

Public Hearing
Ordinance No. 446
Amending Chapter 2 Good Order And Crime Prevention

October 16, 2012

Public hearing called to order at 6:55 p.m. by President Manthei. Trustees present: Iverson, Lautz, and Leicht. Absent: Schumacher and Wehrs. Excused: Koelbl. Also present: Public Works Director Scott Halbrucker, County Board Supervisor Ray Ebert, Police Chief Charles Ashbeck, Coulee News Special Correspondent Emily Staed, Recreation Director Michelle Czerwan, Village Attorney Bryant Klos, Jon Hetland, and Village Administrator Teresa Schnitzler.

Ordinance No. 446, if approved, will delete and re-create in its entirety Chapter 2 regarding Good Order and Crime Prevention.

There were no citizens present to speak for or against the Ordinance.

Motion by Trustee Leicht, seconded by Trustee Iverson to adjourn the public hearing at 6:58 p.m. Approved by voice vote.

Teresa L. Schnitzler, Village Administrator

Regular Board Meeting

October 16, 2012

Meeting called to order at 7:00 p.m. by President Manthei. Trustees present: Iverson, Lautz, Leicht, Schumacher, and Wehrs. Excused: Koelbl. Also present: Coulee News Special Correspondent Emily Staed, Police Chief Charles Ashbeck, Public Works Director Scott Halbrucker, Recreation Director Michelle Czerwan, County Board Supervisor Ray Ebert, Village Attorney Bryant Klos, and Village Administrator Teresa Schnitzler.

Public Comment

County Board Supervisor Ray Ebert suggested the Village Board contact the consultant hired by La Crosse County to study the Lakeview Health Care Center on location and whether the County should continue operating the center. Mr. Ebert believes this issue affects West Salem, and the Village Board should discuss this impact with the consultant.

Minutes

Motion by Trustee Lautz, seconded by Trustee Iverson to approve the minutes of the October 2, 2012, Regular Board meeting as written. Roll call vote: Unanimous aye.

Claims

Claims from the following funds were presented for payment:

<u>General Fund:</u>	\$242,755.82
<u>Water Utility:</u>	\$46,509.09
<u>Sewer Utility:</u>	\$44,447.71
<u>Storm Water Utility:</u>	\$84,629.44

Trustee Leicht explained Pay Request No. 2 for the Pathways Project was submitted by Short Elliott Hendrickson for payment to Badger Environmental after he had reviewed the claims for payment. An updated list of claims was presented to the Board for consideration.

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

Request to Close Alley

Jon Hetland informed the Board he had recently purchased the building that houses the Elite Tanning Salon at 116 West Hamilton Street. Mr. Hetland stated it is his intent to tear off the existing wood and vinyl siding on the south and west sides of the building and replace it with wood smart board siding on the west side and a combination of wood smart board siding and stacked stone on the south façade. In order to complete this project, it will be necessary to erect scaffolding in the south 70 feet of the alley. The contractor expects the project to take five to seven business days to complete, and the work should begin on October 29. Mr. Hetland is requesting the north-south alley be closed during this project.

Motion by Trustee Lautz, seconded by Trustee Leicht to approve the request to close the alley and before it is re-opened that the area be checked for debris and all debris cleaned up and disposed of by the owner. Roll call vote: Unanimous aye.

Ordinance No. 466

Motion by Trustee Leicht, seconded by Trustee Iverson to approve Ordinance No. 466 amending Chapter 2 Good Order and Crime Prevention. Roll call vote: Unanimous aye.

Amendment to Restrictive Covenant

The Board reviewed La Crosse County's proposed Amendment to Restrictive Covenant for land the Village purchased from La Crosse County in 1947. The amendment states the primary purpose for which the land was purchased was so an athletic field could be acquired. The Village and the County agreed that this land would be used primarily for educational and recreational purposes and in the event the Village or its successors breaks this covenant, La Crosse County may re-enter upon the property and re-acquire title by payment to the then titleholder for the sum of \$1,251.25. The parties further agree that in the event the Village ever wishes to transfer all or any portion of the

property for any reason, the grantee shall then be bound by the terms of the restrictive covenant.

