

MARQUETTE COUNTY BOARD OF SUPERVISORS
WebEx Remote/Virtual and County Board Room of the Services Center
November 15, 2022

Pursuant to notice duly given in the manner established by the Board of Supervisors and in compliance with Sub-Chapter V of Chapter 19 of the Wisconsin Statutes, a lawfully held public budget hearing and annual meeting of the Board of Supervisors of the County of Marquette, Wisconsin was called to order by County Board Chairperson Ken Borzick at 6:30 p.m. on November 15, 2022, at Montello, Wisconsin, at the time and place established by the Board of Supervisors or in accordance with law.

The Clerk called the roll and the following members answered roll call:

District No. 1 . . Abby Swan (virtual)
District No. 2 . . Dennis Fenner
District No. 3 . . David Krentz
District No. 4 . . John Bennett
District No. 5 . . Kathy Jo Locke
District No. 6 . . David Benson
District No. 7 . . Ken Borzick
District No. 8 . . Mike Raddatz
District No. 9 . . Bart O'Brien (virtual)
District No. 10 . Mary P. Walters
District No. 11 . Al Rosenthal
District No. 12 . Jon Vote
District No. 13 . Kathleen McGwin
District No. 14 . Jeff Frazer
District No. 15 . Gayle Mack
District No. 16 . Alan Gibeaut
District No. 17 . Judi Nigbor

A quorum of the Board of Supervisors was declared present and open meetings law compliance was established.

Also present were Administrator Ron Barger and Corporation Counsel Natalie Bussan. There were several citizens, department heads, and county employees in attendance both in person and virtually.

A moment of silence was observed followed by the reciting of the Pledge of Allegiance.

Motion/second by Raddatz/Bennett to approve the agenda as presented. Motion carried.

Board Chairperson Borzick opened and conducted the public hearing on the 2023 proposed Marquette County budget. Administrator Ron Barger presented a Marquette County Budget Proposal 2023 PowerPoint and opened the floor for questions. Diane Lefebure addressed the Board, noting the work the ADRC does for Marquette County and speaking against the 2023 budget proposal. Human Services Director Mandy Stanley addressed the Board, reporting the Human Services Department could support their 55 employees with 2% COLA, step increases, no furlough, etc. through departmental revenue, not affecting the tax levy and sharing she is opposed to the budget as presented. Highway Commissioner Brian Trebiatowski also spoke in opposition to the proposed budget, noting the Highway Department has the ability to fully fund Highway Department employees through their revenue sources.

Board Chairperson Borzick closed the public hearing and called for a short recess beginning at 7:11 p.m.

Board Chairperson Borzick called the regular business meeting back to order at 7:27 p.m.

Motion/second by Bennett/Fenner to approve the minutes of the October 18, 2022 meeting as printed. Motion carried. Supervisor Vote abstained due to being on an emergency fire call that took place during the recess. Supervisor Vote returned to the business meeting at 7:35 p.m.

There were no introductions or employee recognitions. Multiple citizens were in attendance to speak to agenda item number 12 regarding the Menke Rezone Petition.

The chairperson of the respective standing committees gave committee reports.

County Board Vice Chairperson Rosenthal shared that the recommendation from the Planning & Zoning Committee was to uphold the Ryan Menke rezone denial with a 3:2 vote. The Planning & Zoning Committee issued their report, listing public opposition and adjacent property zoning as reasons for denial. Citizens Jim Brossman, Robert Brown, Krystyna Brown, Tracy Waldinger (legal representative for the Brown's), and Laura Paine (virtual) spoke in favor of the denial of the rezone. Discussion followed. Planning & Zoning Director Tom Onofrey clarified the zone regulations and uses. Ryan Menke addressed the County Board. Motion/second by Fenner/Krentz to deny the Ryan Menke rezone petition. Motion failed. (Noes: Swan, Krentz, Bennett, Locke, Borzick, Raddatz, Walters, Rosenthal, Vote, Frazer, Gibeaut, Nigbor). Motion/second by Rosenthal/Swan to approve sending the rezone petition back to Planning & Zoning Committee. Motion carried. (Noes: Fenner, Benson, O'Brien, McGwin, Mack).

