

## Regular Meeting

April 4, 2017

Meeting called to order at 7:00 p.m. by President Manthei. Trustees present: Brown, Deal, Hennessey, and Lautz. Trustee Schumacher arrived later as noted below. Excused: Leicht. Also present: Public Works Director Scott Halbrucker, Coulee News Special Correspondent Tobias Mann, Village Attorney Bryant Klos, Police Chief Charles Ashbeck, Michelle Stello, Nancy Pradovic, Ian Hesselberg, Recreation Director Michelle Czerwan, and Village Administrator Teresa Schnitzler.

### Minutes

Motion by Trustee Lautz, seconded by Trustee Deal to approve the minutes of the March 21, 2017, Regular Board meeting as written. Roll call vote: Unanimous aye.

### Claims

Claims from the following funds were presented for payment:

<u>General Fund:</u>	\$47,959.06
<u>Water Utility:</u>	\$12,351.48
<u>Sewer Utility:</u>	\$25,232.66
<u>Storm Water Utility:</u>	\$561.24

Motion by Trustee Lautz, seconded by Trustee Hennessey to approve the payment of all claims as listed. Roll call vote: Unanimous aye.

Trustee Schumacher arrived at 7:03 p.m.

### Street Closing Request

Michelle Stello stated June Dairy Days would like to add an antique implement and tractor show to the Sunday, June 4, 2017, event schedule. The Committee is requesting use of one additional block of North Leonard Street from Franklin Street to Garland Street, leaving Hamilton and Franklin Street cross traffic open.

Motion by Trustee Hennessey, seconded by Trustee Deal to approve the request submitted by the June Dairy Days Committee to close North Leonard Street from Franklin to Garland Sunday afternoon, June 4, 2017. Roll call vote: Brown – abstain; remainder of Board - Unanimous aye.

### Law Enforcement Mutual Assistance Agreements

Police Chief Ashbeck presented three, proposed Law Enforcement Mutual Assistance Agreements between the Village of West Salem and the City of Onalaska, Village of Holmen, and Village of Bangor. Chief Ashbeck explained mutual assistance agreements differ from mutual aid agreements in that mutual aid agreements are more of an emergency response and mutual assistance agreements cover duties directly

related to the official responsibilities of law enforcement. The purpose of the proposed agreements is to permit each municipality to the agreement to share services of law enforcement officers, to share resources and equipment to operate more effectively with regards to the investigation, and the handling of enforcement on a daily and routine basis. Each municipality agrees to allow a licensed law enforcement officer or officers to assist law enforcement officers within its jurisdictional boundaries, allow arrest and other police authority within another's territorial jurisdiction, and law enforcement officers remain employees of their own municipal jurisdiction. Attorney Klos has reviewed the agreements, ensured the agreements state that each municipality to pay its own employees, and he recommended approval of the agreements.

Motion by Trustee Lautz, seconded by Trustee Deal to approve the Law Enforcement Mutual Assistance Agreements with the City of Onalaska, Village of Holmen, and Village of Bangor as presented. Roll call vote: Unanimous aye.

#### 2017 Youlon Street Reconstruction and Utility Improvements Project

Village Engineer Dave Sauer submitted a bid analysis for the Youlon Street Reconstruction and Utility Improvement Project. This project is the last block of Youlon Street improvements which the Village has been working on for the last few years. New 8-inch sanitary sewer, 8-inch water main, storm sewer upgrades, and complete street reconstruction will be completed. Current curb and street grades will be replaced to allow water to drain to the storm sewer. This project includes an upgrade to the alley entry that serves the businesses along Leonard Street. A total of six bids were received for the project. Based upon Mr. Sauer's analysis of the bids received, the responsive low bidder is Zenke, Inc. of La Crescent, Minnesota, in the amount of \$256,851.96. The second low bidder was Gerke Excavating at \$262,233.60. Mr. Sauer's estimate for the project was \$300,000. Zenke's low bid included lower bid costs for asphalt, sanitary sewer, and water main than what has been submitted in recent years. Zenke proposes to begin work on this project as soon as contracts are approved and signed which could be late April or early May. Anticipated time for construction will be four to six weeks, dependent on weather.

