

Regular Board Meeting

October 7, 2008

Meeting called to order at 7:30 p.m. by President Manthei. Trustees present: Engel, Hanson, Harold, Hoffman, Leicht, and Wehrs. Also present: Charles Ashbeck, Brad Bryan, Ray Ebert, Scott Halbrucker, Ray Osiecki, and Village Administrator Teresa Schnitzler.

Minutes

Motion by Trustee Harold, seconded by Trustee Leicht, to approve the minutes of the September 16, 2008, Regular Board meeting as written. Roll call vote: Unanimous aye.

Claims

Claims from the following funds were presented for payment:

<u>General Fund:</u>	\$141,287.72
<u>Water Utility:</u>	\$51,658.36
<u>Sewer Utility:</u>	\$32,934.65

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

Designation of Reserve Liquor License Fee Payment

LaScher's on Leonard paid the required \$10,000 fee to obtain a Reserve Liquor License from the Village. The Board discussed treatment of the fee payment.

Motion by Trustee Wehrs, seconded by Trustee Leicht to designate the \$10,000 reserve liquor license fee into the downtown revitalization fund. Roll call vote: Hanson – nay; remainder of Board – aye. Motion approved.

Installation of New Traffic Controls

Police Chief Ashbeck informed the Board of four intersections where he plans to have stop signs erected. The first is at the corner of North Mark Street and Lewis Street adjacent to the new two-acre park. The remaining intersections are East Tilson at North Mark Street, North Mill Street at Lewis Street, and Meadow Lane at Crestwood Avenue.

Recreation Committee Meeting

Trustee Leicht reported on the September 17, 2008, Recreation Committee meeting. Interim Recreation Director Michelle Czerwan presented her proposed 2009 budget, and the Committee discussed suggestions and changes to the budget. The Committee reviewed the Fall/Winter brochure, including new programs, changes, and fee structures. Mrs. Czerwan updated the Committee on park activities. The Lewis Street park is prepared for the arrival of playground equipment to be installed this fall. Ms. Czerwan has suggested a naming contest for the new park. Parkland purchased from

the Hundt family has been graded and seeded. Mrs. Czerwan also updated the Committee on staffing changes in the Recreation Department.

Motion by Trustee Leicht, seconded by Trustee Engel to approve the minutes of the Recreation Committee meeting of September 17, 2008. Roll call vote: Unanimous aye.

Finance and Personnel Committee Meeting

Trustee Hoffman reported on the Finance and Personnel Committee meeting of September 23, 2008. Police Chief Ashbeck presented a proposal to transfer the Village retirement pension plan to the Department of Employee Trust Funds State retirement plan. Chief Ashbeck summarized the retirement benefits to both the general and protective placement employees and the cost savings benefit to the Village of \$9,521.17. The State offers its own 457 Plan, and the present retirement plan and the present 457 Plan can be transferred into the State plan. Nineteen of the twenty Village employees affected by the change are in favor of the proposal. There are currently over 1,400 agencies in the State retirement plan which is over 90 percent participation in the State plan. Chief Ashbeck requested the Committee recommend approval to adopt a resolution allowing the Village to enter the Wisconsin retirement program at the current 13 percent contribution level. In order for participation in the plan to be effective January 1, 2009, a resolution must be filed with the State by November 15, 2008. The Committee agreed to review the proposal and consider a recommendation at the next Committee meeting on September 25, 2008. The Committee reviewed the proposed 2009 police department budget. Chief Ashbeck proposed increasing the hourly rate and hours budgeted for part time police officers and increasing the fuel, training, supplies, and squad maintenance expenses in order to retain the same buying power as in the past. Capital items include establishing sinking funds for future capital purchases and acquiring interview room recording equipment in order to comply with State law mandates. Chief Ashbeck prepared a proposal to hire a seventh police officer to serve as a sergeant, first- line supervisor beginning in November of 2009. The Committee will continue review of the police department budget proposals on September 25, 2008.

Motion by Trustee Hoffman, seconded by Trustee Engel to approve the minutes of the September 23, 2008, Finance and Personnel Committee meeting. Roll call vote: Unanimous aye.

