

## Regular Board Meeting

June 19, 2012

Meeting called to order at 7:00 p.m. by Village President Dennis Manthei. Trustees present: Koelbl, Lautz, Leicht, Schumacher, and Wehrs. Trustee Iverson arrived later as noted below. Also present: Police Chief Charles Ashbeck, Public Works Director Scott Halbrucker, Recreation Director Michelle Czerwan, County Board Supervisor Ray Ebert, Village Attorney Bryant Klos, Coulee News Special Correspondent Emily Staed, Becky Auna, Brian Akey, Susan Herzog-Blumer, Jim Jenks, and Village Administrator Teresa Schnitzler.

### Minutes

Motion by Trustee Wehrs, seconded by Trustee Leicht to approve the minutes of the June 5, 2012, Regular Board meeting as written. Roll call vote: Unanimous aye.

### Claims

Claims from the following funds were presented for payment:

<u>General Fund:</u>	\$57,965.91
<u>Water Utility:</u>	\$15,258.42
<u>Sewer Utility:</u>	\$23,678.75
<u>Storm Water Utility:</u>	\$3,984.00

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

### West Salem Aquatic Center Update

West Salem Area Aquatic Center Executive Committee Member Becky Auna appeared before the Board to present the Committee's position and purpose, goals, and to request the Village give serious consideration to funding an indoor/outdoor aquatic center to be used as a recreational as well as educational facility to promote healthy lifestyles and the enhancements of survival skills around bodies of water.

Trustee Iverson arrived at 7:04 p.m.

Ms. Auna stated they estimate a new facility to cost between \$3 to \$5 million with additional for operation and maintenance. Ms. Auna felt the majority of the community does support a referendum to increase taxes for an aquatic center, and the Committee has had discussions about formation of a pool district.

Motion by Trustee Leicht, seconded by Trustee Lautz to refer the creation of an aquatic center to the Recreation Committee for discussion and recommendation. Roll call vote: Unanimous aye.

Retention Pond Purchase

Outlot 1, West Rhyme Place was originally platted and designed as a small water retention pond. The developer, Westbrook LLC, never followed through on all of its requirements under the development agreement, and now the developer has no funding. As a result, the retention pond is in tax foreclosure. The original retention pond was not constructed to specifications. There is a potential that in an overflow situation, the overflow will not totally meet the other drainage ways and could potentially cause private property damage that the Village believes it can attempt to alleviate if it obtains title to the pond and then reconstructs a portion of it. In April 2012, La Crosse County passed a resolution authorizing sale of this parcel to the Village in an amount equal to the unpaid general property taxes, unpaid interest penalties, and tax foreclosure costs for a total purchase price of \$3,036.94.

Motion by Trustee Leicht, seconded by Trustee Koelbl to authorize purchase of the West Rhyme Place retention pond in the amount of \$3,036.94 with a correction to the legal description on the Quit Claim Deed from "outlet" to "outlot". Roll call vote: Unanimous aye.

Resolution 9.12 Compliance Maintenance Annual Report

The Board reviewed proposed Resolution 9.12 wherein it is noted a failing grade was reported in the Financial Management section of the report. The Sewer Utility is unable to meet the financial needs for operation and maintenance of the utility, and Village action is now required.

Motion by Trustee Leicht, seconded by Trustee Schumacher to approve Resolution 9.12 as presented. Roll call vote: Unanimous aye.

**RESOLVED**, that the Village of West Salem Board of Trustees informs the Department of Natural Resources that the following actions were taken by them:

1. Reviewed a summary of the 2011 Compliance Maintenance Annual Report, which is attached to this Resolution; and
2. Due to the high letter grades in Influent Flow and Loadings, Effluent Qualities, Biosolids Quality, Staffing, Operator Certification, and Collection Systems category points generated as a result of completing this Report, the Board did not feel that any action was necessary in this sections at this time.
3. Due to a failing grade in Financial Management, the Board must consider review and implementation of user rate increases, fixed rate increases, or a combination of both revenue-generating options.

