

Public Hearing  
Ordinance No. 520 Amending Animal Control to Allow Keeping of Chickens  
In the Village of West Salem

July 18, 2023

Public hearing called to order at 6:45 p.m. by Village President Scott Schumacher. Trustees present: Anderson, Curtis, Hennessey, Lautz, Leicht, and Twining. Also present: Public Works Director Loren Schwier, Police Chief Kyle Holzhausen, Senior Planner for Cedar Corporation Josh Miller, and Village Administrator Teresa DeLong.

Ordinance No. 520, if adopted, will amend Chapter 11 of the Code of Ordinances to allow the keeping of up to five chickens by permit only in the Village of West Salem.

Alyssa Kelley, Logan Parcher, Phillip Mitchell, Nick Patchen, JoHannah Merfeld, Ryan Swieter, Stephen Cohen, and Elizabeth Aschenbrenner all spoke in favor of the proposed Ordinance. A total of twenty-six public comment forms were submitted in opposition to the proposed Ordinance.

Motion by Trustee Leicht, seconded by Trustee Anderson to close the public hearing at 7:02 p.m. Motion unanimously approved by voice vote.

Teresa L. DeLong, Village Administrator

Regular Meeting

July 18, 2023

Regular meeting called to order at 7:02 p.m. by Village President Scott Schumacher. Trustees present: Anderson, Curtis, Hennessey, Lautz, Leicht, and Twining. Also present: Public Works Director Loren Schwier, Police Chief Kyle Holzhausen, Senior Planner for Cedar Corporation Josh Miller, and Village Administrator Teresa DeLong.

Minutes

Motion by Trustee Lautz, seconded by Trustee Twining to approve the minutes of the June 20, 2023, meeting as written. Roll call vote: Unanimous aye. Motion approved.

Claims

Claims paid on July 4, 2023, totaling \$194,747.60 were presented for approval, and claims were presented for payment totaling \$312,841.96. Motion by Trustee Leicht, seconded by Trustee Curtis to approve the payment of all claims as listed. Roll call vote: Unanimous aye.

Ordinance No. 520

Motion by Trustee Hennessey, seconded by Trustee Curtis to approve adoption of Ordinance No. 520 on the condition that residents directly adjacent to the applicant be

notified and must approve the application prior to issuance. Roll call vote: Anderson, Curtis, and Hennessey – aye; remainder of Board – nay. Motion denied.

#### Flags of Honor

On behalf of the American Legion Post 51 Building Remodeling Committee, Rita Schmitz presented a request to use the Village Park and Village Park Shelter from Wednesday, September 6 through Sunday, September 10, 2023, for the Flags of Honor event.

Motion by Trustee Twining, seconded by Trustee Leicht to approve use of the Village Park and Shelter September 6 through September 10, 2023 as requested. Roll call vote: Unanimous aye. Motion approved.

#### Special Event Application

Motion by Trustee Twining, seconded by Trustee Curtis to approve the Special Event Application submitted jointly by the West Salem Police Department and West Salem Business Association in order to hold the 2<sup>nd</sup> Annual National Night Out event on Tuesday, August 1, 2023, from 5:00 p.m. until 8:00 p.m. Roll call vote: Unanimous aye. Motion approved.

#### Special Event Application

Motion by Trustee Leicht, seconded by Trustee Curtis to approve the issuance of a Temporary Class “B”/“Class B” Retailer’s License to the West Salem Lion’s Club for the West Salem Lion’s 75<sup>th</sup> Anniversary celebration at the West Salem Community Shelter on October 15, 2023. Roll call vote: Unanimous aye. Motion approved.

#### Ordinance No. 521

Motion by Trustee Hennessey, seconded by Trustee Anderson to approve Ordinance No. 521 Amending Chapter 6 Parking of Trucks, Trailers, and Mobile Homes in the Village of West Salem. Roll call vote: Unanimous aye. Motion approved.

#### Partial Release of Exclusive Option to Purchase

The Village has an exclusive first right to purchase property owned by the La Crosse County Economic Development Fund along Industrial Drive. Because La Crosse County would like to develop on a portion of a 1.43-acre lot on Industrial Drive, it has requested West Salem release its right to purchase option on this parcel. The Village Board reviewed a proposed Partial Release of Exclusive Option to Purchase.

Motion by Trustee Hennessey, seconded by Trustee Curtis to authorize the Village President and Village Administrator to sign the Partial Release as presented. Roll call vote: Unanimous aye. Motion approved.

