

Regular Meeting

January 17, 2023

Regular meeting called to order at 7:00 p.m. by Village President Scott Schumacher. Trustees present: Curtis, Hennessey, Lautz, Leicht, and Twining. Also present: Recreation Director Tony DeGaetano, Police Chief Kyle Holzhausen, Village Attorney Bryant Klos, Police Captain Tim O'Neill, Village Assessor Neil Betts, Troy Gunderson, and Village Administrator Teresa DeLong.

Public Comment

Village Resident Troy Gunderson expressed his support for approving a referendum allowing the Village to exceed the property tax levy in order to hire additional police officers. Mr. Gunderson cited similar-sized municipalities with larger police departments than West Salem's, presented regional police force comparisons, and distributed municipal spending comparisons. Mr. Gunderson offered any help he is able to give toward the success of the referendum question.

Minutes

Motion by Trustee Lautz, seconded by Trustee Hennessey to approve the minutes of the January 3, 2023, meeting as written. Roll call vote: Unanimous aye. Motion approved.

Claims

Claims were presented for payment totaling \$648,735.22. Motion by Trustee Leicht, seconded by Trustee Curtis to approve the payment of all claims as listed. Roll call vote: Unanimous aye.

Temporary Class "B"/"Class B" Retailer's License

Motion by Trustee Twining, seconded by Trustee Hennessey to approve the issuance of a Temporary Class "B"/"Class B" Retailer's License to the West Salem Volunteer Fire Department in order to hold a dance on Saturday, May 6 through Sunday, May 7, 2023, at 100 South Mill Street and to waive the license permit fee. Roll call vote: Unanimous aye. Motion approved.

Resolution 1.23

Motion by Trustee Leicht, seconded by Trustee Hennessey to approve Resolution 1.23 Creating Ward 8 of the Village of West Salem in County Supervisory District 28 effective after the April 4, 2023, Spring Election. Roll call vote: Unanimous aye. Motion approved.

Resolution 2.23

A Resolution approving a referendum for allowing the Village to exceed the State-imposed property tax limit was reviewed by the Board. Action on Resolution 2.23 was tabled from the previous Village Board meeting so questions pertaining to fire district funding needs in a levy limit referendum could be answered. It was concluded that in general, municipalities cannot levy an excess. The only way to levy for an excess is if the excess levy is for a specific capital project or purchase, and the excess levy amount is set aside each year for this specific purpose. However, anytime in the future where the capital project or capital purchase does not happen, then the municipality is required to return to the municipality's residents the excess levy amount that was collected by

decreasing the allowable levy in the year it is determined that the purchase or project will not take place. It was also noted that if this does happen, the Village's base levy will be reduced indefinitely and would not be able to be increased without going through a referendum. The Board then reviewed Resolution No. 2.23:

Resolution Approving a Referendum for Allowing the Village of West Salem to Exceed the State-Imposed Property Tax Limit

WHEREAS, the State of Wisconsin has imposed limits on town, village, city, and county property tax levies under Wis. Stat. Sec. 66.0602; and

WHEREAS, Wis. Stat. Sec. 66.0602 limits the increase in 2024 to the local property tax levy to no more than the greater of (a) 0% of last year's actual levy or (b) a percentage equal to the percentage change in equalized value due to net construction less improvements removed, which, for the Village of West Salem is 1.345%; and

WHEREAS, the Village Board of Trustees of the Village of West Salem, La Crosse County, Wisconsin, believes it is in the best interest of the residents of the Village of West Salem to exceed the State levy limit as described above by a greater percentage than 1.345% for the purpose of enhancing public safety within the community through hiring and equipping more police officers and support staff; and

WHEREAS, the Village of West Salem adjusted actual levy in 2022 (collected in 2023) was \$1,607,084, and State law would limit the increase to \$17,310 for a total allowable 2023 (collected in 2024) Village tax levy of \$1,757,327 (less personal property aid of \$10,731 plus debt service adjustment of \$446,249 for 2023);

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of Trustees of the Village of West Salem, La Crosse County, Wisconsin, does hereby resolve and order as follows:

- The Village Board of Trustees hereby supports an increase in the Village tax levy for 2023 (to be collected in 2024) to exceed the State levy limit. The Village Board intends that the levy increase be applied on an ongoing basis. The purpose for which the increased levy will be used is to enhance public safety within the community through hiring and equipping more police officers and support staff.
- The Village Board of Trustees directs that the question of increasing the Village's tax levy for 2023 (to be collected in 2024) by 28.452%, which would increase the Village levy by \$500,000 over the current year's levy, for a Village tax levy of \$2,257,327 (after adjustments), and an increase of the levy by \$500,000 on an ongoing basis for each fiscal year going forward, shall be submitted to the electors in a referendum during the Spring Election to be held on April 4, 2023.
- The actual wording of the ballot question to be submitted to exceed the levy limit shall be as follows:

"Under State law, the increase in the levy of the Village of West Salem for the tax to be imposed for the next fiscal year, 2024, is limited to 1.345%, which results in a levy of \$1,757,327. Shall the Village of West Salem be allowed to exceed this limit and increase the levy for the next fiscal year, 2024, for the purpose of enhancing Public Safety within the community through hiring and equipping more Police Officers and support staff, by a total of 28.452%, which results in a levy of \$2,257,327 and on an ongoing basis, include the increase of \$500,000 for each fiscal year going forward?"

