

Regular Board Meeting

October 18, 2016

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

Minutes

Motion by Trustee Leicht, seconded by Trustee Schumacher to approve the minutes of the October 4, 2016, Regular Board meeting as written. Roll call vote: Unanimous aye.

Claims

Claims from the following funds were presented for payment:

General Fund: \$43,766.37

Water Utility: \$38,174.25

Sewer Utility: \$15,998.76

Storm Water Utility: \$6,123.02

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

Resolution 5.16

Motion by Trustee Leicht, seconded by Trustee Schumacher to approve Resolution 5.16 Designating Location and Officials Registering Voters on Election Day. Roll call vote: Unanimous aye.

WHEREAS, The Village of West Salem, La Crosse County, Wisconsin, wishes to comply with Wisconsin State Statute 6.55(2)(c), which provides that the municipality may provide by resolution that voters go to a readily assessable location in the same building at the polling place to register; and

WHEREAS, the current polling place has space available to be set aside for registrations in the same building where the voting takes place that complies with Wisconsin State Statutes 6.55; and

WHEREAS, the integrity of the election process is of utmost importance and will be maintained by this process,

NOW, THEREFORE, BE IT RESOVLED, the Village Board of Trustees of the Village of West Salem, La Crosse County, Wisconsin, does hereby resolve that the registration will be in the presence of the clerk, deputy clerk, election inspector, or special registration deputy; and

BE IT FURTHER RESOLVED, the Registration and Voting locations will be clearly labeled by the Village Clerk.

THIS RESOLUTION is effective on publication or posting.

DATED this 18th day of October, 2016

/s/ _____
Dennis Manthei, Village President

(SEAL)

/s/ _____
Teresa L. Schnitzler, Village Administrator

Alcohol Beverage License Applications

Motion by Trustee Schumacher, seconded by Trustee Deal to approve the issuance of alcohol beverage license applications to Hailey S. Kiruen and Desiree C. Peters. Roll call vote: Unanimous aye.

Planning Commission

President Manthei reported on the Planning Commission public hearings and meeting of October 11, 2016. Four public hearings were scheduled prior to the Planning Commission meeting. The first public hearing concerned an outdoor alcoholic beverage garden permit application submitted by James M. Viner for JT's Longshots Bar & Grill, 153 South Leonard Street. Mr. Viner submitted plans to open the present fenced-in patio behind the business. There were no citizens present to speak for or against the permit application. The second public hearing concerned a Petition for Change of Zone submitted by La Crosse County, Carol and Harry Griswold, and Cassandra and Peter Opsahl. The Petition requests property located at 902 East Garland Street be rezoned from La Crosse County Zoning to West Salem's R-1 Single Family Residential. There were no citizens present to speak for or against the proposed Petition. The third public hearing concerned a Petition for Change of Zone submitted by Aben Properties by Ben Sprain requesting property located at 943 East Garland Street be rezoned from Industrial to Business. There were no citizens present to speak for or against the proposed Petition. The fourth public hearing concerned a Conditional Use Permit Application submitted by Aben Properties by Ben Sprain to develop a 50-unit multi-family townhouse facility at 943 East Garland Street in a Business District. There were no citizens present to speak for or against the proposed Conditional Use Permit Application.

The Commission reviewed the proposed Outdoor Alcoholic Beverage Garden Permit Application and accompanying documentation provided by James Viner. Attorney Klos informed the Commission the original beverage garden was not constructed according to the conditions approved for the former Breakers Bar. Therefore, Attorney Klos revised paragraphs 1 and 2 of the proposed permit to conform to the structure in place. Paragraphs 1 and 2 would read as follows:

1. The west boundary of the OABG shall be the east wall of the licenses premise. The north boundary of the OABG shall be a portion of the south wall of the building located at 149 South Leonard Street. The east and south boundaries of the OABG shall be constructed with a poured concrete wall foundation above the concrete drive located thereon with a chain link fence mounted on the top thereof, the top of which is approximately 6 feet above ground level. The east boundary shall also have a chain link gate approximately 6 feet high and at least 6 feet wide allowing ingress and egress from the OABG and an additional approximate 6 foot high and at least 3 foot wide chain link gate which shall be located in the southwest corner of the OABG. The south boundary of this OABG shall sit at least 1 foot off the southern boundary of the property and the east boundary of the OABG shall sit at least 3 feet off of the alley line. The OABG

shall also include the area from the southeast corner of the building which constitutes the licensed premise and the southwest corner of the concrete foundation for the OABG. This line shall be marked on the pavement with a permanent painted line which has the same painted on the concrete "no alcohol beverages beyond this point" and a sign highlighting this issue.

