

TOWN OF LODI
TOWN BOARD MEETING MINUTES
TUESDAY, JANUARY 26, 2016

1. **Pledge of Allegiance:** lead by Chairman Marx.

2. **Call to order & roll call:** Board members present: Tom Marx, James Brooks, James Bechen, Robert Benson, Mark Vander Waal. Also present: Judy Miller, Vince Miller, Roberta Arnold, Mike Keller, Richard Braun, Cliff Ianella, Peg Vaughan, Joe Fobes, Mindy Skinner, Mary Linak, Mike Linak, James Campbell, Jon Herwig, Charles Lanus.

3. **Citizen Input:** Tawsif Anam, Southwest Wisconsin Regional Director, United States Senator Ron Johnson office – if you have any questions, comments, concerns please feel free to contact me. Senator Johnson is Chairman of the Senate’s Committee on Homeland Affairs.

Roberta Arnold email received 01/26/16 for Citizen Input at this meeting. See ATTACHMENT A on page 6 of 6 of these minutes.

Rich Braun – N2765 Demyneck Road (Okee): would you please start putting the minutes back in the Lodi Enterprise. Marx – we no longer do that (haven’t since approx. 2008) because it’s not required by law, and it costs approximately \$5,000/year to publish them.

Mindy Skinner (Okee) - did you check if Park Commission agenda is to be posted on the website (and emailed out)? The January agenda changed the day of the meeting. Marx – I will check into that; I will talk to Park Commission Chairperson Peg Ford.

Mike Keller – Why the terrible deal with poor snowplowing today? And why are the sanitary district agendas and minutes not posted on the town’s website? Marx re snowplowing – I talked to Bill Statz early this morning regarding the numerous complaints we were receiving. The answers I received from Bill were not satisfactory. I am meeting with Highway Commissioner Chris Hardy later this week. Keller – no salting/sanding was done before the predicted icy roads last night. Marx – Statz called me last night around 6 PM and said they had salted/sanded and were pulling their trucks off the roads and would go back out in the morning.

Margaret Vaughan – open government is what we want, and it’s extremely important for the taxpayers to be kept informed. I understand the high cost of publishing our minutes in the newspaper. But it’s important to keep government open in whatever way is economically feasible.

Jim Campbell – I know you’re contracting with the City of Lodi for police services. What is the status of that? Marx – it’s next on the agenda.

4. **Agreement with City of Lodi/Lodi Police Dept.:** Marx – James Brooks and I have been negotiating with the county and the city for additional police services for the town. We were looking not only for additional services Memorial Day – Labor Day weekends, but at other random hours, flexibility to have more local control over what services are being provided. The Col Co Sheriff Dept. stated they’d prefer the town contract with the City of Lodi because scheduling for random hours is difficult for them, and they will soon have the additional enforcement duties for a new County building. We are also working on the relationship between the City of Lodi in a variety of ways. We’ve reinstated the quarterly meetings of the City of Lodi Mayor, Town of Lodi Chairman, Town of West Point Chairman, Lodi School District Superintendent, plus sometimes other representatives.

Marx – we have a proposed contract in front of us tonight. Benson – re 3.b. *“The City Police Chief shall have the discretion as to the assignment of personnel and the hours in which the officer(s) shall be on patrol within the Town boundaries in fulfillment of the 10 (ten) hour per week, on average, law enforcement services contracted by this Agreement”*: I’m assuming the town will have some input into where the assignments are to be. Marx – we would be meeting with the City on a bi-weekly basis to start with to go over items like this. Benson – at \$50/hour is that for the patrol time; what about billing and office time? How would be that handled? Brooks – the \$50/hour covers everything, patrol hours, office, vehicles, etc.... Bechen – but if they’re doing administrative work, are we paying \$50/hour for those. Benson – I’m understanding that if a patrol person is out for 2 hours then we’re charged \$50/hour. Marx – and if the officer has to go back to the office and do paperwork for the town then that would be at \$50/hour also. The county will still be our primary law enforcement. Benson – if a citizen has a complaint, does the complaint come through the town office? Marx – yes, unless it’s an emergency, then they should call the town office. We will try enforcement at our end within our capabilities. If there isn’t compliance, then it would be referred to the City of Lodi Police Dept. Marx – this contract can be cancelled with 30-days notice by either party at any time. We will be very closely watching every detail of the services we’re receiving and the costs.