ADOPTED AND DATED this 17th day of January, 2023.

/s/ _____

Scott Schumacher, Village President

(SEAL)

/s/ _____

Teresa L. DeLong, Village Administrator

Motion by Trustee Lautz, seconded by Trustee Hennessey to approve Resolution 2.23 as presented. Roll call vote: Unanimous aye. Motion approved.

West Salem Area Room Tax Commission

Trustee Leicht reported on the January 4, 2023, West Salem Area Room Tax Commission meeting. Commission members present were Stephen Cohen, Patsy Hofer, Nick Miller, Chuck Deery, and Village Board Trustee James Leicht. The first order of business was to appoint a Chairperson and Vice Chairperson of the West Salem Area Room Tax Commission. The Commission voted to appoint Steven Cohen as Chairperson and Nick Miller as Vice Chairperson. The Commission then reviewed the West Salem Area Room Tax Commission Ordinance which sets forth the organization, powers, and statutory authority of the Commission. It is noted the new owners of AmericInn Motel were sent a notice of this meeting as one owner or operator of a lodging facility that collects room tax should be a member of the Commission. The Hotel and Motel Room Tax Ordinance was reviewed, and it was noted:

Room taxes are designated for use on tourism promotion and tourism development as established by the West Salem Area Room Tax Commission;

Tourism promotion and tourism development means marketing, informational services, and tangible municipal development that reasonably and will likely generate paid overnight stays at more than one establishment on which a room tax is imposed; and

The Room Tax Commission shall spend at least the percentage amount of collected room tax on tourism promotion and development.

West Salem presently collects a 5 percent room tax from the AmericInn Motel and various vacation rental sites, such as Vrbo, Evolve, Expedia, Airbnb, etc. West Salem is a member of the La Crosse Area Convention and Visitors Bureau, and 2.8 percent of the room tax dollars collected in West Salem are transmitted to the Bureau for use in promotion of the entire La Crosse County area. The remaining 2.2 percent is retained by the Village of West Salem for tourism marketing and promotion. Past expenditures were for updated and additional signage, informational brochures, and the downtown hanging flower baskets. The Commission discussed a variety of uses for the retained 2.2 percent. The Village has a total of \$13,410 collected and retained for the first three quarters of 2022. The fourth quarter remittances are due by January 31. Suggestions included:

Contributing to the renovation of the Palmer-Gullickson house on North Leonard Street; Creation of new streetlight banners; Renovation of the restrooms in the Village Park; A trail head kiosk, bench, and accessories where the Vet's Park trail comes into the Village on Heritage Lane; and Kayak rental station complete with kayaks, life jackets, and paddles.

Except for renovation of the Village Park restrooms, all suggestions have reasonable and manageable costs. The Commission recommended to the Village Board that \$2,500 of room tax revenue be transmitted to the West Salem Historical Society to put toward the renovation of the Palmer-Gullickson house. The Commission also voted to investigate the viability of establishing a trail head on Heritage Boulevard at the start of the trail heading into Veterans Memorial Park and have Nick Miller gather information on creating and pricing new banners for the downtown streetlights.

Motion by Trustee Leicht, seconded by Trustee Hennessey to approve the minutes of the West Salem Area Room Tax Commission as presented. Roll call vote: Unanimous aye. Motion approved.

Motion by Trustee Leicht, seconded by Trustee Twining to approve the contribution of \$2,500 of room tax revenue to the West Salem Historical Society toward renovation of the Palmer-Gullickson house. Roll call vote: Unanimous aye. Motion approved.

