

VILLAGE OF LYNDON STATION
Board Meeting Minutes
July 8, 2013

The meeting was called to order by President David Klicko at 7:00 p.m. The roll call was taken by the Clerk. Present were President David Klicko and Trustee William Blank. Trustee Rebecca Coley joined the meeting at 7:04 p.m. Also present was Clerk/Treasurer Lori J. Scully and Steve Klicko from Public Works. Citizens present as per the sign in sheet.

A motion was made by Trustee Blank, seconded by President Klicko to approve the minutes June 10, 2013; two ayes carried, one absent, Trustee Coley. Trustee Blank made a motion to approve the minutes of the Special Meeting held June 17, 2013, seconded by President Klicko; two ayes carried, one absent, Trustee Coley. Trustee Blank made a motion to accept the Special Meeting Minutes of June 24, 2013, seconded by President Klicko, two ayes carried, one absent, Trustee Coley. A motion was made by President Klicko to table the approval of the June 27, 2013 minutes, seconded by Trustee Blank, two ayes carried, one absent, Trustee Coley.

The Payables Report from the General Fund for June, 2013 was read by the Clerk. A motion to approve the report as of July 1, 2013 (\$24,300.59) was made by Trustee Blank, seconded by President Klicko, two ayes carried, one absent, Trustee Coley.

The Treasurer's Report of the General Fund for July, 2013 was read by the Clerk. A motion to approve the report with a July 1, 2013 balance of \$127,971.23 was made by Trustee Coley, seconded by Trustee Blank; three ayes carried.

Trustee Coley made a motion to accept the minutes of the Special Meeting held June 27, 2013, seconded by President Klicko, two ayes carried, one abstention by Trustee Blank.

The Clerk read the Water Department balances as presented. A motion was made by Trustee Blank, seconded by Trustee Coley to accept the Water Department Report and Payables from June 19, 2013 to July 7, 2013 with a balance of \$23,317.22 and \$574.59 in savings; three ayes carried.

The Sewer Report was read by the Clerk as presented. The Sewer Report and Payables from June 19, 2013 to July 7, 2013 with a balance of \$-10,898.63, WWTP has a balance of \$1,456.38 and Sewer savings of \$71.69 (with a stipulation that Rachel not send the checks out until there is money in the sewer account) was approved by a motion of Trustee Blank, seconded by Trustee Coley; three ayes carried.

Trustee Coley made a motion to rescind a new Operator's License for Christina Lester at Norm's Bar and Grill, seconded by Trustee Blank; three ayes carried.

President Klicko explained that he has been working with Kurt Muchow at Vierbicher regarding the CDBG Grant for the Lyndon Station Economic Development. Kurt explained the new requirements for the CDBG Planning Grant are now at up to 75% reimburse the cost to do an economic plan d instead of 50%. A market analysis for the community is done with focus on the business district capturing more of the tourism dollar in the area. The other component is the feasibility of the further developing the Industrial Park. The Village purchased some land with the scope to include wetland delineation, master plan and a feasibility study. Generally those plans cost in the \$20,000 range and when you could receive 75% in a grant that would cost the Village between \$5,000 and \$6,000. The proposal is to write the grant application which is a normal charge of \$2,000 to \$2,500. The cost of the grant application is not grant eligible. Vierbicher would agree to do this for \$500.00. Trustee Blank made a motion to accept

the proposal by Vierbicher and Associates to provide professional consulting services for the CDBG Grant in the amount of \$500.00, seconded by Trustee Coley; three ayes carried.
(Discussion took place with Kurt Muchow regarding the new Sewer Loan Account.)

Trustee Coley made a motion to approve a renewal Operator's License for Matthew Weyh at Jim and Jan's Wildlife Bar, seconded by Trustee Blank; three ayes carried.

