

CLOSED SESSION – MAY 23, 2011

On Monday, May 23, 2011, the Town Board of the Town of Raymond held a Special Meeting. Chairman Kastenson called the meeting to order at 7:00 PM. Roll call was taken as follows: Present were, Chairman Gary Kastenson; Supervisors, Joseph Pohlhammer; Stan Bugnacki; Paul Ryan and James Phillips. Also present was Town Clerk, Linda Terry.

At that time, the Board convened to **Closed Session** pursuant to s. 19.85 sub (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, **MADE ON A PHILLIPS/BUGNACKI MOTION. ROLL CALL VOTE WAS TAKEN; MOTION CARRIED 5-0.**

After discussion regarding the above, the Board **Reconvened into Open Session** to take possible action on those issues discussed in closed session and to take other action as may be appropriate and related to this matter and to move to regularly scheduled town board meeting, **ON A PHILLIPS/Ryan MOTION. MOTION CARRIED 5-0.**

MONTHLY MEETING – MAY 23, 2011

There will be a Special Closed Session Meeting at 7:15 PM, prior to the regular June monthly meeting, to discuss employee matters, **MADE ON A PHILLIPS/Ryan MOTION. MOTION CARRIED 5-0.**

At 7:30 PM, the Board held their regular monthly meeting. The Pledge of Allegiance was recited. In addition to the previous persons at the meeting, also in attendance were: Town Treasurer, Lee Marie Toll; Town DPW, John Ertl; Town Fire/Rescue Chief, Alan Babe; and Town Engineer, Chris Stamborski from R.A. Smith. There were also approximately 45 residents in attendance.

Treasurer Toll read the Treasurer's Report as follows:
Community State Bank - General Checking

Beginning Balance		\$16,246.80
Deposits:	20,378.32	
Transfers in:	64,274.52	
Interest Earned		4.87
Miscellaneous Credits		
Correcting Journal Entries made		
TOTAL DEPOSITS:		84,657.71
Disbursements:	(93,344.49)	
Transfers out:		
Bank Charges & Miscellaneous Deductions	(10.00)	
Correcting Journal Entries made		
TOTAL DISBURSEMENTS:		(93,354.49)

ENDING BALANCE:

7,550.02

**OTHER ACCOUNTS:
UNRESTRICTED**

Community State Bank - Money Market	292,008.48	
Less LOC for Stone Creek Crossing	<u>(1,136.52)</u>	290,871.96
State LGIP Fund - Tax Investment		<u>19,165.57</u>
TOTAL UNRESTRICTED FUNDS		310,037.53

RESTRICTED

Community State Bank - Bond Escrow		57,346.43
Community State Bank - Money Market/Stone Creek LOC		1,136.52
Community State Bank - Storm Water Utility		74,690.40
State LGIP Funds - Bond Escrow		20,254.24
State LGIP Funds - Cemetery		14,321.70
State LGIP Funds - Municipal		15,849.52
State LGIP Funds - Land		22,821.60
State LGIP Funds - RJM LLC - Asphalt		32,395.52
State LGIP Funds - Stone Creek Crossing		-
TOTAL RESTRICTED FUNDS		<u>\$237,679.41</u>

ALL TOWN BANK ACCOUNTS

\$ 555,266.96

Bills paid from April 23, 2011 – May 19, 2011, in the amount of \$93,344.49, were **APPROVED ON A PHILLIPS/RYAN MOTION. MOTION CARRIED 5-0.**

Minutes from previous meetings of 4/25/11 and 5/9/11, were **APPROVED ON A RYAN/PHILLIPS MOTION. MOTION CARRIED 4-1, WITH SUPERVISOR POHLHAMMER OPPOSING.**

Supervisor Pohlhammer wants everything that he says to be made part of the minutes because what he says is important.

At this point, Supervisor Ryan pointed out that Supervisor Pohlhammer has got a tape recorder and is taping the minutes. He feels it would be courteous to announce this before the meeting starts.

Clerk Terry stated that it is legal for a Supervisor to tape the meetings; however, if a resident wishes not to be taped, the recorder must be turned off during that conversation.

SET AGENDA:

Chairman Kastenson stated that he would like “Discussion/Decision regarding hiring part-time DPW employee moved to immediately following “Discussion/Decision to reduce speed on Waukesha Road to 35 MPH.

