

Regular Board Meeting

May 21, 2013

Meeting called to order at 7:00 p.m. by President Manthei. Trustees present: Baltz, Koelbl, Lautz, Leicht, Schumacher, and Wehrs. Also present: Police Chief Charles Ashbeck, Public Works Director Scott Halbrucker, Recreation Director Michelle Czerwan, Village Attorney Bryant Klos, Coulee News Special Correspondent Emily Staed, Sally McCann, Ray Ebert, Police Officer Robert Schuppel, Police Officer Lance Loeffelholz, Police Officer Brett Myers, Police Officer Leah Myers, Police Officer Hoss Roemer, West Salem Hockey Association President Kelly Cottrell, West Salem Hockey Association Treasurer Pete Belling, West Salem Hockey Association Member Steve Jackson, and Village Administrator Teresa Schnitzler.

Agenda Revision

President Manthei requested "Hockey Association Building Storage" be added to the agenda prior to committee reports. Approved unanimously by voice vote.

Public Comment

West Salem Hockey Association President Kelly Cottrell addressed the Board regarding the Hockey Association Building Storage agenda item. Ms. Cottrell stated the West Salem Hockey Association has been a part of the community since the 1970's and is a non-profit organization. The Association assisted in raising funds toward the construction of the recreation storage building on East Avenue in 2002 with a mutual agreement with the Village that the Hockey Association would be storing hockey equipment and materials in the building. Ms. Cottrell reported that in addition to the \$2,000 contributed toward the construction of the storage building, the Hockey Association also contributed a cement slab and installed heating equipment in the building worth an additional \$12,000. The West Salem Hockey Association is very willing to clean up the facility to make room for Village storage needs. The Buildings and Grounds Committee met on May 10, and the West Salem Hockey Association was sent a letter dated May 13, 2013, informing the Association it will no longer be allowed to store its equipment, materials, and supplies in the recreation storage building. The West Salem Hockey Association would like the Village to reconsider this letter.

West Salem Hockey Association Treasurer Pete Belling stated the Association has tried to be a partner with the Village. The Association donates 165 hours of open skate time to the Village and Recreation Department. Any other location would charge for open skate time, and Mr. Belling felt the Village should take this fact into consideration.

Steve Jackson supports the Hockey Association, and he stated the Association is made up of volunteers who work hard for the program. Children from everywhere want to skate here.

Minutes

Motion by Trustee Leicht, seconded by Trustee Schumacher to approve the minutes of the May 7, 2013, Regular Board meeting as written. Roll call vote: Unanimous aye. Motion approved.

Claims

Claims from the following funds were presented for payment:

<u>General Fund:</u>	\$46,369.80
<u>Water Utility:</u>	\$7,951.78
<u>Sewer Utility:</u>	\$12,253.19
<u>Storm Water Utility:</u>	\$1,937.59

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

Ground Lease

Motion by Trustee Leicht, seconded by Trustee Lautz to approve a Ground Lease between Trout Creek 1, LLC and the Village of West Salem to continue the placement of the AmericInn Motel sign on Village right-of-way, consideration for which is the attorney fees incurred by the Village for drafting the lease and recording fees. Roll call vote: Unanimous aye.

Hockey Association Building Storage

The Board discussed a letter sent to the West Salem Hockey Association on May 13, 2013, as recommended by the Buildings and Grounds Committee. The letter informed the Association that the Committee again discussed the Village's continued lack of storage, and the Village's storage needs can be met if the recreation building at the community shelter site could again be used by the Village. The letter informed the Hockey Association that as of April 1, 2014, the Association will no longer be allowed to store its equipment, materials, and supplies in the recreation storage building. Trustee Leicht stated the Association is using the storage building for its ice re-surfacer and rink boards and tempered glass, and the Village and the Association need to work out a solution for the mutual benefit of both parties. Trustee Wehrs stated the matter should be referred back to the Buildings and Grounds Committee, and the Committee should consider renting a storage unit. Trustee Lautz stated the Committee has discussed the Village's concerns for storage several times over the last year, and the amount of Hockey's equipment is still there. Trustee Lautz stressed no decision has been made and more negotiations will be going on. The Recreation Department serves over 3,000 participants, and the Board represents 5,000 with regard to the buildings. Trustee Lautz stated he would not support renting a building for our own storage needs, and this should not be a taxpayer issue when we have our own storage. Attorney Klos informed the Board the term of the Agreement with Hockey is ten years, it was executed in November of 2011, and the Agreement is reviewed annually. The Agreement states that the Village acknowledges the Association utilizes the Village-owned storage shed for storage of its re-surfacer and other various materials and items.

