

## Regular Board Meeting

May 6, 2014

Meeting called to order at 7:00 p.m. by Village Administrator Teresa Schnitzler. Trustees present: Baltz, Lautz, Leicht, and Wehrs. Trustee Schumacher arrived later as noted below. Excused: President Manthei and Trustee Koelbl. Also present: Public Works Director Scott Halbrucker, Coulee News Special Correspondent Emily Staed, Recreation Director Michelle Czerwan, Police Chief Charles Ashbeck, Village Attorney Bryant Klos, La Crosse County Facilities Director Jim Speropulos, and Village Administrator Teresa Schnitzler.

### Appointment of Trustee to Preside

Due to the President Manthei's excused absence, an appointment of a Village Board Trustee to preside over the regular meeting of the Board pursuant to Wis. Stat. Sec. 61.32 was in order.

Motion by Trustee Lautz, seconded by Trustee Wehrs to appoint Trustee Leicht to preside over the regular meeting of the Board. Roll call vote: Unanimous aye.

### Minutes

Motion by Trustee Lautz, seconded by Trustee Schumacher to approve the minutes of the April 15, 2014, Regular Board meeting as written. Roll call vote: Unanimous aye.

Trustee Schumacher arrived at 7:04 p.m.

### Claims

Claims from the following funds were presented for payment:

<u>General Fund:</u>	\$70,395.58
<u>Water Utility:</u>	\$63,862.00
<u>Sewer Utility:</u>	\$25,496.90
<u>Storm Water Utility:</u>	\$933.09

Motion by Trustee Leicht, seconded by Trustee Schumacher to approve the payment of all claims as listed. Roll call vote: Baltz – present; remainder of Board - aye. Motion approved.

### Special Event Application

Motion by Trustee Leicht, seconded by Trustee Schumacher to approve issuance of a Special Event Permit submitted by the West Salem Parks & Recreation Department requesting North Mark Street closure on Saturday, May 10, 2014, from 9:30 a.m. to 1:00 p.m. for a Touch-a-Truck event. Roll call vote: Unanimous aye.

### Maintenance Agreement for Multi-Use Path

The Board reviewed a proposed Maintenance Agreement for Multi-Use Path from Landfill Road to Carlson Road along State Highway 16. La Crosse County has entered into an agreement with the Wisconsin Department of Transportation to construct a multi-use path, and La Crosse County has agreed with the Department of Transportation to be responsible for the maintenance and upkeep of said path after its construction. La Crosse County proposes to enter into an agreement with Onalaska, West Salem, and the Town of Hamilton to assign responsibility for the maintenance and upkeep of the path lying within each municipality's jurisdictional boundaries to each municipality. The Village Board approved this proposal in 2013, and the agreement has now been submitted in written form to each municipality.

Motion by Trustee Lautz, seconded by Trustee Schumacher to approve the Maintenance Agreement and authorize the Village President and Village Administrator to execute same. Roll call vote: Unanimous aye.

#### Alcohol Beverage License Applications

Motion by Trustee Schumacher, seconded by Trustee Leicht to approve the issuance of alcohol beverage licenses to Mollie Mary Rose Brady and Emily Anne Vike. Roll call vote: Baltz – abstain; remainder of Board – aye. Motion approved.

#### Capital Improvement Planning Committee

Trustee Lautz reported on the April 15, 2014, Capital Improvement Planning Committee meeting. The purpose of the meeting was to continue review of the proposed draft of a capital improvement planning report recommendation to the Village Board. The draft provides an introduction to capital planning, background information on the financial status of the Village, revenue reductions, levy limits, and revenue sources. The report sets forth the funding priorities as ranked by the Committee over the last nine months and includes spreadsheets of all equipment and projects and funding requirements for each. The capital improvement plan project list and the actual improvement plan are both referred to within the written recommendations. Significant space needs, lack of storage, and the need for equipment and vehicle replacement funding continue as improvement priorities throughout the report. The Committee recommendation for a Village current building audit and a Village Hall maintenance and building feasibility study are also included in the recommendation report. The Committee is also recommending the Village Board establish a long-term capital improvement planning committee to annually review and refine the actual final plan. The Committee agreed it is important to include the financial impact to Village taxpayers of implementation of capital improvement planning. Several graphs showing revenues and expenditures in dollars and percentages are included in the draft plan recommendation. Additions and revisions were again discussed, and Karl Green will make the changes prior to the next meeting. The next meeting of the Committee has been scheduled for Monday, April 28, 2014, at 4:00 p.m. The Committee will continue review of the proposed draft of a capital improvement planning report.

