

## Regular Board Meeting

June 19, 2018

Meeting called to order at 7:00 p.m. by Village President Dennis Manthei. Trustees present: Brown, Lautz, Leicht, Schumacher, and Wee. Excused: Hennessey. Also present: Recreation Director Tony DeGaetano, Police Chief Charles Ashbeck, Village Attorney Bryant Klos, Rachel Linse, and Village Administrator Teresa Schnitzler.

### Minutes

Motion by Trustee Leicht, seconded by Trustee Lautz to approve the minutes of the June 5, 2018, Regular Board meeting as written. Roll call vote: Unanimous aye.

### Claims

Claims from the following funds were presented for payment:

<u>General Fund:</u>	\$52,987.38
<u>Water Utility:</u>	\$13,938.71
<u>Sewer Utility:</u>	\$15,576.68
<u>Storm Water Utility:</u>	\$6,549.15

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

### Special Event Application

Motion by Trustee Schumacher, seconded by Trustee Leicht to approve a special event application submitted by West Salem High School Senior Andrew Murphy to hold a fun run on Saturday, July 28, 2018, beginning at 9:00 a.m. Roll call vote: Unanimous aye.

### 2018-2019 License Applications

Motion by Trustee Schumacher, seconded by Trustee Wee to approve the issuance of the following 2018-2019 licenses as presented, except with a denial of an alcohol beverage license to Taylor M. Hoag. Roll call vote: Brown – abstain; remainder of Board - aye. Motion approved.

***(VICKI, PLEASE INSERT THE 2018-2019 LICENSES HERE. I believe the list is in the Office Drive in the Licensing folder. Delete Taylor Hoag from the bartenders listed under Neshonoc Sports though)***

### Utilities Committee

Trustee Schumacher reported on the June 6, 2018, Utilities Committee meeting. The purpose of the meeting was to review for recommendation to the Village Board a 2018 Public Service Commission simplified rate case application, review proposed Ordinance

No. 476 Stormwater and Erosion Control, review a storm water study prepared by Cedar Corporation, and review for recommendation Resolution 6.18. Village Administrator Teresa Schnitzler informed the Committee the Public Service Commission has determined the 2018 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 to keep ahead of the costs of operating the utility. The present user fee rate is \$2.43 per thousand gallons of water used. The new, proposed rate would be \$2.50 per thousand gallons of water used. The present fixed base rate is \$10.44 per quarter, and the new base charge would be \$10.75 per quarter. A quarterly water usage of 12,000 gallons would go from \$39.60 per quarter to \$40.75 per quarter raising water revenue from sales by \$19,883 per year. The quarterly public fire protection charge would also increase three percent from \$26.60 to \$27.40. Ms. Schnitzler recommended the increase go into effect as of July 25, 2018, and the increase would then appear on the November 1 regular water bills. 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 25, 2018. The Committee reviewed Ordinance No. 476 Stormwater and Erosion Control. This is the same Ordinance introduced to the Committee and Village Board in January 2017. The Ordinance complies with Wisconsin Department of Natural Resources requirements, and it is a requirement of municipalities designated as MS4 communities. Of concern to the Village Board last year was how the requirements affected a simple new residential home construction. The ordinance is written to apply more to land disturbances of over one acre or more, and a separate checklist with more standard stormwater practices has been drafted and followed by homebuilders for over a year now. Most ordinances do not address a one hundred year flood, and this ordinance does. A Section 16.05 there is a reference to a subsection that is not contained in the ordinance, and Mr. Sauer will have this paragraph corrected. The Committee recommended Ordinance No. 476 be adopted by the Village Board. Mr. Sauer reviewed with the Committee the draft storm water study recently completed for the Industrial Drive area. Mr. Sauer was asked to conduct the storm water study to address the occasional and recent flooding on Industrial Drive where floodwaters rose to a level of one of the businesses and backed up for less than a day. Mr. Sauer explained Industrial Drive drains to the east to an existing regional storm water basin owned by La Crosse County. The storm sewer was sized for a 10-year storm; however, Industrial Drive was not extended to the regional storm water basin. The outlet for the storm sewer on Industrial Drive is a 12-inch storm sewer with an overflow ditch. The Industrial Drive storm sewer, ranging in size from 18 inches to 72 inches of reinforced concrete pipe, acts as an underground storm water storage area where lower flows are passed through the system and larger flows are stored within the pipe until the hydraulic gradient is high enough to utilize an overflow grate from a manhole at the end of Industrial Drive. The overflow grate flows into a ditch, which also drains to the regional

storm water basin. The design plan was never finalized and instead made a ditch. Mr. Sauer pointed out that 70 to 85 percent of the stormwater to Industrial Drive is coming from south of Industrial Drive and south of the interstate. Evaluated options are included in the stormwater study, including lowering the Industrial Drive ditch 5.8 feet, installing new Industrial Drive storm sewer, and constructing a diversion ditch. Lowering Industrial Drive has a potential cost of \$103,125, constructing a diversion ditch is estimated to cost nearly \$198,000, and installation of new storm sewer increases the costs to \$853,140. If a diversion ditch and a new Industrial Drive storm sewer were installed, Industrial Drive would not have to be lowered. Future development to the east could solve the Industrial Drive storm water drainage issues. The Committee accepted the Industrial Drive Hydrologic Analysis as presented. Lastly, Scott Halbrucker discussed the 2017 Compliance Maintenance Annual Report and accompanying Resolution 6.18. If sewer user fees are not reviewed, the letter grade for that section will be lower next year. When phosphorus reduction measures are incorporated, the sewer user fees will be reviewed at that time. The Committee recommended to the Village Board approval of Resolution 6.18.

