

Regular Board Meeting

February 17, 2015

Meeting called to order at 7:00 p.m. by President Manthei. Trustees present: Baltz, Koelbl, Lautz, Leicht, Schumacher, and Wehrs. Also present: Public Works Director Scott Halbrucker, Coulee News Reporter Jourdan Vian, Recreation Director Michelle Czerwan, Peyton Czerwan, Police Chief Charles Ashbeck, Leroy Brown, Pastor Rick Sella, representatives from the West Salem Baptist Church, Village Attorney Bryant Klos, and Village Administrator Teresa Schnitzler.

Minutes

Motion by Trustee Leicht, seconded by Trustee Schumacher to approve the minutes of the February 3, 2015, Regular Board meeting as written. Roll call vote: Unanimous aye. Motion approved.

Claims

Claims from the following funds were presented for payment:

<u>General Fund:</u>	\$1,782,135.91
<u>Water Utility:</u>	\$17,012.81
<u>Sewer Utility:</u>	\$18,380.94
<u>Storm Water Utility:</u>	\$388.05

Motion by Trustee Leicht, seconded by Trustee Schumacher to approve the payment of all claims as listed. Roll call vote: Baltz – present; remainder of Board - aye. Motion approved.

West Salem Baptist Church Conditional Use Permit

Pastor Rick Sella and members of the West Salem Baptist Church congregation addressed the Board regarding the Planning Commission and Village Board's conditions placed on Conditional Use Permit No. 18, which allows a variance to the sign ordinance. Pastor Sella stated the conditions included in the approved Conditional Use Permit were not conditions the church had agreed upon. Pastor Sella stated he disagrees with the way the Planning Commission dealt with the Church's request. Pastor Sella feels the Church's visibility has been taken away by the conditions included in the Conditional Use Permit, the sign presently in the boulevard has been in that location for thirty years, and since it is grandfathered, replacing the sign in the boulevard should be allowed. Pastor Sella disagreed with the fact the Church was told it would have to remove the boulevard sign and the sign at the corner of South Mill and East Jefferson Street. Pastor Sella also questioned what took place between the first Planning Commission meeting and the second Planning Commission meeting to change what appeared to be a favorable response from the Commission to a different response by the second meeting.

Village Board members, Village Attorney Klos, and Public Works Director Halbrucker answered and responded to Pastor Sella's questions and statements and confirmed the legal process followed for this conditional use permit was the same as all other permit processes. President Manthei informed Pastor Sella of the Planning Commission's lack of action regarding a reconsideration of the Conditional Use Permit conditions at its meeting on February 16, 2015.

Special Event Application

Motion by Trustee Koelbl, seconded by Trustee Leicht to approve the issuance of a Special Event Permit to La Crosse Area Family YMCA for its 12th annual triathlon scheduled for Sunday, June 14, 2015. Roll call vote: Unanimous aye.

Alcohol Beverage License Applications

Motion by Trustee Schumacher, seconded by Trustee Koelbl to approve the issuance of alcohol beverage licenses to Laura Ann Collins, April Rayne Feyen, Desiray Dawn Hicks-Peterson, Jordan K. Marcou, and Cara Elizabeth Szpila. Roll call vote: Baltz – abstain; remainder of Board – aye. Motion approved.

Planning Commission

President Manthei reported on the February 16, 2015, Planning Commission meeting. The purpose of the Planning Commission meeting was to review for recommendation a Conditional Use Permit Application submitted by Hetland-Jandt Rental Partnership, review for recommendation a Certified Survey Map submitted by Jon Hetland, review for recommendation an Application for a Conditional Use Permit submitted by JFCM Properties, review for recommendation land transfer proposals, and act on a Village Board motion to discuss reconsideration of the West Salem Baptist Church Conditional Use Permit Application. Hetland-Jandt Rental Partnership has submitted a Conditional Use Permit Application to convert the first floor of 116 West Hamilton Street to residential use. Jon Hetland met with West Salem Building Inspector Randy Sullivan, and Mr. Sullivan stated the project would not require State of Wisconsin approvals. West Salem Building Codes would govern the renovation. Mr. Hetland stated the first floor walls have been removed. Attorney Klos advised the Commission if it wishes to move this matter forward, a public hearing must be scheduled. Attorney Klos would consult with Building Inspector Sullivan regarding Code requirements, and any requirements would be incorporated into a proposed Conditional Use Permit. The Commission recommended scheduling a public hearing on the Conditional Use Permit for Tuesday, March 10, 2015, at 6:00 p.m. Jon Hetland presented a proposed Certified Survey Map for property located on East Avenue and North Van Ness Street. Mr. Hetland stated he and Dave Skrove are in the process of purchasing 345 North Van Ness Street. Mr. Skrove plans to remodel the home for re-sale. Mr. Hetland wishes to add ten feet to his property at 405 East Avenue, and the proposed Certified Survey Map accomplishes this. The garage located at 345 North Van Ness Street will be razed during Mr. Skrove's remodeling project. Attorney Klos presented a proposed Undertaking document wherein approval of the Certified Survey Map requires Mr. Hetland to raze the garage at their cost no later than August 31, 2015. Razing the garage would include removal of the entire structure and all concrete and footings related to the garage, and the area where the garage is removed must be landscaped to the surface of the surrounding yard and seeded by said date. The Planning Commission unanimously recommended approval of the Certified Survey Map as

