



Meeting: **Village Board**
Place: **106 S. Main St.**
Date: **August 22 @ 6:30 P.M.**

PUBLIC HEARINGS:

Appeal of Conditional Use Permit issue to Poynette School District: The Hearing was called to order at 6:30 pm. by President Avery. Wayne Hanson 215 S. Lincoln St. felt that the Plan Commission wrongly issued the Permit; that they only looked at 1 plan; felt water issues were never addressed; didn't look at other options; redoing Lincoln St. didn't take care of the problem; 90% of the water will be going to the lowest spot; there is only 1 drain on Seward St. and Washington St.; the school and the village have worked on this project forever but not in a conscientious way; they could share costs for improving Seward & Washington St.; felt that the water table was high and that Hebel's always pump when it rains; there will be too much pressure that will push water into basements. Kathleen Lucy School Board President stated that water issues arose with building and that they need to do something now or it will only get worse; plans have been tweaked by comments made since 2006 and were reviewed by the Village Engineer. Scott Groholski from Point of Beginning (POB) stated that they have been working on the issue since 2006 and did analyze several options and this option made the most sense with a budget of \$285,000 for site work. 1 option was to run all water towards the creek, but that required DNR Permits with full blown design plans that were subject to approval from several other agencies and that they steered away from that option because of the uncertainty. Plan Commission requested changes have added \$10,000 to the costs and they felt that they didn't want to spend more money on something that may not be approved. Erik Henningsgard, Village Engineer, reviewed the memo he sent to the Board. When reviewing they look at technical issues (does the project make sense) originally started working on the in 2005-2006 when plans were submitted and have made revisions based on comments, models; there are 3 drainage issues; water in low spot at 215 S. Lincoln St.; water in basement at the Hebel residence and ponding at 120 S. Lincoln St. The plan will take more water there but direct it and any overflow will go back onto the School property (speed bump to redirect overflow back). Erik's viewpoint is that everything makes sense. Meg Hanson, stated that she filed the appeal and would like to hear issues specifically addressed that were in the appeal. She stated that if the plan goes through she would not feel comfortable and would wonder what would happen. She asked why the ponds could not be on the other side of the fence (POB responded that there were space restrictions, and that the plan would not flood out the neighbors, it would improve the situation and that the Village Engineer had reviewed the plans and that there have been a lot of eyes on it). Ron Kaukl, 110 Cedar Cir., stated that years ago he was on the School Board and that building projects were approved that never covered water issues, since that time there has been a lot more parking and buildings added and no one knows how much water will go into these ponds, if it doesn't handle it there will be a problem. He suggested that the Village and School get together and take care of it. He stated that he doesn't think this is a good plan. Steve Tomlinson, 213 Liberty Lane, stated that when the Village did Lincoln St. that that was supposed to take care of all the water from the school. Engineering said all the water from the school and Lincoln St. was supposed to be taken care of. That the Village even did special things along the Railroad tracks and received a special permit from the DNR. (Henningsgard stated that they increased the size of the pipes, sat down with the DNR, planned for over capacity figuring the School would connect to it eventually and that it was designed to a 10 year event and oversized). Don Hopkins, 128 S. Lincoln St., stated that he has water in his basement all the time and was assured that when the street was done it would handle the schools water. He stated that he felt that it was a great idea just in the wrong location and that it was adding more water. He thought the Village took care of the problem back in 2006-2007. He stated that he paid for it, paid for it again and when it rains he pays for it yet again. Kathleen Lucy stated that this fixes it, and that the water off the school property was not addressed when Lincoln St. was redone. She asked if the plan will lower the ground water (POB stated not necessarily) Meg Hanson, stated this issue is control vs. add. Joe McIlrath, School Board Member, stated that the property when the basins will be put was originally purchased for a parking lot. He asked POB to look at going further down the road. POB would give a guess of \$50-60,000 or more for a 30" pipe, plus not knowing what the DNR would require. POB came to put a quality plan together and it could be \$200,000 more if they had to go through the DNR. Steve Tomlinson stated that he thought when we improved Van Buren and Lincoln Sts. the problem was fixed. Kris Koch, 125 N. Lincoln St. stated she agrees that a retention pond is not warranted, not in this location. She has water going across the street by her house. She asked how many storm inlets there were (answer was 1 on Seward and 1 on Van Buren); she also stated that she has to pump her basement

