

MONTHLY MEETING – JULY 26, 2010

On Monday, July 26, 2010, the Town Board of the Town of Raymond, held their regular meeting. The meeting was called to order at 7:30 PM. The Pledge of Allegiance was recited. Roll call was taken as follows: Present – Chairman Gary Kastenson; Supervisors, Dave Lecus; Paul Ryan and Kevin Cantwell (arrived at 7:45 after Planning Commission Meeting); absent was Supervisor James Phillips. Also present were: Town Clerk, Linda M. Terry; Town Treasurer, Lee M. Toll; Town Engineer, Chris Stamborski; and Fire/Rescue Chief, Alan Babe.

The Treasurer's report was read as follows:

COMMUNITY STATE BANK - GENERAL CHECKING BEGINNING BALANCE:		\$19,436.89
Deposits:	19,982.15	
Transfers in:	\$10,000.00	
Interest Earned		
Miscellaneous Credits		
Correcting Journal Entries made	\$78.72	
TOTAL DEPOSITS:		\$30,060.87
Disbursements:	(\$37,612.20)	
Transfers out:		
Bank Charges & Miscellaneous Deductions		
TOTAL DISBURSEMENTS:		(\$37,612.20)
ENDING BALANCE:		\$11,885.56
OTHER ACCOUNTS:		
UNRESTRICTED		
COMMUNITY STATE BANK - MONEY MARKET	\$76,883.17	
STATE LGIP FUNDS - TAX INVESTMENT	\$19,134.03	
TOTAL UNRESTRICTED FUNDS		\$96,017.20
RESTRICTED		
COMMUNITY STATE BANK - BOND ESCROW	\$73,259.91	
COMMUNITY STATE BANK - STORM WATER UTILITY	\$125,840.12	
STATE LGIP FUNDS - BOND ESCROW	\$20,220.90	
STATE LGIP FUNDS -CEMETERY	\$14,298.13	
STATE LGIP FUNDS - MUNICIPAL	\$15,823.43	
STATE LGIP FUNDS - LAND	\$22,784.05	
STATE LGIP FUNDS - RJM LLC ASPHALT	\$32,342.23	
STATE LGIP FUNDS - STONE CREEK CROSSING	\$175,732.67	
TOTAL RESTRICTED FUNDS		\$480,301.44
ALL TOWN BANK ACCOUNTS		\$588,204.20

The Treasurer's report was **APPROVED ON A LECUS/Ryan MOTION. MOTION CARRIED 3-0.**

BILLS PAID FROM JULY 13 - 26, 2010: \$37,612.20

Minutes from Previous meeting of July 12, 2010, were **APPROVED ON A LECUS/Ryan MOTION. MOTION CARRIED 3-0.**

SET AGENDA:

Items #1 and #2 under "Town Business" were moved to follow "Fire/Rescue Business".

SHERIFF'S REPORT:

NONE

FIRE/RESCUE BUSINESS:

1. Communications and Announcements:

There will be a semi-annual meeting on Thursday, July 29, 2010, at 7:00 PM.

Chief Babe also reported that the flooding this past weekend was not as bad as it was in June of 2007.

The water made 27th Street and Eight Mile road impassable.

STORM WATER UTILITY DISTRICT BUSINESS:

NONE

PLAN COMMISSION BUSINESS:

1. Driveway marking Ordinance for Driveways over 1500 feet:

Discussion/Review/Possible Decision: (Previously tabled):

Chairman Kastenson asked about the cost of the signs?

Treasurer Toll stated that it would be easier to bill the people rather than automatically put the amount on their tax bill.

APPROVE DRIVEWAY MARKING ORDINANCE AS FOLLOWS:

- 1. All signs and stickers in this ordinance shall be provided and posted by the Raymond Fire Department at the Town's Expense:**
- 2. The actual cost of producing the signs, stickers and metal posts used shall be assessed to the legal owner of the parcel at the time of issue:**
- 3. Any parcel containing a structure where the minimum distance from the right-of-way to the furthest part of any existing structure exceeds 1500 feet shall post (2) Raymond Fire Department turn-out signs**
 - a. One sign/marker shall be posted at the 1500 foot mark.**
 - b. The two stickers shall be posted at the driveway entrance on the already existing address sign.**
 - c. A designation recorded by the Raymond Fire Department personnel will determine the placement of signs, stickers and metal posts.**
- 4. Any parcel containing two (2) or more addresses that share a common driveway shall post additional address signs at the separation point.**

MADE ON A CANTWELL/Ryan MOTION. MOTION CARRIED 4-0.

2. Conditions and Restrictions Ordinance: Discussion/Review/Possible Decision: (Previously tabled):

TABLE MATTER ON A LECUS/CANTWELL MOTION. MOTION CARRIED 4-0.