Finance and Personnel Committee Meeting

Trustee Hoffman reported on the September 25, 2008, Finance and Personnel Committee meeting. Acting Recreation Director Michelle Czerwan presented her proposed 2009 Recreation Department Budget. Mrs. Czerwan explained each item set forth for 2009 parks expenses, including additional weed and fertilizer needs for the two new parks, increase athletic paint to restock the supply, equipment rental, and lighting control panel work for the Community Shelter parking lot. Mrs. Czerwan is working with the Lions Club and the West Salem Hockey Association to fund replacement of the Lions parking lot lights. Capital proposed expenditures include signage for the two new parks, Lions parking lot lights, and the approved vinyl fence at the new Hundt park. The Committee felt half the replacement costs of the Village Park gazebo roof should be placed in a sinking fund for 2010. Mrs. Czerwan will research funding options in lieu of renting a gator for a portion of the summer months. Public Works Director Scott Halbrucker then presented the Department's proposed 2009 budget. The Village

received notification from Governor Doyle that the State Department of Transportation had approved West Salem's Transportation Enhancements program request for fiscal years 2009 through 2011. Funding provides for 80 percent reimbursement of the total project costs. Therefore, the Public Works proposed budget includes \$95,000 in design, planning, and engineering costs, \$75,000 of which will be reimbursed by the State. The proposed budget also includes increases in the Street budget for gasoline and oil, traffic controls, snow and ice removal, tree and brush disposal, and Village garage maintenance. Capital expenditures proposed include replacement of the one-ton truck and purchases of an additional mower, a work platform, and a utility trailer. Street capital expenditures are North Youlon Street and West Franklin Street. The Committee requested Mr. Halbrucker review leasing options for the new truck and add to the Capital Streets Oak Avenue from Garland to Franklin Street. On Tuesday, September 23, the Committee reviewed a request from the employees to enter into the Wisconsin Retirement System, and a final recommendation was delayed to this meeting. Proposed Resolution 13.08 authorizes inclusion in the Wisconsin Retirement System, proposed Resolution 14.08 approves inclusion under the Wisconsin Deferred Compensation Plan, and proposed Resolution 15.08 designates an agent for the Village. The Committee felt the retirement plan would benefit the Village. The Committee recommended approval of Resolution No. 13.08, Resolution No. 14.08, and Resolution 15.08 to transfer the employee retirement plan from North Central Trust Company (now Trust Point) to the Wisconsin Retirement System. The Committee also recommended increasing the hourly pay and hours budgeted for part time police officers and to hold off until January of 2010 the addition of a shift supervisor.

Motion by Trustee Hoffman, seconded by Trustee Engel to approve the Finance and Personnel Committee meeting minutes of September 25, 2008. Roll call vote: Hanson – nay; remainder of Board – aye. Motion approved.

Resolution 13.08 – Inclusion Under the Wisconsin Retirement System

Motion by Trustee Hoffman, seconded by Trustee Engel to approve Resolution 13.08 Village of West Salem Inclusion Under the Wisconsin Retirement System. Roll call vote: Hanson – nay; remainder of Board – aye. Motion approved.

WHEREAS, the Village of West Salem has determined it is in the best interests of the Village to be included in the Wisconsin Retirement System; and

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of West Salem, La Crosse County, Wisconsin, that pursuant to Wis. Stats. Sec. 40.21 and 40.22 the Village of West Salem does hereby determine to be included under the Wisconsin Retirement System effective January 1, 2009.

BE IT ALSO RESOLVED that the Village Board of Trustees will recognize zero (0%) percent of prior credible service for all employees eligible for participation on the effective date of January 1, 2009, and that the number of eligible employees is twenty (20).

BE IT ALSO RESOLVED that the Village of West Salem will contribute and fund one hundred (100%) percent of the employee and the employer share of the required contributions in the Wisconsin Retirement System;

BE IT FURTHER RESOLVED that the Village of West Salem will continue its current pension plan funding contribution of a minimum of thirteen (13%) percent or the Wisconsin Retirement System required contribution percentage of the gross salaries

and wages of General Employees and contribute the Wisconsin Retirement System required contribution percentage for Protective Placement Employees.

BE IT ALSO RESOLVED it is understood this Resolution, when filed, is irrevocable after November 15 preceding the effective date of January 1, 2009.

ADOPTED this 7th day of October, 2008.

/s/ _____
Dennis Manthei, Village President

(VILLAGE SEAL)

/s/ _____
Teresa L. Schnitzler, Village Administrator

Resolution 14.08 – Inclusion Under State Deferred Compensation Plan

Motion by Trustee Engel, seconded by Trustee Leicht to approve Resolution 14.08 Inclusion under State of Wisconsin Deferred Compensation Plan. Roll call vote: Hanson – nay; remainder of Board – aye. Motion approved.

WHEREAS, the Village of West Salem has determined it is in the best interests of the Village to be included in the State of Wisconsin Deferred Compensation Plan; and

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of West Salem, La Crosse County, Wisconsin, that pursuant to the provisions of Section 40.81(1), Subchapter VII of Chapter 40 of the Wisconsin Statutes which provides in part as follows:

“An employer other than the State may provide for its employees the Deferred Compensation Plan established by the Board under Section 40.80. Any employer, including this State, who makes the Plan under Section 40.80 available to any of its employees, shall make it available to all its employees under procedures established by the Department under this Chapter.”

