



VILLAGE OF WEBSTER

**FULL BOARD JUDICIAL COMMITTEE
MEETING MINUTES**

Monday, November 27, 2023 @ Immediately following the 2024
Budget Public Hearing.
Webster Community Center
7421 Main Street West, Webster, WI

- I. **CALL TO ORDER** -- Due to President Summer feeling ill Clerk/Treasurer, Debra Doriott-Kuhnly called the meeting to order at 5:15 p.m.
- II. **ROLL CALL** – Village President, Bill Summer; Trustees, Ed Dedman; Kelsey Gustafson; Tim Maloney; Matt Stuart and Charlie Weis. Others: Clerk/Treasurer, Deb Doriott-Kuhnly; Police Chief, Stephenie Wedin; Municipal Court Judge, Brian Sears; Burnett County Sentinel -Greg Marsten; Tom Armstrong; Jeff Roberts; Joe Connor; Sue Weis; Russ Burford; Sherill Summer; Joe Atwood; Sarah Casady; Greg Widiker; Absent: Trustee, Aaron Sears.
- III. **PUBLIC NOTICE OF AGENDA, DELETIONS/CORRECTIONS/APPROVAL** – Kuhnly said the agenda order will change and stated new order. Motion made by Trustee, Dedman to approve the agenda; seconded by Trustee, Stuart. **Motion carried 6-0.**
- IV. **MUNICIPAL COURT REVIEW** – Kuhnly gave the floor to Judge, Sears for the municipal court review. 2023 Webster Municipal Court Statistics were provided. Weis asked for clarification on Court Retains Income – this is the amount retained by the Village. Weis asked the amount outstanding. Sears reported a lot – truancy is currently paying about 50%. They started a new 20-day program in which when a student ticketed for truancy and then attends school for 20-day consecutive days, the ticket gets dismissed.
- V. **APPOINT ZONING BOARD OF APPEALS MEMBERS** – President, Summer then introduced the village residents that he recommends for the Zoning Board of Appeals. Kuhnly explained this first appointment is for staggering terms: Chair, Jeff Roberts and Greg Widiker will be three-year terms. Tom Armstrong and Joe Conner will be two-year terms. Sarah Casady will be on a one-year term. 1st Alternate Sue Weis and 2nd Alternate Sherill Summer will be three-year term. Kuhnly stated both alternates will be required to attend all the meetings. Summer stated the pay is yet to be determined. Motion to accept the above appointed members to the Zoning Board of Appeals made by Trustee, Weis; seconded by Trustee, Stuart. **Motion carried 6-0.**
- VI. **SWEARING IN ZONING BOARD OF APPEALS** – Kuhnly swore in Jeff Roberts, Greg Widiker, Tom Armstrong, Joe Connor, Sarah Casady, Sue Weis and Sherill Summer as members of the Zoning Board of Appeals.
- VII. **ZONING ADMINISTRATOR** – President, Summer introduced potential Zoning Administrator Joe Atwood. Joe explained his background and his passion for zoning and ordinances. His offer was previously submitted to Kuhnly, but he explained he would work 25-35 hours a month for 10 full months of service. But he would still be on call during the other 2 months. He is asking the board to commit to 2-3 years for a zoning administrator to bring the ordinances up to par – just in the zoning sections. Another 2-3 years would be required for the administrative ordinances. Changing ordinances is a lengthy

