

Regular Board Meeting

July 15, 2014

Meeting called to order at 7:00 p.m. by President Manthei. Trustees present: Baltz, Koelbl, Lautz, Leicht, Schumacher, and Wehrs. Also present: Public Works Director Scott Halbrucker, Coulee News Special Correspondent Emily Staed, Police Chief Charles Ashbeck, Village Attorney Bryant Klos, Recreation Director Michelle Czerwan, David Hundt, and Village Administrator Teresa Schnitzler.

Minutes

Motion by Trustee Leicht, seconded by Trustee Schumacher to approve the minutes of the July 1, 2014, 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>	\$108,998.28
<u>Water Utility:</u>	\$52,030.34
<u>Sewer Utility:</u>	\$19,240.85
<u>Storm Water Utility:</u>	\$3,637.51

Motion by Trustee Leicht, seconded by Trustee Schumacher to approve the payment of all claims as listed. Roll call vote: Baltz – present; remainder of Board - aye. Motion approved.

Temporary Class “B”/“Class B” Retailers License

Motion by Trustee Koelbl, seconded by Trustee Wehrs to approve a Temporary Class “B”/“Class B” Retailers License submitted by Berg Hemker Olson Post 51 for July 23 through July 27, 2014, for a special event to be held at 240 East Avenue. Roll call vote: Baltz – abstain; remainder of Board – aye. Motion approved.

Special Event Application

A Special Event Application submitted by Dave Hundt for a Labor Day Street Dance to be held on August 31 and September 1, 2014, from 5:00 p.m. to 1:00 a.m. was reviewed by the Board. The request includes closing South Leonard Street from Memorial Drive to Elm Street. Last year, the Police Department raised concerns resulting from the 2013 street dance, including the street not being opened up at midnight, street was not cleaned up at midnight, and there were not enough garbage cans on the street. Mr. Hundt explained this year’s dance will conclude at midnight. This will give the coordinators one hour for the band to pack up their equipment, time for the street to be cleaned up, and then barricades removed by 1:00 a.m.

Motion by Trustee Leicht, seconded by Trustee Koelbl to approve the Special Event Application with conditions the street dance conclude at midnight, the street is cleaned

up, and the street be re-opened at 1:00 a.m. Roll call vote: Unanimous aye. Motion approved.

Award of Bid for Project ID Number 5991-00-18 Contract 13W-02

Motion by Trustee Leicht, seconded by Trustee Koelbl to approve award of the low bid submitted in Project ID Number 5991-00-18 Contract 13W-02 Village of West Salem PED Improvements to Fowler and Hammer, Inc., in the total bid price of \$64,664.14. Roll call vote: Unanimous aye. Motion approved.

Award of Bid for Project ID Number 5991-00-18 Signage

Motion by Trustee Baltz, seconded by Trustee Leicht to approve award of the low bid submitted in Project ID Number 5991-00-18 Village of West Salem PED Improvements signage to Traffic & Parking Control Company – TAPCO in the total bid price of \$13,266.80. Roll call vote: Unanimous aye. Motion approved.

Capital Improvement Planning Committee and Finance and Personnel Committee

Trustee Leicht reported on the Capital Improvement Planning Committee and Finance and Personnel Committee joint meeting held on July 7, 2014. The purpose of the joint meeting of the two Committees was to review the Capital Improvement Planning Report for possible action by the Finance and Personnel Committee. The two Committees reviewed the six recommendations made in the report by the Capital Improvement Planning Committee to the Village Board. The establishment of a Village facility feasibility study committee was recommended by the Capital Improvement Planning Committee. The purpose of the recommendation is a study of what the needs are in the present community center building, required maintenance to keep the building useable, and how the building can and will be used in the future. The object is to protect the buildings we already have versus waiting until repairs are more costly than the construction of a new building. The Committees agreed a feasibility study of the existing conditions of Village facilities is needed for recommendation to the Village Board. The Village Board should appoint a Facility Feasibility Study Committee or refer the task to the Buildings and Grounds Committee to oversee the process. The Buildings and Grounds Committee could be tasked with starting an assessment process and then move the work to a Long-Term Planning Committee. If the levy increase referendum is approved in November, the Finance and Personnel Committee will oversee reserve funds created as part of the annual operating plan process and will continue the maintenance and update of the Capital Improvement Plan. The Capital Improvement Planning Committee has stressed the importance of being prepared for facility, equipment, vehicle, and land acquisitions and to have the funding to be able to pursue the opportunities. Between now and November 4, the voters need to be aware of the facts and reasons for the levy increase referendum request. The Committees agreed a one-page explanation sheet should be distributed to every resident in the Village. The flyer can be mailed with the August 1 and the November 1 utility bills, and it can be included in the fall/winter recreation department brochure. The Committees discussed readership of The Coulee News and the La Crosse Tribune in terms of being able to inform Village residents of the upcoming referendum question. The one-page flyer can also become poster size for information distribution. Public information meetings were also discussed. As part of the flyer, the residents should be informed of what changes will have to be made if the referendum question fails to pass, and what the tax increase impact amounts to on the Village portion of real estate taxes. Teresa

