



Village of Weston, Wisconsin
MEETING NOTICE

- Meeting of:** COMMUNITY LIFE & PUBLIC SAFETY
- Members:** Schuster {c}, White, Fiene, Hansen, Martin
- Date/Time:** Monday, April 25th @ 6:30 P.M.
- Location:** Weston Municipal Center (5500 Schofield Ave) – Board Room
- Agenda:** The agenda packet will be emailed out 3 days prior to the meeting, and also posted on the Village website at www.westonwi.gov.
- Attendance:** Committee members, please indicate if you will, or will not be attending so we may determine in advance if there will be a quorum.
- Questions:** Renee Hodell, Recording Secretary
715-359-6114
rhodell@westonwi.gov

This notice was posted at the Municipal Center, and on the Village's website at www.westonwi.gov, and was emailed to local media outlets (Print, TV, and Radio) on 4/20/2016 @ 8:30 a.m.

A quorum of members from other Village governmental bodies (boards, commissions, and committees) may attend the above noticed meeting in order to gather information. No actions to be taken by any other board, commission, or committee of the Village, aside from the Board of Trustees. Should a quorum be other government bodies be present, this would constitute a meeting pursuant to State ex rel. Badke v. Greendale Village Bd., 173 Wis.2d 553,494 N.W.2d 408 (1993).

Wisconsin State Statutes require all agendas for Committee, Commission, or Board meetings be posted in final form, 24 hours prior to the meeting. Any posted agenda is subject to change up until 24 hours prior to the date and time of the meeting.

Any person who has a qualifying disability as defined by the Americans with Disabilities Act requires that meeting or material to be in accessible location or format must contact the Weston Municipal Center, by 12 noon the Friday prior to the meeting so any necessary arrangements can be made to accommodate each request.



Village of Weston, Wisconsin

OFFICIAL MEETING AGENDA OF THE COMMUNITY LIFE AND PUBLIC SAFETY COMMITTEE

This meeting of the Village of Weston Community Life and Public Safety Committee, composed of five (5) members will convene at the Weston Municipal Center, Board Room, 5500 Schofield Avenue, Weston, WI, on **Monday, April 25, 2016 at 6:30 p.m.** to consider the following matters:

A. Opening Session

1. Meeting called to order by Trustee Schuster at 6:30 p.m.
2. Clerk will take attendance and roll call.
3. Request for silencing of cellphones and other electronic devices.
4. Acknowledgment of visitors if any.

B. Comments from the public on matter pertaining to committee business and oversight

C. Presentations.

D. Business Items for consideration, discussion and action.

5. [Meeting minutes from February 22, 2016](#)
6. [Recommendation to the Board of Trustees to approve the Class "B" Beer License for Irvin Rybacki Inc. IMR BP, 4101 Schofield Avenue.](#)
7. [Recommendation to the Board of Trustees the denial of the crosswalk on Jelinek Ave by the D.C. Everest High School.](#)

E. Staff Reports on matters related to community life and public safety.

8. [Everest Metro Police Department.](#)
9. [South Area Fire & Emergency Response District.](#)
10. [Village/Taxpayer Relations.](#)

F. Report from Administrator on matters related to community life, and public safety.

G. Communications and recommendations from Committee members.

H. Set next meeting date, and discuss items for next committee agenda: Mon, 5/23, @ 6:30 P.M.

I. Adjourn.

This notice was posted at the Municipal Center, and on the Village's website at www.westonwi.gov, and was emailed to local media outlets (Print, TV, and Radio) on **4/22/2016 @ 3:00 p.m.** A quorum of members from other Village governmental bodies (boards, commissions, and committees) may attend the above noticed meeting in order to gather information. No actions to be taken by any other board, commission, or committee of the Village, aside from the Community Life and Public Safety Committee. Should a quorum be other government bodies be present, this would constitute a meeting pursuant to State ex rel. Badke v. Greendale Village Bd., 173 Wis.2d 553,494 N.W.2d 408 (1993). Wisconsin State Statutes require all agendas for Committee, Commission, or Board meetings be posted in final form, 24 hours prior to the meeting. Any posted agenda is subject to change up until 24 hours prior to the date and time of the meeting. Any person who has a qualifying disability as defined by the Americans with Disabilities Act requires that meeting or material to be in accessible location or format must contact the Weston Municipal Center at 715-359-6114, so any necessary arrangements can be made to accommodate each request.

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES

April 25, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM –D.5.



**Village of Weston, Wisconsin
COMMUNITY LIFE & PUBLIC SAFETY MEETING**

held on Monday, February 22, 2016 at 6:30 p.m., in the Board Room, at the Municipal Center
Trustee White Presiding.

A. OPENING OF SESSION AT 6:30 P.M.

1. Community Life & Public Safety Meeting called to order by Village Trustee White.

2. Clerk will take attendance and roll call.

Roll call indicated 4 CLPS members present.

<u>Member</u>	<u>Present</u>
Fiene, Brian	YES
Hansen, Tamera	YES
Martin, Zach	YES
Schuster, Fred	NO
White, Loren	YES

Village Staff in attendance: Renee Hodell, Chief Wally Sparks, and Valerie Parker

3. Requests for Silencing of cellphones and other electronic devices.

4. Acknowledgment of visitors if any.

B. COMMENTS FROM THE PUBLIC

There were no comments from the Public.

C. PRESENTATIONS

There were no presentations

D. BUSINESS ITMES FOR CONSIDERATINO, DISCUSSION, AND ACTION

5. Approve previous meeting minutes from January 25, 2016

Motion by Martin, second by Fiene, to approve the Community Life & Public Safety, January 25, 2015 meeting minutes.

Yes Vote: 4 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASS

<u>Member</u>	<u>Voting</u>
Fiene, Brian,	YES
Hansen, Tamera	YES
Martin, Zach	YES
Schuster, Fred	----
White, Loren	YES

6. Recommendation to the Board of Trustees the denial of revising the Animal Ordinance to allow for more pets than what the current ordinance estates through a special permit.

Motion by Hansen, second by Fiene, to recommend to the Board of Trustees to modify the Animal Fancier Permit to allow for animal companionship. White voted no as it would change the definition of what an Animal Fancier permit it.

Yes Vote: 3 No Votes: 1 Abstain: 0 Not Voting: 0 Result: PASS

<u>Member</u>	<u>Voting</u>
Fiene, Brian,	YES
Hansen, Tamera	YES
Martin, Zach	YES
Schuster, Fred	----
White, Loren	NO

Liz Chiapzio from 3505 Mount View Ave, Weston, WI 54476, talked about how she would like to have four (4) dogs which is more than the allowable amount per the Village code of ordinances. She stated that instead of having children she wants to have more animals. In her research of other communities, she explained the way residents can have more than the allowable amount of pets per the ordinance is through an Animal Fancier Permit or Hobby license, and she would like the Village to allow her to apply for one. She stated she could get letters of reference from neighbors and her vet stating her current pets are well cared for and are not a nuisance. Hodell explained that per staff recommendation the Committee should deny this request as it doesn't meet the Animal Fancier definition, and in order to make any adjustments to the ordinance it would also require adjustments in the zoning code. Hodell also explained a year ago, a couple came to the CLPS Committee wanting to get an Animal Fancier permit as they were looking at buying a house in Weston and she had two (2) dogs and he had two (2) dogs and if they bought a house together they would have four (4) dogs.

[Clerk's Note: At the time of writing these meeting minutes, it was found that some of the discussion that took place, pertaining to the 2015 Animal Fancier License Request, by Amber DeLasky and Adam Siewert, was inaccurate. DeLasky and Siewert submitted an Animal Fancier License request before the 02/23/15 CLPS Committee meeting, where by a 2 to 1 favorable vote, this committee recommended this request go before Plan Commission for approval. Prior to the 03/09/15 Plan Commission Meeting, a public informational notice was mailed out to the properties adjacent to the one DeLasky and Siewert were planning to purchase. Following this notice staff received letters of opposition from the neighbors. Once DeLasky and Siewert were made aware of these letters of opposition, they chose to withdraw their request before Plan Commission and search for a home outside of the Village of Weston, where they would be allowed 4 dogs].

White stated that over the years the ordinance has changed to allow for more pets and doesn't feel there is a need to increase the amount. Hansen stated that she has seen "companionship" in other animal fancier permits and also questioned if you signed your dog up for one dog show does that qualify for a "show dog" or are dog owner's really using their dogs to "hunt"? Hansen also questioned could you get around some of the parameters that have been laid out in the ordinance. White stated that zoning would also have to be modified/changed and a conditional use would have to be applied for. Martin questioned why staff is asking to deny. Hodell explained when the ordinance was changed a few years back staff worked with the police department and Humane Society, and put a lot of research in what would be a good number to allow. Hansen feels a resident should be able to have more than the allowable amount of animals so long as they can take care of them and the Humane Officer does a home inspection. Fiene stated that if there are no complaints and residents are taking care of their dogs they can have as many as they want. White doesn't agree with adding companionship as a criteria, as there was research done to allow for only 3 dogs, and in his years of law enforcement dealing with dogs was one of the worst things he had to deal with. He also stated if we allow for people to have more animals than we are losing control. Martin asked who follows up on residents who say they need an animal fancier permit due to having "hunting dogs", "foster dogs", "show dogs" etc. And who would authorize the permit. Hodell stated the Humane Officer does the followup and would grant the permit. White then explained there would need to be a conditional use permit granted and the neighbors would be notified. Fiene stated if animals are not being a nuisance he sees no problem in having more pets. Hansen stated it would bring in more revenue.

7. Discuss and propose changes to Ord. 54.102 Firearms and weapons restricted where prohibited.

White stated he asked Chief Sparks to bring this ordinance forward as he felt staff who already have a concealed weapon permit should be able to bring it on Village Premises. He does feel they should go through specific training designed by Chief Sparks so everyone involved knows what to do in case of an active shooter. Sparks agrees that training is critical. Sparks also stated a new law was passed regarding knives and switch blades which are now legal and anyone can carry an exposed knife. Martin questioned the revisions stating in 54.102 b) it includes Village employees being able to carry a weapon besides law enforcement but in c) it just says law enforcement. Sparks explained it must have been an oversight and c) should also include Village employees. Hansen questioned if Sparks had people that could train staff which he stated yes. Hansen also questioned if it was lawful to keep a database of who will have the exception to carry a concealed weapon. Sparks stated they don't keep a CCW (concealed carry weapon) database as this is an ordinance not a state law.