**PASSED** by unanimous vote of the Village of West Salem Board of Trustees on the 19<sup>th</sup> day of June, 2012.

/s/ \_\_\_\_\_  
Dennis Manthei, Village President

(SEAL)

/s/ \_\_\_\_\_  
Teresa L. Schnitzler, Village Administrator

2012-2013 License Applications

Motion by Trustee Wehrs, seconded by Trustee Koelbl to approve issuance of 2012-2013 licenses as presented. Roll call vote: Unanimous aye.

**“Class B” Combination**

Berg, Hemker, Olson Post #51  
The American Legion  
Features, Inc.  
Groth Co., Inc. – Westview Inn  
Hunter’s Last Chance, LLC.  
SKLT, LLC. – Krome’s Bar  
SSJH, LLC. – Breakers Pub & Eatery  
The Shop Downtown West Salem, LLC  
d/b/a The Silverado Saloon 2/15/2011

**“Class A” Combination**

Hansen’s IGA  
Kwik Trip, Inc.  
Lloyd’s Speedstop, Inc.  
Skytime Investments, LLC.  
d/b/a Neshonoc Sports

**Class “A” Beer**

Farmers Coop Supply and Shipping  
I-90 Cenex Convenience Store

**“Class B Beer”**

Lloyds Homemade Pizza, LLC.

**Class “A” Liquor**

Family Tree Floral and Greenhouse, Inc.

**Cigarettes**

Hansen’s IGA  
I-90 Cenex Convenience Store  
Kwik Trip  
Lloyd’s Speedstop  
Lloyds Homemade Pizza, LLC.  
The Silverado Saloon  
Krome’s Bar  
Neshonoc Sports & Service

**Soda Water Licenses**

Americinn Motel & Suites  
Berg, Hemker, Olson Post #51  
Breakers Pub & Eatery  
Brenengen’s Chevrolet  
Coney Island  
Coulee Region Glass & Exhaust Plus  
Farmer’s Co-op  
Features Sports Bar & Grill/West Bowl  
Lanes  
Hansen’s IGA  
Hot Dog Avenue, Clark Burdick  
Hunter’s Last Chance  
Ice Cream Express – Mike Alumbaugh  
I-90 Cenex Convenience Store  
Joe Harter & Son Landscaping

Krome’s Bar  
Kwik Trip  
LeCoulee Cheese Castle  
Lloyd’s Speedstop  
Lloyds Homemade Pizza, LLC.  
Neshonoc Sports & Service  
Pischke Motors  
Pizza Villa  
Quizno’s Subs  
Snap Fitness  
Snowwhite Laundry  
Subway Sandwiches & Salads  
Two Guys with Fries – Hot Dog Hummer  
The Silverado Saloon  
West Salem Family Restaurant  
West Salem Hockey Association  
West Salem Pharmacy  
Westview Inn

**Coin Machine Permits**

Americinn Motel & Suites (2)  
Breakers Pub & Eatery (12)  
Brenengen Chevrolet (3)  
The Silverado Saloon (11)  
Features Sports Bar&Grill/West Bowl  
Lanes(16)  
Hansen’s IGA (1)  
Hunter’s Last Chance (10)  
Krome’s Bar (12)  
Pischke Motors (1)  
Snowwhite Laundry (1)  
Lloyds Homemade Pizza (8)  
Westview Inn (5)

**Dance Permits**

Berg, Hemker, Olson Post #51  
Breakers Pub & Eatery  
The Silverado Saloon  
Features Sports Bar & Grill/West Bowl  
Lanes  
Hunter’s Last Chance  
Krome’s Bar  
Westview Inn

**Bartender’s License Applications**

**American Legion**

Steven M. Craig  
Paul H. Degenhardt  
James T. Jenks  
Kathleen A. Miller-Jenks  
Andrea S. Page  
Douglas M. Schaller  
James E. Schmitz  
Rita M. Schmitz