Motion by Trustee Leicht, seconded by Trustee Wehrs to have the Village Administrator send a letter to the Hockey Association rescinding the April 2014 deadline and refer the matter back to the Buildings and Grounds Committee. Roll call vote: Baltz – present; Lautz – nay; and remainder of Board – aye. Motion approved.

Buildings and Grounds Committee

Trustee Lautz reported on the May 10, 2013, Buildings and Grounds Committee meeting. The purpose of the meeting was to review and discuss requests for use and rental of the lower park gazebo and area, update on West Salem Hockey Association's interest in purchasing the community shelter, and to receive an update on removal of the temporary lockers at the community shelter. Recreation Director Michelle Czerwan has received two requests asking for exclusive use of the lower park gazebo area for wedding ceremonies this summer. The lower park gazebo and area is set up as a first-come, first-served facility, and there is no guarantee someone will not be using the area on the requested dates. Mrs. Czerwan also reported one request includes moving picnic tables to the lower park. The Committee discussed present uses of other first-come, first-served Village parks for special occasions, and other park facilities are not closed down to the public. The Committee agreed the lower park is a public park, and it should not be closed to the public. The Committee recommended Village-owned parks not be closed down for private events. The Committee directed Mrs. Czerwan to inform the two parties who have requested exclusive use of the lower park of the Committee's decision. The Committee discussed a letter received recently from the West Salem Lions Club. The Lions Club is opposed to the Hockey Association owning the facility. The Committee also acknowledged the list of citizen and business contributors to the construction of the community shelter. Discussion was had about the amount of time and money the Village has spent reviewing and researching a possible DNR conversion, shelter and improvement appraisal, and sale of the property to the Hockey Association. The Committee recommended the Village should not consider selling Village property at this time. Chair John Lautz informed the Committee the temporary locker trailers have now been removed from the community shelter site. Michelle Czerwan, Scott Halbrucker, and John Lautz will meet with Hockey Association representatives after this meeting for a walk-through inspection at the community shelter. The Committee discussed the Village's continued lack of storage. The Hockey Association and high school baseball both use the recreation building at the community shelter site for their respective storage needs. High School baseball will be moving their stored items out of the recreation building to the new concession stand building today. The Committee directed Administrator Schnitzler to write a letter to the West Salem Hockey Association notifying the organization it will need to store its items elsewhere next year. This should give the organization ample time to find alternative places to store its equipment and materials. The Lease Agreement between the Hockey Association and the Village will be amended to include this change to the Association's use of the recreation storage building.

Motion by Trustee Lautz, seconded by Trustee Koelbl to approve the minutes of the May 10, 2013, Buildings and Grounds Committee meeting. Roll call vote: Unanimous aye.

Motion by Trustee Leicht, seconded by Trustee Lautz to approve the recommendation from the Buildings and Grounds Committee that Village-owned parks not be closed down for private events. Roll call vote: Unanimous aye.

Law Enforcement Committee

Trustee Wehrs reported on the May 14, 2013, Law Enforcement Committee meeting. The purpose of the meeting was to meet with WERC Investigator William Houlihan and the West Salem Police Union for collective bargaining and an informal investigation regarding a petition for final and binding arbitration. The Committee convened in closed session at 12:01 p.m. pursuant to Wis. Stat. Sec. 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing 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: Collective bargaining and informal investigation regarding Petition for Final and Binding Arbitration pursuant to Sec. 111.77, Wis. Stats. with West Salem Professional Police Association. In open session, the Committee recommended the following three changes to the West Salem contract with the Police Union subject to Village Board approval:

1. Agree to a two-year contract;
2. Two (2%) percent across-the-board wage increase effective January 1, 2013, and two (2%) percent across the board wage increase effective January 1, 2014; and
3. Adopt a new section in the Union Contract regarding compensatory time as follows:

9.02(c) Compensatory Time – Employees will be allowed the option to accrue a total of forty-eight (48) hours of compensatory time in a calendar year, at the rate of time and one-half (1-1/2) hours for each hour worked. Only overtime hours may be used to accrue compensatory time. This will not include hours posted for special details that the Chief of Police and/or their designee has posted as “Overtime Only” assignments. Once an employee accrues a total of forty-eight (48) hours of compensatory time in a calendar year, any additional overtime will be paid out pursuant to the contract at one and one-half (1-1/2) times the annual hourly rate for all such overtime worked. In order to request the use of accrued compensatory time, a standard “Request for Time Off” Form must be completed and submitted to a supervisor twenty-four (24) hours prior to the requested time off. Further, the use of compensatory time may be denied based on the reasonable discretion of the employee’s supervisor and/or Chief of Police. Employees who are unable to use their accrued compensatory time during the calendar year will be paid in the last pay period of December for all unused banked hours equivalent to FLSA requirements. Compensatory time must be taken in 0.1 increments or more and the accrual period (calendar year) is defined as running from January 1st through December 31st of each given year.

Motion by Trustee Wehrs, seconded by Trustee Leicht to approve the minutes of the May 14, 2013, Law Enforcement Committee meeting with a correction in the minutes to read from “one-half time” to “one and one-half time”. Roll call vote: Unanimous aye.

Motion by Trustee Wehrs, seconded by Trustee Leicht to adopt the recommendation from the Law Enforcement Committee in settlement of the West Salem Police Union Contract. Roll call vote: Unanimous aye.

Utilities Committee

Trustee Schumacher reported on the May 16, 2013, Utilities Committee meeting. The purpose of the meeting was to review a storm water drainage issue on North Mark Street in Neshonoc Lake Addition and to review a 2013 Public Service Commission

simplified rate case application. Scott Halbrucker informed the Committee about a storm water and erosion situation on North Mark Street in the Neshonoc Lake Addition. Storm water from two Mark Street curb inlets currently discharges into a drainage easement area to the east of Mark Street over land owned by Chris and Dan Cronk. The Cronks contacted the Village about an existing erosion problem within the easement area next to Lake Neshonoc. The area eroded is about 120 feet in length and in some places, it is about 4 feet in depth. The original drainage way at this location is about 4 feet to 8 feet wide and had approximately 6 inches of medium rip rap at grade. One reason this has eroded is due to the relatively steep grades and the resulting storm water flow velocities have washed out the rip rap material. Mr. Halbrucker distributed two preliminary options prepared by Village Engineer Dave Sauer for repairing the problem. Option 1 would be to fill in the existing gulley and repair the drainage way with new rip rap. The rip rap for this repair would need to be large rip rap to avoid the washing out of the material again. Access to the repair area would be from North Mark Street through the existing easement area. The area of repair is approximately 250 feet from the street. The estimated cost of this option is \$8,245. Option 2 would involve connecting the existing 15-inch storm sewer from Mark Street to an existing parallel 36-inch storm water interceptor which carries storm water from Mark Street and extends all the way to East Avenue. This 36-inch storm sewer currently drains a large area and was installed many years ago. A possible location to make this connection between the two storm sewers is on the land area behind the curb/sidewalk running parallel to North Mark Street. There is an existing electrical transformer box located at the street right-of-way. Therefore, Option 2 would include making the connection away from this conflict but before the area where the existing ditch is located. This location was selected over making the connection within the street so we can avoid having to repair the street. The estimated cost for this repair is \$15,200. This cost increases quickly due to the connection with the 36-inch storm sewer. This cost does include any expenses for repairing or filling in the existing erosion area next to the lake. The Committee noted Option 2 would take care of all future rip rap maintenance issues and an easement would be required from the Cronks. The Committee discussed the financial impact of both Options and determined funding is available for either option. The Cronks would like the Village to accept Option 2, and they are open to contributing financially to the project. The Committee recommended Scott Halbrucker get formal direction from Village Engineer Dave Sauer on Option 2 and ask Mr. Sauer to submit a minimum of two bid cost quotes with an itemized breakdown of each cost item within each bid along with maintenance estimates so the landowners can financially participate in the project. Teresa Schnitzler informed the Committee the Public Service Commission has determined the 2013 rate increase factor and the overall rate of return that should be used in a Simplified Rate Case Application. Increase factors and benchmark rates of return are revised annually on March 1. After the filing of West Salem's annual Public Service Commission Annual Report, the application for a simplified rate increase of 3 percent was drafted. West Salem financially qualifies for an increase of the standard 3 percent. The Committee noted a full rate increase is professionally prepared at an estimated cost of \$5,000, and the last full rate increase was in January of 2009. The Notice of Rate Increase recommended by the Public Service Commission states the increase is necessary to reduce the existing deficiency in present rates, and rate increases granted under Wis. Stat. 196.193 do not require a public hearing. The present user fee rate is \$2.10 per thousand gallons of water used. The new, proposed rate would be \$2.16 per thousand gallons of water used. The