Motion by Martin, second by Fiene, to recommend to the Board of Trustees the changes to Ord. 54.102 to allow for Village employees to carry a concealed weapon and updating c) including the verbiage "Village Employees".

Yes Vote: 3 No Votes: 1 Abstain: 0 Not Voting: 0 Result: PASS

<u>Member</u>	<u>Voting</u>
Fiene, Brian,	YES
Hansen, Tamera	NO
Martin, Zach	YES
Schuster, Fred	-----
White, Loren	YES

E. REPORTS FROM STAFF

8. Everest Metro Police Department

Sparks stated they are starting the accreditation process for their department which should be completed within the next two years. Martin questioned whether or not the Stillwater Landing (formerly Green Acres) report needed to be done seeing the police calls have dropped off. Sparks stated the new owners like the report. Fiene stated he would like to continue to see the report until everything is brought into compliance.

9. South Area Fire & Emergency Response District

There was no report from SAFER

10. Plan Commission

Parker shared a letter she sent out regarding refuse and recycling to some owner's who had 4-Unit apartments and how they were supposed to be using carts but were instead using a dumpster service. In doing so they were paying extra money and the Village was not getting credit for their recycling. This brought a lot of things to light in how people were using garbage services and recycling and the Village is going to be working with property owner's more closely in getting these issues and questions resolved.

11. Taxpayer Relations Coordinator

Hodell talked about the recent snowfalls and dealing with properties that haven't been clearing their sidewalks on a timely basis or at all and how the Village has had to clear them and assess the necessary charges along with a fine. Hodell also talked about Kevin King's property going to the Sheriff's Sale on February 9th and from her understating Pete Zastrow has purchased it. Hodell also stated John Lorge still has concerns that there is drainage issues with Kevin King's property due to railroad ties and rock being brought in. However, per staff's investigation there is not an issue in 1 ½ years. Jennifer Higgins recently sent a letter to Mr. Lorge explaining there is no violation or issues with this property.

Hodell stated she has been working on the 20th Anniversary celebration and getting the Save-The-Date invites out and working with Dale's Weston Lanes in planning the dinner and program. Fiene asked if there was more information to follow and Hodell stated Guild was working on a program agenda.

F. REPORT FROM ADMINISTRATOR

There was no report from the Administrator.

G. COMMUNICATIONS AND RECOMMENDATIONS FROM COMMITTEE MEMEBERS.

H. Set next regular meeting date for Monday, March 28, 2016, at 6:30 P.M.

I. ADJOURN.

White adjourned Community Life and Public Safety Meeting at 6:29 p.m.

Loren White, Trustee

Renee Hodell, Recording Secretary

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES

April 25, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM –D.6.



**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: **SHERRY WEINKAUF; VILLAGE CLERK**

ITEM DESCRIPTION: **CLASS B BEER LICENSE FOR IRVIN M RYBACKI, INC, 4101 SCHOFIELD AVENUE.**

DATE/MTG: **COMMUNITY LIFE & PUBLIC SAFETY COMMITTEE; MONDAY, APRIL 25, 2016**

POLICY QUESTION: Should the Community Life & Public Safety Committee make a recommendation to the Board of Trustees to approve issuing a Class B Beer license to Irvin M Rybacki, Inc, 4101 Schofield Avenue?

RECOMMENDATION TO: Staff recommendation is to approve the Class B Beer license based on the feedback received from the Planning and Development Department.

LEGISLATIVE ACTION:

- | | | |
|---|------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-
-

FISCAL IMPACT ANALYSIS:

- Budget Line Item: N/A
- Budget Line Item: _____
- Budgeted Expenditure: _____
- Budgeted Revenue: _____
-
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- WI Statue: _____
- WI Administrative Code: _____
- Case Law / Legal: _____
- Municipal Code: Chapter 6 – Alcohol Beverages
- Municipal Rules: _____
-
-

PRIOR REVIEW: N/A

BACKGROUND:

This item went before the Community Life & Safety Committee on October 25th for discussion and possible action. There was no quorum at this meeting so the item then went before the Board of Trustees on November 2, 2015. At that meeting the motion was tied 3 to 3. This was the motion: **M/S/ Ziegler/Ostrowski: to approve the Class B Beer license for Irvin M Rybacki, Inc., IMR BP, contingent on Plan Commission approval. Ermeling, Berger and Schuster voted no. Ziegler, Ostrowski and White voted aye. Motion tied 3 to 3. This*

matter fails for lack of a majority. Mr. Rybacki then submitted new plans to the Plan Commission on April 11th. Staff recommendation was to approve as long as the queue for the entrance of the car wash is striped and does not inhibit the ingress or egress of the parking stalls at the rear of the building, by the entrance to the craft beer tasting room. See the attached Plan Commission minutes from April 11th, item H29. The Plan Commission members voted to approve the Zoning permit for IMR, per staff recommendation. Based on this information I also recommend approval of the Class “B” Beer license for IMR.

Supplemental Briefer for Agenda Items under Consideration?

Attachments

Village of Weston, Wisconsin
OFFICIAL PROCEEDINGS OF THE PLAN COMMISSION AND
JOINT TOWN & VILLAGE EXTRATERRITORIAL ZONING COMMITTEE
held on Monday, April 11, 2016 at 6:00 p.m., in the Board Room, at the Municipal Center
Chairman White Presiding.

A. OPENING OF SESSION AT 6:00 P.M.

1. **Joint Town & Village of Weston Extraterritorial Zoning Committee meeting called to order by Diesen.**
2. **Plan Commission meeting called to order PC Chairman White.**
3. **Clerk will take attendance and roll call.**

Roll call indicated 4 Joint Town & Village of Extraterritorial Zoning Committee members present.

<u>Member</u>	<u>Present</u>
Christiansen, Randy	NO
Diesen, Dave	YES
Hull, Mark	YES
Kollmansberger, Tina	YES
Olson, Milt	NO
Stenstrom, Mike	YES

Roll call indicated 6 Plan Commission members present.

<u>Member</u>	<u>Present</u>
Diesen, Dave	YES
Johnson, Marty	YES
Kollmansberger, Tina	YES
Schuster, Fred	YES
Stenstrom, Mike	YES
White, Loren	YES
Zeyghami, Hooshang	NO

Village Staff in attendance: Higgins, Donner, Guild, Tatro, Maguire, Wehner, and Parker. There were 7 audience members present.

4. **Requests for Silencing of cellphones and other electronic devices.**

B. PUBLIC HEARINGS BEFORE VILLAGE PLAN COMMISSION AND JOINT TOWN & VILLAGE EXTRATERRITORIAL ZONING COMMITTEE

Diesen and White opened the public hearings at 6:09 p.m.

5. **Ordinance No. 16-003 An Ordinance Amending Section 94.3.02 of the Zoning Ordinance Entitled *Treatment of Allowable Uses by Zoning District*.**
6. **Ordinance No. 16-004 An Ordinance Amending Section 94.4.02(4)7. of the Zoning Ordinance Entitled *Residential Land Use Types – Manufactured Home Community – Performance Standards*.**
7. **Ordinance No. 16-005 An Ordinance Amending Section 94.6.03(4), Figure 6.03 of the Zoning Ordinance Entitled *Conditional (C), Prohibited (R), And Permitted (P) Uses in WHP Overlay Districts*.**
8. **Ordinance No. 16-007 An Ordinance Amending Section 94.16.02(4) of the Zoning Ordinance Entitled *Zoning Administrator Review and Recommendation*, Section 94.16.02(5) of the Zoning Ordinance Entitled *Notice of Public Hearing*, Section 94.16.03 (4) of the Zoning Ordinance Entitled *Zoning Administrator Review and Recommendation*, Section 94.16.03(5) of the Zoning Ordinance Entitled *Notice of Public Hearing*, and Section 94.16.03(7) of the Zoning Ordinance Entitled *Review Criteria for Amendments to the Official Zoning Map*.**
9. **Ordinance No. 16-008 An Ordinance Amending Section 94.16.06(2), (3) and (4) of the Zoning Ordinance Relating to the Conditional Use Permit Approval Process.**
10. **Ordinance No. 16-009 An Ordinance Amending Section 94.16.11(4) and (5) of the Zoning Ordinance Relating to Variance Procedures.**

11. Ordinance No. 16-010 An Ordinance Amending Section 94.16.13(4) of the Zoning Ordinance Relating to Concurring Vote and Decision of an Appeal of a Zoning Interpretation.
12. Ordinance No. 16-011 An Ordinance Amending Section 94.16.15(2) of the Zoning Ordinance Relating to Zoning Administrator Duties.
13. Ordinance No. 16-012 An Ordinance Amending Section 94.3.03(13) of the Zoning Ordinance Entitled *Utility Connections to Principal Building for Human Habitation*.
14. Ordinance No. 16-013 An Ordinance Amending Section 94.16.19(1) of the Zoning Ordinance Entitled *Violations*, and Section 94.16.19(3) of the Zoning Ordinance Entitled *Penalties*.
15. Ordinance No. 16-014 An Ordinance Amending Figure 5.01 (1) of the Village Zoning Ordinance Entitled *Rural, Open Space and Residential District Lot Dimension and Intensity Standards*.
16. Ordinance No. 16-015 An Ordinance Amending Section 94.5.08(1)(b) and (d) of the Zoning Ordinance Relating to Calculating Maximum Permitted Density in the AR District.
17. Ordinance No. 16-016 An Ordinance Amending Section 94.16.09(4) of the Zoning Ordinance Relating to Site Plan Procedures Application Contents.
18. Ordinance No. 16-006 An Ordinance Amending Section 94.13.08 of the Zoning Ordinance Entitled *One-Time Event Signs*.
19. Ordinance No. 16-021 An Ordinance Creating Section 94.4.10(13) of the Zoning Ordinance Entitled *Temporary Sales by Mobile Food Vendors and Adding This New Temporary Land Use to the Temporary Land Use Category Within the Charts Displayed in Figures 3.04 and 3.05 of the Village Zoning Ordinance and Amending Section 94.17.04 Definitions of the Zoning Code to Create Definitions Related to This New Use*.
20. Ordinance No. 16-022 An Ordinance Adopting the 2016 Official Zoning Map and Official Extraterritorial Zoning Map for the Village of Weston.

There were no comments from anyone in the audience.

Stenstrom confirmed these all include the Town too.