Michael J. Thill  
Gerald D. Van Oss  
James A. Witte

**The Silverado Saloon**

Luke T. Sacia  
Kobi M. Connor  
Lindsey R. Sobotta  
April M. Rossman  
Rebecca L. Nuttleman  
Laura A. Mueller  
Marcus A. Stetzer  
Patti Oldenburg  
Desiree A. Wehrs  
Michele L. Nuemann

**Hansen's IGA**

Kayla M. Bartle  
Penny K. Greene  
Nicholas P. Hickok  
Nancy M. Jackson  
Tallie Kurlinkus  
Mark C. Miller  
Ranee E. Neuverth  
Annemarie Noel  
Cassie K. Petranek  
Nathan R. Rader  
Ivan L. Robinson  
Marissa O. Skrentny  
Jolene K. Tenner  
Debra A. Walsh

**Kwik Trip**

Daniel J. Arnold  
Danielle L. Baxter  
Charles F. Dodd  
Lance M. Hutzenbuhler  
Tyler M. Koeneke  
Larry D. Liles  
John T. Rice  
Debra J. Soller  
Nicole M. Stumlin  
Dorothy L. Van Riper  
Desiree J. Wavra  
Jane M. Wells  
Matthew F. Wobeck  
Rayna D. Wortman  
Evan B. Wurtzel

**Lloyd's Speedstop, Inc.**

Kevin M. Candahl  
Trey M. Candahl  
Desiree K. Harr  
Jared R. Kimpel

Jordan W. Knutson  
Kathleen M. Knudtson  
Justin H. Krajewski  
Marian K. Olson  
Morgan K. Simpson  
Devin K. Tenner  
Desiree A. Wehrs  
Kasha L. Wehrs

**Westview Inn**

Mary L. Barris  
Tamie A. Batzel  
LaDonna M. Biederman  
Scott B. Gabrielson  
Jennifer M. Hundt  
Peggy J. Klotz  
Jenna Wolf

**Hunter's Last Chance**

Brooke A. Cornford  
Dana S. Heider  
Brady B. Hundt  
Janet M. Roberts

**Krome's Bar**

Jeanne K. Bahr  
Nate A. Davis  
Robert A. Hundt  
Michael S. Knudson  
Lori A. Sennes  
Rhonda P. Tremain-Yeiter

**Cenex Convenience Stores**

Bailey E. Bahr  
Karanda L. Dockerty  
Danielle M. Hernandez  
Brian J. Kowalke  
Amanda R. Maas  
Carol A. Miller  
Rochelle C. Miller  
Mary J. Shelmidine  
Kimberly M. Steers

**Neshonoc Sports & Service**

Laurene S. Anderson  
Arleen M. Haverly  
Paula L. Storandt  
Steven E. Storandt

**Breakers Pub & Eatery**

Theresa M. Burnette  
Kyle M. Hehl  
Elizabeth A. Polkoski  
Patricia K. Wolden

Features, Inc.  
Heather M. Antony  
William T. Kertesz  
Jason L. Slusser  
Talia J. Smith  
Bethany M. Sutton  
Kyle R. Tranb

#### Application for Temporary "Class B" Picnic License

The Board reviewed an Application for a Temporary "Class B" Retailer's License submitted by the West Salem American Legion Post 51 Baseball for beer sales at the Lions Shelter at home baseball games. Chief Ashbeck stated enforcement of the license will be difficult as consumption would be limited to the Lions Shelter and the parking lot. Appropriate signage and fencing were discussed with Jim Jenks, Treasurer for American Legion Post 51 Baseball.

Motion by Trustee Lutz, seconded by Trustee Koelbl to approve the issuance of a temporary "Class B" Retailer's License to West Salem American Legion Post 51 Baseball contingent upon a proper enforcement plan approved by Police Chief Ashbeck. Roll call vote: Unanimous aye.

