

JOINT REGULAR MEETING – SANITARY DISTRICT NO. 1, NO. 2, NO. 3 & EAST SIDE UTILITY DISTRICT – 1900 W. GRAND CHUTE BLVD., GRAND CHUTE, WI – MAY 3, 2016

CALL TO ORDER/ROLL CALL

Meeting called to order at 7:00 p.m. by Dave Schowalter, presiding officer.

PRESENT: Dave Schowalter, Jeff Nooyen, Travis Thyssen, Bruce Sherman, Jim Pleuss, and Karen L. Weinschrott, Town Clerk

STAFF: Jim March, Town Administrator; Bob Buckingham, Community Development Director; Tim Bantes, Fire Chief; Julie Wahlen, Finance Director; Greg Peterson, Police Chief; Tom Marquardt, Director of Public Works; Mike Patza, Town Planner; Mary Baxter, Administration; Carol Sutter, McMahon Associates; Attorney Rossmeissl, Herrling Clark Law Offices

OTHERS: 6 signed attendance

PLEDGE OF ALLEGIANCE

President Schowalter led the Pledge of Allegiance.

APPROVAL OF AGENDA/ORDER OF THE DAY

**Motion (Nooyen/Pleuss) to approve the agenda as printed. Motion carried.**

PUBLIC INPUT

Eric Laeyendecker, 4500 W. Capitol Drive, spoke about the special assessments for Capitol Drive. He stated the Chairman previously compared this project to Bluemound Drive. He added that Capitol Drive is busier than Bluemound Drive. He believes the Town should pay more towards the project and there should be a \$10,000 cap. He came up with this number from previous assessments. This road is not similar to any road in a residential area.

Mary Nelis, 4425 W. Capitol Drive, stated they cannot head west on their road during certain times due to the traffic from Alliance Church. She questioned the width of the road and if it will be as wide as the markers in their lawns.

Dir. Marquardt responded that the road will be widened by 5 feet to make it 32 feet wide upon completion.

Ben LaFrombois, Lone Berg's representative, stated the assessments are disproportionate with the benefits of the project. He would like the Town Board to look at the project as an area-wide assessment and not just Capitol Drive.

Sam Sommers stated he disagreed with the plan and special assessments because it is a thoroughfare.

CONSENT AGENDA

Approve Regular Joint Meeting minutes – April 21, 2016

**Motion (Nooyen/Sherman) to approve the consent agenda. Motion carried.**

FINANCIAL REPORTS

Approval of Voucher Lists – May 3, 2016  
San 1, 2, 3 & East Side – \$247,324.67; ACH – \$6,546.25

**Motion (Thyssen/Sherman) to approve the voucher list. Motion carried.**

UNFINISHED BUSINESS

JOINT REGULAR MEETING – SANITARY DISTRICT NO. 1, NO. 2, NO. 3 & EAST SIDE UTILITY DISTRICT – 1900 W. GRAND CHUTE BLVD., GRAND CHUTE, WI – MAY 3, 2016

Final Resolution SD12-04-2016 for Capitol Drive (Casaloma Drive – Capitol Court) declaring intent to exercise special assessment powers under Chapter 66, Police Powers, Wis. Stats., 2013-14 as amended for water and sewer main installation.

**Motion (Sherman/Thyssen) to suspend the rules to allow staff to speak and then the Board to discuss prior to making a motion. Motion carried.**

Dir. Marquardt stated he made changes to the assessments since the last meeting. He changed the 33/67 assessments to 50/50 between the Town and the property owners. He reduced the assessable sewer costs by \$61,000 and the assessable water costs by \$37,000. The standard assessment for the sanitary sewer is \$5,588.72 and water is \$3,630.94. The street is based on front footage with a 50/50 split. ~~He also gave corner lot credits and~~ **provided** wetland deferments. The total change resulted in reducing the assessments by \$166,601.

Residents will be paying 29% of sanitary sewer, 30% of street, and 28% of water. The standard assessment for sewer and water is 100%. Those with well and septic can defer hookup for up to 10 years with testing. If a change in ownership is made, they must hookup.

Supv. Sherman stated his \$10,000 assessment was for the street portion only. He questioned if they could waive the interest charges if they defer hooking up in ten years. He does not believe they receive a benefit until they hookup. He stated undeveloped areas are improved in value by making sewer and water available to them. He questioned the number of laterals for parcels that may be split in the future. He feels they should each get one lateral and then pay for additional laterals at the time of the project.