Schnitzler will work with Karl Green and Village department supervisors to create an informational flyer for review by the Committees prior to July 19.

Motion by Trustee Leicht, seconded by Trustee Schumacher to approve the minutes of the joint meeting of the Capital Improvement Planning Committee and the Finance and Personnel Committee held July 7, 2014. Roll call vote: Baltz – abstain; remainder of Board – aye. Motion approved.

Planning Commission

President Manthei reported on the July 9, 2014, Planning Commission meeting. The purpose of the Planning Commission meeting was to review for recommendation for public hearing a request submitted by Jim Finch for abandonment of Old County Trunk Highway B adjacent to East Jefferson Street and present County Trunk Highway B, review for recommendation for public hearing an Application for Conditional Use Permit submitted by Jim Finch to construct combination mini self-storage units combined with small business office space at 501 East Jefferson Street, and to review and act on a re-ratification of Conditional Use Permit No. 12 issued to Shane Wehrs Properties, LLC. and approved on March 5, 2013, to allow an additional 5' X 20', two-face directly illuminated sign advertising Subway on an existing free standing pylon. Attorney Klos addressed the Planning Commission to explain Jim Finch has purchased the Collins property west of his parcels at 501 East Jefferson Street. Mr. Finch has requested Old County Trunk Highway B be abandoned and titled to him as he owns all of the property around that parcel. Attorney Klos presented two avenues to abandon a street, one being a surrounding property owners initiated request and the other being a Village-initiated abandonment. Attorney Klos recommended the Planning Commission consider a recommendation to the Village Board that the Village proceed with the abandonment. The Commission unanimously recommended the Village petition for Old County Trunk Highway B abandonment and proceed to public hearing. Jim Finch has applied for a Conditional Use Permit to construct combination mini-storage units and small business office space west of his present business on East Jefferson Street. The storage units are large storage units usually leased by businesses. The small business office spaces are 30' X 60' or 40' X 60' and are designed for businesses, complete with restroom facilities. Restroom facilities will require sewer service and water service, and municipal utilities are not available at the site. The restrooms can be installed as long as private well and private septic systems are installed and compliant with State of Wisconsin plumbing and sanitary codes. Mr. Finch has applied for both utility permits from La Crosse County. Mr. Finch understands should water and sewer utilities be extended to this area, he will be obligated within two years of the placement of the utility mains to hook up to the facilities. Mr. Finch has obtained driveway permits from La Crosse County for access off County Trunk B. The storage units will abut East Jefferson Street. The Commission unanimously recommended scheduling a public hearing on the Conditional Use Permit Application for Monday, July 28, 2014, at 6:30 p.m. On March 5, 2013, the Village Board approved a Conditional Use Permit Application submitted by Rottinghaus Company, Inc. and Shane Wehrs to add a 5' X 20' sign for Subway on the existing BP Station pylon sign at 83 Buol Road. The Conditional Use Permit set forth eight conditions as follows:

1. The exact location of the sign within the legal found as Exhibit "B" would be the northwest corner thereof as depicted on the photo at Exhibit "C" where the black marker identifies sign.

2. The east and west side of the signage would allow for a directly illuminated sign as depicted on Exhibit "D". This is not an approval for an indirectly illuminated billboard, an electronic digital billboard, animated sign.
3. The size of the sign would be 5' X 20".
4. The location of the sign on the pole would be as depicted on Exhibit "D".
5. This Conditional Use Permit expires if there is not a Subway restaurant occupying and open for business within the Building located on the parcel directly to the west of the parcel described on Exhibit "B" or if the required conditions 6 and 7 are not installed or maintained at any time.
6. A legal Wisconsin Traffic STOP sign must be acquired by landowner or leasehold interest holder and placed approximately in each of the two locations marked by a black marker as the STOP sign locations on Exhibit "C" before this permit goes into effect and maintained in place during the existence of the permit. (The Village Police Chief will designate the exact location after conferring with La Crosse County).
7. The landowner must close off vehicular access from the land described on Exhibit "B" to Buol Road along the westerly 156 feet of the boundary between the same which is highlighted on Exhibit "C" by the black mark identified as "closed area" before this permit goes into effect and maintained in place during the existence of the permit.
8. The sign must not overhang the right-of-way of Buol Road and the owner and leasehold interest holder must verify this before construction as La Crosse County Highway Commissioner and the Village of West Salem have indicated they would have no tolerance for such an overhang and if it is determined after construction that there is such an overhang, the sign would have to be removed.

