

August 22, 2016

CITY OF WASHBURN SPECIAL COMMON COUNCIL MEETING

5:30 PM Washburn City Hall

Present: City Council Members: Linda S. Barnes, Kristy M. Jensch, Mary McGrath, Jeremy P. Oswald, Jennifer Maziasz and Mary C. Nowakowski

Municipal Personnel: Mayor Scott A. Griffiths, City Administrator Scott J. Kluver, City Attorney David Siegler, Assistant City Administrator Dan Stoltman

Excused Absence: Robert Arquette

**Call to Order** - Meeting called to order at 5:30 pm by Mayor Scott A. Griffiths. Roll call attendance depicted six (6) of seven (7) members of the Common Council in attendance. Quorum of the Council recognized.

**Continued Public Hearing, Discussion & Action, Ordinance 15-014 Amending Title 13 of the City of Washburn Municipal Zoning Code and Making Other Revisions to Other Part of the Municipal Code in Conflict or Related to Title 13 as Herein Amended -**

**Request by School District to Allow Animals** – Mayor Griffiths spoke on having a temporary permit process for animal grazing for the purpose of mitigating invasive species. Tom Wiatr spoke on the school districts position for requesting temporary permission to allow goat and sheep grazing to mitigate invasive species. Vickie Aldridge spoke on the reasons for requesting grazing by goat and sheep to mitigate invasive species. Azsa Greiner, owner of the goats and sheep and whom would be managing the grazing, spoke on the controlled grazing, and answered questions from Council. Council member Nowakowski asked what difference between mowing and grazing would be. Ms. Greiner stated that grazing animals will eat different parts of the plants at different periods or time, eat the new sprouts, and do more damage to the plant. She stated that over time grazing produces better results over mowing. She also stated that grazing is better in those areas that are hard to reach or are sensitive to chemicals, such as in ravines or near the water front. Ms. Greiner stated that the animals would be either taken home each night or locked in a trailer at the location of the grazing. Oswald asked if grazing could be temporary use permit, and what the Council needs to do to make it happen? Tim from CiviTek responded that we need a definition of the grazing service, and in the land use matrix would include it as a temporary use, identify which zoning districts to allow it, and other procedural steps. Nowakowski asked how long a period does it take for the grazing to yield permanent results. Ms. Greiner responded 3-5 years. Council member Jensch stated she would like to see this method potentially deployed in other areas of the City. It was stated that the school district would like to start the grazing in the fall of 2016. Attorney Siegler stated that if the school wanted to have this permitted under the current code, the Council could issue an authorizing letter to permit the grazing, signed to the Mayor or Administrator without having to change an ordinance. It was stated that the authorizing letter would be on the September 2016 Council meeting agenda. Nowakowski stated that the service provider needs to be licensed and insured, and have that specified in any language allowing such service. No motion was made.

**Final Review with Zoning Consultant** – Tim from CiviTek gave an overview of the new zoning code changes on the new final draft. Tim went through the requested changes, and clarifications Council had submitted one by one using the revision work sheet. The following follow the order of the worksheet:

PG. 2:

#2- Take “airport” out of the zoning matrix.

#5- Take “bulk fuel storage” out of the zoning matrix.

#6- A discussion took place regarding “industrial and manufacturing” in the C-3 zone to accommodate Western Engraving. A motion was made by Oswald to make manufacturing as a conditional use permit in the C-3 District, second by Barnes. Motion carried unanimously.

#7- Take “salvage yard” out of the matrix.

#8- taken care of.

#9- “residential garage” is allowed by right.

PG 3.

#14- Already covered in the new code.

#1- A discussion was had on the minimum square footage of houses. It was stated that regardless of the house size, they must hook up to city water and sewer. A motion was made by Oswald to make the minimum living area per dwelling 400 sq. ft. in all residential areas, second by Jensch. Motion carried 5-2 Barnes and Nowakowski opposed. A discussion was had on waterfront residential minimum living area per dwelling. A motion was made by Nowakowski to make the minimum living area per dwelling in R-7 and C-1 1,000 sq. ft., second by Barnes. Motion carried unanimously.

#3- no action was needed.

#4- A discussion was had. It was stated to change corner lots to 65 sq. ft., but keep 50 sq. ft. on the other non-corner or lots. No motion was made.

PG. 4

#7 – A discussion took place. It was stated that a greenhouse is an accessory building, but tree house, playhouse, bat apartment, pergolas, etc., are not accessory buildings, and not to worry about them.

#10. A discussion took place. It was stated that the front of the house should generally be parallel to the road. Roof angles oriented in such a way to capture sun for solar energy doesn't have restrictions.

PG. 5

#10- A discussion took place. It was stated that artisan shop will be a conditional use permit in the commercial districts. The change will be worded appropriately in the new code by stating everything is to be stored, and activates conducted within the confines of the building, unless otherwise permitted through a CUP. If all your business is conducted within the confines of the building, it's permitted by right.

PG. 6

#6- It was stated that the Plan Commission will be in charge of site plan approval. Council will be in charge of the appeal process.

#7- It was stated that the Plan Commission will be the architectural review board.

#8- It was stated that no new board is needed for architectural review.

PG. 7

#16- It was stated that flag lighting must comply with table 19-1, light trespass.

A discussion took place on the City Attorney Siegler's letter regarding zoning issues. Section 6-37(a) was discussed. It was started by Siegler that the zoning change notifications should be broader. It was stated that anyone who asks to be on the notification list, be notified whether they are impacted by the zoning change or not. Tim from CiviTek went through the remaining parts of the letter, and stated that they took care of each topic. No discussion took place on the remaining topics of the letter from City Attorney Siegler.

Council Member stated that she wants to change any requirement that means a garage needs to be set back at the level of a house or behind a house. Jensch stated that, right now, she doesn't have a permanent garage, but would either have to set it back so far that it would cut off light/air in Windows to the side of her home, or get a variance to close an alley, cut trees and open up from the back, which is less than ideal. It was stated in the zoning code, she would submit a site plan to the Plan Commission for approval.

Nowakowski discussed page 7-6 item number 7-26 "development agreement". Nowakowski stated that the language currently says "may" enter into a development agreement, but feels it should say "must" enter into a

development agreement. City Attorney Siegler stated that the City already requires a site plan for developments, which acts as the same thing.

Mayor Griffiths stated that the manner in which the page numbers and articles/section are labeled, makes it confusing. Griffiths requested that the page numbers be changed in a way that differentiates it from the articles/sections. Tim from CiviTek stated that they will change the page numbering.

It was stated that CiviTek will now prepare a final draft of the zoning code with all the changes made, to be presented to Council for final approval.

A motion was made by Jensch to close the public hearing Ordinance 15-014 Amending Title 13 of the City of Washburn Municipal Zoning Code and Making Other Revisions to Other Part of the Municipal Code in Conflict or Related to Title 13 as Herein Amended, second by Barnes. Motion carried unanimously.

A motion was made by Maziasz to adjourn at 8:45 pm, second by Oswald. Motion carried unanimously.