Diesen confirmed Ordinance 16-021 was similar to that of Wausau. Wehner stated it is, though we did not include the 32 square foot maximum requirement.

Stenstrom pointed out within Ordinance 16-005, in the table Figure 6.03, Asphalt products manufacturing plants are considered Conditional Uses within the WHP-A and WHP-B. Then within that same table, Petroleum products processing is considered Prohibited in WHP-A, and Conditional in WHP-B. Stenstrom feels these two land uses are basically the same, and would recommend that Asphalt products manufacturing plans be Prohibited (R) within the WHP-A Overlay District.

Higgins pointed out Ordinance 16-022 is to re-adopt the zoning map for the 2016 Official Zoning Map. This takes into consideration updated parcels, shoreland zoning, and Marathon County zoning.

21. Discussion and Action by Joint Town & Village of Weston Extraterritorial Zoning Committee on Director's recommendation to approve the Zoning Ordinance Amendments Ordinance No. 16-003 through 16-016, 16-021 and 16-022, per the specifications, conditions, and limitations of the submitted staff reports, and forward to the Board of Trustees for their consideration and final approval.

Diesen closed the hearing for the ETZ at 6:20 p.m.

Motion by Stenstrom, second by Hull to approve the Zoning Ordinance Amendments Ordinance No. 16-003 through 16-016, 16-021, and 16-022, as discussed along with the recommended changes to the table Figure 6.03, within Ordinance 16-005, and forward on to the Board of Trustees for their consideration and final approval.

Yes Vote: 4 No Votes: 0 Abstain: 0 Not Voting: 2 Result: PASS

<u>Member</u>	<u>Present</u>
Christiansen, Randy	NO
Diesen, Dave	YES
Hull, Mark	YES
Kollmansberger, Tina	YES
Olson, Milt	NO
Stenstrom, Mike	YES

22. Discussion and Action by Village Plan Commission on Director's recommendation to approve the Zoning Ordinance Amendments Ordinance No. 16-003 through 16-016, 16-021 and 16-022, per the specifications, conditions, and limitations of the submitted staff reports, and forward to the Board of Trustees for their consideration and final approval.

White received no comments from the audience, and closed the hearing at 6:21 p.m.

Motion by Schuster, second by Diesen to approve the Zoning Ordinance Amendments Ordinance No. 16-003 through 16-016, 16-021, and 16-022, as discussed along with the recommended changes to the table Figure 6.03, within Ordinance 16-005, and forward to the Board of Trustees for their consideration and final approval.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

<u>Member</u>	<u>Voting</u>
Diesen, Dave	YES
Johnson, Marty	YES
Kollmansberger, Tina	YES
Schuster, Fred	YES
Stenstrom, Mike	YES
White, Loren	YES
Zeyghami, Hooshang	NO

C. PUBLIC COMMENT – ETZ.

23. Comments from the public on issues, which the ETZ has oversight, or on business items that might be recommended to the Board of Trustees.

None.

D. CONSENT ITEMS – ETZ.

24. Approve previous meeting(s) minutes from the ETZ, March 14, 2016.

Motion by Hull, second by Stenstrom, to approve previous meeting(s) minutes from the ETZ, March 14, 2016.

Yes Vote: 4 No Votes: 0 Abstain: 0 Not Voting: 2 Result: PASS

<u>Member</u>	<u>Present</u>
Christiansen, Randy	NO
Diesen, Dave	YES
Hull, Mark	YES
Kollmansberger, Tina	YES
Olson, Milt	NO
Stenstrom, Mike	YES

E. ADJOURN ETZ

25. Adjourn ETZ Committee.

Motion by Hull, second by Stenstrom to adjourn at 6:23 p.m.

F. PUBLIC COMMENT – PC

26. Comments from the public on issues, which the PC has oversight, or on business items that might be recommended to the Board of Trustees.

None.

G. CONSENT ITEMS – PC

27. Approve previous meeting(s) minutes from the Plan Commission March 14, 2016, regular meeting.

Motion by Diesen, second by Johnson, to approve the Plan Commission March 14, 2016 regular meeting minutes.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

<u>Member</u>	<u>Voting</u>
Diesen, Dave	YES
Johnson, Marty	YES
Kollmansberger, Tina	YES
Schuster, Fred	YES
Stenstrom, Mike	YES
White, Loren	YES
Zeyghami, Hooshang	NO

H. NEW BUSINESS - PC

28. Discussion and Action by Plan Commission on Director’s Recommendation to approve the Site Plan for Building and Parking Lot Additions at Briqs Soft Serve, 3907 Schofield Avenue (CSIT-3-16-1570), per the specifications, conditions, and limitations of the submitted staff report.

Wehner explained the project. He stated due to a couple of things that do not meet code, this site plan is being brought before Plan Commission for their recommendation. With the landscaping, their point values do not match up to what the minimum points should be. Wehner did not see any information on what kind of materials are being used on the enclosure. In the new code, parking requirements are based on the size of the building. The number of proposed parking stalls exceeds the quantity they can have; however, when considering the nature of this business, they require more parking stalls to accommodate the number of customers who come here (which staff agrees with). The lighting plan does not show any lighting on the northeast corner of the property. This plan shows a painted pedestrian walkway from the right-of-way sidewalk partway up the driveway, but does not take you all the way up to the building, and with the amount of pedestrian traffic they receive, staff would like to see this pedestrian walkway continue all the way up to the building.

Tom Radenz, REI Engineering, introduced people in attendance who were part of this project (Kevin Briquelet Miller, Josh Osswald, Tom Ellenbecker). Radenz explained this is similar to the reconstruction of Briq’s in Wausau. They want to try to keep the business open while they perform the construction. He pointed out that due to the elevations, this site does not meet ADA requirements from the road up to the building, which is why there is the break in the pedestrian walkway. He explained the building additions and new features for open seating areas and dog walk area. He explained to Wehner that the details sheet of the site plan does explain the materials for the refuse/recycling enclosure, which will be cedar fence, stained to match the building.

Diesen questioned the metal shed on the property. Briquelet Miller indicated that the shed is planned to remain to be used for yard equipment, but that it will be painted to match the rest of the property.

There was lengthy discussion on the pedestrian walkway. Radenz explained that the ADA requirements are that a walkway needs to be provided from the building to the nearest parking stall, and that due to the elevations of this site, they would be violating ADA standards by placing the walkway from the building all the way to the right-of-way. There will be a pedestrian walkway from the right-of-way up to the parking lot.

There was lengthy discussion on the landscaping point requirements, and how their accommodating the parking needs for their customers is what is creating a hardship for them in meeting the general yard landscaping requirements. Higgins reminded that Plan Commission has the authority to allow modifications in the requirements. There was discussion of allowing the applicant to work with staff to meet at minimum 2,162 points.

Motion by Johnson, second by Kollmansberger, to approve CSIT-3-16-1570 per staff recommendations (which includes the lighting issue and to allow the parking to exceed the 150%) and the owners working with staff on the landscaping points to achieve 2,162 points, and the condition that there be a pedestrian concrete sidewalk and then a striped crosswalk across the drive thru lane to the center island.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

<u>Member</u>	<u>Voting</u>
Diesen, Dave	YES
Johnson, Marty	YES
Kollmansberger, Tina	YES
Schuster, Fred	YES
Stenstrom, Mike	YES
White, Loren	YES
Zeyghami, Hooshang	NO

29. Discussion and Action by Plan Commission on Director’s Recommendation to approve the Zoning Permit for IMR BP, 4101 Schofield Avenue (ZONE-3-16-6594), per the specifications, conditions, and limitations of the submitted staff report. Owners, Irv and Keith Rybacki were present via international phone conference.

Wehner explained this project, where the owners would like to convert a large office area into a small bar and tasting area. Initially concerns with parking, which the owners have been able to show they meet the minimum parking spaces required, showing they have 19 parking spaces, though they only need 16 per code. The other concern staff has is with the que for the car wash, which if not properly maintained, could cause problems for egress and ingress. The owners have shown that there is adequate room; however, car wash customers would need to drive partially on the neighboring property to the south, which Rybacki’s do have permission from the neighbor (Sanders) allowing this to occur. Staff would like to see a cross access agreement between the two owners indicating this. Staff also would like to see striping for the parking stalls and for the car wash que. There was also discussion of pedestrian crosswalk striping to be added at the time they upgrade their parking lot.

Higgins explained that normally a Zoning permit would not come before Plan Commission, as they normally are approved by staff; however, Trustee Ziegler requested when this proposed use came back for review that it come before Plan Commission for their consideration, because the building plans did not meet State code. She explained there will not be any exterior remodeling occurring, and there will be no access through the building from the convenience store to the tasting room (customers will have to enter through other exterior doors). She stated both will have their own restrooms, which are ADA compliant.

Schuster asked Rybacki if it is their intent to install gambling machines. Rybacki answered “no” to Schuster’s question.

Higgins stated upon this approval by Plan Commission, the next step will be Rybacki’s liquor license going before the CLPS committee for consideration (which will be held Monday, April 25th).

Motion by Kollmansberger, second by Johnson, to approve ZONE-3-16-6597, per staff recommendation.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

<u>Member</u>	<u>Voting</u>
Diesen, Dave	YES
Johnson, Marty	YES
Kollmansberger, Tina	YES
Schuster, Fred	YES
Stenstrom, Mike	YES
White, Loren	YES
Zeyghami, Hooshang	NO

I. DISCUSSION AND REVIEW OF COMPREHENSIVE PLAN DRAFT CHAPTERS

30. Chapter 2 Community Vision

Higgins pointed out the changes to the chapter, based on everyone’s comments. This will now go back to Mark Roffers, who will be taking all of the chapters and renumbering and reorganizing their placements. These will then come back to PC for final review and recommendation to the Board for approval in August. She stated the Economic Development Chapter is the only one yet hanging out there.

Motion by Schuster, second by Johnson, to approve Chapter 2 Community Vision, to approve and move this on to the final approval process.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

<u>Member</u>	<u>Voting</u>
Diesen, Dave	YES
Johnson, Marty	YES
Kollmansberger, Tina	YES
Schuster, Fred	YES
Stenstrom, Mike	YES
White, Loren	YES
Zeyghami, Hooshang	NO

J. REPORTS FROM STAFF

31. Report from Planning and Development Director.

Higgins pointed out her monthly report. Higgins requested, if possible, on May 9th, for the Plan Commissioners to arrive early (at 4:30 p.m.) to be present for the JSD presentation of the SE Quadrant Neighborhood Plan. This will consist of a half hour presentation, followed by an hour-long open house. Plan Commission will then hold their regular meeting that night at 6:00 p.m. This presentation will take the place of the CDA meeting. She brought up upcoming meetings with staff, JSD, DOT, and DNR, on the SE Quadrant project.

