

# Village of Mount Horeb

138 E Main St

Mount Horeb, WI 53572

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## **VILLAGE BOARD WEDNESDAY, AUGUST 3, 2016**

The Village Board of the Village of Mount Horeb will meet on the above date at 7:00pm in the Board Room of the Municipal Building, 138 E Main Street, Mount Horeb, WI. Agenda as follows:

- 1) Call to order  
Pledge of Allegiance  
Roll call
- 2) Public Comments – non agenda items
- 3) Consent Agenda:
  - a) July 6, 2016 Village Board minutes
  - b) Operator's Licenses: Katherine Zander, Heather Oleston, Stephanie Chellevoid, Chelsey Trost, Joshua Schmitz, Morgan Way, Carson Johnson, Riley Vogt, Benjamin Sutter, Brenda Miller, Shianna Schmit-Colvin, Emily Moat, Melinda Thomas, and Jordan Puckett
  - c) Resolution 2016-08 "CONDITIONAL USE PERMIT 400 E MAIN STREET" for Indoor Commercial Entertainment and Outdoor Commercial Entertainment uses for proposed restaurant with outdoor food service
  - d) Five-Year Road Improvement Program
- 4) Consider Ordinance 2016-01 "AN ORDINANCE TO AMEND CHART 1 OF CHAPTER 17 OF THE CODE OF ORDINANCES RELATING TO PRINCIPAL BUILDING MINIMUM REAR YARD SETBACK IN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT"
- 5) Consider extension to Resolution 2015-15, "CONDITIONAL USE PERMIT TO ALLOW A PERSONAL STORAGE FACILITY 430 W MAIN STREET"
- 6) Consider Resolution 2016-13, "JOINT PUBLIC SAFETY BUILDING ADVISORY REFERENDUM LANGUAGE"

- 7) Committee reports:
  - a. Mount Horeb Area Chamber of Commerce
  - b. Mount Horeb Area Joint Fire Department
  - c. Library Board
  - d. School Liaison
  - e. Parks, Recreation, and Forestry Commission
  - f. Plan Commission
  - g. Public Works Committee
  - h. Public Safety Committee
  - i. Finance/Personnel
  - j. Utility Commission
  - k. Dane County City & Villages Association
  - l. Public Safety Building Committee
- 8) Village President's report
- 9) Village Administrator's report
- 10) Village Clerk/Deputy Treasurer's report
- 11) Adjourn

UPON REASONABLE NOTICE, EFFORTS WILL BE MADE TO ACCOMMODATE THE NEEDS OF DISABLED INDIVIDUALS THROUGH APPROPRIATE AIDS AND SERVICES. FOR INFORMATION OR TO REQUEST THIS SERVICE, CONTACT ALYSSA GROSS, CLERK, AT 138 E MAIN STREET, MOUNT HOREB, WI (608) 437-6884.

**VILLAGE OF MOUNT HOREB  
VILLAGE BOARD MEETING MINUTES  
JULY 6, 2016**

The Village Board met in regular session in the Board Room of the Municipal Building, 138 E. Main Street, Mount Horeb, WI.

**Call to Order/Roll Call:** Village President Littel called the meeting to order at 7:00pm. Present were Trustees Scott, Rooney, Czyzewski, Grindle, Monroe, and Pakkala. Also present were Village Administrator Nic Owen and Clerk/Deputy Treasurer Alyssa Gross. The Pledge of Allegiance was recited.