submitted by Hetland-Jandt Rental Partnership conditioned upon the execution of the Undertaking document as prepared by Attorney Klos. The Commission then reviewed an Application for a Conditional Use Permit submitted by JFCM Properties, LLC. to construct two 40' X 160' mini-warehouse storage buildings at 507 East Jefferson Street. Presently, there is a large dirt pile on the area proposed for the two new buildings. Attorney Klos advised if the Planning Commission wishes to move this matter forward, a public hearing would need to be scheduled and a proposed condition prior to building permit approval would be removal of the large dirt pile presently located on the property. Mr. Finch indicated to Administrator Teresa Schnitzler that the building presently under construction should be completed by April 1, and the dirt pile should be removed by June 1. The Commission recommended scheduling a public hearing on the Conditional Use Permit Application for Tuesday, March 10, 2015, at 6:05 p.m. Attorney Klos explained a land transfer matter was brought before the Planning Commission a month or so ago, and the Planning Commission requested further detailed information. Fossum Management would like to swap some lands in the Memorial Drive and South Mill Street area with the Village of West Salem so it may build a new warehouse for storing its large lumber products in place of the building known as the old Hansen's IGA. The Commission reviewed an updated floor plan supplied by Fossum Management. The plans call for an enclosed building 90 feet wide with an additional 10-foot covered overhang on the west side for outside covered storage, making the total width of the building 100 feet. The length of the proposed structure running north/south would be 160 feet. Fossum Management's plan details a 9-foot setback off the Mill Street right-of-way and a 12 foot 1½-inch setback off the proposed new Village ownership line between the new building and the existing north/south alley. Village Engineer Dave Sauer drafted a number of potential options, and the options presented at the meeting were labeled "Option 4 and Option 1A and 1B." Option 4 basically takes the existing 16-foot alley and creates a new further southern extension of the alley directly east of the existing Village Hall ownership line. Option 4 provides for diagonal parking within a 21-foot strip to be either retained or acquired by the Village directly east of the current north/south alley. Based on Fossum Management's current building plans and allowing a 9-foot setback off Mill Street and a 12 ½-foot setback off of the new proposed Village boundary and the north/south alley shown in Option 4, there is enough area to construct the building Fossum Management proposes. Option 4 also shows the ownership of each parcel and the square footages required in the transfers. Existing utilities and confirming the large storm sewer within the present east/west alley are also outlined. Options 1A and 1B moves the southern leg of the north/south alley further east so that its east boundary matches up with the east boundary of the new parking area further to the north, and it creates a one-way alley going north. The north/south alley "jogs" in the middle giving the Village a wider ownership area directly east of the existing Village Hall. This moves the west line of the alley far enough east that even with a 9-foot setback, the Village would have an area that would be approximately 33 feet wide and 60 feet deep where at some time in the future it potentially could expansion for the Village Hall. Attorney Klos informed the Commission any land swap will be subject to a signed development agreement with Fossum Management. The development agreement would state the land swap proposals are contingent upon the Village vacating the east leg of the east/west alley and being able to do that under law. The development agreement would require Fossum Management to execute a surveyed utility easement for the existing storm sewer and any other utilities the Village would want to place in the easement area. An agreement would need to be obtained from

Allied Cooperative that it would deed to the Village the surveyed portion of the south leg of the north/south alley along with any other land they own to the west of this area. The Village would require an agreement with Contractor Supply as to what portion of their cold storage building on Elm Street would be removed and when it would be removed. Details of all ingress and egress from the Fossum property after the project is complete will be needed along with more specific details on the new building. Legal and engineering fees are accruing regarding the alley abandonment, and an agreement on how these fees will be paid is required. Kevin Fossum addressed the Commission stating he and his wife believe this is a win-win for both parties. The Village can acquire additional area for potential future growth, maintain downtown parking, and provide a safer pedestrian and vehicular area. Mr. Fossum stated he has the manpower and equipment to raze the cold storage building east of the Village Hall facing Elm Street, and he would remove the buildings. The Fossums wish to construct a new building to replace the old building, and this would spruce up the area. The Planning Commission recommended the Village Board consider a development agreement with Fossum Management along the lines outlined in Option 4 with a provision the diagonal parking as shown remain. The Planning Commission was directed by the Village Board to review and discuss a reconsideration of the Conditional Use Permit covenants and restrictions regarding the West Salem Baptist Church new directory signage. No action was taken on this item.

Motion by President Manthei, seconded by Trustee Baltz to approve the minutes of the February 16, 2015, Planning Commission meeting as presented. Roll call vote: Wehrs – abstain; remainder of Board – aye. Motion approved.

Motion by Trustee Koelbl, seconded by Trustee Schumacher to schedule a public hearing for Hetland-Jandt Rental Partnership's conditional use permit application for Tuesday, March 10, 2015, at 6:00 p.m. Roll call vote: Unanimous aye.

Motion by President Manthei, seconded by Trustee Koelbl to approve the Certified Survey Map submitted by Jon Hetland conditioned upon the execution of the Undertaking document as prepared by Attorney Klos. Roll call vote: Unanimous aye.

Motion by President Manthei, seconded by Trustee Koelbl to schedule a public hearing for the Conditional Use Permit Application submitted by JFCM Properties for Tuesday, March 10, 2015, at 6:05 p.m. Roll call vote: Unanimous aye.

Motion by Trustee Leicht, seconded by Trustee Schumacher to convene in closed session at 7:45 p.m. pursuant to Wis. Stat. Sec. 19.85(1)(e) to deliberate or negotiate the purchasing of public properties, the investing of public funds, or to conduct other specific public business, whenever competitive or bargaining reasons require a closed session, to-wit: Proposed land transfer. Roll call vote: Unanimous aye.

Motion by Trustee Leicht, seconded by Trustee Koelbl to convene in open session at 8:30 p.m. Approved by voice vote.

Motion by Trustee Wehrs, seconded by Trustee Koelbl to adjourn the meeting at 8:31 p.m. Approved by voice vote.

Teresa L. Schnitzler, Village Administrator