

Village of Balsam Lake Village Board of Trustees

Regular Meeting of Trustees Monday February 1<sup>st</sup>, 2021 6:00 pm – 7:12 pm

Meeting called to order by President Kathy Poirier.

Members present: Kathy Poirier, Jim Duncan, Kellie Flaherty, Corby Stark, Aimee Newbauer and Jamey Flaherty

Public Comments:

1. Chris Nelson, County Board Chair and Supervisor for District 4 urged the committee to deny rezoning 501 West Main Street. Mr. Nelson addressed the county concerns and background on a two year endeavor as there is an identified need for housing for sensitive and underserved populations, however monthly motel rentals are not the solutions. Surrounding Communities such as Amery, Dresser and Centuria have and will continue to face adversity on this issue as allowing monthly rentals on motels are a detriment to the growth of many communities. Further work is being done at a county level to address the growing concerns for affordable housing for sensitive and underserved populations in the County. In addition, Mr. Nelson contacted the Department of Correction and they stated that the owners at 501 West Main Street stated they would accept sexual predators at 501 West Main Street, however the owners have stated they would not, thus building a strong trust based working relationship would continue to be a challenge.
2. Steven Williams, resident at 625 State Road 46 N, stated that in 2016 the Planning Commission reviewed a request from a prior owner at 501 West Main Street requesting extended stay and rezoning for one of the buildings at 501 West Main Street. The committee denied that request and further more they were advised at that time that spot zoning within the Village should not be allowed as it could pose future adverse effects to the community. With no formal application from the new owners at 501 West Main Street, no rezoning should take place.
3. Mike Sogge, a property manager for Mike and Tammy Wilberg communicated they have been good to work with and that if there are issues with any renters, that Mike and Tammy take action right way to address any issues and there is no tolerance for bad behavior or misconduct. Mr. Sogge communicated that re-zoning 501 West Main Street would be positive.
4. Mike Wilberg, owner of 501 West Main Street stated at the last meeting he would be in favor of the police venting future renters who stay at 501 West Main Street to ensure that the individuals who are staying are quiet and would not cause problems within the community. Mr. Mike Wilberg addressed the committee and stated that if they have tenants who cause issues, they are evicted as they do not tolerate bad actors. Mr. Wilberg stated he has been to court 11 different times to illustrate they do not allow bad behavior. The property would be free of junk cars, no grills out front and the only pets allowed to stay at 501 West Main Street are service dogs.
5. Ryan Flaherty, business owner at 907 Frontage Road wrote a statement to the committee expressing his concerns of rezoning 501 West Main Street and urged the committee not to re-zone that property as it would adversely impact his business and the culture of the community.

**Motion by Jim Duncan to approve the agenda as presented. Seconded by Corby Stark. All in favor. Carried.**

Minutes from the previous board meetings were submitted. **Motion by Kellie Flaherty to approve the regular & special board minutes as presented. Seconded by Aimee Newbauer. All in favor. Carried.**

Monthly Fire Department Report given by Chief Brad Williamson. This past month there were three rescue runs and one fire run. Chief Williamson is looking forward to Winter Fest and the Balsam Lake Fire & Ice Plunge taking place at the Beach that starts at 11:00 a.m. Also Chief Williamson communicated that they are going to crown the new Miss Balsam Lake and Village Royalty around Noon at the Fire and Ice Plunge. The new Village of Balsam Lake Royalty will hold their crowns for a year and a half. Chief Williamson encourages everyone to stop out.

Monthly Police Chief Report given by Chief Eric Jorgensen. Chief Eric Jorgensen reported he and the officers are gearing up for the Balsam Lake Winter Fest and is hoping for a fun and safe event.

To consider and possibly act to approve bid to purchase cabinets for police department remodel. Jim Duncan reported at the past police commissioners meeting they toured the new remodel project and this is a need for cabinets in the shared workspace was a need. After reviewing two bids the commissioners recommended to the Village Board to purchase cabinets for the police department from Stratiss Industries, located in Centuria, for \$3,200. **Motion by Kellie Flaherty to purchase cabinets from Stratiss Industries priced at \$3,200 for police department remodel. Second by Jamey Flaherty. On roll call: Kellie Flaherty, yes; Jamey Flaherty, yes; Corby Stark yes; Aimee Newbauer, yes; Jim Duncan, yes; Kathy Poirier, yes. Carried.**

Monthly Library Director Report given by Director Linda Heimstead. The Library has reopened and is operating at their normal hours. Due to COVID they are limiting the number of people inside, however there has not been a significant wait time. The Library is offering online programs with high participation from the community. The library staff is looking forward to their special Valentine evening event and STEM activities both in person and online for youth and families. More information can be found on their website, phone or by stopping into the Library.

