

## Minutes of Regular Session

### Proceedings of the Village of Spring Green Board of Trustees

December 6, 2017 – 7:00 pm

154 N. Lexington Street, Spring Green WI

1. **Call to order:** Gene Hausner, Village President called the meeting to order at 7:00 pm.
2. **Roll call of Village Board members:** Members present were Gene Hausner, Robin Reid, Joel Marcus, Norm Miller, LuEtta Miller, Vern Demers and Michael Broh. Also present: Wendy Crary, Greg Wipperfurth, Judy Pellett, Robert Pellett, Robert Nachreiner, Vern Clark, Linda Schwanke, Michael Havlik, Kevin Wilkins, Greg Jewell, Pam Chehade, Dave Riek, Eric Miller, Ralph Haas, Bonnie Bindl, Joan Buringa, George Buringa, Marty Buringa, and Amy Synnes.
3. **Approve Minutes:** Reid asked Broh if the draft minutes reflect his opinion correctly in regards to snow removal. Broh read the entire discussion depicted by the minutes and stated that the minutes are accurate. Demers moved and L. Miller seconded to approve the minutes of the November 15, 2017 Regular Board Meeting as presented. Motion carried.
4. **Review and approve agenda:** N. Miller moved and Reid seconded to approve the agenda as presented. Motion carried.
5. **New Business:**
  - a. Broh moved and N. Miller seconded to approve the Disbursements as presented. Motion carried.
  - b. Marty Buringa explained the request he submitted on behalf of his parents. Currently the 100 block of N. Baltimore is no parking at all from Dec - Apr; the Buringa's are requesting that it be changed to alternate street parking. L. Miller inquired about the 100 block of North Albany and suggested that be changed to alternate street parking as well. Marcus moved and Reid seconded to start the process to amend the ordinance to eliminate "no parking" and change to alternate side parking for the 100 block of North Baltimore and the 100 block North Albany. Motion carried. Broh inquired about suspending enforcement of "no parking" in those areas until the amendment is finalized. Broh stated, "I don't want to let the red tape to keep us from living". Crary explained that the ordinance amendment would be on the next agenda, the Village Board can suspend the three readings rule, and publication will occur the week following approval. The ordinance will not become law until the day after publication. Broh moved and Reid seconded to suspend the enforcement of "no parking" on the 100 block of North Baltimore and North Albany. Motion carried.
  - c. Hausner explained that he has asked the WI League of Municipalities for a legal opinion three times in regards to snow removal of the walking path that runs east-west from Winsted to Wood Street. Hausner said, "We haven't received a legal opinion yet". Robert Nachreiner addressed the Village Board by saying "I would like to thank the board for having us in to discuss this as a result of Pellet's inquiry with the Village". Nachreiner explained that last year property owners received letters stating that snow removal of the walkway would be their responsibility. Nachreiner continued by providing some history surrounding the walkway. Nachreiner informed the board that shortly after the pool was built the village decided walkways should be provided to the pool and took property from all adjacent owners to construct the walkway. Property owners at that time did not want the walkway and were told the village would condemn the property if consent was not given. The Village President told property owners that the village would maintain the walkway at all times, especially during the winter. Nachreiner stated, "We certainly hope you will honor your predecessor's word". Crary asked Nachreiner if she could make a copy of what he read for the record. A copy was

made and is included in the file for this meeting. Haas asked, "Why did this come about after so many years?" Wipperfurth explained the reason was due to fences, flowers, and irrigation. In addition there are property owners that don't want the village to clear the snow as it causes damage to these items. Haas stated, "It's the village's property so they need to move those items if they do not want them destroyed". Haas continued by informing the board that Albany Street is in dire need of repair and that he and others have been doing maintenance along the boulevard for years, he felt that was fair as long as the village continued to remove the snow from the walkway. Brief discussion ensued surrounding the needed maintenance of Albany Street. Hausner redirected the discussion back to the agenda item and informed all in attendance that discussion of street repairs would have to be on a future agenda and cannot be discussed at this time. It was explained that part of the problem with the village plowing is that the sidewalk is only four feet wide and the Public Works equipment is five feet wide. Haas insisted that different equipment can and should be purchased. Marty Buringa said, "I haven't personally spoken with my insurance agent but others have and they said liability falls to the homeowners if they shovel the walkway". The consensus of the Village Board is to wait until a legal opinion is received from the WI League of Municipalities. Judith Pellet asked, "What do we do if it snows between now and your decision?" Hausner replied, "For safety reasons I will ask the Public Works Department to plow until a decision is made". No action taken.

