

Public Hearing
Ordinance No. 436 Revise Chapter 8
Sewer Use Ordinance and User Charge System

March 15, 2011

Public hearing called to order at 7:20 p.m. by President Manthei. Trustees present: Engel, Iverson, Koelbl, Leicht, Schumacher, and Wehrs. Also present: Police Chief Charles Ashbeck, Public Works Director Scott Halbrucker, Village Attorney Bryant Klos, Coulee News Special Correspondent Emily Wilson, and Village Administrator Teresa Schnitzler.

This hearing pertains to proposed Ordinance No. 436 Revise Chapter 8 Sewer Use Ordinance and User Charge System. Ordinance No. 436, if adopted, will clarify sewer users served by the water utility water meters, the process for metering water not reaching the sanitary sewer system, increases the volume charge for each metered user, and sets forth enactment and effective dates of the Ordinance.

Approximately twenty members of the public were in attendance. There were no citizens present to speak in favor of the Ordinance. Lester Hanson informed the Board he is opposed to the 50-cent increase and the elimination of sprinkler credits. Richard Loomis asked several questions of the Board and also stated he is opposed to the Ordinance. Richard Norman stated he is opposed to the proposed increase, and he asked several questions of the Board regarding gross income of the utility, operating revenues for prior years, investment balances, past equity transfers within the system, and revenue requirements of the present Ordinance. Lance Jurgensen question the amount of user charges related to meter size, and he is opposed to the proposed Ordinance.

Motion by Trustee Leicht, seconded by Trustee Engel to adjourn the public hearing at 7:46 p.m. Approved by voice vote.

Teresa L. Schnitzler, Village Administrator

Regular Board Meeting

March 15, 2011

Meeting called to order at 7:46 p.m. by President Manthei. Trustees present: Engel, Iverson, Koelbl, Leicht, Schumacher, and Wehrs. Also present: Public Works Director Scott Halbrucker, Police Chief Charles Ashbeck, Village Attorney Bryant Klos, Coulee News Special Correspondent Emily Wilson, La Crosse County Corporate Counsel William Shepherd, County Board Chair Steve Doyle, County Board Supervisor Ray

Ebert, and Village Administrator Teresa Schnitzler.

Minutes

Motion by Trustee Engel, seconded by Trustee Leicht to approve the minutes of the March 1, 2011, Regular Board meeting as written. Roll call vote: Unanimous aye.

Claims

Claims from the following funds were presented for payment:

General Fund: \$114,619.40

Water Utility: \$13,926.93

Sewer Utility: \$16,768.46

Storm Water Utility: \$1,024.98

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

New Police Officer Position

Trustee Leicht addressed the Board regarding the recent enactment of Act 10 and the proposed budget bill's impact on West Salem and how it will relate to the budgeted new police officer. Chief Ashbeck is looking for direction on filling this position. Trustee Leicht would like the Finance and Personnel Committee to review the budget repair bill, the upcoming State budget, and Village-budgeted expenses. Trustee Leicht suggested the new police officer hiring be delayed two or three months.

Motion by Trustee Leicht, seconded by Trustee Koelbl to delay the hiring of a new police officer for three months and refer to Finance and Personnel the budget status and process. Roll call vote: Unanimous aye.

Reconsideration of La Crosse County Ambulance Service Agreement

Trustee Wehrs stated he believed the Board's approval of entering into the annual Joint Powers Agreement County 9-1-1 Emergency System may obligate the Village to entering into the proposed La Crosse County Commission's Agreement with Tri-State Ambulance Service presented to the Board in September of 2010.

Motion by Trustee Wehrs, seconded by Trustee Iverson to discuss the reconsideration of signing on with La Crosse County for ambulance service. Roll call vote: Unanimous aye.

Attorney Klos addressed the Board stating Wisconsin Statutes do state towns must contract for or operate and maintain ambulance service, but villages may provide or contract for ambulance service. The proposed Agreement reviewed by the Board in September 2010 offered a Commission consisting of representation by La Crosse County towns, villages, cities, and the County to supervise Tri-State Ambulance. Attorney Klos believes that entering into the agreement poses potential liability for the Village to be named in a lawsuit, and the insurance coverage required in the agreement

is inadequate. County Board Chair Steve Doyle addressed the Board stating La Crosse County has no obligation to provide ambulance service, but the County agreed creating the Commission to participate in setting rules and standards for Tri-State Ambulance is a show of good faith. Mr. Doyle stated a municipality has the option of terminating its participation in the agreement and commission.

Trustee Leicht was excused from the meeting at 8:04 p.m.

Corporate Counsel William Shepherd reviewed the agreement with the Board, presented a \$5,000,000 certificate of insurance from Gundersen Lutheran covering Tri-State Ambulance services under its umbrella coverage, and addressed liability issues for West Salem. Mr. Shepherd stated there is no cost to any municipality entering into the agreement, and the Commission has an indemnification agreement from Tri-State Ambulance. Attorney Klos suggested the agreement be revised to clearly state West Salem has no liability by entering into the agreement, and the Board directed Mr. Klos to draft acceptable language for La Crosse County's approval. Mr. Shepherd gave Mr. Klos a proposed resolution for his review and presentation to the Village Board at a future meeting.

Ordinance No. 436

Upon further review of the present Chapter 8 Ordinance, Attorney Klos addressed the Board with several clarifications required in order for the Ordinance to be consistent and enforceable. The Village Engineer must review the ordinance prior to its adoption, and surplus funds information needs to be reviewed and clarified.

Motion by Trustee Schumacher, seconded by Trustee Iverson to table Ordinance No. 436 until April 5 to gather more information. Roll call vote: Unanimous aye.

Special Event Application

The Board reviewed a special event application submitted by Laura Deal for West Salem High School Student Council Multiple Sclerosis Benefit Fundraiser 5K walk/run scheduled for April 11, 2011. The Board noted a directional error in the description of the planned route.

Motion by Trustee Koelbl, seconded by Trustee Engel to approve the special event application with the direction correction. Roll call vote: Unanimous aye.

Motion by Trustee Koelbl, seconded by Trustee Engel to adjourn the meeting at 8:24 p.m. Approved by voice vote.

Teresa L. Schnitzler, Village Administrator