

**MINUTES OF PLAN COMMISSION
FOR THE CITY OF CUDAHY, WI HELD AT THE MUNICIPAL BUILDING ON
August 8, 2017**

CALL TO ORDER

1. Meeting was called to order by Mayor John Hohenfeldt at 7:00 pm.

OPENING STATEMENT

Prior to the meeting, notice was given to the community and posted in the appropriate places. Notice was also given to the news media that requested it, namely the Milwaukee Journal-Sentinel and MyCommunityNow.com.

ROLL CALL

The following members of the Plan Commission were present for roll call: Commissioner Mike Nelson, Commissioner Nick Gates, Commissioner Jim Zsebe, and Alderwoman Michele St. Marie-Boelkow. Alderman Justin Morales and Commissioner Harry Savagian were absent and excused. Also present was Economic Development/Inspections & Zoning Director Brian Biernat.

A quorum of the Common Council was present in the Council Chambers.

2. Review and take appropriate action on the meeting minutes of July 11, 2017. **Motion made by Zsebe, seconded by St. Marie-Boelkow**, to approve the minutes. All in favor.

OLD BUSINESS

None

NEW BUSINESS

3. Review and take appropriate action regarding a Certified Survey Map for a combination of lots at 3870 E. Underwood Ave, submitted by Matt Behrendt (Home Path Financial). **Motion made by Gates, seconded by Nelson**, to approve the minutes. All in favor.
4. Rescind motion: To limit the conditional use approval to acceptance of the salt storage shed only and take no action on other structures at 5133 S. Whitnall Avenue and 5200 E. Barland Avenue. The request to place the item on the agenda was introduced by St. Marie-Boelkow. A two-thirds majority vote is needed to pass the motion to rescind.

The proposal for 5133 S. Whitnall Avenue and 5200 E. Barland Avenue is detailed in the minutes of the Plan Commission meetings held June 13 and July 11, 2017. The Plan Commission moved to approve a conditional use request to allow a government structure at the address, with the condition that only a DPW salt shed be approved and no other structure be allowed with that approval.

St. Marie-Boelkow addressed the purpose for rescinding the approval as based on citizen feedback. She would like to have citizens be more involved in the planning of the subject location. She also questioned the compatibility of the site proposal with the Comprehensive Plan. Mayor Hohenfeldt responded that several public session meetings were held before various government boards, including the Common Council, to discuss the proposal. St. Marie-Boelkow questioned the ability of citizens to engage during those types of meetings. Hohenfeldt stated that he sought legal opinion of the City Attorney following the request to rescind was introduced. The initial decision to grant the

conditional use permit created a property right to the city to further the process. The Municipal Code states that revocation of a conditional use permit is determined by whether or not there is a failure of the applicant to comply with the conditions of the permit, and the City has not failed to comply with the conditions. The Plan Commission does not have authority to approve or disapprove of a project based on financing. Financing for subject proposal through bond issuance was vetted through the previously mentioned public session process. A bond issuance cannot be changed without complication.

Motion made by St. Marie-Boelkow to approve the motion to rescind. After the third call there was **no second** to approve the motion to rescind. The motion died.

5. Review and take appropriate action regarding an application for a conditional use permit to allow a governmental structure at 5133 S. Whitnall Avenue and 5200 S. Barland Avenue, submitted by the City of Cudahy Department of Public Works. Governmental structures are a conditional use within the M-1 Limited Manufacturing District. The proposal is to build a DPW facility. The site, architectural and landscaping plans are preliminary.

Since the motion to rescind died, Mayor Hohenfeldt asked the Plan Commission to take no action on this item. **No action necessary.**

6. **Motion made by Zsebe, seconded by Gates,** to adjourn. All in favor.