- d. Chehade asked, "I submitted an email, does everyone have a copy?" The board confirmed they had all received a copy of Chehade's email. Chehade reviewed all of her concerns listed within her email in regards to the recent implementation of the snow removal ordinance. Chehade stated, "There are businesses that are open during the no parking hours such as the bars and the bakery". Chehade continued by informing the board that she contacted other municipalities to inquire how they handle winter parking. Chehade listed the following: Sauk tows if 2 inches or more of snow, Reedsburg and Richland Center have alternate street parking in residential and downtown, Muscoda has opposite side parking but when it snows they issue a snow emergency and all vehicles need to be removed, Mazomanie is opposite side parking and they only ticket, never tow vehicles. Chehade said, "There needs to be a compromise, this is not inviting to visitors". Marcus replied, "We've been very lax in the past and there was a larger group that attended a meeting last December or January who were very angry and demanded that snow removal be completed faster". Chehade replied, "My issue is when there isn't snow, implementing when there isn't snow doesn't make sense". Reid answered, "We are trying the best we can to implement, neither is a perfect solution". Chehade asked, "Why can't this be handled just when it snows?" Reid responded, "Getting cars off the street when it snows is too late which is the problem, enforcement all the time gets people in the habit before it's needed during snow events". "We can't pick and choose when we enforce the ordinance". Chehade commented, "I think it's extreme to ticket and tow when there isn't snow and it's wrong". Broh said, "Our Ordinance Committee can certainly look at the ordinance and review, but this is the only tool in our toolbox". Wilkins informed the board that the Police Department has towed six vehicles since the decision was made; it has increased hours for full time and part time along with increased overtime. Reid asked, "Do we need to refer to committee or bring back on a future agenda?" Hausner explained that the ordinance would need to be listed on a Village Board agenda prior to being referred to the Ordinance Committee. Bindl commented "As Robin so eloquently stated we can't pick and chose when we enforce the ordinance and I back the Village Board's decision". Hausner thanked Chehade for her comments and informed her that the ordinance will be placed on the 12/20/2017 agenda for Village Board review. No action taken.

- e. Jewell reviewed the professional services agreement submitted. N. Miller inquired about the compensation for the services. Reid moved and L. Miller seconded to approve the Professional Services Agreement with Jewell Associates for the Public Works Garage roof in the amount of \$12,000. Motion carried.
  - f. Jewell explained the reason for Change Order #3. Broh moved and Demers seconded to approve Change Order #3 for 2017 Spring Green Utility and Street Reconstruction. Motion carried.
  - g. Jewell reviewed the fourth and final pay request for E. Madison Street Reconstruction, Varsity Ave/Blvd Reconstruction, Water Tower Main Relocation, and Manhole Replacement. N. Miller moved and Demers seconded to approve the Application for Payment #4 for JI Construction in the amount of \$352,551.12. Motion carried.
  - h. Wilkins reviewed the memo he submitted regarding Parking Violation fees. Reid moved and Demers seconded to approve the rate increase for parking violations from \$10 to \$25 per violation effective as of April 1, 2018. Motion carried.
  - i. Wipperfurth explained his request for skid loader trade-in for the Public Works Department. Reid moved and N. Miller seconded to approve the skid loader trade-in with Bobcat for \$3,900. Motion carried.
  - j. Wipperfurth reviewed the memo he submitted regarding cathodic protection. Broh inquired about the water tower painting contract and if the contractor may be liable. Wipperfurth will review the contract for the water tower painting. Broh moved and Reid seconded approval to authorize the repair of the cathodic protection if it is not covered under warranty through painting contract. Motion carried.
  - k. Marcus moved and N. Miller seconded to accept with regrets Shannon Radel's letter of resignation from the Downtown Design Committee. Motion carried. Marcus requested anyone interested in serving to contact him and asked that it be in the Home News article for the meeting.
  - l. N. Miller moved and L. Miller seconded to set the caucus date for January 10, 2018. Motion carried.
  - m. N. Miller moved and Demers seconded appointment of Jeff Alt and Karen Nelson to the Board of Review for two year terms ending December 31, 2019. Motion carried.
  - n. Broh moved and N. Miller seconded appointment of Election Inspectors list for two-year terms ending December 31, 2019.
  - o. Broh explained that the Memorandum of Understanding (MOA) is built around try to get grants. An application was made and we didn't get it, the next round of grants is significantly larger and we have a better chance of receiving. The original MOA expired and we need to renew it for the grant submittal. Marcus moved and N. Miller seconded approval of the Memorandum of Understanding River Valley Fiber Network Partnership between the Village of Spring Green, Town of Spring Green and Reedsburg Utility Commission. Motion carried.
6. **General Public Comment:** Bonnie Bindl inquired about Haas's comments made that smaller equipment can and should be purchased to clear the four foot walkway previously discussed. Wipperfurth responded, "I'd get a smaller plow if I could, they don't make them smaller for our type of equipment". Bindl asked for clarification about the ordinance review for winter parking. Crary explained that the ordinance will be on the next Village Board Meeting agenda for review. Bindl asked for a timeline should the ordinance be amended. Crary explained that minor amendments can happen within a month, major amendments can take much longer, maybe months, it really depends on how extensive the amendments are. There was no additional general public comment at this time.
7. **Adjourn:** N. Miller moved and Marcus seconded to adjourn at 8:52 pm. Motion carried.