

Public Hearing  
Ordinance No. 421 Creating Minimum Property  
Maintenance Standards

November 3, 2008

Hearing called to order at 7:00 p.m. by President Manthei. Trustees present: Engel, Hanson, Harold, Hoffman, Leicht, and Wehrs. Also present: Police Chief Charles Ashbeck and Village Administrator Teresa Schnitzler.

This hearing pertains to proposed Ordinance No. 421 to create minimum property maintenance standards. The Ordinance, if adopted, will create Sections 7.23 and 7.24 of the Village Code of Ordinances. The Ordinance creates minimum property maintenance standards for both residential and commercial zones.

Trustee Harold summarized the 19-page Ordinance for the Board and 18 members of the public in attendance.

Brendon Young, John Lautz, Brad Munson, Marv Iverson, Kathy Iverson, Alan Witte, Lill Twining, Larry Losching, Dave Hundt, and Lester Hanson all spoke in opposition to the Ordinance, stating the Ordinance is too vague, financial burdens to property owners in implementation, enforcement being a matter of one person's opinion, and a loss of freedom and rights. Linda Phillips stated concerns and problems with her neighbor and the state of his property and how it affects the neighborhood.

There were no citizens present to speak for the Ordinance.

Motion by Trustee Engel, seconded by Trustee Leicht to adjourn the public hearing at 7:21 p.m. Approved by voice vote.

Teresa L. Schnitzler, Village Administrator

Public Hearing  
Ordinance Amending Destruction of Noxious Weeds and  
Weed and Grass Cutting

November 3, 2008

Public hearing called to order at 7:22 p.m. by President Manthei. Trustees present: Engel, Hanson, Harold, Hoffman, Leicht, and Wehrs. Also present: Police Chief Charles Ashbeck, Brad Bryan, and Village Administrator Teresa Schnitzler.

This hearing pertains to Ordinance No. 430, which, if adopted, will amend portions of Section 13.24 and Section 13.25 of the Village Code of Ordinances pertaining to the height at which noxious weeds and grass must be cut. The Ordinance changes the height from ten inches to eight inches.

Gary Phillips questioned whether this Ordinance or any ordinance would address tree, stick, and brush piles in private yards. Dave Hundt felt the County Health Department could address stick piles harboring vermin. Lorna Wehrs contacted the County Health Department regarding the tall weeds and grass along her fence line, and the County was unable to enforce a cutting of the weeds. Pam Lambert cited concerns over decorative pampas grass. John Lautz was also concerned about the Ordinance applying to all grasses, including prairie and natural grasses.

There were no citizens present to speak for the Ordinance.

Motion by Trustee Engel, seconded by Trustee Harold to adjourn the public hearing at 7:29 p.m. Approved by voice vote.

Teresa L. Schnitzler, Village Administrator

### Regular Board Meeting

November 3, 2008

Meeting called to order at 7:30 p.m. by President Manthei. Trustees present: Engel, Hanson, Harold, Hoffman, Leicht, and Wehrs. Also present: Police Chief Charles Ashbeck, Public Works Director Scott Halbrucker, Brad Bryan, and Village Administrator Teresa Schnitzler.

#### Minutes

Motion by Trustee Engel, seconded by Trustee Leicht to approve the minutes of the October 21, 2008, Regular Board meeting as written. Roll call vote: Unanimous aye.

#### Claims

Claims from the following funds were presented for payment:

<u>General Fund:</u>	\$135,942.45
<u>Water Utility:</u>	\$84,617.59
<u>Sewer Utility:</u>	\$6,183.98

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

#### Ordinance No. 421

The Board reviewed proposed Ordinance No. 421 creating minimum property maintenance standards and comments received at the public hearing.

Motion by Trustee Hanson, seconded by Trustee Hoffman to deny Ordinance No. 421. Roll call vote: Unanimous aye.

