

(Approved)

**PLAN COMMISSION  
Minutes**

**April 1, 2019**

**Brillion City Center**

**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, Al Ebert, Zane Zander, Gerald Sonnabend, Mike Buboltz, and Alderperson Joe Levash. Also present were City Administrator/Clerk-Treasurer Lori Gosz, Public Works Director Andy Geiger, and Paul Birschbach.

**GUESTS:**

Steve Gries from Gries Architectural, Jesse Williams and Mark Olson from Ariens, Phil Cossen from Ehlers, and Joe Holzinger from Miron Construction.

**APPROVAL OF THE AGENDA:**

**Motion** – Sonnabend moved to approve the agenda. Seconded by Levash. Motion carried unanimously.

**APPROVAL OF THE FEBRUARY 4, 2019 PLAN COMMISSION MEETING AND  
FEBRUARY 21, 2019 SPECIAL PLAN COMMISSION MEETING:**

**Motion** – Sonnabend moved to approve the February 4, 2019 Plan Commission Meeting minutes and the February 21, 2019 Special Plan Commission Meeting minutes. Seconded Buboltz. Motion carried.

**MUNICIPAL ADVISOR SCOPE OF SERVICE – EHLERS – BOUNDARY AMENDMENT  
TO TID 5 & AMEND TIDS 3 & 4 TO SHARE WITH TID5:**

Cossen explained the Scope of Service is to amend boundaries of Environmental TID #5 to include property that was recently annexed into the City. The Developer's Agreement will need to be amended to include the property.

Cossen explained the amendments to TID #3 and #4 to allow for sharing revenue with TID #5. He explained the proposed cash flow of TID #5 will have a negative cash flow when the City borrows for the project until more development occurs. The amendment allows for cash sharing from TID #3 and #4 without having a negative effect on the General Fund.

Cossen apologized for the delay in the City receiving the Scope of Service from Ehlers. He explained it was sent from Ehlers on January 31<sup>st</sup>, but it was never received by the City.

**PUBLIC HEARING – REGARDING THE PROPOSED AMENDMENT OF BOUNDARIES  
AND PROJECT PLAN FOR TAX INCREMENTAL DISTRICT NO. 5:**

Mayor Deiter opened the Public Hearing at 6:06 PM asking testimony for or against the proposed amendment of boundaries and Project Plan for TID #5.

Mark Olson, Ariens Co., was present to speak on behalf of the Brillion Works, LLC. He explained the Ariens Co. has hired Gries to develop a Project Plan. They have contacted the DOT for approval for highway access.

(Approved)

Olson stated the biggest part is to daylight the stream of Spring Creek. They have engaged a firm from Montana to assist with this. By moving the stream it allows for more areas to be developed for residential development. Olson explained they are in the investigation stage of the housing development.

Olson stated he will offer his time to assist the Park & Recreation Commission to develop an Open Space & Rec Plan for grant opportunities for Horn Park.

Olson reported they are working with a liquidator for the personal property and scape. A meeting will be scheduled soon to begin planning for demolition work. This cost will be the City's and will require to be publically bid.

Olson also reported a property on Oak Street has been acquired to become part of the Redevelopment Project. There is interest for commercial development on Hwy 10. Also, Ariens Co. will help the City with the cost to remove the trees in Horn Park. This will happen in spring 2019.

Olson reported there are currently 75 employees in Plant #4.

Mayor Deiter thanked Olson for his report on the Project.

Mayor Deiter asked three (3) times for testimony for or against the proposed amendment of boundaries and project plan for TID #5. No testimony was given. Mayor Deiter closed the Public Hearing at 6:22 PM.

**PUBLIC HEARING – REGARDING THE PROPOSED AMENDMENT OF THE PROJECT PLAN FOR TAX INCREMENTAL DISTRICT NO. 3:**

Mayor Deiter opened the Public Hearing at 6:22 PM asked three (3) times for testimony for or against the proposed amendment of the Project Plan for TID #3. No testimony given. Mayor Deiter closed the Public Hearing at 6:23 PM.

**PUBLIC HEARING – REGARDING THE PROPOSED AMENDMENT OF THE PROJECT PLAN FOR TAX INCREMENTAL DISTRICT NO. 4:**

Mayor Deiter opened the Public Hearing at 6:23 PM asked three (3) times for testimony for or against the proposed amendment of the Project Plan for TID #4. No testimony given. Mayor Deiter closed the Public Hearing at 6:23 PM.

**CONSIDERATION OF RESOLUTION DESIGNATING PROPOSED AMENDED BOUNDARIES AND APPROVING A PROJECT PLAN AMENDMENT FOR TAX INCREMENTAL DISTRICT NO. 5, CITY OF BRILLION, WISCONSIN:**

Cossen explained the amendments for TID #5 is to pick up Parcel #1809 that was recently annexed into the City. He explained there will now be an amendment to the Developers Agreement to add this land.

