
SPECIAL MEETING OF THE TOWN BOARD
Friday, June 19, 2009
At 3:30 At Town Hall

Called to order at 3:35.

Members present: Beth Fischlowitz, Ric Gillman, Ham Ross, Larry Whalen.
Larry Whalen nominates Ham Ross to be temporary chair in the absence of the Chair. Beth Fischlowitz seconds.

Motion to rearrange agenda items by addressing them in the following order: #1, #3, and then #2. Motion by Beth Fischlowitz; 2nd by Ric Gillman. Four ayes.
Motion carried.

1. Awarding of contracts for TRIP-D and Town of La Pointe street improvement projects. Town Foreman Keith Sowl asks the Town Board to take the bids under advisement at this time. Motion to table until the June 23, 2009, Regular Town Board Meeting. Motion by Ric Gillman; 2nd by Beth Fischlowitz. Four ayes.
Motion carried.

3. Discuss completing the process for the road vacations that are already in progress. Ric Gillman would like to move forward with the vacation process and asks Foreman Sowl to proceed. Keith requests the help of the Town Clerk and Administrative Assistant.

Town Chair Greg Nelson arrives at 3:50; Chair pro tem relinquishes.

2. Discuss Section 2 Definitions, Section 3 Zoning Districts and the Dimensional Table of the Town of La Pointe Zoning Ordinance. (This may be a joint meeting with the Town Plan Commission.

Representative Segments of Discussion:

Beth Fischlowitz listed the changes she observed in the old and new document.

Ric Gillman asked that Carl Broberg be recognized.

Carl Broberg stated that the Town Plan Commission had followed the Comprehensive Plan and also included some conditional uses for the purpose of providing flexibility for the future.

Ham Ross asked if the Town Board needs to return the document to the Town Plan Commission or deal with it tonight. He would prefer to send it back to the TPC.

Greg Nelson pointed out that the Town Board needs to be careful to follow the correct procedure.

Jen Croonborg wanted an answer (at the meeting) regarding the nature of the changes being made: can the work being done be called revising or replacing

because the process is different for each. For the sake of internal consistency and saving money, she suggested doing the changes all at once.

Carl Broberg suggested consulting legal counsel regarding the next step in the process.

Ted Pallas stated that changing something in one section can have unexpected consequences in other sections of the document.

Mike Starck pointed out that General Code has been hired to avoid just that.

They are still under contract to the Town and awaiting the Town's instructions in order to complete their job.

Jen Croonborg clarified the process by saying that it's part of Wisconsin statute to have a tentative draft presented at a Public Hearing.

Greg Nelson said that it looked like the Town Board had three choices: send the document back to the Town Plan Commission; get a legal opinion as to whether it's a revision or a replacement; or send the document to General Code.

Jen Croonborg stated that because there are "substantial and numerous" changes, it's a revision right now.

Beth Fischlowitz said that new members of committees don't get to review the work (of the committee) that was done before their appointment.

Ham Ross pointed out that it's still in process.

Larry Whalen pointed out that the last election was swung by ~~the issue of zoning.~~ *the public perception of the Public Hearing on Sept. 3, 2008.*

Ric Gillman asked Carl Broberg if the correct procedure for the ~~ordinance~~ *codification project* is to go to General Code and then to a Public Hearing.

Carl Broberg responded, "Yes."

Larry Whalen asked that the same question be asked of the Zoning Administrator.

Motion to send Section 2 Definitions, Section 3 Zoning Districts and the Dimensional Table back to the Town Plan Commission for a period of sixty days unless the statute calls for fewer. Motion by Larry Whalen; 2nd by Ham Ross. Three ayes; two no's. Motion carried. No votes by Beth Fischlowitz and Ric Gillman.

Mike Starck pointed out that Carl Broberg is still the Project Manager for General Code. The Town Board will address this at its June 23, 2009, meeting.

Motion to authorize the Town Chair to contact the Town attorney regarding the process for amending the Zoning Ordinance as it appears in the Zoning Administrator's memo dated June 10, 2009, Re: Informational packet: Zoning Ordinance Amendments/Comprehensive Revision Procedures. Motion by Ric Gillman; 2nd by Beth Fischlowitz. Five ayes. Motion carried.

Motion to adjourn. Motion by Larry Whalen; 2nd by Ric Gillman. Five ayes. Motion carried.

Adjourned by 4:50 PM.

Submitted by Patty Hobin

Approved as amended on June 23, 2009
Patty Hobin, Clerk