



"In the Spirit of Town Government"

**TOWN OF BUCHANAN, OUTAGAMIE COUNTY, WI
MINUTES OF THE TOWN BOARD MEETING
TUESDAY, JUNE 21, 2016 AT 7:00 P.M.
BUCHANAN TOWN HALL, N178 COUNTY RD N, APPLETON, WI 54915**

1. **CALL MEETING TO ORDER** Meeting called to order by Chairperson McAndrews at 7:00 p.m.
2. **PLEDGE OF ALLEGIANCE**– Pledge recited.
3. **ROLL CALL & VERIFY PUBLIC NOTICE** - Public notice verified. Board members present – McAndrews, Lawrence, Reinke, Kavanaugh and Walsh. Town officials present – Administrator/Clerk Gregozeski, Treasurer/Deputy Clerk Sieracki, Interim Chief Cameron, and Plan Commission Chairperson Jerry Wallenfang. Other members of the public were also in attendance.
4. **CONSENT AGENDA**
 - a). Approval of the Minutes of May 17, 2016 Town Board Meeting.
 - b). Approval of May 2016 Treasurer Report & Approve Bills.
 - c). Operator’s License Renewals for July 1, 2016-June 30, 2017, & New Operator’s Licenses with No Applicable Violations per Town Policy.

Motion by Walsh/Kavanaugh to approve all items as provided in the consent agenda. Motion carried 5 to 0 by voice vote.

5. **PUBLIC COMMENT FORUM** - The following individuals spoke during public comment: No public comments were made.
6. **PRESENTATIONS:**
 - a). Recognition to Fred Mader, Retirement from Buchanan Fire & Rescue: Fred Mader was recognized by the Town Board for his 20+ years of service to the Town of Buchanan Fire & Rescue Department.
 - b). Presentation from Dean Steingraber, Highway Commissioner on Outagamie County Highway Improvements planned for 2016 Calendar Year: Highway Commissioner Dean Steingraber presented information to the Board regarding upcoming County Highway projects in the area. He noted the project schedule to construct a roundabout at County Highway CE and HH/Debruin Road. He noted some impacts related to the project including a full closure of CE and temporary traffic signals at the County Road N / CE interchange. Steingraber also noted the maintenance items being coordinated with the Town of Buchanan.
7. **ROUTINE REPORTS:**
 - a). Law Enforcement – Update/Monthly Report on Town Law Enforcement Activities (Town Deputy): Deputy Janda provided an update on law enforcement activities for the past month. He noted several substantial burglaries occurred, however they were targeted sites.
 - b). Fire, EMS & Emergency Management – Update/Monthly Report on Fire, EMS & Emergency Management Activities (Cameron): Interim Chief Cameron provided a brief report on Fire & Rescue related activities. He provided a review of calls for service data for year-to-date 2016.
 - i. Auto-Aid Agreement with Village of Combined Locks: Interim Chief Cameron provided an overview of the draft auto-aid agreement with the Village of Combined Locks. The Board agreed through unanimous consent to direct staff to prepare the final draft for approval by the Board in July.
 - c). Town Engineer – Update/Quarterly Report on Town Engineer Activities (Majkowski): Gregozeski provided an update on Town public works projects under the Town Engineer’s supervision, including: Contract A15/B15 Warranty work is currently being completed, Contract A16 Paving is set to start the 4th of July week and Contract B16 Crack Sealing bid opening is scheduled for July 13th with a July 19th bid award.
 - i. Update/Review on Contract A15/15: Gregozeski provided a power point presentation reviewing the A15/B15 project at Springfield Drive. He provided a historical perspective of the planning and decision making process. Gregozeski provided several photographs taken pre-construction and post-construction. Gregozeski facilitated a discussion with the Town Board to address any concerns as it relates to the outcome of the project.

Walsh opined the Town should look at a couple of items. First the Town should look at the classification of roads. Collector and arterials should receive bike and pedestrian facilities. He noted Block, Buchanan, Emons are good examples where these accommodations should occur. He opined that the Town should have gone with storm sewer due to the long-term costs associated with ditch maintenance. Walsh also opined the Town is in competition with our neighbors and the surrounding communities do not utilize ditches. He stated to be competitive it may be important to begin urbanizing Town roads. Walsh questioned if the property values would be maintained by continuing to use the rural feel.