Motion by Trustee Lautz, seconded by Trustee Leicht to approve the minutes of the April 15, 2014, Capital Improvement Planning Committee meeting. Roll call vote: Unanimous aye.

#### Capital Improvement Planning Committee

Trustee Lautz then reported on the April 28, 2014, Capital Improvement Planning Committee meeting. The purpose of the meeting was to continue review of the proposed draft of a capital improvement planning report recommendation to the Village Board. The draft provides an introduction to capital planning, background information on the financial status of the Village, revenue reductions, levy limits, and revenue sources. The report sets forth the funding priorities as ranked by the Committee over the last nine months and includes spreadsheets of all equipment and projects and funding requirements for each. Chair John Lautz stated Trustee Wehrs would like to address the Committee regarding recommendations to the Village Board. Trustee Wehrs is the Chair of the West Salem Law Enforcement Committee. He stated the Village of West Salem and the Village of Bangor had discussions years ago regarding a consolidation of police services. After several meetings with Bangor, a retreat to further discuss the proposal was considered but did not happen due to illness of the then Bangor Village President. Trustee Wehrs believes the Capital Improvement Planning Committee should consider a recommendation to the Village Board to look into combining law enforcement with the Village of Bangor and possibly forming a law enforcement district. The Committee acknowledged the draft Capital Improvement Planning Report includes emphasis on collaboration and coordination with other governing entities, and it was agreed this information will be added to and expanded upon to include specific projects. Chair Lautz acknowledged receipt of a letter from the West Salem Fire Protection District setting forth the Protection District's equipment and vehicle needs for the next ten years. The West Salem Fire Protection District includes the Towns of Hamilton and Barre with the Village of West Salem, and the Fire District's needs would come out of collaboration and coordination as the need arises. The Committee then reviewed the draft report, page-by-page, for revisions, additions, clarifications, and corrections. Three financing scenarios will be recommended in the report. The first scenario is to incur no debt and instead put a referendum to the taxpayers asking for approval to increase the Village levy for five-year funding of capital projects. Scenario 2 proposes 100 percent debt funding for capital projects and equipment replacement funding. Scenario 3 proposes 50 percent funding through debt financing and 50 percent through a proposed referendum to increase the levy enough to raise the 50 percent non-debt component of the financing plan. Scenario 1 has the least long-term financial impact on the taxpayers. Several graphs showing revenues and expenditures in dollars and percentages are included in the draft plan recommendation. The Committee agreed it is important to include the financial impact to Village taxpayers of implementation of each of the proposed capital improvement planning scenarios. Examples of the tax impact of each scenario on \$100,000 of assessed value should be included in the report. It was agreed it is also important to educate the public on the need for capital project planning and the needed expenditures. An interview should be scheduled with the local newspaper editor and reporter to set forth the purpose of the report recommendations and further explain the scenarios being recommended in the final report. The Committee unanimously recommended Scenario 1 providing no debt financing and a referendum to increase the levy for five-year funding of capital projects. The next meeting of the Committee has been scheduled for Monday, May 12, 2014, at 4:00 p.m. The Committee will complete its review and approval of the Capital Improvement Planning Report for presentation and recommendation to the Village Board on June 3.

Motion by Trustee Lautz, seconded by Trustee Schumacher to approve the Capital Improvement Planning Committee meeting minutes of April 28, 2014. Roll call vote: Unanimous aye.