present fixed base rate is \$9.00 per quarter, and the new base charge would be \$9.27 per quarter. A quarterly water usage of 12,000 gallons would go from \$34.20 per quarter to \$35.19 per quarter raising water revenue from sales by \$19,068 per year. The quarterly public fire protection charge would also increase 3 percent from \$22.95 to \$23.64. Scott Halbrucker informed the Committee of upcoming maintenance items required by the Department of Natural Resources. All three wells need to be pulled over the next three years for inspection and any needed repairs at a cost of \$20,000 per well. The Committee recommended the filing of a 3 percent Simplified Rate Case Application.

Motion by Trustee Schumacher, seconded by Trustee Leicht to approve the minutes of the Utilities Committee meeting of May 16, 2013. Roll call vote: Unanimous aye.

Motion by Trustee Schumacher, seconded by Trustee Wehrs to approve the Utilities Committee recommending regarding storm water drainage on North Mark Street. Roll call vote: Baltz – nay; remainder of Board – aye. Motion approved.

Motion by Trustee Schumacher, seconded by Trustee Wehrs to approve the filing of the 2013 Public Service Commission 3% Simplified Rate Case Application. Roll call vote: Unanimous aye.

Finance and Personnel Committee

Trustee Leicht reported on the May 16, 2013, Finance and Personnel Committee meeting. The purpose of the meeting was to meet with Laura and Brad Villand and Lance Wulf to review with possible recommendation to the Village Board offers to purchase Lot 7, Riverview Estates. The Villands and Wulfs presented their offer to purchase from the Village Lot 7 in Riverview Estates. They stated the sale of Lot 7 to them is in the best interests of all parties. The Villands would like to reposition their house to be constructed on Lot 6 slightly onto Lot 7, clean up the dead trees and hillside to make the lot more appealing, and the Wulfs intend to use their portion of purchased Lot 7 to expand their front and side yards to increase the amount of green space and river frontage. They stated the sale of the parcel to them will generate tax revenue from the land and reduce further expenses for the Village. The one-time offer to purchase is for one cent per square foot or \$407.76 for the 40,776 square feet of Lot 7, Riverview Estates. The offer also states the buyers agree to install a sidewalk at their expense and maintain the sidewalk, the Village may retain its easement, and the buyers will maintain Lot 7. The Committee noted Village Ordinances do not require installation of sidewalk until one year after occupancy. The Village would probably install sidewalk on Lot 7, however. Scott Halbrucker informed the Committee the Village needs to retain the easement on Lot 7 as erosion and drainage work is required in Pineview Park along with possible future access to the Faye Drive storm water ravine. The Committee recommended the offer of one cent per square foot and the offer of ten cents per square foot be rejected.

Motion by Trustee Leicht, seconded by Trustee Koelbl to approve the minutes of the May 16, 2013, Finance and Personnel Committee meeting. Roll call vote: Unanimous aye.

Motion by Trustee Leicht, seconded by Trustee Koelbl to approve the Finance and Personnel Committee's recommendation to reject the offers to purchase Lot 7, Riverview Estates Addition. Roll call vote: Unanimous aye.