Motion/second by Bennett/Vote to approve the consent agenda per agenda item number 13 confirming Kathleen McGwin as trustee to the Winnefox Library System Board- term to expire 12/2024 and approving resolutions 59-2022 through 63-2022. Motion carried.

Resolution No. 59-2022 ZONING AMENDMENT- TOWN OF MONTELLO
(Introduced by Dave Krentz and Al Rosenthal)

WHEREAS, the Marquette County Board of Supervisors adopted the updated Marquette County Comprehensive Plan on January 21, 2016, and

WHEREAS, the Marquette County Planning and Zoning Committee has determined it necessary to amend the planned land use map for the Town of Montello, and

WHEREAS, the Marquette County Planning and Zoning Committee on due notice conducted a public hearing on the proposed amendment, and

WHEREAS, the proposed amendments have been given due consideration by the Board in open session.

NOW THEREFORE, the Marquette County Board of Supervisors do ordain as follows:

The Marquette County Comprehensive Plan Planned Land Use map is amended in the following respects:

NE-SW 39.94A, Lot 1 CSM 3081 10.43A, SE-SW less prt of lot 1 CSM 3081 34.76A, W1/2 of SW-SE 20.19A, SECTION 10, NE-NW less that prt ly S of Co Rd C & in NW cor ly W of driveway 39.11A, prt of NW-NW ly N of Co Rd C & E of driveway 4.75A, SE-NW less that prt ly S of Co Rd C 6.15A, SECTION 15, T15N R10E, prt of NW-SW 6A, 1A in the SW-SW, SECTION 13, E1/2 of NW-NE, SW-NE, prt of SW-NW 35A, SE-NW, prt of NE-SW 10.13A, prt of NW-SW 30.15A, SW-SW 42.77A, SE-SW 42.94A, NE-SE 43.54A, NW-SE 43.56A, SW-SE 43.17A, SE-SE 43.33A, SECTION 14, prt of SE-SE 2.98A, SECTION 15, NE-NE being prt of Gov't Lot 10 32.81A, SE-NE being Gov't Lot 9 37.17A, SECTION 22, NW-NW & Easement 42.53A, SW-NW 42.77A, Lot 1 of CSM 3644 being prt of Gov't Lot 8 & N1/2 of SW1/4 44.64A, SECTION 22 & 23, NE-SW, NW-SW, SECTION 29, prt of NE-SE 19.31A, NW-SE 35.91A, SW-SE less CSM 3455 36.96A, SE-SE, SECTION 30, NE-NE less CSM 3479, CSM 3455 & RR R/W 14.83A, NW-NE less RR & CSM 3455 23.33A, SECTION 31, that prt of NW-SW ly E of Hwy R/W including CSM 2808 18.65A, prt of SW-SW ly E of STH 22 less CSM 3791 6.70A, SECTION 34, T15N R10E, Town of Montello, containing 1075.63 acres more or less is changed from Rural Lands to a Farmland Preservation Area on the Marquette County Comprehensive Plan Planned Land Use Map.

Resolution No. 60-2022 ZONING AMENDMENT- TOWN OF MONTELLO
(Introduced by Gayle Mack and Dave Krentz)

WHEREAS, the Marquette County Board of Supervisors has been petitioned to amend the Marquette County Zoning Ordinance, and

WHEREAS, the petition has been referred to the Marquette County Planning and Zoning Committee for public hearing, and

WHEREAS, the Marquette County Planning and Zoning Committee on due notice conducted a public hearing on the proposed amendment and filed their recommendation to the Board.

WHEREAS, the proposed amendment and recommendation of the Planning and Zoning Committee have been given due consideration by the Board in open session.

