

CITY OF RHINELANDER PLAN COMMISSION MINUTES

TUESDAY, OCTOBER 4, 2022 – 5:00 P.M.

1. **CALL TO ORDER:** The meeting was called to order by Chairperson Hanus at 5:00P.M. Roll call, quorum established.
2. **Members Present:** Mayor Kris Hanus, Carrie Mikalauski, Jennifer Bonardelli, Leann Felton, Andrea Boos, and Terry Williams
Members Absent: Sandra Bergman
Others Present: Zach Vruwink - City Administrator, Robbie Davister – Building Inspector, and members of the public
3. **CHAIRPERSON’S WELCOME:** Kris Hanus opened public comment
4. **PUBLIC COMMENT:** Gerald Anderson (City Council Member) is asking that the newspaper postings also include street names in their mapping just like the Public Notices that are mailed out to the neighboring properties contain.

Tom Jerow, 604 Riek Street., is in support of the Conditional Use for 366 Marshall Street and is looking forward to the property being improved.

Jerry Fitzgerald, 1015 Thayer St. He is not in favor of 1040 Messer St receiving approval for Conditional Use. Mr. Fitzgerald provided a hand-out(included) detailing a list of items to be met for properties wanting to obtain a Conditional Use Permit for a Tourist House. He would like the council to meet again to consider adding more of these restrictions.

Tom Oloikas, 1031 Thayer St, “Keep neighborhood quiet.”

Mark Wittcock, 832 Evergreen Ct, lives a few blocks away from 1040 Messer St and is against the Conditional Use Permit for this property.

Steven Schreier, 604 Riek, spoke regarding 366 Marshall St. He supports the CUP for this property. It was in a state of neglect for a few years. He is excited about the opportunity for this property to be an option as a rental property and will not speak against what the owners are proposing to do with the property.

Heather Pelock-Hjelle, one of the owners of two of the properties going up for Conditional Use Permits. She read a letter from Betty Christianson; her neighbor next to 329 Dahl – “I have no objection to 329 Dahl Street operating as an Airbnb.”

Heather Pelock-Hjelle and her husband have been owners of 329 Dahl Street for several years. When considering having this property be used as a rental, she contacted the City regarding any requirements and was told there weren’t any at the time, but the City would get back to her. However, they did not get back to her. Heather then worked with Oneida County Health Department for inspections and the Fire Department. 329 Dahl Street was considered a duplex in which it had been rented out month to month for about 15 years and have had several issues with renters. They then decided to change the upper apartment to a short-term rental to maintain its integrity.

There are specific rules to follow and taxes that are paid when working with short-term rental companies and Heather can screen who she allows to rent the property to. Heather and her husband made it a point to reached out to the neighbors of 329 Dahl Street and 366 Marshall Street to inform them of their intentions with these properties. They have lived in Rhinelanders for 20 years and they both work within the city. They are looking to maintain the integrity of the neighborhood and have a passion for old homes and their community as well. This venture enables them to care for the homes more appropriately. Heather drove by 366 Marshall Street for 15 years and when it came up for sale, she knew she wanted to buy it. As a short-term rental it was the only feasible way, financially, to

bring it back to its glory.

The owner opened the floor for questions – no questions were asked.

Todd Felde, 1004 Messer Street. He would have appreciated if the owner of 1040 Messer St would have gone to each neighbor just as the owners of 329 Dahl Street and 366 Marshall Street had done. Todd Felde is opposed to the CUP for 1040 Messer Street. As there are elderly individuals, children in the area, and that is not a commercial area he would like to keep it as a nice, quiet neighborhood.

5. **MEETING MINUTES**

- a. Approval of the August 2, 2022, Plan Commission Meeting Minutes -MOTION BY MIKALOUSKI, SECOND BY FELTON. 6 AYES, 0 NAYS, 1 ABSENT (BERGMAN), MOTION CARRIES.
- b. Approval of the September 20, 2022, Plan Commission Meeting Minutes- MOTION BY MIKALOUSKI, SECOND BY FELTON. 6 AYES, 0 NAYS, 1 ABSENT (BERGMAN), MOTION CARRIES

6. **PRESENTATION** - Outdoor Recreation Plan Results – Had a public hearing and then completed a digital survey. 640 comments received – IP analysis was done 44 duplicated (husband and wife) 40 addresses repeated twice, 61% from Rhinelander or own a home in Rhinelander 70 % females. All responses from all age groups, largest response came from age group 24-40 years of age.

Overall, the results show there is a request for a Splash Pad and a Skate Park. Additionally, there are requests to make all playgrounds ADA accessible, there is also a need to create an all- inclusive playground going beyond ADA accessibility.