President Klicko explained the concrete work needed at the pump house. The pump house fence quote actually went down by \$500 from last year's price. He explained where the placement of the fence would be located. Trustee Blank asked why the slide gate on the side would be needed. President Klicko explained that the extra fire hydrants would be stored there rather than where they are now. The cost would be \$7,145.00. Trustee Blank and Trustee Coley asked if we would need to spend \$7,000. Trustee Blank asked if the drive would still be open and asked if there is any thought of creating an easement or selling some of the property to John (who happens to be the current owner) so there is access to that property. Trustee Coley said she is on the same wave length as Trustee Blank. President Klicko said once the street is vacated, Stanley (Borowski) would be willing to deed over his portion of the vacated street. He said that the generator needs to be fenced in and is the Village primary water source and there are three entities that recommend fencing the water and sewer which is the DNR, American Water Works Association and the Bioterrorism Act of 2002. Trustee Coley said the suggestion is that whoever would own the house making some of that property available. President Klicko said that the agreement that Vierbicher sent out stating that the Village allows that use (of the driveway). Trustee Blank said then aren't we creating an easement? President Klicko said they are allowing the property owners to use it (the driveway) as long as they use it within the Village mandate. This would not be a permanent agreement. Trustee Blank said he looked up the definitions of easements. One is called an implied easement which he believes the property has already by virtue of its usage everyone who has owned the property in the past. President Klicko said that Steve Chiquoine would explain to you that it doesn't matter if somebody used that property for fifty years that they use that property that has no bearing what so ever on being grandfathered or grand-mothered or whatever else into it. It is Village property and the Village can do whatever they want with it. I thought by moving the fence over allowing the access to use the property that this would kill both stones that we were actually securing the Village property and also allowing whoever owns that house access to park off the street. The only thing that is changing is that whoever owns that house cannot use the back lot for parking. That is the thing that is changing. Trustee Blank said he assumed that the generator is locked. Trustee Blank asked John Krus if this would work for him. John said he doesn't use the garage for parking and if the next buyer will be able to use the garage safely without hitting the fence. John said he could come to an agreement with the Village Board to resolve these issues would be the right thing to do. Right now he (or another owner) can back up without hitting anything (out of the garage). John continued to say he can back out of the garage. President Klicko said he can back out of the garage not without going on Village property and the garage should have never been granted to be built (by the Village). John said that is not his fault and is trying to work out the legalities whether we do an easement or buy the property. President Klicko said it is foolish for the Village to sell it as it hamstring the Village on the use of that property (pump house) and he thought by allowing access to the driveway and put the fence up next to the thing (pump house) he thought that would balance things out. President Klicko said the only other way you are looking at it is to not put a fence up at all just so you (John) could use the back lot and what if the Village started to pile things back there (behind the pump house). President Klicko continued to say this mentality saying that the garage is there doesn't mean it is legal, does not mean it should be there and you (John) don't use the garage now. If a person came into buying it, you would have to tell them that the Village owns that property. John said he would look at any proposal and take it back to his wife before agreeing to anything. Trustee Blank asked how Steve is going to plow the property. President Klicko explained how Steve plows now and a fence would make it no different. He said the plan was to put up a roller gate to maximize Steve being able to plow down the driveway. Trustee Coley said her feeling about it is that it is hard for her to visualize where the