NOW THEREFORE, the Marquette County Board of Supervisors do ordain as follows:

The Zoning Ordinance of Marquette County and accompanying Zoning Map is amended in the following respects: prt of NW-SW 6A, 1A in the SW-SW, SECTION 13, E1/2 of NW-NE, SW-NE, prt of SW-NW 35A, SE-NW, prt of NE-SW 10.13A, prt of NW-SW 30.15A, SW-SW 42.77A, SE-SW 42.94A, NE-SE 43.54A, NW-SE 43.56A, SW-SE 43.17A, SE-SE 43.33A, SECTION 14, prt of SE-SE 2.98A, SECTION 15, NE-NE being prt of Gov't Lot 10 32.81A, SE-NE being Gov't Lot 9 37.17A, SECTION 22, NW-NW & Easement 42.53A, SW-NW 42.77A, Lot 1 of CSM 3644 being prt of Gov't Lot 8 & N1/2 of SW1/4 44.64A, SECTION 22 & 23, NE-SW, NW-SW, SECTION 29, prt if NE-SE 19.31A, NW-SE 35.91A, SW-SE less CSM 3455 36.96A, SE-SE, SECTION 30, NE-NE less CSM 3479, CSM 3455 & RR R/W 14.83A, NW-NE less RR & CSM 3455 23.33A, SECTION 31, That prt of NW-SW ly E of Hwy R/W including CSM 2808 18.65A, prt of SW-SW ly E of STH 22 less CSM 3791 6.70A, SECTION 34, T15N R10E, Town of Montello, containing 920.30 acres more or less is rezoned from Resource Protection (RP) and Agriculture Residential (AG-3(2)) to a Prime Agriculture District (AG-1).

Resolution No. 61-2022 ZONING AMENDMENT- TOWN OF MONTELLO
(Introduced by Gayle Mack and Dave Krentz)

WHEREAS, the Marquette County Board of Supervisors has been petitioned to amend the Marquette County Zoning Ordinance, and

WHEREAS, the petition has been referred to the Marquette County Planning and Zoning Committee for public hearing, and

WHEREAS, the Marquette County Planning and Zoning Committee on due notice conducted a public hearing on the proposed amendment and filed their recommendation to the Board.

WHEREAS, the proposed amendment and recommendation of the Planning and Zoning Committee have been given due consideration by the Board in open session.

NOW THEREFORE, the Marquette County Board of Supervisors do ordain as follows:

The Zoning Ordinance of Marquette County and accompanying Zoning Map is amended in the following respects: NE-SW 39.94A, Lot 1 CSM 3081 10.43A, SE-SW less prt of lot 1 CSM 3081 34.76A, W1/2 of SW-SE 20.19A, SECTION 10, NE-NW less that prt ly S of Co Rd C & in NW cor ly W of driveway 39.11A, Prt of NW-NW ly N of Co Rd C & E of driveway 4.75A, SE-NW less that prt ly S of Co Rd C 6.15A, SECTION 15, T15N R10E, Town of Montello, containing 155.33 acres more or less is rezoned from a Resource Protection (RP) to a Prime Agriculture (AG-1) District.

Resolution No. 62-2022 ZONING AMENDMENT- TOWN OF CRYSTAL LAKE
(Introduced by Jon Vote and Dennis Fenner)

WHEREAS, the Marquette County Board of Supervisors has been petitioned to amend the Marquette County Zoning Ordinance, and

WHEREAS, the petition has been referred to the Marquette County Planning and Zoning Committee for public hearing, and

WHEREAS, the Marquette County Planning and Zoning Committee on due notice conducted a public hearing on the proposed amendment and filed their recommendation to the Board.

WHEREAS, the proposed amendment and recommendation of the Planning and Zoning Committee have been given due consideration by the Board in open session.

WHEREAS, the Board finds the following:

1. The land is better suited for a use not allowed in the AG-1 district.
2. The rezoning will not substantially impair or limit current or future agricultural use of the surrounding parcels of land that are zoned for or legally restricted to agricultural use.
3. The rezoning is consistent with the applicable town and County comprehensive plans, including the farmland preservation plan component of the County Comprehensive Plan.

NOW THEREFORE, the Marquette County Board of Supervisors do ordain as follows:

The Zoning Ordinance of Marquette County and accompanying Zoning Map is amended in the following respects: Part of the NW1/4-NE1/4 and the NE1/4-NW1/4, Section 21, T17N R10E, Town of Crystal Lake, containing 19.82 acres more or less is rezoned from a Prime Agriculture (AG-1) to an Agriculture Residential (AG-3(4)) District.

