

Sherwood Plan Commission Minutes

Monday May 6, 2024

- 1) Call to Order/Roll Call.—*Acting Chair Sheppard called the meeting to order at 6:30pm with roll call:*

Present:

*Tom Herrmann
Roger Kaas
David Miller
Kathy Salo
Brad Schmidt
Scott Sheppard
Steve Summers (Virtual)*

Absent:

None

Others Present:

*Diane Wessel, Interim-Administrator
Sadie Slotke, Deputy Clerk (virtual)*

- 2) Pledge of Allegiance. – Recited.
- 3) Approval of the Agenda – ***Salo moved to approve the agenda. Herrmann seconded. Motion carried without dissent.***
- 4) Approval of Minutes: January 16 – ***Salo moved to approve the 1-16-2024 minutes. Schmidt seconded. Motion carried without dissent. Salo, Herrmann, and Sheppard – Abstain.***
- 5) Citizen comments on agenda items.
- 6) Officer’s Report.
- a. Plan Commission – Chair.
- b. Zoning Administrator.
- 7) Old Business: None.
- 8) New Business:
- a. *Ordinance enforcement process.*

Wessel explained that she sent out notices of non-compliance for residents with junk vehicles. In talking with staff, and looking through documents, she wasn’t able to find a citation form or official process. It appears that in the past, letters of non-compliance were ignored by residents due to lack of follow-up. Wessel talked to Calumet County Sheriff’s Department, and they are willing to either issue citations after staff provide proof of correspondence or accompany staff while they issue the citation.

Kaas explained that in the past, there was an attempt to enforce certain ordinances, using the example of parking trailers/campers in driveways. This attempt was abandoned after major pushback from residents.

Herrmann would like to see an official escalation plan. Wessel said typically each day is a separate violation, but that isn't written into the current code. Sheppard inquired on what zoning complaints she has received. Wessel said other than "junk" vehicles, there are a couple "junk yard" properties, which are also zoned commercial but are being used as residential, which is allowed by code if there is an operating business and the residents are participating in the business, which is hard to prove.

Sheppard moved to recommend the Village board authorizes law enforcement to issue citations for violations of village ordinances. Miller seconded.

Discussion ensued regarding what steps should come before escalating to issuance of citation. Herrmann would like the motion to include language to describe the escalation process. Wessel explained that residents will always get notice from staff prior to a citation, but if ordinance requires 3 strikes, it may hinder instances when something needs to be addressed quickly.

Motion carried 5-2. Herrmann-Nay, Kaas-Nay.

Herrmann clarified that would like to see an official policy on the escalation/enforcement policy.

- b. *Proposed sign ordinance amendment to allow temporary government signs.*

Wessel explained she talked to Calumet County Emergency Management, who would like the opportunity to use a portable scrolling message sign, typically for alerts during an emergency. Current sign ordinance clarifies that permanent governmental signs are exempt from the ordinance. She proposes striking "permanent" from the language, which would allow the sign.

Kaas said governmental signs are allowed in the road right-of-way without regulation. Schmidt agreed that governmental signs in the ROW aren't regulated by the sign ordinance, and recommends there is communication between village staff and the county on sign location and length of time it will be in place. Schmidt would recommend clarifying what information they are allowed to put on the sign, limiting it to messages regarding emergency situations, not community events, etc.

- c. *Zoning Code Audit.*

Wessel explained that as permits come in, she has found some challenging language in the current code, which was originally adopted in 1997, with three text amendments since 2014, all involving the sign ordinance. Act 67 passed in 2017 which affects issuance of

conditional use permits, but Sherwood didn't update their conditional use code at that time.

Wessel recommends doing the code audit as soon as possible based on availability of funds in the budget as some of the code is out of compliance with state statute.

Herrmann made a motion for staff to move forward with the RFP process to review zoning code. Salo seconded. Motion carried without dissent.

9) Correspondences: None.

10) Adjourn.

Sheppard moved to adjourn at 7:29pm. Miller seconded. Motion carried without dissent.

Respectfully submitted for review and approval by Sadie Slote, Deputy Clerk.