

Regular Board Meeting

May 19, 2015

Meeting called to order at 7:00 p.m. by President Manthei. Trustees present: Brown, Deal, Hennessey, Lautz, Leicht, and Schumacher. Also present: Public Works Director Scott Halbrucker, Coulee News Special Correspondent Emily Staed, Police Chief Charles Ashbeck, Recreation Director Michelle Czerwan, Village Attorney Bryant Klos, and Village Administrator Teresa Schnitzler.

Minutes

Motion by Trustee Leicht, seconded by Trustee Schumacher to approve the minutes of the May 5, 2015, Regular Board meeting as written. Roll call vote: Unanimous aye.

Claims

Claims from the following funds were presented for payment:

<u>General Fund:</u>	\$78,807.51
<u>Water Utility:</u>	\$11,713.07
<u>Sewer Utility:</u>	\$16,669.03
<u>Storm Water Utility:</u>	\$6,420.86

Motion by Trustee Leicht, seconded by Trustee Schumacher to approve the payment of all claims as listed. Roll call vote: Unanimous aye.

Alcohol Beverage License Application

Motion by Trustee Schumacher, seconded by Trustee Lautz to approve the issuance of an alcohol beverage license to Kirsten Louise Swanke. Roll call vote: Unanimous aye.

Law Enforcement Committee

Trustee Lautz reported on the May 5, 2015, Law Enforcement Committee meeting. The purpose of the meeting was to review for recommendation an Application to Exceed Pet Limit and to review an Application for a Taxicab License. Harvey Ferris submitted an Application to Exceed Pet Limit in order to permanently keep a dog he has been pet sitting for the past couple of years at his home at 104 South Youlon Street. The dog is a spayed, female Labrador retriever. Mr. Ferris also keeps two male dogs at his residence. All three dogs have been vaccinated for rabies, and all three dogs are kept primarily indoors. Mr. Ferris has a large, fenced back yard. Notices were mailed to all property owners within three hundred feet of 104 South Youlon, and no comments in favor of or in opposition to were received by the Administration Office. There have been no law enforcement contacts regarding the three dogs. The Committee recommended to the Village Board granting the request to Harvey Ferris to exceed the pet limit. The Committee reviewed additional information received from Scott Bedessem and from Police Chief Ashbeck for a taxicab license. Mr. Bedessem has been operating Bangor West Salem Taxi LLC through Bangor since January 10, 2015. Mr. Bedessem is in the process of moving to West Salem, and he would like to operate his taxicab service in

West Salem. Police Chief Charles Ashbeck informed the Committee Mr. Bedessem's taxicab license in Bangor has been rescinded, and he cannot operate his business in Bangor until the Bangor Village Board reviews and reinstates his license. Chief Ashbeck is concerned about this application stating the automobile being used for the taxicab business has an expired registration. Mr. Bedessem was stopped twice by law enforcement, and he was told not to drive the vehicle until it is properly registered. Chief Ashbeck stated Mr. Bedessem was not truthful and told the police officers he did not know he was not supposed to drive the vehicle. Mr. Bedessem's background check reveals numerous traffic violations, including driving after suspension. Chief Ashbeck questions Mr. Bedessem's willingness to follow rules and provide a safe service in West Salem. Chief Ashbeck would also recommend a current drug screening be performed and the results supplied to the Village prior to the issuance of any license. Mr. Bedessem stated he has paid the parking tickets which had resulted in the suspension. Mr. Bedessem stated he provides a needed and appreciated service in this area, and he would like to continue providing the service. He plans to operate his business from 3:00 p.m. to 3:00 a.m. The Committee recommended to the Village Board approval of the application for a taxicab license submitted by Scott Bedessem contingent upon receipt of a current drug screening, receipt of monthly proof of insurance, and with the condition if Mr. Bedessem commits any type of law violation, the license will be rescinded.