Levash questioned why the larger parcel isn't being included. Cossen explained because of the Statute requirements of ER TID, 50% of the overall property must be environmental contaminated. If the larger parcel would be included this requirement would not be met.

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Levash questioned the closure of Shopko and how this might affect the value of TID #3. Cossen explained cash flow in TID #3 and TID #4. Levash questioned TID #5 base value. Cossen explained the base value. Buboltz questioned why TID #2 is not included. Gosz explained not using TID #2 will allow for redevelopment in the Downtown and if a positive cash flow when closed it can be used for affordable housing anywhere in the City.

**Motion** – Sonnabend moved to approve Resolution #RE19-03 approving the Project Plan amendment for Tax Incremental District #5. Seconded by Zander. Motion carried.

**CONSIDERATION OF RESOLUTION APPROVING A PROJECT PLAN AMENDMENT FOR TAX INCREMENTAL DISTRICT NO. 3, CITY OF BRILLION, WISCONSIN:**

Cossen explained the amendment for TID #3 and TID #4 is to cash flow with TID #5 if needed. He explained per the Development Agreement the City will need to issue debt as soon as 2019. The debt payment will be in 2020 until there is an increase in development there will be a negative cash flow in TID #5.

Cossen explained the amendments only extends TID #3 and TID #4 another 3 to 4 years.

**Motion** – Bubolz moved to to approve Resolution #RE19-04 approve a Project Plan amendment for Tax Incremental District No. 3. Seconded by Zander. Motion carried.

**CONSIDERATION OF RESOLUTION APPROVING A PROJECT PLAN AMENDMENT FOR TAX INCREMENTAL DISTRICT NO. 4, CITY OF BRILLION, WISCONSIN:**

**Motion** – Zander moved to approve Resolution #RE19-05 approve a Project Plan amendment for Tax Incremental District No. 4. Seconded by Sonnabend. Motion carried.

**BUILDING INSPECTOR REPORT:**

Birschbach reported the State of Wisconsin Code SPC 316 has been changed to no longer exempt ag buildings and require municipalities to comply by turning electrical inspections over to the State or have the municipality take care of it themselves. An amendment to our City Code will be required to include inspection of SPS 316.

**OLD BUSINESS:**

**A. Residential Development – Consider Areas for Future Development:**

Mayor Deiter stated the Brillion Works Development will include residential development. The City should support this development as it moves along.

**NEW BUSINESS:**

**A. Certified Survey Map – 1520 Sunset Drive – Stephen Wacek:**

Birschbach explained the lot meets the City's Code for size. Setbacks will need to comply with the Code for corner lots.

**Motion** – Sonnabend moved to recommend to City Council to approve the Certified Survey Map for Stephen Wacek for 1520 Sunset Drive without a Public Hearing. Seconded by Levash. Motion carried.

**B. Rezoning Request – Ariens Company – 505 N. Glenview Avenue:**

(Approved)

Geiger explained the request for the lot to be rezoned to create an access driveway to the Ariens Co. property at 655 W. Ryan Street.

**Motion** – Sonnabend moved to recommend to City Council to set a Public Hearing date for the rezoning request by Ariens Co. for 505 N. Glenview Avenue. Seconded by Puskala. Motion carried.

**C. Code Amendments:**

**1. Parking Requirements:**

Birschbach explained the proposed plans for the Ariens Co. new parking lot is up the right-a-way easement on Ryan Street. Geiger explained in C-2 Highway Commercial District there is no consistency in the right-of-way easement, C-2 has no setback requirement. The City Code for parking required a setback of 50 ft. from the right-of-way easement in Industrial Districts. Many of the properties are grandfathered. Geiger suggested a reduced setback to allow for more parking.

Jesse Williams stated the change in parking is to fix drainage on the lot and to add new loading docks which will result in loss in parking.

**Motion** – Sonnabend moved to recommend to City Council to set a Public Hearing date to amend Sec 106-148 for Parking in Industrial Districts from 50 ft. to 10 ft. Seconded by Buboltz.

Birschbach stated there will be requirements for storm water on the property.

Motion carried.

**2. Accessory Buildings:**

Geiger explained that Sec 106-168 in the City Code should be 960 sq. ft.

**Motion** – Puskala moved to recommend to City Council to set a Public Hearing date to amend Code Sec. 106-168. Seconded by Zander. Motion carried.

**ADJOURNMENT:**

The meeting was adjourned at 7:21 pm.

Lori M. Gosz  
City Administrator/Clerk-Treasurer