

Regular Board Meeting

June 21, 2011

Meeting called to order at 7:00 p.m. by President Manthei. Trustees present: Engel, Iverson, Koelbl, Leicht, and Schumacher. Trustee Wehrs arrived later as noted below. Also present: Police Chief Charles Ashbeck, Coulee News Special Correspondent Emily Staed, Recreation Director Michelle Czerwan, Danielle Langel of Tostrud & Temp, Katie Henriksen, Rebecca Flege of Short Elliott Hendrickson, Village Attorney Bryant Klos, and Village Administrator Teresa Schnitzler.

Minutes

Motion by Trustee Engel, seconded by Trustee Leicht, to approve the minutes of the June 7, 2011, Regular Board meeting as written. Roll call vote: Unanimous aye.

Trustee Wehrs arrived at 7:03 p.m.

Claims

Claims from the following funds were presented for payment:

<u>General Fund:</u>	\$33,852.21
<u>Water Utility:</u>	\$9,890.91
<u>Sewer Utility:</u>	\$20,941.20
<u>Storm Water Utility:</u>	\$687.50

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

2010 Financial Statements and Auditor's Report

Danielle Langel of Tostrud & Temp presented the 2010 Financial Statements and Auditor's Report to the Board. The Village's undesignated General Fund balance decreased from \$537,689 to \$462,521, which is 21% of the 2010 General Fund expenditures. The General Fund's total fund balance of \$761,465 is 34% of the General Fund expenditures. Revenue for Village Governmental activities total \$2,181,187, with expenses exceeding revenues by \$85,430. Undesignated operating capital funds were budgeted and transferred for capital purchases according to the 2010 Operating Plan. Taxes accounted for 56% and unallocated intergovernmental revenues accounted for 22% of the Village's revenues. Ms. Langel reported a finding that the financial statements are actually prepared by the auditing firm, which is not unusual for a municipality of West Salem's size. The Board felt this was an acceptable finding at this time.

Motion by Trustee Engel, seconded by Trustee Iverson to accept the 2010 Financial Statements and Auditor's Report as prepared. Roll call vote: Unanimous aye.

Pathways Project Update

Rebecca Flege of Short Elliott Hendrickson updated the Board on the Pathways project. A fourth round of environmental report comments from KJohnson Engineers were returned to SEH on June 20. SEH expects to finalize these comments by the end of this week. Draft plans and specifications and estimates were sent to KJohnson for review on June 10, and no comments have been received back from KJohnson yet. A draft Design Study Report was sent to KJohnson for their review on June 20. Phase 2.5 amendments have been signed, and the actual work will begin this week. The Village utility work advertisement for bids will be published next week, and the final plans and specifications will be ready for disbursement on June 30. Bid opening for the Village's utility work is on July 14. The Board addressed the pages of comments by KJohnson to SEH's environmental report, specifically a comment about railroad interest as work along the railroad may not be in Village right-of-way. If railroad interest must be addressed, this will delay the project. The Board insisted on frequent communication and updates from SEH on the Pathways Project and progress.

Amended West Salem Fire Protection District Agreement

Proposed language to a second amended West Salem Fire Protection District Agreement has been discussed between the Village Attorney and the Fire Protection District attorney. In place of language that was proposed by the Fire District to be deleted from the powers of trustees section of the First Amended Agreement, the following language is proposed by Village Attorney Bryant Klos:

“In addition, the Fire Chief shall each July furnish a public annual report of funds received and disbursed from any fund raisers conducted by the department and any funds or properties received as a donation from any source other than the signatories to this agreement. All such funds and properties shall be accounted for and through the budget of the Fire Protection District. Any funds or properties received or disbursed by the West Salem Volunteer Fire Department Benevolent Association, Inc. need not be included in this public annual report by the Fire Chief unless they are transferred to the Fire Protection District. The Protection Fire District is an “authority” as that term is defined in Wis. Stat. Sec. 19.32(1) and must comply with such an “authority’s” obligations under Chapter 19 of the Wisconsin Statutes.”

