

Regular Board Meeting

August 7, 2012

Meeting called to order at 7:00 p.m. by President Manthei. Trustees present: Iverson, Koelbl, Leicht, Schumacher, and Wehrs. Trustee Lautz arrived later as noted below. Also present: Public Works Director Scott Halbrucker, Coulee News Correspondent Emily Staed, County Board Supervisor Ray Ebert, Recreation Director Michelle Czerwan, Village Attorney Bryant Klos, John Hammes, Joe Belling, Danielle Langel, Fire Chief Dave Munson, Assistant Fire Chief Greg Hutson, Victor Czajka, Jeff Hanson, Dave Rudesill, Glen Bass, Dave Hemker, Kurt Weber, Dave Hundt, and Village Administrator Teresa Schnitzler.

Minutes

Motion by Trustee Leicht, seconded by Trustee Iverson to approve the minutes of the July 17, 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>	\$34,383.88
<u>Water Utility:</u>	\$13,988.82
<u>Sewer Utility:</u>	\$15,351.43
<u>Storm Water Utility:</u>	\$156.34

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

Trustee Lautz arrived at 7:03 p.m.

2011 Financial Statements and Auditor's Report

Danielle Langel of Tostrud & Temp presented the 2011 Financial Statements and Auditor's Report. The Village's undesignated General Fund balance is \$680,064, which is 33.7% of the 2011 General Fund expenditures. The General Fund's total fund balance of \$979,588 is 48.6% of the General Fund expenditures. Revenue for Village Governmental activities total \$2,212,180, with revenues exceeding expenses by \$134,988. Taxes accounted for 57.3% and unallocated intergovernmental revenues accounted for 19.8% of the Villages 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 this size. The Board felt this was an acceptable finding at this time.

Motion by Trustee Wehrs, seconded by Trustee Koelbl to accept the financial statements as presented. Roll call vote: Unanimous aye.

Mutual Aid Box Alarm System Agreement

Attorney Klos presented a proposed Resolution and a Mutual Aid Box Alarm System Agreement to the Board. The Village of West Salem and the Towns of Barre and Hamilton created the West Salem Fire Protection District. Therefore, there are actually four entities that need to approve the Agreement and Resolution. The Agreement states the fact the Board of the Village of West Salem is only one of the three municipalities which form and operate the West Salem Fire Protection District, along with the Towns of Barre and Hamilton. The Resolution is drafted to state the Village's execution of the Mutual Aid Box Alarm System Agreement will only be done after it is also approved by the West Salem Fire Protection District and the Towns of Barre and Hamilton. Fire Chief Munson addressed the Board stating all La Crosse County municipalities have had mutual aid agreements in place. The Mutual Aid Box Alarm System Agreement simply formalizes and clarifies the present mutual aid agreement status.

Motion by Trustee Leicht, seconded by Trustee Wehrs to approve Resolution 10.12 as presented by Attorney Klos. Roll call vote: Unanimous aye.

Special Event Application

The Board reviewed a Special Event Application for the 17th Annual Rose Street Block Party scheduled for Saturday, August 18, 2012, from 5:00 p.m. until midnight. The request is for closure of the 100 block of North Rose Street between East Franklin and East Hamilton Street.

Motion by Trustee Koelbl, seconded by Trustee Iverson to approve the special event application as presented. Roll call vote: Unanimous aye.

Special Event Application

Dave Hundt presented a Special Event Application for a street dance to be held on September 2, 2012, from 3:00 until midnight to benefit West Salem American Legion Baseball. The request is for closure of South Leonard Street from Memorial Drive to Elm Street.

Motion by Trustee Leicht, seconded by Trustee Lutz to approve the special event application as presented. Roll call vote: Unanimous aye.

Caryn Modawell Memorial Dog Park Update

Dave Hundt updated the Board on the progress in the creation of the dog park. Unfortunately due to lack of volunteers, the dog park will not be complete until the middle of September. The fences are up, and the park is useable but not presentable.

Operator's License

Motion by Trustee Schumacher, seconded by Trustee Iverson to approve the issuance of an operator's license to Leroy D. Brown II. Roll call vote: Unanimous aye.

Updates and Discussions

Attorney Klos updated the Board on various potential public sales, transfers, and/or acquisitions, public land development, and present and future project updates. Lewis Point and a sliver of La Crosse County property at south shore park are presently located in the Town of Hamilton. The Village has made contact with La Crosse County

to discuss a joint annexation application to bring these two parcels into the Village of West Salem. During the Pathways preconstruction meeting on August 6, 2012, Canadian Pacific representatives indicated the Farmers Cooperative side track is no longer going to be operational. Attorney Klos talked with the Farmers Cooperative and was told the Cooperative is not going to be improving the side track through South Mill Street and the Cooperative will no longer be using the side track in the future. Attorney Klos drafted an agreement for the Cooperative to sign clearly stating the Village has the right to remove the side track improvements located within the Mill Street right-of-way. Canadian Pacific is also declining any responsibility for any of the rest of the existing side track. Attorney Klos drafted a document for Canadian Pacific review which states the Village can remove the side track located within the Mill Street right-of-way in conjunction with the Pathways Project and at some point in the future, remove the track in Elm and Leonard Streets. Attorney Klos also brought the Board up-to-date on the School District leased ball field property and the West Salem Community Shelter property. The West Salem Hockey Association would like to buy the community shelter and land which was originally funded with a Department of Natural Resources Stewardship Program grant. La Crosse County has a restrictive covenant and a right to repurchase on the ball field property and the community shelter property. La Crosse County administration has indicated it would have no objections to terminating the right to repurchase condition if the property continued to be used for educational and recreational purposes. Attorney Klos has requested a written confirmation from the County on this matter. In order to remove the community shelter property from the stewardship program, an appraisal of the shelter and improvements needs to be performed and a conversion process needs to be completed. Attorney Klos predicted this process could take eight to twelve months.