**Public Comments:** None.

**Consent Agenda:** Rooney moved, Monroe seconded to remove the Operator Licenses of O'Bryan, Ott, Bergey, Brumm, and Dickson, and Ordinance 2016-01 from the consent agenda. Motion carried by unanimous voice vote. Czyzewski moved, Grindle seconded to approve the rest of the following consent agenda items: Operator Licenses: Jane Burnheimer, Nathan Faust, Dalton O'Connell Zradicka, Rachel Smith, Kaleigh Kroger, Dale Graff, Kathleen Murphy, Cameron Cole, John Laux, Meagan Roberts, Joan Hendrickson, Robin Thompson, Amanda Krause, Benjamin Pilla, Rhonda Hathaway, Gina Stack, Brandan Hardy, Michael Rasmussen, Alice Aschliman, Kyle Hanna, LeeAnn Dillis, Audra Fleming, Mary Jane Ellis, Monica Solchenberger, Carissa Lease, LuAnn Wild, Kelsey Kroger, Anna Fenrich, Keelin Fleming, Heather McKee; Street Use Permit from American Cancer Society to close Parkway Drive between Henry Street and Blue Mounds Street and a section of Blue Mounds Street adjacent to Grundahl Park for Relay For Life walkers July 22 and 23, 2016; Public Amusement and Shows Application from American Cancer Society for Relay for Life with amplified music at Grundahl Park July 22 and 23, 2016; Street Use Permit from Mount Horeb Volunteers Inc to close Front Street from Perry to First Street from 8am on September 3 thru 5pm September 5, 2016 for fundraiser; Public Amusement and Shows Application from Mount Horeb Fire Department, 120 S First Street, for fundraiser with amplified music September 4, 2016 from 7am-12 midnight. Motion carried by voice vote. Donovan Ott spoke regarding the removal of his application. A discussion was then held regarding the applications removed. Rooney moved, Monroe seconded to table the five applications. Motion carried by unanimous voice vote. Benjamin McMullan, employer of three of the applicants, spoke up about his concerns. After more consideration by the board, Rooney moved, Czyzewski seconded to retract the motion and second made. Rooney moved, Czyzewski seconded to contact legal counsel to confirm a 90 day probationary license for the five applicants, or until an ordinance is in place, on the condition the license can be revoked. All aye, with the exception of Monroe, who voted nay. Motion carried. Scott raised her concerns regarding the setback distances in Ordinance 2016-01. Scott moved, Rooney seconded to table the Ordinance and refer it back to the Plan Commission. Motion carried by unanimous voice vote.

**Consider appeal of denied Operator License application for Aaron Rains:** This item was tabled until later in the meeting.

**2015 Village audit presentation by Baker Tilly:** Heather Acker from Baker Tilly presented her findings on the Village Audit. She stated that the Village is in very good standing and thanked all the staff for their help and hard work.

**Consider Resolution 2016-11 regarding referendum petition and language from "Mount Horeb United Citizens To Amend" regarding campaign finance reform:** Colleen Foley and Phil Leavenworth spoke about the petition. Rooney moved, Scott seconded to approve the Resolution. Motion carried by unanimous voice vote.

**Committee Reports:** Committee reports were heard with none requiring Village Board action.

**Consider appeal of denied Operator License application for Aaron Rains:** The board discussed the item after Committee Reports when Aaron arrived. Rooney moved, Czyzewski seconded to grant Rains the same probationary license as the five applicants from the consent agenda. All aye, with the exception of Monroe, who voted nay. Motion carried.

**Village President's Report:** Littel thanked the Public Works department for all their hard work cleaning up the storm damage.

**Village Administrator's Report:** Owen did not have anything to report.

**Village Clerk's Report:** Gross informed everyone of the Partisan Primary election coming up on August 9<sup>th</sup> and the hours of absentee voting in the Clerk's office.

**Adjournment:** There being no further business before the Board, Pakkala moved, Monroe seconded to adjourn the meeting at 8:26pm. Motion carried by unanimous voice vote.

Minutes by Alyssa Gross, Clerk/Deputy Treasurer

RESOLUTION 2016-08

CONDITIONAL USE PERMIT  
400 E MAIN STREET

WHEREAS, 400 East Main Street, further described as Carl Boeck's Addition Lot 2 Block 13, parcel 0606-123-0882-2, is owned by Lynn and John McFee, also known as Hamilton Davis LLC; and

WHEREAS, a Conditional Use Permit application was received from Lynn and John McFee for Indoor Commercial Entertainment and Outdoor Commercial Entertainment uses for a proposed restaurant with outdoor food service are not permitted uses in CB Central Business Zoning District but rather allowable conditional uses; and

WHEREAS, the matter was the subject of a public hearing before the Plan Commission/Historic Preservation Commission on June 22, 2016, after due notice thereof as required by law; and

WHEREAS, the Plan Commission is recommending approval of the following conditional uses as allowed by Zoning Code 17.43(2)(b) CB Central Business District Uses Conditional: 17.20(4)(h) Indoor Commercial Entertainment and 17.20(4)(i) for a proposed restaurant with outdoor food service; and

WHEREAS, after due consideration and being fully advised in the premises, the Board of Trustees of the Village of Mount Horeb deems it to be in the interest of the general public to allow the desired use of said property as conditional uses; and

WHEREAS, the proposed uses are consistent with the Village of Mount Horeb Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Village of Mount Horeb, Dane County, Wisconsin, that a Conditional Use Permit to allow Indoor Commercial Entertainment and Outdoor Commercial Entertainment for a proposed restaurant with outdoor food service at 400 E Main Street is hereby granted conditioned on the following:

- a) Outdoor seating limited to existing porch only
- b) Public Amusement and Shows application approval required for any outdoor music event
- c) Hours of operation to be until 10:00pm at the latest

Introduced and passed this 3<sup>rd</sup> day of August, 2016.