TOWN BUSINESS:

1. Update/Possible Decision on Yenter Property/Chris Stamborski: (previously tabled):

Mr. Chris Stamborski, from RA Smith was present for the meeting. He stated that Mr. Yenter was given two weeks to get his project done. Mr. Yenter has brought in a bull-dozer to the site and is now having a person doing the work full-time. There was not significant progress done though.

Chairman Kastenson stated that he visited the site on Saturday. There was no water going out of the tile. It is a total disaster at the site. There is no outlet for the ditch. Wayne is still having problems.

Mr. Yenter said that Wayne's berm is actually on his property.

Chairman Kastenson said that there are two trees in the middle of the pond.

Mr. Yenter stated that he was not going to cut those trees down. He also stated that during the recent rain, he was at the site at 2:30 in the morning and there was no flooding.

Chairman Kastenson said that Mr. Yenter was told to locate the tile.

Mr. Yenter said that it is blown out in the cattails.

Mr. Stamborski said that he believes it is the same tile. The tile is not working. Mr. Yenter does work on the site when he can.

Mr. Yenter said that he now has hired a full-time person to work on the site during the week.

Mr. Steber told Mr. Stamborski that he was supposed to be engineering this for the Town, and he isn't doing a very good job. He also stated that his sump pump never stops; this has to be corrected; however, he has not had any flooding. He also stated that Mr. Yenter should make the retention area larger.

Supervisor Cantwell asked if with a full-time person, could Mr. Yenter get the job completed?

Mr. Stamborski said that he cannot say that Mr. Yenter is not making any progress, but with a full-time person it will get done quicker.

Chairman Kastenson asked if the tile was supposed to be rerouted outside of the fill area?

Mr. Yenter said that it is not rerouted.

Mr. Stamborski stated that Mr. Yenter's fill will define the area.

The area should be higher than Mr. Steber's, and then, taper down toward the pond.

Mr. Stamborski said that no fill has been brought into the property; it needs to be filled more on the south end.

Supervisor Cantwell asked if the project would be done in two weeks when the Town Board meets again?

Mr. Yenter stated that it would.

MOTION TO TABLE FOR TWO WEEKS TO ALLOW MR. YENTER TO GET THE WORK DONE TO ENGINEER'S SPECIFICATIONS; MADE ON A CANTWELL/Ryan MOTION. MOTION CARRIED 3-1 WITH CHAIRMAN KASTENSON OPPOSING.

2. Discussion/Possible Decision regarding complaint at 6166-West 3-Mile Rd:

Supervisor Lecus has been to the site on several occasions. The neighbors are in the process of grading their lot. They have to run a swail down the back of their property.

Mr. Griph had a problem with the culvert and the retention area.

Mrs. Streit said the water never used to flow that fast; Mr. Griph made a trench right on their property; he also said that they pulled permits for these projects.

Chairman Kastenson would like Mr. Stamborski to talk to John Ertl about possibly putting in another culvert.

Joseph Pupero lives next to this property. He also feels there should be another culvert installed.

Chairman Kastenson will check with Mr. Ertl from the Town's Highway Department, about putting another culvert under that road.

Mr. Stamborski will check the drawings and if things look alright, he will allow this to be done.

APPROVE AUTHORIZING MR. STAMBORSKI TO PROCEED WITH THE PLAN AS PRESENTED AND POSSIBLY HAVE ANOTHER CULVERT PLACED UNDER THE ROAD, MADE ON A LECUS/CANTWELL MOTION. MOTION CARRIED 4-0.

3. Discussion/Possible Decision regarding accepting Charge Card Payments for Taxes:

Town Treasurer, Lee Toll stated that she has discussed the option of accepting charge card payments with a company that can offer it to the Town wherein the entire charge is charged back to the card owner; this could be done through the website, with a terminal at the Town Hall, or over the telephone. The Town would not lose any money through this.

She would devise a notice telling the taxpayers that they would be incurring the fee for charge card use.

Supervisor Cantwell asked if there was a fee schedule?

Treasurer Toll said that she would get that information.

Supervisor Lecus would like to see any additional information before making a decision.

TABLE TO ALLOW FOR ADDITIONAL INFORMATION, MADE ON A LECUS/Ryan MOTION. MOTION CARRIED 4-0.

4. Discussion/Possible Decision regarding transferring Municipal Court to Racine County:

Supervisor Ryan stated that he asked that this be on the agenda. This is quite possibly the first thing that we will be talking about at budget time. The State Statutes say that we are eligible to discontinue court. Only 19% of municipalities do their own court, and the remainder of the municipalities have the County hold their Court.

Supervisor Lecus stated that there is certain paperwork that needs to be done prior to disbanding the Municipal Court system.