process and requires public hearings and legal review. Joe said he can draft the ordinances, but the village attorney should still review. Joe provided a list of Zoning Administrator's duties. Dedman asked about Joe's training- Joe explained he went to school for zoning in 2004 (when municipalities were required to adopt one- and two-family dwelling codes in 2004-2006) and continues online education. Joe further explained that he would prepare the Zoning Board of Appeals (ZBA) and Planning Commission for meetings and understanding the ordinances. Maloney asked Joe for references- Joe said he is Zoning Administrator for Town of Stanton, City of Barron, City of Chetek, and Village of Birchwood. He just let go of a couple more. Maloney asked about the cost for 10 months and then after that, it would be hourly rate. Joe said that he has changed the terms -he would do the other 2 months for free as he will be taking some vacation. He already has about 35 hours in, for free, by reading the entire ordinances, legwork, etc. Joe's fee is \$10,000 up front. But if the village can't afford the whole \$10,000 at once – he will accept \$5,000 up front and \$1,000 a month. Joe will send the updated contract. This would be a yearly contract. Maloney asked the start date. Land Use Permits would be issued through Joe and if needed, he would let REM Inspecting know. If there is conditional use or variance required, then it goes before ZBA. Some municipalities have the Planning Commission take care of conditional uses. Joe stated that zoning ordinance work should 1st go before the Planning Commission and make recommendations to the Village Board. When brought before the Village Board is when a Public Hearing (and notice) is required. Joe presented drafts of 2 ordinance revisions pertaining to Zoning Administrator. Joe said our land use application looks alright, but the fee schedule is extremely low. He said he knows the board wants to keep prices low for the residents, but need to remember that paying a zoning administrator, paying for ZBA and Planning Commission meetings and notices incurs costs. Dedman suggested his recommendations on rates/fee schedule. Joe said he has reviewed the Comprehensive Plan and zoning maps. He works closely with Northwest Regional Planning and would suggest a better map of zoning districts. Joe explained that the 2nd week of each month he is committed to meetings with his other municipalities. Yet, he juggles around his schedule to what municipality's meeting to attend based on importance. Joe spoke of variances and criteria. Motion was made and carried at last month's meeting to table decision on hiring Zoning Administrator until meeting with Joe Atwood. Motion made by Trustee, Dedman to approve hiring Joe Atwood as Zoning Administrator, with annual contract of \$10,000, effective December 1st; seconded by Trustee, Stuart. **Motion carried 6-0.**

VIII. RUSS BURFORD – Russ asked why the sign is still there after the board revoked it at the last board meeting. Weis said the sign is not there. Several board members stated it is not a sign – it is just a structure/frame. Russ asked if a permit was granted for the structure and stated it is not legally there. Summer explained that it is a technicality that the board is trying to address and mentioned just approved hiring Joe as Zoning Administrator and the ZBA. Summer reiterated that the permit for the sign was revoked and trying to figure it out. Russ asked if the board has reached a decision to leave it there. Stuart further explained the board is getting the proper procedures put into place and Ken Erickson will then need to go to the ZBA for his variance request. Dedman further explained that the decision will go to ZBA and his understanding is if the board didn't have the authority to grant the initial permit – it doesn't have the authority to enforce removal. Russ questioned that the board doesn't have the authority to remove it when it is there illegally. Maloney said since lawyers are involved – the board will stay with what they are doing. Stuart reiterated that the board is waiting for legal advice before a final decision is made. Russ asked when that would be - Stuart said he (Russ) would need to ask the attorneys that. Discussion ensued. Summer said the board has sought legal counsel, ZBA, has costs the village thousands of dollars and trying to rectify the situation.

IX. MOTION TO GO INTO CLOSED SESSION PER WIS. STAT. § 19.85(1) (C)- On Call pay for Public Works Employees. Motion made by Trustee, Maloney to go into closed session; seconded by Trustee, Dedman. **Motion carried 6-0.**

President, Summer left the meeting at 6:12 p.m. due to illness. Motion made by Trustee, Dedman to appoint Trustee, Maloney temporary Chair; seconded by Trustee, Weis. **Motion carried 6-0.**

X. MOTION TO RECONVENE INTO OPEN SESSION PER WIS. STAT. § 19.85(2) – Motion made by Trustee, Gustafson to reconvene into open session; seconded by Trustee, Stuart. **Motion carried 5-0.**

Discussion/Actions taken during closed session.

Motion made by Trustee, Dedman; seconded by Trustee, Weis to increase the on-call weekly stipend to \$150.00. **Motion carried 5-0.**

XI. ADJOURNMENT. Motion was made by Trustee, Weis to adjourn at 6:50 p.m., seconded by Trustee, Maloney. **Motion carried 5-0.**

Respectfully submitted,

Debra Doriott-Kuhnly

Clerk/Treasurer

November 27, 2023

***These minutes are subject to approval at next month's Regular Meeting.