Motion by Trustee Schumacher, seconded by Trustee Wee to approve the minutes of the June 6, 2018, Utilities Committee meeting. Roll call vote: Unanimous aye.

Motion by Trustee Schumacher, seconded by Trustee Brown to approve the filing of a simplified rate case application with the Wisconsin Public Service Commission. Roll call vote: Unanimous aye.

Motion by Trustee Schumacher, seconded by Trustee Leicht to approve Ordinance No. 476 Stormwater and Erosion Control. Roll call vote: Unanimous aye.

Motion by Trustee Schumacher, seconded by Trustee Brown to approve Resolution 6.18 Compliance Maintenance Annual Report. 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 it:

1. Reviewed a summary of the 2017 Compliance Maintenance Annual Report, which is attached to this Resolution; and
2. Due to the letter grades in Influent Flow and Loadings, BOD and TSS Effluent Qualities, Phosphorus Effluent Quality, Biosolids Quality, Staffing, Operator Certification, Financial Management, and Collection Systems category points generated as a result of completing this Report, the Board did not feel that any required action was necessary at this time.

**PASSED** by unanimous vote of the Village of West Salem Board of Trustees on the 19<sup>th</sup> day of June, 2018.

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

(SEAL)

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

#### Planning Commission

President Manthei reported on the June 18, 2018, Planning Commission Public Hearing and Meeting. The public hearing concerned an amendment to Conditional Use Permit

No. 25 submitted by ABEN Properties, LLC. For multi-family residence buildings on land zoned Business at 943 East Garland Street. There were no citizens present to speak for or against the proposed amendment. The Commission reviewed for recommendation to the Village Board an Amendment to Conditional Use Permit No. 25. The proposed Amendment modifies Condition 11 to state construction shall be completed and an occupancy permit issued by May 31, 2020, and no additional multi-family residential buildings may be constructed on this site after May 31, 2020, unless an amendment or a new conditional use permit is obtained for this site. The Commission discussed modifying the completion deadlines more to state the two western buildings must be completed by the end of 2018, the next two buildings by the end of 2019, and total completion of the project by the end of 2020. The proposed Amendment also modifies Condition 13 to state each living unit will have its own individual water meter. The Commission unanimously recommended to the Village Board approval of the proposed Amendment to Conditional Use Permit No. 25 with the changes to Condition No. 11 regarding construction completion dates. Allied Cooperative previously submitted a Certified Survey Map for review and the Planning Commission and Village Board approved same. Allied owns Lot 2 located behind its Lot 8 fronting on Commerce Street. Lot 2 was landlocked, and in order to construct a building on this lot, the certified survey map was approved combining Lots 2 and Lot 8 into one larger parcel. Lot 2 is zoned Industrial, and Lot 8 is zoned Business. Therefore, Allied Cooperative has submitted a Petition to change the zone of Lot 2 to Business. Tim Clemens, Director of Finance and Operations for Allied Cooperative, explained all business activities that took place at the I-90 Cenex on Jefferson Street would be moved to Commerce Street with a new building constructed behind the current Ace Hardware business. The entire Allied parcel on East Jefferson Street has been sold to Kwik Trip. The Commission scheduled a public hearing on the Petition for Change of Zone for Tuesday, July 10, 2018, at 5:00 p.m. Developer Pete Opsahl presented a preliminary plat of Greenfield Addition. Mr. Opsahl's proposed development is to be located on the 15+ acres of the former Lakeview Healthcare Center. He plans to raze the former Lakeview structure in February of 2019 and have the development complete in the Fall of 2019. Within the development are 27 single-family lots, and 11 lots proposed to be rezoned and conditional use permits applied for to allow eight townhomes and three, 4-plex units. Mr. Opsahl anticipates a full build out of the development in three years. Attorney Klos explained the review and approval process includes Village engineer review of storm water plans, approval of a developer's agreement with Mr. Opsahl, and approval of the preliminary plan and developer's agreement by the Village Board. The Planning Commission will meet on July 10, 2018, to review a proposal development agreement and engineer-reviewed storm water design plans.

Motion by President Manthei, seconded by Trustee Schumacher to approve the Planning Commission meeting minutes of June 18, 2018, as presented. Roll call vote: Unanimous aye.

Motion by Trustee Schumacher, seconded by Trustee Wee to approve Amendment to Conditional Use Permit No. 25 as presented. Roll call vote: Unanimous aye.

Motion by Trustee Schumacher, seconded by Trustee Leicht to convene in closed session at 7:22 p.m. pursuant to Wis. Stat. Sec. 19.85(1)(e) for the purpose of

deliberating or negotiating the purchase of public properties, investment of public funds, or conduct of other specific public business, whenever competitive or bargaining reasons require a closed session, to-wit: Possible land sale/purchase. Roll call vote: Unanimous aye.

Motion by Trustee Leicht, seconded by Trustee Lautz to reconvene in open session at 7:35 p.m. Motion approved by voice vote.

Motion by Trustee Leicht, seconded by Trustee Schumacher to adjourn the meeting at 7:36 p.m. Approved by voice vote.

Teresa L. Schnitzler, Village Administrator