

## SPECIAL MEETING – JULY 11, 2011

On Monday, July 11, 2011, the Town Board of the Town of Raymond held a Special Board meeting. The meeting was called to order by Chairman Gary Kastenson at 7:00 PM. The Pledge of Allegiance was recited. Roll call was taken as follows: Present were: Chairman Gary Kastenson; Supervisors, Joe Pohlhammer; Stan Bugnacki; Paul Ryan and James Phillips. Also in attendance were Town Clerk, Linda M. Terry; and Town Engineer, Chris Stamborski.

### AGENDA

#### 1. 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.*

Bob Flasz:

It is my understanding that the residents at 9828-3 Mile Road will be asking the County for a Conditional Use Permit for boarding horses. We know that the County takes recommendations from the Town. He would like to go on record as opposing this conditional use. He asked that if and when this comes before the Raymond Board, that he be allowed to address the Board for the reason that he is opposing it. It will be coming before the County in either August or September.

Chairman Kastenson stated that Mr. Flasz will have the opportunity to speak.

Sharon Korponai:

At the last Town meeting, there was \$53,000.00 transferred to Storm Water Utility District; she would like to know why that was done. The SWUD borrowed \$250,000.00 from the State. There were tax collections done, and that money should have been used to pay down that loan.

Chairman Kastenson stated that there have been rumors, by Supervisor Pohlhammer, that the Town Chairman and Paul Ryan took \$80,000.00 from the Storm Water Utility District. Those rumors are untrue. Chairman Kastenson; Supervisor Ryan and Treasurer, Lee Toll spent four hours one evening going through all of the SWUD bills and checks. There were mistakes made in bookkeeping. Checks that should have been written out of the SWUD account, were written out of the Town Account.

Supervisor Pohlhammer denied making such accusations.

Sharon Korponai stated that on tonight's agenda, there is project determination for 2012 for SWUD. Will we have the money to discuss this?

Supervisor Ryan stated that this is public comment and the Board is going way too far into answering questions.

Bob Slivon:

At the last meeting, there was talk about the tiling in Stone Creek Crossing, going from 14 inches to 18 inches. Does the Town have any information on that? Can you look into that?

He received a lot of information regarding the Three Mile Road project. He does not think the Board has enough experience to vote on the Waukesha Road matter tonight.

#### 2. Discussion/Possible Decision with members of the Raymond School Board, and Administrator, regarding the following:

Administrator Joe Dawidziak, and School Board Member, Shelly Kurhajec were present for the meeting.

##### a. School Garden/Greenhouse:

On the South side of the school property is the greenhouse. There is a huge push to have local gardening. It will be maintained through summer school. Some 4-H groups have volunteered as well.

There is potential to have a greenhouse all year round. Hopefully five years from now it will be larger; almost all of this greenhouse was donated.

Chairman Kastenson stated that if they are going to be doing any sort of electrical work on the greenhouse, please talk to the Town's building inspector.

Bob Flasz asked about plumbing to the building? He also asked if any of the children have been taken to see the place where some gentleman transferred a greenhouse into a place where they grow fish?

Mr. Dawidziak said there will be no plumbing. He has heard of the place, in Milwaukee, but the kids have not gone yet.

#### **b. Safe Routes to School**

Mr. Dawidziak said that he has been working with Reed Dunbar regarding the Safe Routes to School. Mr. Dunbar will be giving the Town Board a presentation at their July 25<sup>th</sup> meeting.

At this point, Mr. Dawidziak showed the Board a few maps regarding the safe routes to school.

Maybe the property across from the school may one day be a park. It is all part of the neighborhood improvement plan.

He suggested that possibly when 5-Mile road is done, make it wide enough for a path – either a bike path or a walking path. Whatever the Board's discussion is regarding Waukesha Road, it is Mr. Dawidziak's opinion that, that road is pretty narrow. The school's main concern is safety, second is education. Whatever happens to Waukesha Road will affect this safe routes to school plan. If you are going to do something, do it right and be done with it.

Sharon Korponai asked how many children go to school from Waukesha Road? She also stated that there are a great number of parents bringing their children to school – is there a reason for this?

Mr. Dawidziak has not checked into that; but, maybe 50 years from now, there could be quite a few.

Ms. Kurhajec said that on the buses, there is not any room for band instruments. She will take her child on band days. Also, some children have projects that need to be brought to school. It is not a matter of getting picked on. Actually, it doesn't matter if there is one or two children on a road – it is a safety issue.