Rich Braun – how many hours is the county obligated to provide services to the town? Bechen – there are not set # of hours the county must provide services to the town. Jim Campbell – I live on Fair Street, and I know the speeding there is an issue. So if I want to call regarding this, who do I call? Brooks – the town of Lodi office, or one of the Town Board members.

Charles Lanius – how are you going to notify town residents that the City of Lodi Police Dept. will have the authority to enforce laws in the Town. Marx – we may want to consider putting it in the Lodi Enterprise.

Arnold – 3 of you on the board have interpreted the agreement in a way that I don’t think you can. You have my email with comments. Marx – this agreement has been reviewed by the town attorney and he has made changes to it. Arnold – the attorney did not see my email comments. Goeske – I have sent all your emails to the attorney, as I always have.

Benson – we’re trying to address a problem that the County can’t provide us the services for. We don’t have a lot of options, so we’re doing what we can with what we have available.

Brooks – the part of the contract states we have to pay the bill within 20 days and if we don’t they’ll charge us 12% interest.... Goeske – they can say that, but the law gives municipalities 30 days to pay and I’m not sure they can legally charge us interest. Bechen – we can state that they send us their monthly bill on the 20th of each month.

Skinner – is the board looking at this being a long-term solution? Marx – personally I am thinking of it being long-term, with possible increasing of hours we contract for. Citizens complain about situations that are violations of our ordinances, and the town’s hands are tied with no way to legally enforce them. Benson – I’m thinking of long-term, we need a way to enforce our ordinances. Skinner – how will you evaluate whether this is working. Vander Waal – with our bi-weekly meetings, with results. The City has actually been listening to what the town wants and needs and is actively working with us on the agreement. And with input from the town. Vaughan – at some point you’re going to have to rate citizen satisfaction vs dollars spent. Vander Waal – I think with our bi-weekly meetings we will know very quickly and soon as to whether the agreement with the City is working. Marx – our attorney suggested that our “out” should be 6-month notice, but we left it at 30-days.

Marx – we do have a little bit of an advantage here with Town Supervisor I James Brooks being a police officer.

Lanius – have you prioritized what you want the City to respond to? Marx – right now we’re planning 10-hours/week, but we won’t know how it’s going to work until we try it.

Benson/Bechen motion to approve agreement as presented to us this evening; (check typo in 11 – Tom marked on his copy); MC 5-0.

Marx – the City Council has this on their next agenda on February 2nd; before this agreement is final they also must approve it.

5. Mobile Home Park License 2016-2017 (02/01/16-01/31/17) for Harmony Mobile Manor, LLC:
Bechen/Vander Waal motion to approve renewal of license; MC 5-0.

6. Town Hall equipment:

(a) office - Copy/Fax/Print machine lease: Brooks – current copy/fax/print lease expires April 2016, which is \$173.74/month. It does nothing in color. So I contacted Rhyme (or current provider) and got a quote for a new color copier lease @ \$244.30/month. Bechen – the \$97.30/month for 700 color pages/month – is that a set cost. Goeske – I’m assuming it means that if we do 700 color pages/month or less that is the price, if we go over 700 in a month we’ll be charged a per page additional fee. Benson – is 60 months the usual lease agreement, with the change in technology? *Vander Waal/Benson motion to approve new 60-month lease; MC 5-0.*

(b) meeting room equipment: Quote from Rhymes for a 70” Aquos Board with touchscreen, pen software, onboard pc with Windows 7, mobile cart @ \$6,817.00. Marx – this is not a 2016 budgeted item. But we currently have \$330,000 in our Undesignated Fund, and will be adding approx. \$60,000 shortly. We should keep a balance of \$250,000 in that fund. So we need to look at uses for the extra. Lanius – wouldn’t it be more economical to buy a big screen blue tooth television that could be used the same as the above quoted item. Bechen and Benson agree with Lanius. Brooks – the above quoted cost does scare me, though the technology is impressive. We have 2 of these in the command center at the police department I work for. Marx – we will look into other options.

