

REGULAR VILLAGE BOARD MEETING MINUTES
VILLAGE OF TREMPEALEAU
MAY 2, 2016

1. Roll Call and Call to Order

President Kurt Wood called the meeting to order at 7:10 p.m. Present: Kurt Wood, Cindy Wegner, Tom Scherr, Lois Taylor, Kit Locke, Larry Moore, and Kevin Sacia. Others present: Clerk/Treasurer Vicki Freeman, Police Chief Rick Niedfeldt, Attorneys Terry Madden and Chris Gierhart.

2. Announcements

- A. The Village Board will Convene into Closed Session per Wis. Stat. § 19.85(1)(b) (considering the dismissal . . . or discipline of any public employee . . .) and (g) (conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved). The Village Board will discuss the possible discipline or dismissal of the Village Administrator. The Village Board will also discuss litigation in which it is or is likely to become involved related to the Village Administrator position.
- B. The Village Board will Convene into Closed Session per Wis. Stats. 19.85 (1) (g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. Topic: Pinewood Court Inc., Paul and Lynn Lamke Claim of February 25, 2016

3. Open Forum

Kurt Wood opened the forum by asking for questions or comments from citizens in attendance. Shirley Heffner, Shannon Amberg, and Lynn Lamke all gave statements as to why the Board should seriously consider terminating the employment of Travis Cooke. The presenters cited various reasons, including lack of leadership, fear of retribution if anyone opposed him, bullying tactics, and a toxic environment for residents, employees, businesses, and other municipalities.

County Representative Dick Frey stated that TCCTV is willing to broadcast our meetings live at no charge.

4. Approval of Minutes

- A. Consideration of the April 4, 2016 Minutes: Lois Taylor made a motion to approve the minutes, seconded by Tom Scherr, motion carried 7-0.
- B. Consideration of the Special Village Board Minutes of April 19, 2016: Cindy Wegner made a motion to approve the minutes, seconded by Lois Taylor, motion carried 7-0.

5. Village Board Committees

- A. General Government
 - a. Committee Report
 - 1. April 25, 2016 Committee Report

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- b. Consideration of Cash Disbursements
 - c. Consideration of Cash Disbursement Journal Entries
 - d. Consideration of Payroll Disbursements
Cindy Wegner made a motion to approve the April cash disbursements of \$407,759.64, April payroll of \$37,300.51, and March cash disbursement journal entries of \$164,499.79, seconded by Lois Taylor, motion carried 7-0.
 - e. Consideration of Resolution #5-2016 - Village Land Sale to Wayne & Michelle Dahl: Cindy Wegner made a motion to adopt Resolution #5-2016, seconded by Kit Locke, motion carried 7-0.
 - f. Consideration of CSM - Village Land Sale to Wayne & Michelle Dahl: Cindy Wegner made a motion to approve the CSM submitted by High Cliff Consulting, LLC, seconded by Lois Taylor, motion carried 7-0.
 - g. Consideration of Marina Sublease: Larry Moore made a motion to accept the Sublease for the Marina as presented, seconded by Tom Scherr, motion carried 7-0.
 - h. Possible Action on Selection of Marina Operator: Several board members stated reasons for their choice, including operating experience, a desire to make improvements and look to the future, and the ability to draw people from the La Crosse area. The letter from the Chamber helped to support their choice. Tom Scherr made a motion to select American Marine as operator of the Marina and offer the Sublease agreement and negotiate any changes, review financial conditions to the satisfaction of the Village, seconded by Kit Locke, motion carried 7-0. We will have a special board meeting the week of May 9th to ratify the agreement.
- B. Water & Sewer
- a. Committee Report
 - 1. April 12, 2016 Report
 - 2. Consideration of Lift Station #1 Bids - Davy Engineering: Lois Taylor made a motion to accept the Winona Mechanical bid for \$148,475, seconded by Cindy Wegner, motion carried 7-0.
- C. Streets & Alleys
- D. Electric
- a. Committee Report
 - 1. April 18, 2016 Committee Report
- E. Plan Commission
- F. Public Safety
- a. Informational Items - Chief Niedfeldt: None.
- G. Parks & Recreation Committee
- a. Committee Report
 - 1. April 11, 2016 Committee Report
 - 2. April 19, 2016 Committee Report
 - b. Consideration of Pool Manager and Lifeguards: Cindy Wegner made a motion to hire Melissa Ganz as pool manager and the lifeguards on the attached list, contingent on passing background checks, seconded by Lois Taylor, motion carried 7-0.
 - c. Consideration of Pay Rates for Pool Manager and Lifeguards: The pool manager will be paid \$5,000 for the season, but she will keep track of her hours and we can re-evaluate towards the end of the season; lifeguards with WSI training will be paid \$10 per hour and all other lifeguards will be paid \$9 per hour. Kit Locke made a motion to approve these pay rates, seconded by Lois Taylor, motion carried 7-0.