Resolution No. 63-2022 ZONING AMENDMENT- TOWN OF MOUNDVILLE
(Introduced by Gayle Mack and Jon Vote)

WHEREAS, the Marquette County Board of Supervisors has been petitioned to amend the Marquette County Zoning Ordinance, and

WHEREAS, the petition has been referred to the Marquette County Planning and Zoning Committee for public hearing, and

WHEREAS, the Marquette County Planning and Zoning Committee on due notice conducted a public hearing on the proposed amendment and filed their recommendation to the Board.

WHEREAS, the proposed amendment and recommendation of the Planning and Zoning Committee have been given due consideration by the Board in open session.

WHEREAS, the Board finds the following:

1. The land is better suited for a use not allowed in the AG-1 district.
2. The rezoning will not substantially impair or limit current or future agricultural use of the surrounding parcels of land that are zoned for or legally restricted to agricultural use.
3. The rezoning is consistent with the applicable town and County comprehensive plans, including the farmland preservation plan component of the County Comprehensive Plan.

NOW THEREFORE, the Marquette County Board of Supervisors do ordain as follows:

The Zoning Ordinance of Marquette County and accompanying Zoning Map is amended in the following respects: Parts of the SW1/4-SW1/4 and the SE1/4-SW1/4, Section 33, T14N R9E, Town of Moundville, containing 40 acres more or less are rezoned from Prime Agriculture (AG-1) with 5 acres of the NE1/4 of the SE1/4-SW1/4 rezoned to Agriculture Residential (AG-3(4)) and 35 acres in part of the SE1/4-SW1/4 and the SW1/4-SW1/4 are rezoned to the Farmland Preservation Overlay (FPO) District.

Agenda Item 14- Separate consideration of resolutions.

Resolution No. 64-2022 SALE OF LAND & PROPERTY TO MARQUETTE COUNTY HISTORICAL SOCIETY
(Introduced by Kathleen McGwin and Alan Gibeaut)

Upon roll call Resolution No. 64-2022 was adopted as follows: Ayes 17; Noes 0; Absent 0

WHEREAS, for sixty years, the Marquette County Historical Society ("MCHS") has served all of Marquette County, with an all-volunteer, 501(c)(3) non-profit, non-stock organization, under section 44.03 of the Wisconsin Statutes, to gather and preserve the books, documents, and artifacts relating to Marquette County, and

WHEREAS, section 59.56(5) of the Wisconsin Statutes provides specific authority for Marquette County to appropriate money to local historical societies for the purpose of collecting and preserving the records of the early

pioneers, the life of the Native Americans, the experience of persons in the military, and the salient historical features of the County, and

WHEREAS, the County owns the land and buildings at 125 Lawrence Street in the Village of Westfield which includes the 1903 Cochrane Nelson House, the Henry Ellis Section House and the Riverside School, one of the earliest school buildings in the County ("Property"), and

WHEREAS, the County desires to transfer the Property to MCHS, so that the Society may continue to utilize the Property for the preservation of Marquette County History, pursuant to the terms and conditions set forth in the Offer to Sell attached as Exhibit A, which includes transfer of the Property to MCHS for \$1.00;

NOW, THEREFORE, the Marquette County Board of Supervisors hereby authorizes the County Administrator, County Board Chair, and the County Clerk to execute such documents as may be necessary to transfer the Property to the MCHS pursuant to the terms and conditions of the Offer to Purchase attached as Exhibit A.

Exhibit A is available upon request and can be found in the County Clerk's Office

Resolution No. 65-2022 RESOLUTION TO SET APPROPRIATIONS FOR THE FISCAL YEAR 2023 AND THE TAX LEVY FOR 2022
(Introduced by Ken Borzick and Al Rosenthal)

Upon roll call Resolution No. 65-2022 was adopted as follows: Ayes 14; Noes 3; Absent 0
(Noes: Benson, Rosenthal, Vote)

WHEREAS, the appropriations for the various functions of Marquette County Government for fiscal Year 2023 amount to \$28,027,800. The anticipated revenues to the County, which offset appropriations, are projected to be \$13,264,729. Anticipated revenue of \$1,297,375 from the County Sales Tax is included within the overall projected revenue figure. An additional \$457,402 is being applied from Fund Balance to further reduce the levy and balance the budget.

