

VILLAGE OF MCFARLAND
Village Board Minutes
Monday, July 26, 2021 - 7:00 PM

1. CALL TO ORDER.

Village President Clow called the regular meeting of the McFarland Village Board to order at 7:00 pm in the Community Room of the McFarland Municipal Center.

2. ATTENDANCE/ROLL CALL.

Village Board members present: Village Trustee Stephanie Brassington, Village President Carolyn Clow, Village Trustee Michael Flaherty, Village Trustee Justin Rupert, Village Trustee Chris St. Clair, Village Trustee Carrie Nelson

Village Board members not present: Village Trustee Edward Wreh

Staff Present: Administrator Matt Schuenke, Police Chief Aaron Chapin, Community and Economic Development Director Andrew Bremer, Fire/EMS Director Chris Dennis, and Communications & Technology Director Stephanie Miller.

3. PUBLIC ANNOUNCEMENTS AND COMMUNICATIONS.

a. Public Announcements

Due to issues with the sanitary system, the restrooms at McDaniel Park will be closed until further notice. Porta-potties will be made available for use by the public.

b. Public Communications

None.

4. CONSENT AGENDA.

a. All items listed under the Consent Agenda will be approved in one motion unless a Board member requests that the item be removed for individual discussion and action. Any item(s) removed for individual consideration shall be considered in the same order in which they were originally listed on the agenda under Business.

1) Motion to approve the minutes of the July 12, 2021 regular meeting.

2) Motion to approve checks in the amount of \$540,513.05.

3) Motion to approve an Event Permit for Karben 4 to hold a Pop-Up Biergarten event in McDaniel Park on July 31, August 21 and September 18, 2021 and a request for a variance to allow minors to be present where alcohol is served.

Motion by President Carolyn Clow, second by Trustee Chris St. Clair, to approve the consent agenda as presented. Motion carries 6 - 0 - 0 by acclamation.

5. PUBLIC APPEARANCES.

a. This is an opportunity for members of the public to address the Village Board. Please remember this is a virtual meeting conducted through the Zoom online meeting platform. Zoom meeting attendees wishing to address the board may do so using the Question and Answer feature within the Zoom online meeting platform. You may state

your name, address, and provide your comments to the board for their consideration. Members of the public who are present in person and wish to address the board should fill out a public comment form and turn into the meeting chairperson. Members of the public may speak during public appearances or during their selected agenda item as they designate on the public comment form. Please adhere to the 3-minute time limit. Additionally, you may send your public comments to cassandra.suettinger@mcfarland.wi.us to be included as part of the meeting.

Senator Melissa Agard appeared before the Board to provide an update on what her and her office have been up to since taking office. She highlighted appreciating having the opportunity to spend time in the Village of McFarland in the month of July. She also reported being excited about the upcoming listening session in the Village on July 30th from 9:30 a.m. to 11 a.m.

Carol Springman, representative of the Parkview Apartments, appeared before the Board to speak in opposition if the Waubesa Village LLC project planned at 4902 & 4908 Terminal Drive due to safety concerns.

6. BUSINESS.

a. Diversity, Equity & Inclusion Subcommittee (Trustees Brassington and Wreh)

1) Discussion and action regarding a revised proposal for diversity, equity, and inclusion consulting services from Rainey Briggs and Percy Brown.

Diversity, Equity and Inclusion Chair Patrick Miles appeared before the Board to introduce the proposal for services from Rainey Briggs and Percy Brown.

Percy Brown provided additional insight on the proposal and answered questions from the Board.

Motion by Village Trustee Stephanie Brassington, seconded by Village Trustee Carrie Nelson, to approve a revised proposal for diversity, equity, and inclusion consulting services from Rainey Briggs and Percy Brown. Motion carries 6 - 0 - 0 by acclamation.

b. Sustainable McFarland Ad-Hoc Committee (Chair Freedman & Vice-Chair Tiboris)

1) Discussion and action regarding acceptance of the Sustainability Plan for the Village of McFarland.

Chair of the Ad-Hoc Sustainability Committee Angela Freedman appeared before the Board to provide an introduction on the Sustainability Plan.

Community Development Director Andrew Bremer and MSA Professional Services presented the Sustainability Plan.

