VILLAGE OF ELLSWORTH BOARD MEETING
June 1, 2026, 6:00pm
130 N. Chestnut St. Lower-Level Boardroom (East Rear Entrance)

Members Present: President Beissel, Trustees Austin, Bench, Borner, D. Hines, T. Hines, and Traynor.
Staff Present: Administrator/Clerk-Treasurer Roy, Chief Ladwig, Director of Public Works Brand, Attorney Loberg

Others Present: Lisa Hofacker, Nina Langer, Kent Christiansen, Denny Armbruster, Andrew Harrington (press), and multiple citizens virtually.

MINUTES

1. Meeting called to order at 6pm.
2. Pledge of Allegiance to the Flag was recited.
3. Public comment on non-agenda items. No comments received.

Consent Agenda – Possible Action:

4. Approve payments and deposits
5. Approve Village Board meeting minutes 5/4, 5/11, and 5/14
6. Approve Plan Commission meeting minutes 5/18/2026
7. Approve Board of Review meeting minutes 5/19/2026
8. Approve Health, License, and Welfare Committee meeting minutes 5/26
9. Approve Solid Waste Committee meeting minutes 5/26
10. Approve CSM for Vickie Langer at N6070 745th St.
11. Approve Annual Dance License applications for licensing Period of July 1, 2026 through June 30, 2027
12. Approve Annual Tobacco Product License applications for Licensing Period of July 1, 2026 through June 30, 2027
13. Approve Street Use Permit for the Ellsworth Farmer's Market
14. Approve Street Use Permit for the Ellsworth Fire Department parade
15. Approve Temporary Class "B"/ "Class B" Retailer's License: Friends of the Fair
    MSC Traynor/Bench to approve the consent agenda. No further discussion. **Motion carried, without a negative vote.**

New Business:

16. Public Hearing/Possible Action of Annual Alcohol License applications for licensing Period of July 1, 2026 through June 30, 2027
    The annual Alcohol Licenses were presented. The Barazul Grill premise description was discussed and the outdoor fencing. The public hearing was opened; no comments were received. **MSC Borner/Austin** to approve the Annual Alcohol License applications for licensing Period of July 1, 2026 through June 30, 2027 and that the Barazul license note that alcohol can be served in the dining, bar, and patio areas (with appropriate fencing). No further discussion. **Motion carried, without a negative vote.**
17. Discuss/Possible Action on a request by the Thirsty Badger to use a portion of the Village Hall parking lot for a Special Event Public Dance
    The Thirsty Badger presented their request to utilize a portion of the Village Hall parking lot in conjunction with an event planned for October 3, 2026. They are proposing to place a temporary tent on their property which would occupy virtually all of their existing site area. Due to the limited available space on-site, they are requesting use of the southern portion of the Village Hall parking lot, south of the Chestnut Street entrance, to provide additional space for event patrons. The Board discussed access to other properties. **MSC Austin/T. Hines** to approve the Special Event Public Dance on October 3, maintaining a 10-foot area for access to neighboring properties. The area can be used if the neighboring properties allow. No further discussion. **Motion carried, without a negative vote.**

18. Discuss/Possible Action for a temporary Class B Premise Extension Permit for the Thirsty Badger
    The Thirsty Badger their request for a Premise Extension Permit in conjunction with an event proposed for October 3, 2026. The permit would allow for the serving and consumption of alcohol within the temporary event area, including their remaining property and portion of the Village Hall parking lot requested under the previous agenda item. **MSC Austin/T. Hines** to approve the Premise Extension Permit on October 3, maintaining a 10-foot area for access to neighboring properties. The area can be used if the neighboring properties allow. No further discussion. **Motion carried, without a negative vote.**
19. Discuss/Possible Action on Ordinance 722, to amend Chapter 46 Zoning Code relating to Nonconforming Uses and Structures, Variances, and Alcohol Production and Service Uses
    The proposed amendments were presented. The proposed Nonconforming Uses and Structures amendment updates regulations governing nonconforming uses and structures to ensure consistency with Wisconsin Statutes. Key changes include revising provisions related to the restoration and replacement of nonconforming structures damaged by fire, flood, or other calamity; allowing restoration or replacement of damaged nonconforming structures consistent with state law, including provisions that such structures may be rebuilt to their previous size or modified as necessary to comply with state or federal requirements; maintaining existing provisions related to continuation, expansion, and discontinuation of nonconforming uses and structures. The amendment is intended to bring the ordinance into compliance with Wis. Stat. § 62.23(7)(h) and related provisions, and to clarify existing regulations. The proposed Variances amendment updates the Zoning Ordinance to clearly define the legal standards for granting variances by the Board of Appeals. The amendment establishes the three required standards for variances: unnecessary hardship, unique property conditions, and protection of the public interest; clarifies that the burden of proof is on the applicant; aligns the ordinance with Wisconsin Statutes and improves the consistency and legal defensibility of Board decisions. No changes are proposed to the overall authority or procedures of the Board of Appeals. The proposed Alcohol Production and Service Uses amendment modernizes the Zoning Ordinance to allow breweries, brewpubs, distilleries, wineries, and similar alcohol production and service uses in appropriate zoning districts. The amendment adds definitions for alcohol production and service uses, including breweries, brewpubs, distilleries, wineries, and tasting/taprooms; allows small-scale, service-oriented alcohol production uses in the Commercial (C) District; expands permitted uses in the Light Industrial (LI) District to include alcohol manufacturing and related uses; retains alcohol manufacturing as a permitted use in the Heavy Industrial (HI) District; establishes operational standards addressing indoor production, odor, noise, lighting, parking, and waste handling; establishes production limits in the Commercial District to ensure compatibility with surrounding uses; requires compliance with Wisconsin Statutes Chapter 125 and applicable licensing requirements. The amendment is intended to support local business development, downtown vitality, and tourism while ensuring compatibility with surrounding land uses. **MSC Austin/Traynor** to approve the Ordinance 722, to amend Chapter 46 Zoning Code relating to Nonconforming Uses and Structures, Variances, and Alcohol Production and Service Uses. No further discussion. **Motion carried, without a negative vote.**
20. Discuss/Possible Action on Grant and Piety Street Project Payments and Change Orders
    The application is in the amount of $757,339.41 and provides for retainage in accordance with contract documents. Work completed from April 17, 2026, through May 15, 2026. **MSC Austin/Borner** to approve the payment of $757,339.41. No further discussion. **Six in favor, one opposed (T. Hines). Motion carried.**

Reports:

21. President's Report. The President's report was presented.
22. Department Head Reports: Reports were presented/provided by Chief of Police, Library Director, Village Engineer, and Administrator/Clerk-Treasurer

Closed Session:

23. The Board adjourned to closed session pursuant to Wisconsin Statutes, Section 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. **MSC Borner/T. Hines** to adjourn to closed session. Roll Call Vote. **Motion carried, without a negative vote.**

    a. C and J Builders Developer's Agreement – Residential Development, TID 13. Direction given to staff to continue working on the agreement.

MSC Traynor/Borner to reconvene to open session. Roll Call Vote. **Motion carried, without a negative vote.**

MSC Borner/Traynor to adjourn. **Motion carried, without a negative vote.**

Respectfully submitted by Brad Roy, Administrator/Clerk-Treasurer