



TOWN OF LODI

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TOWN BOARD

James Brooks, Chairman
Chad Wolter, Supervisor 1
Tom Marx, Supervisor 2
Marc Hamilton, Supervisor 3
Karla Faust, Supervisor 4

TOWN BOARD MEETING MINUTES APRIL 27, 2021

1. CALL MEETING TO ORDER & ROLL CALL: Meeting called to order by Chairman Brooks @ 6:00 PM @ Lodi Town Hall & via Zoom. Board members present: James Brooks, Chad Wolter, Tom Marx, Marc Hamilton, Karla Faust. Staff present: Ashley Bestul (Deputy Clerk); Renee Bock (Deputy Treasurer), Brian Ecklor (Public Works Director), Ben Peotter & Mike Payant (Town Engineers/Ayres Associates); Kay Wetzel (RemoteTech)

Audience: Allison Seaton, Laura Kruck, Teri Jozwiak, Mike Linak, Nancy Mitchell (Park Commission), Pam Ryan, Ann Seaton-Baker, Taylor McGee (Paradise Island Condos), Peg Ford (Park Commission), Rita Burdine, Carol Davison (Clar-Mar Drive),

2. CITIZEN INPUT: Allison Seaton – Re: Boundary Agreement I would like to share “it is the intention of the parties that this agreement be an enforceable and binding contract per WSS 66.0301”, “the City may annex land within the cooperative boundary (red line on the map) and the town will not oppose directly or indirectly annexation of that land”, “the town shall not approve any land division or rezoning of any lands in the cooperative boundary area”, “the City will be able to enforce Extraterritorial Zoning within 1.5 miles of the common boundary between the City and Town”. MSA wrote this (works for the City) and we could get stuck with an agreement for a long time. I want to see all previous work on the boundary agreement legally ended and to start all over again. Re: Okee Schoolhouse – in the past the schoolhouse has been used year-round for many groups that wanted to hold their holiday parties there (family dinners, reunions, wedding receptions, county and WI DNR meetings, etc...). The fee was (and still is per Goeske) \$75 per day. I think you need to take that into consideration. And something needs to be done to the foundation soon. Re: Bay Drive Park – that park was meant to be a passage park for people to walk down and look at the waterfront.

3. BENNETT CONDITIONAL USE PERMIT: *Parcel 11022-46.20 owned by Brian Bennett, N2607 County Road V; Lodi, WI 53555. In 2010 the property was owned by Ronald & Gale Nelson. Conditional Use Permit 2010-002 was approved to operate an Auto Repair business (Nelson Repair). One of the conditions of the permit was that any proposed additions must be reviewed and action taken by the Town of Lodi Plan Commission & Town Board: Hamilton – the Plan Commission recommended approval at it’s 4/13/21 meeting. Hamilton/Marx to approve this Conditional Use Permit as requested, with all conditions in original CUP to remain; MC 4-0.*

4. ACCOUNT DESIGNATION FOR PROCEEDS FROM SALE OF TABLES AND CHAIRS: Brooks – the 12 heavy 8-10’ tables and 92 folding metal chairs were listed on Wisconsin Surplus and sold. I believe those monies should go into the Town Hall Fund. Wolter – I agree, they came from the town hall. Hamilton/Marx motion those monies be put into the Town Hall Fund; MC 4-0.

5. TOWN HALL EQUIPMENT

A. COMPUTER SYSTEM: Brooks – we’ve talked in the recent past about upgrading and updating the town’s computer system. The Deputy Treasurer will not be using the SurfacePro purchased for that position, so it will be going to Deputy Clerk Ashley Bestul. Wetzel – we’ll need 2 dual monitor stands (for Chairman and Deputy Clerk). The monitors have to have mounting capability. Approximately less than \$200 each. 4 monitors = \$800. 2 stands x \$40 = \$80. Bock – I would like a 2nd monitor also with a dual stand. Brooks – I’ve been in the town hall a lot since I took the Chairman’s office and trying to do a lot of work on the small SurfacePro monitors is extremely difficult. *Marx/Wolter motion to approve this proposal with additions and take the money from the Town Hall Fund; MC 4-0.*

Hamilton – could additional Road to Recovery (R2R) Program money reimburse us for these? Bock – it is possible. As the pandemic continues they will probably come up with a \$ amount that we qualify for and what it can be used for. Wolter – is there a reason we didn’t get other quotes, or are we working exclusively with RemoteTech? Wetzel – insert.

