

Village of Withee

Phone: 715-229-4319 Fax: 715-229-4451
511 Division * P.O. Box A * Withee, Wisconsin 54498

PUBLIC HEARING

The Village of Withee Board met on April 11, 2022, at 6 pm in the Municipal Building, Conference Room, for a Public Hearing.

Roll call was answered by Lindgren, Shelton, Gehrke, Frankewicz, and Kalepp. Also, in attendance were DPW Troy Hatlestad, ABBC, LLC representatives Brock Pottinger and Ben Hanvelt, Dan Hiipakka, Nora Keller, Mary Rosiejka, Leslie Frankewicz, Leslie Craven, Che-Che Myher, and Cindy Cardinal.

President Lindgren opened the public hearing at 6:00 pm.

The hearing was open for public comment about changing the zoning at parcels 191.0205.000 and 191.0206.000 located at 1013 Division Street from R-1 Single-Family Residential to R-2 Multi-Family Residential. President Lindgren asked if they could put it in writing that they would install the fence. Dan Hiipakka added that he wanted a fence since he lives on the north side of the property. Hiipakka inquired how they were going to manage the potential police calls due to allowing young people to rent. Ben Hanvelt responded that they wanted a profitable business and didn't want tenants that would cause damage. There is a screening process such as no prior evictions and no felonies. Hiipakka asked if they were going to allow more than one family in a unit. Hanvelt didn't think so but would have to check on what the law states. Pottinger said it wouldn't be their intention to rent to more than one family to a unit. Hiipakka talked about the past renters damaging the north fence, plants dying on the west side, and the tenants under the elderly age limit were allowed by Indianhead. He does not want a repeat of that. Pottinger said that was due to being by a non-profit. Hiipakka replied that Indianhead said they were going to address the bad tenants but didn't. Hanvelt reiterated that it is not in their best interest to rent to bad tenants. They would also do background checks and the lease would allow them to evict for problem tenant. Mary Rosiejka asked about the projected rent for one-bedroom apartment. Pottinger said there is a calculation for the program which dictates what can be charged. The formula takes a maximum amount for rent minus average utilities over the course of a year from that. Hanvelt said they wouldn't be allowed to give a large increase to the current tenants. Rent may have to go up some due to inflation. Pottinger gave the maximum cost for 2021 with ABBC LLC paying the utilities (gas, electric, sewer, water), at \$566 for a one-bedroom apartment. Craven said he pays his electric and gas and rent is \$570 for a two-bedroom apartment. Tenants then told of the amounts they were paying. Hanvelt said they would not rent the units for a low amount just to fill because they wouldn't be able to make money. Hanvelt said they probably would include utilities.

Hiipakka asked if there would be a supervisor watching over things. Hanvelt said he hopes the current tenants would let management and them know if police are called in or tenants are there that aren't allowed. All adults living there must be on the lease. Hiipakka is concerned about every corner being filled with people and possible drug

dealers living there. Pottinger said it was ABBC, LLC's job to enforce the rules which protects ABBC's right to evict.

Hiipakka asked if there would be something in place that addresses that the fence is there for a reason and that the other side is private property and can't be used for storing trailers and cars. Hanvelt replied that if the tenant breaks the fence, they've destroyed property and parking on someone else's land is trespassing. Pottinger plans to put the privacy fence as close to the sidewalk going east and west on the north side of the building and then go south on the west side of the building. Trustee Shelton mentioned the fence could help protect small children not being closely watched by the parents. Cardinal said the fence would cause an issue for the tenants. Trustee Frankewicz said the fence wasn't going to be a 12-foot-tall wall. Discussion was had about the decks sitting up higher and that the line of site would still be there, yet it contains children and animals.

Leslie Craven asked if the leases are going to be renewed with new requirements. Hanvelt said they can't force new requirements on current tenants. When they purchase the building ABBC, LLC would like occupants to sign the lease but can't make tenants until their lease is up. Craven also asked about the age minimum. Hanvelt said there would be no minimum. L.Frankewicz asked if they would be willing to do an age limit. Hanvelt said he would not feel comfortable setting an age limit. They need to fill the apartments with good tenants and don't want to limit by age. L.Frankewicz commented that it is easy to pass a background check. Hanvelt's experience is that when potential tenants must pay an application fee, have a background check run, and the rules are explained problem tenants don't want to rent from a landlord like that. The problem tenants want to rent from landlords who aren't involved. L.Frankewicz said the management group that is running it has a bad reputation already. Hanvelt replied that the current management group would be hired on a trial basis. ABBC, LLC's standards would be explained as Indianhead's standards are different. Trustee Frankewicz stated that he didn't feel that ABBC, LLC is showing good faith in working with the Village. He felt the parcel should be left in R-1 but reduce the age limits, so the Village had some control over the situation. Clerk Niemi had checked with the Village attorney and if the zoning is changed to R-2, the apartments are an allowed use for any age and there can't be any conditions put on it. The attorney said that the parcel couldn't be allowed to be zoned R-1 with a conditional use for elderly housing that lowers the age to 40 or 45 years as it wouldn't meet the definition of elderly housing.

A Shelton/Kalepp motion to close the public hearing at 6:25 pm carried with all ayes.

Ellen Niemi
Village Clerk