Motion by Trustee Koelbl, seconded by Trustee Wehrs to approve the revision as proposed by Attorney Klos. Roll call vote: Unanimous aye.

Special Event Application

Motion by Trustee Leicht, seconded by Trustee Engel to approve a Special Event Application submitted by Katie Henriksen for a 5K run/walk to benefit the humane society scheduled for Saturday, July 30, 2011, at 8:00 a.m. Roll call vote: Unanimous aye.

Motion by Trustee Leicht, seconded by Trustee Engel to waive the insurance requirement for the Special Event Application. Roll call vote: Unanimous aye.

Resolution No. 10.11

Motion by Trustee Wehrs, seconded by Trustee Iverson to approve Resolution No. 10.11 Compliance Maintenance Annual Report. Roll call vote: Unanimous aye.

RESOLVED, that the Village of West Salem Board of Trustees informs the Department of Natural Resources that the following actions were taken by them:

1. Reviewed a summary of the 2010 Compliance Maintenance Annual Report, which is attached to this Resolution; and
2. Due to the high letter grades and high grade points generated as a result of completing this Report, the Board did not feel that any action was necessary at this time.

PASSED by unanimous vote of the Village of West Salem Board of Trustees on the 21st day of June, 2011.

(SEAL)

/s/ _____
Dennis Manthei, Village President

/s/ _____
Teresa L. Schnitzler, Village Administrator

2011-2011 License Applications

Motion by Trustee Leicht, seconded by Trustee Koelbl to approve the 2011-2011 License Applications as listed with the exception of an Operator's License Application for Kyle R. Tranberg. Roll call vote: Unanimous aye.

"Class B" Combination

Berg, Hemker, Olson Post #51
Features, Inc.
Groth Co., Inc. – Westview Inn
Hunter's Last Chance, LLC.
Joel Jansky – La Scher's Uptown Bistro
Scott Krome – Krome's Bar
SSJH, LLC. – Breakers Pub & Eatery
The Shop Downtown West Salem, LLC
d/b/a The Silverado Saloon

Krome's Bar
Neshonoc Sports & Service

Soda Water Licenses

Americinn Motel & Suites
Berg, Hemker, Olson Post #51
Breakers Pub & Eatery
Brenengen's Chevrolet
Coney Island
Coulee Region Glass & Exhaust Plus
Farmer's Co-op
Features Sports Bar & Grill/West Bowl Lanes
Hansen's IGA
Hunter's Last Chance
Ice Cream Express – Mike Alumbaugh
I-90 Cenex Convenience Store
Joe Harter & Son Landscaping
Krome's Bar
Kwik Trip
La Scher's Uptown Bistro
LeCoulee Cheese Castle
Lloyd's Speedstop
Neshonoc Sports & Service
Pischke Motors
Pizza Villa
Quizno's Subs
Snap Fitness
Snowwhite Laundry
Subway Sandwiches & Salads
The Silverado Saloon

"Class A" Combination

Hansen's IGA
Kwik Trip, Inc.
Lloyd's Speedstop, Inc.
Skytime Investments, LLC.
d/b/a Neshonoc Sports

Class "A" Beer

I-90 Cenex Convenience Store

Class "A" Liquor

Family Tree Floral and Greenhouse, Inc.

Cigarettes

Hansen's IGA
I-90 Cenex Convenience Store
Kwik Trip
Lloyd's Speedstop
The Silverado Saloon

West Salem Family Restaurant
West Salem Hockey Association
West Salem Pharmacy
Westview Inn

Coin Machine Permits

Americinn Motel & Suites (2)
Breakers Pub & Eatery (14)
Brenengen Chevrolet (3)
The Silverado Saloon (9)
Features Sports Bar&Grill/West Bowl Lanes(10)
Hansen's IGA (1)
Hunter's Last Chance (10)
I-90 Cenex Convenience Store (5)
Krome's Bar (6)
Kwik Trip, Inc. (1)
Pischke Motors (1)
Snowwhite Laundry (1)
Lloyd's Speedstop (8)
Westview Inn (5)