SHERIFF’S REPORT:

Sergeant Bill Mattke was present for the meeting. He gave his monthly report regarding the Town. He also stated that there are still problems with vehicle break-ins.

He said that there have been direct sellers in the area. The Town of Raymond has an Ordinance regarding direct sellers – they must get a permit for the Town.

Chairman Kastenson asked about black-topping scams in the area.

Sergeant Mattke stated that it is really not a scam, but a misrepresentation; one of them was legitimate.

Chairman Kastenson asked if the cost of one of the supervisors filing a complaint against the Town had been at a cost to the Town?

Sergeant Mattke stated that, thus far, it had not cost the Town.

PUBLIC COMMENT – Discussion of any matter raised by the Public:

Please be advised that per Wisconsin Act 123, the Town Board will receive information from the public for a two minute time period, with time extensions per the Chairperson’s discretion, per person.

James Millonzi:

The pipes behind his home are full of silt; also, the silt fence is still up.

Chris Stamborski:

Stated that the road signs in Stone Creek Subdivision will be up within the next few weeks; he also stated that he will check out Mr. Millonzi’s concerns.

Robert Slivon:

Thanked Mr. Pohlhammer for the work he’s done for the Town. He was elected to work for the people and he is doing his job.

He would also like the Town to adopt two new ordinances; 1) stating that the Town Board does not have the authority to harass town’s people; 2) When a Board member lies to the people, that they should be removed from office.

1) Fire Department Business:

a. Discussion/Possible Action regarding purchase of Stryker Cot: (previously tabled)

Chief Babe stated that the original quote from Stryker still stands. That quote was \$13,579.00. He put \$15,000.00 in the budget for Rescue Equipment.

Supervisor Phillips asked if Chief Babe anticipates exceed the budget?

Chief Babe said that he has some concerns regarding the payroll portion of the budget because of rescue calls.

Chairman Kastenson asked how many people can the squad run with?

Chief Babe said that it is necessary for an IV Tech to be on the scene.

APPROVE PURCHASE OF STRYKER COT, TO KEEP WITHIN THE BUDGET AMOUNT, MADE ON A POHLHAMMER/BUGNACKI MOTION. MOTION CARRIED 5-0.

Supervisor Ryan would like to keep the cost lower than the \$13,600.00 quote.

b. 2011 FEMA Grant:

Chief Babe stated that he is once again, in the process of writing another grant to replace the tanker. It will not be written with a pump on it.

Supervisor Bugnacki asked how much the grant was for?

Chief Babe said that he was writing the grant for \$220,000.00, but without the pump. Chief Babe also explained that this is a cost sharing grant. In the past, the Town agreed to match up to 5% of the approved grant. The grant may get approved quicker if the percentage for matching was higher.

Chairman Kastenson stated that 25% would be a little more than \$55,000.00.

Treasurer Toll would warn of caution – we do not know yet how we will be affected by budget cuts.

APPLY FOR FEMA GRANT, WITH THE TOWN MATCHING 20%, MADE ON A RYAN/BUGNACKI MOTION. MOTION CARRIED 5-0.

c. Discussion regarding June 2nd joint meeting for Fire/Rescue Officers and Town Board Members:

This meeting will be held at 7:30 PM. Chief Babe said that he may need to start it a little earlier. He will advise about the start time. Supervisor Phillips stated that he will be unable to attend.

d. Communications / Announcements:

Chief Babe reported that a training burn was done on 68th Street. The road was closed for this matter.

Supervisor Ryan asked if the taxes were changed when something like this is done?

Chief Babe stated that a person used to be able to take the assessed value of the property as a write-off on your taxes. He is unsure how it is done now.

Tomorrow there will be a plan crash simulation at Milwaukee Airport.

Later this week will be an Amtrak training.

2) Plan Commission Business:

a. Shoreland Contract – John Scott, 5702-Highway “G”:

Supervisor Ryan excused himself from participating in this matter – the petitioner is his father-in-law.

Mr. Scott’s Grandson was present for the meeting. He stated that they are putting in a grass waterway engineered by the NRCS; this will handle the stormwater that is coming across the field right now.

