

Regular Board Meeting

July 19, 2011

Meeting called to order at 7:00 p.m. by President Manthei. Trustees present: Engel, Iverson, Koelbl, Leicht, Schumacher, and Wehrs. Also present: Coulee News Special Correspondent Emily Staed, Randy Sanford of Short Elliott Hendrickson, Police Chief Charles Ashbeck, Public Works Director Scott Halbrucker, Recreation Director Michelle Czerwan, Village Attorney Bryant Klos, and Village Administrator Teresa Schnitzler.

Minutes

Motion by Trustee Engel, seconded by Trustee Leicht to approve the minutes of the July 5, 2011, Regular Board meeting as written. Roll call vote: Unanimous aye.

Claims

Claims from the following funds were presented for payment:

General Fund: \$46,026.06

Water Utility: \$6,849.28

Sewer Utility: \$13,528.44

Storm Water Utility: \$1,488.50

Motion by Trustee Engel, seconded by Trustee Leicht to approve the payment of claims, deleting a duplicate payment, and the remainder as listed. Roll call vote: Unanimous aye.

Amended Resolution 11.11

Amended Resolution 11.11 to Establish Municipal Wards and to Combine Wards for Voting Purposes was presented to the Board for review and approval. The Amended Resolution revises Wards 2 and 3 to keep complete Wards in a single County Supervisory District.

Motion by Trustee Wehrs, seconded by Trustee Leicht to approve Amended Resolution 11.11 as presented. Roll call vote: Unanimous aye.

Faye Drive Storm Water Management Settlement

Village Attorney Bryant Klos reported Utility Easement Agreements have now been received from Jason and Nicole Campbell, Kurt and Margaret Pfuhl, and Danny and Patsy Carr for access to the Faye Drive storm water ditch. The Village Board previously approved an Agreement with the Harter Family subject to obtaining these three easements. The Pfuhl easements provide access to the ravine and through their yard on the east side, the Campbell easement is a smaller section of land needed for access to the ravine, and the Carr easement is on the north side. Not all of the necessary easements have been received yet, but the Pfuhl, Campbell, and Carr easements were required for finalizing the Agreement. Timber can be cleared from the ditch this fall, and

bids for the project can be let in the spring with construction completed in 2012.

Motion by Trustee Leicht, seconded by Trustee Engel to accept and approve the three utility easement agreements and approve final settlement with the Harter family for the Faye Drive storm water ditch. Roll call vote: Unanimous aye.

2011 Water System Improvement Project

Bids were opened and read on July 14, 2011, for utility work budgeted for South Mill Street. Alternate bids were requested for utility improvements in East Hamilton Street. Randy Sanford presented a tabulation of bids showing the unit price bids received for the 2011 Water System Improvement projects. Four bids were received for the South Mill Street base project. The bids ranged from \$147,134 to \$184,739. The low bid was submitted by Hess Excavating, Inc., and Short Elliott Hendrickson recommends award of the base project to Hess Excavating. Four bids were also received for the alternate add-on East Hamilton utility project. Bids received for the base bid plus the alternate bid ranged from \$230,501.50 to \$303,071.50. The low bid was submitted by Harry Viner, Inc. If the Village approved moving forward with the base bid and the alternate bid, Short Elliott Hendrickson recommends award of the project in the low bid base amount of \$230,501.50. Mr. Sanford stated the Village has sixty days from the date of bid opening to decide how to proceed with this project. The Board discussed proceeding with the Village utility projects in 2011, and Pathways construction in 2012. Temporary asphalt is included in the bids received. If the utility project is delayed until 2012 and constructed with the Pathways project, there is a cost savings to the Village because the temporary asphalt would not be needed.

Motion by Trustee Leicht, seconded by Trustee Koelbl to table action on this item until the next Village Board meeting to give legal counsel time to research contract terms. Roll call vote: Unanimous aye.

Special Event Application

Motion by Trustee Engel, seconded by Trustee Leicht to approve the special event application submitted by Teresa Schnitzler for an annual neighborhood block party and street closure of the 100 block of North Rose Street scheduled for August 13, 2011. Roll call vote: Unanimous aye.

Operator License Applications

Motion by Trustee Wehrs, seconded by Trustee Iverson to approve operator licenses for Misty L. Fleming, Ronald DuWayne Corn, Kyle Mathias Hehl, Samantha Rae Higdon, James J. Paul, and Patricia Kay Wolden. Roll call vote: Unanimous aye.

Onalaska/Holmen/West Salem Shared Ride Update

Trustee Engel updated the Board on the Onalaska/Holmen/West Salem public transit ridership numbers. West Salem totaled 1,064 rides during the month of May. This is a 328-ride increase over May of 2010. Total increase of rides in the program is 713 over last year at this time.

Utilities Committee

Trustee Schumacher reported on the July 13, 2011, Utilities Committee meeting. The purpose of the meeting was to review for possible action and recommendation to the

