

Regular Board Meeting

July 21, 2009

Meeting called to order at 7:30 p.m. by President Manthei. Trustees present: Engel, Hanson, Koelbl, Leicht, and Wehrs. Excused: Iverson. Also present: Police Chief Charles Ashbeck, Coulee News Special Correspondent Brad Bryan, Public Works Director Scott Halbrucker, Lester Hanson, David Hundt, Village Attorney Bryant Klos, and Village Administrator Teresa Schnitzler.

Agenda Addition

President Manthei requested Board permission to add a Street Closing Request to the meeting agenda. With Board approval, the Street Closing Request will be taken up after consideration for approval of claims.

Minutes

Motion by Trustee Engel, seconded by Trustee Koelbl, to approve the minutes of the July 7, 2009, Regular Board meeting as written. Roll call vote: Unanimous aye.

Claims

Claims from the following funds were presented for payment:

<u>General Fund:</u>	\$101,282.45
<u>Water Utility:</u>	\$42,475.01
<u>Sewer Utility:</u>	\$35,922.27
<u>Stormwater Utility:</u>	\$3,931.88

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

Street Closings

David Hundt appeared before the Board to request closing a portion of South Mill Street and a portion of Memorial Drive in conjunction with the West Salem Volunteer Emergency Services fundraising event scheduled for Saturday, July 25, 2009. Mr. Hundt requested South Mill be closed from 8:00 a.m. until 10:00 p.m. from East Hamilton south to just south of the chicken pit and Memorial Drive from the north/south alley to South Mill Street for the same timeframe.

Motion by Trustee Hanson, seconded by Trustee Leicht to approve the street closings for South Mill Street from East Hamilton to just south of the chicken pit and Memorial Drive from the alley to South Mill Street from 8:00 a.m. to 10:00 p.m. Roll call vote: Unanimous aye.

Sign Proposal

The Board reviewed a letter received from Pat Hofer, member of the West Salem Area Tourism Ad Hoc Committee and West Salem Historical Society, supporting a proposal for tourism center signage at the Palmer-Lewis-Octagon House on Highway 16. The Committee unanimously recommended the design submitted by LaScher's Uptown Bistro owner Eric Jansky. The recommendation was based on design, not cost. Mr. Jansky's proposal includes a 3.5' X 8' long sign on 6" X 6" posts with steel off-sets for mounting to the sign. The quote also includes installation at the Highway 16 location, and an open and closed sign to hang below. The quote is for \$2,500.

Motion by Trustee Engel, seconded by Trustee Leicht to approve the proposal submitted by LaScher's Uptown Bistro for tourism signage at the Palmer-Lewis-Octagon House for an amount not to exceed \$2,500.00. Roll call vote: Unanimous aye.

West Salem Fire District Fire Fees Request

The Board reviewed a letter received from the West Salem Fire Protection District stating the District unanimously approved asking the Towns of Barre and Hamilton and the Village of West Salem to consider the principle of a fire fee for the District. An affirmative vote by all three units of government is needed for the continued avenue of implementation. Trustee Wehrs explained the charges would apply to structure and vehicular fires. If all three municipalities agree, the Fire District will prepare an ordinance for Board consideration.

Motion by President Manthei, seconded by Trustee Engel to allow the West Salem Fire District to move forward with a proposed ordinance. Roll call vote: Hanson and Koelbl – nay; remainder of Board – aye. Motion approved.

Operator's Licenses

Motion by Trustee Engel, seconded by Trustee Koelbl to approve operator's licenses for Ronald D. Corn and Paul H. Degenhardt. Roll call vote: Unanimous aye.

Village Departments Updates

Public Works Director Scott Halbrucker reported the La Crosse Area Planning Commission is discussing purchase of a traffic counter for use by La Crosse County agencies. LAPC would maintain the software and download information for the agency utilizing the counter. The 2009 street projects are now complete, with the second lift for the three streets to be done in late-August. The water reservoir project is progressing with the height getting higher every day. Sidewalk repair notices were sent to 98 property owners, and 30 owners have yet to respond. If the property owner does not make the sidewalk repairs by August 20, the Public Works Department will contract for the repair work and bill the property owner. The tree and brush storage pile on Buol Road has been ground and the chips hauled away by the contractor. Police Chief Charles Ashbeck updated the Board on the recent fire at 104/106 East Garland Street. Two of the five pedestrian crossing signs were stolen, and a Town of Barre employee recovered one of the missing signs for the Village.

Economic Development Advisory Committee and Street Committee Joint Meeting

Trustee Leicht reported on the July 13, 2009, Economic Development Advisory Committee and Street Committee Joint Meeting. Trustee Leicht brought the Economic Development Advisory Committee members up to date on discussion held at the July 7,