APPROVED ON A PHILLIPS/BUGNACKI MOTION. MOTION CARRIED 4-0, WITH SUPERVISOR RYAN ABSTAINING.

b. Hobby Kennel License – Joan Butkowski, 7771-West 7 Mile Road:

Treasurer Toll informed the Board that this is a situation that had previously slipped through the cracks. This property houses 4 dogs, and, according to the Town’s Ordinances, anyone having in excess of three, needs a Hobby Kennel License.

APPROVE HOBBY KENNEL LICENSE, MADE ON A BUGNACKI/RYAN MOTION. MOTION CARRIED 5-0.

c. Soil Disturbance – Blackhawk Corporation Center Condo Owner’s Association, LTD, 4133 Courtney Road / To enclose existing drainage ditch with a pipe and pave over for additional parking:

Supervisor Pohlhammer had some concerns regarding the capacity to where the water is running.

Mr. Stamborski did not have any numbers right now.

Chairman Kastenson stated that the water runs to a pond on the Janicek property; and then, the water runs directly into the Root River.

Mr. Chuck Patrick, from Blackhawk Corp., stated that currently all of the water is running in an open ditch to that property.

APPROVED WITH MINIMUM 48" PIPE AND RE-PLANT THE PINE TREES JUST OFF THE PARKING LOT, MADE ON A BUGNACKI/RYAN MOTION. MOTION CARRIED 4-1, WITH POLHAMMER OPPOSING.

3) Town Board Business

a. Discussion/Decision regarding re-bid Waukesha Road at 10 foot lanes:

Supervisor Phillips stated that we did agree to go ahead with the bid process for the expanded lanes. The engineer's recommendations were good ones; however, since then, I have had some requests to not go that wide. This would be fine with me – the requesters live there. We would have a better chance to stay within the budget if we stayed at 10 feet; I think 10 feet is sufficient.

Chairman Kastenson stated that he was at the site on Friday. There is nowhere to go if there are two vehicles on the road side by side. He feels it should be 11 foot wide lanes.

Chief Babe is concerned about no shoulders on the road.

Mr. Stamborski stated that the goal was to correct issues that were there. There are areas with low shoulders.

Supervisor Phillips suggested still keeping the 2 foot shoulders, but make 10 foot lanes.

Supervisor Bugnacki asked if we go with 11 foot lanes, will we be taking out a lot of trees? It would make more sense to have 10 foot lanes but still do the ditches to have the proper drainage.

Chief Babe stated that there is not a good road bed.

Supervisor Bugnacki asked if the lanes were made narrower, would the ditches be changed?

Mr. Stamborski stated that the excavation that John Ertl will dig is the same either way – whether the lanes are 10 feet wide or 11 feet wide.

Supervisor Pohlhammer stated that the road has shifted, and we are going to be in people's private property. That needs to be looked at before any decisions are made.

Supervisor Phillips has spoken to people at Payne and Dolan and said that whether the road is 10 feet or 11 feet, really doesn't matter either way.

Supervisor Pohlhammer said that the road is presently 10 feet wide – the Town was informed by the engineer that it was 9 feet wide.

Supervisor Ryan stated that he has worked with the School District regarding "Safe Routes To School" for road safety. The school district would like the Town to keep this in mind when re-doing any Town road. The numbers still have not materialized – if the bid is higher, we can come back and say the lanes should be 10 feet wide instead of 11 feet.

Chief Babe stated that if the Town doesn't have the lanes being 11 feet, the Town would be spending a great deal of money for re-graveling every year.

Supervisor Pohlhammer said that it is cheaper to rebuild the shoulder; Mr. Ertl could start that next week. Rebuild the shoulder on both sides - there will be at least 10 new culverts needed.

Supervisor Pohlhammer feels that we deserve to give Mark Madsen a chance at bidding out the project.

DPW foreman, John Ertl said that all of the Board members need to go out to see the road. He also stated that with only three employees ditching – 2 miles is a lot of road to ditch. If the Town Board keeps putting this off, it will never get done this summer.

A lady from the audience asked if an eleven foot lane would be safer?

She was informed that it would.

Supervisor Pohlhammer feels that the road has shifted – he would like to make sure that the Town will not be digging in private property.