Motion by Trustee Leicht, seconded by Trustee Iverson to approve the proposed Amendment to Restrictive Covenant. Roll call vote: Unanimous aye.

Resolution 12.12

Motion by Trustee Leicht, seconded by Trustee Lautz to approve Resolution 12.12 Authorization to Finance Police Capital Purchase as presented. Roll call vote: Unanimous aye.

WHEREAS, Villages are authorized by the provisions of Section 67.12(12) of the Wisconsin Statutes, as supplemented and amended, to borrow money to finance any project undertaken for a public purpose and to refund municipal obligations, including interest thereon; and

WHEREAS, it is necessary that funds be raised by the Village in an aggregate principal amount not to exceed \$36,000 for the purpose of acquiring a 2013 police squad vehicle and related equipment;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of West Salem, La Crosse County, Wisconsin, to authorize borrowing money to finance the acquisition of a 2013 police squad vehicle and related equipment in an amount to not exceed \$36,000 for a term of forty-eight months at an interest rate of 2.75 percent; and

BE IT FURTHER RESOLVED that the Village Board of Trustees does hereby approve and authorize the preparation and filing of an application for the above-named financing and that the Village President and Village Administrator are hereby authorized to execute all necessary documents, including, but not limited to, a note on behalf of the Village of West Salem in accordance with this Resolution.

PASSED AND APPROVED by unanimous vote of the Village of West Salem Board of Trustees this 16th day of October, 2012.

/s/ _____
Dennis Manthei, Village President

VILLAGE SEAL

/s/ _____
Teresa L. Schnitzler, Village Administrator

Alcohol Beverage License

Motion by Trustee Schumacher, seconded by Trustee Wehrs to approve the issuance of an alcohol beverage license to Amanda M. Wengrznovicz. Roll call vote: Unanimous aye.

Change Date for First Board Meeting in November

Motion by Trustee Leicht, seconded by Trustee Iverson to change the first Village Board meeting date in November to Wednesday, November 7, 2012, at 7:00 p.m. due to the General Election on November 6, 2012. Roll call vote: Unanimous aye.

Law Enforcement Committee

Trustee Wehrs reported on the October 3, 2012, Law Enforcement Committee meeting. The purpose of the meeting was to review for possible recommendation portable radio communication issues and to convene in closed session for review of a police officer grievance and discuss a successor West Salem Police Union contract. Police Chief

Charles Ashbeck updated on the Committee on his research and testing of the West Salem Police Department communications equipment. On January 1, 2013, all public safety and business industrial land mobile radio systems operating in the 150-512 MHz radio bands must cease operating using 25 kHz efficiency technology, and begin operating using at least 12.5 kHz efficiency technology. This deadline is the result of a Federal Communication Commission effort that began almost two decades ago to ensure more efficient use of the spectrum and greater spectrum access for public safety and non-public safety users. Narrow banding is supposed to allow the creation of additional channel capacity within the same radio spectrum and support more users. La Crosse County converted to narrowband in October of 2011. Since that time, the West Salem Police Department and other emergency response agencies have experienced poor and unreliable communications in many areas throughout the Village. Chief Ashbeck has met with Jay Loeffler La Crosse County Emergency Services Administrator, Keith Butler, La Crosse County Emergency Management Coordinator, and Communications Service of La Crosse to determine if the issues experienced in West Salem are equipment problems or due to distance from the nearest communications tower. The radios do not work any better after a radio equipment parts replacement. La Crosse County has plans to reconfigure and possibly construct a new tower in approximately five years, but this plan does not solve communication issues in West Salem now. Chief Ashbeck has discussed with La Crosse County installation of an antenna on the West Salem water storage facility located on the east side of the Village. The Committee instructed Chief Ashbeck to continue discussing this option with La Crosse County and to begin contacting United States Congress members representing the State of Wisconsin for assistance. The Committee then convened in closed session pursuant to Wis. Stat. Sec. 19.85(1)(c) for considering employment, promotion, compensation, or performance evaluation data for any public employee over which the governmental body has jurisdiction or exercises responsibility, to-wit: Discuss police officer grievance and also pursuant to Wis. Stat. Sec. 19.85(1)(e) for deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, to-wit: Discuss West Salem Police Union successor agreement.

