

Regular Board Meeting

August 4, 2015

Meeting called to order at 7:00 p.m. by President Manthei. Trustees present: Brown, Deal, Hennessey, Lautz, Leicht, and Schumacher. Also present: Village Attorney Bryant Klos, Public Works Director Scott Halbrucker, Coulee News Special Correspondent Emily Staed, Police Chief Charles Ashbeck, Recreation Director Michelle Czerwan, President of Safe Step, LLC. Chris Ott, and Village Administrator Teresa Schnitzler.

Minutes

Motion by Trustee Leicht, seconded by Trustee Schumacher to approve the minutes of the July 21, 2015, Regular Board meeting as written. Roll call vote: Unanimous aye.

Claims

Claims from the following funds were presented for payment:

General Fund:

1 st Community Credit Union	\$528.25
Allied Cooperative	466.50
Arcade Portables, LLC	413.40
Arrows in the Square	165.00
Auto Value West Salem	3.49
Badger Environmental & Earthworks	3,000.00
Baycom. Inc.	28.00
Chemsearch	104.85
Chippewa Valley Sport Goods	451.31
Civic Systems, LLC	1,064.25
Coulee Trophy & Sport	578.00
Dalco	332.21
Empower Retirement	628.00
Franciscan Skemp Healthcare	75.00
Games People Play	1,451.00
Health Tradition-Premier	9,348.01
Holiday Wholesale	87.55
Hoss E. Roemer	50.99
Illinois Mutual Life Insurance	339.21
Indoff, Inc.	173.89
Kemp Cleaning Service, Inc.	815.00
La Crosse County Clerk	130.00
La Crosse Premium Water	6.00
Michelle K. Czerwan	87.05
Miller & Associates	4,200.00
National Elevator Inspection	83.00
Olivia Mercer	315.00
Overhead Door Company	99.50
Richard Massman	160.00
Sam's Club	282.45

General Fund (cont'd).

Scott Koepnick	50.00
Scott T. Halbrucker	136.12
Streicher's, Inc.	221.00
Transamerica Employee Benefits	313.53
Tri-State Business Machines	97.64
Verizon Wireless	481.64
Vernon Romskog	180.00
WE Energies	65.27
West Salem Running club	700.00
Wiebke Trading Company	1,080.00
Wisconsin DSPS – Industry Services	50.00
Zoe Leis	440.00

Water Utility:

Centurylink	\$3.00
Civic Systems, LLC	1,064.25
Hach Company	655.61
Hawkins, Inc.	875.80
Health Tradition-Premier	2,863.07
Sherwin Williams	96.00
WE Energies	20.88
West Salem General Fund	4,736.49
Wisconsin Rural Water Association	195.00

Sewer Utility:

1 st Community Credit Union	\$50.00
Civic Systems, LLC	1,064.25
Davy Laboratories	703.60
Health Tradition-Premier	3,784.31
Indoff, Inc.	17.80
WE Energies	26.94
West Salem General Fund	5,687.76

Storm Water Utility:

Civic Systems, LLC	\$1,064.25
Health Tradition-Premier	127.35
West Salem General Fund	396.17

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

Safe Step, LLC – Sidewalk Trip Hazard Audit and Repairs

President of Safe Step, LLC, Chris Ott, addressed the Village Board to discuss the 2015 sidewalk trip hazard audit and repair work program. Mr. Ott informed the Board of Safe Step's long history of municipal sidewalk inspections and repairs, audit and repair criteria given to Safe Step by the Village, employee procurement, the inspection process, and program enforcement used. In the past, the public works department inspected and marked approximately 75 to 100 sidewalks in need of repair or

replacement, and the process has been ineffective in enforcing the sidewalk ordinances. Safe Step identified just under 1,000 sidewalks with defects in the Village. Mr. Ott acknowledged data inaccuracies on the part of Safe Step which resulted in confusion and re-inspection and verification efforts required by the public works department. Safe Step will provide \$5,000 worth of sidewalk repair work to the Village as a good faith effort to compensate for their mistakes. The homeowner attempted repairs have proven to be the most challenging for the Village and Safe Step. Mr. Ott stated the “close enough program” the Village has used in the past does not bring sidewalks to ADA compliance. Safe Step employees have worked with residents on repairs and have documented further repairs needed. The Board discussed specifics with Mr. Ott and questions were answered.