Village Board an appeal from Linda and Joseph Brown of storm water utility charges; to review and discuss Wisconsin Public Service Commission disconnection rules; and to receive an update on a utility rate study assigned to Cedar Corporation. Joseph Brown distributed an aerial map showing the location of his home on his lot and depicting storm water containment measures in place on his property. Mr. Brown explained PVC pipes connected to his roof direct water run-off onto his backyard. The only storm water running off his lot is from his driveway. Mr. Brown requested credit on his storm water utility charges for the water containment measures he has in place. The Committee discussed the purposes of the storm water utility and the uses of the revenues received from the utility. Revenues are utilized to maintain all of the storm water detention and retention ponds owned by the Village, to operate and maintain street sweeping activities, and to maintain the storm water utility system for the entire Village. A charge of \$4 is billed to each residential property owner on their quarterly utility bills. The Committee did not take action on this request but agreed to review credits for property owner's attempts and practices in place for storm water management. Scott Halbrucker and Teresa Schnitzler outlined Public Service Commission's rules and regulations on disconnection of water utility services. All utility customers are responsible for paying for the utility services used. Public Service Commission rules provide utilities with a variety of tools to address non-payment. Utility collection options include negotiating a deferred payment agreement with the customer, securing a delinquent account with a deposit, or disconnecting the customer's service. The West Salem Joint Municipal Water Utility has not utilized the disconnection option in the past. However, with possible State of Wisconsin action to prohibit utilities from assessing delinquent utility charges on rental property owners' real estate tax bills and La Crosse County's new practice of not settling in full with the municipalities for assessments placed on the tax roll, future cash flow may be an issue for West Salem. The Committee was made aware the water utility may begin exercising the option of disconnecting water service for non-payment. Teresa Schnitzler reported Village Engineer Dave Sauer expects the utility rate study to be complete in approximately four weeks.

Motion by Trustee Schumacher, seconded by Trustee Koelbl to approve the minutes of the July 13, 2011, Utilities Committee meeting. Roll call vote: Unanimous aye.

Street Committee

Trustee Leicht reported on the Street Committee meeting of July 13, 2011. The purpose of the meeting was to receive an update and review of the Pathways Project and railroad right-of-way easement acquisition and status of construction in 2011. Randy Sanford updated the Committee on the present status of the Pathways project. The environmental report was submitted on June 3, and five revisions have been re-submitted to the consultant KJohnson Engineers for their review and comment. The proposed connection from the La Crosse River Trail to downtown West Salem has become problematic in that the State of Wisconsin will require West Salem right-of-way acquisition from CP Railroad. The right-of-way acquisition will take significant time to finalize and will postpone the project. The Committee and Mr. Sanford agreed Pathways construction should be postponed until the Spring of 2012. Bids could still be let in November or December. Mr. Sanford presented a concept he sketched and presented to KJohnson for their feedback. The concept moves the multi-modal trail connection from the east side of Leonard Street to the west side of Leonard Street where the Village owns more right-of-way. The trail would be ten feet wide with a buffer

area between the driving lane and the trail. The Committee recommended revising the Pathways Project plan to move the trail connection from the east side of South Leonard Street to the west side of South Leonard Street as proposed by Randy Sanford. Mr. Sanford presented engineer's estimates for the 2011 utility system improvements and the Pathways project. Bid opening for the Village utility project is scheduled for Thursday, July 14. If the bids are acceptable, the Village can move forward with this project in August. The bid specifications include temporary pavement, so if the utility project is completed in August, the street would not have to be left open until Pathways construction begins in 2012. The Village's utility project cannot commence, however, until the Pathways environmental report is accepted and approved in a final form.

Motion by Trustee Leicht, seconded by Trustee Koelbl to approve the minutes of the Street Committee meeting of July 13, 2011. Roll call vote: Unanimous aye.

Motion by Trustee Wehrs, seconded by Trustee Koelbl to approve the recommendation to revise the Pathways Project plan to move the trail connection from the east side of South Leonard Street to the west side of South Leonard Street as proposed by Randy Sanford. Roll call vote: Unanimous aye.

Planning Commission

President Manthei reported on the July 13, 2011, Planning Commission meeting. The purpose of the Planning Commission meeting was to review a draft ordinance creating Class "C" Wine Licenses and procedures and outdoor alcoholic beverage requirements and the permitting process. Attorney Klos introduced the proposed ordinance as having two purposes: 1) to create a new licensing class for wine and 2) to create provisions for outdoor beer gardens. Attorney Klos explained each section of the proposed ordinance. Sections 1, 2, 3, and 4 are simply verbiage revisions. Section 5 creates the new Class "C" Wine License. Wisconsin State Statutes provide for wine licenses. However, the Village has not utilized this license option. Sections 6, 7, 8, and 9 amend numbering and license class references. Section 10 sets forth information and requirements for operators' licenses, and Attorney Klos recommended revising this section for clarity. Sections 11, 12, and 13 provide additional clarification and consistency for the ordinance. Section 14 includes new language to address restaurant issues. Section 12.15 is the new Outdoor Alcoholic Beverage Permit ordinance. The Commission discussed in detail the provisions of the proposed ordinance, and a number of areas were recommended for change, clarification, and revision. The Commission directed Attorney Klos to revise the enclosed beer garden area provisions in order to address the smoke free workplace law, lessen the restrictions on the permanent barrier requirements, and address outdoor beer garden entrances. Restrictions regarding sales of alcoholic beverages, open hours of the beer garden, responsibility for enforcing the beer garden ordinance, and the notification requirements of an application for a permit were all revised and modified as well. Attorney Klos will prepare a revised ordinance, and Village Administrator Teresa Schnitzler was directed to distribute copies of the revised ordinance to all liquor license holders. Communication to the liquor license holders will include the time and date of the next Planning Commission meeting and will request their feedback and input on the proposed ordinance. The Commission agreed the next Planning Commission meeting will be scheduled for Wednesday, August 3, 2011, at 6:30 p.m.

Motion by President Manthei, seconded by Trustee Koelbl to approve the minutes of the July 13, 2011, Planning Commission meeting. Roll call vote: Unanimous aye.

Motion by Trustee Leicht, seconded by Trustee Koelbl to adjourn the meeting at 7:55 p.m. Approved by voice vote.

Teresa L. Schnitzler, Village Administrator