

Regular Board Meeting

July 21, 2015

Meeting called to order at 7:00 p.m. by President Manthei. Trustees present: Brown, Deal, Hennessey, Lautz, Leicht, and Schumacher. Also present: Public Works Director Scott Halbrucker, Coulee News Special Correspondent Emily Staed, Police Chief Charles Ashbeck, Ronald G. Rothering, Christopher Corbin, and Village Administrator Teresa Schnitzler.

Public Comment

Christopher Corbin, 850 Winchester Street, appeared before the Board to request a review of the ordinances regarding barking dogs. Mr. Corbin has read the ordinance, and he feels the wording used in the ordinance is vague. Mr. Corbin has a neighbor who lives a block away from him who has called the police department to complain about his dog barking from inside the house. The last incident occurred in July 4 while neighborhood fireworks were being shot off and a party was being held nearby. Mr. Corbin was not home that night. His dog was kenneled, but the anti-bark collar was not working due to a dead battery. Mr. Corbin cited the Village noise ordinances allowing louder noises during certain times of the day. Mr. Corbin requested the Village Board review the barking dog ordinance to better define the vicinity a complainant should be present within, a complaint must be public record and not anonymous, and the wording of the ordinance be more specific. The Village Board agreed to refer this matter to the Law Enforcement Committee for review.

Minutes

Motion by Trustee Leicht, seconded by Trustee Schumacher to approve the minutes of the July 7, 2015, Regular Board meeting as written. Roll call vote: Lautz – abstain; remainder of Board - aye. Motion approved.

Claims

Claims from the following funds were presented for payment:

<u>General Fund:</u>	\$58,792.22
<u>Water Utility:</u>	\$12,476.54
<u>Sewer Utility:</u>	\$10,385.47
<u>Storm Water Utility:</u>	\$2,402.86

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

Request for Use of Roll Down Doors

Ron Rothering, Golden Hills Auction Service, appeared before the Board to request the use of the roll down doors at the West Salem Community Shelter for an auction scheduled for August 13, 2015. Mr. Rothering would like all but one of the doors pulled down on August 10, 11, and 12 for auction set up, and depending on the weather, four

or five doors up for the auction on August 13. Use of the roll down doors requires prior Village Board approval. If approved, a refundable security deposit of \$1,200 is required along with approved rental fees. Mr. Rothering cannot guarantee the auction will conclude before the public works department finishes work at 3:30 p.m. on August 13, and, therefore, he offered to pay applicable overtime for the service.

Motion by Trustee Lautz, seconded by Trustee Schumacher to approve Ron Rothering's request for use of the roll down doors at the West Salem Community Shelter for a fee of \$50 per day plus \$200 for use of the roll down doors plus any over time required by the public works department to move the doors after its regular work hours. Roll call vote: Unanimous aye.

Application for Temporary Class B Retailer's License

Motion by Trustee Leicht, seconded by Trustee Lautz to approve an Application for Temporary Class B Retailer's License submitted by American Legion Post 51 for Wednesday, July 29 through Sunday, August 2, 2015, for sale at the West Salem Community Shelter with the condition there is a licensed alcohol beverage server on sight at all times while fermented malt beverages are being served. Roll call vote: Unanimous aye.

Alcohol Beverage License Application

Motion by Trustee Schumacher, seconded by Trustee Leicht to deny the issuance of an alcohol beverage license to Nolan Thomas Wahoske based on prior history. Roll call vote: Unanimous aye.

Planning Commission

President Manthei reported on the July 7, 2015, Planning Commission meeting. On behalf of Peterbilt, La Crosse Sign Company has applied for a conditional use permit in order to construct an on-premise pylon sign 75 feet in total height with two main, internally lit identification faces. The conditional use permit application also requests two, smaller 32-square foot signs below the main sign. Paul Fuchsel explained the company utilized high-rise equipment to calculate placement of the proposed sign, and it has been determined a 75-foot height provides visual clearance over the trees and enables traffic on Interstate 90 time to see the sign and then make a decision to exit. The Lloyd's Speedstop pylon sign is 70 feet in height. The conditional use permit application requests not only a height variance, but also a square footage of signs allowed variance. The main sign with the two smaller signs total 564 square feet, and Village Ordinance allows a total of 400 square feet on one premise. The Planning Commission scheduled a public hearing on the Conditional Use Permit Application for Tuesday, July 28, 2015, at 5:00 p.m. with a Planning Commission meeting to follow. Clair Bissen, co-owner of Family Tree Floral, 103 West Jefferson Street, has applied for a conditional use permit in order to construct a 33-unit multi-family apartment complex in a Business District Zone. Mr. Bissen explained Family Tree Floral is planning to move its business to a different location in West Salem. Terry Denney has made an offer to purchase the 1.91-acre parcel and construct a 33-unit apartment complex with tenant garages on the premises. Mr. Denney plans to retain as many of the mature trees as possible, the proposed tenant garages will provide privacy to the surrounding neighbors, the new structure will have a historic/antique appearance, and the large amount of green space will allow for a rain garden and a gazebo. Mr. Bissen has talked