7. Stop sign at corner of Richards & Kohn roads: Brooks – many months ago there was a car crash of a southbound vehicle on Richards Road, didn’t stop at the stop sign, and took out the electrical box across Kohn Road. The resident there came in to bring this to the attention of the board. The board approved putting a solar light on the stop sign. When I talked to the county they said the area is too dark (trees) for a solar sign to work. The other option would be to bore under Kohn Road to connect a light to the stop sign with electrical service at a cost of several thousands of dollars. Another option would be to put a lighted sign on the opposite side of Richards from the current sign, and possibly another warning sign before that stop sign warning people that there’s a stop sign ahead. Vander Waal – is there a sign on Kohn Road that states it’s a T intersection ahead? Consensus – no. Goeske – how many accidents of this type have happened at that intersection. Keller – what about a guard rail to stop the car from going into the electrical box and into yards, homes? Goeske – that guard rail would be on the Town of Arlington side of Kohn Road. Bechen – I think we should take small steps, I think Brooks recommendations make sense and try that. Vander Waal – driving that road every day I can say that the stop sign at the intersection of Richards/Kohn isn’t easily visible, there are obstructions. Benson – all too often these kinds of accidents involve DUI’s. I think we could put reflectors on the stop sign post. Brooks – I’d like to go back and reassess the situation based on the suggestions of board members above.

8. Public right-of-way land off between Summerville Park & Paradise roads: Marx – this public right-of-way was necessary at one time because possible future driveway access to the now Chandler, Jager parcels had to be available. Now that the Chandler and the Jager parcels have been each combined and have access off

of Demyck there is not access needed for them off of Summerville Park Road. Fobes has requested the board look into possibly vacating this parcel, as they'd like to build a shed at the back of their property, but currently it would have to be 30' from this public right-of-way without a variance allowing them to build closer.

Benson – the assessor has given us a value of \$0.95 per square foot, making it worth nearly \$8,000 to the town. PICA wants the public access to stay as it is. I would like to see if the adjacent property owners are willing to purchase the part of the right-of-way adjacent to their parcels, with the space required to stay green space. Vander Waal – there is value to it, but I don't think there should be any restrictions to what the owners can do with what they purchase. Bechen – I agree with Vander Waal. Marx – we will have to check with the town attorney whether this has to go before the people at the April annual meeting if it's vacated, if it's sold, etc....

Mary Linak – I hadn't heard the idea of selling it, only of vacating it. What would be the taxes to the "new" owners? Bechen – very minimal, probably only \$100.

Charles Lanius – when you take this parcel and put it up for sale, and we (PICA) don't want to buy it, what happens if no one wants to purchase it?

Benson – we should reach out to the adjacent property owners and see who wants or doesn't want what of this public right-of-way. This is \$7,000-\$8,000 value to the people of the town, so we have to look at what's best for the town.

Marx – there's 3 options for Fobes to get his shed. Sell some of the right-of-way to Fobes, declare this area a buffer zone instead of a public right-of-way, which changes the building setback requirement, or give Fobes a variance to build the shed closer than currently allowed. Fobes – I'm open to any of those options. Marx – I need direction from the board so I know whether to involve the attorney and that expense. Benson – if we sell we need to add legal fees to each square foot also to cover the legal costs the town would incur for this.

9. Operator License: Whitney Haboush (Lucky's) – *Brooks/Vander Waal motion to approve; MC 5-0.*

10. Chairman Reports: Marx – we've been having problems with "road opening" (Excavating Within Town Right of Way) being done without the required permits. Many of these relates to installation of or connection to sewer/water. I have talked to the sanitary district office about them handing out our "Excavating....." Permit application when they issue their sanitary permits.