Motion by Village Trustee Chris St. Clair, seconded by Village President Carolyn Clow, to approve acceptance of the Sustainability Plan for the Village of McFarland. Motion carries 6 - 0 - 0 by acclamation.

c. Public Safety Committee (Trustees Brassington & Wreh)

- 1) Discussion and action on an application from Nora Bird and Nick Hougas, for a permit to operate a tourist rooming house at 4514 Wisconsin Ave.

Motion by Trustee Stephanie Brassington, second by Carrie Nelson, to approve an application from Nora Bird and Nick Hougas, for a permit to operate a tourist rooming house at 4514 Wisconsin Avenue with the recommendation that a fence be built in the backyard. Motion carries 6 - 0 - 0 by acclamation.

- d. Discussion and action regarding acceptance of the Village of McFarland updated Operational Reopening Plan dated July 23, 2021.

Village Administrator Schuenke presented the updated Village Operational Reopening Plan dated July 23, 2021.

Motion by Village President Carolyn Clow, second by Village Trustee Carrie Nelson, to approve acceptance of the Village of McFarland updated Operational Reopening Plan dated July 23, 2021 with the condition that language be added to give the Village President and Village Administrator authority to mandate masks pending Village Board approval. Motion carries 6 - 0 - 0 by acclamation.

- e. Discussion regarding scheduled presentation by the Capital Area Regional Planning Commission (CARPC) and Greater Madison Metropolitan Planning Organization (MPO) at the August 16, 2021 Plan Commission meeting.

Village President Carolyn Clow announced the Capital Area Regional Planning Commission (CARPC) and Greater Madison Metropolitan Planning Organization (MPO) would be presenting at the August 16, 2021 Plan Commission meeting. She encouraged all interested Board members and Village residents to tune in.

- f. Discussion and action regarding the 2022 Budget Review/Adoption Schedule and Planning Memorandum.

Motion by Village President Carolyn Clow, second by Village Trustee Chris St. Clair, to approve the 2022 Budget Review/Adoption Schedule and Planning Memorandum with the revision that the Budget Public Hearing be moved to October 25th to allow additional time for feedback from the public. Motion carries 6 - 0 - 0 by acclamation.

- g. Community Development Authority (Trustees Brassington & Rupert) Plan Commission (President Clow & Trustee St. Clair)

- 1) Discussion regarding Ordinance 2021-07, An Ordinance Rezoning Outlot 20 of Assessor's Plat No. 4 – Township of Blooming Grove (4908 Terminal Drive), and Lot 1 of CSM 7449 (4902 Terminal Drive), McFarland, WI from Commercial Highway (C-H) to Planned Development District – General & Detailed Plan Approved, and related Tax Increment Finance Development Incentives Application, requested by Waubesa Village LLC.

Carol Springman, representative of Parkview Apartments, appeared before the Board to speak in opposition of Ordinance 2021-07, and present the Board with a protest petition in accordance with Village Ordinance 62-344.

Village Administrator Matt Schuenke reported the protest petition submitted was valid and Ordinance 2021-07, would need three-fourths of the full Village Board membership to vote in favor to become effective. He additionally clarified this would require at least

six trustees of the seven member board would need to vote in favor of the ordinance.

Community Development Director Andrew Bremer presented an overview of the proposed ordinance. He noted the item would be voted on later in the meeting after the Board returned from closed session.

- h. Future Authority, Board, Commission, and Committee agenda items requests and referrals - This is an opportunity for Village board members to put forth Authority, Board, Commission and Committee agenda item requests and referrals, without discussion.

None.

7. CLOSED SESSION.

- a. Discussion and action in order to convene in Closed Session in accordance with Wis. Stats. 19.85(1)(e) to deliberate or negotiate the purchasing of public properties, the investment of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a Closed Session including the sale and purchase of property and the investment of public funds, specifically regarding the following:

- 1) Acquisition of property at the following locations 4008 & 4012 Terminal Drive, including parcel# 071027386201, Tax Increment District #3.
- 2) Tax Increment Financing Development Incentives Application from Waubesa Village LLC (Ryan Quam) for 4902 & 4908 Terminal Drive, Waubesa Village Phase 4, Tax Increment District #3.

Motion by Village President Carolyn Clow, second by Village Trustee Justin Rupert, to convene in Closed Session in accordance with Wis. Stat.s 19.85 (1)(e) to deliberate or negotiate the purchasing of public properties, the investment of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a Closed Session including the sale and purchase of property and the investment of public funds, specifically regarding the following:

1. Acquisition of property at the following locations 4008 & 4012 Terminal Drive, including parcel #0710-273-8620-1, Tax Increment District #3, and
2. Tax Increment Financing Development Incentives Application from Waubesa Village LLC (Ryan Quam) for 4902 & 4908 Terminal Drive, Waubesa Village Phase 4, Tax Increment District #3 at 09:07 p.m.

