

Regular Board Meeting

July 17, 2018

Meeting called to order at 7:00 p.m. by President Dennis Manthei. Trustees present: Hennessey, Lautz, Leicht, Schumacher, and Wee. Excused: Brown. Also present: Public Works Director Scott Halbrucker, Police Chief Charles Ashbeck, Recreation Director Tony DeGaetano, West Salem Fire Protection District Board Chair Paul Degenhardt, and Village Administrator Teresa Schnitzler.

Public Comment

Paul Degenhardt thanked the Village Board for its efforts and support for the purchase of a new pumper ladder truck for the West Salem Volunteer Fire Department. Trustee Lautz presented Mr. Degenhardt with a check for the Village's share of the purchase price.

Minutes

Motion by Trustee Leicht, seconded by Trustee Hennessey to approve the minutes of the July 3, 2018, Regular Board meeting as written. Roll call vote: Unanimous aye.

Claims

Claims from the following funds were presented for payment:

<u>General Fund:</u>	\$129,421.35
<u>Water Utility:</u>	\$10,647.93
<u>Sewer Utility:</u>	\$16,413.98
<u>Storm Water Utility:</u>	\$10,385.23

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

Alcohol Beverage Licenses

Motion by Trustee Schumacher, seconded by Trustee Hennessey to approve the issuance of Alcohol Beverage Licenses to Cara L. Brody and Laurie A. Marquardt. Roll call vote: Unanimous aye.

Finance and Personnel Committee

Trustee Leicht reported on the July 5, 2018, Finance and Personnel Committee meeting. The purpose of the meeting was to meet with legal counsel regarding Lakeview Business Park development tax incremental financing district status and future infrastructure extensions. Attorney Klos informed the Committee that Village Engineer Dave Sauer, Village President Dennis Manthei, Village Administrator Teresa Schnitzler, and he had met with La Crosse County officials Charlie Handy, Brian Fukuda, Steve O'Malley, and Tara Johnson on June 20, 2018. La Crosse County is

working with two prospects to purchase a 15-acre parcel and a 5-acre parcel east of Amerhart. The two parcels are owned by La Crosse County, not the La Crosse County Economic Development Fund, and, therefore, the area is not subject to the Lakeview Business Park covenants. The two prospects would like street access this year in order to begin construction this fall. Based on the \$5,482,000 of total fair market value proposed by the two potential buyers, additional tax increment expected is \$80,000 to \$100,000 per year. The County is suggesting the Village take over phase three of the business park development now, the County transfers TIF administration to the Village, and then the additional incremental revenue when La Crosse County's financing is paid off. Village Engineer Dave Sauer has provided cost estimates to extend Industrial Drive 900 feet to the eastern boundary of the outlined twenty acres of development. The estimates include extending storm water for Industrial Drive to the eastern boundary of the outlined 20 acres, lowering the current Industrial Drive ditch for the remaining 400 feet from the end of the new street to the retention bowl, installing 36" storm sewer instead of the diversion ditch for the water from the area south of Industrial Drive, and new street construction for 900 feet. The total estimated cost is \$1,121,500. The estimates calculated previously to extend Industrial Drive the entire 1,300 feet to the bowl and the diversion ditch was \$1,326,065. Attorney Klos explained if the Village were to assume responsibility for the TIF, the revenue sharing agreement would be revised to grant the Village the additional tax increment derived from the new 20-acre sales and the \$400,000 to \$500,000 left over upon the closing of the TIF District. La Crosse County also presented the option for the Village to create an overlay TIF on the same area that is not yet developed in order capture future increment and allow the Village more time to incur and pay off expenses of infrastructure development. The Committee discussed current General Fund debt, future financing needs of the Village, and discussed what agreements the Village would propose to La Crosse County if it were to take over the tax incremental financing district. Attorney Klos was directed to contact the County Administrator regarding the two prospects. Attorney Klos suggested the Village require a letter of credit from the buyers to cover the Village loan payments in the event increment received is less than the projected \$80,000 to \$100,000 estimated.