32. Staff Report on staff-approved CSM’s, Site Plans, Sign Permits, Commercial Zoning Permits, and Certificate of Occupancies issued since last reported of 03/14/2016.

K. REMARKS FROM COMMISSIONERS.

Diesen stated he will not be present at the May 9th meeting.

White announced to the Plan Commission the resignation letter submitted to him by Stenstrom, and thanked Stenstrom for his years of service on the Plan Commission and ETZ.

L. DISCUSS ITEMS TO BE INCLUDED FOR NEXT AGENDA.

M. Set next regular meeting date for Monday, May 9, 2016, at 6:00 P.M.

- * **SE Quadrant Open House on Monday, May 9, 2016.**
- * **Formal Presentation by JSD to CDA & PC from 4:30 – 5:00 p.m.**
- * **Public Engagement Session and Open House from 5:00 p.m. – 6:00 p.m.**

N. ADJOURN.

13. Adjourn Plan Commission.

Stenstrom motioned, Kollmansberger seconded to adjourn at 7:40 p.m.

Loren White, Chairman
Jennifer Higgins, Director of Planning & Development
Valerie Parker, Recording Secretary

ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning _____ 20 _____ ;
ending _____ 20 _____ ;

TO THE GOVERNING BODY of the: Town of }
 Village of } Wausau
 City of }

County of Marathon Aldermanic Dist. No. _____ (if required by ordinance)

1. The named INDIVIDUAL PARTNERSHIP LIMITED LIABILITY COMPANY
 CORPORATION/NONPROFIT ORGANIZATION C-Corp

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): ▶

IRVIN M. RYBACKI, INC.

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

Title	Name	Home Address	Post Office & Zip Code
President/Member	<u>Irvin M. Rybacki</u>		
Vice President/Member	<u>Sharon D. Rybacki</u>		
Secretary/Member	<u>Sharon D. Rybacki</u>		
Treasurer/Member	<u>Irvin M. Rybacki</u>		
Agent ▶	<u>Irvin M. Rybacki</u>		
Directors/Managers			

3. Trade Name ▶ IMR BP Business Phone Number 715-355-4544

4. Address of Premises ▶ 4101 SCHOFIELD AVE, Wausau Post Office & Zip Code ▶ 54476

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? Yes No
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? Yes No
8. (a) Corporate/limited liability company applicants only: Insert state _____ and date _____ of registration.
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? Yes No
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? Yes No
- (NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) West Side of C-Street / Construction plan Submitted

10. Legal description (omit if street address is given above): _____

11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No
(b) If yes, under what name was license issued? _____

12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] Yes No

13. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776]. Yes No

14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME

this 20th day of October, 20 15

Maryb Lube
(Clerk/Notary Public)

Sharon D. Rybacki
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

Irvin M. Rybacki
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

My commission expires 6-12-2016

(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

Ad.
10-21-15

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES

April 25, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM –D.7.



**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: **KEITH DONNER, DIRECTOR OF PUBLIC WORKS AND UTILITIES
WALLY SPARKS, CHIEF, EVEREST METRO POLICE DEPARTMENT**

ITEM DESCRIPTION: **REQUEST FOR CROSSWALK ON JELINEK AVENUE NEAR ENTRANCE TO
DC EVEREST HIGH SCHOOL.**

DATE/MTG: **COMMUNITY LIFE & PUBLIC SAFETY MEETING, MONDAY, APR. 25, 2016**

POLICY QUESTION: Should the Board of Trustees approve a crosswalk on Jelinek Avenue approximately 1,100 feet east of Alta Verde Street near the entrance to DC Everest Senior High School?

RECOMMENDATION TO: Staff recommends denial of the crosswalk on Jelinek Avenue approximately 1,100 feet east of Alta Verde Street near the entrance to DC Everest Senior High School.

LEGISLATIVE ACTION:

- | | | |
|---|------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-

FISCAL IMPACT ANALYSIS:

- Budget Line Item: _____
- Budgeted Expenditure: _____
- Budgeted Revenue: _____
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- WI Statue: _____
- WI Administrative Code: _____
- Case Law / Legal: _____
- Municipal Code: _____
- Municipal Rules: _____
-

PRIOR REVIEW: Village staff

BACKGROUND: The Village of Weston has been contacted by Jean Nikolai, an instructor for DC Everest Schools regarding a crosswalk on Jelinek Avenue near the entrance to DC Everest High School. The location of the drive and crosswalk is approximately 1,100 feet east of Alta Verde Street and 600 feet west of Alderson Street. The e-mail thread containing the inquiry from Ms. Nikolai and initial response from the Director is attached along with 2 reference maps.

The requested location for the crosswalk would create a mid-block crossing; i.e. a crossing at a location that is not at a street intersection. Although the requested location is at a driveway entrance for the senior high school, it is not a street intersection and it is only a "T" configuration rather than a 4-way cross.

It is the discretion of municipal authorities to authorize a crosswalk to be installed, even a mid-block crossing. There is little background data for this request other than the indication in the e-mail that "...180 kids from the D.C. Everest's Adventure camp held at the Greenheck Field House cross Jelinek Street where the baseball diamond is." Presumably this is on a daily basis during summer school.

A crosswalk at this location would need to be delineated with paint, but more significantly would require curb ramps, signage and likely a flashing yellow light. These items would have a cost associated with them which, at the time of preparation of this request, is unknown.

Any mid-block crosswalk is something vehicle operators would find unusual and have a likelihood of not heeding, regardless of the controls in place.

Even if the crosswalk were put in place it would probably be safer to have it on the east side of the high school entrance for visibility of pedestrians by traffic on Jelinek. With the crosswalk on the west side of the high school entrance pedestrians may be screened from view of westbound traffic on Jelinek by vehicles exiting the high school entrance.

The more logical, and safest place to cross Jelinek Avenue would be at Alderson Street, approximately 600 feet east, where there is a 4-way stop. Traffic is not currently stopped on Jelinek at Alta Verde.

Supplemental Briefer for Agenda Items under Consideration

Attachments – April 15, 2016, e-mail thread between Jean Nickolai and K. Donner

Reference map showing aerial view of Jelinek Avenue

Reference map showing area from Greenheck Fieldhouse to Kennedy Park.

Wisconsin Department of Transportation Facilities Development Manual regarding crosswalks.

Keith Donner

From: Keith Donner
Sent: Friday, April 15, 2016 12:59 PM
To: 'Jean Nikolai'
Cc: Wally Sparks; Renee Hodell; Heather Meliska; Michael Wodalski (mwodalski@westonwi.gov); Sherry Weinkauf
Subject: RE: Just was wondering....

I believe a crosswalk can be put in, but perhaps to do it correctly the request should go through our Community Life and Public Safety Committee (CLPS). I think you are talking about the possibility of the crosswalk at the main entrance to the H.S. off Jelinek, so it is at a location similar to an intersection. On the other hand without a drive on the opposite side of the street it is like having a crosswalk in the middle of a block. It will require a sign I would think and may need a light or some other type of warning device for drivers as well as the painted crosswalk. I am not the sole authority for something like this and it would also have some cost implications for the things I just mentioned. I have copied Everest Metro Police Chief Wally Sparks and our Taxpayer Relations department on this e-mail. The next CLPS meeting is on April 25 (4th Monday of the month) at 6:30 P.M.

We can add your item to the agenda. If we need anything more from you someone will follow up.

[Keith Donner, P.E.](#)

Director of Public Works & Utilities

[Village of Weston](#)

5500 Schofield Ave Weston, WI 54476

p. 715.359.6114 | f 715.359.6117 | m. 715-574-1537

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From: Jean Nikolai [mailto:jnikolai@dce.k12.wi.us]
Sent: Friday, April 15, 2016 11:53 AM
To: Keith Donner <kdonner@westonwi.gov>
Subject: Just was wondering....

Each day (weather permitting) the kids from the senior high walk over to Kennedy Park for practices or to hang out and during the summer the 180 kids from D.C. Everest's Adventure camp held at the Greenheck Field House cross Jelinek Street where the baseball diamond is. At the present time there is no cross walk at this corner and yet it is probably one of the heaviest cross places on Jelinek Street.

Can a crosswalk be place on the road at this spot?

Keith Donner

From: Keith Donner
Sent: Friday, April 22, 2016 1:45 PM
To: Michael Wodalski
Cc: Renee Hodell; Wally Sparks
Subject: RE: Jelinek Crosswalk request

Michael:

After considering the situation and discussing again with Chief Sparks, I am of the opinion the crosswalk should not be put in. If there were no other crosswalk in the vicinity I might think differently, but Alderson is only 200 yards or so away.

What is the pedestrian traffic pattern on the north side of Jelinek onto the Kennedy Park property? It would seem to me that students have to walk to the east or west anyway to cross the creek. If we were to add any crosswalk it should be at Jelinek where, by law, a crosswalk already exists whether we paint it or not.

Keith

From: Michael Wodalski
Sent: Friday, April 22, 2016 8:36 AM
To: Keith Donner <kdonner@westonwi.gov>
Cc: Renee Hodell <rhodell@westonwi.gov>
Subject: RE: Jelinek Crosswalk request

Keith,

Perhaps I was confused when we discussed this earlier. I think a crosswalk would be beneficial in this location and knowing how kids typically walk in this area they already walk on the west side of the road, usually in the grass or the diagonal parking area so they're out of the way of traffic. I looked back at some invoices from Norcon and it looks like the concrete work would be about \$1,500. The signs and striping then would probably be about another \$500 (that's without the flashing signs). In my opinion, it would be worthwhile to have a crosswalk, and yes it is a mid-block, but it would at least alert drivers to expect pedestrians in this area since they already cross the street there on a regular basis.

-Michael

From: Keith Donner
Sent: Thursday, April 21, 2016 4:52 PM
To: Wally Sparks <Wally.Sparks@co.marathon.wi.us>
Cc: Michael Wodalski <mwodalski@westonwi.gov>; Renee Hodell <rhodell@westonwi.gov>
Subject: Jelinek Crosswalk request

Wally:

Attached is a draft of a staff report for the above referenced topic. We could either recommend it be denied or revise it for no staff recommendation at this time. We can make modifications in the morning as you prefer and can also add guidelines from the WisDOT Facilities Development Manual as information for the committee. Someone can also follow up with Ms. Nikolai to prepare for what we are providing the committee.

