



"In the Spirit of Town Government"

**TOWN OF BUCHANAN, OUTAGAMIE COUNTY, WI
MINUTES OF THE TOWN BOARD MEETING
TUESDAY, JULY 17, 2018 AT 7:00 P.M.
BUCHANAN TOWN HALL, N178 COUNTY RD N, APPLETON, WI 54915**

OPENING:

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 ó McAndrews, Reinke, Kavanaugh and Walsh. Town officials present ó Town Administrator Brown, Clerk/Treasurer Sieracki, Fire Chief Mohr, Plan Commission Chairperson Ted Erdmann, Town Engineer Thad Majkowski, Attorney Ashley Lehocky and other members of the public were also in attendance. Lawrence arrived at 7:02 p.m.

PRESENTATIONS & PUBLIC FORUM:

4. **PUBLIC HEARINGS:** NONE
5. **PRESENTATIONS:** NONE
6. **PUBLIC COMMENT FORUM:**
 - Dennis Reinke, W2553 Buchanan Rd, Appleton, mentioned that after the last meeting he spoke with a fourth person from DNR. He was told that they could not find a permit and that they would not have issued one. Dennis feels he is losing land each year and would like something done before the Town has a liability.

TOWN BOARD BUSINESS AGENDA:

7. **ORDINANCES FOR INTRODUCTION:** NONE
8. **CONSENT AGENDA**
 - a). Approval of the Minutes of the June 19, 2018 Town Board Meeting.
 - b). Approval of June 2018 Treasurer Statement & Approve Bills.
 - c). Operatorø Licenses with No Applicable Violations per Town Policy.

Before the motion Supervisor Walsh asked for a change to the June 19, 2018 Minutes. He asked that Ordinance 2018-07 and Ordinance 2018-08 be changed to Proposed Ordinance 2018-07 and Proposed Ordinance 2018-07.

Motion by Walsh/Reinke to approve all items as provided in the consent agendas with the above change. Motion carried 5 to 0 by voice vote.

9. **PLAN COMMISSION ITEMS FOR DISCUSSION & POSSIBLE ACTION:**
 - a). Application for Conditional Use Permit: Applicant: Bob Huebner, Parcel ID 030012400; Conditional Use to reshape streambank by grading and altering a stream. ó For Approval/Denial. Plan Commission Chairperson Erdmann introduced the Conditional Use Permit stating that Bob Huebner is looking to reshape the streambank by grading and altering a stream. Once that is done, vegetation will be able to grow to stabilize the banks. As required under County Code, the Town is required to provide consent of application prior to County Zoning approval. The Plan Commission recommended approval at their July 9th, 2018 meeting. The Town Board discussed the application.

Motion by Walsh/Reinke to approve the Application for Conditional Use Permit for Bob Huebner with the condition that the County and DNR requirements are meet. Motion carried 5 to 0 by voice vote.

10. ROUTINE REPORTS & ACTIVITIES:

- a). Law Enforcement ó Monthly/Quarterly Update on Town Law Enforcement Activities. The Deputies were unavailable for the meeting. Administrator Brown stated that the County is working with new software and the reporting should be enhanced.
- b). Fire, EMS & Emergency Management - Update on Fire, EMS & Emergency Management Activities. Chief Mohr reviewed his monthly activities. He gave an update on the new fire truck and stated the final inspection is next week. The department will strip down vehicle #2371 and get it ready for sale. Chief Mohr stated that his department is conducting interviews to fill several positions since they are still under capacity. All members of the EMS department have renewed their EMT licenses.
- c). Town Engineer ó Update on Town Engineer Activities
 - i. Contract B17 ó Building/Garage ó Update: Engineer Majkowski stated that fixing the existing garage will begin next Friday. He will have a change order at the August meeting. He also updated the Board on the trusses that were purchased for the new garage.
 - ii. Contract A18 ó Project Update ó Pay Request #1: Engineer Majkowski presented pay request #1 for \$92,924.08 for paving and ditching by MCC. He mentioned that the project should be closed out at the August meeting.

Motion by Kavanaugh/Lawrence to approve Contract A18 Pay Request #1 for \$92,924.08 as presented. Motion carried 5 to 0 by voice vote.

