

Regular Board Meeting

April 5, 2016

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

Public Comment

Many Village residents, representatives of various organizations, and others spoke to the Village Board regarding the Law Enforcement Committee's recommendation to approve an Application to Exceed Pet Limit submitted by Aila Meeuwsen. Thomas Kneifl, Irma Koonce, Jean Walter, Zeke Koonce, Ray Walter, Sara Manke, and Margaret Lyga all spoke in opposition to the Village Board granting the application citing concerns with the height and strength of the present fence, safety of pedestrians and children, aggressive behaviors of the dogs, devaluation of area properties, proximity of neighbors to the Meeuwsen residence, and the total number of dogs at the residence at many times.

Representatives of New Leash on Life Dog Rescue, Marcie's Pet Spa, friends and family of Aila Meeuwsen, and one neighbor spoke in support of the Application citing Ms. Meeuwsen's work with animals and there being no past issues with the dogs.

Minutes

Motion by Trustee Schumacher, seconded by Trustee Brown to approve the minutes of the March 15, 2016, Regular Board meeting. Roll call vote: Unanimous aye.

Claims

Claims from the following funds were presented for payment:

<u>General Fund:</u>	\$46,111.51
<u>Water Utility:</u>	\$40,567.10
<u>Sewer Utility:</u>	\$26,148.57
<u>Storm Water Utility:</u>	\$1,795.49

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

Speed Reduction on County Road B/West Elm Street

Referred from the last Village Board meeting was communications signed by eight residents residing on West Elm Street asking the Village to request La Crosse County lower the speed limit from 35 miles per hour to 25 miles per hour. The residents cited excessive speed and vehicle and pedestrian concerns. Village Administrator Schnitzler contacted La Crosse County Highway Commissioner Ron Chamberlain with regard to a

possible speed limit reduction from 35 miles per hour to 25 miles per hour for West Elm Street. Mr. Chamberlain stated a speed reduction will require Wisconsin Department of Transportation approval. As part of that approval, a speed reduction analysis is required to be completed by a licensed professional engineer. Since this is a county highway, the La Crosse County Highway Department would select the firm to perform the analysis and would enter into a contract to have the analysis performed. Once the analysis is complete, the Highway Department could then move forward with a recommendation of the findings of the analysis. If a reduction in speed is recommended by the speed reduction analysis, the following steps would then take place:

- The speed reduction request would be forwarded to the Traffic Safety Commission for its consideration.
- An ordinance would be drafted.
- The recommendation of the Traffic Safety Commission along with the findings of the study and the proposed ordinance would be presented to the County Public Works and Infrastructure Committee for its consideration.
- If the Public Works and Infrastructure Committee recommended approval of the ordinance, it would then move on to the La Crosse County Board for consideration and action.
- If the County Board passed the ordinance, it would then be published and the speed reduction would then take place.

The cost of the speed reduction analysis ranges between \$2,000 and \$2,500, and this would be the responsibility of the Village of West Salem. Mr. Chamberlain stated if speed law enforcement is cited in the completed speed reduction analysis document, there would be no recommendation for reduction in the posted speed limit. Mr. Chamberlain suggested an increased law enforcement presence on this street to make sure that this is not an enforcement issue. Attorney Klos predicted the contracted engineer would conclude it is a law enforcement issue. Chief Ashbeck informed the Board he will locate the speed trailer on West Elm Street to monitor speed and collect data. The Village Board will discuss this matter again at a May Village Board meeting.

Alcohol Beverage License Applications

Motion by Trustee Schumacher, seconded by Trustee Lautz to approve the issuance of alcohol beverage licenses to Tanja R. Copus and Eric M. Halverson and to deny licenses to Justin J. Burr and Alexis C. Gilbertson. Roll call vote: Unanimous aye.

Utilities Committee

Trustee Schumacher reported on the March 23, 2016, Utilities Committee meeting. The purpose of the meeting was to review for recommendation to the Village Board the bids received and Bid Analysis for the 2016 mobile home park sanitary sewer manhole replacement project. The proposed project includes two sanitary sewer manhole replacements, both of which are approximately 27 feet below grade and within 20 feet of an existing mobile home. The sanitary sewer is a main interceptor which serves a large area of West Salem. The mobile home park was constructed over the interceptor at some time, thus, resulting in the current situation where repairs will be more costly than other more typical repairs. The two manholes being replaced are old, small diameter brick-type structures which are collapsing causing blockage of flows. Village Engineer Dave Sauer's estimate at the time of bidding was \$80,000. The Village carried forward 2015 Sewer Utility capital funding of \$40,000 and budgeted additional funds in order to