Keith

[Keith Donner, P.E.](#)

Director of Public Works & Utilities

[Village of Weston](#)

5500 Schofield Ave Weston, WI 54476

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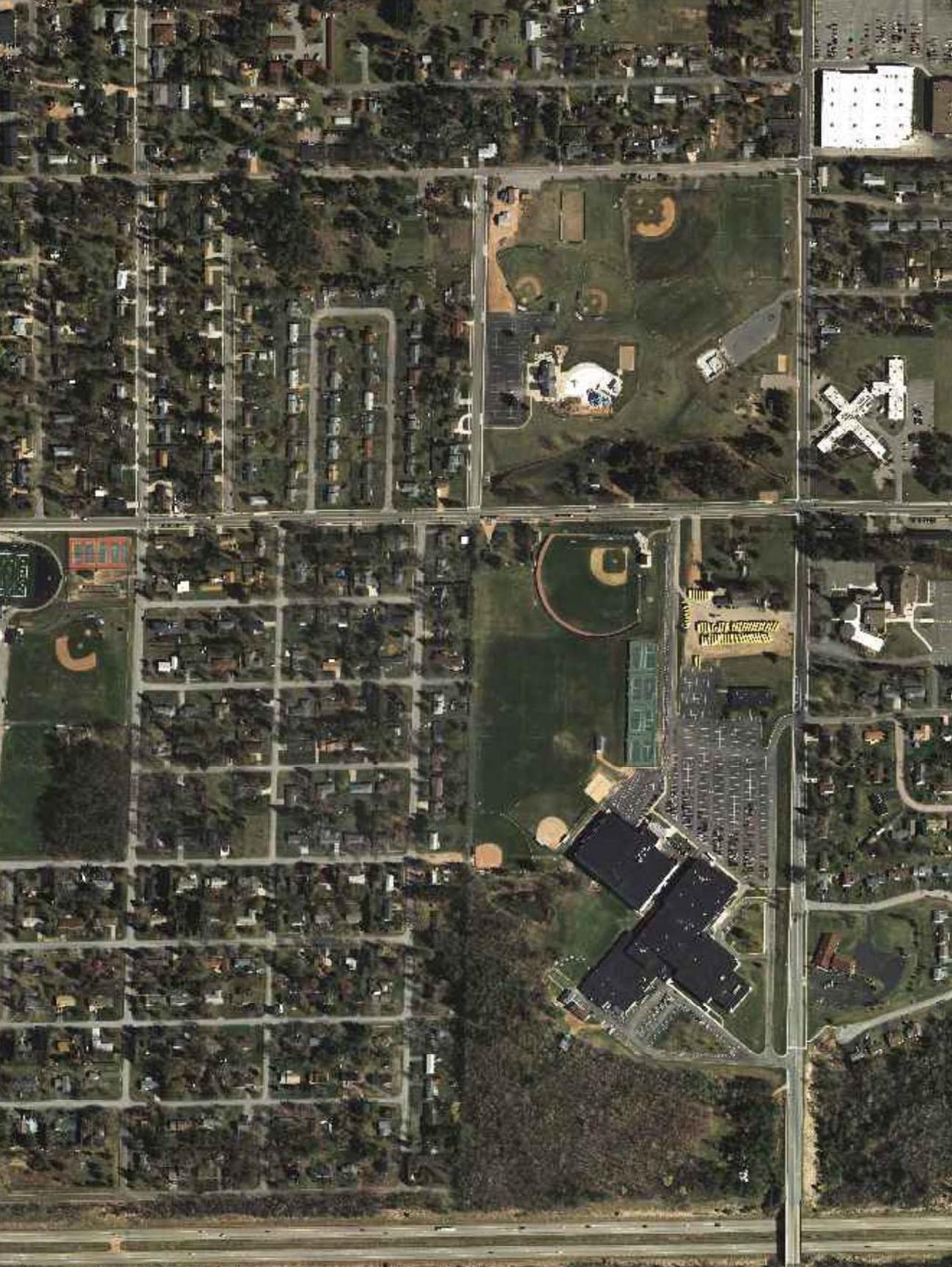
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Weston

Jelinek Avenue from Alta Verde to Alderson

DISCLAIMER: The information presented should not be relied upon for making financial, survey, legal or other commitments. If you have questions or comments regarding the data displayed on this map, please contact Weston.



Weston



Reference Map - Greenheck Fieldhouse - Kennedy Park

DISCLAIMER: The information presented should not be relied upon for making financial, survey, legal or other commitments. If you have questions or comments regarding the data displayed on this map, please contact Weston.

of up to 20 years. While retrofitting sidewalks onto roadways is usually relatively easy, retrofitting sidewalks onto existing bridges is not. Consult with the Bureau of Structures (BOS) if a structure design needs to accommodate future sidewalk.

See [FDM 11-35-1.6](#), [FDM 11-35 Attachment 1.1](#), and [FDM 11-46-15.6](#) for additional guidance.

5.2.2 Terraces

A terrace is the area between the front face of the curb and the edge of the sidewalk, i.e., the curb zone and the furniture/planting zone in [Figure 5.1](#). The terrace area (outside of the curb) usually consists of grass, but paved terraces are common in areas with heavy pedestrian usage, such as central business districts.

Terrace width varies but it is generally best to provide 6-feet or more to accommodate snow storage, signing, utilities, plantings and other uses while still maintaining the required lateral clearance from the face of curb (refer to [FDM 11-15-1](#) and [FDM 11-20-1](#) for guidance on appropriate lateral clearances). Generally provide at least a 3-foot clearance from trees to curb, and at least 3-foot clearance from trees to sidewalk (at least 6-foot total width). Grass terraces have a minimum transverse slope of 4%; paved terraces have a minimum transverse slope of 2%.

See [FDM 11-20-1, Attachment 1.2](#), 1.3, and 1.6 for typical urban street cross sections.

See Chapter 5, “Designing Pedestrian Facilities”, of the Wisconsin Guide for Pedestrian Best Practices (9) for more information on terrace design. Also, see the “NACTO Urban Street Design Guide” (23).

5.3 References

Refer to [FDM 11-46-99](#) for list of references.

LIST OF ATTACHMENTS

[Attachment 5.1](#) Sidewalk Design Considerations

FDM 11-46-10 Curb Ramps

December 18, 2015

10.1 General

The US DOT has adopted the Americans with Disabilities Act (ADA) Accessibility Guidelines (ADAAG) as a standard for complying with ADA and Section 504 of the Rehabilitation Act (49 CFR, Part 27)¹⁴. Currently, there are design guidance conflicts between Wisconsin Statutes and the ADA requirements. The design guidance in this procedure and associated Standard Detail Drawings ([SDD 8D5](#)) have been developed to provide the designer with criteria that is consistent with ADAAG guidance. ADAAG requires detectable warnings fields on curb ramps at all legal crossings, sidewalk and shared-use paths independent of funding source. Detectable warnings are a distinctive surface pattern of truncated domes detectable by cane or underfoot. They indicate to people with vision impairments of a change from the pedestrian way/sidewalk to vehicular way, that is the entering into a street, railroad, or hazardous drop-off at transit platforms.

Curb ramps are required by ADA and Section 504 and are separate from Wisconsin law pertaining to complete streets and Administrative Code Trans 75.

When a curb ramp is constructed on one side of a street, then companion curb ramp(s) are required on the opposite side if there is either existing sidewalk on the opposite side or sidewalks are being constructed on the opposite side as part of the project. When a project terminates adjacent to or in the middle of an intersection, curb ramps and landings must be constructed, where sidewalk is present, on the street corners beyond the project limits, even though no other construction may be necessary at those corners.

At intersections, including “Tee” intersections, where the side road has sidewalks on one or both sides of the street and the through street has sidewalk on the opposite side of the street from the side road, this condition establishes a legal crosswalk whether the crosswalk is pavement marked or not per ss 340.01(10)(b).

The standard curb ramp width for newly constructed curb ramp is 5 feet, or the width of the sidewalk or shared use path area leading to the crossing. This measurement does not include the width of the flared sides. The width of a median cut-through is the same as the crosswalk width, typically 6 feet or wider.

¹⁴ For more information on ADAAG detectable warnings and accessible design requirements go to www.access-board.gov. Also, each WisDOT district pedestrian/bicycle coordinator has a copy of (7) Designing Sidewalks and Trails for Access / Part II of II: Best Practices Design Guide. U.S. Access Board; U.S. DOT, 2001. <http://www.fhwa.dot.gov/environment/sidewalk2/pdf.htm>, which is the primary reference for designing curb ramps and other accessibility considerations.

Curb ramps should not be offset more than 10 feet from a sidewalk continuation without the approval of the Regional bike/pedestrian coordinator. The 10 foot offset distance is measured from the back side of the sidewalk to the crosswalk. See [Attachment 10.1](#), Figure 2.

Curb ramps shall be provided for each sidewalk extended across the through street crosswalks as shown in [Attachment 10.1](#), Figure 1, except as noted in [FDM 11-46-10.1.1](#), "Crosswalk Closure". It is generally undesirable to close the crosswalk on one side and direct pedestrians to the other side of the side road before crossing the through street since this requires pedestrians to avoid using what was once a legal crosswalk. Often pedestrians will not detour out of their way when they face an obvious crossing in front of them. However, especially for safety reasons, it may be necessary to close a crosswalk. There should be sound reason documented for a closure. There are also some locations where curb ramp installation may be desirable, but is not required. For example, if there is a "foot path" that indicates pedestrian traffic within the intersection right-of-way or if there is a future local project that will provide a sidewalk to the intersection in the immediate future. Also, there may be a safety reason to justify a free-standing curb ramp, for example the distance between crossing locations, land uses, and destinations may indicate the need, or to provide a space for pedestrians to move temporarily out of the intersection or to access a pedestrian push button. Coordinate with the local community to ensure that the curb ramp is properly sited and maintained.

