

Regular Meeting

September 19, 2023

Regular meeting called to order at 7:00 p.m. by Village President Scott Schumacher. Trustees present: Anderson, Curtis, Hennessey, Lautz, Leicht, and Twining. Also present: Public Works Director Loren Schwier, Recreation Director Tony DeGaetano, Police Chief Kyle Holzhausen, Village Attorney Bryant Klos, and Village Administrator Teresa DeLong.

Minutes

Motion by Trustee Curtis, seconded by Trustee Twining to approve the minutes of the meeting held on September 5, 2023, as written. Roll call vote: Unanimous aye. Motion approved.

Claims

Claims were presented for payment totaling \$113,413.57. Motion by Trustee Leicht, seconded by Trustee Anderson to approve the payment of all claims as listed. Roll call vote: Unanimous aye.

Public Safety Facility Planning

President Schumacher and Administrator DeLong addressed the Village Board to discuss the planned police public safety facility and moving the matter forward. A year ago, Cedar Corporation presented a law enforcement study report, but progress was halted in order to work on information needed for a police hiring referendum. The first phase of that plan addressed the space needs for the police department, Tri-State Ambulance, La Crosse County Dispatch, and shared spaces with approximately a 21,300-square foot building for a total project cost of \$6,656,300. The planned location was on East Garland extended adjacent to and east of Lakeview Healthcare. A facility planning committee should be formed to decide how to proceed now with this project. President Schumacher will work with Police Chief Holzhausen to present member recommendations to the Village Board at its next Village Board meeting.

Law Enforcement Committee

Trustee Lautz reported on the September 5, 2023, Law Enforcement Committee meeting. The Committee reviewed again an Application to Exceed Pet Limit submitted by Judy Triplett in order to keep a third dog. The Triplett's presently keep a Pekingese and a poodle mix, and they wish to add a Yorkshire terrier that a friend could not keep. The Police Department has confirmed all previous property violations have been addressed. The Committee now recommends approval of the Application to Exceed Pet Limit submitted by Judy Triplett. The Committee then reviewed a new Application to Exceed Pet Limit submitted by Elaine and Josh Wiegrefe in order to add a chocolate Labrador puppy to their home. The Wiegrefe's presently own two Golden Retrievers. Two neighbors submitted comments in support of this application. The Committee also recommended approval of this Application to Exceed Pet Limit as submitted by Elaine and Josh Wiegrefe.

Motion by Trustee Lautz, seconded by Trustee Hennessey to approve the minutes of the September 5, 2023, Law Enforcement Committee meeting as presented. Roll call vote: Unanimous aye. Motion approved.

Motion by Trustee Leicht, seconded by Trustee Hennessey to approve the issuance of a Permit to Exceed Pet Limit to Judy Triplett. Roll call vote: Unanimous aye. Motion approved.

Motion by Trustee Anderson, seconded by Trustee Leicht to approve the issuance of a Permit to Exceed Pet Limit to Elaine and Josh Weigrefe. Roll call vote: Unanimous aye. Motion approved.

Planning Commission

President Schumacher reported on the September 11, 2023, Planning Commission public hearing and meeting. The public hearing was in regard to a Conditional Use Permit Application submitted by La Crosse County in order to construct an emergency services radio tower in an Industrial District zone on Industrial Drive between the Gundersen property and the Amerhart property. David Steinberg, La Crosse County Emergency Services Administrator, explained that beginning in 2016, La Crosse County initiated a radio tower upgrade project to better serve all emergency services of La Crosse County municipalities. Presently, towers have been added in Mindoro and Holmen, a tower was rebuilt in the Town of Farmington, the County acquired the 14/61 tower from the City of La Crosse, partnered on the Mississippi Valley Conservancy tower with the City of La Crosse, and it has upgraded the microwave system. The County now has ten towers, and this last tower in the project plan would support West Salem and Bangor. The tower the County is proposing would be a 240-foot high, standalone tower with a 60' X 60' footprint on the 1.43-acre lot referred to as "Homeplate". There were no citizens present to speak for or against the Conditional Use Permit Application. On behalf of Gundersen Health Systems, Brian Fukuda asked for detailed plans to ensure the tower will not interfere with any of Gundersen's energy efficient systems. Mr. Steinberg provided those details. Commission Member John Johnson asked if the County would be allowed to lease space to another cell provider. Mr. Steinberg stated La Crosse County will not be soliciting to lease space, but Baycom has provided this option. Mr. Steinberg stated this is a partnership with West Salem so the Village would be consulted before any type of lease arrangement was entered into. The public hearing was closed, and the Planning Commission meeting was then called to order. The Commission reviewed proposed Conditional Use Permit No. 62, which, if approved, would allow construction of a 240-foot tall self-supporting emergency services radio tower, along with shelter, generator, and associated equipment and hardware on Industrial Drive. The following conditions must be incorporated into a Real Estate Declaration of Covenants, Conditions and Deed Restrictions in recordable form and must be executed by the legal owner and leasehold interest holder of said real estate with authority for the same and notarized and recorded with the Register of Deeds of La Crosse County within ninety (90) days after the Village of West Salem's final approval of these conditional uses and a copy of the recorded document must be delivered to the West Salem Village attorney for review within said time period. Failure to follow this procedure to its completion means the conditional use does not become effective.

