

Regular Board Meeting

September 20, 2016

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

Minutes

Motion by Trustee Leicht, seconded by Trustee Schumacher to approve the minutes of the September 6, 2016, Regular Board meeting as written. Roll call vote: Unanimous aye.

Claims

Claims from the following funds were presented for payment:

<u>General Fund:</u>	\$46,984.65
<u>Water Utility:</u>	\$10,283.80
<u>Sewer Utility:</u>	\$17,835.22
<u>Storm Water Utility:</u>	\$12,661.70

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

State Sale of Surplus Land

By letter dated August 23, 2016, the Wisconsin Department of Transportation has offered a 1.28-parcel of land located directly north of Interstate 90 and the Neshonoc Road interchange for sale to the Village of West Salem, West Salem School District, the DNR, and La Crosse County. The parcel is zoned Business. This matter was tabled at the September 6, 2016, Village Board meeting for further review and consideration by the Board. Attorney Klos distributed copies of Wis. Stat. Sec. 84.09(5)(c). If the Village is interested in the property, to buy it at the appraised value, the Village would have to put together a written proposed public use for the parcel, demonstrate how it would benefit a cross section of the population, and if we purchased it at the appraised price, the Village would have to agree that it would always be used for that purpose and is not being purchased for the generation of profit. There is no water or sewer extended to the site. Depending on where a building would be placed on this property, sewer and water extensions would cost between \$40,000 and \$70,000 to extend to the site. Attorney Klos pointed out that because of its location north of the Interstate and the fact that the vast majority of the Village is and always will be north of the Interstate, it does not seem to be an ideal site for public works, police, or fire protection.

Motion by Trustee Leicht, seconded by Trustee Lautz to decline the State's offer to the Village to acquire the 1.28-acre parcel of surplus land. Roll call vote: Schumacher – nay; remainder of Board – aye. Motion approved.

Special Event Application

Motion by Trustee Deal, seconded by Trustee Brown to approve a Special Event Application submitted by West Salem High School student Kaitlyn Krien to conduct a mock car accident on September 28, 2016, from 7:50 a.m. to 10:15 a.m. on North Mark Street as part of a senior exit project. Roll call vote: Unanimous aye.

Special Event Application

Motion by Trustee Leicht, seconded by Trustee Lautz to approve a Special Event Application submitted by the West Salem High School to hold the annual Homecoming Parade on Friday, October 7, 2016, beginning at 2:00 p.m. utilizing North Leonard Street to Elm Street. Roll call vote: Unanimous aye.

Alcohol Beverage License Applications

Motion by Trustee Schumacher, seconded by Trustee Leicht to approve the issuance of alcohol beverage licenses to Katy J. Dillon, Samantha A. Dresen, Thomas G. Torkelson, and Barbara A. Whitewater. Roll call vote: Unanimous aye.

Law Enforcement Committee

Trustee Lautz reported on the September 12, 2016, Law Enforcement Committee meeting. The purpose of the meeting was for the Committee to meet and discuss a successor police union contract. The Committee convened in closed session pursuant to Wis. Stat. Sec. 19.85(1)(e) for deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specific public business, whenever competitive or bargaining reasons require a closed session, to-wit: Discuss West Salem Police Union successor agreement.

Motion by Trustee Lautz, seconded by Trustee Leicht to approve the minutes of the Law Enforcement Committee meeting of September 12, 2016, as presented. Roll call vote: Unanimous aye.

Planning Commission

President Manthei reported on the September 19, 2016, Planning Commission meeting. The Commission reviewed an Application for an Outdoor Alcoholic Beverage Garden permit submitted by James M. Viner for JT's Longshots Bar & Grill, 153 South Leonard Street. The outdoor beverage garden area was originally constructed by prior owners, and Attorney Klos stated the proposed Conditions are essentially identical to the prior garden conditions with clarification on entrance areas. Cameras for monitoring activity in the outdoor area, digital video recorders in the event an incident occurs, obstruction of cameras being prohibited, proper lighting to view the activities of the patrons from the alley being required, proper signage, hours of operation, and sound restrictions are all contained in the proposed permit. Administrator Schnitzler distributed a letter from the West Salem Volunteer Fire Department recommending approval of the permit with the stipulation that both gates remain unlocked during hours of operation. Police Chief Charles Ashbeck informed Ms. Schnitzler his department has no objections to

approving the permit. The Commission approved scheduling a public hearing on the Outdoor Alcoholic Beverage Garden Permit for Tuesday, October 11, 2016, at 5:00 p.m.

A Petition for Change of Zone was submitted by La Crosse County, Harry and Carol Griswold, and Peter and Cassandra Opsahl. Petitioners are requesting property located at 902 East Garland Street (present Lakeview Healthcare Facility) be rezoned from La Crosse County Zoning to West Salem's R-1 Single Family Residential in order to develop a 37-lot residential plat. Attorney Griswold informed the Commission the costs to repurpose the present Lakeview Healthcare facility are two to three times more than he and the Opsahls had anticipated. Petitioners now plan to raze the building and develop a residential subdivision. Attorney Griswold distributed a proposed plat showing access to the development from both East Avenue and East Garland Street. Outlot 1 in the northeast corner is set aside for storm water retention with an easement proposed between Lots 9 and 10 or between Lots 8 and 9. The parties plan to acquire title to the property in February 2017, and they will hire a firm to raze and dispose of the Lakeview Healthcare structure. An optimistic timeline for this development results in selling residential lots beginning in September of 2017. Attorney Klos advised that the Commission is not reviewing and approving the proposed subdivision at this time. The Commission is to consider the Petition to Rezone the area from La Crosse County Zoning to Village of West Salem's R-1 Single Family Residential. The Commission approved scheduling a public hearing on the Petition for Change of Zone for Tuesday, October 11, 2016, at 5:10 p.m.