Ms. Korponai feels that if the parents take the children now, they will continue to take the children to school. All of the roads in the Town are hazardous.

Ms. Kurhajec said that these kids have worked very hard for this grant, and it should be taken into consideration.

Mr. Dawidziak said that he understands what the people are saying; however it is his responsibility to watch out for the safety of the kids; when the school is making decisions, they are looking out 10 – 20 or even 30 years into the future.

Supervisor Phillips asked if an engineer gave Mr. Dawidziak the dimensions for the road. Also, there are certainly financial concerns. Because people are spread out so much, sometimes the bus right is quite long – that could be a reason for parents taking children to school.

Jean Babe said that her son played an instrument at school and still took the bus.

Ms. Kurhajec said that the seats on the bus are much smaller than what they were 30 years ago.

Supervisor Ryan said that the committee also talked about re-surfacing; the committee just wants to make sure the kids are getting to school safely.

Mrs. Babe is worried about people trying to pick up the kids if they are on the road.

Supervisor Phillips said that there are a lot of things the school can look at – possibly modification to the bus routes.

#### **c. Raymond School 50 Year Anniversary Celebration – “We're all in this together”**

Mr. Dawidziak wanted the Board to know that this September will be the 50<sup>th</sup> Anniversary of the school. There have been a few suggestions for celebrations:

Possible one big party with an unveiling of a new bell tower;  
Have a classic car show during the day and a drive-in movie at night;  
Tours of the school

Supervisor Ryan asked if things went ok for the July 4<sup>th</sup> Celebration?

Mr. Dawidziak said there were some concerns; RCBO is on the School Board's agenda for discussing some of the issues. He doesn't have a problem with the celebration, but he would like more communication.

Ms. Kurhajec said that there will be a meeting with the School Board; the Fire Chief and the RCBO on July 20<sup>th</sup>. Parking is a huge concern for the Fire Chief.

Supervisor Phillips said that all of that was brought up at the last Town Board meeting – we will be working on a plan for next year.

#### **d. Bus Driveway**

Mr. Dawidziak showed the Board a plan on a new bus driveway that they would like to have. They would enter at the DPW driveway, and then, cut across Town property to enter the school. They would like the Town to cut in a driveway on the 50 feet of Town property that they would be using. He said that the School Board hasn't voted on this matter yet.

Right now, the school is dealing with difficulties with their existing traffic pattern – it is unsafe for the children, and there is traffic back-ups on 76<sup>th</sup> Street.

Supervisor Phillips asked about the liability aspect.

This will be checked in to.

Mr. Dawidziak spoke to Al Hageman, from the Town's Highway Department, as well as Chairman Kastenson. They both felt it would only take a few days for the Town's Highway Department to get something done.

Ms. Korponai suggested getting it done in time for the buses to make a "dry run" before school starts.

There were suggestions for "Buses only" signs; barricades; and a gate, to make sure that only buses use this entrance.

Supervisor Bugnacki would like to see this on the July 25<sup>th</sup> Town Board Agenda.

Supervisor Pohlhammer felt that the homeowner's close to this driveway may have concerns regarding dust. He would suggest recycled asphalt instead of limestone for the driveway.

#### **e. Snow Plowing and other shared services**

Mr. Dawidziak stated that the contract is coming up. If there is a way to save money, he is all for it. Raymond school has been cut \$260,000.00; they spend approximately \$15,000.00 a year on snowplowing. Our school board has a priority to stay local. We would like the Town to consider the Town's DPW employees doing the plowing – they are in close proximity to the school; however, would they have the manpower?

Chairman Kastenson pointed out the Town cannot, by law, charge the school more than what we pay out.

Jim Fohr used to plow for a school in Racine – he said that the parking lots are plowed by 6:00 am and salted by 6:30 am.

Mr. Dawidziak also said that if there is an inch of snow, it also needs to be salted.

Engineer, Chris Stamborski felt the Board should talk to DPW, John Ertl, about the weight limits on the parking lots – the Town trucks may be too heavy.

Chairman Kastenson said that we will be talking to John Ertl.

