VILLAGE OF MCFARLAND

Village Board Minutes

Tuesday, May 24, 2022 - 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. **ROLL CALL.**

   Village Board members present: Village Trustee Stephanie Brassington, Village President Carolyn Clow, Village Trustee TJ Jerke, Village Trustee Carrie Nelson, Village Trustee Edward Wreh, Village Trustee Michael Flaherty

   Village Board members not present: Village Trustee Chris St. Clair.

   Staff Present: Administrator Matt Schuenke, Clerk/Treasurer Cassandra Suettinger, Police Chief Aaron Chapin, Community and Economic Development Director Andrew Bremer, Public Works Director Jim Hessling, Parks Superintendent Sayer Larson, and Fire/EMS Director Chris Dennis.

3. **PUBLIC ANNOUNCEMENTS, COMMUNICATIONS, AND PROCLAMATIONS**

   a. *Memorial Day Parade and Celebration - Monday May 30th*

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 May 10, 2022 meeting.*

   2) *Motion to approve checks in the amount of $279,183.03.*

   3) *Motion to approve a lease agreement with the McFarland United Church of Christ and Friends of McFarland Parks for the McFarland Community Garden.*

   4) *Motion to the transfer of a "Class A(Cider Only)" and Class "A" alcohol license from Loeder Oil Co., Inc. D/B/A McFarland BP to IYS Ventures LLC D/B/A I Mart Stores - Burma with Mai Vang serving as agent effective May 24, 2022.*

   5) Motion to the transfer of a "Class A" and Class "A" alcohol license from Loeder Oil Co., Inc. D/B/A Larson Beach BP to IYS Ventures LLC D/B/A I Mart Stores - Larson with Amber Paprocki serving as agent effective May 24, 2022.

   Motion by Village President Carolyn Clow, second by Village Trustee Stephanie Brassington, 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 village.clerk@mcfarland.wi.us to be included as part of the meeting.*

None.

6. BUSINESS.

a. *Discussion and action regarding the acceptance of the 2021 Municipal Financial Statements and Audit Results as presented by Baker Tilly Virchow Krause.*

Carla Gogin, partner with Baker Tilly Virchow Krause, presented the findings of the 2021 Municipal Financial Statements and Audit results for the general Village results.

Jodi Dobson, partner with Baker Tilly Virchow Krause, presented the findings of the 2021 Municipal Financial Statements and Audit for the water, sewer, and storm water results.

Motion by Village President Carolyn Clow, second by Trustee Stephanie Brassington, to accept the 2021 Municipal Financial Statements and Audit Results as presented by Baker Tilly Virchow Krause. Motion carries 6 - 0 - 0 by acclamation.

b. *Public Safety Committee (Trustees Wreh & Brassington)*

1) *Discussion and action tourist rooming house permit application from Matthew Duffy for 5703 Red Oak Trail for the period of July 1, 2022 through June 30, 2023.*

Trustee Edward Wreh provided an overview of the discussion from the Public Safety Committee and unanimously recommended approval.

Motion by Village Trustee Edward Wreh, second by Village Trustee Stephanie Brassington, to approve a tourist rooming house permit application from Matthew Duffy for 5703 Red Oak Trail for the period of July 1, 2022 through June 30, 2023. Motion carries 6 - 0 - 0 by acclamation.

2) *Discussion and action on a tourist rooming house permit application from Wendy Unke for 5438 Bremer Road for the period of May 24, 2022 through June 30, 2022.*

Trustee Wreh reported on the discussion from the Public Safety Committee and the unanimous recommendation for approval.

Motion by Village Trustee Edward Wreh, second by Village Trustee Stephanie Brassington, to approve a tourist rooming house permit application from Wendy Unke for 5438 Bremer Road for the period of May 24, 2022 through June 30, 2022. Motion carries 6 - 0 - 0 by acclamation.

3) *Discussion and action on a request from the McFarland House Cafe to expand their licensed alcohol premise for an approximately 8,225 square foot outdoor consumption area, tunnel area, and the approximately 3,136 sq ft. Lily's Parlor .*

Motion by Village Trustee Edward Wreh, second by Trustee Brassington, to approve a request from the McFarland House Cafe to expand their licensed alcohol premise for an approximately 8,225 square foot outdoor consumption area, tunnel area, and the approximately 3,136 sq ft. Lily's Parlor with the following conditions:

1. Security cameras, as deemed sufficient and appropriate by the McFarland Police Department, will be installed in the backyard for the entire consumption area.