every year. Ted Koch, 125 N. Lincoln St. stated that he felt the new streets were supposed to fix run off water from the school and that no inlet on Lincoln St. causes more problems. Eric McGlynn, 304 S. Lincoln St., asked how big of a hole do you need to build, digging a hole and putting more water in there is not a correction to the problem. Ron Kaukl, asked how much square footage of water is draining there (POB stated that the water would go into pipes, then into the ponds, then into the storm sewer and that any boil over would go back on the school property). Wayne Hanson, stated peoples' property is saturated; putting water into the ponds will put pressure on the saturated property pushing water into peoples' homes. Avery asked 3 times if anyone else wanted to speak for or against. No one else wished to speak. The Hearing was closed at 7:38 pm.

Vacation of undeveloped Alley: The Hearing was called to order at 7:38 pm. Wayne Hanson stated that the Village didn't need to get rid of the Alley and that all the school wanted it for is the retention pond. Administrator Guild replied that he was identifying undeveloped alleys and while working with the former School Administrator to combine all the school properties into 1 parcel discovered that with the alley there the school could not combine all their parcels. The alley does not affect the storm water ponds. Steve Tomlinson, asked if the alley was the road to the athletic field (answer – no). Lynn Hanson stated that the Vacation process should go through the Plan Commission. Vern Hornback asked if the alley was south of Van Buren (answer – yes). Avery asked 3 times if anyone else wanted to speak for or against. No one else wished to speak. The Hearing was closed at 7:44 pm.

Rezoning of Old Fire Station Property: The Hearing was called to order at 7:44 pm. Steve Tomlinson asked what we were rezoning to? Guild stated B-1. Tomlinson asked what can you use B-1 for? Clerk Finstad read the list of principal uses from the Zoning Ordinance. Vern Hornback asked what is it zoned? Guild stated that the parcel has split zoning of B-1 and R3-1 & 2 from the combining of the lots and that it would all be zoned B1. Wayne Hanson asked if the property was for sale or if it was sold (answer was it was for sale). Avery asked 3 times if anyone else wanted to speak for or against. No one else wished to speak. The Hearing was closed at 7:49 pm.

Rezoning correction Lighthouse Ministries Parcels 542.02 & 542.03: The Hearing was called to order at 7:49 pm. Dave Branish asked if this was just to correct a clerical error? Clerk Finstad stated that yes there was an error made on the original ordinance. Avery asked 3 times if anyone else wanted to speak for or against. No one else wished to speak. The Hearing was closed at 7:51 pm.

MINUTES:

Pledge of Allegiance was said. The Meeting was called to order at 7:52 pm. Present were: DeBoer, McFadden, Avery, Burke, Kaschinske and Ross

1. Approval of Agenda: Guild asked that the consent agenda items be moved to the end. Burke/Ross motion to move item 4.a. to the 1st position, MC 6-0
4. a. Consider property owner appeal of School District's Conditional Use Permit for Stormwater: Attorney Hughes explained our ordinance and the appeal process. He stated that the Board could ultimately affirm or reverse (5 votes needed to reverse) and that they needed to state the basis of the decision (a copy of the Conditional Use Standards was given to the Trustees), apply to facts and explain the decision in a motion made containing reasons and rationales. Kaschinske/DeBoer motion to acknowledge the citizen appeal petition, but also acknowledge that the Poynette School District's improvement plans are currently in flux, and therefore propose withholding the issuance of a Conditional Use Permit, and neither approving or denying the appeal until revised plans can be re-presented and reviewed by the Village Planning Commission, MF 1-4; Ross/Kaschinske motion to acknowledge the appeal request, but suggest taking no action on this item until the Board can reevaluate the plan and hear this issue again, at a special meeting on Tuesday September 13, 2011, MF 1-4; Kaschinske/DeBoer motion to approve the appeal request based on the Condition Use Standard (6)(a) [That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger public health, safety, morals, comfort or general welfare.], because it will lower values of homes and it is not safe and not sure we are educated enough with information reassuring that will take care of the problem from a rain event, MF 1-4; Kaschinske/Ross motion to postpone until Tuesday September 13th Special Meeting so I can talk to General Engineering, Ross asked for a roll call vote: DeBoer-Y; McFadden-N; Avery-N; Burke-Abstain; Kaschinske-Y; Ross-Y, MF 3-2-1 (per Atty. Hughes); Ross/McFadden motion to deny the appeal of the citizen petition, and re-affirm the issuance of a conditional use permit to the School District of Poynette, in compliance with the conditions and decisions of the Planning Commission in July 2011, Avery asked for a roll call vote: DeBoer-Y; McFadden-Y; Avery-Y; Burke-Abstain; Kaschinske-N; Ross-Y, MC 4-1-1