fence would be built and what is going to be stored there. She said obviously you (President Klicko) spend a lot of time on this property and know it like the back of your hand, and I don't. She would be more comfortable going up there and seeing exactly where the fence would lay and getting more information of what needs to be stored there and what you plan on storing there and how it is going to work as this (plan) doesn't really help me. President Klicko said that the only side of the fence you are concerned about is this side (John's side). Trustee Coley said no she is concerned over the whole thing and feels this is a large expense and is not entirely comfortable with it. President Klicko said you are going to be the same argument about the red shed, you don't think we should fence that in as we have hundreds of thousands of dollars' worth of equipment in the shed. Trustee Coley said she felt that there are other options and I think we are just jumping too much so I think there are other means of storage in the long run more feasible. She said maybe we need larger facilities for storage. President Klicko said you (Trustee Coley) would rather spend more money building buildings rather than putting up a fence. Trustee Coley said that she is talking long run. President Klicko said he wants to understand where you (Trustee Coley) is coming at but all you want to do is just push this off to the side because you don't want to put a fence up there (pump house). Trustee Coley said no as she is not in favor of either fence. President Klicko said it sounds like you would want to spend more money on building than to put up fences. Trustee Coley said that is the spin you are putting on it. President Klicko said explain it to me. Trustee Coley said that if you are quiet enough I will explain it. She continued to say in the long run we are just looking at one option. What about long term like another building or something else for storage? We have more property down by the red shed and maybe a possibility. Maybe it is something we need to look into rather than just spend \$15,000 or \$16,000 and maybe there may be something else. Maybe there are other things we can look into rather than just "popping" this up. President Klicko said to Trustee Coley that building buildings would be cheaper. Trustee Coley said she did not say building a building would be cheaper, I said did I? She continued to say I don't believe that I did. I said long run, long term, may be it is another option. President Klicko said how can it be another option if it is going to cost more than you don't want to spend here? Trustee Coley said maybe it would cost more but maybe it is a better solution and a better investment than spending \$15,000 worth of a fence that anybody can jump over. President Klicko said how is that to address the security issue up at the pump house? Trustee Coley said maybe there are other security options there too, have you looked at any other security? President Klicko asked why you wouldn't want security for your primary water facility in your municipality? Is there anything else that we could do up there that would be less expensive than putting a fence in. Kurt Muchow from Vierbicher said the fence is going to be your lowest cost option. The critical thing is to secure the facility so that people can't tamper with the water system or the emergency power supply. So building a fence around just that and not the storage yard you still have to address that also. Kurt continued to say you are trying to secure the facility so people can't tamper with the water supply plus an outdoor storage area. Gays Mills just built a new public works shop and built a large fenced in area out back where they store all their surplus stuff because they couldn't afford to build a bigger building. Trustee Blank asked if other communities are putting fences around everything. Kurt answered not everything but it certainly is recommended and all of this became more of an issue after 911 with the threat of terrorism and that kind of stuff. John Krus asked Kurt what is easier to break into, a water hydrant or a pump house and tamper with the water system, at cost effective security wise putting locked gates on hydrants or locking a fence in a building because as a terrorist they could break into a hydrant, open it up, back feed it with pressure washer and dump chemicals through the water system that way. John continued to say we are fighting a dead horse here or go to my house on a spicket and reverse it through my house through my yard spicket. If a person who wants to do chemicals this is what you have, concluded John. Kurt said there are a number of ways that people could contaminate your water supply but the generators and the well houses and reservoirs are recommended to be secure. President Klicko said the high dollar things, the things that could be damaged that would cost the Village money. Trustee Blank said that at this point in time, if the fence would hug the sidewalk, you could still get in and out of the garage with a small enough vehicle, correct? President Klicko said you could. Trustee Blank said he knows it would be tight. President Klicko said the way he looks at it, the thought of using, the fence is going to be decided on if the garage can be used or not. If we decide to