Utilities Committee

Trustee Hennessey reported on the January 9, 2023, Utilities Committee meeting. Public Works Director Loren Schwier presented a proposed 2023 Water Utility Budget. The proposed budget includes a continuance of hydrant maintenance to address leaking hydrants, chemical price increases, and inflationary increases in water treatment and pumping. Capital outlay includes \$30,000 of new meters and MXU units, but meter and hydrant acquisition remains difficult to impossible. Set aside funds for well and reservoir maintenance, a new handheld reader, and \$30,000 to complete a portable generator project are also included in the presented budget. The Committee recommended approval of the proposed 2023 Water Utility Budget as presented. Mr. Schwier presented a proposed 2023 Sewer Utility Budget. Payment of principal and interest for the wastewater treatment plant upgrade project commenced in 2022 and will continue for the next 17 years. The second half of the planned rate increase will be needed in order to continue to make principal and interest payments and operate the sewer utility. Engineer Dave Sauer had estimated an increase of 37.5% would be needed, and he recommended half of the increase be instituted in 2020 and the remainder in 2021 to minimize the impact on residents. The rates were not increased in 2021 or 2022. The Neshonoc Lake Sediment Removal Project and the wastewater treatment plant upgrade project are both complete. The Committee recommended approval of the proposed 2023 Sewer Utility budget and to recommend implementing the second phase of rate increase to accommodate principal and interest payments to the State Safe Drinking Water Fund. Mr. Schwier then presented a proposed 2023 Storm Water Utility Budget. In September of 2022, the Wisconsin Department of Natural Resources spent two days performing a storm water management audit of Village practices, documents, and policies in place. In order to meet the MS4 permit requirements, the Village will need to complete a storm water modeling project, perform commercial storm water inspections, adopt new ordinances, increase public education and awareness efforts, perform more construction and detention pond inspections, and continue catch basin inspections and clean outs. The Elm Street Reconstruction Project will begin in 2023, and the portion not funded by American Rescue Plan funds has been borrowed for. These additional expenses in addition to principal and interest payments on the Elm Street ditch project and the Elm Street Reconstruction Project will require a storm water equivalent runoff unit charge increase. Cedar Corporation has recommended a rate increase from \$10 per quarter to \$12 per quarter in order to raise an additional \$25,000 per year. The Committee recommended approval of the proposed 2023 Storm Water Utility budget and recommended the Village Board approve Resolution 3.23 Storm Water Equivalent Runoff Unit Charge as presented.

Motion by Trustee Hennessey, seconded by Trustee Curtis to approve the Utilities Committee meeting minutes of January 9, 2023, as presented. Roll call vote: Unanimous aye. Motion approved.

Motion by Trustee Hennessey, seconded by Trustee Leicht to approve the 2023 Water Utility Budget as presented. Roll call vote: Unanimous aye. Motion approved.

Motion by Trustee Hennessey, seconded by Trustee Twining to approve the 2023 Sewer Utility Budget as presented. Roll call vote: Unanimous aye. Motion approved.

Motion by Trustee Hennessey, seconded by Trustee Twining to approve the 2023 Storm Water Utility budget as presented. Roll call vote: Unanimous aye. Motion approved.

Motion by Trustee Hennessey, seconded by Trustee Curtis to approve Resolution 3.23 Storm Water Equivalent Runoff Unit Charge as presented. Roll call vote: Unanimous aye. Motion approved.

Finance and Personnel Committee

Trustee Leicht reported on the January 11, 2023, Finance and Personnel Committee meeting. The purpose of the meeting was to meet with Baker Tilly Municipal Advisors regarding future bonding, continue to review the public safety referendum voter information materials, and continue discussions regarding a public safety referendum question for the Spring Election. David Erdman and Brad Elmer gathered additional information and discussed with the Committee several funding options for future TIF development and the public safety building. In order to fund the hiring of three additional police officers, a referendum to allow the Village to exceed the State-imposed property tax limit must be approved by the electorate. The Village Board intends that the levy increase be applied on an ongoing basis. The purpose for which the increased levy would be used would be to maintain existing and future public safety and service levels for police and possibly fire district. Information would be distributed and public hearings held to educate and inform the public on what the additional funds will be spent on and why the additional police officers are needed. The Village is unable to afford additional police officers due to State mandates constricting the amount the Village can increase its annual budget, and those amounts will be researched and included in the information to be distributed. Extensive discussion was had regarding voter information materials, timing of distribution of the materials, and content. The Committee will review all of the materials and forward any comments and suggested revisions to Chief Holzhausen by January 19. Attorney Klos will revise the referendum resolution and provide legal counsel.

Motion by Trustee Leicht, seconded by Trustee Hennessey to approve the minutes of the January 11, 2023, Finance and Personnel Committee meeting as presented. Roll call vote: Unanimous aye. Motion approved.

Police Chief Kyle Holzhausen reported a total of \$2,500 in parking ticket citations was collected during the month of December. Chief Holzhausen requested the Village Board consider donating the \$2,500 collected from payment of parking tickets to the West Salem Care and Share Food Pantry. Chief Holzhausen also introduced the department's new Police Captain Timothy O'Neill.

Motion by Trustee Leicht, seconded by Trustee Lautz to donate the \$2,500 in December parking ticket collections to the West Salem Care and Share Food Pantry. Roll call vote: Twining – abstain; remainder of Board - aye. Motion approved.

Motion by Trustee Leicht, seconded by Trustee Hennessey to convene in closed session at 7:46 p.m. pursuant to Wis. Stat. Sec. 19.85(1)(g) to confer with legal counsel who either orally or in writing will advise the governmental body on strategy to be adopted with respect to current or likely litigation, i.e., Notice of Claim. Roll call vote: Unanimous aye. Motion approved.

Motion by Trustee Leicht, seconded by Trustee Curtis to convene in open session at 8:13 p.m. Motion approved by voice vote.

Motion by Trustee Leicht, seconded by Trustee Lautz to adjourn the meeting at 8:14 p.m. Approved by voice vote.

Teresa L. DeLong, Village Administrator