The Board recessed from 8:59 to 9:09 - Upon return the following motion was made: McFadden/DeBoer motion to suspend the rules and have Trustee Ross Chair the rest of the meeting, MC 6-0

2. Public Communications & Comment: Jenny Van Schoyck Teeter told the Board about the upcoming Chamber Golf Outing on September 13, 2011 @ 4:00 pm. She also told them that they are looking for Golfers and Hole Prizes, and will leave the sign up forms with the Clerk. Stephen Kohl asked if consent item "1" could be addressed separately because it was done in closed session and he didn't understand. He also wanted to know if this was setting precedence for other Village Employees
3. Consent Actions Items: Kaschinske/Burke motion to approve items a; b; c; d; f; g; j; m and n, MC 6-0
 - a. Approval of Minutes from July 25, 2011
 - b. Approval of Ordinance No. 11-463, "Re-Formatting of Village Ordinances"
 - c. Approval of Ordinance No. 11-469, "Correction of Rezone of Lighthouse Ministries Property"
 - d. Approval of Ordinance No. 11-470, "Rezone of Old Fire Station Property"
 - e. Approval of Resolution 11-890 "Vacation of Undeveloped Alley" (located between S. Lincoln St. and the School: No recommendation from the Plan Commission, item to be returned to them for recommendation
 - f. Approval of Resolution 11-893 "Writing off Bad Debts"
 - g. Approval of Resolution 11-894 "Writing off Advances to the Water and Sewer Funds"
 - h. Approval of Resolution 11-895 "Transferring Undesignated Funds to the Capital Fund": Burke/McFadden motion to approve, MC 5-1
 - i. Approval of Resolution 11-896 "Transferring of Impact Fees": Kaschinske/2nd by discussion motion to not approve, MF 1-5, Avery/Burke motion to approve, MC 5-1
 - j. Approval of Resolution 11-897 "Establishing Public Participation Procedures for Periodic Amendments to the Village of Poynette Comprehensive Plan"
 - k. Rejection of Valley View Park Shelter Bids received and approval of rebidding the project in early 2012: McFadden/DeBoer motion to reject, MC 6-0
 - l. Authorize Village President/Attorney to renegotiate employment agreement with Administrator per the terms discussed at the CoW Meeting of August 1st. Kaschinske/ motion to postpone to another meeting, MF for lack of 2nd, Burke/DeBoer motion to approve, MC 6-0
 - m. Municipal Complex Repairs Pay Application #2
 - n. Valley View Park Pay Application #4
4. Board Actions
 - b. Acknowledge resignations of the Village President and consider appointments to Village President and vacant positions on the Board of Trustees: McFadden/DeBoer motion to accept Avery's letter of resignation as Village President and appoint Jerry Burke as the next Village President effective immediately, MC 5-0, Burke/McFadden motion to appoint Avery to the vacant Trustee position, MC 5-1, Kaschinske/DeBoer motion to appoint Steve Tomlinson to the vacant Trustee position, (Tomlinson respectfully declined the appointment) MF 2-4
 - c. Approval of Vouchers: Burke/McFadden motion to approve, MC 6-0
5. Staff Reports – postponed to next meeting
 - a. Admin & Dept Head Updates
 - b. Engineering Update & Acknowledgement of Well 4 Test Well Drilling Expense: Henningsgard quickly added that they are proceeding with test drilling for Well 4

Meeting adjourned at 10:05 pm.

Approved: 9-26-2011

Sue Finstad, Clerk