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- d. Consideration of POS System: Cindy Wegner made a motion, seconded by Kit Locke, to approve the Clover POS System for \$1,099, together with a \$29.99 per month service fee which includes all updates, and the upgrading to add WiFi at the pool, motion carried 7-0.
 - H. Committee of the Whole
 - I. Southern Trempealeau County Solid Waste Commission
 - a. Commission Report
 - J. Shirley M. Wright Memorial Library Board
 - a. Library Report
6. Village President's Business
- A. Informational Items Only: None.
7. Village Clerk/Treasurer Business
- A. Month End Accounting Reports
 - a. Bank Reconciliation Report
 - b. Trial Balance
 - c. Ehlers Investment Partners Report
 - B. Consideration of Licenses and Permits
 - a. Consideration of Operator's License - Mercedes L. Kucinski: Cindy Wegner made a motion to approve to the license, seconded by Lois Taylor, motion carried 7-0.
 - b. Consideration of Operator's License - Heather A. Jehu: Tom Scherr made a motion to approve the license, seconded by Kit Locke, motion carried 7-0.
 - c. Consideration of Concert and Street Closing Permits - Trempealeau Hotel
 1. Outdoor Concert Permit & Street Closing Permit - ReggaeFest - Saturday, May 14 2:00 pm to 11:00 pm: Lois Taylor made a motion to approve the permits, seconded by Kit Locke, motion carried 7-0.
 2. Outdoor Concert Permit & Street Closing - Al Bratberg Memorial Scholarship Fundraiser - Friday, May 20, 3:00 pm to 11:00 pm with Consideration to Waive Fees: Larry Moore made a motion to approve the permits and waive the fees, seconded by Cindy Wegner, motion carried 7-0.
 3. Outdoor Concert Permit and Street Closing - G-E-T Vocal Point Fundraiser - Friday, June 3, 4:00 pm to 10:00 pm with Consideration to Waive Fees: Lois Taylor made a motion to approve the permits and waive the fees, seconded by Cindy Wegner, motion carried 7-0.
 4. Outdoor Concert Permit - Jambalaya Jamboree - Saturday June 4, 4:00 pm to 11:00 pm: Cindy Wegner made a motion to approve the permit, seconded by Lois Taylor, motion carried 7-0.
 5. Outdoor Concert Permit - Blind Baby Olin - Saturday, June 25, 6:00 pm to 11:00 pm: Cindy Wegner made a motion to approve the permit, seconded by Lois Taylor, motion carried 7-0.
 6. Outdoor Concert Permit - Howard Leudtke & Dave Rogers Birthday Blues - Saturday, July 23, 6:00 pm to 11:00 pm: Kit Locke made a motion to approve the permit, seconded by Lois Taylor, motion carried 7-0.
 - C. Informational Items Only: Vicki Freeman reported that we will be trading our Eagle election

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machine for an Insight machine that has updated software. There will be no charge for the trade.

8. Village Administrator Business

A. Future Meeting Times and Dates: Reviewed and updated.

9. Closed Session per Wis. Stat. § 19.85(1)(b) (considering the dismissal . . . or discipline of any public employee . . .) and (g) (conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved). The Village Board will discuss the possible discipline or dismissal of the Village Administrator. The Village Board will also discuss litigation in which it is or is likely to become involved related to the Village Administrator position.

- A. The Village will Convene into Closed Session per Wis. Stat. § 19.85(1)(b) (considering the dismissal . . . or discipline of any public employee . . .) and (g) (conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved). The Village Board will discuss the possible discipline or dismissal of the Village Administrator. The Village Board will also discuss litigation in which it is or is likely to become involved related to the Village Administrator position.: Cindy Wegner made a motion to go into closed session and to include attorneys Terry Madden and Chris Gierhart, and Clerk Vicki Freeman, seconded by Lois Taylor, motion carried by roll call vote 7-0. (Kevin Sacia – yes; Lois Taylor – yes; Cindy Wegner – yes; Kurt Wood – yes; Kit Locke – yes; Larry Moore – yes; Tom Scherr – yes)
- B. Reconvene into open session pursuant to Wis. Stat. §19.85(2): Lois Taylor made a motion to reconvene into open session, seconded by Cindy Wegner, motion carried 7-0.
- C. Possible final action related to the discipline or dismissal of a public employee – Village administrator position: Cindy Wegner made a motion to terminate the employment of Travis Cooke, that the Village Board will give Mr. Cooke notice of the termination, and it will follow the terms of the Employment Agreement, seconded by Lois Taylor, motion carried 7-0.

10. Closed Session per Wis. Stats. 19.85 (1) (g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

- A. The Village Board will Convene into Closed Session per 19.85 (1) (g) with Terry Madden, Village Attorney; and Vicki Freeman, Village Clerk to discuss legal matters relating to Pinewood Court, Inc., Paul and Lynn Lamke Claim of February 25, 2016: Larry Moore made a motion to convene into closed session with Attorneys Terry Madden and Chris Gierhart, and Clerk Vicki Freeman, seconded by Lois Taylor, motion carried by roll call vote 7-0. (Kevin Sacia – yes; Lois Taylor – yes; Cindy Wegner – yes; Kurt Wood – yes; Kit Locke – yes; Larry Moore – yes; Tom Scherr – yes)
- B. The Village Board will Convene into Open Session: Larry Moore made a motion to reconvene into open session at 10:00 p.m., seconded by Lois Taylor, motion carried 7-0.
- C. Possible Action on Claim Filed by Pinewood Court, Inc., Paul and Lynn Lamke: Larry

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Moore made the following motions, seconded by Kurt Wood:

- i) The Village of Trempealeau (“Village”) does not want to renegotiate the Agreement between the Village and James and Ruth Lamke, dated June 2, 1997 (“Agreement”);
- ii) The Village has no intention of altering its position regarding the Agreement as stated in Village Resolution #8-2015; and
- iii) The Village reserves to itself any and all defenses and remedies available to it pursuant to Wisconsin law.

Motion carried 6-1 by roll call vote. (Cindy Wegner – yes; Kevin Sacia – no; Lois Taylor – yes; Tom Scherr – yes; Kurt Wood – yes; Larry Moore – yes; Kit Locke – yes)

11. Any Other Business Which Lawfully comes Before the Village Board (no action taken): None.
12. Adjournment

Kit Locke made a motion to adjourn at 8:00 p.m., seconded by Lois Taylor, motion carried 7-0.

Vicki L. Freeman, Clerk/Treasurer