Dir. Marquardt stated they will discuss the laterals with the residents and see if there is a need for future laterals if properties are divided. They do have an ordinance in place that a new road should not be dug up within five years to add laterals.

Supv. Pleuss questioned why they would have to hookup if they sold their house. He has lived in the country and doesn't see a problem if it is inspected.

Dir. Marquardt stated there are Public Service Commission regulations that the Town has to follow regarding hookups. According to the PSC if water and sewer is available they should be connecting within 90 days. It has been the policy of Grand Chute.

Supv. Nooyen stated the Town Board will have to find, cut, or save \$167,000 that will not be assessed during the next budget.

Supv. Sherman agreed with the compromise but does not agree with the interest or the hookup within 10 years. They should pay when they hookup and when they want to hookup.

Admin. March explained that the Town has to borrow the money and pay interest, so therefore, it is passed on to the property owners.

**Motion (Thyssen/Nooyen) to amend SD12-04-2016 to the new proposed 50/50 split with a standard \$5,588.72 and \$3,630.94 for the sewer and water and then move forward with the project on Capitol Drive. Motion carried. Sherman opposed.**

#### NEW BUSINESS

Approval for design and construction bidding to extend wing walls on the north end of the stream crossing on Tri-Park Way at Systems Drive with an estimated cost of \$13,400.

**Motion (Thyssen/Pleuss) to approve. Motion carried.**

#### RESOLUTION

JOINT REGULAR MEETING – SANITARY DISTRICT NO. 1, NO. 2, NO. 3 & EAST SIDE UTILITY DISTRICT – 1900 W. GRAND CHUTE BLVD., GRAND CHUTE, WI – MAY 3, 2016

Final Resolution SD3-04-2016 for College Avenue Frontage Road declaring intent to exercise special assessment powers under Chapter 66, Police Powers, Wis. Stats., 2013-14 as amended for storm sewer installation.

**Motion (Thyssen/Pleuss) to suspend the rules to allow Admin. March to speak prior to making a motion. Motion carried.**

Admin. March stated he previously spoke with the Commander. American Legion Post 38 is scheduled to have another meeting at the end of the month. They have plans to hire a real estate agent to have the true value of the property and may have a potential buyer. They might also be requesting a longer payback period. He did not receive any clear direction from American Legion.

**Motion (Nooyen/Sherman) to table indefinitely until they receive answers from American Legion.**

Dir. Marquardt explained they have another month left on the bid prices they received without requesting an extension.

Chairman Schowalter stated the other businesses have been affected with higher prices due to delaying the project several times. He has spoken with the other two businesses and they want this project.

Supv. Thyssen stated he asked the Attorney at the previous meeting to see if they could extend the repayment of assessments to 20 years instead of 10 years since they are a non-profit.

Atty. Rossmeissl responded that he did not see anything in the code that prohibited stretching out the payment to 20 years. The Board would be deviating from the policy and that could cause problems in the future. They could create a separate class for non-profits and treat them all the same but it should not change from project to project. His recommendation would be to look at it from a global standpoint and then change the ordinance to reflect the different classes.

Supv. Nooyen questioned what would happen to the bid if only part of the street was completed.

Dir. Marquardt stated they would have to review the bid and look at the reduction.

Mr. Sutter explained the bid was on hold for 60 days.

Clerk Weinschrott informed the Board that the bid opening was February 23, 2016.

Mr. Sutter stated that the bid cannot be changed by more than 15% without the contractor agreeing to it. If the bid was decreased, the contractor could request additional funds on a unit basis.

Chairman Schowalter asked if the bids could be extended until the next meeting.

Mr. Sutter stated he would contact the contractor and ask if he could extend it until the next one or two meetings. The contractor does have the option of saying no.

**Motion to amend the motion (Nooyen/Sherman) to table for two weeks and to receive a firm answer from American Legion. Motion carried. Schowalter and Thyssen opposed.**

**Motion (Nooyen/Sherman) to table for two weeks and to receive a firm answer from American Legion. Motion carried. Schowalter and Thyssen opposed.**

ADJOURNMENT

**Motion (Thyssen/Sherman) to adjourn. Motion carried.**

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Meeting adjourned 7:55 p.m.

These minutes were taken at a regular meeting held on May 3, 2016 and entered in this record book, May 9, 2016 by:

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Karen L. Weinschrott, Town Clerk  
Joint Sanitary District No. 1, No. 2, No. 3 & East Side Utility District  
APPROVED AS AMENDED: May 17, 2016