B. AUDIO-VISUAL SYSTEM: Brooks – we’re in a situation that is foreign to us. Previous to Covid 19 we’ve had citizens and staff having difficulties with our WiFi here at the Town Hall. Our WiFi system is currently barely functioning. I am familiar with the Ubiquiti Inc. system, I have it at my house. This will not only do WiFi, but also door locks, video security, phone system, etc. I talked with Kay Wetzel about upgrading our system. Wetzel – I haven’t had personal experience with this system, but am willing to help you design and set up a system. I’ve done some research on this system and it seems well-designed and would serve the town well. We would keep the Charter modem. This company also ties in with security systems, access points, voice-over phone system, etc. Ann Seaton – is it expandable for use by others in the area? Wetzel – yes, it has systems we can attach to poles, etc. Brooks – I don’t know that we have to make a decision on this at this meeting, just thought it was a conversation to get started. Marx – no decision to be made tonight. *Hamilton/Wolter motion to table any action at this time; MC 4-0.*

6. PARKS (INCLUDING BUT NOT LIMITED TO):

A. HARMONY GROVE (BYRNS PARK) BASEBALL DIAMOND: Ecklor – there are issues and safety concerns with the diamond at this park. The Parks Commission would like to go ahead with repairs, but felt it should go before the Town Board for approval. Brooks – the fence is a safety issue, we need to do something about it. But there is monies in the Park Funds. Hamilton – when you’re doing the fence (which I did in the City of Lodi) you have to make sure they don’t just dig a hole and install the posts, the holes need a liner in them so frost doesn’t raise them. My opinion is that if funds are designated to particular funds they should stay for that park. Wolters – why are some of the funds designated to Wildenberg, Webster, Arbor Valley (and none to other parks)? Brooks – trying to set aside money for those parks so improvements could be made in the future. Goeske – “designated” isn’t set in stone, if there is a safety issue the funds can be used for that. Hamilton – I believe the funds should be raised by the teams using it. Brooks – it is a town park and thus our responsibility to keep it safe. Allison Seaton – the ball diamond in the City of Lodi was mandated by the City of Lodi and thus they HAD to make repairs. Okee needs a ball park too. Ecklor – the current fence at Byrns, if you’re running towards it you can now slide down in the incline into sharp wire. We’ve had quotes to keep the current fence but make improvements to

make it safer. Brooks – the Park Commission is concerned about the safety issues at Byrns ball diamond, and if park funds need to be used to make needed safety repairs they are okay with that. Marx – did the Park Commission make a motion to that? Brooks – not sure if they made a motion, may just have been a general consensus. Ford (Park Commission Secretary) – we did not make a motion, we discussed and generally agreed to that use of the funds. Marx – I believe the Park Commission should review the proposals and make a recommendation as to what repairs to be done and amount to take from which park fund(s). Mitchell – the reason the Park Commission started those funds was for 3 years the Park Commission was given a \$30,000 per year increase, so we started these funds for the future. But the Park Commission does feel that if the Byrns ball diamond is a safety concern we agree with taking the monies from the various park fund(s). Hamilton – before I agree to take these monies from Park funds for Byrns park, I want to know what we’re going to do to finish Bay Drive Park.

Hamilton/Wolter motion to move the decision of what work to do at the Byrns diamond to the Park Commission and allow them to use Park Funds to do the work; MC 5-0.

Faust – what is the timeline for getting this work done? Ecklor – Joe Daniels said he will get it scheduled within a 2-week window from board approval.