park something up there they are not going to be able to use the garage. Trustee Blank said that is the thing he is focusing on is how we keep that property; and again this has nothing to do with John, this has to do with whoever owns that property but I don't understand why we have to have a horseshoe drive – we can plow up one side and take a snow blower in there and Steve would have access to the building. Trustee Coley said that we need to meet up there and look at the property and talk about other options and issues rather than just deciding that this is the only option – because this is not the only option we can look at it and use three minds to come up with ideas and we can all talk about it. Trustee Blank said he has had numerous neighbors in that house, and he said he doesn't believe any of them ever put a vehicle in the garage. The garage has always been used for storage or maybe a lawnmower was the most it was ever used for. President Klicko said until he cleared out part of the area to maximize the storage up there, it would have been pretty hard to get into the garage without driving up through the other driveway and going from behind the pump house. There is no way that anybody is going to use that by coming up the driveway that we are allowing them to use you are basically saying that whoever owns that house to use our property. If something gets damaged up there you are talking about the liability – it bothers me and I don't understand. It has nothing to do with John and everyone makes it out to be John – the thing is... Trustee Blank said I certainly am not and I want the property to be as accessible to whoever lives there as possible. President Klicko said you are allowing anyone who lives there or even Stanley for that fact to use the pump house property. John Krus said look at how many people come up there in the winter for bump busters and they use it all the time and that has been going on for years. Trustee Coley said she wants people to use the pump house property. President Klicko said that is one of the issues as Chris (Carter) Ficken said is the liability if someone got hurt on her property now (for sledding). He continued to say it is no different than going up to a hydrant and poisoning the town through a hydrant. John Krus said reasonably that it is a great discussion that Bill and Becky said to meet up that and look at other pump houses and look at the City of Mauston, they do not have a fence but they secure the windows, you could secure the generator, and obviously because I live there and it is my concern. He continued to say not just because of me, my wife and kids, to get up in that driveway and use it. Obviously if we don't sell it this year we have to deal with snow, is it going to be easy to shovel and plow, I hire Dave Hoffman to come over there with a skidster and a plow. Is it going to be easy to get in there? President Klicko said what happens if a new Village Board comes in and says to hell with you we are going to put up a fence across the whole thing? John Krus said let's just compromise and work on this together. Trustee Coley said because we are working with this Village Board and if we can make a change we could make a change. President Klicko said aren't we making a compromise? John Krus said there was no discussion until tonight and I have not seen any plans. Trustee Coley said that is the thing. John Krus said that Becky's idea is to go up there and see the layout, and maybe there is another place you could store your hydrants or bikes or something, I'm not saying it is not the right thing or the wrong thing to do but let's go up there and do it together and make it right. President Klicko said Mauston's is fenced in too. John Krus said that not one of their pump houses is fenced in. President Klicko said the water tower is fenced in. John Krus said the water tower is fenced in and they don't store anything there. They have a new city shop like where they store in the red barn their hydrants and that in their building. President Klicko said he could name off a half dozen that are.... Trustee Coley said he is saying is that their pump houses aren't, so maybe we can focus more on the red barn and stuff like that. We need to talk about it together on different options and I need to know exactly what you are talking about storage as I have no idea either. President Klicko said that is fine, I agree.

President Klicko discussed the Recycling Center fence that is basically we put off from doing as we thought the cemetery would use that access to go in and clear that the brush behind. Trustee Blank said he assumed the dotted line is the present fence and gate as he has not been up there since that was put up, so has the cemetery expanded? President Klicko said they are planning on it. Trustee Blank so the 40' fence that would run basically back into the woods would separate ours from where the cemetery plans to expand. President Klicko said that the only reason we didn't do it when we put up the gate was because of they felt it was easier to park or they could have went in the back way. Trustee Blank asked

does that need to be barb wire cross on top if that comes to an end where they could walk around anyway. What is the point of having barb wire on top of fence if that doesn't secure a rectangle? President Klicko said people cannot throw garbage over the top that easy and yes they can walk around the fence but they have to go through the woods and it is more of a privacy to separate the recycling center from the cemetery. Trustee Blank said honestly he would like to go up and look at it. President Klicko said we will table this item too. The clerk said you need a motion to table. Trustee Blank said there was nothing on the agenda about the red barn. President Klicko said he didn't want to spend the money now. Trustee Blank said he would like to look at all three sites. Trustee Coley agreed. Trustee Blank made a motion to table items 7 and 8 until we can meet as a board at each site to get a better understanding of what is planned, seconded by Trustee Coley; three ayes carried.

