

VILLAGE OF OSCEOLA
REGULAR BOARD MEETING PROCEEDINGS
April 11, 2023

The Village of Osceola met for a Regular meeting on April 11, 2023, at Village Hall. Village President Buberl called the meeting to order at 6:00 pm.

Present: Jeromy Buberl, Bill Chantelois IV, Bruce Gilliland, Van Burch, Brad Lutz and Holly Walsh

Absent: Deb Rose

Staff present: Devin Swanberg, Carie Krentz, Ron Pedrys, Todd Waters, Shelby Friendshuh, Paul Elfstrom and Joey Cutts

Motion by Lutz and seconded by Gilliland to approve the agenda with the removal of Item 8e.

Ayes-6 Nays-0 Motion carried

Motion by Burch and seconded by Chantelois to approve the minutes of the Regular meetings dated March 14, 2023.

Ayes-6 Nays-0 Motion carried

Public input and ideas (Limit 5 minutes per speaker)

Tyler Norenberg spoke in regard to agenda item 6d – Ordinance amendment. Stated that the Planning Commission voted no to the approval. Read through 5 rules with the State of Wisconsin and according to those rules the board cannot vote on this item without public hearing.

Ed Vader also wanted to address agenda item 6d. He ran a business in the Industrial Park for years and wanted to state that it had been extremely hard to find employees and housing for employees. Need to attract more businesses to Osceola. In favor of the ordinance amendment change to help provide more housing and support downtown.

Trish Thompson, owner of Studio A, is also in favor of the project and doesn't want to stop anything from providing good employees or bringing people to our community. Discussed a need for affordable housing and current site is an eye sore.

Jason Eccles, an owner of Branches LLC, finds it hard to find good interns and employees and when they do find them they can't find housing for them. Unable to attract young talent to the company. Doesn't want Osceola to be bypassed because of little to no housing options.

Terry Hauer with Polk County Economic Development spoke regarding ordinance amendments and stated Osceola is not unique in dealing with modifications to amendments. The school district is seeing a decline in enrollment which is an indicator of economic instability and lack of growth, which can lead to business closing. Other municipalities are dealing with the same issue. PCED strongly supports the ordinance amendments.

Vicki Nelson agrees with the objections to the ordinance amendments. Concerned about natural resources and destroying the bluffs. Stated board should take a step back and look at it thoroughly. There are other opportunities out there.

Pete Paidar has been told there is no plan at this time but there is confusion on this matter. Wanted to know if village is trying to make the site fit the plan or the plan fit the site, feels we are trying to make the site fit the plan. Discussed his concerns on what has already happened. Feels the size of the building keeps growing. Without Deb Rose in attendance and other committees not having signed off feels it's best to table ordinance amendments.

Jessi Kruger, director for Osceola Chamber of Commerce, stated she has met with Dan of Gaughan about his plan and is strongly in favor of development. Housing is the biggest obstacle to getting talent to our area. We have good momentum with the Milk House coming down and other ordinance amendments, which are about growth and future developments.

Jamie Muscha stated she's been a resident of Osceola for 8 years and recently wanted to get involved beginning in February. Looking for transparency and trust with the Village. Comprehensive plan needs to be looked at every

10 years and updated. Once that is done is the time for ordinance amendments/review. Also stated she has tax concerns, higher water/sewer increases, she supports growth but not the ordinance amendment at this time.

Reports: Staff reports

Building Inspection: Issued 12 permits in the month of March for a total value of \$1,077,343, which included 1 new home & 1 new commercial. Board member Lutz would like comparison to the same time last year.

Administration:

Swanberg said staff has been extremely busy this past month – Spring Election went well. Thanked all staff for their effort for the referendum even though it did not pass. The audit is expected to be done in late May or early June and at which time work will start on 2024 the budget and expects it to be completed much earlier this year.

Police-Pedrys: March was a department policy month. With law changes, new policies and best practices are needed and stated it is 100% up to date. On March 14, 2023 attended Wheels and Wings meeting and current schedule and routes are best options at this time. Sold squad to Village of Frederic and wrapped up community coffee – had good attendance and thanked Dick’s Fresh Market, Caribou Coffee and all that attended.