Mr. Ertl said that the Town needs to get rid of the "unknowns".

Mr. Stamborski said that the Town wants to know where the right-of-way is. R.A. Smith will go out and stake the right-of-way. He will do "6 points".

Supervisor Pohlhammer said that if it isn't within the limits, can R.A. Smith do 8 points instead of 6?

Mr. Stamborski said that they would.

MOTION TO HAVE R.A. SMITH STAKE THE RIGHT-OF-WAY, AND REPORT BACK TO THE BOARD PRIOR TO JUNE 6TH – THE BOARD WILL ACT ON THIS MATTER ON JUNE 6, 2011, MADE ON A PHILLIPS/BUGNACKI MOTION. MOTION CARRIED 4-1, WITH SUPERVISOR RYAN OPPOSING.

b. Discussion/Decision to reduce speed on Waukesha Road to 35 MPH:

Supervisor Phillips stated that he placed this on the agenda. He doesn't feel the speed is a problem; however, a resident asked that he bring this matter before the Board.

APPROVE LOWERING SPEED LIMIT ON WAUKESHA ROAD FROM 5-MILE ROAD TO 76TH STREET, MADE ON A POHLHAMMER/PHILLIPS MOTION. MOTION CARRIED 4-1, WITH CHAIRMAN KASTENSON OPPOSING.

Town Clerk Terry stated that she will contact the Town Attorney to get an ordinance drafted lowering the speed limit. She will see if this can be ready for approval by the June 6th meeting.

Supervisor Pohlhammer would also like to request that the item of getting "Slow, Children Playing" signs on that agenda as well.

c. Discussion/Decision regarding hiring seasonal, part-time DPW employee:

APPROVE TO AUTHORIZE DPW, JOHN ERTL TO CHOOSE THE EMPLOYEE, MADE ON A RYAN/PHILLIPS MOTION. MOTION CARRIED 5-0.

d. Discussion/Decision regarding Phantom's 1st Annual Community Cookout to Fight Cancer:

Mr. Kenneth Michel was present for the meeting. This will be held on June 4th. All proceeds to go to the American Cancer Society.

Chairman Kastenson asked if this will become an annual program?

Mr. Michel hopes that it will.

Chairman Kastenson asked about using the Town Hall?

Mr. Michel said that they would be using the Town Hall as a back-up place to hold the safety class.

Chairman Kastenson would suggest that the Town Board waive the rental fee.

APPROVE EVENT, PENDING RECEIVING INSURANCE PAPERWORK, AND WAIVING THE RENTAL FEE, MADE ON A RYAN/PHILLIPS MOTION. MOTION CARRIED 5-0.

e. Discussion/Decision regarding taping Town Board Meetings/Supervisor Pohlhammer:

Supervisor Pohlhammer requested that this item be placed on the agenda. He would like the meeting minutes taped.

Motion to go back to taping the minutes, made on a POHLHAMMER/BUGNACKI MOTION. MOTION DENIED 2-3, WITH SUPERVISORS RYAN; PHILLIPS; AND CHAIRMAN KASTENSON OPPOSING

Supervisor Pohlhammer feels that pertinent information should be made part of the minutes. He also felt that if the minutes are tapes, someone would only need to ask for a copy of the tape.

f. Discussion/Decision regarding payment for 12 inch main tile on South side of entrance to Stone Creek Subdivision:

Supervisor Pohlhammer thought that those people requesting payment, were already paid. Chairman Kastenson stated that years ago, Mr. Pohlhammer came to the Town Board and told them that the contractor in Stone Creek Subdivision, broke the tile.

Willkomm Excavating came out and dug, but did not find a broken tile. Then, a tree was dug out of the fence line, and now, there has never been a problem again with the tile.

Supervisor Pohlhammer stated that the tiles under the road were not replaced. The tile should have been fixed under the road.

Chairman Kastenson feels that \$1400.00 for 25 feet of tile is very high.

Supervisor Pohlhammer feels that \$1400.00 is reasonable. He also felt that the Developer's Agreement was not followed.

Supervisor Ryan said that this subdivision is owned by a private contractor.

Supervisor Pohlhammer feels that the bank should assume some responsibility. He feels that the bill should still be paid.

A question was asked as to who paid Willkomm?