Motion by Trustee Wehrs, seconded by Trustee Schumacher to approve the minutes of the October 3, 2012, Law Enforcement Committee meeting. Roll call vote: Unanimous aye.

Finance and Personnel Committee

Trustee Leicht reported on the October 10, 2012, Finance and Personnel Committee meeting. The purpose of the meeting was to review the proposed 2013 Public Works Department budget, continue 2013 operating plan preparations, and convene in closed session for employee evaluations. Public Works Director Scott Halbrucker presented a proposed 2013 Public Works Department budget. The proposed budget includes reductions in salaries and fringes as a result of allocating 25 percent of the new public works/parks department laborer's wages to Parks and allocating one full time employee's wages to the Sewer Utility. Engineering for streets is decreased since Pathways engineering was included in the 2012 budget. Mr. Halbrucker included \$1,500 in Parking Lot Expenses in order to improve the Lions Shelter parking lot, and \$10,000 to construct a parking lot in the lower Neshonoc Park. James Leicht stated the

Neshonoc Lake District may contribute 50 percent of the cost to pave the lower Neshonoc parking lot. Highway Equipment Capital Expenses are reduced because the brush chipper has been paid off. The Committee reviewed the adopted five-year street maintenance plan and discussed the four street projects included in the public works department proposed budget. Two street projects for a total of \$142,050 will be included in the recommended budget. The Committee also discussed increasing rates in the Storm Water Utility in order to accommodate a portion of wages and fringe benefits of an employee. This would decrease expenses for the General Fund. The Committee requests each department head review their proposed budgets for possible decreases in expenditures and/or using any remaining 2012 budget funds to acquire or carry out proposed 2013 expenditures. Mr. Halbrucker was asked to submit a written proposal concerning the purchase of a 3-wheel field drag groomer versus purchasing the field groomer from the City of Onalaska as proposed by Recreation Director Michelle Czerwan in her proposed 2013 budget. The Committee agreed replacing the roof on the police department garage could be completed in 2012 utilizing unexpended building maintenance funds, and the Committee instructed Teresa Schnitzler to obtain bids from roofing companies. The Committee then convened in closed session pursuant to Wis. Stat. Sec. 19.85(1)(c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, to-wit: employee evaluations.

Motion by Trustee Leicht, seconded by Trustee Schumacher to approve the minutes of the Finance and Personnel Committee of October 4, 2012. Roll call vote: Unanimous aye.

Street Committee

Trustee Lautz reported on the October 10, 2012, Street Committee meeting. The purpose of the meeting was to review and discuss Pathways project parking alternatives on Memorial Drive with possible recommendation to the Village Board. Responding to loss of parking concerns brought to the Village's attention by downtown businesses, the Committee met to discuss options to maintain parking in the Leonard Street area. Randy Sanford presented two design drawings for additional parking along the north side of the old Hansen's IGA building. One design included a pedestrian sidewalk and the other eliminated the sidewalk. Both plans would add seven angled parking spaces. Both plans were discussed with managing consultant KJohnson and construction consultant DAAR Engineers. Any change to the approved plans would require an amended design study report, approved plans, and State approvals resulting in a long delay for completing this project. In addition, Mr. Sanford stated angle parking is not a DOT-approved parking option. Eliminating seven parking spaces on Memorial Drive and providing public parking elsewhere has been in the design plans since the beginning. The Village will create, paint, and sign nine new parking spaces on the west side of the old Hansen's IGA building. Union State Bank's parking lots will also remain open to public parking. The Committee discussed avenues to facilitate additional parking on Leonard Street. The Committee directed Teresa Schnitzler to contact the West Salem Business Association members and explain the new parking accommodations at the old Hansen's IGA building and to suggest business owners and their employees utilize this area for parking or park behind their own businesses in order to free up more parking spaces on Leonard Street. The Committee would also like to

meet with the June Dairy Days Committee during their event planning stage regarding care of the new streets and rearrangement of planned June Dairy Days activities.