B. BAY DRIVE PARK: Brooks – there was discussion at the 4/20/21 Annual Town Meeting regarding this park. I did request Brian Ecklor to get quotes. Ecklor – we have not received any quotes to-date, but I’m hoping to hear from Bob’s Digging soon. I believe it will cost approximately \$10,000 to finish and make it ADA accessible. Brooks – we did not designate that park to be ADA compliant. I estimate \$500 - \$1,000 to finish. Jozwiak – I have another idea I have for that park if I can screen share tonight. The parking pad as it stands now goes across 51’ of the 55’ edge of the property along the street. My idea, that I gave to the Park Commission last Fall, which would keep ½ of the parking pad and use that dirt to create an ADA compliant walking path towards the lake. This would take less work and effort than current plans. Mitchell – I don’t understand why we should redesign this park when we already have plans that we’ve started work on. This “new” plan would make the parking pad only for 1 car. The work was being done at this park last year, but then the Public Works Director at that time resigned and then cold weather came in, so the work could not be finished. I see no reason to change the plans now. The plan approved was fine, we just ran out of time to get it done last year. Linak - this is something that definitely needs to come before the Park Commission. I don’t understand why change the plans, tear apart work already done. ? - we believed this was going to remain a nice green space park, not something that attracts more people. Brooks – the parks, as I said at the annual meeting, are for everyone and the public. So let’s keep discussions civil. Hamilton – to me it seems we’re making too many excuses for the work not being done. I think we put a deadline on when this work is to be done. Brooks – we’re not dragging our feet. I myself have done a lot of the work on my own, to save the town money. All I needed to do is get another load of dirt there, spread it, and seed it. The town doesn’t have the money to pay others to do it. Faust – we had a decision years ago whether to sell the park or keep it. The community wanted it kept. Brooks – yes, they complained and we didn’t sell their park, but now they’re complaining that we touched their park. No one on the board should be using their own personal time to do work for the town. Plans need to be made and monies budgeted for it.

Hamilton/Brooks motion to take Bay Drive Park back to the Park Commission and give us a plan and a budget for it, with monthly updates, with an emphasis on getting it done; MC 5-0.

Mitchell – I agree with Karla, but we knew we didn't have the funds to do it all in one year, or even 2 years. I agree it needs to get done.

Allison Seaton – NO one used that park before this work began. We wanted an indigenous park, kept natural. Now it's a "parking pad park". Take the dirt and gravel from this parking pad and move it to the Byrns ball diamond. There was no budget for this park, I'd like to know how much has been spent on this park.

7. COMMISSION/COMMITTEE APPOINTMENTS: *Brooks/Hamilton motion to appoint James Brooks and Marc Hamilton as Town Board representatives 2021-2022 on the Plan Commission; reappoint Kris Krause 2021-2024 to Plan Commission; appoint Chad Wolter as Town Board member on Park Commission 2021-2023; reappoint Nancy Mitchell to Park Commission 2021-2024; appoint Terri Jozwiak to Park Commission 2021-2024; reappoint Karla Faust as Town Board representative to Fire Commission 2021-2022; appoint Tom Marx as Town Board representative to EMS Commission 2021-2022; MC 5-0.*

8. DISCUSSION AND POSSIBLE ACTION ON TOWN OF LODI ROADS:

CLAR-MAR DRIVE: Payant – I want to start out saying that we entered into a contract for a set dollar amount in December 2020 to design Clar-Mar Drive. Since then we've done a lot of work above and beyond the original contracted dollar amount, and we're not charging the town additional costs. I am distributing to you tonight a letter dated 04/27/21 re: Draft Design, Clar-Mar Drive and an updated 04/15/21 Clar-Mar Drive Roadway Reconstruction plan.

This road drains from the south side of the road to the north side of the road, towards a home that is lower than the road. The idea of having a geotech study done was proposed in April 2020. I've presented a proposal to the town previously, but received no answer. It was determined early in the planning that it would be impossible to completely rebuild this road and make it comply with current road standards. There's been concerns about the timeline for this project. From final go ahead approval of the project to completion should be 45 days total: Proposed Schedule: (a) Complete Design: 04/28/21-05/17/21; (b) Bidding: 05/18/21-06/01/21; (c) Award and Approval of Bids: 06/01/21; (d) Construction: June-July 2021. I have a new cost estimate, which I will send you as soon as I have time to fully review it.

Marx – as a new member of the Town Board, how did this project come to be? Brooks – complaints from homeowner Carol Davison representing owner Frank Bonebrake Trust.

Brooks – I think we're going to need to have a Special Town Board meeting to get final approval to Ayres. Payant – I need your approval to send these plans to the WI DNR to confirm no permit is needed from them. Also need approval to go ahead with getting the geotechnical work done. Hamilton – is that geotechnical work holding us up from moving forward with the project? Payant – somewhat. I will get a memo to you tomorrow to let you know what approvals we need in that Special meeting.