Dance Permits

Berg, Hemker, Olson Post #51
Breakers Pub & Eatery
The Silverado Saloon
Features Sports Bar & Grill/West Bowl Lanes
Hunter's Last Chance
Krome's Bar
La Scher's Uptown Bistro
Westview Inn

Bartender's License Applications

American Legion

Steven M. Craig
Paul H. Degenhardt
James T. Jenks
Kathleen A. Miller-Jenks
Andrea S. Page
Douglas M. Schaller
James E. Schmitz
Rita M. Schmitz
Michael J. Thill
Gerald D. Van Oss

The Silverado Saloon

Kobi M. Connor
Laura A. Mueller
Michele L. Neumann
Rebecca L. Nuttleman

Hannah M. Pasch VanderHorst
April M. Rossman
Marcus A. Stetzer
Desiree A. Wehrs
Benjamin J. Zahn

Hansen's IGA

Kayla M. Bartle
Penny K. Greene
Nicholas P. Hickok
Nancy M. Jackson
Tallie Kurlinkus
Mark C. Miller
Ranee E. Neuverth
Annemarie Noel
Cassie K. Petranek
Nathan R. Rader
Ivan L. Robinson
Jolene K. Tenner
Debra A. Walsh

Kwik Trip

Daniel J. Arnold
Nikalaus F. Bahr
Danielle L. Baxter
Charles F. Dodd
Dorothy E. Garbers
Lance M. Hutzenbuhler
Clare L. Kelsall
Tyler M. Koeneke
Jamie N. Liles
Larry D. Liles
Joyce L. Peterson
Kathleen A. Rudser
Debra J. Soller
Nicole M. Stumlin
Lindsey M. Thesing
Dorothy L. Van Riper
Desiree J. Wavra
Matthew F. Wobeck
Rayna D. Wortman

Lloyd's Speedstop, Inc.

Frank E. Bay
Kevin M. Candahl
Jared R. Kimpel
Kathleen M. Knudtson
Justin H. Krajewski
Marian K. Olson

Desiree A. Wehrs
Kasha L. Wehrs

Westview Inn

Cynthia E. Ashland
Mary L. Barris
Tamie A. Batzel
LaDonna M. Biederman
Jennifer M. Hundt
Jenna Wolf

Hunter's Last Chance

Kimberly M. Adams
Jamie L. Bartlett
Brooke A. Cornford
Dana Heider
Brady B. Hundt
Harrison H. Hundt
Jason J. Huber

Krome's Bar

Jeanne K. Bahr
Robert A. Hundt
Samantha S. Kranz
Jocelyn J. Oldenburg
Cassandra J. Tremain
Rhonda P. Tremain-Yeiter

Cenex Convenience Stores

Danielle M. Hernandez
Brian J. Kowalke
Amanda R. Maas
Carol A. Miller
Rochelle C. Miller
Mary J. Shelmidine

Neshonoc Sports & Service

Laurene S. Anderson
Arleen M. Haverly
Paula L. Storandt
Steven E. Storandt

Breakers Pub & Eatery

La Scher's Uptown Bistro

Eric S. Jansky

Features, Inc.

Heather M. Antony
Kimberly M. Dickinson
Jason L. Slusser
Kyle R. Tranberg (denied)
Dennis W. Wiemerslage

Ordinance No. 437

The Board reviewed an ordinance prepared by Village Attorney Bryant Klos to create a Class "C" Wine License and creating outdoor alcoholic beverage permits. Several aspects of the outdoor alcoholic beverage ordinance should be reviewed by the Planning Commission, such as lighting, noise, fencing, structure, and proximity to residential districts. The proposed ordinance does not address the State smoke free law, and the Planning Commission may also want to incorporate those requirements into the new ordinance. The Board suggested the "Class B" Combination liquor license holders also be involved with the ordinance process.