Burch wanted to know if there were any costs incurred with the policy changes. No, the department budgets and pays a yearly fee to keep up with these changes.

Public Works-Waters: March brought more snow and the department was able to make it through. Milk House demo is going well. Removed holiday decorations, installed over 10,000 lbs. of asphalt, working on getting RFQs for road improvements, maintenance and sidewalk panel repair. Maintenance has started on equipment. Parks was awarded Tree City status for 15th consecutive year. Had a fire that could have burned down 20 plus acres with staff and fire department got it under control quickly. Village Hall 5-year-old water heater is leaking – went with an on-demand system that will save money in the long run and is being installed tomorrow. Trying to stay ahead of the curve, shortage of man power and get on the list early to get stuff done. Roads have reached ratings that easier maintenance is no longer viable. Buberl thanked Todd and stated enjoyed working together the past 5 years.

Utilities: Caruso was unable to attend the meeting. Report is included in packet.

Library-Friendshuh: Started working on staff performance reviews and sending out ACT 150 reimbursement requests for 2024. Also working on planning and training of using the book bike. Encourage to see circulation at 4,895 and being close to best month over past year. Rebecca Palmer has lots of fun reading programs planned. Friends of Osceola Library donated funds for Book Club kits and Children’s programming continues to be successful and a thank you to Public Works for bringing the snow plow truck for a story time.

Fire-Elfstrom: 12 runs total last month, 9 in Village of Osceola and 1 in Town of Farmington and 2 mutual aid, allied Dresser. Ran through what has been accomplished the past month. Also, working with the Friends of Osceola Fire and Rescue to upgrade our backup compressor (which supplies air to all tires).

Present the Award of Excellence to Officer Bach

Chief Pedrys recognize Officer Bach for his clear and quick response to a fire on February 6, 2023 at 105 West 3rd Avenue apartments. He arrived within 2.5 minutes with fire suppression equipment and fire extinguisher, had to force entry, get up two flights of stairs and noticed the stove and wall were engulfed in flames. Was able to put the fire out right away using the extinguisher and save the fire suppression equipment for a future emergency.

Chamber of Commerce/Mainstreet-Kruger: Will be holding Chamber business to business monthly meeting on April 13th at the conference room at OMC. A new shopping event to be held in April called River Valley Shop Hop. Will be attending Wisconsin Main Street Awards with three nominations in our area: Natural Heritage Art Center, new business of the year; Jane Maki, volunteer of the year; and Jane Maki and Gwen Wright, retain event of year for Doe on the Go. Hosting a Job Fair at OHS on April 26th from 3:30-6 for the public with over 50 businesses and organizations participating.

**Other business – discussion and possible action re:
Election Day Emergency Response Plan**

Krentz updated the board on the Election Day Emergency Response Plan stating applied for a subgrant through Wisconsin Elections Commission in the amount of \$1,200 that was award to the Village back in January 2023. Requirements for the subgrant were (1) computer that meets Baseline Security Standards, (2) have access to an IT contractor and (3) contingency plan for election security. All requirements were met by the deadline of February 28, 2023.

Address Change

Swanberg reviewed a resident at 99 Marvin Street would like his address changed to 99 Gerald Street to make it easier for emergency and others to find his home.

Motion by Burch and seconded by Gilliland to approve the address change as presented.

Ayes-6 Nays-0 Motion carried

Finance for Demolition of Milkhouse

Swanberg stated again, no levy money will be spent to repaid debt for the demo of the Milkhouse. Borrowing \$280,000 from Board of Commissioners of Public Lands that will be paid for through the following options: Horst Foundation donation and increment with TID #3. Discussion took place between a 10- year vs. 20-year term, 20-year term was decided upon, could always pay off early. If additional dollars unused, those funds will go to pay the loan back as well. Funds would go against debt capacity.

Motion by Gilliland and seconded by Burch to approve borrowing with 20-year loan at 5% and Buberl read Resolution #23-04 into record.