Brooks/Hamilton motion to go ahead with the geotechnical work up to no more than \$2,250; MC 5-0

MISC. ROADS: Brooks – Brian Ecklor, Tom Marx, Brian Doherty (CCHD Supervisor), and myself recently did a tour of town roads looking at various issues. Our Streets operating budget is: From 2020 there is \$141,200 left from Streets that is in the approved Streets Fund; also from 2020 there is also \$20,040 left from Snow & Ice; totaling \$161,240. There remains in 2021 Streets \$221,381. Therefore, we have the excess monies for Streets this year, but need to wait to get the final figures for Clar-Mar.

Ecklor – the town hasn't been following protocols for several years, such as if you crack fill one year you should be sealcoating that road the next year. Over the past years Smith Road and South County Line Road have been brought up, and nothing done. I've talked to CCHD Don Nichols asking what we can do to "save" some of the roads without going through completely redoing an entire road. This year there is no crackfilling that should be or needs to be done. So I looked at what area we could start with to get the most done. I looked at many of the roads in Harmony Grove. They've been crack filled at least once over the past few years, so they should be chip sealed. These are extremely heavily travelled roads. I estimate \$52,550 to chip seal them all by CCHD in 2021, then put in a plan for when they should be repaved. CCHD says they'll be able to get granite instead of limestone, so there'll be less dust.

South County Line Road: there are several serious areas where the road is crumbling and sinking. The estimate for the work needed there is \$170,000 for redoing all of the road (our part), digging out soft areas, replacing culverts, etc. I talked to CCHD Don Nichols and he stated it would cost an estimated \$39,000 to do the most needed work on South County Line Road to make it last for another 2-5 years. Could also chip seal after doing that.

Smith Road: original estimate was \$120,000. Talked to CCHD Don Nichols about another option at \$36,725, which would make it last another 5 years before it would need more extensive work.

Chrislaw Road: there is a culvert that has settled and area of road that have broken away. The estimate to fix that would \$27,000.

Ryan Road: the shoulders have dropped off the edge of the road. Estimate is \$7,475 for 2' gravel shoulder. Hamilton – what is the condition of that road? Ecklor – the road is in very good shape.

Trevor Ridge Road: when the town took over that road there was a 1-1.5" overlay that was supposed to be done. That would be \$4,450.

So the total cost of all repairs of the above would be \$164,045; that would leave us \$57,335 left in our Streets budget. We have now received approval from a new homeowner on the Rodney Drive cul-de-sac for the drainage easement needed. So the work can be completed on that cul-de-sac (the rest of the road was completely redone a couple of years ago).

Marx – the one thing we were able to do in the past was apply for a grant for major roadwork. Goeske – I have mentioned to Ashley that if she sees any training available for applying for grants she should sign up for it.

Marx/Brooks motion to do \$52,000 chipsealing those roads in Harmony Grove, plus \$178,000 for South County Line Road, plus \$7,145 for Ryan Road shouldering, totaling [REDACTED]; MC 5-0.

Hamilton/Marx motion to move the \$20,000 remaining from the 2020 S&I budget to the 2021 Streets budget; MC 5-0.

Hamilton – we need to get the culverts cleaned out. Brooks – the estimate from CCHD is \$ [REDACTED] per hour.

9. ADDITIONAL CONSTRUCTION DUMPSTER @ TRANSFER SITE FOR SUMMER:

Ecklor – the last several weekends we've pulled 3 demo dumpsters full out of the Transfer Site each week.

To get a 3rd demo dumpster would save us approximately \$400/month in pulls. Or we could purchase another demo dumpster at approximately \$7,000.

10. PARADISE ISLAND CONDOMINIUM ASSOCIATION (PICA) -REFERENCING TRANSFER SITE REGULATIONS/USAGE: McGee – we have 2 issues I want to address. (1) that our landscape vendor for the condos is not allowed to take the yard waste to the Transfer Site as of about 18 months ago; why? Goeske – the town has an ordinance that doesn't allow any contractor to use the Transfer Site. Wolter – because it's impossible to determine where those contractors are really bringing the yard waste from. I can understand residents bringing their yard waste, but not contractors. Brooks – (to the board) I ask if you're interested in changing our ordinances. Faust – I understand your vendors issue, but when you hire a contractor he knows already these issues. McGee – I'm only asking for permission for yard waste, which costs the town nothing. Brooks – it does cost for equipment and labor to move that yard waste. Mike Linak – I live in the condos and I can bring in my yard waste if I wanted. Goeske – condo residents are not supposed to obtain permit stickers. Hamilton – the problem is contractors, we have to draw the line on allowing contractors from coming in bringing stuff from who knows where. (2) the town ordinance states only town residents, I think that needs to be changed so that we all can use the Transfer Site as taxpaying residents.

