

MINUTES OF MEETING OF TOWN OF HULL
BOARD, COUNTY OF PORTAGE, WI,
HELD ON MONDAY MAY 16, 2016

- 1) Call to order by Chairperson John Holdridge at 5:30 p.m. at the Hull Municipal Building, 4550 Wojcik Memorial Dr, Stevens Point, WI 54482.

In attendance: Chair Holdridge, Supervisors David Pederson, Dave Wilz, Jan Way and Rick Stautz.

Others present: Clerk Janet Wolle and Acting Road Foreman Nick Kaminski.

- 2) Pledge of allegiance

Motion Supervisor Pederson, second Supervisor Way, **temporarily adjourn the meeting to conduct an on-site in 1500 block of Larry's Drive re: proposed cell tower by Wisconsin Technology Networking LLC.** Motion carried.

Following return from the on-site, Chairperson Holdridge call the meeting to order at 5:47 p.m.

- 3) Wisconsin Technology Networking LLC proposal to install a utility pole on Larry's Dr.

On-site discussion:

- Require pole be moved back to at least 14' off the blacktop
- Invite neighborhood to attend meeting
- Discuss with WITN the possibility of moving the tower to the end of Larry's Dr.

Continued discussion:

- Correspondence was received on March 24, 2016 from WITN requesting a permit to put a utility pole in Hull right-of-way (ROW) on Larry's Dr.
- As per correspondence from Attorney Konkol Hull can regulate what is in the ROW but has to be reasonable
- Correspondence sent to Representative Nancy VanderMeer
- Contractual agreement language received from City of Waupun – written by the city attorney.

Holdridge – look at contractual arrangement – have Attorney Konkol review.

Pederson – reviewed the agreement from the City of Waupun and feel Hull can adapt and use.

- Being WITN is a utility they have right to put things in a ROW.

Motion Supervisor Stautz, second Supervisor Wilz, **respond to email received from Neil Bora of Wisconsin Technology Networking, confirming their current application for a proposed transport utility pole be put on hold and that WITN is not holding the Town of Hull to 60 days for this permit. Also would WITN consider a site further north on Larry's Dr. The town is to continue develop of a contractual arrangement with WITN.**

Motion carried.

4) Update U.S. Cellular possible site of cell tower at Hull Municipal building

Holdridge:

- Under Wisconsin Statute 66.0404 (2)(d), within 90 days of its receipt of a complete application, a political subdivision shall complete one of the following or the applicant may consider the application approved: 1) Review the application to determine whether it complies with all applicable aspects of the political subdivision's building code and, subject to the limitations in this section, zoning ordinances. 2) Make a final decision whether to approve or disapprove the application. 3) Notify the applicant, in writing, of its final decision. 4) If the decision is to disapprove the application, include with the written notification substantial evidence which supports the decision.
- On May 8 town received an email from Amanda Weir stating she and her husband Justin will be seeking legal counsel for the issues about the cell tower. The email also reads under statute 66.0404 it states that the town may not have a cell tower on its property, and/or deny permits of home owners private land to have a cell tower placed.
- Citizen Paul Kubowski received a letter from Kenneth Meyers, President & CEO of U.S. Cellular stating they have reviewed other options to serve the Town of Hull and surrounding areas. As you may know, the combination of explosive growth of data services and the need to better and better in-building coverage requires on-going investment and changes to wireless networks and because it is a radio based technology location is critical. A difference of a few blocks away or a little higher or lower tower height may mean some customers do not get the benefit of the service improvements we are targeting. As a result, in many instances, we are not able to meet requests such as yours. However, I am happy to report that the preliminary information from our engineering staff suggests we may be able to work with another site, assuming we are able to obtain a viable lease and receive all necessary approvals. Work is underway to complete our assessment and work on the agreements and I am optimistic that together we may be able to address your concern and still improve coverage in the area.
- Received notice from Jim Weiman of US Cellular they are interested in looking at site on Hull property.

Justin Weir – how can you deny a cell tower on my property and approve one on Hull property?

- ‡ The cell tower was approved by Portage County Board of Adjustment
- ‡ Now Hull is trying to take money out of my pocket.
- ‡ Will pursue restitution from Town of Hull for money lost due to tower moved from Weir property to Town of Hull
- ‡ Only thing we don't have is the easement right.

Stautz: Todd Anderson or US Cellular did not do a good job at the meetings.

- At first meeting I voted for the cell tower
- We know it is needed
- At the next meeting I voted against it as Todd didn't do job of location, answering questions asked at the first meeting
- Hull doesn't have control over cell towers

Holdridge: Attorney Konkol asked questions of Todd Anderson re: easement to go across the right-of-way. Todd never responded.

Wilz: Todd got back to Hull stating they would not be using a separate driveway but would use the Weir driveway.

Amanda Weir: where are we at now?

Holdridge: U.S. Cellular exploring other locations.

Way: Hull is only advisory.

Wilz: yes Hull is only advisory. At the first meeting when Hull property was mentioned Todd said no that won't meet the needs of U.S. Cellular. We were surprised when they contacted us.

Motion Supervisor Wilz, second Supervisor Way, **accept the status report for possible site at Hull Municipal Building for cell tower.** Motion carried.

5) Hull Board of Supervisors possible revision and clarification of functions

The following suggestions were made by Chairperson Holdridge:

- 1) **Create a Board Administrative Committee.** The committee would consist of the town chairperson, town clerk and another Hull board member. The Hull board member could be assigned to the task for 3 to 6 months. After that period of time the function would rotate to the other three board members for similar period of assignment. The purpose is to provide a sounding board, decision making and involvement in the operation of Hull Government.
- 2) **Review of monthly expenditures.** The five (5) board members individually on a monthly basis would review bills and invoices. Each board member for a time (monthly or for 3 months or some period of time) would scrutinize bills prior to approval by the Hull Board. The voucher list would be shared with the entire board. The board member reviewing the monthly bills would report at the Hull board meeting. The old wisdom applies "Know the budget, know the organization."
- 3) Hull staff would continue to provide monthly written reports available to each board member for follow-up inquiries. However, the oral reports would largely cease. Staff attendance at monthly meetings would be limited.

The Town of Hull is engaged in various functions and we need to make sure the administrative structure is clear to all and the elected board is the decision maker.

Stautz: would like to take time to digest the suggestions. See logic in some suggestions.

Pederson: could the Administrative Committee meetings be conducted by phone?

Holdridge: yes as there is not a quorum of the board together.

Motion Supervisor Stautz, second Supervisor Pederson, **table action for future discussion on the June 6, 2016 board meeting.** Motion carried.

6) Adjournment: Motion Supervisor Wilz, second Supervisor Stautz, **adjourn the meeting**.
Motion carried. Meeting adjourned at 6:37 p.m.

Janet Wolle, Clerk