#### Household Waste Ad Hoc Committee

Trustee Baltz reported on the April 21, 2014, Household Waste Ad Hoc Committee meeting. The purpose of the meeting was an organizational meeting of the newly-formed Committee and discussion and recommendation to the Village Board adoption of a working plan toward the preparation of requests for proposals for retaining the present garbage and recycling services and for changing to an automated container system. Chair Baltz directed the Committee to review a tentative plan-of-work for the ad hoc committee. The working plan includes eleven phases:

- A. Initial meeting to organize the Committee's activities;
- B. Meet with representatives of the Cities of La Crosse and Onalaska and Villages of Holmen and Bangor for discussions and information gathering;
- C. Summarize and synthesize results of Phase B;
- D. Meet with potential service providers Waste Management, Hilltopper, Harter, and other providers for discussions and information gathering;
- E. Preparation of bid specifications;
- F. Review of Phase E. with full Village Board in closed session;
- G. Finalize bid specifications, per Phase F., to generate a request for bid proposals;
- H. Review bids received and determine a recommended service provider;
- I. Final recommendation advanced to full Village Board for action;
- J. Advise prevailing service provider of its selection; and
- K. Preparation and signing of appropriate contract documents.

The Committee offered no modifications to the proposed plan-of-work. Scott Halbrucker recommended the Committee meet with the representatives of each municipality who are actually involved with the program instead of the mayors or presidents who know of the program but do not actually work with the program. Chair Baltz acknowledged each mayor and president had allowed that their public works directors would be available for our discussions. Scott Halbrucker requested the Committee consider all household waste, such as large articles, appliances, and tires, in its considerations and not just refuse and recycling materials. The Committee agreed with this consideration. The Committee recommended adoption of the proposed plan-of-work and to begin contacting the Cities of La Crosse and Onalaska and the Villages of Holmen and Bangor to set up appointments for each to speak on an informal basis with this Committee for information gathering purposes.

Motion by Trustee Baltz, seconded by Trustee Schumacher to approve the minutes of the April 24, 2014, Household Waste Ad Hoc Committee meeting as presented. Roll call vote: Unanimous aye.

Motion by Trustee Baltz, seconded by Trustee Schumacher to adopt the proposed plan-of-work and to begin contacting the Cities of La Crosse and Onalaska and the Villages of Holmen and Bangor to set up appointments for each to speak on an informal basis for information gathering purposes. Roll call vote: Unanimous aye.

#### Street Committee

Trustee Leicht reported on the April 24, 2014, Street Committee meeting. The purpose of the meeting was to review bid analysis, quantities proposed, and scope of work for the 2014 Elm Street Milling and Overlay Project for recommendation to the Village Board. The Village Board referred the scope of work options to this Committee for recommendation to the Village Board. Included in the low bid of Oium Asphalt Paving in the amount of \$59,479.72 was a list of unit price bid items for asphalt milling, crushed aggregate, asphalt, restoration, and traffic control. The bid analysis notes the Village has options with the way the project was bid. The bid cost included re-paving the repair asphalt patch across Leonard Street. If this was chosen to not be included in the project, the total bid cost would be reduced by \$5,500. The bid cost also includes some CABC, breaker run, and restoration costs for the area along the railroad tracks in the event these items were needed. These costs total approximately \$6,500. The total reduction in project costs could be \$12,000. Scott Halbrucker explained the Leonard Street asphalt patch repair option. For aesthetics and a smooth driving path, the intersection of Leonard Street and Elm Street would be reconstructed with a large patch of asphalt. The cost of this work is already included in the bid accepted by the Village Board. Landscaping restoration is not required, and quantities listed in the bid tabulation will more than likely not reach the bid levels. Removing the \$6,500 in costs for the area along the railroad tracks and landscaping reduces the total cost of the project to \$51,279.72. The 2014 budget included \$40,000 for the Elm Street project. The Committee acknowledged the Hamilton Street reconstruction project was bid approximately \$20,000 lower than estimated. Both projects can be completed under 2014 budgeted costs. The Committee recommended to the Village Board that the Elm Street Milling and Overlay Project include the repaving of the repair asphalt patch across Leonard Street and eliminate the CABC, breaker run and restoration costs for the area along the railroad tracks.