The Town's Municipal Judge, Joe Purpero stated that he took over the Town of Raymond Municipal Court, six years ago. The combined salaries for the Judge and the Court Clerk are approximately \$3000.00 a year; with a total Court budget of around \$4500.00 a year. He stated that Circuit Court will charge the Town for handling their cases. The Town of Raymond is starting to get some traffic citations. He also feels that a municipal court adds some dimension to the Town. There are over 240 Municipalities in the State of Wisconsin that still have their own courts.

Chairman Kastenson asked how many traffic citations are received?

Judge Purpero stated that they have approximately six traffic citations a month.

Chairman Kastenson stated that some serious thought will have to be given to this matter before we eliminate the Municipal Court.

5. Discussion/Possible Decision regarding Sewer Capacity Loan:

Supervisor Ryan spoke to Attorney Stan Riffle regarding this matter. The Town received approval of monies for sewer capacity, and if it does not make it's first draw by August 18th, the money will go back. The Town could reapply in the future if the need arises.

MOTION TO LET MONEY GO BACK, MADE ON A LECUS/CANTWELL MOTION. MOTION CARRIED 4-0.

6. Discussion/Possible Decision regarding reward for vandalism:

Chairman Kastenson stated that he feels the Town should step in on this. He would like to have the Town offer a reward for the arrest and conviction of the persons responsible for the recent racial vandalism.

Supervisor Lecus would agree – he would suggest \$1000.00 reward.

Ms. Rita Mitchell, who lives across the street from where the vandalism occurred, said that no officers have spoken to anyone in her family regarding this matter – they have not asked any questions of the neighbors.

It was stated that it may be best if the Town would first speak to the Sheriff's Department about what is happening with the investigation.

TABLE UNTIL THE NEXT MEETING AND HAVE DETECTIVE DOBESH AT THE MEETING, MADE ON A LECUS/CANTWELL MOTION. MOTION CARRIED 4-0.

7. Public Comment – Discussion of any matter raised by the Public:

Mr. Russell Peterson said that he spoke at the June 22nd meeting, and his address was the only one placed in the minutes.

Mr. Steve Daily spoke regarding the public hearing on June 22nd. Chairman Kastenson had made comments regarding the amount of money that the Town would receive from the asphalt plant based on what type of equipment they have. Mr. Daily has researched this information and said that pursuant to Wisconsin State Statutes 70.11, there are certain types of manufacturing that are exempt from tax. He believes that Mr. Stark knew that what Mr. Kastenson was saying was false. That part really upsets him was the comment about what Supervisor Ryan said about the value of my property going up. Mr. Daily took his son up to the plant on Hampton, and his son needed his inhaler shortly after getting there.

Mr. Joe Pohlhammer has been looking for the transfer of ownership that is supposed to be notarized, transferring ownership to Mike Dilworth.

He also stated that all of the field tiles needed to be recorded at the Register of Deeds Office. Lot #1 has field tiles that are not recorded. The Town should no whether or not this was done.

Regarding the work that was done there, Mr. Dilworth was here and the DNR was also involved. The work was done, but was said to be approved since 2007 – there is no certification on that pond.

The spillway is not to drawings.

There was supposed to be a meeting in November of 2009, but it was never held.

Ms. Ann Lynch gave a copy of the definition of "spectacular use" to the board members.

Mr. Daily also stated that if the Town is not going to get any money, why approve the asphalt plant – this is just wrong.

Ms. Shannon Chadwell spoke about an environmental study. She also said that when there is a recall, then the Board members will see how many people want them out.

Ms. Jean Babe asked about the bushes being trimmed back on 7 Mile Road and 76th Street intersection. She would also suggest a lighted stop sign there. Ms. Babe was also concerned about Waukesha Road by the river. Something should be put up there so that no one drives into the river.

The Town Clerk will call the Racine County Highway Department tomorrow and ask about Ms. Babe's concerns.

Mr. Pohlhammer would like a special meeting regarding K-Custom Homes Development.

Mr. Robert Slivon recently ran for a Supervisor position and lost. He feels Supervisor Ryan is using government time and facilities to harass Mr. Slivon. He also stated that when he

ran for Supervisor, the Town laid-off Mr. Jim Sorenson for distributing his flyers. He would ask that Paul Ryan resign from his position or that he be censured.

Supervisor Cantwell said that he will not censure Supervisor Ryan, nor will the board ask for his resignation.

Mr. Stan Bugnacki updated the Board on Waste Management matters.

There will be a siting committee meeting on August 4th at Franklin City Hall; hopefully we will be voting on the contract. There will be a waste facilities monitoring committee meeting on August 5, 2010.

At 9:25 PM, THE MEETING WAS ADJOURNED ON A LECUS/CANTWELL MOTION. MOTION CARRIED 3-0 (Mr. Ryan left the meeting at approximately 8:50 PM).

Respectfully submitted,

*Linda M. Terry
Town Clerk*