2009, Village Board meeting. The Village Board of Trustees reviewed for approval the June 22 and June 29 Economic Development Advisory Committee meeting minutes. The Board also reviewed Ordinance 1.11 setting forth the appointment, organization, and powers and duties of the Economic Development Advisory Committee. Due to the limited powers vested in the Economic Development Advisory Committee per Village Ordinances, the Board unanimously voted to turn the Pathways project implementation work over to the Street Committee. Noting the Economic Development Advisory Committee's research, work, and time over the last five years for Pathways, the Street Committee recommended having the Economic Development Advisory Committee attend all Street Committee meetings as an advisory group when the Pathways Project is on the agenda and recommend same to Village Board. John Lautz referred to an e-mail communication sent by Teresa Schnitzler to the Village Board of Trustees and the Economic Development Advisory Committee on July 9 setting forth the progression of the DOT Enhancement Grant work performed by the Economic Development Advisory Committee from 2004 to the present. Mr. Lautz felt the Committee has not overstepped its powers and duties, and he requested the record be corrected to reflect such. Mr. Lautz and Ms. Fuller clarified that the intent of the Committee has always been to make recommendations to the Village Board and all actions and recommendations must be approved by the Village Board. After lengthy discussion and clarification of the June 29, 2009, Economic Development Committee meeting minutes, the Street Committee and the Economic Development Advisory Committee agreed and confirmed recommendations will now come through the Street Committee to the full Village Board. Based upon this clarification, the Street Committee does not feel the Economic Development Advisory Committee overstepped its Village granted powers and duties. The Committees reviewed the May 27, 2008, edition of Procedures for Consultant Services on Federally or State Funded Design Projects. The municipality must select a "Consultant Selection Committee". The Consultant Selection Committee is responsible for documenting all selection procedures, and maintaining the records for at least three years beyond the completion of the project. The appointed Committee is also charged with developing a short list of three to five eligible consultants, developing criteria to rank consultants, reviewing the responses from a Notice of Interest solicitation, and obtaining data regarding previous performance records and workload. The consultant selection for federally funded design projects requires a qualification-based selection process where engineering consulting firms are selected in order of preference based on qualification criteria. The intent is qualification-based consideration not price within the selection process, as basing selection on price is not in the public's best interest. The Committee unanimously recommended designating and appointing the Economic Development Advisory Committee members as the "Consultant Selection Committee" and as such Committee, to follow the Procedures for Consultant Services on Federally or State-Funded Design Projects manual and report to the Street Committee. The Economic Development Advisory Committee had previously reviewed the Department of Transportation's roster of eligible engineering consultants. The Committee also reviewed rosters of consultant firms maintained by the Cities of La Crosse and Onalaska. Sharon Fuller presented a chart listing the consultant firms utilized by the City of La Crosse, consultant firms utilized by the City of Onalaska, and the list of eligible firms maintained by the State of Wisconsin. Ms. Fuller cross-referenced the three lists giving consideration to disadvantaged business enterprises and compiled a roster for this Committee's use. From this list, a finalized roster will be reviewed for approval by the Street Committee and Village Board and Notices of Interest will be

mailed to each firm on the roster. Ms. Fuller was authorized and encouraged to continue contact with the local program management consultant KJohnson Engineers, Inc. for guidance and direction. The Committees agreed an engineering firm should be on board by October 2009. Plans and specifications can then be drafted for the bidding process in the Spring of 2010. The Committees will continue to meet regularly in order to keep the project progressing forward.

Motion by Trustee Leicht, seconded by Trustee Wehrs to approve the minutes of the July 13, 2009, Economic Development Advisory Committee and Street Committee Joint Meeting. Roll call vote: Hanson – nay; remainder of Board – aye. Motion approved.

Economic Development Advisory Committee Meeting

Trustee Wehrs stated the minutes of the June 29, 2009, Economic Development Advisory Committee meeting should have included the fact the Economic Development Advisory Committee will recommend all matters to the Street Committee and then Village Board for final approval. With this addition, Trustee Wehrs requested Board approval of the minutes reflecting the actions taken by the Committee on June 29, 2009.

Motion by Trustee Wehrs, seconded by Trustee Koelbl to approve the minutes of the June 29, 2009, Economic Development Advisory Committee meeting. Roll call vote: Hanson – nay; remainder of Board – aye. Motion approved.

Bicycle and Pedestrian Ad Hoc Committee

Trustee Koelbl reported on the July 13, 2009, Bicycle and Pedestrian Ad Hoc Committee meeting. The Committee recommended the Village Board provide a written “duty and guidelines” document for the Committee’s use in proceeding in the right direction. A safe routes to school presentation will be given to the Village Board, and the Committee has requested Board approval in order to proceed with any future projects that would explore planning and research funding.

Motion by Trustee Koelbl, seconded by Trustee Wehrs to approve the July 13, 2009, minutes of the Bicycle and Pedestrian Ad Hoc Committee meeting. Roll call vote: Unanimous aye.

Motion by Trustee Koelbl, seconded by Trustee Engel to refer the written duties and guidelines request to the Street Committee. Roll call vote: Unanimous aye.

Motion by Trustee Engel, seconded by Trustee Leicht to convene in closed session at 8:14 p.m. for conference with legal counsel for the governmental body who is rendering oral or written advise concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved as authorized by Wis. Stat. Sec. 19.85(1)(g), to-wit: Review potential zoning violation and enforcement options. Roll call vote: Hanson and Wehrs – nay; remainder of Board – aye. Motion approved.

Motion by Trustee Engel, seconded by Trustee Leicht to reconvene in open session at 8:34 p.m. Motion approved by voice vote.

Motion by Trustee Hanson, seconded by Trustee Koelbl that the Village Board authorize the Village Attorney to commence an enforcement action against the Harter entities involved in the Buol Road quarry operation. Roll call vote: Unanimous aye.

Motion by Trustee Wehrs, seconded by Trustee Engel to adjourn the meeting at 8:36 p.m. Approved by voice vote.

Teresa L. Schnitzler, Village Administrator