

**MINUTES OF THE SPECIAL PLANNING COMMISSION MEETING
HELD SEPTEMBER 6, 2022, 6:00 PM**

Members Present: Mayor Ken Tutaj, Alderman Steve Wattawa, Commission Members Charles Buechel, Tom Kiepczynski, Richard Lentz.

Excused: Tim Niemiec, and Eric Stemwell.

Also present: City Administrator Mark Johnsrud, City Engineer/Director of Public Works Melinda Dejewski, City Attorney Paul Alexy, and other interested citizens.

1. Roll Call

City Engineer called the roll. Commissioners Niemiec and Stemwell were excused.

2. Call to Order

The meeting was called to order by Mayor Tutaj at 6:00pm.

3. Public Hearing

Front Yard Decorative Fence Permit Application – 4464 South Whitnall Avenue

Mayor Tutaj opened the public hearing at 6:01pm. He called for public comment 3 times. The public hearing was closed at 6:02pm.

Alderman Wattawa asked if the applicant was in attendance. They were not. There was discussion on if the applicant was notified of the hearing. It was unclear if they were or not.

City Administrator Johnsrud stated that in 2021, this property was rezoned from M-1 to R-1. A shipping container had been placed in the front yard in early 2022 but has since been removed and the fencing had been installed without a permit. They are now applying for the permit.

It was brought forward that the ordinance regarding front yard fences does not allow metal fencing. The ordinance would need to be amended by the Common Council. No public hearing is required since it is not a zoning code ordinance.

Commissioner Lentz stated that metal fencing would be acceptable if it is not chain link.

Commissioner Kiepczynski stated that the industrial look would be acceptable in this location due to its proximity to the industrial park on S. Kansas Avenue. He is concerned about setting a precedent.

Alderman Wattawa concurred but was concerned about the pillars being made from corrugated metal and the shiny-ness of them. They did not match the rest of the fencing.

Commissioner Buechel stated that the industrial fencing would be acceptable in this location but he is also concerned about setting a precedent.

There was discussion on how to change the ordinance to allow situational review of decorative front yard fencing.

A motion was made by Alderman Wattawa, seconded by Commissioner Lentz to deny the application. The motion died due to Alderman Wattawa withdrawing his motion. The second concurred with the withdrawal.

There was discussion on how to proceed with the application, that the only complaints received about the property were about the shipping container which is now removed and the color of the fencing and posts.

A motion was made by Commissioner Kiepczynski, seconded by Commissioner Buechel to refer the application to the September 28, 2022 meeting.

On the question, it was clarified that the Common Council will review the decorative front yard fence ordinance at the September 20, 2022 meeting so that the Planning Commission can complete their review at the September 28, 2022 meeting.

Motion carried.

2. Minute Approval

None.

3. Correspondence

None.

4. Discussion and Possible Action

None.

5. Unfinished Business

None.

6. Adjourn

A motion was made by Alderman Wattawa, seconded by Commissioner Kiepczynski to adjourn.

Motion carried. Meeting adjourned at 6:27pm.