NOW THEREFORE, BE IT RESOLVED that the remaining sum of \$14,305,669 is levied upon taxable properties within Marquette County in the manner prescribed by State Statutes, as equalized for 2022, for the purpose of appropriating to each department or program of the County the amounts specified in the budget detail document.

BE IT FURTHER RESOLVED that the budget detail document titled "2023 Annual Budget" be adopted as per any recorded amendments with the understanding that accounts designated therein as "non-lapsing" shall be considered continuing appropriations.

Administrator Barger reported the remainder of ARPA funds will be taken to Executive & Finance Committee with hopes of assigning some of the dollars to employee bonuses for 2023 and to pay off some of the projects completed in 2022.

The fiscal and personnel reports, grant updates, and correspondence was reviewed as presented by Administrator Ron Barger. He noted there are 9 applicants for the Medical Examiner position and the contract with Green Lake County for shared Medical Examiner position has been signed.

Corporation Counsel Natalie Bussan presented the October 2022 Report. There was discussion on cell tower agreements.

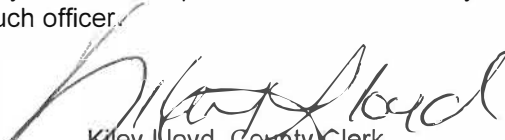
B&G Superintendent Paul Van Treeck reported the Sallyport project is on schedule and the contingency fund has been used.

Calendar planning was reviewed for December 2022 meetings. Supervisor Walters reported Human Services Board is cancelled for December. Supervisor Bennett reported there are open positions for the Fair Board, and they welcome participants.

The meeting was declared adjourned subject to the call of the Chairperson. The meeting adjourned at 8:55 p.m.

CERTIFICATE
STATE OF WISCONSIN)
) SS
County of Marquette)

I, Kiley Lloyd, County Clerk in and for Marquette County, Wisconsin do hereby certify that the foregoing is a true copy of the proceedings of the County Board of Supervisors of said County at their meeting held in-person and remotely by using WebEx by me as such officer.


Kiley Lloyd, County Clerk

REPORT OF THE PLANNING AND ZONING COMMITTEE TO THE COUNTY
BOARD ON PUBLIC HEARING ON PETITION TO AMEND THE
MARQUETTE COUNTY ZONING ORDINANCE

TO THE COUNTY BOARD OF MARQUETTE COUNTY:

The Marquette County Planning and Zoning Committee having considered the petition to amend the Marquette County Code of Ordinances Chapter 70-Zoning filed by **Ryan Menke** on the 5th day of October, 2022 to rezone from a Recreational (REC) to an Agriculture Residential (AG-3(2)) District

the following described lands:

Lot 2, CSM 2651 being part of Gov't Lot 1, Section 5, T16N R8E, Town of Westfield, containing 2.45 acres.

and having held public hearing thereon, pursuant to Section 59.69, Wisconsin Statutes, notice thereof having been given as provided by law, and being duly informed of the facts pertinent to the changes proposed and duly advised of the wishes of the people in the area affected and after further discussion at their meeting on November 2, 2022 as directed by the Marquette County Board of Supervisors hereby recommends as follows:

That the petition for amendment by Ryan Menke be denied.

Reasons for recommendation to deny:

- 1. Neighbors are opposed to the rezoning.**
- 2. Zoning of adjacent properties.**

Dated this 3rd day of November, 2022

MARQUETTE COUNTY PLANNING AND ZONING
COMMITTEE

U.S. Postal ServiceTM
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 Domestic Mail Only

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Westfield, WI 53964

Certified Mail Fee \$4.00
 Extra Services & Fees (check box, add fee to postage)
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☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.84
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 Street and Apt. No., or PO Box No. NW 980 5th Ave
 City, State, ZIP+4® Westfield WI 53964
 PS Form 3800, April 2015 PSN 7530-02-000-9053 See Reverse for Instructions