Ayes-6 Nays-0 Motion carried

Zoning Ordinance Amendment

Swanberg stated last month was spent working on changes to the ordinance amendments. Commission wanted no mixed-use first floor residential on main street. Ordinance amendment #23-04 and #23-05 were crafted from the Public Hearing and Planning Commission discussions. Planning Commission voted no to the amendment at the April 5th meeting.

Village Attorney, Mahler stated current code allows, with a CUP residential use but not on first floor, which will remain the same for the downtown area with the amendment approval. Change does allow first floor residential not covered in the downtown core area with a CUP if part of mixed-use development. Change follows current Comp Plan. This is a minor change along with amending the chart to reflect the same change. Very similar to the 1.7 stall parking ordinance amendment which has already been approved. Has no problem with the board moving forward.

Motion by Walsh to table discussion until Deb Rose is present. No second to motion.

Lutz read into record his thoughts/concerns regarding the matter – please see attached write up.

Burch discussed his thoughts regarding having lived here most of his life and in terms of amending the ordinance. Affordable housing is needed and we should be welcoming that. By amending ordinance the Village is making an avenue for growth. Has always seen this town grow while watching other communities dry up.

Chantelois stated if Village is standing still we are moving backwards – progress is good for community and current businesses.

Walsh is in support of growth, development and a thriving community. Issue is with the process of this amendment. With no development there is no rush to pass this amendment. Take the time to update the Comp. Plan and be strategic on how we want the community to grow. Feels like we could have a lot more transparency with board meetings and get more community input and bring all voices to table.

Buberl stated Comp. Plan was updated in 2019 and goes through 2029. This amendment provides opportunities and is a minor change. Current ordinance amendment changes have gone through the appropriate process.

Walsh wanted it highlighted that the current changes do not seem like a coincidence due to developer having same 3 variances on table. Doesn't have a good public perception.

Motion by Lutz and seconded by Gilliland to approve zoning ordinance amendments as presented.

Ayes-5 Nays-1 Motion carried

Police request for Squad sale proceeds

Pedrys stated they sold 2014 K-9 Squad for \$16,000 to the Village of Frederic. Asking for approval of disbursement of funds from that sale as follows: vehicle maintenance - \$2,200; referendum flyers - \$900; training Simunitions - \$5,100; and replenishing part-time officer wages - \$7,800 (due to referendum not passing).

Motion by Burch and seconded by Gilliland to approve sale proceeds distribution as presented.

Ayes-6 Nays-0 Motion carried

Permits and Licenses:

Motion by Lutz and seconded by Burch to approve a Class A Liquor License to Osceola Liquor & Gas, LTD.

Ayes-6 Nays-0 Motion carried

Motion by Lutz and seconded by Chantelois to approve Operator Licenses for Breanna LaMarch, Tippy Canoe's, Lily Forsyth, PYs and Michael Schadt, PYs.

Ayes-6 Nays-0 Motion carried

Special Event Permit Applications

Mill Pond Farmers Market - Discussion related to Item 12C of event application – sign request/food truck Discussion of what group is looking for in a seasonal sign and having one parking space for food truck it was stated and agreed upon that village can't make a determination on the sign – would have to go through complete sign permit process, HPC approval, sign permit application, etc.

Motion by Buberl and seconded by Lutz to approve Special Event Permit Applications for Mill Pond Farmers Market with no determination on sign and no parking spot.

Ayes-6 Nays-0 Motion carried

Motion by Burch and seconded by Walsh to approve Special Event Permit Applications for Rhubarb Fest as presented.

Ayes-6 Nays-0 Motion carried

Motion by Lutz and seconded by Burch to approve Board, Committee, Commission and Agency Reports:

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| a) Admin & Finance | March 3, 2023 | (Committee approved April 7, 2023) |
| b) Airport Commission | February 20, 2023 | (Committee approved March 20, 2023) |
| c) Library Board | February 9, 2023 | (Commission approved March 23, 2023) |
| d) Planning Commission | February 27, 2023 | (Commission approved April 5, 2023) |
| e) Planning Commission | March 7, 2023 | (Commission approved April 5, 2023) |

Ayes-6 Nays-0 Motion carried

Motion by Burch and seconded by Chantelois to approve vouchers payable.

