

PLAN COMMISSION MINUTES - 12/14/2011

Plan Commission Offices
Manitowoc City Hall

Regular Meeting
Manitowoc City Plan Commission
Wednesday
December 14, 2011
6:30 P.M.

I. CALL TO ORDER

The meeting of the City Plan Commission was called to order by Chairman Justin Nickels at 6:30 P.M.

II. ROLL CALL

Members Present

Dan Hornung
Justin Nickels
Jim Brey
Val Mellon
David Diedrich
Steve Alpert
Maureen Stokes

Members Excused

Jim Muenzenmeyer

Staff Present

David Less
Paul Braun

Others Present

See Attached Sign In Sheet

III. APPROVAL OF MINUTES of the Regular November 16, 2011 Meeting.

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| <u>Motion by:</u> Mr. Diedrich _____ | <u>Seconded by:</u> Mr. Hornung |
| <u>Moved that:</u> the minutes be approved as presented. | <u>Upon Vote:</u> the motion was approved unanimously. |

IV. PUBLIC INFORMATIONAL HEARINGS

A. None

V. REFERRALS FROM COMMON COUNCIL

A. None

VI. OLD BUSINESS

- A. PC21-2010/PC53-2009/PC28-2007: Great Lakes Energy Technologies, LLC/Orion Energy Systems, Inc.; Proposed Small Wind Energy System on Woodland Drive Under Section 15.770 of Manitowoc Municipal Code - Annual Compliance Review

Mr. Less explained that this was the annual compliance review regarding 2 previously issued Conditional Use Permits (CUP) – a 2009 CUP issued by the Council on December 21, 2009 for a 115' tall monopole wind turbine (PC53-2009); and a 2010 CUP issued by the Council on June 21, 2010 for a 176.5' tall monopole wind turbine (PC21-2010). Mr. Less stated that he had outreached to the Building Inspector, Police Chief and Woodland Dunes for input into this matter, and there were no compliance problems identified from these resources.

Mr. Less recommended that the Commission advise the Council that had it completed its 2011 compliance review, and that there were no negative findings or material disclosures identified, and recommended further that neither of the CUP's be modified, amended or revoked at this time.

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| <u>Motion by:</u> Mr. Brey | <u>Seconded by:</u> Ms. Stokes |
| <u>Moved that:</u> the Commission approve the Planner's recommendation above. | <u>Upon Vote:</u> the motion was approved unanimously. |

Ms. Mellon commented that she had spoken with Jim Knickelbine from Woodland Dunes, and was told that Orion had been a very good neighbor regarding the bird-related issues.

Mr. Brey asked Mr. Less if he sent out notices to property owners within 200' of a subject property for annual compliance reviews of previously issued CUP's?

Mr. Less stated that he did not use that notice process for annual compliance reviews, and instead relied on the Building Inspector and Police Chief to review their files regarding whether or not there were complaints.

VII. NEW BUSINESS

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A. Discussion of 2012 City Municipal Budget and Impacts on Planning Department

Mr. Less explained that the City Council was getting ready to finalize a re-organization plan that would impact Planning, and wanted to alert the Commission that going forward into 2012, might involve changes as to how the department would be organized, and how it might relate to the operation of the Plan Commission, as well as the entire City operation. Mr. Less stated that he hoped the department would be able to retain its core functions, and advised that going to a Commission meeting once every 2 months might be a consideration in the near future.

Mr. Brey commented that he was confident that the Council's "Ad Hoc Committee to Determine the Structure of Government Committee" would reach a consensus at tomorrow night's meeting, and would bring that plan to Council for final action on Monday, December 19th.

Mr. Hornung asked if there were any functions that could be offloaded to other departments?

Mr. Less replied that there were discussions at the State level regarding regionalizing revolving loan funds, but added that the day may come when the City would have to give up its loan programs because it would no longer have the capacity to administer these programs. Mr. Less noted that this could be a future role of the EDCMC, as the body that he felt most likely to be responsible for perpetuating the economic development function for the City.

Mr. Brey commented that he felt that there might be other private groups that could take over the operation of the Farmers' Market from the department.

Mr. Less noted that there had to be a group willing to take on that responsibility, and added that it might be that the department would continue to manage the Market for 2012, with the clear understanding that it would not do so going forward beginning in 2013.

Mr. Diedrich questioned if the EDCMC might be able to support the department in preparation of upcoming Plan Commission meetings?