President Klicko explained the Municipal Court Proposal. Mauston has a Municipal Court and maybe we could join them. Our ordinance fines don't pay us to take them to Circuit Court. The municipal court would. Greg Jessen explained the Municipal Court purposes. Smaller fines are paid quicker. He said he didn't think we should join it as it cost \$1,650.00. Greg didn't feel the need to go to it. President Klicko asked how many citations we write up per year. Greg said dollar wise was about \$8,000 to \$10,000 in fines and then figure about one eighth of that is revenue. The clerk said we took in about a \$1,000 in total revenue. Chief Jessen explained the ticket procedure. President Klicko said how are we going to enforce our ordinance fines? Greg said it would not be as much the initial fine. Discussion took place regarding the amount of fines received back to the Village. Greg said it would be the same amount as Circuit Court minus \$5.00 for municipal court. Trustee Coley said so this would be \$5.00 less for each ticket. Greg said they are hoping for a faster payback. President Klicko said the difference between Circuit Court and Municipal Court is the Circuit Court, the fine could be \$300.00 whereas Municipal Court would be \$150.00, but you only pay \$5.00 on that \$150.00 and \$300.00 you only get 10%. Chief Jessen said no, you will get the same percentage off that ticket. Trustee Blank asked where the rest of the money go? Greg explained there are different programs that it goes to and he can give you a list. He continued to say that Ordinance fines do not all go back to the municipality. President Klicko said he thought the Ordinance fines went back to the municipality. Greg said no not all and per each violation we will get \$20.00. Discussion took place regarding the amounts.

President Klicko explained the new Fence Ordinance. President Klicko made a motion to have a Public Hearing for the Fence Ordinance on August 12, 2013 at 6:30 p.m., seconded by Trustee Blank; three ayes carried.

President Klicko emailed the proposal from Verizon. Verizon wants to add antennas to the water tower. He explained what their proposal would like to do and where they would like to locate their building on the water tower property. What Verizon wanted to do was to make new holes in the tower and President Klicko would like Vierbicher to check what their plans are and how it affects the tower.

Mike Olsen of 127 Juneau Street just moved in the Village about a month ago. He would like to see a BMX track built. He said he cannot give a lot of details of how he is going to build the track because he needs to have the land first before he can start the actual proposal. Three acres would be needed for the track and five acres for the parking. He would be the track organizer (president). He plans on having it open five days a week. Any bike can be put on the track and have clothing requirements. Expenses for a person to ride would be approximately \$20.00. Pepsi would build the concession stand. Bathroom facilities would be required along with electric service. The local businesses would benefit from the track being built and used. If the land is given for the track, the track is put in; it is easier to work it as an actual profit. The tracks are really popular. BMX tracks are not loud and would be similar to a football game with people and parking. President Klicko asked if you already had the land, what is the time frame for the track to be used. Mike said it would be ready to be used next spring if he had the land now. He has to start with the requests. BMX installs the track and the design. Trustee Blank asked if the property had to be cleared. The fence would cost around \$16,000. A tower usually gets supplied by

the American Bicycle Association. Mike and his wife and his five kids would probably be running the track. There would be a loudspeaker system but not that loud for the riders. Mike cannot afford to buy the land and do everything else that would be required. President Klicko said he is sure the Village Board is going to have more questions. Mike will email the presentation. The Clerk will mail this on to the Board.

President Klicko said Tim Cliché from Endeavor Hardwoods is working on the land purchase proposal this week.

Rebecca Coley gave an update on Parkfest. Everything will be like other years with the exception of the chicken barbeque. She distributed the agenda for Parkfest. Fireworks will be held by the red shed. Becky said this will depend on the weather (rain). The contact person is Becky.

President Klicko drafted a preliminary agenda for items to be looked at by the five member Park Board. He explained how the rules and regulations should operate. Trustee Coley said she met with Shane (Fitzgerald) and are working on the contracts for renting the park out and the charges for any event. If there is damage with any contracts at least they have the deposit. If no damages are incurred, the deposit fee will be refunded. Fees will differ for larger events. President Klicko said there are fees for water use and garbage use and trying to recoup any taxpayer funds used to operate the park while they use it. Trustee Coley explained that there should only be a certain amount of keys. Each person on the Park Board should have keys so allow access to those people renting the park for that day. Security was also discussed. Discussion took place regarding what information should be listed on the application form.