Motion by Trustee Lautz, seconded by Trustee Leicht to approve the minutes of the Law Enforcement Committee meeting held on May 5, 2016. Roll call vote: Unanimous aye.

Motion by Trustee Leicht, seconded by Trustee Schumacher to approve the request by Harvey Ferris to exceed the pet limit. Roll call vote: Unanimous aye.

The Board reviewed the background information and the documents submitted by Scott Bedessem in his request for a taxicab license. The Village Board agreed to issue a taxicab service license with the following mandatory ordinance requirements:

1. Each operator must be at least 18 years of age and must present a certificate of a duly licensed practicing physician stating the applicant has passed a physical examination. This is an annual requirement. No operator may operate a taxicab for more than twelve hours in a twenty-four hour period. Mr. Bedessem states his service will operate 3:00 p.m. to 3:00 a.m.
2. Mr. Bedessem must annually submit a certificate of good mechanical condition for all automobiles used in the taxicab business, and all automobiles must have current registrations.
3. Mr. Bedessem must provide proof of liability insurance with the Village of West Salem placed on said liability insurance with a 15-day notice of any cancellation. Mr. Bedessem must also file with the Village a receipt from his insurance agent or insurance company indicating that the insurance policy premiums have been paid at least three months in advance.
4. Mr. Bedessem must comply with the taxi meter and rate requirements set forth in Ordinance No. 11.05(H).
5. The taxicab service may not refuse to carry passengers to or from any part of the Village with reasonable promptness and at the rate fixed in the license to operate.

6. Mr. Bedessem must provide an up-to-date address and keep his current address on file with the Village.
7. Mr. Bedessem must provide the Village with written evidence of a drug screen performed by Medtox Laboratory, Inc.
8. In the event Mr. Bedessem receives a citation for either an ordinance or traffic violation issued by the Village of West Salem Police Department for a violation of State laws or Village Ordinances for a violation within the Village, the license shall be subject to revocation after a hearing before the Village Board.

Motion by Trustee Leicht, seconded by Trustee Schumacher to issue a taxicab license to Scott Bedessem on behalf of Bangor West Salem Taxi, LLC. contingent upon the eight requirements listed. Roll call vote: Unanimous aye.

Planning Commission

President Manthei reported on the May 5, 2015, Planning Commission meeting. The purpose of the Planning Commission meeting was to review for recommendation to Village Board a Conditional Use Permit Application and a Certified Survey Map. Dave Prendergast, General Manager for Brenengen KIA, addressed the Commission regarding a Conditional Use Permit Application. Brenengen KIA is requesting a variance for a new KIA dealer sign to replace the existing KIA pylon sign. KIA has updated its logo, and KIA requires the update at all franchised dealers. Under Village Ordinances, Brenengen KIA is not able to replace the current, tall pylon sign under revised Village Ordinances. Brenengen KIA presently has a separate, tall electronic message board. Under Village Ordinances, Brenengen KIA would be allowed a lower pedestal sign. The current setback requirements on a lower sign would place the new sign in the parking lot driving lane. An allowed, taller sign can be placed at the property line. Mr. Prendergast stated there is no intersection line of sight blockage issue, and the conditional use permit would allow readability from Highway 16. The Board reviewed a proposed Conditional Use Permit prepared by Attorney Klos with five conditions:

1. The exact location of the sign within the legal description is shown on an attached exhibit.
2. The east and west side of the signage would allow for a directly illuminated sign as depicted on Exhibit D. The permit is not an approval for an indirectly illuminated billboard, an electronic digital billboard, or animated sign.
3. The size of the sign would be no greater than 200 square feet on each side and would be identical to the KIA dealer sign shown on Exhibit D. The existing mounted KIA dealer sign must be removed from the premises within 30 days of the installation of the new sign.
4. Because there already is a freestanding digital sign on the property exceeding ten feet in height, West Salem Ordinance 3.07(G)(3) requires the top of the second sign to be less than 10 feet or less in height from Highway 16 street grade.
5. West Salem Ordinance 3.07(E)(1)(d) normally requires the sign to be set back ten feet from all property lines, but a variance is hereby granted such that the sign may be closer to State Road 16 right-of-way than ten feet but may not overhang the right-of-way.