#### Planning Commission

President Schumacher reported on the June 29, 2023, Planning Commission meeting. The Commission reviewed a written request received from Adam Goldbeck stating he is interested in purchasing the 6.88 acres currently for sale behind the Prince of Peace Lutheran Church off Church Road on the west side of the Village. In his written message, he stated he would like to construct a single-family residence, and his concern is with the Village Ordinances requiring water and sewer utility hook up. The estimated costs to extend utilities to this parcel are extremely cost-prohibitive. Mr. Goldbeck requested he

be allowed to utilize a well and septic system. Mr. Goldbeck was not in attendance. Therefore, the matter will be reviewed again when he can attend a Planning Commission meeting. The Commission then reviewed Planning Commission Resolution 1.23 to change the zone of 701 Industrial Drive from Business to R-1 Residential District. The Planning Commission held an initial meeting on March 16, 2023, wherein Coulee Region Christian School Association, Inc. presented to the Commission plans for moving its 7<sup>th</sup> through 12<sup>th</sup>-grade classes from the present location on Garland Street West to the new location on Industrial Drive. The Planning Commission and Village Board approved Conditional Use Permit No. 59 with a list of requirements detailed. The Commission approved Planning Commission Resolution No. 1.23 as presented. Josh Miller then presented a revised, red-lined draft of the Village of West Salem Comprehensive Plan 2023-2043. Throughout the development of this comprehensive plan update, the Village solicited public input consistent with its adopted Public Participation Plan to ensure the public had ample opportunity for involvement in the development of the updated comprehensive plan amendment. Mr. Miller pointed out several statutorily-required policies and programs that have been included in the updated draft, and the Planning Commission revised and improved areas of the proposed plan. Mr. Miller will provide a final Comprehensive Plan for review and approval by the Village Board. The Planning Commission approved Planning Commission Resolution 2.23 recommending adoption of the Village of West Salem Comprehensive Plan 2023-2043" Update with the revisions and additions discussed at this meeting.

Motion by President Schumacher, seconded by Trustee Lautz to approve the Planning Commission meeting minutes as presented. Roll call vote: Unanimous aye. Motion approved.

#### Ordinance No. 522

Motion by Trustee Lautz, seconded by Trustee Twining to approve Ordinance No. 522 an Ordinance to Adopt the "Village of West Salem Comprehensive Plan 2023-2043" with the update to Section 3.16 as discussed. Roll call vote: Unanimous aye. Motion approved.

#### Buildings and Grounds Committee

Trustee Curtis reported on the July 17, 2023, Buildings and Grounds Committee meeting. The purpose of the meeting was to discuss the request from The Friends of West Salem Baseball to install heat in the 10,000-square foot year-round turf practice facility with a possible recommendation to the Village Board. Cedar Corporation was asked to review and render its opinion on the installation of heating at the turf practice facility. Cedar Corporation consulted with IBC Engineering who stated the use of the proposed Reznor heaters to provide heat is not code compliant and should not be completed since the structure is not designed to be an enclosed or occupied space. There is no conditioned ventilation system currently serving the space when it is occupied. The structure also does not meet the energy code for a heated structure. IBC's recommendations and the best course to take at this time would be to use this area within the structure as it is today without heaters. The only heating that may work in the facility is gas fired radiant (infra-red) "spot heaters" that are used to heat people, not areas. This option, however, needs to be confirmed with the building inspector. The spot heaters would be used only when the facility is in use and care is needed to aim/mount these units per manufacturer/code requirements for clearance to combustibles and be protected from any damage from any type of ball impacts which would be in these areas. IBC also noted that if the infra-red

heaters are used, several door sections must remain open to provide both natural ventilation to the space and to relieve natural gas products of combustion from the space. Municipal Property Insurance Company was also consulted regarding the proposal to install heating under the shelter. The agent has concerns regarding this request. They stated while half of this previously open-air building has been enclosed and repurposed for use by the Village's softball and baseball supporters/clubs, it is currently only set-up for seasonable use. The addition of interior heating without proper engineering and design changes could lead to unintended moisture and ventilation issues with the structure. If one of these issues were to cause damage to the building, the damage from that loss would not be covered by the Village's property insurance. However, with appropriate changes in the design and construction of the building, as specified by a licensed engineer, then year-round use, including heat could be considered. Vinnie Pontius distributed a work agreement proposal received from E&B Insulation who has recommended three-inch spray foam in the attic of the structure and construction of walls where the blankets are along the pulldown doors. Once that work is complete, the heaters could then be added. DBS and Kammel Construction are willing to design and do this work. Discussion was then had regarding whether the Wisconsin Department of Natural Resources would consider this a change of use significant enough to require approval. Vinnie Pontius will meet with his Board on whether it wishes to move forward. The Village will consult with legal counsel and possibly the DNR regarding the request.

Motion by Trustee Lautz, seconded by Trustee Anderson to approve the Buildings and Grounds Committee meeting minutes of July 17, 2023, as presented. Roll call vote: Unanimous aye. Motion approved.

Motion by Trustee Leicht, seconded by Trustee Twining to adjourn the meeting at 7:58 p.m. Approved by voice vote.

Teresa L. DeLong, Village Administrator