#### Ordinance No. 430

Motion by Trustee Engel, seconded by Trustee Wehrs to refer Ordinance No. 430 back to the Buildings and Grounds Committee. Roll call vote: Unanimous aye.

#### Claim for Damages

The Board reviewed a claim submitted by Elna Witt for sewer back up damages in the total amount of \$770.95.

Motion by Trustee Hoffman, seconded by Trustee Hanson to reject the claim for damages. Roll call vote: Wehrs – nay; remainder of Board – aye. Motion approved.

#### Recreation Committee

Trustee Leicht reported on the October 22, 2008, Recreation Committee meeting. Charlie Handy presented conceptual drawings for the lower park in Neshonoc Lake Addition. The Committee discussed different options for the property. Everyone agreed that a step-by-step plan should be established. The Committee will meet again to discuss the proposed items for each step.

Motion by Trustee Leicht, seconded by Trustee Harold to approve the Recreation Committee meeting minutes of October 22, 2008. Roll call vote: Unanimous aye.

#### Finance and Personnel Committee

Trustee Hoffman reported on the Finance and Personnel Committee meeting held on October 28, 2008. The purpose of the Committee meeting was to continue 2009 operating plan review and updates to the budget. Teresa Schnitzler explained recent updates to the budget, including establishing information technology expenses as its own account line, providing the annual skid steer lease payment, garbage and refuse expense calculations, adding estimated costs to construct a rain garden at the library, and funds to improve the gutter system at the library. The Committee viewed the gator proposed for a three-year lease at \$2,000 per year. After three years, a buy out option is provided. The Lions Club is considering a donation to community shelter capital improvements, but a decision will not be made until the Club's November 5 meeting. When State assessed values are received and health insurance renewal rates are determined, the Committee will meet again for finalization of the 2009 operating plan.

Motion by Trustee Hoffman, seconded by Trustee Leicht to approve the minutes of the October 28, 2008, Finance and Personnel Committee meeting. Roll call vote: Unanimous aye.

### Planning Commission

President Manthei reported on the Planning Commission meeting held on October 30, 2008. Attorney Bryant Klos informed the Commission of the proceedings leading up to this meeting. Wes-Sal-E.S.T., William and Dorrene Heider, Roger and Sara Manke, and Prince of Peace Church have filed Petitions for Direct Annexation to the Village of West Salem. A normal procedure followed by the Village on review of annexation petitions is to wait for the State of Wisconsin Department of Administration advisory review opinion. After the annexation was filed with the State and the Village, the City of Onalaska filed an objection to the petition with the Department of Administration. Last week, attorneys for the Village, City of Onalaska, and the annexation petitioners met to discuss Onalaska's objections to the annexation. The City of Onalaska would like the Village to enter back into boundary agreement negotiations. Onalaska would like a boundary agreement in place stating specifically agreed upon boundaries, restrictions placed on development, and an early response from the Village on boundary agreement negotiations. The Commission unanimously recommended informing the City of Onalaska that the Village will not enter into any boundary agreement negotiations until the Department of Administration review letter is received and then the Village will review the request again. Attorney Klos drafted a letter in response to the City of Onalaska's objection letter. In its present form, the letter is an information letter. Attorney Klos recommends the Village's response to the Department of Administration be limited to present facts as the Village has not yet reviewed the annexation petitions. The Commission unanimously recommended limiting the response letter to the State of Wisconsin to the facts and not make any arguments. At some point, the Town of Hamilton would like to meet with the Village of West Salem Planning Commission regarding land development and utility agreements. The Planning Commission agreed with the request.

Motion by President Manthei, seconded by Trustee Engel to approve the Planning Commission meeting minutes of October 30, 2008. Roll call vote: Hanson – nay; remainder of Board – aye. Motion approved.

Motion by Trustee Leicht, seconded by Trustee Wehrs to adjourn the meeting at 8:02 p.m. Approved by voice vote.

Teresa L. Schnitzler, Village Administrator