Motion by Trustee Leicht, seconded by Trustee Schumacher to approve the minutes of the July 5, 2018, Finance and Personnel Committee meeting as presented. Roll call vote: Unanimous aye.

Board of Appeals

The Village Board reviewed the minutes of the public hearing and meeting of the Board of Appeals. Administrator Teresa Schnitzler stated the Board of Appeals would consider public comments, review, and act on an Appeal for a building setback variance in a Residential District Zoning. Neighborhood Rentals, LLC. owns a single-family home located at 222 West Hamilton Street. The site suffered fire damage in April 2018. Applicants have submitted an appeal for a 2½-foot front yard setback variance. The rebuild plan is to replace the 14' X 23' fire-damaged section with a new 20' X 28' section on the west side of the home. Applicants are asking to be allowed to build the new section into the front yard setback, making it level with the existing face of the home. There were no residents present to speak for or against the Appeal. General Contractor Dean Zuehlke explained there is already 5/8" fire rock on the south side of the detached garage, and 5/8" fire rock will be put on the north side of the new addition on the house.

The completed project will be a four-bedroom, two bathroom home. Off-street parking is provided in the driveway in front of the two-car garage. Attorney Klos then explained to the Board that the property has a nonconforming structure that was built before the Village had a zoning code. The structure is nonconforming, in part, because there is not a minimum 10-foot side yard between the existing east side of the house and the Village alley, and the front of the existing house is not set back 25 feet from West Hamilton Street. Additionally, there may not be 10 feet between the north side of the house and the existing detached garage. The Board of Appeals can deny the variance and the interplay between the Village Ordinances, and State Statutes would allow the property owner to rebuild the structure in its pre-fire location and size. The Board can grant the variance and allow the structure to be expanded both to the west and to the south. Conditions could then be placed on the approval. The Board of Appeals voted to approve the Appeal submitted by Neighborhood Rentals with the following requirements:

1. Expansion of the house to the west shall be no closer than to within ten feet of the lot line. Such expansion requires the house and rear yard garage be brought up to Village Code 3.03(F)(1)(3)(a) fire proofing requirements, if they are closer than ten feet;
2. Expansion of western approximate 1/3 of the south side of the house toward West Hamilton Street but no closer to the street than the wall for the existing dining room as depicted on Exhibit "A" attached hereto; and
3. Subject to moving the gas meter to a location other than between the house and the alley.

The second public hearing was to consider public comments, review, and act on an Appeal to remove an old pole shed on a parcel fronting Clark Street and replacing same with new, larger pole shed due to vermin and black mold issues. Gib Wee informed the Committee of how he acquired this garage, the present condition of the garage, and his plans to raze the old pole shed and construct a new structure. The new building will be 32' X 30', have a cement floor and driveway, and have vinyl siding, a shingled roof, and gutters. Neighbor Laura Jesse and Orin Nyseth's daughter, Miriam Heyer, asked about setbacks, size of new structure, and water drainage. The Board of Appeals discussed the infestation, size and location of the proposed garage, favorable response from the neighboring property owners, and conditions of the variance, if approved. An approval would result in a structure that would continue to be a non-conforming structure but would then provide a modern garage that would be vermin proof and centered on the lot. The Board of Appeals voted to approve the request to construct a 32' X 30' detached garage centered on the lot with front and rear setbacks to be the same as existing with a cement floor, driveway, and sidewalk as submitted.