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Randy J Littel, Village President

ATTEST:

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Alyssa Gross, Village Clerk



ORDINANCE NO. 2016-01  
VILLAGE OF MOUNT HOREB

AN ORDINANCE TO AMEND CHART 1 OF  
CHAPTER 17 OF THE CODE OF ORDINANCES  
RELATING TO PRINCIPAL BUILDING MINIMUM REAR YARD SETBACK  
IN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT

The Village Board of the Village of Mount Horeb, Dane County, Wisconsin, do ordain as follows:

1. Chart 1 in Chapter 17 of the Code of Ordinances is amended as follows:
  - a. Chart 1 is amended at the point where the column labeled **"Principal Building Min. Rear Yard (ft.)"** intersects with the row labeled **"R-1"**. The **box shall now read "40" (forty feet)**.
2. This Ordinance shall take effect upon passage and posting pursuant to law.

*The foregoing ordinance was duly adopted by the Village Board of the Village of Mount Horeb at a meeting held on August 3, 2016.*

APPROVED:

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Randy J Littel, Village President

ATTEST:

\_\_\_\_\_  
Alyssa Gross, Village Clerk

APPROVED: \_\_\_\_\_  
PUBLISHED: \_\_\_\_\_



P.O. Box 151 Mt. Horeb, WI 53572  
608-437-8973

To; Mr. Nick Owen, Village Administrator

July 25, 2016

Village of Mount Horeb, Wi

Re; Extension of Conditional Use Permit

The purpose of this letter is to formally request a one year extension of the conditional use permit that was granted by the village in September of 2015 for the purpose of building a storage facility on our lot at 430 West Main Street here in Mount Horeb. As I have been keeping you informed we have been experiencing the Dept. of Transportation complications and slow responses. We would like to move forward as soon as we have things worked out with them. Thanks

Rollie D. Schraepfer, owner

RESOLUTION 2015-15

CONDITIONAL USE PERMIT  
TO ALLOW A PERSONAL STORAGE FACILITY  
430 W MAIN STREET

WHEREAS, Mount Horeb Mini Storage LLC is the property owner of 430 W Main Street, Mount Horeb, Wisconsin further described as Lot 1 CSM 9575, parcel #0606-114-2313-1 and;

WHEREAS, said property is currently zoned Planned Business in which the desired use for a Personal Storage Facility is not a permitted use but rather an allowable conditional use per 17.42(2)(b) Planned Business District and 17.20(5)(c) Personal Storage Facility; and

WHEREAS, an application for a Conditional Use Permit to allow the aforesaid desired use has been filed with the Village of Mount Horeb; and

WHEREAS, the matter was the subject of a public hearing before the Plan Commission/Historic Preservation Commission on August 26, 2015, after due notice thereof as required by law; and

WHEREAS, after due consideration and being fully advised in the premise, and being consistent with Chapter 17 of the Zoning Code, the Board of Trustees of the Village of Mount Horeb deems it to be in the best interest of the general public to allow the desired use of said property, as hereinafter set forth, as a conditional use.

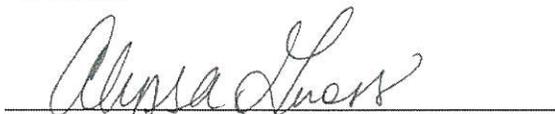
NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Village of Mount Horeb, Dane County, Wisconsin, that a Conditional Use Permit for 430 West Main Street for a Personal Storage Facility per 17.42(2)(b) Planned Business District and 17.20(5)(c) Personal Storage Facility is hereby granted.

Introduced and passed this 2<sup>nd</sup> day of September 2015.



