

Comprehensive Planning Commission (CPC) Meeting  
June 14 2017  
Ridgeville Town Hall

**MEMBERS PRESENT:** Inese Epstein (Chairperson), Andi Radke Rynes, Rob Larson, Jo Marie Thompson & Ramona Kufalk (alternate)

**NON-MEMBERS PRESENT:** Mike Wiedl, Rob Kufalk, Lisa Hawthorn

**MEMBERS ABSENT:** Marcy Clark

Chairperson Epstein called the meeting to order.

Approval of minutes from the previous meeting of May 4, 2017: Chairperson Epstein requested an addition to the minutes noting that Mike Wiedl was cautioned, prior to his leaving the meeting, that law enforcement would be called if he did not bring himself to order. Andi Radke-Rynes made a motion to approve the minutes with said addition, second by Rob Larson; motion carried.

Public Comments: Rob Larson summarized the purpose and process for public comments. Due to a history of long and repetitious comments throughout meetings which did not allow work to be done, public comments will be taken at the beginning of the meeting only. Questions may be directed to the chairperson during the meeting and may be responded to at her discretion.

Mike Wiedl offers a complaint that he does not receive enough detail about agendas prior to meetings in order that he may, for example, consult an attorney prior to the meeting and offer full comments based on his consultation. Complaint noted and agenda procedure reviewed by Inese Epstein & Jo Marie Thompson.

Discussion on addition to the Non-Metallic Mining Ordinance: prior to the ordinance submission after the previous meeting, a last final copy edit was done by several members and corrections/clarifications identified. New information was also received requiring review.

- Inese Epstein presents a proposed addition suggested by an attorney at a recent educational day about frac sand mines affecting communities in the area. It is suggested to add the following sentence at Section 1.13 (4): "The Town Board shall act in strict accordance with the Non-Metallic Mining Ordinance and shall not enter into any developer's agreement or any other agreement pertaining to the operation of a non-metallic mine." Motion by Jo Marie Thompson to add the proposed sentence at the proposed location; 2nd by Andi Radke-Rynes; motion carried.
- Inese Epstein offers typographical corrections: Section 1.12 (1) & Section 1.12 (2)d "Tower Site" should read "mine site." Section 1.12 (1) "rights within property value...." should read "rights within *the* property value..."
- Ramona Kufalk offers a typographical correction: Section 1.12 (3)b "...offer to Operator" should read "...offer to *the* Operator"
- Jo Marie Thompson asks for review of 1.12 (3)b. Discussion ensues and it is agreed the time line for action is unclear. It is agreed the language should reflect that the owner has a right to accept an under fair market value at any time. If after 12 months an under fair market value offer is available, but not accepted by the owner, the Operator will pay the difference between the under market offer and the fair market value.

- A question from Mike Wiedl is accepted: would the property value clause apply to subsequent sales of property after the first transaction? He is directed to the language of the ordinance and the answer is no.
- Rob Larson motions to approve all corrections, clarifications and additions as stated and submit the ordinance to the Town Board; 2<sup>nd</sup> by Jo Marie Thompson; motion carried.

Discussion of application by Mike Wiedl for the Town of Ridgeville Planning Commission: Rob Larson reviews the Town Planning Commission ordinance. Section 4, Membership, states that the Plan Commission shall consist of five citizen members. Mike Wiedl requests to speak, stating that the state statute allows that one member of the planning commission may be a citizen of experience and qualification who is NOT a resident. Responses as follows:

Inese Epstein states the town ordinance governs per the towns association attorney.

Mike Weidl states he believes "Citizen" does not necessarily refer to a Town resident.

Ramona Kufalk states that her reading of the ordinance assumes "Citizen" refers to a resident.

Rob Larson agrees that the ordinance seems to intend that only Town residents will be Plan Commissioners and therefore we cannot consider the application of a non-resident. He also offers that he is willing to research and assist in proposing changes to the language if clarification is needed within the ordinance.

Both Andi Radke-Rynes & Jo Marie Thompson agree with this reading of the ordinance, stating they were present at the time of the ordinance adoption and that was the understanding of each of them.

Rob Larson makes a motion to decline to consider the application from Mike Wiedl, who is not a Town resident; 2<sup>nd</sup> by Ramona Kufalk; motion carried.

Mike Wiedl asserts that Commission alternate members are not allowed to vote if a quorum is present. Inese Epstein corrects, noting that up to five members may vote, including alternates if any of the full voting members are absent.

Next meeting date: Next pending issue is a review and update of the Smart Growth Plan, due before 2019. A date of Oct 17 1:00 pm is set to begin work on the Smart Growth Plan.

Andi Radke-Rynes motions to adjourn; 2<sup>nd</sup> from Rob Larson; motion carried.

Respectfully Submitted  
Jo Marie Thompson  
6/14/17