

Town of Raymond Town Board
Regular Meeting Minutes
October 12, 2009

- 1.) **Roll Call:** Chairman Gary Kastenson called the regular meeting to order at 7:30p.m. Present were Spvrs. Dave Lecus, Paul Ryan and Wayne Loppnow. Spvr. Kevin Cantwell arrived at 7:31p.m. Also present Clerk Kari Morgan, Treasurer Lee Toll and approximately eight (8) residents.
- 2.) **Payment of Bills:** Paid for and authorized in the amount of \$50,592.86
- 3.) **Treasurer's Report:** Presented by Treasurer Lee Toll as follows: General: \$9,309.82; Money Market: \$3,373.16; Reserve (Equipment): \$35,790.49; Reserve (Land): \$22,742.54. Spvr. Lecus moved, seconded by Spvr. Ryan to approve as presented carried 5/0.
- 4.) **Minutes of Previous Meeting: September 28, 2009; October 5, 2009; October 8, 2009:** Spvr. Lecus moved, seconded by Spvr. Ryan to approve all three sets of minutes as presented, carried 5/0.
- 5.) **Set Agenda:** None.
- 6.) **Sheriff's Report:** Investigator Keith Dobesh stated that they conducted patrols regarding the burglaries going on. He listed off some of the issues that they had addressed within the town including a suspicious persons complaint, assistance with an eviction on 3 mile road, the department served some court paperwork, had one soil disturbance citation, a dog complaint on 108th St., and one warning letter was sent out on 51st street regarding a rubbish complaint, a stolen bike on 5 mile road, a barn was broken into on 80-th St., 7 Mile Rd. had dirt stolen, a mailbox was stolen on 108th St., boat motors were stolen on Hwy. K and Hwy. G and they had a couple of businesses along the interstate that had some money taken. He also stated that they made an arrest on their daytime burglar. He has received five counts at this point and they are working on getting him for other burglaries as well.
- 7.) **Fire Department:**
 - a. **Correspondence:** None.
- 8.) **Planning Commission:** None.
- 9.) **Ordinances & Resolutions**
 - a. **Review/Possible Decisions on Outdoor Wood burner Ordinance:**

Spvr. Loppnow stated that the way this is written, it will take your head right off if a wood burner is opened when it is really going. Ch. Kastenson explained that a person is not allowed to burn tires and plastics in town now. Ch. Kastenson questioned if the outside wood burner blows a lot of smoke. Spvr. Loppnow replied when it starts it does, but after it gets going, it does not do much. Spvr. Lecus moved, seconded by Spvr. Ryan to hold over until a later date. Ch. Kastenson questioned what will be held over? Spvr. Lecus explained that he would like to see the whole ordinance held over and his reasons were: One, someone will get burnt if they open the door at the wrong time and Two, persons are not going to throw plastic and tires in something that cost \$8,000 – \$10,000 to

purchase. He is in favor of the ten feet off of the lot line requirement, but that would fall under the town's nuisance ordinances. Ch. Kastenson stated that ten feet off of the property line is not much. Spvr. Cantwell stated that he feels this is a waste of time and money for the entire ordinance. He stated that Tom who brought this in front of the planning commission is not present tonight and when shown this ordinance he didn't think it held much weight either. Motion to hold over until a later date carried 5/0.

- b. **Discussion/Adoption of Resolution 2009-22 titled "A Resolution to Set the Term of Appointment for Town Treasurer Position":** Ch. Kastenson read the resolution. Spvr. Loppnow stated that he feels it should be for a one year term because of the budgeting process and it will allow for raises. Spvr. Loppnow moved, seconded by Spvr. Lecus to set a one year term for the town treasurer position, carried 5/0. Spvr. Ryan moved, seconded by Spvr. Lecus to adopt resolution 2009-22, carried 5/0.

10.) **New Business**

- a. **Discussion/Possible Decision on Location of Cemetery Markers:** Ch. Kastenson stated that Greg Hoppe would like to meet with the board at the cemetery to show them what his concerns are regarding the cemetery markers. Spvr. Lecus moved, seconded by Spvr. Ryan to hold over to a more convenient date. Ch. Kastenson requested something be set up on a Friday around noon for at least three board members to attend. Motion to hold over until a meeting date is set, carried 5/0.
- b. **Discussion/Possible Decisions with Tom Thelen of E-Vergent, Re: Addtl. Broadband Connections:** Mr. Thelen was present. He explained that after speaking with Dr. Slupski at Raymond School about the school's need for broadband, he reached out to E-Vergent regarding expanding the wireless coverage in Raymond. They are looking at holding a meeting at Raymond school to determine the interest level for this service. Dr. Slupski suggested he get the board involved to find out if they had any suggestions on what they need or where it could go. Ch. Kastenson questioned what parts of town are not covered. A representative for E-Vergent explained that there are pockets all over the town as to where they cannot get it. He explained the different types of pockets that exist in the town. Ch. Kastenson questioned if they have places to put their towers? E-Vergent representative explained that there are not as many taller towers as they would need. They could maybe investigate barns or silos to use as repeater locations. Another representative for e-vergent explained that they utilized everything of significant height available in the area. He explained that Raymond is one of their better coverage areas. They are looking for information from the community as to where they want coverage and to gain input on it. Ch. Kastenson explained that there is a newsletter coming out soon and questioned if there is room to put something in there asking for persons to give input back to the clerk. Spvr. Ryan questioned if they had a place to put a tower, how many connections they would need in order to make it work. E-vergent

representatives stated that it depends how much they have to do to reach that area. Typically they would like to see 50 to 100 people in an area. Ch. Kastenson questioned how many people in the town of Raymond are feeding off of the two mile road tower. There are roughly 250 to 300 people on that site which includes others besides Raymond. Spvr. Ryan suggested placing this into the newsletter with the tear-out postcard for soliciting the e-mails. Resident Stan Bugnacki requested the cost be included for residents to have the choice.