- iii. Contract B18 ó 2018 Paving ó Phase II ó Update: Engineer Majkowski stated that this project should start after Labor Day.
- iv. Buchanan Road Culvert: Engineer Majkowski stated that the GPS grades on Brookhaven and Buchanan match the flood study and that the culvert in the ground is the culvert in the study. Attorney Lehoczy added that since the issue with the culvert is almost 20 years old the Town would not have liability issues, if a resident wanted to file a law suit. Engineer Majkowski recommended something be done to improve the entrance on the south side of the road. The cost to fix would depend on what the Board decided to do. Sealing the end would be \$9,100 and go up from there.
- v. Warranty Reviews for A16 and A17: Engineer Majkowski stated that this is in progress for the areas that need to be cleaned up.
- d). Clerk/Treasurer
 - i. Update on August Absentee Voting/Election: Clerk/Treasurer Sieracki stated training for Election Inspectors will be August 7th at 1:00 p.m. and August 9th at 11:00 a.m. Election Inspectors working the August election are required to attend one of the trainings. This is a Partisan Primary, meaning a voter needs to vote one party, no crossing over. Election Inspectors need to inform the voter how the Partisan Primary works, how to handle ballots/voters who do cross parties and any other issues that may arise. The Public test is scheduled for August 7th at 9:00 a.m., any interested individual can attend. In-person absentee voting will begin July 30th and will continue until Aug 10th. Voting can be done during normal business hours. Voters can also request a ballot to be sent to them. Anyone needing to register to vote can register during that time also. August 14th is the Partisan Primary Election. Voting starts at 7:00 a.m. and ends at 8:00 p.m., anyone in line at 8:00 p.m. is still able to vote.
 - ii. Update on Lowes Chargeback: Clerk/Treasurer Sieracki stated the request for Charge Back of Rescinded or Refunded Taxes for 2016 and 2017 was filed with the Wisconsin Department of Revenue (DOR). All requests need to be filed by October 1. The DOR will evaluate the request and notify the Town by November 15th on their determination, the Board will be informed once staff has a response.
 - iii. Update on Office Copier: As part of the 2018 CIP a new copier was included. Our current copier needs to be replaced due to age and increasing maintenance. An upgrade is also needed to offer additional functionality and speed. Currently, staff is receiving quotes for both purchasing and leasing from four vendors. Staff has already met with two of the vendors and had a demonstration of the quoted copier. Ideally, staff would like to narrow the selection from four to two and bring it back to the Board for discussion and approval at that time.

- iv. Update on File Cabinet/Safe: The safe has arrived, there is some slight damage that we are working with the vendor on.
- e). Town Administrator Report on Administrative Activities
 - i. Major Project Update: Administrator Brown referred the Board to the spreadsheet.
 - ii. Rueden Ridge, 1st Addition Update: Administrator Brown stated that the applicant, RRBW, Inc., submitted an application, Concept Plat Application for Conservation Design Subdivision, and a sketch plan to develop 26 parcels on the land to the south and southeast of the existing Rueden Ridge subdivision. One of the developers, Dennis Layden, and the engineer for the project, Joel Ehrfurth, Mach IV Engineering and Surveying, LLC, introduced the concept to the Plan Commission on Monday, July 9th. The discussion was wide ranging, some of the issues discussed were fire protection, drainage, wastewater treatment and public safety vehicles ingress/egress at dead-ends. The Plan Commission was satisfied with the general design and objectives of the proposed development. The next step in the Town's Subdivision Plat Review Process is the Preliminary Plat Stage, which will go to a number of internal and external groups for review, including the Plan Commission and the Town Board.
 - iii. Plan Commission Comprehensive Plan List-For Discussion: Administrator Brown reviewed a list of tasks assigned to the Plan Commission in the Comprehensive Plan, Implementation Table for Town Plan Commission, Town of Buchanan Comprehensive Plan 2040. This is a list of task for the 20 year life of the Plan. In all, 32 tasks are identified. Three (3) of them have already been completed. Three (3) are actively being worked on. The remaining ones have been discussed with the Plan Commission to determine a Work Plan with them for the next year. To assist in getting to that point 14 tasks were put in bold font as practical efforts to undertake at this time.
 - iv. Market Revaluation Update: Administrator Brown stated that the Notice of Changed Assessment and Open Book letters were sent out on Friday, July 6th by Accurate Appraisal. Open Book was the following Tuesday, July 10th and Wednesday, July 11th. During those days there was a steady stream of residents coming in to meet with the Assessor's. Most residents didn't like the change but understood. Board of Review is scheduled for Wednesday, August 15th from 6:00 p.m. to 8:00 p.m.
 - v. Outagamie County Highway Department CTH N public meetings: Administrator Brown reminded the Board of the two meetings the County Highway Department has schedule for the CTH N Design Project: Wednesday, July 18th at 6:30 p.m. at Buchanan Town Hall for Public Information Meeting and Monday, July 23rd at 6:30 p.m. at Buchanan Town Hall for Local Official Meeting.

11. UNFINISHED BUSINESS FOR DISCUSSION & POSSIBLE ACTION: NONE

12. NEW BUSINESS FOR DISCUSSION & POSSIBLE ACTION:

- a) Outagamie County Highway Department Maintenance Projects for Approval/Denial. Administrator Brown reviewed the submitted proposal from the Outagamie County Highway Department for Town maintenance projects. The Board discussed the projects and decided to hold off on the patching and chip sealing, they asked that the unused funds be carried over into the 2019 budget.

Motion by Walsh/Kavanaugh to approve the 2018 maintenance work for manhole repairs on Harvard Ct and drainage repair at Buchanan Rd and Redtail Ct as noted in the Staff recommendation in an amount not to exceed \$4,800.00. Motion carried 5 to 0 by voice vote.

- b) Fireworks User Permit, Applicant: Spielbauer Fireworks Co, Location: WIR Racetrack; For September 7, 2018 for Approval/Denial. The Board discussed.