with several of the surrounding neighbors, and the people he has talked with are supportive of the plan. Village Ordinances require 3,500 square feet of area per family unit. Mr. Denney is proposing 2,500 square feet per family unit as is the requirement in the City of Onalaska. The City of Tomah requires 1,700 square feet per family unit. Mr. Denney is planning one and two-bedroom apartments, and this location is conducive for 30 to 40-year olds. Attorney Klos informed the Commission of a number of items that should be addressed before the request is moved forward. Since the development would exit onto a county trunk highway, the La Crosse County highway commissioner should be consulted and approval obtained. The development will affect water, sewer, and storm water utilities. Therefore, engineering design plans should be submitted for Village review. The design plans should include provisions for storm water management. Proximity to Interstate 90 may require Wisconsin Department of Transportation review. The Planning Commission should be given a full explanation of the proposed structure. A discussion should also take place with the West Salem Volunteer Fire Department regarding fire safety concerns with a three-story structure. Once the above information is received and reviewed by the Village Engineer, the Planning Commission will schedule a meeting to further review the proposal. The Planning Commission reviewed a proposed ordinance which would amend Chapter III Zoning pertaining to conditional uses. The proposed additions to Section 3.04 would allow a process for revocation of an issued conditional use permit and also allow business uses in an Industrial Zone. The Commission scheduled a public hearing on proposed Ordinance No. 465 for Tuesday, July 28, 2015, immediately following the sign variance conditional use permit public hearing.

Motion by President Manthei, seconded by Trustee Brown to approve the minutes of the July 7, 2015, Planning Commission meeting as presented. Roll call vote: Unanimous aye.

Utilities Committee

Trustee Schumacher reported on the July 8, 2015, Utilities Committee meeting. The purpose of the meeting was to review the 2014 Compliance Maintenance Annual Report completed for the West Salem Wastewater Treatment Plant with recommendation to the Village Board, review the Sewer Utility financial status, and receive general Water, Sewer, and Storm Water Utility updates. Scott Halbrucker explained a low letter grade result on the 2014 Compliance Maintenance Annual Report in the "financial" section of the report. The 2014 Sewer Utility Budget included a line item for a \$100,000 transfer to the equipment replacement fund. The 2014 Sewer Utility Budget was prepared and passed with a \$16,384 deficit. Operating revenues did not reach budgeted revenues as water usage has decreased and passage of 2013 Wisconsin Act 274 (Landlord-Tenant Delinquent Utility Bill Legislation) moved the last quarter of 2014 delinquent billing special assessment revenues into 2015. Bond principal and interest payments and increased expenses and capital outlay in 2014 resulted in the equipment replacement fund transfer budgeted amount being used to maintain and operate the Sewer Utility. Mr. Halbrucker estimates the equipment replacement fund is short \$436,376.31. Mr. Halbrucker noted the 2013 CMAR included a resolution stating the Village Board would review rates and fixed charges in order to increase revenues to meet the financial requirements of the CMAR. This action was not taken, and an explanation of why the action was not taken needs to be submitted to the Wisconsin Department of Natural Resources. Mr. Halbrucker talked with Department of Natural Resources

representatives, who have advised non-compliance could result in the fund transfer requirement being included as an order in the Waste Water Treatment Plant Permit and the Village could be penalized. Mr. Halbrucker is requesting the Committee supply a reasonable explanation as to why the transfer was not made and how the Village plans to rectify the financial situation in 2015. Mr. Halbrucker explained various compliance actions and deadlines involved in complying with the new water quality based effluent limits for total phosphorus. Although full compliance is not required until 2024, there are reports, progress plans and specifications, and construction requirements from now through 2024. The Sewer Utility does not have the financial means to meet present nor future requirements. The Committee discussed contracting for a utility rate study and phosphorus compliance requirements study and directed Mr. Halbrucker to request proposals from Dave Sauer at Cedar Corporation and other firms to do this work. Mr. Halbrucker reported Well No. 2 was pulled for inspection and repairs last year, and the result was \$40,000 in repair costs. The 2015 budget includes an inspection of Well No. 3 for a budgeted amount of \$17,000. The inspection of Well No. 3 is going to cost closer to \$31,000. The Committee will monitor unbudgeted, but anticipated revenues to cover the additional \$14,000 required for Well No. 3. Mr. Halbrucker shared pictures of many catch basins in the Village in various stages of needed repair and/or replacement. The costs for needed repairs and replacements are significant. The budgeted \$2,500 for maintenance of catch basins has already been expensed. At least twenty sidewalk repairs are needed due to storm water catch basin failures. Budgeted street reconstruction also includes curb, gutter, and catch basin replacements.

Motion by Trustee Schumacher, seconded by Trustee Lautz to approve the minutes of the Utilities Committee meeting held on July 8, 2015. Roll call vote: Unanimous aye.

Motion by Trustee Leicht, seconded by Trustee Schumacher to adjourn the meeting at 7:40 p.m. Approved by voice vote.

Teresa L. Schnitzler, Village Administrator