

Public Hearing
Ordinance No. 499 Amending Chapter 8 Sewer Use Ordinance/User Charge System

April 6, 2021

Public hearing called to order at 6:50 p.m. by Village President Dennis Manthei. Trustees present: Brown, Leicht, and Schumacher. Excused: Hennessey, Lautz, and Wee. Also present: Village Attorney Bryant Klos, Recreation Director Tony DeGaetano, Public Works Director Loren Schwier, Police Chief Jeremy Randall, Tom Curtis, Barbara Manthei, and Village Administrator Teresa DeLong.

This public hearing concerns proposed Ordinance No. 499. This Ordinance, if adopted, will delete and re-create Sections of Chapter 8 of the Village Code of Ordinances in order to facilitate a variable rate increase and fixed base rate increase to users of the sanitary sewer system. The variable rate charge will increase from \$2.40 per thousand gallons of water used to \$3.08 per thousand gallons of water used. The fixed base charge will increase from \$61.34 per quarter to \$72.00 per quarter. The proposed rate increase will take effect on May 1, 2021, and will affect the August 1, 2021, quarterly sewer billing.

There were no citizens present to speak for or against the proposed Ordinance.

Motion by Trustee Leicht, seconded by Trustee Brown to adjourn the public hearing at 6:53 p.m. Motion unanimously approved by voice vote.

Teresa L. DeLong, Village Administrator

Regular Meeting

April 6, 2021

Regular meeting called to order at 7:00 p.m. by Village President Dennis Manthei. Trustees present: Brown, Lautz, Leicht, and Schumacher. Excused: Hennessey and Wee. Also present: Village Attorney Bryant Klos, Recreation Director Tony DeGaetano, Public Works Director Loren Schwier, Police Chief Jeremy Randall, Tom Curtis, Barbara Manthei, and Village Administrator Teresa DeLong.

Minutes

Motion by Trustee Lautz, seconded by Trustee Leicht to approve the Village Board minutes of the March 16, 2021, meeting as written. Roll call vote: Unanimous aye. Motion approved.

Claims

Claims from the following funds were presented for payment:

General Fund: \$43,316.77

<u>Water Utility:</u>	\$194,731.92
<u>Sewer Utility:</u>	\$222,615.83
<u>Storm Water Utility:</u>	\$8,292.64

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

Ordinance No. 496

Motion by Trustee Schumacher, seconded by Trustee Leicht to approve adoption of Ordinance No. 499 Amending Chapter 8 Sewer Use Ordinance/User Charge System. Roll call vote: Unanimous aye. Motion approved.

Resolution 5.21

Motion by Trustee Schumacher, seconded by Trustee Brown to approve Resolution 5.21 Support for a Strong State and Local Partnership Shared Revenue Funds Critical Services. Roll call vote: Unanimous aye. Motion approved.

Law Enforcement Committee

Trustee Lautz reported on the March 16, 2021, Law Enforcement Committee meeting. The purpose of the meeting was to review for recommendation to the Village Board an Application to Exceed Pet Limit submitted by Melanie Towner. The Towners reside at 455 Driftwood Street, and they presently keep a one-year old, spayed female boxer and a 14-year old, spayed female Chihuahua in their home. The residents have applied for a permit to keep a new six-month old, boxer puppy. Chief Randall has had no law enforcement contact with the Towners regarding their dogs, and no objections were received from any neighbors. The Law Enforcement Committee recommended the Village Board approve the Application.

Motion by Trustee Lautz, seconded by Trustee Leicht to approve the minutes of the Law Enforcement Committee meeting of March 16, 2021, as presented. Roll call vote: Unanimous aye. Motion approved.

Motion by Trustee Leicht, seconded by Trustee Lautz to approve the Application to Exceed Pet Limit submitted by Melanie Towner. Roll call vote: Unanimous aye. Motion approved.

Street Committee

Trustee Brown reported on the March 20, 2021, Street Committee meeting. At the Tuesday, March 9, 2021, Street Committee meeting, the Committee decided input should be requested from the South Leonard Street business owners regarding allowing outdoor patio seating to expand seating opportunities. Several business owners were in attendance. Dave Hundt, owner of Hunter's Last Chance, is opposed to allowing any on-street parking spaces to be taken or street closures allowed for outdoor dining. He stated the sidewalks should be open for pedestrians, and no one he has talked with is in favor of allowing this. Katie Rasmussen, owner of K & M Salon, stated all parking