Motion by Trustee Leicht, seconded by Trustee Lautz to approve the Street Committee meeting minutes as presented. Roll call vote: Baltz – abstain; remainder of Board – aye. Motion approved.

Motion by Trustee Leicht, seconded by Trustee Schumacher to approve the Elm Street Milling and Overlay Project to include the repaving of the repair asphalt patch across Leonard Street and eliminate the CABC, breaker run, and restoration costs for the area along the railroad tracks. Roll call vote: Baltz – nay; remainder of Board – aye. Motion approved.

### Planning Commission

Attorney Klos reported on the April 29, 2014, Planning Commission meeting. The purpose of the meeting was to review for recommendation to the Village Board a Certified Survey Map submitted by La Crosse County for the Lakeview Health Care Center property. Jim Speropulos addressed the Commission regarding the Certified Survey Map. The map divides two parcels owned by La Crosse County into four lots with one outlot. Lot 1 consists of 25± acres, and this lot is in the process of being sold to the West Salem School District. Closing on the property should take place in May. Lot 2 is the present Lakeview Health Care facility with 15.63± acres. A prospective buyer is negotiating with the La Crosse County Board to purchase this parcel. The anticipated use is not known at this time. Lot 3 is 2.27 acres, and the Neshonoc Center is located on this parcel. La Crosse County intends to retain ownership of Lot 3. Lot 4

is the location of the new Lakeview Health Care facility and contains 30± acres. Construction of the new Lakeview facility is to begin in September. Outlot 1 is 1.55± acres and serves as the 66-foot right-of-way for East Garland Street extended. Once the street is constructed, it will be dedicated to the Village of West Salem. Attorney Klos has reviewed the Certified Survey Map and finds it does conform to Village Ordinances. Section 4.15 of the Village Code of Ordinances states that before or as a condition of receiving final approval from the Village Board of any certified survey map, the subdivider shall sign and file with the Village Board a development agreement. Attorney Klos then informed the Commission Section 4.16 of the Code of Ordinances does provide for a waiver of the development agreement requirement:

When, in the judgment and upon approval of the Village Board after recommendation of the Village Planning Commission, it would be inappropriate to apply literally a provision of this Chapter because the subdivision is located outside the corporate limits or because extraordinary or undue hardship would result, it may waive or modify any such provisions so that substantial justice may be done and the public interest secured, provided that in no event shall the requirement of filing and recording the plat or survey be waived.

Since La Crosse County will be required to submit to the Village a Petition to Rezone Lot 4 and the details of the development are unique, in the interests of keeping this matter moving along, Attorney Klos recommended the Commission waive the developer agreement. The Planning Commission recommended approval of the Certified Survey Map as presented by La Crosse County and also recommend waiver of the developer agreement as allowed under Code of Ordinance Section 4.16.

Since the Planning Commission meeting, Village Engineer Dave Sauer reviewed the Certified Survey Map, and Mr. Sauer found the proposed CSM encroached on the CSM for West Salem's elevated water storage tower. Mr. Sauer also noted La Crosse County had agreed to extend East Garland Street an additional eighty feet farther than what was shown on the proposed CSM. The Certified Survey Map reviewed and approved by the Planning Commission has, therefore, been revised to move Outlot 1 an additional eighty feet to the east and slightly to the north in order to align this CSM with the water tower CSM. Outlot 1 is now 1.67± acres instead of 1.55± acres.

Motion by Trustee Schumacher, seconded by Trustee Leicht to approve the minutes of the Planning Commission meeting of April 29, 2014. Roll call vote: Baltz – nay; remainder of Board – aye. Motion approved.

Motion by Trustee Schumacher, seconded by Trustee Leicht to approve the Certified Survey Map as revised where Outlot 1 is now 1.67± acres and an additional 80 feet extension. Roll call vote: Unanimous aye.

