

Regular Meeting

March 5, 2019

Meeting called to order at 7:00 p.m. by Village Administrator Teresa Schnitzler. Trustees present: Brown, Hennessey, Lautz, Leicht, Schumacher, and Wee. Excused: Village President Manthei. Also present: Public Works Director Scott Halbrucker, Police Chief Charles Ashbeck, and Village Attorney Bryant Klos.

Due to Village President Manthei's excused absence, motion by Trustee Wee, seconded by Trustee Hennessey to appoint Trustee Leicht to preside over the regular meeting of the Village Board pursuant to Wis. Stat. Sec. 61.32. Roll call vote: Unanimous aye.

Minutes

Motion by Trustee Lautz, seconded by Trustee Hennessey to approve the minutes of the February 19, 2019, Regular Board meeting as written. Roll call vote: Unanimous aye. Motion approved.

Claims

Claims from the following funds were presented for payment:

<u>General Fund:</u>	\$26,923.05
<u>Water Utility:</u>	\$10,377.66
<u>Sewer Utility:</u>	\$25,074.40
<u>Storm Water Utility:</u>	\$897.76

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

Alcohol Beverage License Application

Motion by Trustee Schumacher, seconded by Trustee Hennessey to approve the issuance of an alcohol beverage license to Paul H. Degenhardt. Roll call vote: Unanimous aye.

Planning Commission

Trustee Schumacher reported on the March 4, 2019, Planning Commission public hearing and meeting. The public hearing concerned a Conditional Use Permit Application filed by Ryan Manke, Sara Manke, and Roger Manke in order to allow construction of a 195-foot self-support mobile tower in an Agriculture Zone at 2301 Henry Road East. There were no citizens present to speak for or against the proposed conditional use permit. Chris Henshue, Business Development Representative for Bugtussel Wireless, spoke on behalf of the application and offered more information and explanations on the conditions included in the proposed Conditional Use Permit. The Commission reviewed for recommendation to the Village Board a proposed

Conditional Use Permit to allow construction of the new cell tower. Conditions in the proposed Conditional Use Permit include:

1. The tower will be designed to handle three additional carriers for future co-locations for wireless phone, data, and internet service.
2. Construction is allowed from 7:00 a.m. to 8:00 p.m., Monday through Friday.
3. A 50-foot X 50-foot chain linked fence eight feet in height with barbed wire at the top shall be constructed.
4. The owner of the cellular service support structure 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 twelve months.
5. The permit is transferrable, the access easement shall be kept clean and open in the event of an emergency, and no advertising is allowed on the support structure.
6. Signs shall be attached to the fence prohibiting entry, warning of electrical and climbing dangers, and identify the structure's owner.
7. A silt fence must be installed on all downhill slopes from the project area during construction and must remain intact for one year post construction. All applicable erosion and storm water control shall be approved by the Village before an occupancy permit may be issued for the structure.
8. The owner shall supply a bond, irrevocable letter of credit, or other suitable financial guarantee by the tower owner shall be filed with the Village of West Salem in the amount of \$19,000 to assure financial resources are available for tower and footing removal in the event of abandonment.
9. The lease site shall be given its own street address for emergency purposes.

The Commission recommend to the Village Board approval of Conditional Use Permit No. 40 with the revision to Condition No. 3 to allow construction between the hours of 6:00 a.m. to 8:00 p.m., Monday through Friday. The Planning Commission then reviewed a Petition for Change of Zone submitted by Kelly Murphy, owner of 1315/1317 Brickl Road. Petitioner would like to amend the zoning of this parcel from R-1 Residential to the appropriate R-2 Residential Zone. Ms. Murphy intends to record a certified survey map to split ownership of the present duplex to owner-occupied and rental. Attorney Klos advised the Commission a petition to change the zone of the entire west side of Lynn Drive will be submitted to the Commission soon so the parcels will correctly reflect the present use of the block. The certified survey map submitted by Kelly Murphy will be reviewed and acted on when the Petition for Change of Zone is acted on. The Commission directed the Building Inspector to review structure to ensure it can legally be split into two separate parcels. The Commission scheduled a public hearing on the Petition for Change of Zone for Wednesday, April 3, 2019, at 5:00 p.m. with a Planning Commission meeting immediately following the public hearing. The Planning Commission reviewed an Application for Conditional Use Permit submitted by Harry R. Griswold to maintain a residential apartment at his law office building at 134 North Leonard Street. The proposed residence is located in the northwest portion of the building. The Commission directed the Building Inspector to review this application and the residential living area at 134 North Leonard Street prior to action by the Planning Commission and make a recommendation to the Commission. A public hearing was scheduled on the Conditional Use Permit Application for Wednesday, April 3, 2019, following the Petition for Change of Zone public hearing.

Motion by Trustee Schumacher, seconded by Trustee Leicht to approve the minutes of the March 4, 2019, Planning Commission meeting as presented. Roll call vote: Unanimous aye.

Motion by Trustee Schumacher, seconded by Trustee Lautz to approve Conditional Use Permit No. 40. Roll call vote: Brown – abstain; remainder of Board – aye. Motion approved.

Motion by Trustee Wee, seconded by Trustee Brown to adjourn the meeting at 7:14 p.m. Approved by voice vote.

Teresa L. Schnitzler, Village Administrator