Motion by Trustee Lutz, seconded by Trustee Leicht to approve the minutes of the October 10, 2012, Street Committee meeting as presented. Roll call vote: Unanimous aye.

Law Enforcement Committee

Trustee Wehrs reported on the October 11, 2012, Law Enforcement Committee meeting. The purpose of the meeting was to meet with the West Salem Police Union regarding a grievance filed by Officer Robert Schuppel regarding Article 10 Vacations and Article 11 Sick Leave, convene in closed session for discussion, and reconvene in open session for decision and recommendation to the Village Board. Police Officer Robert Schuppel submitted a Request for Time Off and/or Change of Shift form dated September 11, 2012, requesting November 10 and November 11 as personal sick days for 2012. Chief Ashbeck denied the request on September 11, 2012, stating "it creates a hardship with you gone, you would only be here 2 days out of 31 days. I would consider this request if you wanted to exchange them for coming in 2 other days during this period." Mr. Peterson stated the Union deems hardship as being unable to cover the time off with other staff. In the past, Officer Schuppel has taken 30 days off in a row. The Union does not feel the Chief has a hardship. The Committee convened in closed session without Police Chief Ashbeck present pursuant to Wis. Stat. Sec. 19.85(1)(e) for deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specific public business, whenever competitive or bargaining reasons require a closed session, to-wit: discussion with recommendation regarding Police Officer Grievance. The Committee reconvened in open session, and Police Chief Ashbeck, Police Officer Robert Schuppel, and Representative Michael Peterson returned to the meeting. The Committee recommended denial of the grievance filed by Robert Schuppel based on Article XI, Section 11.08 Sick Leave that the denying of PTO is subject to the reasonable discretion of the employee's supervisor. As required by the Police Union Contract, a written notification of this decision will be mailed to the Union within ten days. The next meeting of the Law Enforcement Committee has been scheduled for Wednesday, October 24, 2012, at 4:00 p.m. to begin negotiations for a successor police union contract.

Motion by Trustee Wehrs, seconded by Trustee Leicht to approve the minutes of the Law Enforcement Committee meeting of October 11, 2012. Roll call vote: Unanimous aye.

Planning Commission

President Manthei reported on the October 15, 2012, Planning Commission meeting. The purpose of the Planning Commission meeting was to review for public hearings two conditional use permit applications. The first conditional use permit application was submitted by Union State Bank to remove its existing main ID pylon sign located on West City Highway 16 and replace it with a new pylon containing an electronic message center. Jane Leis stated the intent of the message board is to maintain only four to five messages per day with the message static for long periods of time. The Commission recommended scheduling a public hearing on the application for a conditional use

permit for an electronic message center sign for Wednesday, November 7, 2012, at 6:30 p.m. Union State Bank also submitted a second conditional use permit application to replace its existing illuminated main ID/message center pylon sign located on South Leonard Street with a new illuminated sign containing its new logo. The new sign would be installed onto the existing pole. The Commission recommended scheduling a public hearing on the application for a conditional use permit for an illuminated sign in the downtown business district for Wednesday, November 7, 2012, immediately following the 6:30 p.m. hearing.

Motion by President Manthei, seconded by Trustee Schumacher to approve the minutes of the October 15, 2012, Planning Commission meeting as presented. Roll call vote: Unanimous aye.

Motion by Trustee Leicht, seconded by Trustee Wehrs to adjourn the meeting at 7:34 p.m. Approved by voice vote.

Teresa L. Schnitzler, Village Administrator