To consider and possibly act to approve moving \$5,000.00 from the municipal building engineer outlay account to the library remodel project outlay account. **Motion by Corby Stark to approve moving \$5,000.00 from the municipal building engineer outlay account to the library remodel project outlay account. Second by Kellie Flaherty. On roll call: Kellie Flaherty, yes; Jamey Flaherty, yes; Corby Stark yes; Aimee Newbauer, yes; Jim Duncan, yes; Kathy Poirier, yes. Carried.**

Monthly Chamber of Commerce Report given by Aimee Newbauer. Winterfest is taking place February 6<sup>th</sup>, 2020 and more information can be found on the Chamber of Commerce website, <https://balsamlakeecc.com/winterfest/>. Aimee Newbauer has taken many calls regarding the community event and she stated there will be all kinds of events for visitors, from the snowshoe race, medallion hunt, BLFD Fire & Ice Plunge to the kid's activities- there is something for the whole family.

To consider and possibly act to approve CUP #78 and site plan at 110 Eagle Drive- Planning Commission recommendation. The committee noted that this project is already underway without having an approved building permit through the Village of Balsam Lake. Future discussion on fines will take place at future meetings as this is a growing concern within the Village. **Motion by Corby Stark to approve CUP #78 and site plan at 110 Eagle Drive. Second by Kellie Flaherty. On roll call: Kellie**

**Flaherty, yes; Jamey Flaherty, yes; Corby Stark yes; Aimee Newbauer, yes; Jim Duncan, no; Kathy Poirier, yes. Carried.**

To consider and possibly act to approve moving forward with sending out proposals to three engineering firms regarding the manganese treatment project. **Motion by Jim Duncan, to send this item to committee, with action on this item to be addressed as soon as possible, and to give authority to the committee to send out letters & proposals on behalf of the Village Board. Second by Kellie Flaherty. On roll call: Kellie Flaherty, yes; Jamey Flaherty, yes; Corby Stark yes; Aimee Newbauer, yes; Jim Duncan, yes; Kathy Poirier, yes. Carried.**

Discussion and possible action regarding re-zoning 501 West Main Street. **Motion by Jamey Flaherty to rescind his main motion from the special board meeting that took place on January 25<sup>th</sup>, 2021 reading, to rezone property at 501 West Main Street to allow apartments as a conditional use after consulting with Zoning Administrator and the Village Attorney. Second by Aimee Newbauer. On roll call: Kellie Flaherty, yes; Jamey Flaherty, yes; Corby Stark yes; Aimee Newbauer, yes; Jim Duncan, yes; Kathy Poirier, yes. Carried.** Kellie Flaherty drove down and inspected the property owned by Mike and Tammy Wilberg at 8984 and 9086 State Highway 124 Chippewa Falls WI 54729. Kellie Flaherty shared pictures with the committee she took, illustrating a house owned by Mike and Tammy Wilberg which sits on the property with boarded up windows and doors, also along the motel there were at least two cars that had expired license plate tabs, one had a broken window and both had not been moved all winter. Also the buildings are in bad shape and have not been maintained. The sign for the motel had rust over the entire sign and damaged letters. Kellie Flaherty also provided paperwork to the committee illustrating three individuals who have been sighted in court and the jailing system showing proof these individuals maintain permanent residence at the Wilbergs motel which contradicts Tammy Wilberg's statements at the prior special board meeting stating she does not rent to offenders. Jim Duncan went on to confirm the information Steve Williams has shared under public comments. Once the planning commission denied the conditional use request by a prior owner in 2016 it was sold to the next owner. That owner talked with the zoning administrator Ben Campbell and he also communicated longer stays and apartments are not allowed in that zone, that owner then sold it to Mike and Tammy Wilberg who have not been complying with Village code for the past three months and they do not see the ramifications of their actions as they live over 30 minutes away from 501 West Main Street. Mr. Jim Duncan also addressed if they were to change the use of the building to apartments and motels, there would be further questions the owners would have to look into such as the building code, fire wall protection, size of the rooms and state requirements. Jim Duncan stated changing the use to monthly rentals does not meet the minimal living conditions of an apartment for any resident who would live there. Jamey Flaherty talked with the local police department in the Chippewa falls area and he stated the department has had over 15-20 calls in coordination with the Sheriff's department at 8984, 8986 State Highway 124 Chippewa Falls 54729. He reported that their property has been an item of discussion for a long time within the Town of Eagle Point. Mr. Jamey Flaherty also talked with the town chairman and he also shared many concerns and stressed the property has not been maintained. **Motion by Jim Duncan not to re-zone or allow extended stay at 501 West Main Street. Second by Kellie Flaherty. On roll call: Kellie Flaherty, yes; Jamey Flaherty, yes; Corby Stark yes; Aimee Newbauer, yes; Jim Duncan, yes; Kathy Poirier, yes. Carried.** Jim Duncan also wanted on record, because the owners at 501 West Main Street have been out of compliance of zoning regulations within the Village of Balsam Lake, he would like the Village Zoning Administrator, Village Attorney, Village Police Department and the Village Office issue certified letters to the owners at 501 West Main Street requesting they come into compliance within the next 30 days. The trustees agreed and President Kathy Poirier will follow up to verify the letters are issued. President Kathy Poirier allowed Tammy Wilberg owner of 501 West Main Street to speak for three minutes as requested. Tammy Wilberg communicated that her son is the owner of one of the cars at the property in Chippewa and that her son and roommate are in the