- c. **Approval of New Bartender's License for Racine Fireside Corp.:** Spvr. Cantwell abstained. Spvr. Lecus moved, seconded by Spvr. Ryan to approve as presented, carried 4/0.
- d. **Discussion/Possible Appointment of Rep. to Waste Facilities Siting Comm.:** Spvr. Lecus stated that he was on the phone this week with Mike Hackney of Waste Management and he stated that it was in the town's best interest to have someone on this ASAP. Spvr. Loppnow moved, seconded by Spvr. Lecus to post the opening. Spvr. Lecus stated that they have no problem if someone lives in the area. Motion carried 5/0.
- e. **Appointment of Board Rep. to meet with Bob Flasz, 10000 W. 3 Mile Rd., Re: Reimbursable Monies:** Ch. Kastenson stated that Mr. Flasz is questioning the amount he is being charged and they need a board member to sit down with Mr. Flasz, Atty. Ekes, Clerk Morgan and Accountant Gina Vanderheyden. Spvr. Ryan questioned why we are going through all of this. Spvr. Cantwell questioned why Atty. Ekes needs to be there if it does happen. Ch. Kastenson stated that he feels the town needs legal representation there. Spvr. Ryan stated that he does not feel sitting down with him again does the town any good. Spvr. Ryan questioned why the town is doing this differently than anyone else, because anyone else they would bill them and then put it on their tax bill. Ch. Kastenson feels the board should give him another meeting and then go from there. Spvr. Cantwell stated that he has no problem meeting with him. Clerk Morgan will set up a date with Spvr. Cantwell and Bob Flasz.

11.) **Unfinished Business**

- a. **Bob Slivon, 325 60th St. – Requests for Reimbursement of Tax Payment:** Spvr. Lecus pointed out that Mr. Slivon was not present even though he requested to be placed on this meeting agenda. Spvr. Cantwell mentioned that Mr. Slivon did not show up for BOR and now he has not shown up for this meeting. Spvr. Lecus pointed out that with the present comparisons done; Mr. Slivon's house is \$57,000 less than the comparisons. Spvr. Lecus moved, seconded by Spvr. Cantwell to not reimburse Mr. Slivon for tax money paid and to have him reviewed for a re-assessment, carried 5/0. Spvr. Lecus requested Clerk Morgan send a letter to Mr. Slivon informing him of the board's decision.
- b. **Discussion/Possible Decision on Clerk/Administrator Ordinance:** Spvr. Ryan stated that they have examples from town counsel and reading them, his feeling is to have their ordinance like the Town of Lisbon's where it is a joint Clerk/Administrator. He feels the issue having two

separate ones is that it could be two people and he is not sure that the town is ready for a separate stand alone administrator. He stated that the intent was to increase the responsibility of the person in that position and if that person were to leave, they could reevaluate the position and the salary at that time. Spvr. Cantwell stated that he does not think they need two separate positions or people and they should just add to the description. Spvr. Ryan moved, seconded by Spvr. Cantwell to authorize Clerk Morgan to work with town counsel to draft an ordinance following the Town of Lisbon ordinance, carried 5/0.

- c. **Discussion/Set Reimbursement Rates for Employee Cell Phones:** Spvr. Ryan moved, seconded by Spvr. Lecus to set \$20 for Fire & Rescue and \$35 for the DPW. Motion carried 5/0.
- d. **Discussion/Decision on Stone Creek Crossing Surface Paving Project Award & States of Obligations of Developer in Default with the Subdivision Development Agreement for the Stone Creek Crossing Subdivision (Corrective Work & Installation of Surface Asphalt & Final Road Improvements):** Spvr. Ryan moved, seconded by Spvr. Lecus to accept the extension of the letter of credit, to not award the paving contract until the Spring, to require the developer and/or bank to reimburse the town for any costs incurred and if they do not to draw on the loc and to work with the engineer to get any corrections completed this fall as deemed necessary otherwise corrections can wait until the paving of the surface in early summer, carried 5/0.

12.) **Public Comment:** Resident Joe Pohlhammer, 2135 76th street stated that he has some major concerns with the development. He mentioned that he met with Pete Wood from the DNR on October 1, 2009 and was informed that the pond in the K Custom Homes development is 45 inches below normal water level. Mr. Pohlhammer stated that he feels when the pond holds its normal water level; it will not retain any water. Mr. Pohlhammer also stated that there was supposed to be a status report from Engineer R. Bruckner on the pond and that was supposed to be supplied to him and everyone else and no one knows if this has even been done. Mr. Pohlhammer questioned how the developer can come in for another CSM approval if the first phase has not been completed yet? He questioned what is going to be done with it and how the town is going to accept another three lot CSM from him and then questioned why a stop work order has not been placed on this. He requested a reply from the town as to when and how it will be done. Resident Stan Bugnacki stated that the recycling center has a lot of people dropping lots of garbage off. He also mentioned that Best Buy will charge for electronics but American Appliance will not charge for old electronics.

13.) **Communication & Announcements:** Ch. Kastenson mentioned Raymond School's bike fair. Spvr. Ryan will attempt to attend.

14.) **Adjournment:** Spvr. Cantwell moved, seconded by Spvr. Ryan adjourn, carried 5/0. Meeting adjourned at 8:17p.m.

Respectfully Submitted,

Kari D.L. Morgan, Town Clerk

Kari D.L. Morgan

F: Minutes/2009/10.12.09