

**TOWN OF TROY  
654 GLOVER ROAD**

**REGULAR TOWN BOARD MEETING** – December 14<sup>th</sup>, 2017

Chairperson, Dan Pearson convened the regular Town Board meeting on Thursday, December 14<sup>th</sup>, 2017 at 7:00 p.m. Supervisors Ray Knapp, Suzanne Van Mele, and Jason. Kjos were present. Supervisor Jan Cuccia was absent.

Staff present: Jill Berke, Rob Jones and Ron Roen. Attorney's Ron Siler, Gwen Kuchevar and Catherine Munkittrick arrived later in the meeting.

The following people signed the attendance sheet: No one. Others were present that did not sign the attendance sheet.

**APPOINTMENT OF CLERK/TREASURER** – S. Van Mele moved to appoint Jennifer Clark for another 3-year term to begin December 14<sup>th</sup>, 2017. Seconded by J. Kjos. Motion carried.

Town Chair, Dan Pearson administered the official oath of office.

**APPROVE MINUTES** – The November 9<sup>th</sup>, 2017 Regular Town Board and November 16<sup>th</sup>, 2017 Special Town Board meeting minutes were distributed to the board.

S. Van Mele moved to approve the minutes of November 9<sup>th</sup>, 2017. Seconded by J. Kjos. R. Knapp abstained. Motion carried.

J. Kjos moved to approve the meeting minutes of the Special Town Board meeting on November 16<sup>th</sup>, 2017 as presented. Seconded by S. Van Mele. R. Knapp abstained. Motion carried.

**CITIZEN INPUT** –Ben Fochs, 680 County Rd MM. 1) Thanked the board for their work through the annexation lawsuit 2) Feels his address is still a concern as GPS is unable to find his residence. 3) Expressed concern with the River Falls transit.

Chris Kusilek, owner of Total Excavating, wanted to discuss the Glover Road project and disparities of quantities as well as request a reduction in project retainage. He also expressed his displeasure over the lack of communication between Cedar Corp. and Total Excavating throughout the project. Chris and Travis Ostby, project manager will return after closed session.

**PARK BOARD REPORT** – J. Berke provided the November Park Board report.

**PARK RANGER, HUMANE OFFICER & SHERIFF REPORTS** – Copies of the Park Ranger, Humane Officer and Sheriff's reports were distributed and reviewed by the board.

Ranger R. Roen provided the Park Ranger Report.

**ZONING ADMINISTRATOR REPORT** – Cedar Corp provided a written and oral report of zoning activity.

**DISCUSS AND CONSIDER FIRE WELL PROTECTION PROJECT – ADDITIONAL WORK PERFORMED** – R. Jones began the discussion by explaining that as part of the original site plan bid, it was anticipated that the site plan contractor would perform the work related to running the irrigation line under the road bed to the well. The work scope was beyond the capability of BS Construction and it was

recommended that Kimmes-Bauer perform the work. BS Construction reduced their submitted expense by \$495.00. Kimmes-Bauer completed the work at a cost of \$5,776.95.

R. Knapp moved to approve the Kimmes-Bauer Irrigation Invoice Number #43270 for \$5,776.95. Seconded by J. Kjos. Discussion followed. S. Van Mele moved to amend motion to include a bill be sent to Cliff Jennings for \$1,000. Amendment failed due to lack of 2<sup>nd</sup>. Roll call vote on the original motion was taken: R. Knapp – Yes; S. Van Mele – No; D. Pearson – Yes and J. Kjos – Yes. Motion carried

S. Van Mele moved to send a bill to Cliff Jennings for \$1,000 as his portion of payment for the invoice for Kimmes-Bauer in the amount of \$5,776.95. Seconded by R. Knapp. Discussion followed. Motion failed.

**DISCUSS AND CONSIDER 2018 TOWN OF TROY AND CITY OF HUDSON FIRE**

**PROTECTION CONTRACT** – J. Kjos moved to approve the 2018 Town of Troy and City of Hudson Fire Protection Contract as presented. Seconded by R. Knapp. Roll call vote taken: R. Knapp – Yes; S. Van Mele – Yes; D. Pearson – Yes and J. Kjos – Yes. Motion carried.