#### Sanitary Sewer Easement

The Board reviewed a proposed Utility Easement Agreement between Capstone LLC and the Village wherein Capstone will grant to the Village a perpetual easement and right-of-way to construct, reconstruct, maintain, operate, supplement, and remove sanitary sewer main facilities and water main facilities along the east boundary of the Capstone LLC property along Neshonoc Road. In return for obtaining the easement, the Village is agreeing that if it ever installs either a sanitary sewer or a water main in the easement area, it will not assess any of the costs to the Capstone land. The Village would also agree that at installation, it will incur the costs of installing three water curb stops at a cost of about \$800 each and three drop sewer connection points at about \$800 each. The Village would also agree to repair any damage done during installation or maintenance, including road and parking repair if any are installed over the easement area.

Motion Trustee Leicht, seconded by Trustee Koelbl to approve the Utility Easement Agreement as presented and proposed. Roll call vote: Unanimous aye.

#### Lease of Land for Dog Park

The Board reviewed a Dog Park Lease proposed by La Crosse County for land located at East Garland Street extended, formerly utilized as a deer pen. The term of the proposed lease is five years for one dollar per year. La Crosse County is expected to approve the proposed lease on June 21, 2012.

Motion by Trustee Koelbl, seconded by Trustee Leicht to approve the Dog Park Lease as presented. Roll call vote: Unanimous aye.

#### Boulevard Change Ordinance Enforcement

Village Administrator Teresa Schnitzler explained to the Board complaints have been received about the excessive growth on a boulevard located on North Van Ness Street. In order to enforce violations of the boulevard ordinance on this property, the ordinance will need to be enforced on all properties. Ms. Schnitzler presented 43 photographs recently taken of violations of the boulevard ordinances.

Motion by Trustee Koelbl, seconded by Trustee Iverson to refer Ordinance 5.09 boulevard changes to the Street Committee for review and recommendation to the Village Board. Roll call vote: Unanimous aye.

### Planning Commission

President Manthei reported on the June 12, 2012, Planning Commission meeting. Four public meetings were held concerning three Petitions for Change of Zone and one Conditional Use Permit Application. The first public hearing concerned a Petition for Change of Zone filed jointly by Rustic Road Village and Judith and Randall Manske for land located at 501 East Jefferson Street. The Petition jointly requests the zoning be amended from Business District to Planned Unit Development District to allow for light manufacturing, retail, special events, public education, and other uses consistent with the new zoning. There were no citizens present to speak for or against the Petition. The second public hearing concerned a Petition for Change of Zone filed by William Heider requesting the Village consider amending its zoning code to reclassify his property at 2551 West City Highway 16 from La Crosse County's Agriculture Zoning to West Salem's Residential District Zoning. There were no citizens present to speak for or against the Petition for Change of Zone. The third public hearing concerned a Petition for Change of Zone filed by William Heider requesting the Village amend its zoning code to reclassify the remainder of his property located at 2551 West City Highway 16 from La Crosse County's Agriculture Zoning to West Salem's Agriculture District Zoning and a Conditional Use Permit Application in order to continue the operation of an excavation business on lands owned by him and presently zoned under La Crosse County Agriculture District. Mr. Heider has requested the approval of the Conditional Use Permit be conditioned upon the granting of the Petition for Change of Zone to West Salem Agriculture District. There were no citizens present to speak for or against the Petition for Change of Zone or the Conditional Use Permit Application. The Planning Commission meeting was called to order. Tim Brennan, representing Rustic Road Village, contacted Village Administrator Teresa Schnitzler on June 7, 2012, regarding their Petition for Change of Zone. Mr. Brennan wrote he had talked with Judith and Randall Manske and informed them Rustic Road Village has rescinded their offer to purchase the Manske property. Mr. Brennan wrote the project has become financially unfeasible with the mounting list of expenses to develop the property before retail and cheese facilities have even been constructed. He wrote the group is greatly disappointed the project would not be proceeding for now, and he thanked the Village for being very open to new businesses and for the time it has spent reviewing the concept. Based on the communications from Rustic Road Village the Commission recommends denying the Petition for Change of Zone. William Heider has requested the Village consider amending its zoning code to reclassify his property at 2551 West City Highway 16 from Agriculture District to Residential District and to reclassify the remainder of his property described as the NW ¼ of the NW ¼ in Section 5, Township 16 North, Range 6 West, except lands taken for highway purposes (and the new CSM for land to be re-zoned Residential) and the SW ¼ of the NW ¼ of Section 5, Township