The Village of West Salem hereby determines to be included under the State of Wisconsin Deferred Compensation Plan provided by Section 40.80 Subchapter VII of Chapter 40 of the Wisconsin Statutes and regulated by Chapter ETF 70 of the Wisconsin Administrative Code for its eligible personnel; and

BE IT FURTHER RESOLVED, the proper officers are herewith authorized and directed to take all actions and make such reductions and submit such deferrals as are required by the Department of Employee Trust Funds of the State of Wisconsin pursuant to Subchapter VII of Chapter 40 of the Wisconsin Statutes; and

BE IT FURTHER RESOLVED, that the Village of West Salem agrees to be bound by the terms and conditions of the contracts between the State, its investment providers, and its Plan Administrator, and the “Plan Document” and “Procedures To Be Followed By Employer” as amended from time to time. The employer certifies it has received a copy of the Plan and Procedures; and

BE IT FURTHER RESOLVED, that the Village of West Salem representative submit a certified copy of this Resolution and “Notification Memo” to the State of Wisconsin, Department of Employee Trust Funds, and the Plan Administrator; and

BE IT FURTHER RESOLVED, that the Village of West Salem recognizing the Deferred Compensation Board’s responsibility for maintaining the integrity of the Plan, the Village of West Salem hereby resolves that the proper officers of the Village are hereby authorized and directed to cooperate fully with the Plan Administrator in accordance with procedures established by the Department of Employee Trust Funds in

processing requests for withdrawal in case of an unforeseeable emergency as defined in the Internal Revenue Section 457(d)(1)(A)(iii) and Treas. Regulation 1.457-6(c)(1) of the Regulations. The designated agent is directed to acknowledge on a form authorized by the Department of Employee Trust Funds, that relevant unforeseeable emergency information has been given and received.

ADOPTED this 7th day of October, 2008.

/s/ _____
Dennis Manthei, Village President

(VILLAGE SEAL)

/s/ _____
Teresa L. Schnitzler, Village Administrator

Resolution 15.08 – Designation of Agent

Motion by Trustee Hoffman, seconded by Trustee Leicht to approve Resolution 15.08 Designation of Agent for the State of Wisconsin Deferred Compensation Plan. Roll call vote: Unanimous aye. Motion approved.

WHEREAS, the Village of West Salem has determined it is in the best interests of the Village to be included in the State of Wisconsin Deferred Compensation Plan; and

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of West Salem, La Crosse County, Wisconsin, that the person in the following position is hereby designated as the agent in matters pertaining to the State of Wisconsin Deferred Compensation Program:

Designated Agent: Village Administrator

Agent: Teresa L. Schnitzler

Alternate: Carrie A. Cooper

Address: 175 South Leonard Street, West Salem, WI 54669

Phone: (608) 786-1858

Office Hours: 8:00 a.m. to 4:45 p.m., Monday through Friday.

Number of Eligible Employees: 20

ADOPTED this 7th day of October, 2008.

/s/ _____
Dennis Manthei, Village President

(VILLAGE SEAL)

/s/ _____
Teresa L. Schnitzler, Village Administrator

Finance and Personnel Committee Meeting

Trustee Hoffman reported on the Finance and Personnel Committee meeting of September 30, 2008. Thirty-one applications were received for the Parks and Recreation Director position. The Committee reviewed eight applications and agreed to interview five of the applicants on October 6 or 8 beginning at 6:30 p.m. Recreation Committee Chair Steve Kastenschmidt will be invited to attend the interviews. The Committee reviewed the 2009 requests for the Hazel Brown Leicht Memorial Library. The majority of the requests are expenses to the Village, such as a listening center CD player, break room chairs, literature displayer, bookends, pillows, and chairmat. Library staff requested the Committee consider capital expenditures for lighting changes and improvements to the outside open/closed sign. The proposed operating budget and call reimbursement budget from the 1st Responders was reviewed by the Committee. The requested funds from the Village are up slightly due to an increase in calls by the group.

Teresa Schnitzler noted all Village property, casualty, and workers compensation insurance should be bid out every three to five years. All insurance was bid out three years ago, and the Committee agreed the requests for proposals should begin in May of 2009 for the 2010 budgeting cycle. Property insurance is expected to increase slightly for 2009 due to the improvements at the Lions Shelter. Adoption of the Comprehensive Smart Growth Plan requires implementation of the Plan through the Village Code of Ordinances. The objective is to update the zoning and land division ordinances, update the Village official map, and prepare strategic financial plans. In addition, the Code of Ordinances should be recodified for internal consistency, suggestions for new ordinances and language, check state statute references, and prepare for final adoption by the Board. The Village Code was last codified in 1986. A proposal has been received from Yaggy Colby, and Ms. Schnitzler has asked for a proposal from Foth & Van Dyke and Schreiber/Anderson. The majority of the expense of implementation would be reimbursed by the Smart Growth Plan grant. The Committee agreed this proposal was worth pursuing. On June 4, 2008, the Finance and Personnel Committee agreed to review the present vacation accrual policy and health insurance opt out payments. If the Board approves inclusion in the Wisconsin Retirement System, health insurance opt out payments are not allowed. The Committee agreed to review the vacation accrual policy again. The Committee agreed to schedule a closed session meeting to discuss wages and salaries on Tuesday, October 7, 2008, at 8:00 a.m.