David L Becker, Village President

ATTEST:

  
Alyssa Gross, Village Clerk

## 17.60 - VALIDITY OF CONDITIONAL USE PERMIT AND SUCCESSOR PERMIT. (Am. #2011-06)

- (a) When a conditional use application has been approved, such approval shall become null and void within 12 months of approval unless the use is commenced or the current owner possesses a valid building permit under which construction is commenced within 6 months of the date of the building permit issuance. ~~The Board may extend such permit for justifiable cause, if application is made to the Village Board before said permit expires.~~
- (b) Successor conditional uses are permitted without the need of a new conditional use permit application. However, a successor conditional use does require formal reaffirmation by the Village Administrator that the requirements of the existing conditional use permit are still valid. A successor conditional use permit will not be reaffirmed if the previous conditional use permit has not been used within the past 12 months.

# Public Safety Building

## Project Cost Estimates

<u>Building</u>	<u>Fire</u>	<u>Police</u>	<u>Total</u>
Land 4.3 acres	\$ 300,000	\$ 300,000	\$ 600,000
Building Sq Feet	28,584	20,451	\$ 49,035
Cost per Sq Foot	\$ 294.34	\$ 298.51	\$ 593
<b>Total Project Cost</b>	<b>\$ 8,413,288</b>	<b>\$ 6,104,816</b>	<b>\$ 14,518,104</b>
Village share	46.81%	100%	
<b>Total Village Cost</b>	<b>\$3,938,430</b>	<b>\$6,104,816</b>	<b>\$10,043,246</b>

## Projected Funding

<u>Village Obligation</u>	<u>Fire Dist Loan</u>	<u>Village Loan</u>	<u>Total</u>
Annual debt service	193,000	400,000	593,000
Assessed value in 2017	620,000,000	620,000,000	620,000,000
mil increase per \$1,000	\$ 0.31	\$ 0.65	\$ 0.96
Increase on a \$250k property	77.82	161.29	\$ 239.11
Per month increase on \$250k property	6.49	13.44	\$ 19.93

Debt limit 62.56% in 2017

\*The Fire Distirct will secure a USDA for their portion of the project. They anticipate a 40 year loan at 2.875% Each municipal member will pay their percentage of cost: the Village's share is 46.81% or \$3.9 million. Village tax payers will be looking at \$77.82 annually or \$6.49 per month for 40 years.

\*The Village will be responsible for 100% of the Police Department portion of the project. We anticipate a 20 year loan at 2.75% on the \$6.1 million project cost. This will be \$161.29 annaully or \$13.44 per month for Village Taxpayers.

\* The full impact to Village taxpayers for the full project is \$239.11 for the first 20 years but this will reduce to \$77.82 for the last 20, after the Police Department loan is paid off.

**VILLAGE OF MOUNT HOREB**

**RESOLUTION NO. 2016-13**

**JOINT PUBLIC SAFETY BUILDING  
ADVISORY REFERENDUM LANGUAGE**

RECITALS

- A. The Village of Mount Horeb (the “Village”) is a member of the Mount Horeb Area Fire District (the “District”).
- B. Separate from the District, the Village operates the Village of Mount Horeb Police Department (the “Police Department”).
- C. The Village and other members of the District have been discussing and planning for a Joint Public Safety Building to include space for the District (*i.e.*, the fire department and emergency medical services) and the Police Department (collectively, the “Project”).
- D. The Village Board of the Village of Mount Horeb deems it appropriate to have an advisory referendum to obtain information from the Village residents with respect to whether Village residents want the Village to participate in the Project.

RESOLUTION

NOW, THEREFORE, the Village Board of the Village of Mount Horeb hereby resolves as follows:

1. The following question shall be submitted to and voted upon by the Village electorate at the November 8, 2016 fall election, in an advisory referendum:

Should the Village of Mount Horeb participate in the Joint Public Safety Building project where the Village cost would be approximately \$10,043,246 which total includes the Village’s costs related to the Police Department and the Village’s percentage of costs related to the District fire and emergency medical services departments?

2. The Village Administrator and Village Clerk shall take all necessary steps to implement this Resolution.

3. This Resolution supersedes and amends any previous Resolutions approved by the Village Board addressing the subject contained herein.

*This Resolution was approved at a meeting of the Village of Mount Horeb Village Board held on August 3, 2016.*

APPROVED:

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Randy J Littel, Village President

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Alyssa Gross, Village Clerk