Chairman Kastenson said that Willkomm was paid by the Town, because of an accusation made by Mr. Pohlhammer.

THERE WAS NO ACTION TAKEN ON THIS MATTER.

g. Discussion/Decision regarding reconsideration of Recycle Center Days/Hours of Operation:

Supervisor Bugnacki stated that he attended the Racine/Kenosha Town's Association meeting last week. The consensus of the Town's Association is that Recycling should not be taken out of the budget. WTA feels that it should be done on a per capita basis.

Regarding the Town's recycling center, Supervisor Bugnacki compiled some income figures regarding the recycling income: State Grant - 3188.74; aluminum and tin-4346.15; cardboard, newspapers, etc - 7188.95; tipping fees - 14449.16, for a total of \$29,173.00. The income received, less the expenses comes out to saying that the recycling center costs the Town about \$16,017.00. There are 3804 people in the Town - which would be less than \$5.00 per person.

Right now the cost for the recycling center is higher - everything has had to be transported by trucks because the compactor was broken - that is now fixed.

Treasurer Toll stated that the Town is on a "modified cash basis" for accounting purposes; which means, if the Town received the money in 2011, it doesn't count as 2010 income, even if it is for December tipping fees. She deposits and credits when she gets the money.

MOTION TO GO BACK TO BEING OPEN ON WEDNESDAYS AND SATURDAYS, MADE ON A BUGNACKI/POHLHAMMER MOTION. MOTION DENIED ON A 2-3 VOTE, WITH CHAIRMAN KASTENSON; SUPERVISOR RYAN AND SUPERVISOR PHILLIPS OPPOSING.

Supervisor Phillips stated that we go through these numbers a lot. I am not questioning your numbers - but, we had made a budget and we have to stick with it.

Supervisor Ryan said that the 8-mile road dump is open. Also, the recycling center is not really a "recycling center"; but, more of a transfer station. I have been told that the Town of Raymond's stuff goes to the top of the hill.

Supervisor Bugnacki said that the Town of Raymond's things go to the hill, then they get distributed. He still feels that people like to recycle.

MOTION TO OPEN ON WEDNESDAYS UNTIL THE NUMBERS ARE VERIFIED, MADE ON A POHLHAMMER/BUGNACKI MOTION. MOTION DENIED ON A 2-3 VOTE, WITH CHAIRMAN KASTENSON; SUPERVISOR RYAN AND SUPERVISOR PHILLIPS OPPOSING.

Supervisor Phillips wants to see what the “actual costs” are for the recycling center.
Supervisor Pohlhammer said that there are over 1600 homes in the Town – it would cost each home about \$10.00 to keep the center open.

h. Discussion/Decision regarding appointing Plan Commission Member:

Pursuant to the Town’s Ordinance, the Chairman names the proposed members and the Board votes.

Chairman Kastenson gave the following names for the Plan Commission: Mike Sinda; Kevin Cantwell and Scott Brenton.

MOTION TO APPOINT MIKE SINDA, KEVIN CANTWELL AND SCOTT BRENTON TO THE TOWN’S PLAN COMMISSION, MADE ON A RYAN/PHILLIPS MOTION. MOTION CARRIED 3-2, WITH SUPERVISORS POHLHAMMER AND BUGNACKI IN OPPOSITION.

i. Discussion/Decision regarding Donation to RCBO:

Mr. Art Binhack gave a presentation regarding the RCBO.

The cost of the flyers is approximately \$697.00.

MOTION TO DONATE THE SUM OF \$150.00, PLUS THE USE OF THE TOWN’S BULK MAILING STAMP, MADE ON A PHILLIPS/RYAN MOTION. MOTION CARRIED 5-0.

j. Discussion/Decision regarding Moczynski pond on 100th Street:

Chairman Kastenson stated that he drove past the site and the water is going down. He also stated that Mr. Moczynski could not make the meeting tonight.

TABLE UNTIL THE JUNE MEETING, MADE ON A RYAN/PHILLIPS MOTION. MOTION CARRIED 4-0, WITH SUPERVISOR POHLHAMMER ABSTAINING.