Street Committee

Trustee Koelbl reported on the May 16, 2013, Street Committee meeting. The purpose of the meeting was to review and discuss for possible recommendation to the Village Board speed and traffic concerns on Lewis Street and split sequencing considerations on the upcoming Youlon Street project. Police Chief Charles Ashbeck brought the Committee up-to-date on the Lewis Street speed and traffic concerns. Approximately a year and a half ago, residents brought to the Chief's attention their concerns regarding excessive speed on Lewis Street. Since then, Chief Ashbeck has collected speed data, and the analysis shows speeds ranging from 15 to 30 miles per hour. The residents are still concerned about speed and the street is still too dangerous. Chief Ashbeck stated a stop sign installed mid-block is unprecedented in the Village. He presented the Committee with his research on speed humps. Chief Ashbeck stated if the speed limit is reduced from 25 miles per hour to 15 miles per hour, law enforcement would have to be present in order to enforce the speed limit. Chief Ashbeck stated if traffic control measures are put into effect on Lewis Street, he would then ask the Committee to consider adopting guidelines for installation of traffic controls as this action will result in other residents also requesting accommodations for their neighborhoods. Several Lewis Street area residents were in attendance, and Larry Arentz, 720 Lewis Street, requested they be allowed to speak. Mr. Arentz stated there is no problem with vehicle speed on Lewis Street. He stated there are sidewalks and a park in this area, and children need to be kept out of the street. Mr. Arentz asked how a speed hump is attached to the street. Chief Ashbeck informed the Committee holes would have to be made in the street to attach the speed hump, and Scott Halbrucker stated ice and water would get into the street base through the holes. Dave Evenson, 760 Lewis Street, addressed the Committee stating there has never been a speed hump placed on any of the streets he has been involved with constructing. Mr. Evenson stated the street is not a playground and training kids to stay out of the street will solve the problem. Rose Wohlbrink, 731 Lewis Street, informed the Committee there are 47 children living in this area, and all parents have tried to teach their children to stay out of the street. Jesse McKinney, 821 Saddlewood, and Cory Dressel, 828 Saddlewood, both addressed the Committee with concerns relating to the number of young children in the area, the speed of vehicles on Lewis Street, and how dangerous the area is for children. They believe a stop sign is the best option as the sign will prompt drivers to reduce their vehicle's speed. Linda Arentz, 720 Lewis Street, addressed the Committee regarding the portable pedestrian crossing sign which was placed in the middle of Lewis Street. If the Village decides to keep the pedestrian sign in the middle of the street, it also needs to make the area no parking because vehicles are unable to pass between a parked car and the pedestrian crossing sign in the middle of the street. The Committee directed Village Attorney Bryant Klos to review our ordinances on enforcement and tabled the matter so the Committee can meet at Lewis Street and to give the Village Attorney time to review ordinances and revisit the matter. The public present at the meeting requested the Village provide notice to everyone in the Lewis Street area of the next Street Committee meeting. Item No. 4 of the Village Engineer Dave Sauer's Bid Analysis for the Youlon and Griswold Streets Reconstruction Project included provisions that Youlon Street have only binder asphalt placed this year with final asphalt placed in

May of 2014. The Committee discussed the fact the project could cost \$3,800 less if the asphalt paving was completed in 2013. The Committee recommended tabling this matter and ask what specific compaction requirements are in the bid specifications and if they are not a referenced document, the Committee requests the reference document in understandable, plain English.

Motion by Trustee Koelbl, seconded by Trustee Lautz to approve the minutes of the Street Committee meeting of May 16, 2013. Roll call vote: Unanimous aye.

Motion by Trustee Leicht, seconded by Trustee Schumacher to approve the Street Committee's recommendation to table the Lewis Street traffic and speed concerns matter. Roll call vote: Unanimous aye.

Motion by Trustee Leicht, seconded by Trustee Koelbl to approve the Street Committee's recommendation to table the Youlon Street split sequencing matter. Roll call vote: Unanimous aye.

Motion by Trustee Leicht, seconded by Trustee Koelbl to adjourn the meeting at 8:07 p.m. Approved by voice vote.

Teresa L. Schnitzler, Village Administrator