#### Utilities Committee

Trustee Schumacher reported on the May 5, 2014, Utilities Committee meeting. The purpose of the meeting was to review with possible recommendation to the Village Board a 2014 Public Service Commission simplified rate case application. Teresa Schnitzler informed the Committee the Public Service Commission has determined the 2014 rate increase factor and the overall rate of return that should be used in a Simplified Rate Case Application. Increase factors and benchmark rates of return are

revised annually on March 1. After the filing of West Salem's annual Public Service Commission Annual Report, the application for a simplified rate increase of 3 percent was drafted. West Salem financially qualifies for an increase of the standard 3 percent. The Committee noted a full rate increase is professionally prepared at an estimated cost of \$5,000, and the last full rate increase was in January of 2009. The Notice of Rate Increase recommended by the Public Service Commission states the increase is necessary to reduce the existing deficiency in present rates, and rate increases granted under Wis. Stat. 196.193 do not require a public hearing. The present user fee rate is \$2.16 per thousand gallons of water used. The new, proposed rate would be \$2.22 per thousand gallons of water used. The present fixed base rate is \$9.27 per quarter, and the new base charge would be \$9.55 per quarter. A quarterly water usage of 12,000 gallons would go from \$35.19 per quarter to \$36.19 per quarter raising water revenue from sales by \$18,692 per year. The quarterly public fire protection charge would also increase 3 percent from \$23.64 to \$24.35. Ms. Schnitzler recommended the increase go into effect as of July 22, 2014, and the increase would appear on the November 1 regular water bills. Scott Halbrucker informed the Committee of upcoming maintenance items required by the Department of Natural Resources. All three wells need to be pulled over the next three years for inspection and any needed repairs at a cost of \$20,000 per well. The Public Service Commission recommends municipalities utilize the Simplified Rate Case Application annually. The Committee recommended approval of the filing of a 3 percent Simplified Rate Case Application with the increase effective as of July 22, 2014.

Motion by Trustee Schumacher, seconded by Trustee Wehrs to approve the minutes of the May 5, 2014, Utilities Committee meeting. Roll call vote: Unanimous aye.

Motion by Trustee Wehrs, seconded by Trustee Schumacher to approve the filing of the simplified rate case application. Roll call vote: Unanimous aye.

#### Law Enforcement Committee

Trustee Wehrs reported on the May 5, 2014, Law Enforcement Committee meeting. The purpose of the meeting was to review Village Code of Ordinances Chapter 11.08 Animal Control for updating and possible revision of Section 11.08(E) Keeping Pets/Animals for recommendation to Village Board. James Leicht informed the Committee of two complaints he has received since the April 15 Village Board meeting with regard to dogs. One complainant was concerned about dogs barking, and the other was concerned about dogs defecating on other people's yards. Jill Karr shared with the Committee a letter from the Coulee Region Humane Society wherein the animal control officer states the number of dogs allowed on a premise does not affect the number of complaints received. Mrs. Karr would like the Committee to also consider residents wanting to keep rescue dogs and act as foster homes for dogs which may then result in exceeding the number of allowed dogs on a premise. The Committee discussed various clarifications and revisions needed in the animal control ordinance. There are areas zoned "Agriculture" in the Village of West Salem, and considerations need to be made for large animals kept in an Agriculture District. The Committee approved referring Section 11.08 of the Village Code of Ordinances to the Village Attorney for revision, clarification, and to include an avenue for residents to apply for a variance to the number of dogs allowed to be kept on a premise.

Motion by Trustee Wehrs, seconded by Trustee Leicht to approve the minutes of the Law Enforcement Committee meeting of May 5, 2014. Roll call vote: Unanimous aye.

Motion by Trustee Lautz, seconded by Trustee Leicht to approve referring Section 11.08 of the Village Code of Ordinances to the Village Attorney for revision, clarification, and to include an avenue for residents to apply for a variance to the number of animals allowed to be kept on a premise. Roll call vote: Unanimous aye.

Motion by Trustee Lautz, seconded by Trustee Schumacher to adjourn the meeting at 8:05 p.m. Approved by voice vote.

Teresa L. Schnitzler, Village Administrator