2. Approval of a variance from 11-64(n)4.c requiring "the perimeter of any outdoor portion of a licensed premises shall be enclosed by a permanent, secure fence not less than four feet in height. Such fence shall be constructed of wood, plastic, or metal and erected and maintained in accordance with all applicable Village ordinances finding that the condition is not necessary to protect the public health, safety or welfare, for the area to the southeast of the Cafe between the main building and Lily's parlor to remain unfenced with the requirement, the unfenced area of the premise be clearly signed for 'no alcohol beyond this point.'

3. Approval of variance from 11-64(n)4.f requiring "the size of the outdoor area may not be larger than 50 percent of the gross floor area of the licensed premises within a permanent building. Interior building capacity shall not be increased as a result of the addition of the outdoor area," to allow for approval finding that the condition is not necessary to protect the public health, safety or welfare with the requirement that capacity of the 7,775 square foot outdoor consumption area be limited to 50% of the actual allowable capacity by ordinance. The area shall clearly be posted with a maximum occupancy of 276 people.

Motion carries 6 - 0 - 0 by acclamation.

c. *Parks and Recreation Committee (Trustees Jerke & Nelson)*
Sustainability and Natural Resources Committee (Trustees Flaherty & Wreh)

1) *Discussion and action regarding the transfer of ownership and jurisdiction of the "School Forest" from the School District to the Village.*

Motion by Village Trustee TJ Jerke, second by Village Trustee Michael Flaherty, to approve the transferring of ownership and jurisdiction of the "School Forest" from the School District to the Village and further authorize Village Administrator to prepare a certified survey map and necessary documents for property closing subject to Village Board approval. Motion carries 6 - 0 - 0 by acclamation.

2) *Discussion and action regarding the award of contract for Lewis Park Lake Access planning and design services.*

Motion by Village Trustee TJ Jerke, second by Trustee Mike Flaherty , to approve the award of contract for Lewis Park Lake Access planning and design services from Parkitecture in the amount of $10,880. Motion carries 6 - 0 - 0 by acclamation.

d. *Sustainability & Natural Resources Committee (Trustees Flaherty & Wreh)*

1) *Discussion and action regarding the award of contract for a management plan for conservancy areas within the park system.*

   Parks Superintendent Sayer Larson provided an overview of the process and the recommendation to award a contract accordingly.

   Motion by Village Trustee TJ Jerke, second by Village Trustee Michael Flaherty, to award of contract for a management plan for conservancy areas within the park system. Motion carries 6 - 0 - 0 by acclamation.

e. *Plan Commission (President Clow & Trustee St. Clair)*

1) *Discussion and action on a request by Waubesa Shores Condos, DBA Beach House Properties, LLC for approval of Amendment No. 2 to Declarations of Condominium for Waubesa Shores Condominiums relating to changes to electrical room, storage room locations, and parking spaces for the development located at 5600 - 5604 Lake Edge Road, McFarland, WI.*

   Motion by Village President Carolyn Clow, second by Trustee Brassington, to approve a request by Waubesa Shores Condos, DBA Beach House Properties, LLC for approval of Amendment No. 2 to Declarations of Condominium for Waubesa Shores Condominiums relating to changes to electrical room, storage room locations, and parking spaces for the development located at 5600 - 5604 Lake Edge Road, McFarland, WI. Motion carries 6 - 0 - 0 by acclamation.

2) *Discussion and action regarding Ordinance 2022-05: An Ordinance Adopting an Amendment to the Village of McFarland Comprehensive Plan for 5979 Siggelkow Road, McFarland, WI. Requested by Urso Bros, LLC to amend the Future Land Use designation from Institutional and Governmental to Mixed Use/Flex Commercial.*

   Motion by Village President Carolyn Clow, second by Village Trustee Michael Flaherty, to approve Ordinance 2022-05: An Ordinance Adopting an Amendment to the Village of McFarland Comprehensive Plan for 5979 Siggelkow Road, McFarland, WI. Requested by Urso Bros, LLC to amend the Future Land Use designation from Institutional and Governmental to Mixed Use/Flex Commercial. Motion carries 6 - 0 - 0 by acclamation.