Kavanaugh stated the Board held multiple meetings with the residents. He stated the Board asked by a show of hands what they wanted. The residents by a show of hands wanted ditches. He opined now the residents are upset. Kavanaugh stated the Town did exactly what the residents wanted.

Lawrence agreed with Kavanaugh. Lawrence stated the residents wanted the rural feel. Lawrence stated she was surprised by the volume of complaints after giving the residents what they wanted.

Reinke noted he received several complaints. He noted the residents are happy with the road, they are upset with the ditches and the water. Reinke stated he recommended the residents have a responsibility toward maintaining the ditches. Reinke opined the residents were given options and they wanted to keep ditches. He stated the pictures of before and after conditions show an improvement.

McAndrews stated the project decision revolved around the cost of the improvements. McAndrews noted the neighboring communities have substantially higher taxes and assess for road repairs. McAndrews noted the original project scope with California curb would have had assessments of \$4,000 to \$9,000. McAndrews stated the residents protested the assessments and this was the reason for the decision.

Gregozeski confirmed with the Board that the project outcomes are what was expected. McAndrews and the Board agreed the outcomes of the project matched the expectations of the decision made to reconstruct the road with ditches.

- d). Town Administrator – Update/Monthly Report on Administrative Activities (Gregozeski): Gregozeski provided an overview of the 2016 key projects list, and an update on the 2017 Fiscal Year Budget calendar.

8. PLAN COMMISSION ITEMS FOR DISCUSSION & POSSIBLE ACTION: NONE

9. UNFINISHED BUSINESS FOR DISCUSSION & POSSIBLE ACTION: NONE

10. NEW BUSINESS FOR DISCUSSION & POSSIBLE ACTION:

- a). CTH ZZ/Haas Road Reconstruction & Jurisdictional Transfer (Kavanaugh) – For Discussion & Possible Action: McAndrews introduced the item stating Supervisor Kavanaugh requested this item to be brought back for consideration. McAndrews stated the Town would be responsible for nearly \$59,000 in engineering and planning fees if it withdraws from the intergovernmental agreement approved and signed in November of 2015. McAndrews requested the Town Board suspend the rules to allow comments from the public.

Motion by Lawrence/Reinke to suspend the rules of order and allow the public to comment on this agenda item. Motion carried 5 to 0 by voice vote.

Dean Steingraber, Outagamie County Highway Commissioner was invited to speak first. Steingraber stated this is an approved agreement with the Town. He stated the project is a safety improvement project and that is why the proposed transfer is being planned and designed. He noted the agreement has previous approval and would appreciate moving forward with the project as planned and asked for the Town's support.

Mark Vanveghel, N937 Haas Road: Opined he is not supportive of the upgrading of Haas Road to a County Highway. He is concerned about the changes in elevation of Haas Road and how that will impact his driveway. He stated the current intersection of Haas Road and CTH Z has visibility issues and is unsafe. He stated the ditches on his side of the road are unneeded. He questioned how the speeds are going to be enforced on the new County Highway ZZ.

Jerry Wallenfang, Plan Commission Chairperson: Stated the Plan Commission reviewed the item but could not see a reason to deny the jurisdictional transfer from a planning perspective. The Commission did discuss the agreement but it seemed like an exercise of futility. Wallenfang stated that if this does not pass, it is likely not to come back to the Town for consideration in the future. Wallenfang stated Haas Road needs to be brought up to Town specifications and the cost is now being shared with the County.

Roy Mankovecky N1037 Woodly Road: Town of Buchanan is responsible for upgrading Haas Road. If the agreement is not honored, the Town will be responsible for the full cost of upgrading Haas Road.

Lisa Van Schyndel N1060 Woodly Road / ZZ: Spoke on behalf of the EMS squad for the Town of Buchanan. Stated many accidents have occurred on the current County Road ZZ. She stated over half of the accidents on ZZ require air lift support due to the severity of the individual injuries. She opined she is waiting for a fatality to occur due primarily to skateboarders using the current ZZ hill.

Al Geurts, N409 Fontana Way: Stated he was Highway Commissioner when the project was planned and negotiated between the Town and Outagamie County. What prompted the discussion to realign ZZ, was safety issues related to the intersection of Z and ZZ. Additional concerns were related to the environmental constraints with the Fox River and hill. The County discussed the option of working with the Town on Haas Road since both agencies had plans to upgrade their respective roads. He agreed the project should be done.