Motion by President Manthei, seconded by Trustee Deal to award the 2017 Youlon Street Reconstruction and Utility Improvement Project to Zenke, Inc. in an amount not to exceed \$256,851.96. Roll call vote: Unanimous aye.

#### Street Committee

Trustee Deal reported on the March 23, 2017, Street Committee meeting. The purpose of the meeting was to review the 2017 sidewalk inspections and repairs and discuss owner repairs, street reconstruction funding for South Leonard Street, and discuss the five-year street plan and future funding. Mr. Halbrucker reminded the Committee the Village opted to delay sidewalk inspections and repairs to this year and to divide the inspection work into four sections over four years. The quadrant set for inspection and repairs for this year is bounded by Highway 16 and Commerce Street. Mr. Halbrucker asked for Committee direction on allowing property owner sidewalk repairs due to the improper repair work experienced in the past. The Committee agreed if a property owner would like to perform repair or replacement work, the proposed repair or replacement plan must be submitted to the Public Works Director within thirty days of receiving a notice for approval first. The objective of the Surface Transportation Urban

Program is to improve transportation on Wisconsin's federal-aid-eligible roads and streets in urban areas. STP-Urban projects must meet federal and state requirements. Counties, towns, cities, villages, and certain public authorities located within urban and urbanized areas are eligible for funding on roads functionally classified as urban "collector" or higher. Mr. Halbrucker informed the Committee South Leonard Street from Garland to Elm meets the criteria for STP-Urban funding for the 2023-2024 fiscal year cycle. The West Garland Street and the North Mark Street projects were both funded with STP-Urban program dollars. The Committee requested Mr. Halbrucker pursue funding for South Leonard Street and to time such a project for after the Elm Street storm water project is complete. Mr. Halbrucker would like to update the Village Five-Year Street plan to include East Avenue from Mill to Mark Street in the 2018 budget, East Franklin from Leonard to Mill Street in 2019, and East Hamilton from Mill to North Rose Street for 2020. There are several streets that could be reconstructed in 2021. Mr. Halbrucker will revise the Five-Year Street plan and forward same to the Committee for review. He also felt many streets could be repaired by a street overlay for a significant cost savings.

Motion by Trustee Deal, seconded by Trustee Schumacher to approve the Street Committee meeting minutes of March 23, 2017, as presented. Roll call vote: Unanimous aye.

#### Planning Commission Public Hearings and Meeting

President Manthei reported on the Planning Commission public hearings and meeting held on March 27, 2017. A Conditional Use Permit Application was submitted by Terry and William Wagner and Susan and Donovan Carlson to construct a two-family duplex on the vacant lot on the corner of West Garland Street and North Youlon Street. This parcel is located in an R-1 Residential District. Several citizens were present to speak against the Application and to ask questions about the proposed duplex. Frank Schiffer and Lesa Schiffer of 212 West Garland Street asked whether the duplex will be owner-occupied, expressed concerns about how much of the lot will be improved, and asked when the structure will be built and how close to their fence the structure will be. Mr. Carlson stated he plans to begin construction late fall of this year into early spring of next year. The structure will meet Village setback ordinances, and he confirmed the neighbor's fence will be treated respectfully. Rod Mellor of 134 West Garland Street spoke against the granting of the Conditional Use Permit citing he did not want a rental duplex across the street from his home, and he is concerned about off-street parking as parking is an issue now. Harry Garbers, 215 West Garland Street, spoke against construction of a duplex on this lot due to off-street parking issues, and he feels the lot is not large enough for a duplex. Roberta Kotek, 340 North Youlon Street, was present to speak against the Conditional Use Permit. She stated traffic on Youlon Street due to the Coulee Christian School and school-related events is already significant. Ms. Kotek asked why the Village is willing to change the pattern of residential lots resulting in a downgrade of the neighborhood. Andrew Hudzinski, 229 West Garland Street, stated the lot is too small for a duplex, cited off-street parking concerns, and the fact the driveway parking would be limited due to the sidewalk through the driveway. There were no citizens present to speak in favor of the proposed Conditional Use Permit. The second public hearing was then called to order. This public hearing concerns a Conditional Use Permit Application submitted by Nancy Pradovic and EPH, LLC to convert 345 West Jefferson Street from a single-family residence to a two-family