Provide ADA-compliant curb ramps at intersections (including traffic islands and medians) and mid-block crossings where a sidewalk or other pedestrian walkway crosses the curb at locations where crosswalks (either marked or unmarked) are present on alteration improvement project types. Alteration roadway project types are defined in [FDM 3-1 Attachment 5.2](#), [FDM 3-1 Attachment 5.3](#) and [FDM 3-1 Exhibit 5.1](#). Alteration project types include reconstruction, pavement replacement, rehabilitation, open-graded surface course, micro surfacing, thin lift overlays, cape seals, and in-place asphalt recycling. Treatments that are considered maintenance of the road surface do not require curb ramp installation or updating. However, curb ramps may be installed/updated on maintenance project types as well for other reasons and needs.

For an alteration such as a resurfacing improvement project that does not have scoped right-of-way acquisition, curb ramps need to be improved to the maximum extent feasible to meet current ADA requirements within the existing right-of-way. Refer to [FDM 11-46-5.1](#) for further discussion and application of technically infeasible with respect to curb ramp improvements for alteration projects.

For more information regarding curb ramp design and ADA compliance, see the "Wisconsin Guide to Pedestrian Best Practices (6).

10.1.1 Crosswalks

Crosswalks are defined as pedestrian crossings where motorists must legally yield the right-of-way to crossing pedestrians. As stated in Wisconsin State Statute 340.10(10), crosswalks exist at all intersections where sidewalks are present, even if the crosswalks are unmarked. Intersection crosswalks are legally considered prolongations of their contiguous sidewalks. Crosswalks can also exist at mid-block locations. However, unlike crosswalks at intersections, mid-block crosswalks must be marked.

Crosswalk cross slope is important for pedestrian and impaired user navigation.

Side roads that are controlled by a stop sign, yield sign, or signal must provide a 1.5 percent (2% maximum) cross slope on the crosswalk and extend the 1.5 percent side road profile back to a point beyond the stop bar, yield bar or control location, whichever is greater. If any technically infeasible conditions cited under [FDM 11-46-5.1](#) are satisfied, develop side road profile to the maximum extent feasible. Provide documentation in the DSR.

Mainline roads (through traffic movement) that are signal controlled, not controlled at an intersection, or for mid block crossings the crosswalk may have a cross slope equal to the profile slope of the mainline roadway. An example may be where the mainline roadway has a 5 percent grade then the crosswalk cross slope may also be 5 percent.

10.1.2 Crosswalk Closure

Site conditions, safety concerns, and ss 349.185(2) regulate the prohibition of pedestrian crossings and shall be evaluated prior to closing a crossing.

When a crosswalk is closed the crossing must be signed as closed and a barrier must be installed to alert visually impaired pedestrians and other users that a crossing at this location is not permitted.

The standard signs used to close a crossing are shown below in [Attachment 10.1](#), Figure 2. The arrow on the sign may be oriented to the right or to the left, whichever is appropriate for the location. The sign post location must meet lateral clearance requirements as shown in [FDM 11-20, Table 1.5](#) (typically 4 feet from the travel lane, assuming a 2 foot gutter and 2 feet behind the face of curb). A formal exception to standards is required, per [FDM 11-1-2](#), if lateral clearance requirements are not met.

There are several options for closing a crosswalk where there is a through street terrace width of 3 feet or more. Identified,

- One option is a 4-inch to 6-inch curb, with tapered ends, across the end of the side road sidewalk extended, or a raised planter with perimeter curbing, and install the standard signs on a post in back of the Concrete Pedestrian Curb as shown in [Attachment 10.1](#), Figure 4.
- Another option is low growth plantings (18-inch maximum height at maturity) or terrace mound with WisDOT approval. The terrace mound is approximately 6 inches high and across the end of the side road sidewalk extended. The mounding option is acceptable providing the curb, planters, plantings or railing identified above is determined by WisDOT to be unacceptable. Install the standard signs on a post as shown in [Attachment 10.1](#), Figure 5.

Evaluate the conditions and context when selecting a preferred design. Barrier options may include a planter, concrete pedestrian curb, plantings and terrace berm.

If there is less than a 3 foot terrace, or the sidewalk is adjacent to the back of curb, then close the crosswalk by first moving the sidewalk back and away from the through street back of curb as it approaches the intersection (as shown in [Attachment 10.1](#), Figure 6), and then using one of the options explained above. This option may require right-of-way purchase, depending on available space. If right-of-way is not available and the sidewalk and furniture area is narrow then it may be acceptable, with WisDOT approval, to install a raised curb along with a “pedestrian crossing closed” sign.

10.2 Curb Ramps and Detectable Warning Fields

Curb ramps with detectable warnings shall be installed on all state or federally funded projects with sidewalks including resurfacing and Preventative Maintenance¹⁵ projects where curb ramps do not exist or they are not ADA compliant. This shall be done whether or not new or replacement sidewalk is programmed as part of the project.

All state or federally funded projects that include new sidewalk and new curb ramps shall include detectable warnings.

Use curb ramp Type 2 that is in line with the crosswalk (perpendicular ramp) because the crossing distance is shorter and it helps to align visually impaired people to the opposite side of the street. Where the Type 2 curb ramp is not technically feasible, a parallel ramp (two ramps both parallel to the direction of travel) is the next preferred ramp type. Lastly, a diagonal ramp may be constructed as a single ramp centered on the curb return (Type 1 or 1A). Other curb ramp types are provided in [SDD 8D5](#) to illustrate the various configurations that require detectable warning fields and may occur on a project (i.e. railroad crossing, median crossing, and island crossing). Per guidance under [FDM 11-46-5.1](#), document any technically infeasible design decisions in the DSR relative to curb ramp selection and hierarchy (Type 2, parallel ramp, Type 1/1A).

Refer to sub-sections 5.3.3.1 (design specifications for curb ramps) and 5.3.3.2 (types of curb ramps) of the “Wisconsin Guide to Pedestrian Best Practices” (6) for further detail guidance:

<http://wisconsindot.gov/Documents/projects/multimodal/ped/guide-chap5.pdf>

Also refer to reference “Designing Sidewalks and Trails for Access/Part II of II: Best Practices Design Guide” (14) for further design guidance:

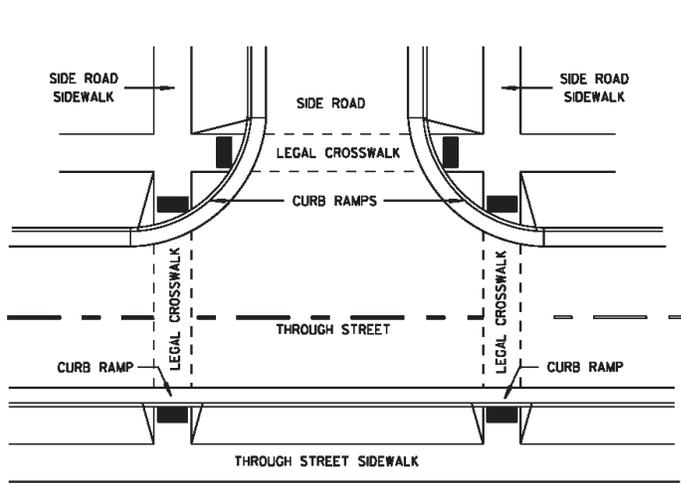
http://www.fhwa.dot.gov/environment/bicycle_pedestrian/publications/sidewalk2/pdf/08chapter7.pdf

Additional information on the planning and design evaluation on curb ramp solutions and examples may be found in Special Report: Accessible Public Rights of Way Planning and Design for Alterations by the U.S. Access Board (29):

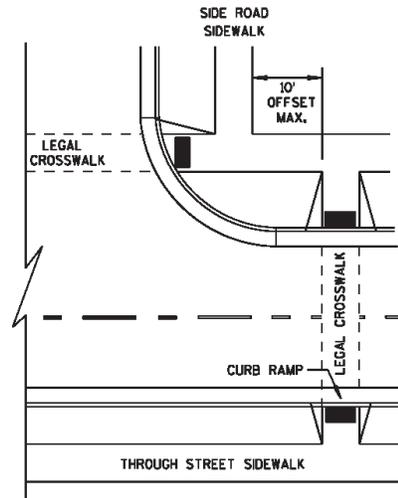
<http://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way/guidance-and-research/accessible-public-rights-of-way-planning-and-design-for-alterations>

The Standard Detail Drawings are developed to address a majority of curb ramp installations. However, there are locations where SDD’s do not work because of site-specific conditions. Develop construction details for these locations showing elevations and curb ramp alignments that meet the site conditions.

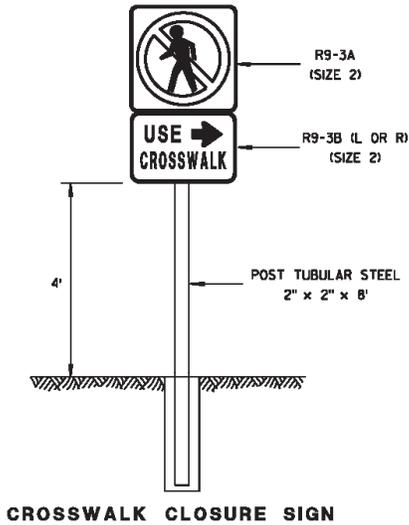
¹⁵ Preventative Maintenance Eligible Work Types are identified in the Preventative Maintenance Agreement in [FDM 3-1 Exhibit 5.1](#). In Exhibit 5.1 under the column “Eligible Work Types” there are Group 1, Group 2, and Group 3 Pavement Strategies. After various Pavement Strategies, there are notes 1 through 8. An alteration is identified by note 8 and requires a curb ramp installation per the guidance in [FDM 11-46-10](#). FDM 3-1 Attachment 5.1 and 5.2 is a copy of the requirement and glossary from the US Department of Justice and FHWA. Eligible Work types identified as maintenance do not require additional work related to curb ramps.