Rachel Ecker, W1178 County Road ZZ – Opined the road is unsafe. Stated she felt the Town has already committed to the project and should move forward.

Ron Biese, N1052 Haas Road – Stated he is concerned about the current intersection at Haas Road and ZZ. He stated the site lines are limited. He is also concerned about Z and the bottom of the hill and traffic speeds. He is concerned about the residents and the gun club who have access onto Z.

Sara Effa, Haas Road – Stated she is concerned about the speeds on County Road ZZ. Stated she moved to Haas Road from previously living along County Road KK. She moved to Haas Road to get away from the traffic and speeds found on a County Highway.

McAndrews asked for comments three more times. No additional individuals spoke.

Chuck Kavanaugh: Stated he is concerned about giving up a Town Road and felt the County should pay more for this project. Asked Mr. Steingraber if the County can take financial responsibility for obliterating the old ZZ. Kavanaugh asked Steingraber to negotiate new terms with the Town Administrator.

Gregozeski provided an overview of the approved and signed agreement. He noted the clause in the agreement requires the Town to assume the costs for planning and design should the Town withdraw from the agreement. Gregozeski noted the Town Board reviewed and approved this agreement in November of 2015.

Walsh questioned why the County is not responsible for the costs associated with terminating the Old ZZ and constructing the cul-de-sac.

Steingraber stated this item was negotiated as part of the agreement. He noted the County is already supplying \$150,000 toward upgrading Haas Road. Steingraber stated that renegotiating the contract would require it to go back to both public bodies.

Kavanaugh asked for the County to take care of terminating the old ZZ and installing the cul-de-sac.

Gregozeski stated the Town Board must make a decision to determine if the current agreement is appropriate. If the Town Board moves to renegotiate the agreement, the Highway Commissioner must go back to his Highway Committee and the Board to review the suggested revised terms.

Reinke questioned the name of the road, the road width and the posted speed limit if Haas is transferred to the County. Steingraber noted the road would be signed as County Trunk ZZ, however it could remain known as Haas Road in addition to the County system. Steingraber noted the road will be two 12' travel lanes with a six foot shoulder, five feet of the shoulder would be paved with the remaining foot as gravel. Steingraber indicated the road would be posted 55 mph. Reinke indicated concerns related to school buses and the speed limits. Reinke asked if the control stop at the current Z & ZZ be removed. Steingraber indicated the controlled stop at the bottom of the Z hill would be removed. Reinke expressed his concern with the proposed Z & ZZ

intersection. Steingraber indicated the westbound traffic on Z will have a right-turn only lane onto ZZ and shaving the hill back along with brush removal to increase the sight lines at the proposed intersection. Kavanaugh asked about the proposed Haas Road / ZZ elevations. Steingraber did not have the specific plan elevations but could provide that information individually.

Motion by Walsh / Reinke to honor the contract the Town of Buchanan entered into with Outagamie County for the CTH ZZ/Haas Road Reconstruction & Jurisdictional Transfer. Motion passed 5 to 0 by voice vote.

Walsh commented that this agreement should have been negotiated better. He opined the agreement should have the County bearing financial responsibility for the termination of ZZ and the cul-de-sac.

Kavanaugh commented that this item was not presented very well. The item was put in front of the Town Board and not discussed a lot.

b). Emons Road Safety & Speed Control – For Discussion & Possible Action:

Motion by Wash/Lawrence to suspend the rules of order and allow the public to comment on this agenda item. Motion carried 5 to 0 by voice vote.

Gregozeski provided a brief overview of the request to improve safety and control speeding on Emons Road. Gregozeski cited two informal speed studies completed in 2008 and within the past six months. He noted the informal studies suggested the 85th percentile of motorists travel at 35 mph. Gregozeski reviewed several studies and documentation that suggest the use of stop signs as being insufficient to control speed. He also pointed out that the installation of unwarranted traffic controls, such as stop signs often illicit other unintended consequences such as noise pollution, no stop violations, and higher travel speeds between stop signs. Gregozeski suggested the Board discuss a comprehensive approach to controlling speed on Emons Road.

Beth Kington, W2939 Emons Road spoke in regards to the issue. She stated the drivers are often speeding, as suggested by the speed studies. She has brought this to the Town's attention in the past and nothing has been done. She asked the Town Board to minimally place a stop sign at Emons Road and Woodstock Lane.