Next presentation will include maps and draft plan - 1st plan would identify what parts relate to outdoor recreation. Any public recommendations should be given to Zach Vruwink or Jeremy Biolo to give to the presenter. The survey results will be going up on website this week.

7. **PUBLIC HEARING** -Conditional Use Permit for Anthony Hjelle and Heather Pelock Hjelle, owner of 329 Dahl Street (RH-498), to operate a Tourist House. Current Zoning is R-2 (Single and Two-Family Residential).

Public Hearing Opened – No public comments made.

8. **DISCUSS/APPROVE**: Conditional Use Permit for Anthony Hjelle and Heather Pelock Hjelle, owner of 329 Dahl Street (RH-498), to operate a Tourist House. Current Zoning is R-2 (Single and Two-Family Residential).

Plan Commissioner Terry Williams wanted clarification on Health Inspections. Requested that Tourist Houses follow all City Ordinances and be enforced as such.

Mayor referenced the Staff Recommendations on all CUP properties brought up before council on the agenda. Stated that all properties are to follow these conditions. Council was asked if they had any additional recommendations. Plan Commissioner, Jenny Bonardelli, reminded council that the bullet points are on point with the previous CUP given to 510 Sheppard. Plan Commissioner, Carrie Mikalauski, concurred. P.C. Williams stated that the city would need to be consistent with all properties going forward to enforce the guidelines.

MOTION TO APPROVE BY MIKALOUSKI, SECOND BY WILLIAMS. 6 AYES, 0 NAYS, 1 ABSENT (BERGMAN), MOTION CARRIES

QUESTION BY WILLIAMS – “ARE THESE PROPERTIES SUBJECT TO ROOM TAX?”

HANUS RESPONDED – “YES, IN TRUE AIRBNB AND VRBO THEY ACUTALLY COLLECT IT AS PART OF THEIR AGREEMENT AND DISTRIBUTE IT TO THE TAXING BODY.”

ROLL CALL -6 AYES, 0 NAY, 1 ABESENT (BERGMAN) -CONDITIONAL USE PERMIT APPROVED

9. **PUBLIC HEARING-** Conditional Use Permit for Anthony Hjelle and Heather Pelock Hjelle, owner of 366 Marshall Street (RH-2245), to operate a Tourist House. Current Zoning is R-2 (Single and Two-Family Residential).

Tom Jerow is asking that the public is made know of the bullet points (conditions) for Tourist Houses

Plan Commission Clerk read conditions aloud.

Jerry Fitzgerald requested confirmation that the bullet points read are subject to all Tourist Houses and not just the subject property and more specific conditions could be added if necessary. It was relayed by Hanus that if the body agrees, then that is correct.

Public Comment offered twice more – no public comment

10. **DISCUSS/APPROVE:** Conditional Use Permit for Anthony Hjelle and Heather Pelock Hjelle, owner of 366 Marshall Street (RH-2245), to operate a Tourist House. Current Zoning is R-2 (Single and Two-Family Residential).

Hanus informed the body that this is the 1st Conditional Use Permit for a waterfront property and that boating, docking and boat registrations would fall under DNR (to his understanding).

MOTION TO APPROVE BY WILLIAMS, SECOND BY MIKALOUSKI. ROLL CALL VOTE: 6 AYES, 0 NAY, 1 ABSENT (BERGMAN), MOTION CARRIES

11. **PUBLIC HEARING-** Conditional Use Permit for Zachary Vruwink, owner of 1040 Messer Street (RH-2921-J), to operate a Tourist House. Current Zoning is R-2 (Single and Two-Family Residential).

Jerry Fitzgerald – asks that the Council, in their decision making, remember there is significant difference in the property and demographics between this property and the prior properties. The subject property is well established and in a well-established, sought out neighborhood.

Zach Vruwink, City Administrator, speaking on his behalf for public comment as the owner of 1040 Messer Street which he primary maintains as a residence. He has two other Wisconsin licensed and approved Airbnb's that he has operated for over 10yrs. Proud to be a 5-star super host for Airbnb (only held by 20% of all hosts across the world) which he takes very seriously and will strive to maintain. As a successful host, you can set strict rules and establish rates/security deposits to really deter anyone, who may not otherwise be credible. Zach is an avid Airbnb user as well when he travels. Unlike hotels available in the area, this property would offer families the option and the ability to cook or have meals prepared in a home. Taxes are remitted on behalf of Airbnb hosts leaving no question that rooming taxes are getting to the city on time. This property is uniquely situated adjacent to two property owners which allows for thorough compliance of the Condition Use requirements set forth.

Jerry Fitzgerald – Asked a general question regarding if Airbnb screens potential tourists houses for a Conditional Use Permit prior to allowing any advertising.