Faust – condo owners pay taxes on their condos just like a homeowner does, whereas with apartments the owner of the apartment pays the taxes.

Hamilton/Marx motion to have the town attorney look at possible revisions to the Transfer Site ordinances so that individual addressed condo owners have the same rights as single family homeowners; MC 5-0.

11. TOWN OF LODI PARK PROPERTY RENTAL: Brooks – due to Covid in 2020 we shut down reservations to the Town Hall, Okee School and Byrns Park Shelter. But this agenda item states “park property” which would only be Byrns Park Shelter.

Hamilton – do we open ourselves up to liability if we allow reservations and someone claims they got Covid at one of our reserved facilities? Wolter – can we ad a waiver to our reservation applications.

Brooks – we could say that we that we aren't going to rent the Byrns Park Shelter because it was recently vandalized, and the ceiling needs repairs.

Wolter/Marx motion to resume allowing reservations at the Byrns Park Shelter; no vote taken. Wolter/Marx motion to withdraw their motion.

12. CLOSED SESSION PER WSS 19.85(1)(f) re Auditor

- A. CLOSED SESSION: *Hamilton/Faust motion; MC 5-0.*
- B. MOTION TO RETURN TO OPEN SESSION: *Hamilton/Faust; MC 5-0.*
- C. ANY ACTION ON CLOSED SESSION MATTER: *Hamilton/Wolter motion to hire KerberRose for our auditor; MC 5-0.*

13. CLOSED SESSION PER WSS 19.85(1)(f) re: Town Attorney

- A. CLOSED SESSION: *Marx/Faust motion; MC 5-0.*
- B. MOTION TO RETURN TO OPEN SESSION: *Faust/Wolter motion; MC 5-0.*
- C. ANY ACTION ON CLOSED SESSION MATTER: *Marx/Hamilton to change our primary attorney from Atty. Lawrence Bechler to Atty. William Morgan (same law firm of Murphy Desmond S.C.); MC 5-0.*

14. MINUTES, FINANCIALS & REPORTS

- A. TOWN BOARD MEETING MINUTES: *Faust/Hamilton; MC 3-0-2 (Marx and Wolter abstaining, not on board at that meeting) with the correction. Add Chad Wolter to roll call of that meeting.*
- B. REVENUES VS EXPENDITURES: summary
- C. PAYMENT OF BILLS: *Marx/Faust motion to approve payment of bills as presented, totaling \$50,249.47; MC 5-0.*
- D. BUILDING PERMITS: insert no questions

15. CHAIRMAN/COMMISSION/COMMITTEE/DEPARTMENT REPORTS:

- A. CHAIRMAN REPORT: Cross Street (across from baseball diamond) Brooks-sinkhole created by water drainage area, SNL came out, pipe no longer connected to drain. Emergency situation. Investigate asap to prevent a cave in. No idea on current cost. Brooks-change board meeting night because of the county, Town board to 2nd Tuesday and plan commission the 4th Tuesday.
- B. TRANSFER SITE: Dumpsters ordered, Bob Siggy move compost, compost available to public, mowing parks,
- C. PUBLIC WORKS:
- D. PLAN COMMISSION: Hamilton-Rod Ripley wants to build/driveway; Mac McDonald CSM.
- E. PARK COMMISSION: basketball court for Arbor valley dr, no funds for. Grant \$3500 from Tim Escher,
- F. LAFD COMMISSION: Okee tested dry hydrants, working perfectly.
- G. LAEMS COMMISSION: Marx - meeting, no meetings in March/April, possible audit-not budgeted, financials not in good shape, most done by 3rd party, now everything up to date.
- H. SITE SELECTION COMMITTEE (FIRE STATION): Brooks- Meeting on Thursday

16. FUTURE AGENDA ITEM(S):

- a. Town Board and Plan Commission meeting date changes
- b. Vehicle damage
- c. Site Selection-Mask Mandate and opening date of buildings

d. Proposal of sale of properties (discussion only)

17. ADJOURN: *Faust/Marx motion to adjourn; MC 5-0*

April D. Goeske

Clerk-Treasurer

Ashley L. Bestul

Deputy Clerk