Lt. Ullman, Fox Valley Metro Police presented the speed study data from the past six months. He explained that volunteers ran radar screens for a few days in the fall and spring. He noted the volunteers witnessed a high volume of pedestrians present, including bus pickups and drop-offs. Ullman recommended that a stop sign may be installed on a temporary basis to test if speeds are reduced locally.

Deputy Janda, Outagamie County Sheriff's Department presented speed enforcement data. He showed that the officers have been actively enforcing speeds on Emons Road.

Steve Beranek, W2931 Emons Road commented that the volume and speed of drivers has substantially increased over the past few years. He opined the volume of pedestrians including children has increased substantially. He stated he has witnessed several near misses. He opined that a fatality is a strong possibility.

Trevor Mashek, 400 Emons Road: Stated his dog was killed by a driver on Emons Road. Stated he is looking to move from the area because of safety concerns.

Adam Van Dynhoven – 306 Emons Road: Stated he has three small children and that he does not allow his children to play in the front yard due to safety concerns. Stated he has been almost hit by a car while getting mail or cutting the grass near the road. Opined one stop sign may not be sufficient.

McAndrews asked if enough speed limit signs were present. Gregozeski noted that at least 3-4 stop signs are present on both eastbound and westbound lanes.

McAndrews asked if this road should be included in the capital improvement plan. Gregozeski noted the road is not currently in the five year plan.

The Board discussed possible traffic calming options for speed control, such as speed bumps, pylons, signage, striping, etc. The Board requested staff bring options and costs back for review at their next meeting.

No formal action was taken on this item.

NEW BUSINESS FOR DISCUSSION & POSSIBLE ACTION (Continued):

- a). Fireworks Permit, Applicant Speilbauer Fireworks, Location: WIR Racetrack; For June 30, 2016 (Cameron) – For Approval/Denial: The Board reviewed and discussed the application for fireworks display. Interim Chief Cameron stated he did not receive complaints from the previous WIR event.

Motion by Lawrence/Reinke to approve the Fireworks Display Permit, Applicant Speilbauer Fireworks, Location: WIR Racetrack; For June 30, 2016. Motion carried 5 to 0 by voice vote.

- b). Fireworks Sellers Permit, Applicant: Matt Sokol, DBA TNT Fireworks; Location: Pick N Save Parking Lot, N135 Stoneybrook Drive; For June 23 to July 4, 2016 (Gregozeski) – For Approval/Denial: The Board reviewed and discussed the application for fireworks sales. Interim Chief Cameron stated the seller would only be able to sell fireworks allowed under State Statutes.

Motion by Kavanaugh/Lawrence to approve the Fireworks Sellers Permit, Applicant: Matt Sokol, DBA TNT Fireworks; Location: Pick N Save Parking Lot, N135 Stoneybrook Drive; For June 23 to July 4, 2016. Motion carried 5 to 0 by voice vote.

- c). Renewal of Annual Property, General Liability, Auto and Worker’s Compensation Insurance (Gregozeski) – For Approval/Denial: Gregozeski reviewed the policy renewal for annual property, general liability auto and workers compensation insurance.

Motion by Walsh/Reinke to approve the Renewal of Annual Property, General Liability, Auto and Worker’s Compensation Insurance as presented. Motion carried 5 to 0 by voice vote.

11. CLOSED SESSION:

- a). Fire & Rescue Chief Recruitment & Selection - Pursuant to section 19.85(1)(c) of the Wisconsin State Statutes: Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.

The Board did not move into closed session. Gregozeski stated the ad-hoc public safety committee met and interviewed candidates for the vacant Fire & Rescue Chief position on June 8th and 13th. The committee recommends the appointment of Ray Mohr. Mr. Mohr was introduced to the Town Board. The Board asked Mr. Mohr several questions.

Motion by Lawrence/Reinke to appoint Ray Mohr Buchanan Fire & Rescue Chief effective June 27, 2016. Motion carried 5 to 0 by voice vote.

12. FUTURE AGENDA ITEMS: The following items were forwarded to the next agenda: Auto Aid Agreement with Combined Locks and Speed Control & Calming options for Emons Road.

13. ADJOURNMENT: *Motion by Lawrence / Reinke to adjourn at 10:13 p.m. Motion carried unanimously by voice vote.*

Joel Gregozeski, Administrator/Clerk
Drafted: June 23, 2016

Motion to approve by: Walsh/Kavanaugh Date: July 19, 2016 Carried 5 to 0.