Mayor Kris Hanus – Informed Jerry that Airbnb/Vrbo does not push potential clients through a process that informs them to obtain a Conditional Use Permit

2nd Request for Public Hearing Made

Unnamed Public Member questioned whether a property should obtain a Conditional Use Permit prior to running as an Airbnb and had concerns with the 1040 Messer St property being advertised as an Airbnb since August. She is also concerned that there should be a privacy fence to delineate the property lines. She was wanting to know how it could be running as an Airbnb prior to obtaining the Conditional Use Permit.

Mayor Kris Hanus inquired if the public member had documentation in which she mentioned seeing it advertised on the Airbnb website. As the public member is an adjacent neighbor, there was also a question asked about complaints - There have been no complaints except for too many vehicles and their parking position.

Jerry Fitzgerald stated that he submitted to the Zoning/Inspection Department a formal complaint with screenshots for this property, the listing, and reviews prior to this property obtaining a permit.

3rd Request for Public Comment made –no additional comments, public hearing closed.

12. **DISCUSS/APPROVE**: Conditional Use Permit for Zachary Vruwink, owner of 1040 Messer Street (RH-2921-J), to operate a Tourist House. Current Zoning is R-2 (Single and Two-Family Residential).

Terry Williams stated that the property is listed on the Airbnb site with reviews since September.

Mayor Hanus questioned Veronica Tonnancour, Building Administrative Assistant, whether there were any cease and desist notices sent to the owner, based on any complaints, or if the city has taken any action once we were notified. Ms. Tonnancour responded that not to her knowledge has the city taken any action.

Carrie Mikalauski – She stated that the conditions set forth for these properties were made recently and believes there were no formal rules set on how to achieve one of these permits. She would like to know how anyone would know what to do if the city hasn't come up with a plan or rules as to how to achieve these permits.

Terry Williams questioned if the city had anything prior in the zoning code that would answer Carrie's questions.

Mayor Hanus responded with not to his knowledge.

Jenny Bonardelli – Voiced concern that this process is new to us and vague in our code. Requested that we should be consistent with these, make sure the council is comfortable with the bullet points(conditions), and consider an amendment to our zoning code for clarification on the process and procedures.

Request for any action made by Mayor Hanus.

MOTION TO APPROVE BY MKALAUSKI, SECOND BY BONARDELLI. ROLL CALL VOTE: 5 AYES, 1 NAY, 1 ABSENT (BERGMAN), MOTION CARRIES.

13. **DISCUSS REOCCURRING PROPERTY MAINTENANCE ISSUES**

Hanus inquired if the Clerk had anything to present on behalf of the Building Inspector, Robbie Davister – Clerk was not provided with anything to present.

The newly hired full-time Code Enforcement Officer is currently addressing abandoned junk vehicles, dead trees, and illegally parked campers. He will then move to other complaints as they come in.

Zach Vruwink reminded all to continue to utilize Laserfiche to submit complaints. Kudos given to Dave Melvin, our newly appointed Code Enforcement Officer, for taking on this role while the Building Inspector, Robbie Davister, was out on medical leave. Kudos to Veronica Tonnancour as well. There are many protocols, standards, practices that they have had to establish documentation for or look at past files.

14. **INSPECTION DEPARTMENT MONTHLY REPORT** *Action Item –*

Mayor Hanus inquired if the Building Inspector submitted anything to the Clerk -No information was given to the Clerk to present.

Mayor Hanus inquired if this is the 3rd time that the Building Inspector did not submit a report. "In my understanding, this is part of his job requirement, please inform him he is not to attend the next Planning

Commission meeting if he cannot commit to filling a report out. Part of open government committee is that he must have that filled out for this commission.”

15. **FUTURE AGENDA REQUESTS** -No requests

16. **CALENDAR**

- a. Common Council 10/10/22 @ 6:00 p.m.
- b. Common Council 10/24/22 @ 6:00 p.m.
- c. Plan Commission 11/1/22 @ 5:00 p.m.

17. **ADJOURNMENT – Meeting adjourned at 6:06 p. m.**

NOTICE TO CITIZENS. Due to requirements contained in the Wisconsin Open Meetings Law, only those matters placed on this agenda may be considered by the Plan Commission at this meeting. If any member of the public desires that the Plan Commission consider a matter not included on this agenda, he or she should contact the Mayor or the City Administrator to have the matter considered for placement on a future Commission agenda.

APPENDIX

Plan Commission Handbook: <https://www.uwsp.edu/cnr-ap/clue/Pages/publications-resources/PlanCommissions.aspx>

Zoning Board Handbook: <https://www.uwsp.edu/cnr-ap/clue/Pages/publications-resources/Zoning.aspx>