Ayes-6 Nays-0 Motion carried

Future agenda items and updates

Lutz acknowledged Walsh for her commitment & passion to the board. Along with rest of the board. Thank you to Buberl for the last 5 years of service.

Walsh says thank you all for welcoming to board and stated it was a learning experience. More respect for what it takes and decisions needing to be made.

Buberl thanked Walsh and staff and stated he has been very lucky to have had such a respectful board to work with for the past 5 years. He also stated he would like everyone to get involved in the community they live in.

Next board meeting will be postponed one week to May 16th, 2023 at 6:00 pm.

President Buberl adjourned the meeting at 8:21 pm.

Respectfully submitted by

Carie Krentz
Village Clerk

I speak today in favor of the motion to approve the zoning ordinance amendment. There are several considerations I will make in sharing this supportive opinion, and I feel it is valuable to share those considerations with this body.

First, it's been brought to my attention that there is an opinion that the proposed amendment is materially different than what was noticed and discussed in February. I believe this opinion is incorrect. So does the village attorney. This amendment has always been about providing a path in the village code for conditional use to have first floor residential in a mixed-use development located in B1. That's what was noticed, and that's what was discussed at length at the February Plan Commission meeting. The amended ordinance as presented tonight is proof that the public hearing and discussion process works. A specific concern related to the ordinance change was addressed; therefore, the ordinance change has no other reasonable path but to land at the entire board for consideration. I will remind you that there was another ordinance change concerning the conditional use process for height in the Rivertown Management District. There was information conveyed during the public hearing on THAT code change as well, and the Plan Commission agreed to use that information to amend the code change to include the feedback provided at public hearing. That code change was presented to the village board and passed with no objection. This is exactly the same situation.

Second, I believe it's important to note that while the Plan Commission provides recommendations to the full village board, they are simply that – recommendations. The Village Board retains final authority and final action on any matter which moves through the Plan Commission. This is supported by Osceola Village Code section 6-3 and Section 62.23 of Wisconsin Statutes. Although the Plan Commission's vote to recommend the code to the board for adoption failed, the vote was closely split 4-3. It should also be noted that one of the dissenting voters represents a clear conflict of interest in this matter as their property is literally surrounded by the zone in question. It's virtually impossible for this member to vote on this matter without personal bias.

Third, I feel compelled to share a summary of the comments and information I have received over the past several months regarding supporting business and residential development in the village. No less than a dozen corporations have voiced their support to me in fostering an environment in Osceola which promotes growth of both the housing and business sectors. Our employers cannot recruit good people because there's nowhere for those people to live. Businesses are limited in their options for growth due to the fact that they will not be able to grow their workforce. Our taxpayers are seeing their individual share of the total village tax bill climbing each year. One of the biggest things we can do to ease those tax impacts is to support growth in both the housing and business sectors. More homes and more business value means the tax burden gets spread out among more people. Our residential taxpayers cannot afford to sit idly by while other neighboring communities take action to support business growth. We must remain competitive to keep our community the strong and vibrant one that it is.

Last, I'd like to share my opinion regarding my vision for Osceola, and why it matters to these code changes. I believe that we have a very valuable resource in our village. We have the unique features of being closely located to the Twin Cities Metro area, a strong and vibrant downtown business community, an incredible array of natural beauty all around us, and we get to enjoy those features while still identifying as a charming little river town. Our residents enjoy many of the amenities usually only found in bigger cities, yet we still have a historic downtown business corridor and a general small-town feel. That's a difficult balance to strike, and an even more difficult one to maintain. Housing strategies are evolving, business strategies are evolving, the world around us is evolving. We need to stay in front of some of these strategies to ensure that Osceola remains a "destination" for people to visit, to eat, to work, to stay, to live. Managing our code to provide an environment conducive to today's development needs is how we will stay competitive, and it's how Osceola will continue to navigate that difficult balance.

In closing, I urge all of my fellow Trustees to vote "yes" to this amendment. Please assist the great majority of our community by acting on their behalf to keep Osceola competitive. Show everyone else that we are willing to be leaders in fostering an environment in our village that remains attractive to developers. Thank you for your service to our community.

-Brad Lutz

Village Trustee

Osceola, WI