11. Clerk-Treasurer Reports:

(a) Town Board meeting minutes of December 29, 2015: *Bechen/Benson motion to approve as prepared; MC 5-0.*

(b) Revenues vs. Expenditures as of 01/22/16: report omitted from this meeting's packet in error; to be presented at next meeting.

(c) Payment of Bills: Mortgage ACH #17/120 + Checks #20896 through #20942 for a total of \$3,568,467.58 – *Bechen/Brooks motion to approve; MC 5-0.*

(d) Building Permits:

Lodi	Lodi	2016 TOWN OF LODI BUILDING PERMIT LOG					As of: 01/26/16
Issue Date	Permit #16-	Owner or Contractor	Site Address	Estimated Cost	Project Description	Fee	
01/04/16	01	ERNEST TUCK	W10867 W. Harmony Dr.	900.00	shed	30.00	
01/11/16	02	TOM HANLEY	N2752 Summerville Park Rd.	150.00	electrical & alteration	66.00	
01/11/16	03	PAMELA STIEREN	N2632 CTH V	9,500.00	plumbing upgrades	105.60	
01/14/16	04	FRANK QUINN	W10948 Lake Point Dr.	1,600.00	electrical upgrade	118.80	
01/20/16	05	DAVE MITCHELL	Demynck Rd.	0.00	access/driveway	200.00	
				\$12,150.00			
				0			
					\$520.40		

(e) Animal Control Officer Log – no activity to report

(f) Communications – none

12. Commissions/Committees/Districts/Departments:

(a) Plan Commission (Marx/Bechen) – meeting Wednesday, 1/27/16 @ 5:30 PM re: Erickson rezone and Pleasant Valley Plat (Ness).

(b) Park Commission (Marx) – 1/20/16 minutes sent to town office 1/26/16. Benson – in these minutes it states they would like to bring up again allowing residents to cut trees in town parks. I’m against allowing that again, we’ve had too many problems with residents cutting trees in parks without prior permission, opening the town to liability and other issues.

(c) Any other commission/committee/district/department reports: Harmony Grove Sanitary District January minutes received from James Bechen. Received from Lodi EMS: 12/10/15 minutes + 10/15/15 Director’s Report, 1/21/16 EMS minutes, Director’s Report 11/19/15, Directors Report 12/10/15.

13. Upcoming meeting date(s)

14. Future agenda item(s): tv and laptop

15. Adjourn: *Bechen/Vander Waal motion to adjourn at 8:15 PM; MC 5-0.*

April D. Goeske
Clerk-Treasurer

ATTACHMENT A

01/26/16 email from Roberta Arnold:

I again recommend the town **reject** any policing agreement with the city, given its longstanding bad practices, highly political nature, and strong incentive to tap into the town's treasury. There are other better alternatives.

At the very least, the proposed policing agreement should be amended to address the following:

Page 3, 3.B.: The town should set a maximum number of hours a week and limit the coverage to one patrol officer at a time.

Page 3, 3.C.: The discretion should be shared with the town.

Page 4, 3.C. 7.: Citizens should complain to the town, not the city. You are their elected officials. Do not delegate your responsibility to those who may not be held accountable.

Page 4, 3. C.10.: Ditto.

Page 5, 8.: Is the \$50/hour rate applicable only to officers on active duty for the town, or does it also apply to time spent with town citizen contacts (under 3.C.10.) and by city support staff and others who help to administer the agreement? The 20-day payment plan may not coincide with town board meetings, subjecting the town to interest for a delay in payment.

Remember, some town residents will use their permissible contact with the city for their own political purposes, including reporting alleged violations of the town's posting requirements, residency requirements for local officials, and open meeting and record law violations. I always trusted county law enforcement to be fair and independent, and that served me very well; but, I do not expect the same with the city which is well-known to be highly political and run solely by the mayor.

The town cannot afford to pay for these services. The town board can continue to raid the road fund to pay for them and other unnecessary projects (like the \$48,000 taken for the transfer site cosmetic paving, after the town ran a fund deficit yet claimed a surplus to cover it), but sooner or later, that only makes a very large loan necessary to get caught up on basic road maintenance.

Roberta Arnold, Okee