spaces on South Leonard Street are needed, and she was not in favor of allowing the closure of parking spaces. Stephanie Bentzen, owner of B's Place, submitted an email response. Mrs. Bentzen wrote that when B's Place holds a big event, it brings in quite a few people to town along with vehicles. Closing off parking spaces or even partial street closures means displacing the vehicles that normally park along the street. With a wedding in town, lack of parking spots becomes an issue. She noted there is a public parking lot off Mill Street, but this parking lot is probably used by bar and restaurant patrons. Tim Groth, owner of Westview Inn, called to state that Westview Inn does not have enough room to offer outside dining. Westview does not object to businesses offering outside dining, but it is not in favor of the street being closed for outdoor dining. The Committee voted unanimously to table this topic due to lack of downtown business owner interest. Chad Waldenberger and Brian Elsen appeared before the Committee to request revision of Village Ordinance No. 5.06(G)(1) to allow wider residential driveways. He stated the ordinance is fine for a single-type driveway or a double-type driveway, but he feels an alternate option should be discussed. Both the single and double driveways require a 24-foot wide approach at the curb line. Mr. Waldenberger stated a 24-foot wide driveway at the curb line actually equates to a 20-foot wide travel lane. He stated with owners now constructing three-car garages, restricting driveways to that width is neither functional nor aesthetically pleasing. He felt the Ordinance was outdated and is more typical for two-car garages. Brian Elsen agreed, adding he is building ten new homes in the Greenfield Addition, and owners are now building three-car garages. With the 25-foot setback off the property line, the actual driveway on the owner's side is only 16 feet long which limits maneuverability. Mr. Elsen stated a 30-foot approach would be more functional and aesthetically better. Village Administrator Teresa DeLong requested Village Engineer Dave Sauer give his opinion on how wider driveways with more impervious surface area would affect storm water management in the Village. Mr. Sauer submitted an email explaining how the current equivalent residential unit charge was calculated. The current ERU per single-family residence was set up in 2011 at 2,400-square foot of impervious area. This was based on the average square footage per residence from aerial photographs taken when the Storm Water Utility was formed in 2011. This calculation covered a typical driveway of 24-feet wide by 30-foot in length with an average 1,680-square foot home. Commercial properties were calculated by the total impervious area divided by 2,400 square feet to calculate an ERU charge. Mr. Sauer felt the current 24-foot maximum driveway was reasonable. Widening a driveway to 30 feet, for example, will increase storm water runoff by ten percent, and the costs for storm water control and management will increase. The Committee discussed revising the storm water utility rates because residential lots have become larger, and the impervious areas have increased since the ERU of 2,400-square foot of impervious area average was calculated. The Committee directed Attorney Bryant Klos to revise Ordinance No. 5.06(G) to allow for a wider driveway option and storm water utility ERU calculations will be revised. Proposed Ordinance No. 498 was then reviewed by the Committee. The ordinance revision would prohibit placement of dumpsters and refuse containers on South Leonard Street. If there is an extenuating circumstance where a dumpster or refuse container cannot be placed behind a residence or business on South Leonard Street, a Special Exception for Dumpster Location Request can be completed by both the owner and the contractor for consideration. Dave Hundt stated language should be added to the present ordinance to encourage businesses to place dumpsters behind the business in order to maintain on-street parking on South Leonard Street. The Committee recommended the

Village Board approve Ordinance No. 498 Revise Placement of Dumpsters on Public Ways.

Motion by Trustee Brown, seconded by Trustee Schumacher to approve the minutes of the Street Committee meeting of March 20, 2021, as presented. Roll call vote: Unanimous aye. Motion adopted.

Ordinance No. 498

The Board reviewed proposed Ordinance No. 498 Revise Placement of Dumpsters on Public Ways. Trustee Lautz stated overall he has no objection to restricting the maximum number of days that downtown property owners are allowed to locate dumpsters or refuse containers on South Leonard Street. Trustee Lautz directed the Board's attention to the proposed Special Exception for Dumpster Location Request form. The form presently states: "Applicants are unable to place a dumpster/refuse container behind said location because of the following extenuating circumstance". The applicant then states what the extenuating circumstance is. Trustee Lautz clarified that a property owner may very well be able to place a dumpster or refuse container behind their property, but the reason for the dumpster in the first place may make placing it behind the property an extenuating circumstance. The word "unable" prevents the property owner from even requesting the special exception. Trustee Lautz stated the 28-day maximum is overall a good restriction. The original permit would be granted for a 14-day period. If an additional 14 days is needed, the property owner should apply for an additional 14 days and pay the required permit fee. Trustee Lautz also pointed out that a catastrophic event may occur where several businesses may be affected. He stated a provision should be added for such a catastrophic event wherein the Village Board would review and act on an extension beyond the 28-day maximum.

Motion by Trustee Leicht, seconded by Trustee Schumacher to approve Ordinance No. 498 as presented. Roll call vote: Unanimous nay. Motion rejected.

Motion by Trustee Leicht, seconded by Trustee Lautz to refer Ordinance No. 498 back to the Street Committee for revision and clarification. Roll call vote: Unanimous aye. Motion adopted.

Motion by Trustee Leicht, seconded by Trustee Lautz to adjourn the meeting at 7:26 p.m. Approved by voice vote.

Village President-elect Scott Schumacher presented Village President Dennis Manthei with a plaque recognizing Mr. Manthei's 27 years of valuable service to the Village of West Salem as a Planning Commission member, Village Board Trustee, and Village Board President. The Village Board extended its appreciation for his time, efforts, and dedicated public service.

Teresa L. DeLong, Village Administrator