Motion carries 6 - 0 - 0 on a roll call vote with all voting aye.

8. RECONVENE INTO OPTEN SESSION.

Motion by Village President Carolyn Clow, second by Village Trustee Justin Rupert, to approve reconvening in open session at 10:17 p.m. Motion carries 6 - 0 - 0 by acclamation.

- a. Discussion and action on Ordinance 2021-07, An Ordinance Rezoning Outlot 20 of Assessor's Plat No. 4 – Township of Blooming Grove (4908 Terminal Drive), and Lot 1 of CSM 7449 (4902 Terminal Drive), McFarland, WI from Commercial Highway (C-H)

to Planned Development District – General & Detailed Plan Approved. Rezoning requested by Waubesa Village LLC.

Motion by Village President Carolyn Clow, second by Village Trustee Chris St. Clair, to approve Ordinance 2021-07, An Ordinance Rezoning Outlot 20 of Assessor's Plat No. 4 – Township of Blooming Grove (4908 Terminal Drive), and Lot 1 of CSM 7449 (4902 Terminal Drive), McFarland, WI from Commercial Highway (C-H) to Planned Development District – General & Detailed Plan Approved, and related Tax Increment Finance Development Incentives Application, requested by Waubesa Village LLC with the following conditions:

1. Approval of a Real Estate Acquisition and Development agreement by the Village Board.
2. Addressing those conditions of approval provided in the May 5, 2021 McFarland Fire & Rescue Department staff memo.
3. Addressing those conditions of approval provided in the June 11, 2021 Village Engineer staff memo.
4. Revising the Landscape Plan to include installation of (4) additional Norway Spruce (or similar evergreen species) along the southern lot line and installation of (15) Arborvitae (or similar evergreen species along the northern lot line between the 16 off-street parking spaces and the adjacent property line. Said installations in addition to those on the revised Landscaping Plan dated July 8, 2021.
5. Revising the proposed Lighting Plan to remove the proposed ground mounted building accent light on the south-facing building wall.
6. Submittal of specifications for the proposed light fixtures and a photometric plan for the property to the community Development Director for staff review and acceptance.
7. Applicant to submit revised site plans addressing the conditions of approval to the Community Development Director for staff review and acceptance prior to issuance of a building permit.
8. Approval by the Plan Commission of a Certified Survey Map to combine Lot 1 of CSM 14104, Outlot 20 of Assessor's Pat No. 4 - Township of Blooming Grove, and Lot 1 of CSM 7449.

Motion carries 6 - 0 - 0 by acclamation. (Note: Approval meets the 3/4 requirement for passage of an ordinance when a protest petition has been filed)

b. Discussion and action on a Tax Increment Financing Development Incentives Application from Waubesa Village LLC (Ryan Quam) for 4902 & 4908 Terminal Drive, Waubesa Village Phase 4, Tax Increment District #3.

Motion by Village President Carolyn Clow, second by Village Trustee Chris St. Clair, to approve a Tax Increment Financing Development Incentives Application from Waubesa Village LLC (Ryan Quam) for 4902 & 4908 Terminal Drive, Waubesa Village Phase 4, Tax Increment District #3 conditions upon:

Approval of a Real Estate Acquisition and Development agreement by the Village Board but not limited to:

1. a total tax increment incentive valued at \$273,755, consisting of \$176,500 tax increment payment at building occupancy,
2. sale of 4902 Terminal Drive for \$1 (estimated at \$73,255), and completion by the Village of sidewalk/bike trail and curbing along Terminal Drive (valued at \$24,000).

3. Applicant to provide an assessment guarantee of at least \$3,800,000 by January 1, 2021.

Motion fails 3 - 3 - 0 by acclamation with President Carolyn Clow, Trustee Chris St. Clair, and Trustee Carrie Nelson voting nay.

9. ADJOURNMENT.

Motion by Village President Carolyn Clow, seconded by Village Trustee Justin Rupert, to adjourn at 10:27 p.m.

Pursuant to law, written notice of this meeting was given to the public and posted on the public bulletin boards in accordance with Open Meetings Law.

Respectfully submitted,
Cassandra Suettinger
Village Clerk/Treasurer