Utilities Committee

Trustee Schumacher reported on the July 27, 2012, Utilities Committee meeting. The purpose of the meeting was to review preliminary plans and update on the Faye Drive storm water project, receive updates on the Safe Routes to School project and the Birdseye development project, and to review and discuss sewer utility user and fixed rates. Dave Sauer has prepared preliminary engineering plans to repair and solve the 1,000-foot long Faye Drive storm water ditch erosion issues. Mr. Sauer informed the Committee there are several natural springs all along the ditch continually flowing causing the slopes to fail. Mr. Sauer would like direction from the Committee on whether to prepare this project as one project or break it down into phases. The plan Mr. Sauer has prepared is more expensive, but in the long term would be more efficient with far less Village maintenance considerations. Mr. Sauer is proposing substantial grading, fill material, and piping for the first 400 to 500 feet of the ditch. Passed this point, the ditch begins to flatten out, and he would propose simple rip rapping at key points for the remaining length of the ditch. Dave Sauer informed the Committee he met with Johnson Operating Services, Inc. to inspect the storm water ditch. Johnson Operating Services estimated the cost of the work for the first 400 feet to be in the range of \$75,000 to \$95,000. Mr. Sauer estimated the cost at \$82,600. Preparing plans and construction to complete the repairs as one project would bring the total costs to between \$150,000 and \$175,000. The Committee recommended directing Engineer Dave Sauer to prepare engineering plans to solve the ditch erosion issues as one project, apply and obtain the necessary permits, and put the project out to bid for a 2013 storm water utility project. Dave Sauer updated the Committee on the progress of the

Safe Routes to School grant project. All engineering plans are complete and have been submitted to KJohnson for review. Mr. Sauer indicated for the Committee where the new cross walks and signage will be located. Once KJohnson has completed its review, the project can move forward. Dave Sauer informed the Committee La Crosse Engineering submitted revised plans to him on July 9, 2012. Mr. Sauer has reviewed the plans and put together comments and questions regarding the submittal. His review was forwarded to La Crosse Engineering on July 24, 2012. The revised plans do indicate storm water will flow to Highway 16 together with a pond will which fill and slowly drain out. Mr. Sauer submitted a number of questions regarding the hydrographs, storage volumes, and requested an outlet detail for the pond. Water main and water service was reviewed and commented on, along with sanitary sewer service and manholes for the site. The Committee felt all utilities must remain the developer's responsibility due to the proposed locations of the mains and services. Attorney Klos pointed out the residential units cannot be occupied until a new commercial building is constructed on the property, and this condition in the Conditional Use Permit should be forwarded to Mr. Birdd as a reminder of the terms of the permit. The Committee agreed to resume with the remainder of the agenda on Wednesday, August 8, 2012, at 8:00 a.m.

Motion by Trustee Schumacher, seconded by Trustee Wehrs to approve the minutes of the July 27, 2012, Utilities Committee meeting. Roll call vote: Unanimous aye.

Motion by Trustee Schumacher, seconded by Trustee Lautz to direct Engineer Dave Sauer to prepare engineering plans to solve the ditch erosion issues as one project, apply and obtain the necessary permits, and put the project out to bid for a 2013 storm water utility project. Roll call vote: Unanimous aye.

Law Enforcement Committee

Trustee Wehrs reported on the Law Enforcement Committee meeting held on August 1, 2012. The purpose of the meeting was to review and discuss a revised truancy ordinance with West Salem School District representatives with possible recommendation to the Village Board. Attorney Klos requested the Law Enforcement Committee meeting in order to give the Committee background on the present truancy ordinance and how the ordinance will change. The Village, School District, and the prosecuting attorney all need to have a clear understanding of the policy and procedure for enforcement of the new ordinance. Currently, the Village ordinances only set forth procedures for habitual truancy. A habitual truant is a student who is absent from school without an acceptable excuse for part or all of five or more days during a school semester. The ordinance contains preconditions and processes that must be followed before an ordinance citation is issued by the West Salem Police Department. Presently, on average two to five tickets are issued per school year. The School District would like the Village to consider revising the ordinance to include "simple truancy". Simple truancy is any absence of part or all of one or more days from school without an acceptable excuse. A citation will then be issued. Attorney Klos anticipates an increase in the volume of citations issued and cases in municipal court. Attorney Klos stressed the policy and procedure adopted must be consistent in order to avoid accusations of discrimination. Principal Carlson informed the Committee there are actually 30 to 40 students who may qualify for habitual truancy, but the School feels simple truancy would be a much more applicable process. The School District would propose a three-step

warning process with the sanctions, simple truancy language, and possible fines contained in the notification letters to parents and/or guardians of truant students. After a third warning, the School District will schedule a meeting with the parents and/or guardians of the student, the School Resource Officer, and the student. The next occurrence of truancy would result in a citation being issued to the student. The Committee recommended directing Attorney Klos and Chief Ashbeck to work together and revise the truancy ordinance as suggested.

Motion by Trustee Wehrs, seconded by Trustee Leicht to approve the minutes of the Law Enforcement Committee meeting held on August 1, 2012. Roll call vote: Unanimous aye.

Motion by Trustee Wehrs, seconded by Trustee Koelbl to direct Attorney Klos and Chief Ashbeck to work together and revise the truancy ordinance as suggested. Roll call vote: Unanimous aye.

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

Teresa L. Schnitzler, Village Administrator