3) *Discussion and action regarding Ordinance No. 2022-08, an Ordinance Rezoning 5979 Siggelkow Road, McFarland, WI from A-1 Exclusive Agriculture to PD-I Planned Development Infill, General and Detailed Plan Approved. Rezoning requested by Urso Brothers, LLC.*

   Motion by Village President Carolyn Clow, second by Village Trustee Stephanie Brassington, to approve Ordinance No. 2022-08, an Ordinance Rezoning 5979 Siggelkow Road, McFarland, WI from A-1 Exclusive Agriculture to PD-I Planned Development Infill, General and Detailed Plan Approved rezone requested by Urso Brothers, LLC with the following conditions:
   1. Addressing those recommended conditions of approval from the Village Engineer's

staff report dated April 8, 2022.
2. Applicant to provide a Stormwater Maintenance Agreement for recording with the Office of Register of Deeds for Dane County for the proposed bioretention basin.
3. Amending the General Plan to include the location of a future trash and recycling dumpster enclosure.
4. Approval of a future occupancy permit is conditioned on the completion of recording the private utility easement, stormwater maintenance agreement, CSM, abandonment of private on-site sewer and water utilities, and connection to public sewer and water utilities.
Motion carries 6 - 0 - 0 by acclamation.

4) *Discussion and action regarding Ordinance No. 2022-07, An Ordinance Rezoning Lands in the Village of McFarland at 4603 Triangle Street, McFarland, WI from C-P Commercial Park to C-H Highway Commercial. Requested by A & J Mobility.*

Motion by Village President Carolyn Clow, second by Village Trustee Stephanie Brassington, to approve Ordinance No. 2022-07, An Ordinance Rezoning Lands in the Village of McFarland at 4603 Triangle Street, McFarland, WI from C-P Commercial Park to C-H Highway Commercial. Requested by A & J Mobility. Motion carries 6 - 0 - 0 by acclamation.

f. *Community Development Authority (Trustees Brassington & Jerke)*

1) *Discussion and action to direct Village Staff to prepare a new Tax Increment District Project Plan for 5979 Siggelkow Road for future consideration by the Village Board for adoption.*

Motion by Village Trustee Stephanie Brassington, second by Village Trustee TJ Jerke, to direct Village Staff to prepare a new Tax Increment District Project Plan for 5979 Siggelkow Road for future consideration by the Village Board for adoption. Motion carries 6 - 0 - 0 by acclamation.

2) *Presentation and discussion regarding a Tax Increment Financing Development Incentives Application from Brett Riemen and Brian Spanos, Lakestone Holdings LLC, for Phase II of the Atwater Development located at 4719 Farwell Street, Tax Increment District #5.*

Brett Riemen of Lakestone Holdings LLC, appeared before the Board to discuss the TIF application for the Atwater Phase II. He noted the project would not be possible if not for the proposed TIF funding.

President Clow noted the Board would discuss the application in closed session, and action would be potentially taken on this item later in the meeting when the Board returns into open session.

7. CLOSED SESSION.

a. *Discussion and action to convene into 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, specifically related to a Tax Increment Financing Development Incentives Application from Lakestone Holdings LLC, for Phase II of the Atwater Development located at 4719 Farwell Street, Tax Increment*

District #5.

Motion by Village President Carolyn Clow, second by Village Trustee Edward Wreh, to convene into 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, specifically related to a Tax Increment Financing Development Incentives Application from Lakestone Holdings LLC, for Phase II of the Atwater Development located at 4719 Farwell Street, Tax Increment District #5 at 8:59 p.m. Motion carries 6 - 0 - 0 by acclamation.

8. RECONVENE INTO OPEN SESSION.

Motion by Village President Carolyn Clow, second by Village Trustee Edward Wreh, to reconvene in open session at 9:42 p.m. Motion carries 6 - 0 - 0 by acclamation.

9. ACTION ON ITEMS DISCUSSED IN CLOSED SESSION.

a. *Discussion and action on a Tax Increment Financing Development Incentives Application from Lakestone Holdings LLC, for Phase II of the Atwater Development located at 4719 Farwell Street, Tax Increment District #5.*

Motion by Village Trustee Stephanie Brassington, second by President Clow, to approve a Tax Increment Financing Development Incentives Application from Lakestone Holdings LLC, for Phase II of the Atwater Development located at 4719 Farwell Street, Tax Increment District #5. Motion carries 6 - 0 - 0 by acclamation.

10. SCHEDULE NEXT MEETING DATE.

a. *Tuesday, June 14, 2022 at 7:00 pm - Regular Meeting*

b. *Wednesday, June 15, 2022 at 6:00 pm - Annual Retreat (Special Meeting)*

c. *Monday, June 20, 2022 at 6:00 pm - Joint Village Board and Diversity, Equity, and Inclusion Committee meeting*

d. *Wednesday, June 22, 2022 at 6:00 pm -* Annual Retreat (Special Meeting)

e. *Tuesday, June 28, 2022 at 7:00 pm - Regular Meeting*

11. ADJOURNMENT.

Motion by Village Trustee Michael Flaherty, second by Trustee Stephanie Brassington, to adjourn at 9:45 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