The Commission then reviewed a Conditional Use Permit Application submitted by Jerry King to construct a 16-unit apartment building with detached garages on Neshonoc Road across from the Hazel Brown Leicht Memorial Library. Mr. King is proposing a 16-unit apartment building on the north, 1.25 acres. The complex is a mix of one and two-bedroom apartments, on-site parking, and sixteen garage units. Mr. King then proposes to donate to the Village of West Salem the remaining 2.23 acres for storm water management. Attorney Klos recommended Mr. King submit a certified survey map which would document where on the 3.66 acres the apartment building and the proposed storm water management area will be located. Engineer Sauer recommended the Village work with Mr. King to create a regional storm water retention area rather than Mr. King constructing his own for his development with the Village's storm water area in such close proximity. Attorney Klos informed the Commission he will review the legal process with accepting the donation of land and a regional storm water retention pond. Engineer Sauer will develop costs estimates for the creation of a regional storm water retention area. This matter will be reviewed again at the next Planning Commission meeting on October 11.

The Commission then reviewed resubmitted plans for Water Tower Estates. Ben Sprain on behalf of Aben Properties, LLC filed a Petition to Rezone and a Conditional Use Permit in March of 2016. Since then, Mr. Sprain has revised his original plans to address the Planning Commission's, Building Inspector's, and Village Engineer's recommendations. Mr. Sprain is proposing a 50-unit townhouse development with on-site parking and garage units. Access to the development would be off East Garland with one-way travel through the middle of the units, and then exit again onto East Garland Street farther to the east. The garage units would all face the travel lane in the middle of the townhouse buildings. Mr. Sprain plans to construct one, 8-unit townhouse

at a time. There is a 40' X 80' shop and office building at the northeast corner of the development with two, 2-bedroom apartments above. If a revision to the storm water management plan is required, the duplex included at the southeast corner could be modified or eliminated to accommodate. Storm water conveyance is in place adjacent to the west side of the site which drains off Garland Street and to Industrial Drive. Engineer Dave Sauer stated La Crosse County and its contractor are urging the paving be completed on East Garland Street, but he is holding off on this until Mr. Sprain contracts for installation of water and sewer laterals to his property so the new street pavement will not be cut into later on. Attorney Klos presented proposed conditions for the Conditional Use Permit incorporating Building Inspector Randy Sullivan's comments regarding the development and the Commission's prior requests. Proposed conditions include:

1. The development must always remain under common ownership.
2. The total number of residential units in all the buildings allowed under this Conditional Use Permit is no more than 50.
3. Each new multi-family residential building must contain no more than 8 residential units with floor plans substantially as submitted. All buildings must be constructed such that there is at least a 9-foot separation between all overhangs on the buildings.
4. There must be at least two vehicle parking spaces for each residential unit. All exterior parking must not be located between the residence units and Garland Street and must be surfaced so as to be dust-free. Each parking space must be a minimum of 160 square feet.
5. All residential construction must have sprinklers for fire protection.
6. No storm water is allowed onto Garland Street. The project must have a Wisconsin Department of Natural Resources storm water permit. The plans must be coordinated with the owners of the lands to the south.
7. No advertising or other signage is allowed on the property which does not comply with West Salem's Code of Ordinances.
8. All garbage and recycling for the residential units shall be through the use of dumpsters which shall be the roll-out type and stored at all times when not being emptied with a gated, mason-block enclosure with walls of at least six feet in height.
9. The new multi-family residential buildings on all sides shall have a mason laid block or brick or natural stone exterior on at least the lowest six feet of the first floor and no vinyl siding shall be allowed on the building.
10. The exterior appearance, building, and parking lot location, garbage dumpster location, building heights and building setbacks of the new multi-family residential buildings shall be substantially in accord with the depictions on an Exhibit B
11. The new multi-family residential buildings construction shall be completed and an occupancy permit issued by December 31, 2017. No additional multi-family residential buildings may be constructed on this site after December 31, 2017, unless an amendment or a new conditional use permit is obtained for this site.
12. Any and all driveway curb cuts onto Garland Street must be shown.
13. Water lateral off of Garland Street shall be 6-inch and be located at the east end of the property with one water meter for the entire property protected with a meter building or vault.
14. Sewer lateral off Garland Street shall be 6-inch and be located at the west end of the property with a manhole at the east end of the line.

15. Three fire hydrants are required.

The Commission approved scheduling a public hearing on the Conditional Use Permit and Petition to Rezone for Tuesday, October 11, 2016, at 5:20 p.m.

Motion by President Manthei, seconded by Trustee Schumacher to approve the minutes of the September 19, 2016, Planning Commission meeting as presented. Roll call vote: Unanimous aye.

Motion by Trustee Leicht, seconded by Trustee Hennessey to adjourn the meeting at 7:30 p.m. Approved by voice vote.

Teresa L. Schnitzler, Village Administrator