2. Two cameras shall be located in the OABG area and a camera monitor screen shall be located at the bar so bartender has easy and instant access to view outside area. Additional monitors may be placed in office or other remote areas to view the OABG.

The Commission noted the application meets the requirements of the Ordinance. If the applicants do not comply with the ordinance, the Village can rescind the permit. Future applications for the permit will be required to meet the same regulations as Viner and any other conditions as recommended by the Commission. The Commission recommended approval of the Outdoor Alcoholic Beverage Garden Permit as revised. The Commission reviewed the Petition for Change of Zone submitted by La Crosse County, Carol and Harry Griswold, and Kassandra and Peter Opsahl requesting property located at 902 East Garland Street be rezoned from La Crosse County Zoning to West Salem's R-1 Single Family Residential District in order to develop a 30-lot residential plat. The Commission recommended approval of the Petition for Change of Zone. The Commission then reviewed the Petition for Change of Zone submitted by Aben Properties by Ben Sprain requesting property located at 943 East Garland Street be rezoned from Industrial to Business. The Commission recommended approval of the Petition for Change of Zone. The Commission reviewed a proposed Conditional Use Permit for a 50-unit multi-family townhouse facility at 943 East Garland Street. Sixteen conditions were presented by Attorney Klos and reviewed by the Planning Commission, including common ownership, ADA accessibility, setback and spacing requirements, boulevard trees, public sidewalk, parking and recreational storage, fire protection, storm water requirements, storm water retention and easements, signage, garbage and recycling provisions, appearance of the structures, construction completion and occupancy requirements, driveways, water and sewer lateral installations, and fire hydrant locations. The Commission recommended approval of Conditional Use Permit No. 25 as presented and revised. The Commission reviewed a proposed Conditional Use Permit drafted by Attorney Klos for a 16-unit apartment building to be located on the northern portion of the parcel along the west side of Neshonoc Road across from the Hazel Brown Leicht Memorial Library. Jerry King is proposing to survey and divide this parcel into three parcels to be known as Lot 1, Lot 2, and Outlot 1. Lot 1 which is created north of the existing storm water culverts which pass under Neshonoc Road would contain at least 56,000 square feet as certified on the survey and is the parcel for which this permit is being considered. Lot 1 must remain in common ownership. Mr. King is proposing to donate to the Village the southern portion of this parcel for storm water management purposes. At a prior Planning Commission meeting, Village Engineer Dave Sauer presented a proposal for a regional storm water retention pond, and he now estimates creation of a regional holding pond to be \$30,000. Mr. Sauer indicated the new holding pond would provide needed retention for lands both east and west of Neshonoc Road, and the benefits for each side of the road would be 50/50. Based on current assessed values, Attorney Klos calculated the value of Mr. King's donation to be approximately \$141,500, and this should constitute his share of the costs to create the regional storm water retention pond. Other conditions proposed regulate setbacks, sidewalk installation on Neshonoc Road, parking and storage, fire protection,

storm water management, signage, garbage and recycling, appearance of the multi-family building, construction completion and occupancy deadlines, driveways, and water and sewer services. The Commission scheduled a public hearing on the proposed Conditional Use Permit for Tuesday, November 1, 2016, at 5:00 p.m.

Motion by President Manthei, seconded by Trustee Schumacher to approve the minutes of the October 11, 2016, Planning Commission meeting as presented. Roll call vote: Unanimous aye.

Outdoor Alcohol Beverage Garden Permit

Motion by Trustee Schumacher, seconded by Trustee Deal to approve the issuance of Outdoor Alcohol Beverage Garden Permit No. 2 to James M. Viner on behalf of JT's Longshots Bar & Grill. Roll call vote: Unanimous aye.

Petition for Change of Zone

Motion by Trustee Leicht, seconded by Trustee Schumacher to approve the Petition for Change of Zone for 902 East Garland Street from La Crosse County Zoning to West Salem's R-1 Single Family Residential District. Roll call vote: Unanimous aye.

Petition for Change of Zone

Motion by Trustee Schumacher, seconded by Trustee Hennessey to approve the Petition for Change of Zone for 943 East Garland Street from Industrial District to Business District. Roll call vote: Unanimous aye.

Conditional Use Permit

Motion by Trustee Hennessey, seconded by Trustee Schumacher to approve Conditional Use Permit No. 25 to ABEN Properties, LLC to construct multi-family residential buildings at 943 East Garland Street. Roll call vote: Brown – abstain; remainder of Board – aye. Motion approved.

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

Teresa L. Schnitzler, Village Administrator