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Postmark Here

08/30/2022

**NOTICE OF PUBLIC HEARING
 ON PROPOSED AMENDMENT TO THE
 MARQUETTE COUNTY ZONING ORDINANCE**

NOTICE IS HEREBY GIVEN that a public hearing will be held on the 5th day of October, 2022 at 4:30 PM on the proposed amendment to the Marquette County Code of Ordinances Chapter 70-Zoning. The hearing will be in person with an option to join virtually. In person will be in the County Board Room of the Marquette County Services Center, 480 Underwood Avenue, Montello, WI 53949. Virtual meeting will be available remotely using Webex (Meeting number (access code): 2555 372 8881. Meeting password: MRpmHrmC457 (67764762 from phones and video systems) or dial in 1-408-418-9388.

Join from the meeting link
<https://marquettecounty.my.webex.com/marquettecounty.my/j.php?MTID=m134fa5d90dfa65dc03f0ab79fe937f30>

Ryan Menke, N6897 3rd Rd., Westfield WI 53964 is requesting a rezoning from Recreational (REC) to Agriculture Residential (AG-3(2)) Districts for the following lands:

Lot 2 of CSM 2651 being part of Gov't Lot 1, Section 5, T16N R08E, Town of Westfield, containing 2.45 acres more or less.

The petition to amend said ordinance is on file in the Planning, Zoning and Land Information Office of Marquette County, Montello, Wisconsin or on the webpage at <http://www.co.marquette.wi.us/departments/zoning>.

Dated this 30th day of August, 2022.
 Publish: 9/15/22, 9/22/22 WNAXLP

08/30/2022 (800)275-8777 03:49 PM

Product	Qty	Unit Price	Price
First-Class Mail® Letter	1		\$0.84
Westfield, WI 53964			
Weight: 0 lb 1.80 oz			
Estimated Delivery Date Thu 09/01/2022			
Certified Mail®			\$4.00
Tracking #: 70191640000175050059			
Return Receipt			\$3.25
Tracking #: 9590 9402 4535 8278 2422 28			
Affixed Postage			-\$8.09
Affixed Amount: \$8.09			
Total			\$0.00

Grand

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Molly Buchholz, Clerk
 NW 980 5th Ave
 Westfield, WI 53964



9590 9402 4535 8278 2422 28

2. Article Number (Transfer from service label)

7019 1640 0001 7505 0059

COMPLETE THIS SECTION

A. Signature

Molly Buchholz

B. Received by (Printed Name)

Molly Buchholz

D. Is delivery address different from the address on the label?
 If YES, enter delivery address

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Mail
- ☐ Mail Restricted Delivery (300)

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The petition to amend said ordinance is on file in the Planning, Zoning and Land Information Office of Marquette County, Montello, Wisconsin or on the webpage at <http://www.co.marquette.wi.us/departments/zoning>.

Dated this 30th day of August, 2022.
 Publish: 9/15/22, 9/22/22 WNAXLP

Marquette County



1 inch equals 94 feet



MARQUETTE COUNTY
WISCONSIN

Current Time: 11/8/2021 3:04 PM

DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.