Supervisor Pohlhammer would like clarification as to whether or not he can vote on this.

k. Discussion/Decision of Soda/Pool Table/Dance Hall Licenses for 2011-2012: APPROVED ON A PHILLIPS/RYAN MOTION. MOTION CARRIED 5-0.

l. Discussion/Decision regarding Liquor Licenses as follows:

Class B Combination Licenses

Winchester Gun Club at 3109 Hwy. 41, Franksville, WI 53126	Agent: Thomas V. Joerndt, 11832 Hwy. K, Franksville, WI 53126
Lolly’s 4223 Hwy. K, Franksville, WI 53126	Agent(s): Laurel A. & David S. Bohn, Jr., 4223 Hwy. K, Franksville, WI 53126
Lady Luck 2650 Theilen Court, Caledonia, WI 53108	Agent(s): Edward A. Robinson & Jamie A. Robinson, 2156 43 rd Street, Caledonia, WI 53108
Pinky’s Hideout at 2810 Hwy. K, Franksville, WI 53126	Agent: Corrinne L. Marita 2810 Hwy. K, Franksville, WI 53126
Kneeland Corners, Inc. (Trade Name: Corner Bar & Grill) 1108 76 th Street, Caledonia, WI 53108	Agent(s): Robert Ladwig 1365 76 th Street, Caledonia, WI 53108 Mary Ellen Ladwig 1315 76 th Street, Caledonia, WI 53108

7 Mile Fair, Inc.
2720 W. 7 Mile Rd., Caledonia, WI 53108

Agent: Scott T. Niles
14355 W. Park Ave., New Berlin, WI 53151

Stare-N-Maibusch, Inc.
(Trade Name: Raymond Heights Golf Center)
1331 S. 27th Street, Caledonia, WI 53108

Agent: Tim Stare
4219 110th Street, Pleasant Prairie, WI 53158

West Allis Bowmen, Inc.
11601 CTH Hwy. G, Franksville, WI 53126

Agent: Jim Moschetz
2369 S. 77th St., West Allis, WI 53219

Class A Combination

Phantom Fireworks, LLC
2832 CTH Hwy. G, Caledonia, WI 53108
53132

Agent: Kenneth Michel
9312-S. Oak Creek Court, Franklin, WI

Racine Fireside Corporation
(Trade Name: Xtreme Fireworks)
2720 W. 5 Mile Rd., Caledonia, WI 53108

Agent Name: Jean Pignotti
551 – 11th Place, Kenosha, WI 53140

APPROVE LIQUOR LICENSES, MADE ON A PHILLIPS/RYAN MOTION. MOTION CARRIED 5-0.

4. Discussion/Decision regarding Bartender Licenses as follows:

- | | | |
|-----------------------------|----------------------------------|------------------------------|
| 1. Verla M. Adzima | 12. Mary Ellen Ladwig | |
| 2. Melissa Ann Arciga | 13. Lisa R. Lewein | 23. Rachel L. Rodman |
| 3. Norma Benavente | 14. Brian S. Martinezdelacotera | 24. Joshua Michael Ryan |
| 4. Erica Beranis | 15. Robert R. Martinezdelacotera | 25. Douglas James Schwartz |
| 5. Karri Ann Bohn | 16. Sheryl Therese Mendicino | 26. John David Theys |
| 6. Rita Lee Cieszynski | 17. Beverly Ann Mueller | 27. Melissa Ann Trover |
| 7. Michele Ann Hittman | 18. Robert Murphy | 28. Ryan A. Vollmer |
| 8. Joel A. Jacob | 19. Kehlen Henry Peterson | 29. William Alexander Weimer |
| 9. Michelle Christine James | 20. Daniel L. Pier | 30. Debra Writz |
| 10. Irene J. Kling | 21. Edward Albert Robinson | 31. Xeng Xiong |
| 11. Angela June Ladwig | 22. Jamie Arthur Robinson | 32. Kenneth J. Michel, Jr. |

APPROVED ON A PHILLIPS/RYAN MOTION. MOTION CARRIED 5-0.

5. Communication and Announcements

Supervisor Bugnacki will lower the flag at the cemetery on Memorial Day.

AT 9:55 PM, THE MEETING WAS ADJOURNED ON A PHILLIPS/RYAN MOTION. MOTION CARRIED 5-0.

Respectfully submitted,

*Linda M. Terry
Town Clerk*