The Planning Commission recommended the conditional use permit application be scheduled for a public hearing for Tuesday, May 26, 2015, at 6:30 p.m. The

Commission then reviewed a certified survey map submitted by Wieser Brothers General Contractor, Inc. for property owned by Larson Properties, LLC on Buol Road. The proposed certified survey map combines Lot 3 and Lot 4 into one lot to allow the construction of a new business structure. The Certified Survey Map was recommended for approval.

Motion by President Manthei, seconded by Trustee Leicht to approve the minutes of the May 5, 2015, Planning Commission meeting as presented. Roll call vote: Unanimous aye.

Motion by President Manthei, seconded by Trustee Leicht to schedule a public hearing on the Brenengen KIA conditional use permit application for Tuesday, May 26, 2015, at 6:30 p.m. Roll call vote: Unanimous aye.

Motion by Trustee Leicht, seconded by Trustee Schumacher to approve the Certified Survey Map submitted by Wieser Brothers General Contractor. Roll call vote: Unanimous aye.

Utilities Committee

Trustee Schumacher reported on the May 14, 2015, Utilities Committee meeting. The purpose of the meeting was to review with possible recommendation to the Village Board a 2015 Public Service Commission simplified rate case application. Village Administrator Teresa Schnitzler informed the Committee the Public Service Commission has determined the 2015 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 three percent was drafted. West Salem financially qualifies for an increase of the standard three percent. The Committee noted a full rate increase is professionally prepared at an estimated cost of \$6,000, 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 Public Service Commission recommends municipalities utilize the Simplified Rate Case Application annually. The present user fee rate is \$2.22 per thousand gallons of water used. The new, proposed rate would be \$2.28 per thousand gallons of water used. The present fixed base rate is \$9.55 per quarter, and the new base charge would be \$9.83 per quarter. A quarterly water usage of 12,000 gallons would go from \$36.19 per quarter to \$37.32 per quarter raising water revenue from sales by \$18,531 per year. The quarterly public fire protection charge would also increase three percent from \$24.35 to \$25.08. Ms. Schnitzler recommended the increase go into effect as of July 22, 2015, and the increase would appear on the November 1 regular water bills. Public Works Director Scott Halbrucker informed the Committee of upcoming maintenance items required by the Department of Natural Resources. When one well is pulled for inspection and maintenance, the cost is approximately \$17,000. If repairs need to be made, the costs are much higher. Well No. 2 was pulled and repairs made in 2014 for a total cost of \$42,000. Well No. 3 is scheduled for inspection this year. The Committee recommended to the Village Board approval of the filing of a three percent Simplified Rate Case Application with the increase effective as of July 22, 2015.

Motion by Trustee Schumacher, seconded by Trustee Leicht to approve the minutes of the May 14, 2015, Utilities Committee meeting as presented. Roll call vote: Unanimous aye.

Motion by Trustee Schumacher, seconded by Trustee Leicht to approve the filing of a three percent simplified rate case application to the Wisconsin Public Service Commission with the increase to be effective July 22, 2015. Roll call vote: Unanimous aye.

Motion by Trustee Leicht, seconded by Trustee Lautz to convene in closed session at 7:25 p.m. pursuant to Wis. Stat. Sec. 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, i.e., proposed development agreement for land swap. Roll call vote: Unanimous aye.

Motion by Trustee Lautz, seconded by Trustee Schumacher to convene in open session at 8:04 p.m. Approved by voice vote.

Motion by Trustee Leicht, seconded by Trustee Schumacher to adjourn the meeting at 8:10 p.m. Approved by voice vote.

Teresa L. Schnitzler, Village Administrator