President Klicko explained the financial process with the Village. He would like to see the Village starting out in the beginning of the year with the total financial budget for the next year as allocated in the budget. This is going to be a long term process and will help future boards for funding through the year. Trustee Blank said it would make things go easier through the year and would make the budget reconciliation go easier also. Discussion took place how this will be done to build up surplus funding for vehicle replacement not only for the Village, but for the Fire Department. The new bookkeeping should show a breakdown and itemize each department. A meeting was set for July 22 at 5:30 p.m.

Keith Carson of Fairway Advertising of LaCrosse contacted the Village regarding sign regulations along the interstate. President Klicko said they would like to two sided LED signs but are restricted where to locate it. Where ever this is located, a sign would have what events are going on for the Village. This is only proposed and he will be on the agenda for the August 12th Village Board Meeting.

The clerk read the May 1 to May 31, 2013 Financial Report for the Fire and Rescue Department.

The clerk read the June, 2013 read the Fire Department Operating Budget. A motion was made by Trustee Blank to approve the report with an Operating Balance of \$21,819.23, seconded by Trustee Coley; three ayes carried. The excel spreadsheet showing the Fire Department Operating was also attached to the Operating Budget Report.

There was nothing to report from the Streets and Utilities Monthly Report.

There was nothing to report from the Park Board Monthly/Financial Report.

There was nothing to report from the Ambulance Association Monthly Report.

Trustee Blank said the Planning Commission is still working on a number of Ordinances. The last meeting they worked on the Fence Ordinance which is set for Public Hearing August 12, 2013. They are continuing to work on the ATV and Building and Public Nuisance Ordinances.

Under new business, President Klicko said the he has two letters to property owners regarding the mowing of their lawns. Along with the charges of mowing, a surcharge will be added also. Trees were cut at Town and County Mobile Home Park but not at Upper Dells Mobile Home Park. President Klicko asked Trustee Blank if he contacted the DNR regarding the Flood Plain Ordinance. He continued to say he would like to have employee reviews not only with Steve, Lori, Rachel, Greg or Rodney but to include the Fire Department as well. Trustee Blank said it is almost time to consider the Fire Department Contracts with the equalized value for Town of Kildare and the Town of Lyndon. President Klicko said he wants to start the budget process earlier than last year. He will contact the various departments.

Under public comment, Judy Laatsch of 135 LaCrosse Street said the trailer across from her house is in very bad shape and rodents are living inside. She believes the trailer is owned by Dean Fish. He mows but does not repair anything on the trailer. When she looks out her windows that is what she sees. President Klicko said the (proposed) Building Ordinance would give the Village Board the power to have the trailer and the whole community cleaned up.

Mike Olson of Juneau Street said having previous experience as a Firefighter and Paramedic and is currently a Paramedic for UW Health System; he feels that doing a review of the firefighters is a really bad idea. That could be something that could build tensions between the Village Board and Fire Department. President Klicko said it is not a review of the Fire Department; it is more to explain an understanding between the two entities. Trustee Coley said that Mike's point is well taken. Mike said he is speaking from experience. Trustee Coley said the communication between the two entities needs to improve.

Mike Ludke spoke about the ten o'clock curfew whistle. President Klicko said the curfew is still in place and people should contact Chief Jessen even though he works part-time to let him know that kids are still not home after curfew. They can leave a message at Village Hall and the clerk will give the message to Chief Jessen. Trustee Coley said we still have law enforcement and should be making a presence known to the issue of curfew. President Klicko said he only works twenty hours per week and that Trustee Coley should tell Greg that during employee reviews. Trustee Coley said people contact the Sheriff's Department and no action is taken. Mike Ludke said he would be willing to post signs to say "cameras in use". President Klicko said this doesn't do any good unless they leave a message for Greg. Trustee Coley said perhaps the Village Board should just meet with Greg and work on some suggestions to improve the curfew problem.

A motion to adjourn was made by Trustee Coley, seconded by Trustee Blank; three ayes carried. Meeting was adjourned at 9:31 p.m.

Respectfully submitted,

Lori J. Scully, Village Clerk