Motion by Trustee Leicht, seconded by Trustee Schumacher to refer Ordinance No. 437 to the Planning Commission. Roll call vote: Unanimous aye.

Donation of Car

Police Chief Charles Ashbeck informed the Board the police department has been offered the donation of a green, 4-door 1998 Oldsmobile Achieva. The vehicle may need some minor brake work, but otherwise the car is in good shape. The Village would need to license and title the car, and insurance on the car would not be payable until 2012. The car would be used for training transportation, police surveillance needs, and other Village departments could use the vehicle.

Motion by Trustee Koelbl, seconded by Trustee Iverson to accept the donation to the Village. Roll call vote: Unanimous aye.

Bicycle and Pedestrian Ad Hoc Committee

Trustee Koelbl reported on the June 6, 2011, Bicycle and Pedestrian Ad Hoc Committee meeting. The Committee reviewed a map of recommended bicycle routes into and throughout the Village.

Motion by Trustee Leicht, seconded by Trustee Wehrs to approve the minutes of the June 6, 2011, Bicycle and Pedestrian Ad Hoc Committee meeting. Roll call vote: Unanimous aye.

Street Committee

Trustee Leicht reported on the Street Committee meeting of June 7, 2011. The purpose of the meeting was to address a boulevard right-of-way complaint received from Andrea and Dennis Kyser, discuss abandonment of a section of Mill Street South, and discuss truck traffic through West Salem. Dennis Kyser addressed the Committee regarding the boulevard in front of his lot at the east end of Lewis Street in the Neshonoc Lake Addition. Mr. Kyser distributed a copy of the preliminary plat of Neshonoc Lake Addition, which plat included a half cul-de-sac at the east end of Lewis Street. A cul-de-sac was since constructed to provide driveway access to a lot adjacent and east of the Neshonoc Lake Addition development. In 2009, a new home was constructed on the lot to the east of Mr. Kyser's vacant lot. The homeowners installed their mailbox and a portion of their driveway on the boulevard fronting Mr. Kyser's lot. Mr. Kyser is requesting the Village instruct the property owners to remove their mailbox and driveway from the boulevard in front of Mr. Kyser's lot and prohibit any future plantings in the boulevard fronting Mr. Kyser's vacant lot. The Committee instructed Village Administrator Teresa Schnitzler to contact the homeowners in writing instructing them to move their mailbox from the boulevard right-of-way in front of Kyser's vacant lot to the other side of their driveway and also instruct the property owners to not place any plantings in this boulevard. Dave Evenson volunteered to contact the property owners and assist them in moving their mailbox. Public Works Director Scott Halbrucker informed the Committee of the Town of Hamilton's request that the Village move its gate presently located at the bottom of the entrance road off Buol Road to the ground level reservoir to the top of the hill. Mr. Halbrucker stated the public works department does not maintain this road until necessary for utility maintenance, discourages public use of this road, and prohibiting public access to the reservoir is important to public health safety. Mr. Halbrucker suggested the Committee consider abandoning this road. Abandoning the road would remove it from GIS mapping and State mileage databases. The Committee agreed the road should be kept open and warning signage placed at the road entrance and at the top of the hill. Mr. Halbrucker will leave the entrance gate open and order two signs stating "Danger: Low-maintenance Road" for installation at the entrance of the road and at the top of the hill. Residents living on West Garland Street have complained about the amount of truck traffic traveling on Village streets. In April, Ms. Schnitzler talked with La Crosse County Highway Commissioner Ron Chamberlain regarding designation of truck routes on La Crosse County highways. Mr. Chamberlain had stated West Salem had two options. One would be a jurisdictional transfer, which maintains the County Trunk Highway designation through West Salem, but transfers all maintenance and operations to the Village. Mr. Chamberlain felt the