complete the project in 2016 for \$85,000. Mr. Sauer provided the Committee with a bid analysis and his recommendations to the Village. Three bids were received for the project. The low bidder is Pember Companies for a total bid price of \$102,626.50. The biggest cost difference between the estimate and the actual low bid is due to the sheaving which will be used by the contractor to provide protection for the workers and the mobile homes. Other costs included in the bid is by-pass pumping during construction and re-connecting service laterals and the sewer main as required once the excavation is open. Pember's bid also includes hauling excavation materials from the area and hauling the materials back to the excavation area once the manholes are in place in order to minimize the volume of excavation material on site during the construction. The project includes estimated quantities of granular backfill and crushed aggregate. Cost savings will be realized if all of the estimated tonnages are not needed. Pember is also offering to allow the Village to provide those materials to reduce costs. Scott Halbrucker stated fill materials could probably be obtained from La Crosse County. The plan is to keep Pember's final construction costs below \$100,000, which is the threshold for not requiring payment of State wage rates. There would be an increase in costs if the Village is required to pay State wage rates. The project bid does not include asphalt and concrete replacement or landscaping and seeding. The Village will do this work in the Fall of 2016 when final settling of the construction areas is complete. If Pember is awarded the bid, the construction schedule is to start the work at the end of April or the first week in May. Substantial completion date in the contract documents is May 30, 2016. The project has been discussed with the mobile home park owners and lot owners adjacent to the project. Although the project is over the estimated costs, Mr. Sauer believes the level of difficulty and sheaving requirements are valid reasons for the higher bid costs. In addition, Mr. Sauer stated this is a high priority project needed to correct a long-standing collection system problem. The Committee unanimously recommended to the Village Board acceptance of the low bid from Pember Companies, Inc. in the amount of \$102,626.50.

Motion by Trustee Schumacher, seconded by Trustee Lautz to approve the minutes of the March 23, 2016, Utilities Committee meeting as presented. Roll call vote: Unanimous aye.

Motion by Trustee Schumacher, seconded by Trustee Deal to accept the low bid from Pember Companies, Inc. in the amount of \$102,626.50. Roll call vote: Unanimous aye.

Recreation Committee

Trustee Schumacher reported on the April 1, 2016, Recreation Committee meeting. The Committee elected Jenny Stenberg as Chair of the Recreation Committee. The "Name the Park Contest" written submissions were presented and reviewed. The Committee recommended to the Village Board the following proposed names for the Village park located off East Tilson Street adjacent to Lake Neshonoc: Errol Kindschy Park, Lewis Point Park, and Palmer Park. The Committee noted there were duplicate submissions for multiple park names.

Motion by Trustee Schumacher, seconded by Trustee Deal to approve the minutes of the Recreation Committee meeting of April 1, 2016, as presented. Roll call vote: Unanimous aye.

Motion by Trustee Schumacher, seconded by Trustee Hennessey to name the lower park adjacent to Lake Neshonoc "Lewis Point Park". Roll call vote: Deal and Lautz – nay; remainder of Board – aye. Motion approved.