Motion by Lawrence/Reinke to approve Fireworks User Permit, applicant: Spielbauer Fireworks Co, at WIR Racetrack on September 7, 2018 as presented. Motion carried 5 to 0 by voice vote.

- c) P-Card Rebate Program for Discussion and Possible Action: Clerk/Treasurer Sieracki explained that when the Auditors were here in March, they suggested that the Town look into the P-Card rebate program. Currently, Outagamie County uses the P-Cards to pay several vendors. Staff called Advanced Disposal and Outagamie County to verify that they will accept this form of payment, both do accept payment via P-Card (Credit Card). Rebates will vary depending on amounts charged and how quickly the Town pays on the card. Staff will continue to contact other vendors who may allow the Town to use this process. The Board discussed.

Motion by Lawrence/Walsh to approve the P-Card Rebate Program as presented. Motion carried 5 to 0 by voice vote.

- d) Appointments by the Chairperson to various Boards & Commissions ó For Approval/Denial.

Board of Adjustment
Kenneth Rottier, W2801 Oakridge Drive, Appleton, WI 54915
Term expiring July 1, 2021

Board of Review
Al Lamers, N246 Whitetail Ridge Court, Appleton, WI 54915
Term Expiring, July 1, 2019

Jerry Wallenfang, N276 Gillan Court, Appleton, WI 54915
Term Expiring, July 1. 2019

Plan Commission
Michael Jensema, N186 Liberty Lane, Appleton, WI 54915
Term Expiring, July 1. 2021

Motion by Walsh/Lawrence to approve Kenneth Rottier to the Board of Adjustment, Al Lamers and Jerry Wallenfang to the Board of Review and Michael to the Plan Commission. Motion carried 5 to 0 by voice vote.

- e) Review Town Road Standards for Modification ó For Discussion and Possible Action. Administrator Brown and Engineer Majkowski reviewed the existing Town standard for rural and urban section alternatives. They then introduced rural and urban alternative options. Supervisor Walsh asked the question “What do we want the Town to look like?” He mentioned that the Board should determine that before they decide what standard(s) should be used. The Board discussed different approaches depending if it was a main road vs a court or interior road and asked Staff to investigate them for future consideration.
- f) CIP Project Financing Approach ó Referendum Exception Option Review ó For Discussion and Possible Action. Administrator Brown reviewed the CIP project financing approach with the option of a referendum. The Board discussed several options on how to pay for the road, curb, gutter, sidewalks and storm sewer improvements as they are needed. The Board thought a referendum would not pass and special assessments would be required.
- g) Recommended Engineering Firm from RFQ Review Committee ó For Approval/Denial. Administrator reviewed the RFQ process and how the field of 16 was narrowed down to eight (8). A RFQ Committee of five (5) members reviewed the remaining eight (8) firms and each member rated the semifinalists based on several criteria items. The ratings were used as the basis for discussion about what firmø should be interviewed. After reviewing and discussing each firm four (4) candidates were chosen: Ayres Associates, Cedar Corporation, McMahon and Robert E. Lee and Associates, Inc. After the interviews, the RFQ Review Committee recommended Cedar Corporation to continue in their current role as Town Engineer.

Motion by Kavanaugh/Lawrence to approve Cedar Corporation as the Town Engineer, pending a consensual agreement to perform design and engineering services for the Town. Motion carried 4 to 0 by voice vote with Walsh dissenting.

McAndrews called for a 10 minute recess at 9:12 pm.

13. CLOSED SESSION:

Motion by Walsh/Reinke at 9:23 p.m. to move into closed session pursuant to Section 19.85(1)(e) of the Wisconsin State Statutes: the Board may move to Closed Session when deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Roll call vote taken: McAndrews: Aye, Lawrence: Aye, Kavanaugh: Aye, Walsh: Aye, Reinke: Aye. Carried 5 to 0.

- a). Pursuant to Wisconsin State Statutes 19.85(1)(e), the Board may move to Closed Session when deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

Motion by Walsh/Lawrence at 9:50 p.m. to return to open session. Roll call vote taken: McAndrews: Aye, Lawrence: Aye, Kavanaugh: Aye, Walsh: Aye, Reinke: Aye. Carried 5 to 0.

Motion by Walsh/Lawrence to make an offer to purchase parcel # 030 063100 with contingencies and a total acquisition cost not to exceed \$60,000.00. Motion carried 3 to 2 by voice vote with Reinke and Kavanaugh dissenting.

CLOSING:

14. FUTURE AGENDA ITEMS – *Next Town Board Meeting is scheduled for August 21, 2018. Meeting agenda/discussion items and possible action on future Town Board agenda, including specific items for inclusion on or exclusion from a future agenda include the culvert on Buchanan Rd. and performance review for the Administrator.*

15. ADJOURNMENT: *Motion made to adjourn at 9:59 p.m. by Lawrence/Reinke. Motion carried 5 to 0.*

Cynthia Sieracki, Clerk
Drafted: July 20, 2018

Motion to Approve Reinke/Walsh Vote: 5 to 0 Dated: August 21, 2018