**DISCUSS AND CONSIDER 2018 EMERGENCY MEDICAL AND AMBULANCE SERVICE**

**CONTRACT WITH THE TOWN OF TROY AND CITY OF HUDSON** – J. Kjos moved to approve the 2018 Emergency Medical and Ambulance Service Contract with the Town of Troy and City of Hudson as presented. Seconded by S. Van Mele. Roll call vote taken: R. Knapp – Yes; S. Van Mele – Yes; D. Pearson – Yes and J. Kjos – Yes. Motion carried.

**DISCUSS AND CONSIDER LETTER OF UNDERSTANDING FOR IMPOUND HOUSING**

**SERVICES WITH THE ANIMAL HUMANE SOCIETY** – S. Van Mele moved to approve the Letter of Understanding for Impound Housing Services with the Animal Humane Society. Seconded by J. Kjos. Roll call vote taken: R. Knapp – Yes; S. Van Mele – Yes; D. Pearson – Yes and J. Kjos – Yes. Motion carried.

**DISCUSS AND CONSIDER TOWN BUSINESS OWNERS POLICY AND WORKERS**

**COMPENSATION AND EMPLOYERS LIABILITY** – The Town Board reviewed the updated policy with the changes discussed and approved at the November Town Board meeting.

**DISCUSS AND CONSIDER DESIGNATION OF PUBLIC DEPOSITORIES** – R. Knapp moved to adopt

*TOWN OF TROY RESOLUTION 2017-09  
RESOLUTION DESIGNATING PUBLIC DEPOSITORY OR DEPOSITORIES  
Town of Troy  
St. Croix County*

*The Town Board of the Town of Troy, St. Croix County, Wisconsin, by this resolution, adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, resolves and orders as follows:*

*The following financial institution(s) is designated as the public depository or are designated public depositories for the Town of Troy:*

***Citizens State Bank  
375 Stageline Road  
Hudson, WI 54016***

**First American Bank**  
**2424 Monetary Blvd**  
**Suite 107**  
**Hudson, WI 54016**

*The town clerk shall properly post or publish this resolution as required under s. 60.80 Wis. stats.*

Seconded by S. Van Mele. Roll call vote taken: R. Knapp – Yes; S. Van Mele – Yes; D. Pearson – Yes and J. Kjos – Yes. Motion carried.

**EMPLOYEE COMPENSATION REVIEW, RECOMMENDATION AND POSSIBLE ACTION-** S. Van Mele moved to accept the recommended increases in wages for 2018 compensation rates as proposed by D. Pearson and S. Van Mele, as the committee assigned. Seconded by J. Kjos. Motion carried.

**APPOINTMENT OF ELECTION INSPECTORS** – R. Knapp moved to approve the 2018/2019 election Inspectors as presented by the Town Clerk on attachment #15. Seconded by S. Van Mele. Motion carried.

**MOBILE HOME COURT LICENSES** – J. Kjos moved to approve the Mobile Home Court Licenses for Mike Hilbelink for Hilltop Partnership and Aaron Cudd for Country Cove Court. Seconded by S. Van Mele. Motion carried.

**APPROVE TOWN CALENDAR** – The board reviewed the proposed 2018 Town Calendar.

**UTILITY PERMITS** – R. Jones provided the annual summary for 2017 as no new utility permits were issued in the 4<sup>th</sup> quarter.

**BUILDING PERMITS –**

<u>PERMIT #</u>	<u>APPLICANT</u>	<u>ADDRESS</u>	<u>PROJECT</u>
17-250	Jason Swenson	376 Tower Road	Alteration
17-252	Joel Pearson	56 East Woodridge Drive	Alteration-Windows
17-253	Jeff Patterson	333 South Cove Road	Addition
17-254	Gary Duclos	424 Eagle Bluff Drive	New Home
17-255	Oevering Homes	251 Walnut Hill Way	New Home
17-257	Patrick Vogler	290 St. Andrew's Drive	New Home
17-258	Kathleen Schindler	344 Ilwaco Road	Storage Shed
17-259	Dan Pearson	524 County Road MM	Storage Shed
17-260	Ron Gagnon	378 County Road F	HVAC
17-262	Creative Homes	402 Meadow Valley Trail	New Home

**DRIVEWAY PERMITS –**

<u>PERMIT #</u>	<u>APPLICANT</u>	<u>ADDRESS</u>
14-126	Nolan King	289 South Ilwaco Road
17-132	Gary Duclos	424 Eagle Bluff Drive
17-133	Oevering Homes	251 Walnut Hill Way
17-134	Patrick Vogler	290 St. Andrew's Drive
17-135	Creative Homes	402 Meadow Valley Trail

**CLERK/TREASURER REPORT** – Copies of the bank account reconciliations, impact fee summary, legal and engineering, and 2017 budget to actual summary reports were distributed and reviewed by the board. J. Clark reported that Nomination Papers need to be received by January 2<sup>nd</sup>, 2018 by 5:00pm for the (2) open Town Board seats. Non-Candidacy papers have been received from J. Kjos and R. Knapp.

