

TOWN OF SCOTT, BROWN COUNTY, WISCONSIN
MINUTES OF FEBRUARY 24, 2009 TOWN BOARD MEETING

1. Call To Order: The February 24, 2009 Special Town Board Meeting was called to order at 6:16 P.M. on Tuesday, February 24, 2009 in the Town Hall by Chairman Mike Van Lanen. Present were Chairman Mike Van Lanen, Supervisor Cyril Van Laanen, Supervisor Kenneth Jacobs, Supervisor Tom DePas, Supervisor Jeffrey Zlatohlavek, Economic Development Coordinator Dave Cerny, Engineer Scott Brosteau, Attorney Dennis Duffy. Excused: Clerk/Treasurer John Roth

2. Affidavit of Posting: The Affidavit of Posting indicating that the public notice of the Town Board Meeting was posted on February 19, 2009 was presented by the Chair on behalf of the Clerk.

MOTION KEN JACOBS/CY VAN LAANEN to accept and file the Affidavit of Posting. Vote: Aye-5. No-0. Carried.

3. Approval of Prior Town Meeting Minutes

A. Town Board: 2-10-09

MOTION: KEN JACOBS/CY VAN LAANEN to approve the minutes from the Town Board Meeting dated February 10, 2009. Vote: Aye-5, No-0. Carried.

4. Public Input:

MOTION: CHAIRMAN MIKE VAN LANEN/ CY VAN LAANEN to suspend the rules and open the meeting to public input. Vote: Aye-5, No-0. Carried.

- A. Jamie Swienton 4575 Wery Road – Asked the Town engineer what the residents along Nicolet paid for their improvements as an example of how assessments rates would look. She also stated that she was hoping for a longer term for the residents of affected by Hickory Nut's improvement – 20 years for example.

MOTION CY VAN LAANEN/KEN JACOBS to return to the agenda. Vote: Aye-5, No-0. Carried.

5. Specific matters for discussion and possible action by Town Board in open session:

- A. Final Resolution 2009-02-03 Authorizing the Levying of Special Assessments Against Benefited Property for Street Construction Improvements to Hickory Nut Avenue in the Town of Scott, Brown County, Wisconsin.

The discussion by the Board, Town's Attorney, and Engineer including the following points:

~ Attorney Duffy explained that what the Town is considering is the Engineer's Special Assessment Report, as presented, whether the Board wants different terms or if the Town were to incur an additional portion of the road than the vote would be for an amendment to the Engineer's Report.

~ The Chairman asked the Board to consider the concept of incurring an additional portion of the bill.

~ Supervisor DePas stated that he feels the Town should allow a longer payment schedule, in a similar fashion to what the Water Utility just did for the improvements along Nicolet Drive.

~ Supervisor Zlatohlavek also feels a longer term is needed.

~ Chairman Van Lanen asked if the Town Board wanted to consider picking up the additional amount from 19.11% to 31.9% of the portion of the road. The change in town portion would change from \$40,522.54 to \$67,708.55. He also stated that due to this being a unique situation he would support increasing the town's portion.

Discussion regarding where the Town's funds would come from, whether borrowed or from the Road Improvement Funds.

Further discussion regarding a compromise of the portion that the Town would pay for.

MOTION KEN JACOBS/CY VAN LAANEN, to pay for \$55,000 worth of the road project cost.

Discussion: Chairman Van Lanen feels that due to the economy the Town should fund for .05miles of the road.

Roll Call: Chairman Van Lanen - No. Supervisor DePas – No / Supervisor Zlatohlavek – No / Supervisor Jacobs– yes / C. Van Laanen – yes. Motion failed.

MOTION TOM DEPAS/CHAIRMAN MIKE VAN LANEN, that 264' (.05 miles) worth of the cost of the project be funded by the Town, or \$67,660 based on the current bid. Roll Call: Unanimous. Motion Carried.

Supervisory DePas – stated his opinion that a 20 year amortization of the project is the best solution.

C. Van Laanen – agreed with 20 years.

Discussion regarding the fact that the Town could borrow for a time not beyond 10 years with general obligations.

MOTION KEN JACOBS/ CY VAN LAANEN, to have payments assessed over a 20 year period with rates to be assessed at 1% above the rate that the Town pays, with the understanding that the Town will have to refinance and the assessed rate may fluctuate based on new financing. All in favor, motion carried.

Chairman read the amended Final Resolution, with changes reflecting the 20 year rate of payment at a rate of 1% above the Town's borrowed rate.

Discussion regarding the fact that the trees in the ROW were to be cut and stacked on the corresponding property owners land as part of the project expense.

Brosteau will look into the agreement given by Moss as part of the ROW acquisition agreement.

MOTION CHAIRMAN MIKE VAN LANEN/TOM DEPAS to approve and sign the Final Resolution 2009-02-03 Authorizing the Levying of Special Assessments Against Benefited Property for Street Construction Improvements to Hickory Nut Avenue in the Town of Scott, Brown County, Wisconsin **AS AMENDED**. Vote: Aye-5, No-0. Carried.

B. An initial Resolution authorizing the vacation of Wery Road.

Discussion: None.

MOTION CHAIRMAN MIKE VANLANEN/TOM DEPAS to start the vacation by initial resolution Vote: Aye-5, No-0. Carried.

C. Operator License Application

Discussion: None

MOTION TOM DEPAS/KEN JACOBS to approve the Operator License application for Mike Corsten (The Club Chalet). Vote: Aye-5, No-0. Carried.

D. Picnic Liquor License for Holy Cross.

Discussion: None

MOTION: CY VAN LAANEN/KEN JACOBS to approve the Temporary Special Class "B" Picnic License application for Holy Cross Church for the following dates: March 6, 2009, March 20, 2009 and April 3, 2009. Vote: Aye-5, No-0. Carried. (Chairman edited the application, striking the Feb. 20th date since it is passed).

6. Adjourn

MOTION CY VAN LAANEN/CHAIRMAN MIKE VAN LANEN to adjourn . Vote: Aye-5, No-0. Carried. Adjourned at 7:05 P.M.

Dave Cerny, Economic Development Coordinator