process of remodeling the house at 8986 State Highway 124 Chippewa Falls 54729 and that is why the windows and doors are boarded up. Tammy Wilberg also communicated that yes her sons roommate has served prison time however he is a good young man who has changed his ways. The property is located out of town and gives people with diverse backgrounds a safe place to stay. She does not have any issues with the property and the reason the neighbors put up a fence was not due to anyone staying at her property it was because the landowner started a new business. Tammy Wilberg stated that she was not looking at rezoning she was looking to allow for extended stay at the motel within the zoning ordinance as discussed with the attorneys.

To consider and possibly act to approve Ben Campbell as the Village Commercial Building Delegate Authority. **Motion by Jim Duncan to table the approval of Ben Campbell as the Village Commercial Building Delegate Authority until the committee can meet with Ben over the phone or face to face. Second by Aimee Newbauer. On roll call: Kellie Flaherty, no; Jamey Flaherty, no; Corby Stark no; Aimee Newbauer, yes; Jim Duncan, yes; Kathy Poirier, no. Motion Failed.** President Kathy Poirier let Chris Nelson speak on this item. Chris Nelson stated that the Village Trustees should move to approve this item as it would be in the best interest of local construction companies and small business owners as any constructional changes to buildings over 2,500 cubic feet have to be sent to the state for review. The turnaround time on these small projects take extra time and Ben Campbell is now certified to review and approve these projects. **Motion by Jamey Flaherty to approve Ben Campbell as the Village Commercial Building Delegate Authority. Second by Kellie Flaherty. On roll call: Kellie Flaherty, yes; Jamey Flaherty, yes; Corby Stark yes; Aimee Newbauer, no; Jim Duncan, yes; Kathy Poirier, yes. Carried.**

To consider and possibly act to approve original operator license #1252-1257. **Motion by Kellie Flaherty to approve original operator licenses #1252 through #1257. Second by Aimee Newbauer. All in Favor. Carried.**

To consider and possibly act to approve January 31<sup>st</sup>, 2021 Treasurers Report. **Motion by Jim Duncan to approve the January 31<sup>st</sup>, 2021 Treasurers Report. Second by Corby Stark All in Favor. Carried.**

February meetings: Monday 8<sup>th</sup> Water & Sewer Committee Meeting @ 4:00 p.m., Monday 8<sup>th</sup> Streets & Building Committee Meeting @ 5:00 p.m.

Announcements: Jim Duncan stated that if the Village Crew members are unable to report to work due to COVID 19 virus the daily work for the utilities and snow plowing will be completed by Jim Duncan along with Tom Poirier.

**Motion by Jamey Flaherty to adjourn. Seconded by Aimee Newbauer. All in Favor. Carried.**

Lori Duncan, Clerk Treasurer  
Amy VanDeBrake, Deputy Clerk Treasurer

unapproved minutes