Conditional Use Permit No. 12 was not recorded within the 90 days required in the permit. Mr. Wehrs now wishes to move forward with the process, and Attorney Klos informed the Commission it needs to re-authorize the time frame for recording the document to specify it must be recorded within 90 days of the re-authorization. The Commission unanimously recommended re-authorizing the time frame included in Conditional Use Permit No. 12 to include the requirement the Permit must be recorded within 90 days of July 15, 2014.

Motion by President Manthei, seconded by Trustee Schumacher to approve the minutes of the July 9, 2014, Planning Commission meeting. Roll call vote: Unanimous aye. Motion approved.

Resolution 4.14

Motion by Trustee Baltz, seconded by Trustee Wehrs to approve Resolution 4.14 Amending Conditional Use Permit No. 12 with an additional provision that contact be made with the La Crosse County Highway Commissioner regarding traffic controls at Buol Road/County Trunk C and Neshonoc Road. Roll call vote: Unanimous aye. Motion approved.

WHEREAS, on March 5, 2013, the Village Board of Trustees of the Village of West Salem unanimously adopted and approved Conditional Use Permit No. 12 pertaining to sign changes on Lot 3 of Certified Survey Map filed January 26, 2004, in Volume 11 of Certified Survey Maps, page 98 as Document No. 1384299, being part of the NE 1/4 of the SE 1/4 of Section 3, Township 16 North, Range 6 West, Village of

West Salem, La Crosse County, Wisconsin, on the unanimous recommendation of the Village Planning Commission; and

WHEREAS, Conditional Use Permit No. 12 required as one of its conditions to go into effect that a set of Real Estate Declaration of Covenants, Conditions & Deed Restrictions be recorded in the La Crosse County Register of Deeds within 90 days after the Village of West Salem's approval of this Conditional Use Permit on March 5, 2013; and

WHEREAS, the Real Estate Declaration of Covenants, Conditions & Deed Restrictions was not timely recorded and the property owner and the applicant Rottinghaus has requested that the recording deadline be extended; and

WHEREAS, the Village Planning Commission met on July 9, 2014, at 6:30 P.M. and unanimously recommended to the Village Board that the Village extend the recording deadline found in the original Conditional Use Permit No. 12 an additional 90 days from date of Village Board approval.

NOW, THEREFORE, BE IT RESOLVED that the Village Board of West Salem hereby amends the provision in Conditional Use Permit No.12 which required that a Real Estate Declaration of Covenants, Conditions & Deed Restrictions be recorded within 90 days of March 5, 2013, to state it must be recorded within 90 days of July 15, 2014.

ADOPTED this 15th day of July, 2014.

/s/ _____
Dennis Manthei, Village President

(SEAL)

/s/ _____
Teresa L. Schnitzler, Village Administrator

Introduce Resolution 5.14 Petition for Abandonment

As reported in the Planning Commission meeting minutes, Attorney Bryant Klos explained Jim Finch has requested Old County Trunk Highway B be abandoned and titled to him as he owns all of the property around that parcel. Attorney Klos presented two avenues to abandon a street, one being all surrounding property owners initiate a request and the other being a Village-initiated abandonment. Option one involves the Wisconsin Department of Transportation also petitioning for abandonment and requires the Governor's signature. Attorney Klos recommended the Village Board proceed with the abandonment. This option involves serving notice on all property owners adjoining the street and property owners within a required distance and a public hearing by the Village Board.

Motion by Trustee Leicht, seconded by Trustee Wehrs to schedule a public hearing to vacate a portion of Old County Road "B" for Tuesday, September 2, 2014, at 6:45 p.m. Roll call vote: Unanimous aye. Motion approved.

Motion by Trustee Baltz, seconded by Trustee Wehrs to adjourn the meeting at 7:343 p.m. Approved by voice vote.

Teresa L. Schnitzler, Village Administrator