### **3. Discussion/Decision regarding Resolution 2011-01 "Redistricting of Wards for the Town of Raymond, Racine County, WI:**

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

#### 4. Discussion/Decision regarding Awarding Bid for Waukesha Road Project:

Supervisor Bugnacki stated that he went to the site and looked at it again. The shoulder on Waukesha Road by Highway "G" will be very deep and dangerous; someone could get killed. We cannot put a road in that is worse than what is there now. We need proper ditching and wider shoulders. He would like the Board to talk to Payne and Dolan about the cost. The DPW will never get this done. He would like to have the whole thing resubmitted and get it done by a contractor, not the Town's DPW. That road will be a death trap.

Supervisor Phillips asked how wide 7-Mile Road is?

Chairman Kastenson said it was 11 feet wide.

Supervisor Pohlhammer asked who did the assessing on the culverts on Waukesha Road? We have culverts that are half full of water. This needs to be ditched. According to the State Statutes 88.87, the Town needs to provide proper drainage.

Chairman Kastenson said that John Ertl assessed the culverts. The first proposal for Waukesha Road, was to widen the road to 11 feet and do 2 foot shoulders – that would have included the ditching that is being talked about.

Supervisor Pohlhammer said that he did not vote down re-ditching.

Supervisor Phillips said the Board can either accept one of the bids, or not do the road at all.

Mr. Stamborski said that the bids are for undercutting. He believes they would have bid differently if the project would have been different; the bids would have been higher. Please remember, approximately \$40,000.00 will be for stone and DPW labor.

Supervisor Bugnacki feels that it is still worth looking at. He would like the rest of the Board members to go to the site and check it out.

Supervisor Ryan agrees; however, there was a petition circulated and all of the people that signed that petition said they did not want the road widened.

Supervisor Phillips said that Mr. Ertl has said that with this present proposal, the work could get done.

Mr. Stamborski said that if the Town is going to do a full road design, it would be a "next year" plan. The cost for that extra labor would be a significant cost increase.

Supervisor Pohlhammer had minutes from 2008, wherein Supervisor Loppnow and Supervisor Heinrichs said "no, to ditching" on Waukesha Road.

Mr. Stamborski said that the ditching has nothing to do with the road surface.

Supervisor Pohlhammer feels that the DPW could have been ditching for the last month on this.

Supervisor Ryan said that when the County did work on Highway "G", there was no ditching done.

Mr. Stamborski said that no shoulders and/or steep ditches, means guard rails.

Supervisor Ryan questioned if the Waukesha Road was done, as bid, would the Town have enough money to put in guard rails, even if we approve the crack sealing?

The answer was "yes".

Supervisor Pohlhammer had questions regarding 15% for sub-grade conditions – how many square feet of that road will that cover? What happens if the whole road needs to be pulverized? Will the Town be getting daily field reports and tonnage reports?

Mr. Stamborski explained the contractor will be making 1 foot deep cuts – 15% of the entire road – there is \$20,000.00 allowed for "soft spots". If the work to be done goes beyond the contracted amount, it cannot be done with prior approval from the Board. As far as reports – weekly reports would be more realistic. The contractors' day starts prior to the Town Hall being opened, and ends after the Town Hall is closed.

Supervisor Phillips said that the Town cannot ask the contractor to do what is not typical (as far as reporting).

**MOTION TO APPROVE PAYNE & DOLAN'S BID FOR WAUKESHA ROAD, MADE ON A PHILLIPS/RYAN MOTION. MOTION CARRIED 3-2, WITH SUPERVISORS POHLHAMMER AND BUGNACKI OPPOSING. SUPERVISOR BUGNACKI STATED THAT HE IS OPPOSING FOR SAFETY PURPOSES.**

Supervisor Pohlhammer also has serious concerns about cost over-runs and not doing the best job for the people of the Town. In some places, the edge of the road is 18 inches away from the culvert.

Supervisor Ryan said that the Town should use the excess funding to address the issues of shouldering and/or guard rails.

Chairman Kastenson stated that when this project was originally approved in April, it included ditching and shouldering.

**5. Discussion/Decision regarding 2011 Crack Filling:**

Supervisor Pohlhammer asked if there were any other bids received?

Chairman Kastenson said that there was not, because the cost is below the amount required to have a bid; plus, Fahrner does the road grading and the bridge inspections for the Town.

