

MINUTES
GREEN BAY ANNEXATION COMMISSION
Monday, May 5, 2003
City Council Chambers
Room 203, City Hall
11:00 a.m.

MEMBERS PRESENT: Gary Sikich, Jim Schmitt, Carl Weber, Ron Antonneau, and Bill Lockery.

MEMBERS EXCUSED: Susan Schober-Murray

OTHERS PRESENT: Tim Kelley, Rob Strong, Allison Swanson, Peter Thillman, Marv Rentmeester, Grant Staszak, Dale Knafel, and others.

The meeting was called to order at 11:05 a.m.

APPROVAL OF MINUTES:

Minutes from the July 30, 2002, meeting of the Green Bay Annexation Commission were reviewed.

A motion was made by C. Weber, seconded by R. Antonneau, to approve the minutes from the July 30, 2002, Annexation Commission meeting. Motion carried unanimously.

NEW BUSINESS:

1. Public Hearing on the petition of a property owner for direct annexation of certain territory from the Town of Scott, generally located north of Church Road, west of Nooyen Lane, and east of Highway 57, to the City of Green Bay, dated March 12, 2003, pursuant to Wisconsin Statutes, 66.0217.

G. Sikich opened the public hearing and requested that rules be suspended to hear testimony.

A motion was made by R. Antonneau, seconded by C. Weber, to suspend the rules to allow interested parties to speak. Motion carried unanimously.

G. Sikich asked if anyone would like to provide testimony.

D. Knafel, petitioner, stated that she understood that her petition was incomplete and that it did not comply with Wisconsin State Statutes. She has been trying to work with the Town of Scott to get services extended to her property, but they are not interested in doing that. She currently is running a manufactured housing business out of the home on her property. She has had other proposals made to her to develop the property, such as an apartment complex or elderly housing complex.

R. Antonneau asked if the Town has denied access to services. D. Knafel responded that the Town has been difficult to work with.

R. Antonneau asked the petitioner how quickly she would want services. D. Knafel responded that she would want services this summer.

R. Antonneau stated that this petition was received by the City on March 12, 2003, prior to the March 18, 2003, City Council approval of the boundary agreement between the City and the Town. He asked why he was not made aware of the petition. He may have asked to hold up the final Council vote to address the petitioner's request.

T. Kelley informed the Commission that the petition was done incorrectly and did not comply in several areas with the state statutes and, therefore, is not a valid petition for annexation.

A. Swanson stated that D. Knafel was approached by the Madigan family about including her property in the initial annexation requests. She declined to be part of those requests.

R. Antonneau asked D. Knafel if she had agreements with the Town of Scott. D. Knafel responded that she had only promises at that time from the Town.

A. Swanson asked a question regarding sewer and water service to the subject area. D. Knafel stated that she has had discussions with the Town's Sanitary District regarding services, and they informed her that it may be able to be done through a lift station.

C. Weber explained that the subject property was not part of the initial annexation requests so serving the area was not fully analyzed.

R. Antonneau stated that the Mayor and City Council should be more involved in these types of decisions. Staff should not be deciding these things on their own.

G. Sikich asked T. Kelley what the status was of the boundary agreement. T. Kelley stated that the boundary agreement is presently waiting final judgment from the Circuit Court.

D. Knafel asked if her petition could be amended to legally comply with the statutes. T. Kelley encouraged D. Knafel to retain legal counsel to prepare a new petition.

R. Antonneau stated that there were property owners who did not want to be part of the boundary agreement, and D. Knafel seems to want to be included in the new boundaries. The Council should have had this information.

T. Kelley explained that the petition as submitted was defective and not a valid petition. D. Knafel can redo her petition to comply with the statutes, and the Annexation Commission would review the new petition.

G. Sikich asked T. Kelley if the boundary agreement allows for amendments. T. Kelley responded yes if both parties agree to it.

D. Knafel stated that one of her problems with the Town was that they were requiring her to complete a stormwater management plan along with the construction of it prior to her getting the zoning she wants.

G. Sikich asked three times if anyone else would like to provide input. No one stepped forward.

A motion was made by R. Antonneau, seconded by B. Lockery, to return to regular business and close the public hearing. Motion carried unanimously.

2. Discussion and action on the petition of a property owner for direct annexation of certain territory from the Town of Scott, generally located north of Church Road, west of Nooyen Lane, and east of Highway 57, to the City of Green Bay, dated March 12, 2003, pursuant to Wisconsin Statutes, 66.0217.

R. Antonneau asked T. Kelley if it would be proper to hold up the petition to allow D. Knafel time to complete a new petition. T. Kelley said the Commission could receive and place on file the subject petition. A. Swanson stated the Commission should either accept or reject the petition as per state statute.

T. Kelley suggested denying the subject petition to eliminate confusion if D. Knafel decides to resubmit. G. Sikich asked if the Commission should reject the petition and encourage the property owner to resubmit.

J. Schmitt asked if what was submitted should have been considered a communication and not a petition. T. Kelley stated that it is up to the Annexation Commission to accept the petition as submitted as a legal document, which it clearly is not.

A motion was made by J. Schmitt, seconded by R. Antonneau, to reject the petition as submitted because it did not comply with state statutes. Motion carried unanimously.

The Commission encouraged D. Knafel to retain legal counsel and submit a new petition complying with state statutes.

3. Discussion and action on the annual election of officers: President, Vice-President, and Secretary, per Chapter 1.53(2)(b), City Code.

A motion was made by R. Antonneau, seconded by C. Weber, to table the appointments until the Mayor's appointments were finalized. Motion carried unanimously.

A motion was made by G. Sikich, seconded by R. Antonneau, to adjourn. Motion carried unanimously.