Law Enforcement Committee

Trustee Lautz reported on the Law Enforcement Committee meeting held on April 4, 2016. The purpose of the meeting was to review for recommendation to the Village Board an Application to Exceed Pet Limit submitted by Aila Meeuwsen of 519 North Tilson Street. Ms. Meeuwsen currently keeps a spayed female Rottweiler and a neutered male Boxer, and she is requesting to add to her home a neutered male Pitbull that she has been fostering. The Committee was to also discuss with possible recommendation public complaints received regarding vehicle parking in front of mailboxes. Aila Meeuwsen explained she keeps two dogs at her residence, and she has been fostering the third dog since October. The Pitbull came to her fearful of humans, and she has successfully helped this dog overcome most of his fears. Ms. Meeuwsen stated she has a fenced-in backyard, and the dogs are in the backyard only when she is home. Greg Meeuwsen owns the home Ms. Meeuwsen resides in, and Mr. Meeuwsen has no objection to the addition of a third dog. Mr. Meeuwsen states the dogs are supervised when outside and if the dogs bark, they are brought back into the house. The Committee noted several people attended the meeting, and Chair Lautz called for attendees who wish to speak in favor of Ms. Meeuwsen's request. Sue of New Leash on Life Dog Rescue stated Ms. Meeuwsen has fostered many dogs, and she has done a stellar job with the dogs and she is considered one of their top foster homes. Melissa of Marcie's Pet Spa stated Ms. Meeuwsen's home is clean and she has done amazing things with dogs. Friends and co-workers spoke highly of Ms. Meeuwsen's abilities and success with dogs. Letters in support of the Application were received from Emily Hynek, 212 North Mill Street, Jackie Seidel of New Leash on Life Dog Rescue, Co-Owner of Marcie's Pet Spa Tina Wehrs, Melissa Callan of New Leash on Life Dog Rescue, and Nicole Volner. Duane Kneifl of 211 West Hamlin Street reported to Administrator Schnitzler that he is not opposed to the granting of this application; however, he does have concerns that the dogs do not appear friendly. As long as the dogs are kept in a fenced-in yard and contained, he will remain unopposed. Mr. Kneifl also stated the dogs are fierce at the front picture window, and the front curtains are shredded from the dogs pounding and jumping at the front window. Chair Lautz then stated attendees who wished to speak in opposition should do so now. Sara Manke owns the residence at 518 North Youlon Street. Ms. Meeuwsen's backyard and the Manke backyard abut. Mrs. Manke stated the Meeuwsen dogs are aggressive against the fence, and the fence is only four feet high. She stated the dogs are aggressive against her daughter's dog, and the grandchildren are afraid of the dogs. Mrs. Manke stated if homes are for sale in the area, the fact there are big dogs in the neighborhood would have to be disclosed. Mrs. Manke is concerned about safety. Thomas Kneifl, 447 North Tilson Street, stated he resides four houses down from Ms Meeuwsen. He has six grandchildren who play at his home, and he feels a four-foot fence is not going to stop the dogs from leaving their yard. He is concerned about the safety of his children and grandchildren. Mr. Kneifl has concerns about the front picture window being broken by the dogs hitting the window and then escaping. Irma Koonce lives at 529 North Tilson Street, is concerned about the safety of little children in the neighborhood if any of the dogs escaped the Meeuwsen residence. Dan Knooce stated his mother, Irma, lives next door to the residence, and he is also concerned about the

safety of pedestrians, if the dogs were to escape. His mother was knocked down by a large dog and her leg was broken. Jean and Ray Walter reside at 528 North Youlon Street. The Walters stated oftentimes there are more than three dogs at this residence, and dogs are coming and going all the time. The Walters stated the dogs are in the house all day, Ms. Meeuwsen is not outside supervising the dogs or exercising the dogs, and the backyard is rarely cleaned of dog excrement. Tom Siegler, 457 North Tilson Street, questioned whether the strength of the backyard fence would contain the three dogs. Margaret Lyga, 539 North Tilson Street, stated the dogs do not get enough exercise or fresh air. Two residents contacted Administrator Schnitzler wishing to remain anonymous. One stated there are oftentimes six dogs in the fenced-in backyard, the dogs are quite noisy, and this resident has seen how the dogs inside the house react when someone walks by the Meeuwsen home. This resident wondered how long before the front picture window breaks. The other resident stated concerns about the dogs being able to jump the four-foot fence, the barking inside the home goes on non-stop, and this resident would like to be able to get the mail and be outside without having to listen to the constant barking. By letter, John and Teresa Jordan, 456 North Youlon Street, stated the two dogs per household ordinance is there for a reason and should be maintained. Greg Meeuwsen stated he is willing to construct a higher fence so the fence height is no longer an issue. With a vote of two-to-one, the Committee recommended approval of the Application to Exceed the Pet Limit submitted by Aila Meeuwsen so that the matter can be brought to the Village Board.

Chief Ashbeck informed the Committee his department has received a significant number of complaints with regard to vehicular parking in front of mailboxes which results in denial of mail delivery. The Committee agreed to look at a proposed ordinance to address this issue.

Motion by Trustee Lautz, seconded by Trustee Hennessey to approve the minutes of the Law Enforcement Committee meeting held on April 4, 2016. Roll call vote: Unanimous aye.

The Village Board then discussed the Application to Exceed Pet Limit submitted by Aila Meeuwsen. The Board noted many issues with the two dogs Ms. Meeuwsen presently keeps, neighborhood concerns, the fact there have been no law enforcement contacts with regard to the dogs, and concerns regarding the present fence.

Motion by Trustee Hennessey, seconded by Trustee Deal to approve the Application to Exceed Pet Limit submitted by Aila Meeuwsen with the condition a solid surface six-foot fence be constructed enclosing the entire backyard in substantially the same location as the existing white picket fence. Roll call vote: Lautz – nay; remainder of Board – aye. Motion approved.

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

Teresa L. Schnitzler, Village Administrator