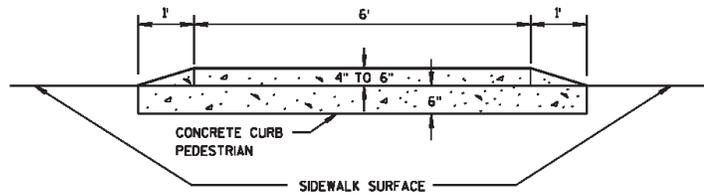
LEGAL CROSSWALK LAYOUT
FIGURE 1



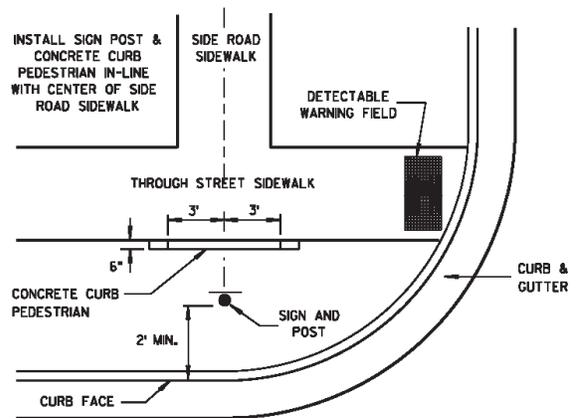
SIDEWALK TO CROSSWALK OFFSET
FIGURE 2



CROSSWALK CLOSURE SIGN
FIGURE 3



CONCRETE CURB PEDESTRIAN DETAIL
CURB ELEVATION VIEW



CURB AND SIGN LOCATION DETAIL
FIGURE 4

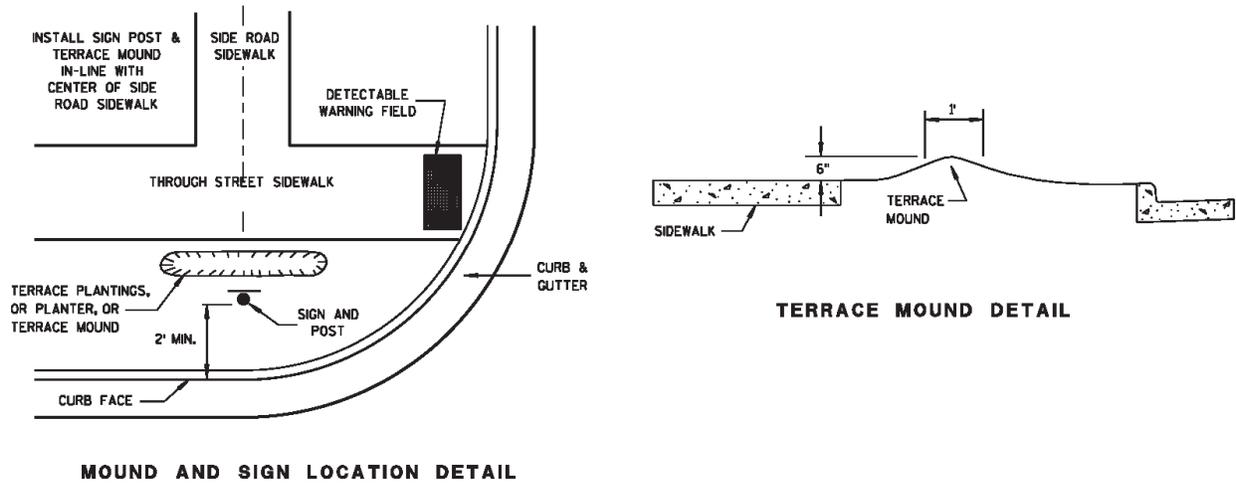


FIGURE 5

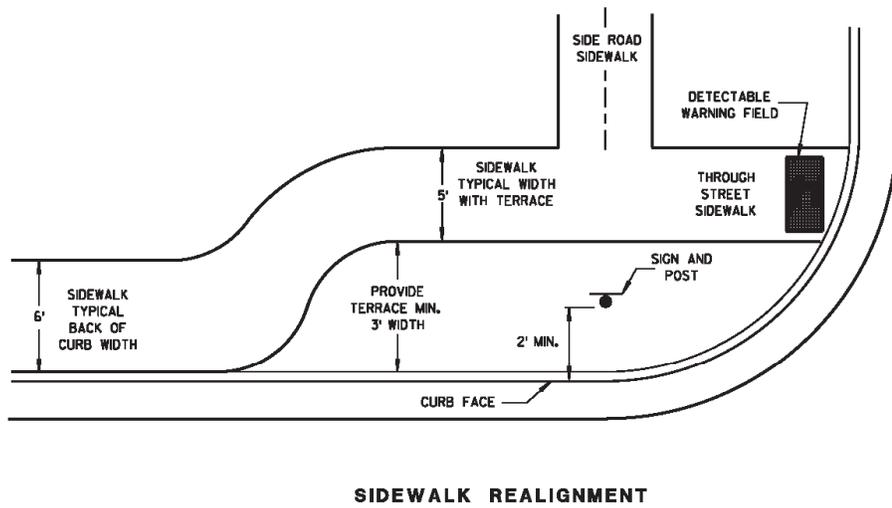


FIGURE 6

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES

April 25, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM –E.8.



EVEREST METRO POLICE DEPARTMENT

VILLAGE OF WESTON – BOARD MEETING APRIL 18, 2016

MARCH 2016 STATS – Village of Weston

Accidents:	30
Property Damage only	24
Injury Accidents	0
Hit & Run Accidents	6
Total Calls for Service:	1,041

Stillwater Landing Trailer Park

March 2016 calls for service – 24* March 2015 – 28 calls

(*See attached Type of Incident Summary Report for detailed call types)

Award Recognition

Officer Leah Long has been selected by The Women’s Community as the recipient of the 2016 Outstanding Achievement for Supporting Survivors of Sexual Assault Award. She will be honored with this award at a ceremony on April 21, 2016 at 6:00pm at the City Square Center, 500 N. 3rd Street in Wausau. Leah does an outstanding job on sexual assault and juvenile cases for the department. She works closely with the Women’s Community and Social Services on these cases and I am glad to see the outside recognition for the exemplary and compassionate work she has provided on these cases.

Sexual Assault Investigation / Arrest

On 6-5-11 it was reported to the Everest Metro Police Dept. that three juvenile females ages 17, 15, 14 were the victims of forced sexual assault by suspect reported to be an African American male alias “J Coon”. The initial contact with the victims was made at the Weston Aquatic Center. Investigation was conducted into the incident and DNA evidence was located and submitted to the Wisconsin State Crime Lab for analysis however no leads were developed. It was later determined that through follow up investigation conducted by the EMPD Detective Bureau revealed that “J Coon” was believed to be a suspect being investigated by the Wausau Police Department for an armed robbery incident which occurred in their jurisdiction. Wausau Police Department Investigators developed information that the identity of their suspect was Jacob M. Cummings, 26 years of age. Cummings was later taken into custody for charges relating to their armed robbery incident. Once Cummings was in custody, detectives from Everest Metro PD conducted an in custody interview with Cummings at the Marathon County Sheriff’s Department. Cummings admitted to having sexual contact with all of the victims in this incident and sexual intercourse with one of the victims. Cummings is currently in custody at the Marathon County Jail on \$50,000 cash bond unrelated to this case. Cummings has been referred to the Marathon County District Attorney’s Office for the following charges:

- **1st Degree Sexual Assault of a Child, 2 counts, Wisconsin State Statute 948.02(1)(c),** pertaining to the sexual contact with LMH (age 14) and LBM (age 15)

- **2nd Degree Sexual Assault, Wisconsin State Statute 940.225(2)(a)**, pertaining to the sexual contact with TRE (age 17)
- **False Imprisonment, 3 counts, Wisconsin State Statute 940.30**
- **Child Enticement, 3 counts, Wisconsin State Statute 948.07**
- **Trafficking of a Child, 3 counts, Wisconsin State Statute 948.051**
- **Delivery of THC, 3 counts, Wisconsin State Statute 961.41(1m)(h)**, pertaining to the marijuana provided to LMH, LBM, and TRE
- **Delivery of Cocaine, Wisconsin State Statute 961.41(1m)(cm)**, pertaining to the cocaine provided to the victims in exchange for sexual contact
- **Offenses on or Near Certain Places, Wisconsin State Statute 961.49**, pertaining to the illegal drug activity that occurred within 1,000 feet of the KinderCare Learning Center.

Traffic Grants

EMPD received two traffic grants from the Wisconsin Bureau of Transportation. The first is a Seat Belt Enforcement grant which provides \$5,000 for overtime expenses and the second is a Speed Enforcement grant, which includes \$5,000 for overtime and an additional \$5,000 for equipment. The Seat Belt Grant runs from March to September and the Speed Enforcement Grant runs May through September. The speed grant is a multijurisdictional grant targeting the Business 51 corridor and Rothschild PD and Wausau PD also obtained grant funds to target their respective sections of Business 51. We will be utilizing the equipment grant funds to purchase three cradle points and antennas to replace the remaining air cards in several of the marked squad cars. These cradle points are what connects our mobile data computers and GPS to the CAD system in dispatch as well as to the TIME system for DOT records. They are also used to download squad video to our server and have a much greater bandwidth to allow squads to connect to outside devices, such as IP based camera systems utilized by the schools and parks. We will also be purchasing two new light bars with the remainder of the equipment funds.

Everest Metro Police Department stats From 03/01/2016 to 03/31/2016

Case Number Stats

	City	Other	Town	Village	Total
Accident Hit and Run	1	0	0	6	7
Accident Iniurv	0	0	2	0	2
Accident Property Damaae	7	0	1	24	32
Agency Assist	0	0	0	2	2
ALCOH COM	0	0	0	1	1
ANI VICIOUS	0	0	0	2	2
Bail Jumping	0	0	0	5	5
BATTERY	0	0	0	1	1
Burglary	0	0	0	3	3
CHILD NEGL	0	0	0	1	1
CITES MUN	0	0	0	3	3
CITES PRKG	1	0	0	8	9
CITES UTC	35	0	3	142	180
Criminal Damage	2	0	0	2	4
DC	1	0	0	5	6
Death Investigation	0	0	0	3	3
Domestic	3	0	0	6	9
Drugs	1	0	0	4	5
Fraud	0	0	0	5	5
ILLEG DUMP	0	0	0	1	1
Lost and Found	4	0	0	3	7
MENTAL COM	2	1	0	0	3
Misc Investigation	1	0	0	5	6
OBSTRUCT	0	0	0	2	2
OWI	0	1	0	2	3
PHY ABU	1	0	0	2	3
Prob/Parole Viol	2	0	0	4	6
PURSUIT	0	0	0	1	1
Restrain Ord Viol	1	0	0	1	2
Runaway	1	0	0	4	5
SEARCH WAR	0	0	0	1	1
Sex Crime	0	0	0	3	3
Stolen Vehicle	0	0	0	1	1

Noteworthy Cases:

Possible Child Abuse E2
 Threats to Disclose Child Porn E2
 Fred Mueller Stereo Theft E3
 Vehicle Chase E2