more workable and acceptable option would be to utilize State Statute Section 348.16 weight limitations on class "B" highways. Pursuant to Wis. Stat. Sec. 349.15, West Salem can designate West Garland Street a class "B" highway for the purpose of putting into effect weight limitations set forth in Sec. 348.16. Designating West Garland Street a class "B" highway would prohibit semi-trucks, car haulers, and any other large truck from being on that street except if they were picking up or delivering to a location within the Village. Mr. Chamberlain acknowledged West Salem prohibiting truck traffic on West Garland would put the trucks on County highways around the Village, and he felt this is where the trucks should be anyway as the roads are built for that purpose. Formally designating a truck route on County Highway B would require a La Crosse County Public Works Committee recommendation to the full County Board, and Mr. Chamberlain did not predict success. Attorney Klos advised the Committee that designating West Garland Street as a class "B" highway prohibiting truck traffic would require the Village to also post signs on all Village streets prohibiting truck traffic on Village Streets. The Committee also felt diverting truck traffic off West Garland would result in truck traffic in other areas of the Village. West Garland Street will be reconstructed in 2012 thus eliminating the dips, potholes, and unevenness of the street which now creates traffic noise. The Committee directed Ms. Schnitzler to correspond with two residents of West Garland Street who have requested status updates on the elimination of truck traffic on Village streets advising them of the Committee's decision to not pursue diverting truck traffic off West Garland.

Motion by Trustee Leicht, seconded by Trustee Koelbl to approve the minutes of the Street Committee meeting held on June 7, 2011. Roll call vote: Unanimous aye.

Finance and Personnel Committee

Trustee Engel reported on the June 15, 2011, Finance and Personnel Committee meeting. The purpose of the meeting was to review the 2010 Financial Statements and Independent Auditor's Report prepared by Tostrud & Temp, S.C., review the 2011 year-to-date financial statements, and to convene in closed session for employee performance evaluation purposes. The 2010 Financial Statements and Independent Auditor's Report was distributed to the Village Board at its regular meeting on June 7. The Committee reviewed and discussed the analysis contained in the financial report, and the findings and recommendations supplied by Tostrud & Temp. The Committee requested a representative of the accounting firm attend a Village Board meeting to briefly summarize the financial report and answer any questions from the Village Board. The Committee then reviewed the 2011 financial statements to date. It was noted several expenditure line items will be overspent in 2011 due to unforeseeable changes and circumstances since the 2011 budget was prepared and approved. Expenses attributed to elections, purchase of property, information technology, Code of Ordinances recodification, and library will exceed the approved budget. The Committee also discussed the impact of the State budget on the Village budget. The Committee recommended to the Village Board that an amended 2011 budget be presented and a public hearing scheduled for Tuesday, July 5, 2011, at 6:45 p.m. 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 of any public employee over which the governmental body has jurisdiction or exercises responsibility, i.e., employee performance evaluation. In open session, Diana Engel updated the Committee on information received at a recent Utilities and Mass Transit meeting in the

City of Onalaska, and the impact of State reduced aids will have on the shared ride program in West Salem.

Motion by Trustee Engel, seconded by Trustee Koelbl to approve the minutes of the Finance and Personnel Committee meeting of June 15, 2011. Roll call vote: Unanimous aye.

Trustee Engel informed the Board of a letter received from Village Attorney Bryant Klos dated June 21, 2011, regarding the procedure for amending municipal budgets. In this letter, Attorney Klos stated initial budgets must go through a public hearing process before approval. The initial budget must be approved by a majority vote of a quorum of the Board. If at any point in time after the budget is approved, operations change and it becomes necessary to spend more money allocated to one item and/or less in another, the budget should be amended. Amending budgets does not require a public hearing. The proper procedure is an amended budget should be reviewed by the Finance and Personnel Committee and then recommended to the Village Board for approval. The amended budget requires a 2/3 vote of the entire membership of the governing body. After an amended budget is approved, the municipality must publish a Class 1 notice of the amendment within ten days.

Motion by Trustee Leicht, seconded by Trustee Engel to adjourn the meeting at 8:00 p.m. Approved by voice vote.

Teresa L. Schnitzler, Village Administrator