16 North, Range 6 West from a La Crosse County Agricultural Zone to West Salem's Agriculture District in order to allow construction of a farmstead, single-family home. The Commission recommended approval of the Petition for Change of Zone to reclassify property located at 2551 West City Highway 16 from La Crosse County's Agriculture Zoning to West Salem's Residential District Zoning. The Commission also recommended approval of the Petition for Change of Zone to reclassify the remainder of the property described as the NW ¼ of the NW ¼ in Section 5, Township 16 North, Range 6 West, except lands taken for highway purposes (and the new CSM for land to be re-zoned Residential) and the SW ¼ of the NW ¼ of Section 5, Township 16 North, Range 6 West from a La Crosse County Agricultural Zone to West Salem's Agriculture District in order to allow construction of a farmstead, single-family home. William Heider has applied for a Conditional Use Permit in order to continue the operation of his excavation business on lands owned by him and presently zoned under La Crosse County Agriculture District. Mr. Heider has requested the approval of the Conditional Use Permit be conditioned upon the granting of the Petition for Change of Zone to West Salem Agriculture District. The Commission recommended approval of the Conditional Use Permit Application filed by William Heider as presented. Under other business, Commission Member Walter Baltz presented a map prepared by La Crosse County Zoning of cell towers presently located surrounding the Village of West Salem. Mr. Baltz presented this map as further information in a pending Conditional Use Permit Application filed by Wireless Planning on behalf of U.S. Cellular to replace an existing football field light pole with a light pole with telecommunications capacity use in an area zoned Residential and to ask for consideration to amend the West Salem Zoning Code to allow such a request. Mr. Baltz suggested the Commission inquire of Wireless Planning at its next meeting why their antennas cannot be mounted on any or all of the present cell towers surrounding West Salem. In addition, the Commission should inquire of Wireless Planning how far does a signal travel from each of the towers. Attorney Klos was asked to contact someone with expertise in telecommunication zoning ordinance matters. The next meeting of the Planning Commission has tentatively been scheduled for Tuesday, August 21, 2012, at 6:30 p.m.

Motion by President Manthei, seconded by Trustee Koelbl to approve the minutes of the Planning Commission meeting held on June 12, 2012, as presented. Roll call vote: Unanimous aye.

Petition for Change of Zone – Rustic Road Village

Motion by President Manthei, seconded by Trustee Leicht to deny the Petition for Change of Zone submitted by Rustic Road Village. Roll call vote: Unanimous aye.

Petition for Change of Zone – William Heider

Motion by Trustee Lautz, seconded by Trustee Koelbl to approve the Petition for Change of Zone filed by William Heider to reclassify property located at 2551 West City Highway 16 from La Crosse County's Agriculture Zoning to West Salem's Residential District Zoning. Roll call vote: Unanimous aye.

Petition for Change of Zone – William Heider

Motion by Trustee Koelbl, seconded by Trustee Leicht to approve the Petition for Change of Zone filed by William Heider to reclassify the remainder of the property at

2551 West City Highway 16 from La Crosse County Agriculture to West Salem's Agriculture District. Roll call vote: Unanimous aye.

Conditional Use Permit – William Heider

Motion by Trustee Leicht, seconded by Trustee Koelbl to approve Conditional Use Permit No. 8 to be issued to William Heider in order to continue the operation of his excavation business on lands owned by him and presently zoned under La Crosse County Agriculture District. Roll call vote: Unanimous aye.

Motion by Trustee Wehrs, seconded by Trustee Leicht to adjourn the meeting at 8:11 p.m. Approved by voice vote.

Teresa L. Schnitzler, Village Administrator