residence. The parcel is located in an R-1 Residential District. There were no citizens present to speak for or against the Conditional Use Permit Application. The Planning Commission meeting was then called to order. The Commission reviewed the proposed Conditional Use Permit drafted by Attorney Klos for the Wagner and Carlson duplex proposal. Attorney Klos stated the property is zoned R-1 Residential, and two-family residences are allowed in an R-1 Residential District with a conditional use permit. The Planning Commission must take into consideration the surrounding properties, present uses in the area, traffic patterns, and decide the best use for the lot. If the Planning Commission recommends approval of the Conditional Use Permit, it can also place conditions and restrictions on it. The conditions included in the permit drafted by Attorney Klos include the following:

1. A surveyor must certify the legal description for the land described at Exhibit "B" contains at least 10,000 square feet.
2. All residential units which are constructed pursuant to this conditional use must be constructed within one new building on the property. The actual construction shall be in substantial compliance with the Wisconsin Building Supply West Salem Duplex Plan for Don Carlson dated 1/31/2017 and found at Exhibit "B" except as modified hereby. The building must front Youlon Street and meet all setback and sidewalk requirements.
3. No advertising or other signs are allowed on the property which does not comply with the West Salem Code of Ordinances.
4. The existing garage on the premises must be torn down and removed before an occupancy permit is granted, and no outbuilding is allowed on the lot.
5. The exterior appearance, building heights, and building setbacks of the new duplex residential building shall be substantially in accord with the depictions on Exhibit "B". All building heights and setbacks must comply with the Village Code unless modified hereby.
6. The new duplex residential building construction shall be completed and an occupancy permit issued by 12/31/2018.

Commission members asked if the structure is a split level duplex and which direction the garages will face. The Planning Commission tabled this matter until such time as the Planning Commission has additional details on the lot size, a plot plan, and once additional information is submitted and reviewed by the Village Administrator and Village Attorney, the Planning Commission will convene for further consideration and review. The Commission then reviewed the proposed Conditional Use Permit and restrictions drafted by Attorney Klos with regard to the request to convert a single-family residence to a two-family residence at 345 West Jefferson Street. Ian Hesselberg stated the apartment he wishes to remodel and convert into an apartment was once a beauty salon addition to the home. Mr. Hesselberg plans to reside in the new apartment addition. He stated there is no basement under the remodeled addition, and he will follow building codes with regard to fire wall separations and electrical and plumbing codes. Conditions proposed in the permit include:

1. A surveyor must certify the legal description for the land described contains at least 10,000 square feet.
2. Each apartment unit must have a separate electric meter.
3. Apartment must be brought up to current code to comply with energy, plumbing, and electrical code.

The Commission recommended approval of Conditional Use Permit No. 30 with an additional condition that code compliant fire separation must be installed between the units to the satisfaction of the building inspector.

Motion by President Manthei, seconded by Trustee Schumacher to approve the Planning Commission meeting minutes of March 27, 2017, as presented. Roll call vote: Unanimous aye.

Motion by Trustee Deal, seconded by Trustee Hennessey to approve Conditional Use Permit No. 30 with a revision to Condition No. 3 to indicate both apartments must be brought up to current code. Roll call vote: Unanimous aye.

Trustee Deal was thanked for his service on the Village Board of Trustees as his term expires at midnight on April 17, 2017.

Motion by Trustee Deal, seconded by Trustee Brown to adjourn the meeting at 7:23 p.m. Approved by voice vote.

Teresa L. Schnitzler, Village Administrator