West Franklin Street Improvement Project

The Board reviewed the bid analysis for the West Franklin Street project submitted by Village Engineer Dave Sauer. Bids for the project were reviewed on July 23, 2015, and five proposals were submitted. The project area is from Leonard Street to Harmony Street. Based upon Mr. Sauer’s analysis of the bids received, the responsive low bidder is Oium Asphalt Paving, Inc. in the amount of \$99,256. The bid includes unit price items for asphalt milling, crushed aggregate asphalt, restoration, curb and gutter, sidewalk, and traffic control. The engineer’s estimate for this project was \$95,000. The main difference between the engineer’s estimate and the bid cost is due to the bid cost of asphalt at \$102.33 per ton where the estimate used was \$88 per ton. If Oium is awarded the contract, it proposes to begin work the week of August 17. The project should be completed in four weeks, depending on the weather.

Motion by Trustee Lautz, seconded by Trustee Leicht to accept the low bid submitted by Oium Asphalt Paving, Inc. for an amount not to exceed \$99,256.00 and give notice to proceed. Roll call vote: Unanimous aye.

Alcohol Beverage License Applications

Motion by Trustee Schumacher, seconded by Trustee Leicht to approve the issuance of alcohol beverage licenses to Olivia N. Alekson and Megan J. Schutte. Roll call vote: Unanimous aye.

Law Enforcement Committee

Trustee Lautz reported on the July 21, 2015, Law Enforcement Committee meeting. The purpose of the meeting was to review for recommendation an Application to Exceed Pet Limit and to review a request to consider an ordinance prohibiting alcohol social hosting. Paula Harvatine and Michael Huston submitted an Application to Exceed Pet Limit in order to add a third dog to their residence. The residents presently keep two Brittany Spaniels at their home. They wish to add a third Brittany Spaniel to their family as the two present dogs are aging. The two present dogs are spayed and neutered, and all three pets will be kept primarily indoors. All of the animals have also been vaccinated against rabies. Notices were mailed to all property owners within three hundred feet of 1125 Brickl Road, and no comments in favor of or in opposition to were received by the Administration Office. There has been no law enforcement contact regarding the animals kept at 1125 Brickl Road. The Committee recommended to the Village Board granting the request to Paula Harvatine and Michael Huston to exceed the pet limit. Sue Lynch, Policy Consultant for Changing the Culture of Risky Drinking

Behavior Coalition, has requested the Village of West Salem consider adopting an ordinance prohibiting alcohol social hosting relating to underage persons. Ms. Lynch provided copies of the same ordinances adopted in the Cities of La Crosse and Onalaska. The purpose of the ordinance is to discourage underage possession and consumption of alcohol, even if done within the confines of a private residence, and it intends to hold persons civilly responsible who host gatherings where persons under twenty-one years of age possess or consume alcohol regardless of whether the person hosting the gathering supplied the alcohol. The Committee reviewed the provided example ordinances and discussed the increased penalties associated with a violation of this ordinance and how it emphasizes the importance of this issue by sending a strong message that West Salem does not condone the behavior. Police Chief Ashbeck stated the municipal fine for supplying alcohol to a minor is roughly \$300. Chief Ashbeck stated social hosting is not a significant issue in West Salem, but the ordinance would give the police department an additional avenue of enforcement if a situation warrants it and provides uniformity among municipalities in La Crosse County. The penalties associated with the proposed ordinance would encourage adults to think twice before violating the ordinance by hosting events and serving alcohol to underage persons. Committee members discussed specific situations wherein an adult does not know an underage person visiting their home has taken alcohol and if this would fall under enforcement with this ordinance. The Committee agreed to consult with Attorney Klos regarding the proposed ordinance and to review with the Village Board.

Motion by Trustee Lautz, seconded by Trustee Leicht to approve the minutes of the Law Enforcement Committee meeting held July 21, 2015, as presented. Roll call vote: Unanimous aye.

Motion by Trustee Lautz, seconded by Trustee Leicht to approve the request of Paula Harvatine and Michael Huston to exceed the pet limit. Roll call vote: Unanimous aye.