**APPROVE BILLS** – J. Kjos moved approve check #28287 – check #28363 including the Elan payment for a grand total of \$164,054.81. Seconded by S. Van Mele. Roll call vote taken: R. Knapp – Yes; S. Van Mele – Yes; D. Pearson – Yes and J. Kjos – Yes. Motion carried.

**CORRESPONDENCE** – Correspondence was reviewed by the board.

**COMMITTEE REPORTS** – None

**MOVE INTO CLOSED SESSION PURSUANT TO WISCONSIN STATE STATUTES §19.85(1)€ FOR THE PURPOSE OF DELIBERATING OR NEGOTIATING THE PURCHASE OF PUBLIC PROPERTIES, THE INVESTING OF PUBLIC FUNDS, OR CONDUCTING OTHER SPECIFIED PUBLIC BUSINESS WHENEVER COMPETITIVE OR BARGAINING REASONS REQUIRE, REGARDING THE GLOVER ROAD CONSTRUCTION PROJECT AND OVERAGE BEING CHARGED BY TOTAL EXCAVATING**

AND

**MOVE INTO CLOSED SESSION PURSUANT TO WISCONSIN STATE STATUTES §19.85(1)(g) TO CONFER WITH THE TOWN’S LEGAL COUNSEL WHO WILL RENDER ORAL OR WRITTEN ADVICE CONCERNING STRATEGIES TO BE ADOPTED BY THE TOWN BOARD WITH RESPECT TO THE TOWN’S LEGAL ACTION AGAINST THE CITY OF RIVER FALLS CONTESTING THE CITY’S ANNEXATION OF NONCONTIGUOUS LAND IN MANN VALLEY AND THE CITY’S REZONING OF A PORTION OF THE ANNEXED AREA FROM EXCLUSIVE AG TO AN INDUSTRIAL ZONE** – J. Kjos moved to go into closed session pursuant to Wisconsin State Statutes §19.85(1)(e) for the purpose of deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require, regarding the Glover Road reconstruction project and overages being charged by Total Excavating; *and* to move into closed session pursuant to Wisconsin State Statutes §19.85(1)(g) to confer with the Town’s legal counsel who will render oral or written advice concerning strategies to be adopted by the Town Board with respect to the Town’s legal action against the City of River Falls contesting the City’s annexation of noncontiguous land in Mann Valley and the City’s rezoning of a portion of the annexed area from Exclusive Ag to an Industrial Zone

Seconded by S. Van Mele. Roll call vote taken: R. Knapp – Yes; S. Van Mele – Yes; D. Pearson – Yes and J. Kjos – Yes. Motion carried.

**RECONVENE INTO OPEN SESSION TO TAKE ACTION ON CLOSED SESSION ITEMS, AS NECESSARY** – J. Kjos moved to end closed session. Seconded by S. Van Mele. Roll call vote taken: R. Knapp – Yes; S. Van Mele – Yes; D. Pearson – Yes and J. Kjos – Yes. Motion carried.

No action taken in closed session.

Chris Kusilek and Travis Ostby, returned for further discussion regarding the Glover Road reconstruction project.

J. Kjos moved to add quantities in the construction contract of 14,632 yards in both common excavating and granular sub-base categories at the agreed upon contract per unit price and process that through the

normal process and add that net amount to the \$29,111.83 that is undisputed. Seconded by S. Van Mele. Discussion followed. R. Knapp clarified that the payment being made tonight does not reflect the idea that the board is necessarily agreeing to additional payments for excavating and filling. This payment is not intended to end the negotiating process. Roll call vote taken: R. Knapp – Yes; S. Van Mele – Yes; D. Pearson – Yes and J. Kjos – Yes. Motion carried.

**ADJOURN** - J. Kjos moved to adjourn. Seconded by S. Van Mele. Motion carried.

The meeting adjourned at 11:43 p.m.

These minutes were taken at a meeting  
of the Troy Town Board on the  
14<sup>th</sup> day of December 2017.

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Jennifer Clark, Clerk/Treasurer

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Jan Cuccia, Town Vice-Chairperson