Buildings and Grounds Committee

Trustee Harold reported on the October 2, 2008, Buildings and Grounds Committee meeting. The purpose of the meeting was to review for recommended changes, additions, and updates Village Ordinance Nos. 5.09, 13.25 and proposed Ordinance 421 creating minimum property maintenance standards. The Committee also reviewed the comments received from Attorney Bryant Klos with regard to a previously introduced Ordinance 421 creating minimum property maintenance standards and a redraft of a tree and boulevard care ordinance. Ordinance 421 provides a notice and remedy process for residential property, and the Committee felt the same notice and remedy process should be afforded non-residential property. The Ordinance also provides for building inspector inspection and enforcement. The Committee recommends "Village Administrator or his or her designee" be substituted for the building inspector. In reviewing the present weed and grass ordinances, the Committee recommends the height at which grass and weeds must be cut be changed from 10 inches to 8 inches. The Committee recommended Ordinance No. 421 be presented to the Village Board with the changes agreed on. The Committee also recommended revising Ordinances 13.24 and 13.25 to prevent growth of noxious weeds and grass to a height of no more than 8 inches. The Committee would like to take proposed Ordinance 428 regarding tree planting and boulevard care to the Village Board for discussion.

Motion by Trustee Harold, seconded by Trustee Wehrs to approve the Buildings and Grounds Committee meeting minutes of October 2, 2008. Roll call vote: Unanimous aye.

Rescheduling First Meeting in November

Motion by Trustee Hoffman, seconded by Trustee Leicht to reschedule the first meeting in November to Monday, November 3, 2008, at 7:30 p.m. Roll call vote: Unanimous aye.

Ordinance No. 421 – Creating Minimum Property Maintenance Standards

Motion by Trustee Engel, seconded by Trustee Harold to schedule a public hearing on Ordinance No. 421 for Monday, November 3, 2008, at 7:00 p.m. Roll call vote: Hanson and Leicht – nay; remainder of Board – aye. Motion approved.

Ordinance No. 430 – Amending Destruction of Noxious Weeds and Weed and Grass Cutting

Motion by Trustee Engel, seconded by Trustee Harold to schedule a public hearing on Ordinance No. 430 for Monday, November 3, 2008, at 7:15 p.m. Roll call vote: Unanimous aye.

Proposed Ordinance No. 428 Tree Planting and Boulevard Care

Trustee Harold discussed with the Board a proposed Ordinance No. 428 regarding tree planting and boulevard care. Portions of the proposed ordinance address boulevard changes, exceptions to boulevard changes, specifications on boulevard plantings, and boulevard uses. Boulevard plantings next to a mailbox should not exceed the height of the mailbox. With the changes noted by the Board, proposed Ordinance No. 428 will be reviewed for action at the next Village Board meeting.

Finance and Personnel Committee Meeting

Trustee Hoffman reported on the October 6, 2008, Finance and Personnel Committee meeting. The purpose of the meeting was to interview three of the five candidates selected by the Committee for the Recreation Director position.

Motion by Trustee Hoffman, seconded by Trustee Leicht to approve the Finance and Personnel Committee meeting minutes of October 6, 2008. Roll call vote: Unanimous aye.

Finance and Personnel Committee Meeting

Trustee Hoffman reported on the Finance and Personnel Committee meeting held on October 7, 2008. The purpose of the Committee meeting was to discuss wage and salary increases for the 2009 operating plan. The Committee convened in closed session for consideration of employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility as authorized by Wis. Stat. Sec. 19.85(1)(c), to-wit: Wage and Salary considerations.

Motion by Trustee Hoffman, seconded by Trustee Engel to approve the minutes of the October 7, 2008, Finance and Personnel Committee meeting. Roll call vote: Unanimous aye.

Operator's License Applications

Motion by Trustee Leicht, seconded by Trustee Harold to approve operator's license applications for Michelle A. Crawford, Martin D. Severson, and Justina P. Wilson. Roll call vote: Unanimous aye.

Motion by Trustee Leicht, seconded by Trustee Engel to adjourn the meeting at 8:32 p.m. Approved by voice vote.

Teresa L. Schnitzler, Village Administrator