Planning Commission

President Manthei reported on the July 28, 2015, Planning Commission meeting. The purpose of the meeting was to conduct two public hearings and make recommendations to the Village Board. A Conditional Use Permit Application was submitted by La Crosse Sign Company on behalf of Peterbilt, 55 Buol Road. Peterbilt and La Crosse Sign Company have requested a Conditional Use Permit for the purpose of constructing a 75-foot high, on-premise pylon sign with two main, internally lit identification faces equaling 500 square feet. The Conditional Use Permit Application also requests two smaller, 32-square foot signs below the main sign. There were no citizens present to speak for or against the Conditional Use Permit Application. The second public hearing was called to order to listen to citizen comments with regard to proposed Ordinance No. 465 amending the conditional use permit provisions of Chapter III Zoning to allow for revocation of an issued permit and allowing business uses in an Industrial Zone. There were no citizens present to speak for or against the proposed Ordinance. The Commission reviewed proposed Conditional Use Permit No. 24 as drafted by Attorney Bryant Klos. The following Conditions are incorporated into the permit:

1. The exact location of the sign within the legal found as Exhibit B would be the northeast corner thereof as depicted on Exhibit C where it indicates a black dot and proposed sign location.

2. The east and west sides of the signage would allow for a directly illuminated sign as depicted on Exhibit D. This is not an approval for an indirectly illuminated billboard, an electronic digital billboard, or animated sign.
3. A variance is granted as to the following issues:
 - a. The height of the top of the sign to ground level cannot exceed 75 feet;
 - b. The number of signs cannot exceed 3. The signs will advertise Peterbilt, Cummins, and Cat, and can only do so as long as the business operated on the premises actively services Peterbilt, Cummins, and Cat products so as to qualify as on-premise advertising under Village Ordinances. This is not an approval this signage is meeting State or Federal on-premise sign requirements.
 - c. The size of the large sign would be as depicted on Exhibit D and each sign face could be no larger than 250 square feet per side. The size of the two smaller signs would be no larger than 16 square feet per side.
4. The location of the signs on the poles would be as depicted on Exhibit D.
5. The signage must not overhang within ten feet of the right-of-way of Buol Road or within 10 feet of any other property line.

The Planning Commission recommended to the Village Board approval of Conditional Use Permit No. 24 as presented. The Commission then reviewed proposed Ordinance No. 465 which amends provisions of Chapter III Zoning. Commission Member Baltz suggested two revisions be made to the proposed Ordinance in order to clarify provisions of revocation of an issued conditional use permit. The Planning Commission then recommended to the Village Board approval of Ordinance No. 465 with the two modifications.

Motion by President Manthei, seconded by Trustee Deal to approve the Planning Commission meeting minutes as presented. Roll call vote: Unanimous aye.

Motion by President Manthei, seconded by Trustee Lautz to approve Conditional Use Permit No. 24 as presented. Roll call vote: Unanimous aye.

Motion by Trustee Schumacher, seconded by Trustee Lautz to approve Ordinance No. 465 as presented. Roll call vote: Unanimous aye.

Motion by Trustee Leicht, seconded by Trustee Schumacher to convene in closed session at 7:58 p.m. pursuant to Wis. Stat. Sec. 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, i.e., proposed development agreement for land swap. Roll call vote: Unanimous aye.

Motion by Trustee Leicht, seconded by Trustee Schumacher to reconvene in open session at 8:08 p.m. Approved by voice vote.

A proposed Development Agreement between the Village of West Salem and Fossum Management, LLC. to legally swap portions of various parcels between each other for the purposes of creating one, large rectangular parcel to be owned by Fossum Management for its own redevelopment purposes was reviewed by the Board. The Development Agreement would also serve to enlarge the Village ownership of the lot it currently has on which the Village Hall sits in order to provide a space for future parking and/or building expansion and/or a new alley addition. The proposed land swap would

also allow the Village to create a unified strip of parking for vehicles off the east edge of the north-south alley located within the block.

Motion by Trustee Schumacher, seconded by Trustee Leicht to authorize the Village President and the Village Administrator to enter into a Development Agreement with Fossum Management, LLC. Roll call vote: Unanimous aye.

Motion by Trustee Schumacher, seconded by Trustee Deal to adjourn the meeting at 8:12 p.m. Approved by voice vote.

Teresa L. Schnitzler, Village Administrator