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Mr. Less stated that this was not the expertise of the EDCMC, and added that a lot of that workload would fall to him, and he in turn, would be moving more work responsibilities to Mr. Braun and others remaining in the department. Mr. Less added that the department would have to figure out what it was going to be in the future.

No action was taken.

B. Discuss Potential Action Regarding 2011 US EPA Community-Wide Assessment Grants

Mr. Less explained that while the City had signed the “Cooperation Agreement” with US EPA regarding the grants, he had held up signing a contract with Symbiont regarding administration of the \$400,000 US EPA grants, because of the lack of clarity regarding whether the GIS function would survive the City-wide re-organization process. Mr. Less explained that the reason he sent the Symbiont contract materials and the work plan to the Commission was to make them aware of the requirement related to moving forward, and that the grants included approximately \$10,000 in support and upgrades to the City’s GIS system. Mr. Less added that the re-organization plan to be ultimately adopted by Council, would determine for him whether or not he would accept or turn back these grants. Mr. Less commented that the department would have to feel its way through this re-organization process.

Mr. Alpert stated that at last month’s meeting, Brad Viegut from Baird talked about TIF, and asked if this was in play with the current discussion?

Mr. Less replied that if the TIF work was to be done in 2012, it needed to be done by someone, who was typically him. Mr. Less added that Mr. Viegut identified \$15,000 as the fee Baird would charge to perform these services. Mr. Less noted that this was an example of work that could be done by him, with other work moving downstream to others in his department.

Mr. Diedrich felt that if the City embarked on amendments to its TIF districts in 2012, it would be more cost effective to find out as soon as possible if it was going to be approved or not approved by the TIF Joint Review Board.

Mr. Less stated that there was a statutory process to be followed, which would make this upfront determination difficult. Mr. Less noted that he would look for the initial discussion to take place at the Plan Commission, which would then forward a

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recommendation to Council regarding how, and/or whether or not to proceed. Mr. Less noted that he would take the Council's action as affirmation to either move forward with the statutory process, or to not do so.

Mr. Brey commented that he felt the County might be supportive of the City's effort in this area if the donor:recipient amendments did not extend the districts to their maximum allowable life under the law.

Mr. Hornung commented that he hoped the next time this matter was discussed, there would be a decision to either go forward or not.

Mr. Less again stated that the role of the Commission would be integral to this process, and the decision of whether or not to move forward. Mr. Less stated that in the past, the Joint Review Board has ultimately been supportive of the City's efforts, and hoped that would be the case in 2012, and that everyone would understand they were in this situation together.

Mr. Diedrich commented that the Planning Department was the engine that drove tax base growth in the City, and should not be overwhelmed.

Mr. Alpert asked if the TIF amendments in 2012 would help the 2012 City budget?

Mayor Nickels stated that it would not help the 2012 budget, but would help the 2013 budget, and that without these actions, the 2013 budget would be problematic. Mayor Nickels explained that the City's general fund reserves were exhausted, and that the under funding of the TIF's had been pointed out by Moody's and others.

Mr. Diedrich stated that he hoped the people understood that TIF was not a bad thing, and was an essential tool to continued economic growth in the City.

Mr. Less noted that there were economic factors beyond the control of the City that contributed to the current malaise.

Mr. Brey again stated that he felt that there might be room to garner County support of 2012 TIF amendments if a period of extending the life of certain TIF's was agreed upon.

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Mr. Alpert commented that those overlying taxing jurisdictions would have had no tax base growth had the City not moved forward and created these TIF districts in the first place.

Mr. Less commented that the City was the only entity that funded TIF projects, and that the repayment of a TIF was predicated on a cost sharing amongst the overlying taxing jurisdictions, with the City shouldering the financial risk. Mr. Less noted that no other party was ponying up monies for these projects.

Mr. Diedrich stated that there wouldn't have been any growth in these areas in the absence of these TIF investments.

Additional discussion was held.

No action was taken.

VIII. MISCELLANEOUS

A. Manitowoc County Activities:

1. None

B. Certified Survey Maps (CSM):

1. None

C. Summary of Site Plans 11/10/2011 - 12/8/2011:

1. SP13-2011: Federal Mogul Corporation, 2318 Waldo Boulevard - Parking Lot Addition (approved)

IX. ADJOURNMENT

The meeting was adjourned at 7:00 P.M.

Respectfully Submitted,

David Less
City Planner

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