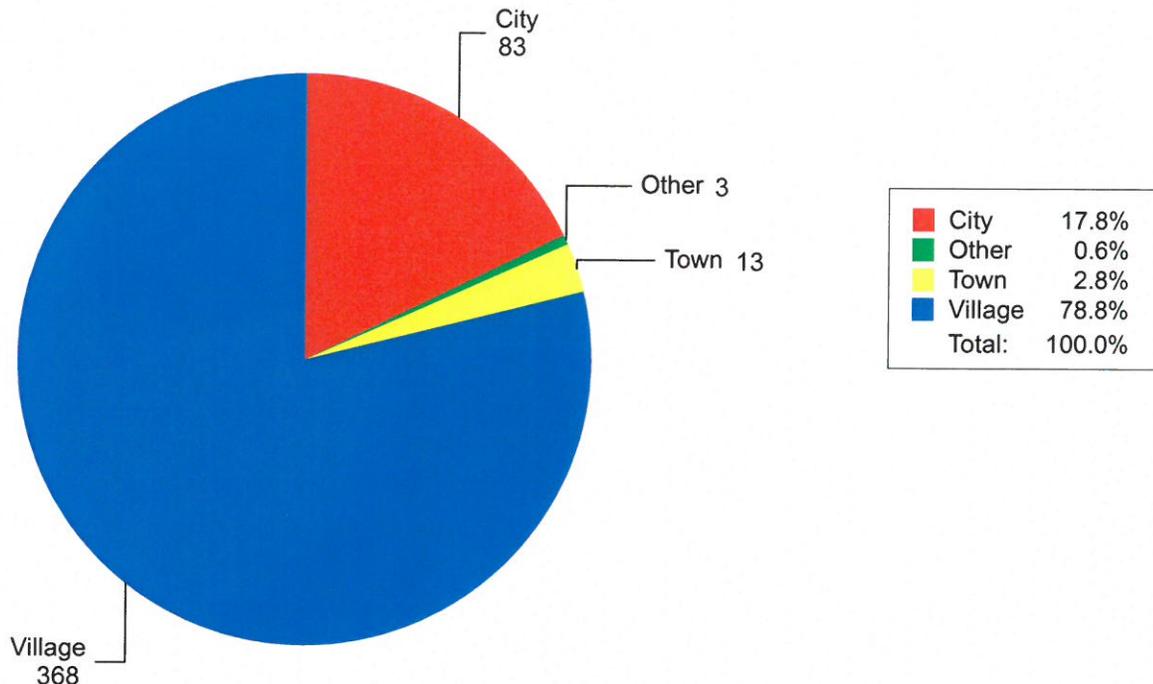
	Total
	23
City	321
Other	38
Town	39
Village	1,041
Total	1,462

Everest Metro Police Department stats From 03/01/2016 to 03/31/2016

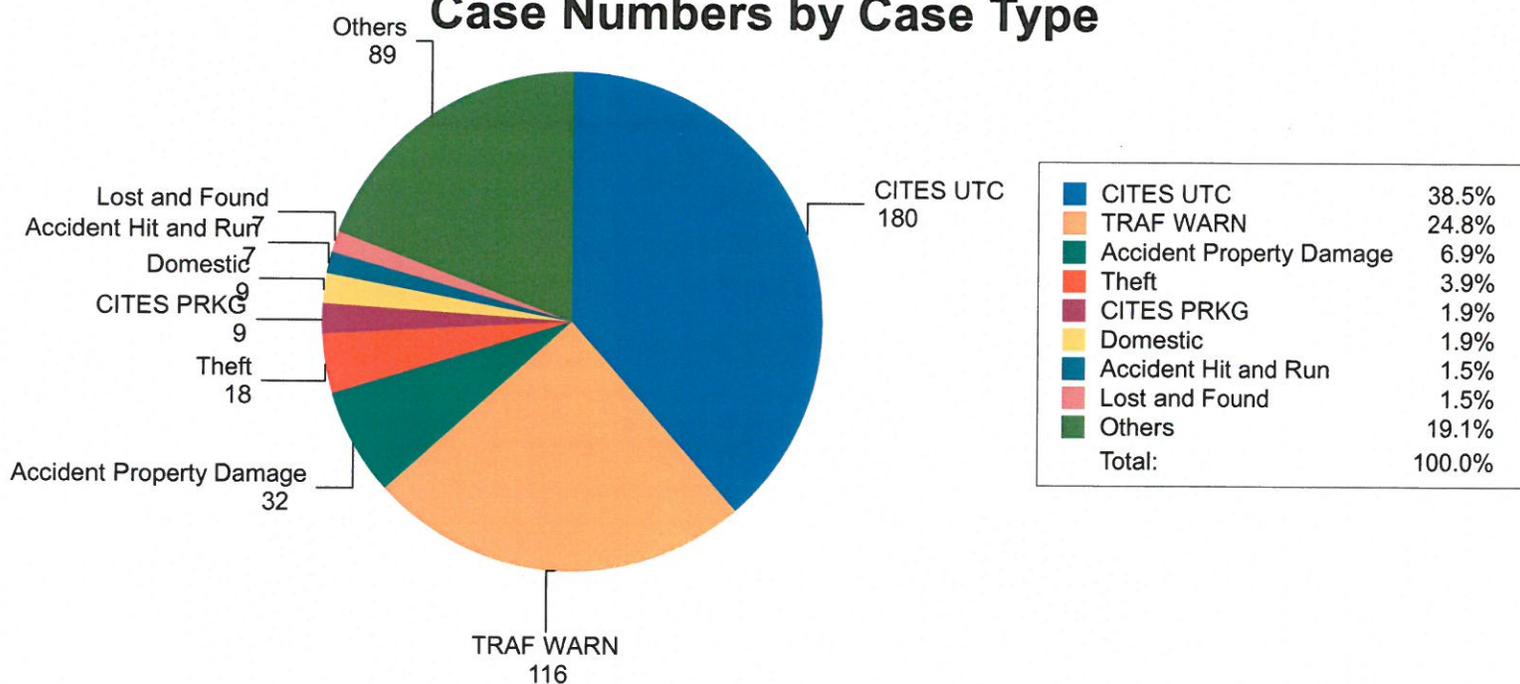
	City	Other	Town	Village	Total
Theft	4	0	0	14	18
TRAF WARN	13	1	7	95	116
TRUANCY	0	0	0	1	1
UNL TELEPH	0	0	0	1	1
Warrant Arrest	3	0	0	4	7
Total	83	3	13	368	467

Everest Metro Police Department stats From 03/01/2016 to 03/31/2016

Case Numbers by Area



Case Numbers by Case Type



4311 SCHOFIELD AVENUE

TLR #	DATE OF INCIDENT	TYPE OF INCIDENT	EVENT #
No #	03/11/16	Noise complaint	160029700
1			
2			
3	03/07/16	Investigation	160028301
3	03/22/16	Service Misc - custody concerns	160035005
3	03/22/16	Criminal Misc - follow up	160035065
4			
5			
6			
7			
8	03/08/16	Dog complaint	160028536
9			
10			
11			
12			
13			
14			
15			
16	03/02/16	Process Service	160025611
16	03/09/16	Loud music	160029199
16	03/10/16	Deliver papers	160029576
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29	03/29/16	Criminal - harassment	160038078
30			
31			
32			
33			
34			
35			
36			
37			
38			
39			

4311 SCHOFIELD AVENUE

40			
41			
42			
43			
44			
45			
46			
47			
48			
49	03/02/16	Criminal misc-welfare check	160025683
50			
51			
52			
53			
53			
54			
55			
56			
57			
58			
59			
60	03/23/16	Civil questions	160035445
60	03/26/16	Civil questions	160036822
61			
62			
63			
64			
64B			
64C			
65	03/02/16	Mental subject	160025861
65	03/02/16	Criminal misc-possible domestic	160025913
66			
67			
68	03/02/16	Process service	160025613
69			
70			
71			
72			
73	03/20/16	Family disturbance - verbal	160034072
74			
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4311 SCHOFIELD AVENUE

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118	03/18/16	Medical emergency - 3 calls	160033104 160033105 160033106
119			
120			
121			
122	03/18/16	Extra patrol	160033310
122	03/19/16	Warrant attempt	160033668
123			

4311 SCHOFIELD AVENUE

124			
125			
126			
127	03/20/16	Medical emergency - 3 calls	160034061 160034062 160034063
128			
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**Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES**

April 25, 2016

**MEETING PACKET COVER SHEET
AGENDA ITEM –E.9.**



Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES

April 25, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM –E.10.



MEMORANDUM
VILLAGE OF WESTON
RENEE HODELL; TAXPAYER RELATIONS COORDINATOR

TO: CLPS Committee
DATE: April 22, 2016
RE: Taxpayer Relations Coordinator Report

Nuisances Issues

With the weather starting to get warmer and residents are outside more we are starting to get complaints on property maintenance, debris, garbage and vehicles being parked on the lawn.

Employees from Greenheck Fan, volunteered their time to pick up garbage and debris along Schofield Ave. There have been other organizations/businesses and residents who have also inquired about getting a group together and picking up garbage along the Mt. Bay Trail and other areas throughout the Village.

Farmer's Market

The opening of the Farmer's Market is Saturday May 7th at 8:00am. Applications were sent out to all of the seasonal stall vendors from last year to have first option of having their same stalls back. There were only a couple that did not renew their stall as they moved or had other extenuating circumstances. Those spots have been filled by vendors who were on the waiting list. The market will have over 40 vendors when it is in full swing. There should be over a dozen vendors the opening weekend. New this year will be a meat vendor that offers, steak, shrimp, brats, etc. However, he is only available on Tuesdays. Danny's Gyros will be back, as is the Egg Roll vendor. We will be having a new Kettle Corn person as the previous one moved out of state. The market will be open on Tuesday's and Saturday's from 8:00 am to sold out (around 2:00pm).

Miscellaneous

Working with Daniel and Heather in providing newsletter articles and proofing them for the May/June newsletters. There are two inserts scheduled to be in the WestonDirect. This newest edition of The Weston Wire is scheduled to go out the first week in May.

There are currently around 150 residents signed up for the Village Wide Rummage sale which is being held May 6-7. Deadline for registration to be on the map is Thursday, April 28th

Updating website and social media sites with current and special events happening in the community along with Village projects.

Creating and inserting articles for This Week In Weston.