1. La Crosse County is granted a permit for one 240-foot self-supported emergency service radio tower with related sheds and cabinets.

2. Construction is allowed from 6:00 a.m. to 8:00 p.m., Monday through Friday.

3. A 60-foot X 60-foot chain linked fence six (6') feet in height with or without depending on Park Board Approval barbed wire at the top shall be constructed enclosing the tower site.

4. La Crosse County shall completely remove the structure, including subsurface structures, and restore the site to its pre-construction state when the structure has not been used for 12 months. La Crosse County hereby holds the Village harmless and will indemnify the Village for all costs of removal of the tower, including attorney fees and costs incurred in enforcing this hold harmless and indemnity.

5. This permit is not transferrable.

6. No advertising is allowed on the support structure.

7. Signs shall be attached to the fence prohibiting entry without authorization, warning of electrical and climbing dangers, and identifying the tower owner with contact information including phone numbers in case of an emergency.

8. A silt fence must be installed on all downhill slopes from the project area during construction and must remain intact for one (1) year post construction finish and any applicable erosion control and storm water plans shall be approved by the Village before a zoning/occupancy permit may be issues for the structure.

9. The site shall be given its own street address for emergency purposes.

The Planning Commission unanimously approved recommending the Village Board approve Conditional Use Permit No. 62. The Planning Commission then reviewed a Conditional Use Permit Application submitted by Stephanie and David Bentzen in order to convert the second floor of 102 Leonard Street North to a residential owner-occupied apartment in a Business Zone. The Bentzens have consulted with an architect and the Village building inspector, and they are seeking conditional use permit approval. The Bentzens understand that they must submit plans for review to the Wisconsin Division of Industry Services delegated agent for West Salem General Engineering. Plan review is required for commercial, industrial, and other public buildings 25,000 cubic feet or larger. Additionally, one- and two-family permit applications shall include building plans for review, as described under Wis. Admin. Code §SPS 320.09(5). A public hearing was scheduled for Tuesday, September 26, 2023, beginning at 5:00 p.m.

Motion by President Schumacher, seconded by Trustee Lautz to approve the minutes of the Planning Commission public hearing and meeting of September 11, 2023, as presented. Roll call vote: Unanimous aye. Motion approved.

Conditional Use Permit No. 62

Motion by Trustee Lautz, seconded by Trustee Anderson to approve Conditional Use Permit No. 62 with the added condition that La Crosse County cannot lease space on the tower without Village of West Salem approval. Roll call vote: Unanimous aye. Motion approved.

Motion by Trustee Twining, seconded by Trustee Curtis to convene in closed session at 7:44 p.m. pursuant to Wis. Stat. Sec. 19.85(1)(e) for the purpose of deliberating or negotiating the purchase of public properties, investment of public funds, and transfers of

public properties, to-wit: real estate development agreement and real estate closing authority. Roll call vote: Unanimous aye. Motion approved.

Motion by Trustee Hennessey, seconded by Trustee Twining to reconvene in open session at 8:12 p.m. Roll call vote: Unanimous aye. Motion approved.

Motion by Trustee Lautz, seconded by Trustee Leicht to adjourn the meeting at 8:16 p.m. Approved by voice vote.

Teresa L. DeLong, Village Administrator