**APPROVE HAVING FAHRNER DO THE 2011 CRACK FILLING AT A COST NOT TO EXCEED \$18,764.00, MADE ON A RYAN/PHILLIPS MOTION. MOTION CARRIED 5-0.**

**6. Discussion/Decision regarding 2012 Storm Water Utility District Project Determination:**

Supervisor Ryan gave the background of the Storm Water Utility District. He stated that there are flooding issues when the water gets to 27<sup>th</sup> Street – is this something that the Town would like to look at for 2012, or, are there other things that should be looked at?

Supervisor Phillips asked what the magnitude of this project is?

Mr. Stamborski said that it is similar to the type of work that has been done – clearing trees and debris from the River, but, the work goes much further inland as well. The access will be an issue and the width of what we will be doing.

Chairman Kastenson asked how much is left to clean?

It was stated that there is about a mile left. Mr. Stamborski also stated that they will not be dredging – just removing obstructions.

Supervisor Phillips said that the bulk of the water problems are closer to 27<sup>th</sup> Street. Because it's close to the bridge, will we be making an impact? What about homes?

Mr. Stamborski said that there are homes that are impacted. During the average rain, this clean up will help.

Supervisor Ryan asked if the recycling center is threatened when it rains?

Supervisor Bugnacki said that it has flooded twice.

Supervisor Pohlhammer questioned whether or not the bridge would be altered? Also, what about the fall elevations of the Root River? The flattest part is in the own of Raymond.

Mr. Stamborski said the bridge will not be changing; they are also not changing the River, they will just be taking the debris out.

Supervisor Pohlhammer feels that the Town should speak to the homeowners in that area.

Supervisor Ryan said that he does not want to spend money on anything just yet – the Storm Water Utility District just wants some sort of direction from the Town Board.

Supervisor Pohlhammer stated that 60<sup>th</sup> and Oakwood, to behind Krokoffs is obstructed – he will walk it with a camera.

Mr. Stamborski said that, in the past, the Town has sent out a letter to the property owners, letting them know that someone from the Town will be out there. There should be a “controlled group” of people going to the site, at a specific time that the homeowners are aware of.

Supervisor Phillips feels that the Storm Water Utility District should be scheduling this.

**AUTHORIZE STORM WATER UTILITY DISTRICT TO PROCEED WITH THIS, AND USE THE TOWN ENGINEER WHERE NECESSARY, MADE ON A PHILLIPS/RYAN MOTION. MOTION CARRIED 5-0.**

**7. Discussion/Decision regarding Supervisor Pohlhammer's Request to Contact Town Attorney:**

Clerk Terry placed this on the agenda, due to the fact that Supervisor Pohlhammer had asked her to contact the Town Attorney on items that she said were already acted on by the Town. She would like direction from the Town.

Supervisor Pohlhammer said that a year ago, there were issues with K-Custom Homes. He brought them to the Board as a resident. The Town has not addressed the developer's agreement. He said that previously, Clerk Terry told him that the County enforces the developer's agreement. The spillway is not done correctly; it is supposed to be 6 -1/2 feet wide; it is 11 feet/ 3 inches. Has anyone looked at the developer's agreement? Feels things never should have been let go this long.

Supervisor Ryan feels that it is inappropriate for a Board member to be addressing items that adversely affect the Board member's property.

Chairman Kastenson stated there was a weir put in. The weir structure was installed to specifications – the "V" is the right width.

Supervisor Pohlhammer said that the emergency spillway is not to approved drawings. There are other items that he will be addressing.

Supervisor Phillips said that this has been addressed long enough. If Supervisor Pohlhammer wants to talk about trust and accountability. There has been no negligence on the part of the Town Board.

Clerk Terry informed the Board that she has spoken to the Town Attorney – he will attend the next Town Board meeting – there is the possibility of a closed session prior to the Town Board meeting.

Supervisor Bugnacki said that there is a procedure to follow regarding speaking to the Town Attorney – all requests go through the Town Clerk.

**DENY SUPERVISOR POHLHAMMER'S REQUEST TO CONTACT TOWN ATTORNEY, MADE ON A PHILLIPS/RYAN MOTION. MOTION CARRIED 4-0. PLEASE NOTE: TOWN CLERK DID NOT HEAR ANY RESPONSE TO THE AFFIRMATIVE OR NEGATIVE FROM SUPERVISOR POHLHAMMER.**

**AT 9:25 PM, THE MEETING WAS ADJOURNED ON A RYAN/PHILLIPS MOTION. MOTION CARRIED 5-0.**

**Respectfully submitted,**

**Linda M. Terry  
Town Clerk  
Town of Raymond**