608-296-2462

109 S. MAIN ST. • PO BOX 194
WESTFIELD, WI 53964

STEVE@ROBINSONREALTYCOMPANY.COM



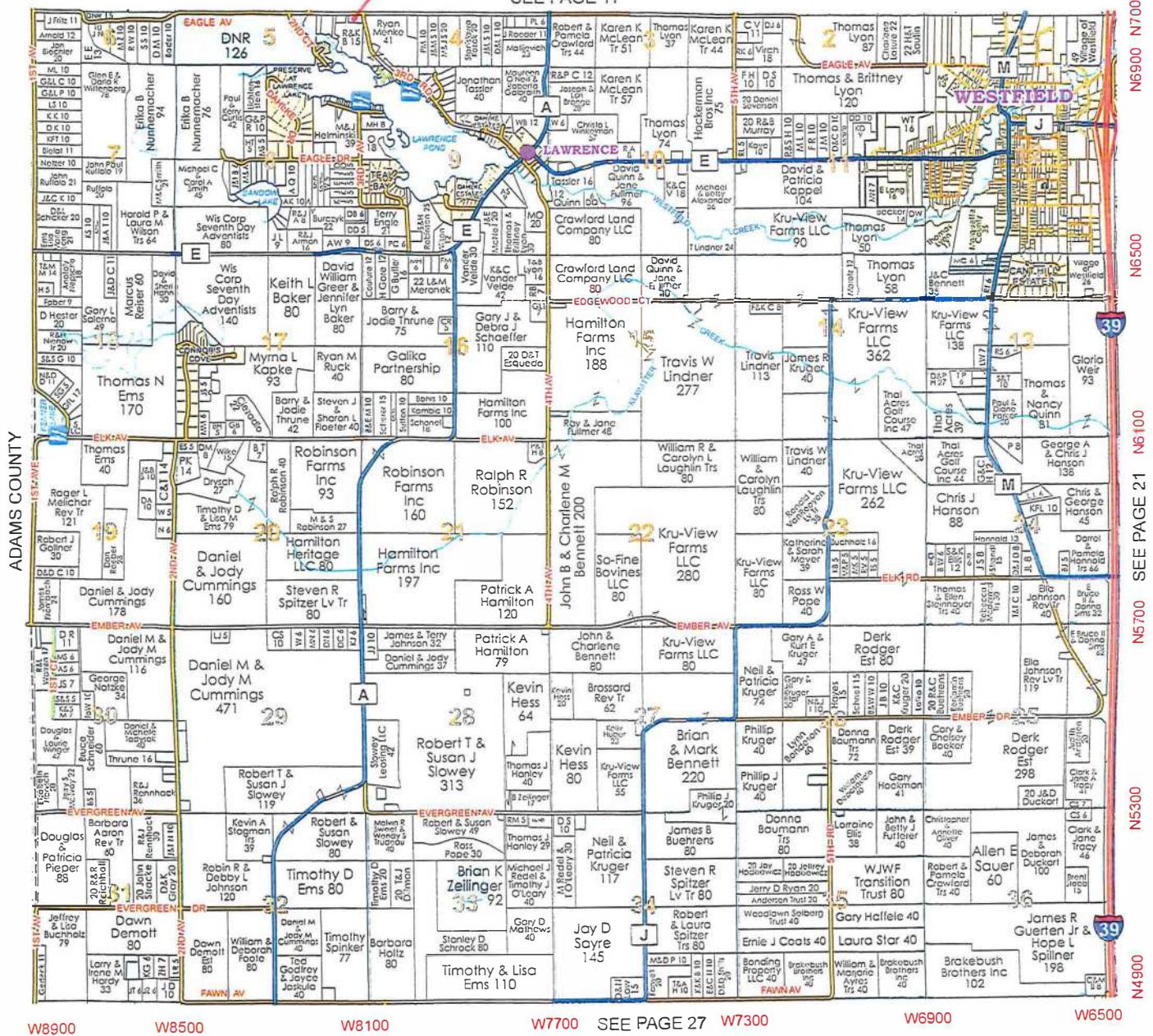
Westfield

Township 16N - Range 8E

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SEE PAGE 11



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W8100

W7700

SEE PAGE 27

W7300

W6900

W6500

PUBLIC HEARING

NAME:	ADDRESS:	TOPIC TO COMMENT ON:
Diane Lefebvre	68 Church St. Montello, Wi. 53949	Budget
Mandy Stanley	1323 Green Ave Friendship WI (IL) 428 (and 428) (w) the (w)	Budget
Jim Brissman	W 8185 Eagle Ave Westfield, WI	Monke zoning
Rebecca Leiter	221 W. Hilber st Oxford	Budget
Boish		

REGULAR BUSINESS MEETING

NAME:	ADDRESS:	TOPIC TO COMMENT ON:
Jim Brossman	W 8185 Eagle Ave Westfield, WI	Menke Rezone petition.
ROBERT BROWN Robert Brown	W 8133 EAGLE AVE WESTFIELD	MENKE REZONE
KRYSTYNA BROWN	8133 EAGLE	MENKE REZONE
Tracy Waldinger	Atty. for Bob Brown	Menke Rezone