Planning Commission

President Manthei reported on the July 10, 2018, Planning Commission public hearing meeting. The public hearing concerned a Petition for Change of Zone submitted by Allied Cooperative to rezone a vacant lot behind its two parcels fronting on Commerce Street from Industrial Zone to Business Zone. There were no citizens present to speak for or against the proposed amendment. The Commission reviewed for recommendation to the Village Board a Petition for Change of Zone. Allied Cooperative previously submitted a Certified Survey Map for review, and the Planning Commission and Village Board approved same. Allied owns Lot 2 located behind its Lot 8 fronting on

Commerce Street. Lot 2 was landlocked, and in order to construct a building on this lot, the certified survey map was approved combining Lots 2 and Lot 8 into one larger parcel. Lot 2 is zoned Industrial, and Lot 8 is zoned Business. Therefore, Allied Cooperative has submitted a Petition to change the zone of Lot 2 to Business. The Planning Commission recommended approval of the change of zone as submitted. Developer Pete Opsahl presented a preliminary plat of Greenfield Addition last month. Mr. Opsahl's proposed development is to be located on the 15+ acres of the former Lakeview Healthcare Center. He plans to raze the former Lakeview structure in February of 2019 and have the development complete in the Fall of 2019. Within the development are 27 single-family lots, and 11 lots proposed to be rezoned and conditional use permits applied for to allow eight townhomes and three, 4-plex units. Mr. Opsahl anticipates a full build out of the development in three years. The Commission reviewed a proposed Resolution and a proposed Developer Agreement. The Developer Agreement includes an exhibit with special conditions and an exhibit with Village standard specifications for developments. Attorney Klos explained the review and approval process includes Village engineer review of storm water plans, approval of a developer's agreement with Mr. Opsahl, and approval of the preliminary plat by the Planning Commission and developer's agreement by the Village Board. The Planning Commission has final review and action on a Preliminary Plat. The Village Board only reviews and acts on the Developer Agreement. The Preliminary Plat needs to be revised to include:

- a utility easement between Lots 7 and 8 in the event the Village needs to extend utilities;
- notation of what the Village easements shown on the Plat are for;
- and the Plat needs to be dated. The Plat was submitted to the Village on June 11, 2018, and the Village must act on the Plat within ninety days.

Storm water management plans need to be submitted to the Village Engineer for review and eventual approval. Mr. Opsahl submitted proposed Restrictive Covenants for Greenfield Addition, and the only change recommended by Attorney Klos is the width of required sidewalks. The draft covenants state 4-foot wide sidewalks are required, and the new standard is 5-foot sidewalks. The Planning Commission agreed to meet again on Monday, August 6, 2018, to review the final draft of the Preliminary Plat, finalize the approving Resolution, and make recommendation to the Village Board on the Developer Agreement. The Commission then reviewed the Certified Survey Map prepared by Land Surveyor Christian Running for RB Development of West Salem for 18 acres west of South Oak Street. The Planning Commission recommended to the Village Board approval of the Certified Survey Map as submitted.

Motion by President Manthei, seconded by Trustee Schumacher to approve the minutes of the July 10, 2018, Planning Commission meeting as presented. Roll call vote: Unanimous aye.

Motion by Trustee Schumacher, seconded by Trustee Leicht to approve the Petition for Change of Zone submitted by Allied Cooperative as recommended by the Planning Commission. Roll call vote: Unanimous aye.

Motion by Trustee Schumacher, seconded by Trustee Hennessey to approve the Certified Survey Map submitted by RB Development, Inc. Roll call vote: Unanimous aye.

Law Enforcement Disciplinary Committee

The purpose of the meeting was the annual meeting as provided in West Salem Code of Ordinances Section 1.29 to elect a Chairperson. Mark Johnson was nominated as Chair of the Law Enforcement Disciplinary Committee. Chair Mark Johnson noted the Committee has not met in a year, and this fact speaks highly of the West Salem Police Chief, the Police Lieutenant, and the Department. Mr. Johnson informed the Committee he will be out of the State from January through April 2019.

Motion by Trustee Leicht, seconded by Trustee Schumacher to approve the minutes of the Law Enforcement Disciplinary Committee as presented. Roll call vote: Unanimous aye.

Motion by Trustee Lautz, seconded by Trustee Wee to adjourn the meeting at 7:22 p.m. Approved by voice vote.

Teresa L. Schnitzler, Village Administrator