

## REGULAR MONTHLY BOARD MEETING MINUTES

### TOWN OF VERONA

August 6, 2019, 6:30 PM

Town Hall, 7669 County Highway PD, WI 53593-1035

Present: Geller, Mathies, Maxwell, Duerst, and Enburg (arrived 7:19 PM)

Staff Present: Arnold, Judd, Wright, and Barnes

Also Present: see sign in sheet

1. **Call to Order/Approval of the agenda** – Mark Geller called the meeting to order at 6:30 PM. Chair Geller noted that Supervisor Enburg will be delayed by traffic and proposed delaying item 6 i until his arrival. Duerst moved to approve the agenda to reflect the change in the order; 2<sup>nd</sup> Mathies. Motion carried by voice vote.
2. **Pledge of Allegiance**
3. **Public Comment** – none
4. **Approval of Minutes from July** – Duerst moved to approve the July 2, 2019 minutes to incorporate changes recommended by Supervisor Maxwell; 2<sup>nd</sup> by Maxwell. Motion carried by voice vote.
5. **Action on Disallowance of Claim for Damage to a Vehicle on Woods Road** – Planner/Administrator Arnold briefly reviewed the claim received by the Town from a loss on Woods Road to a private vehicle. Although a town is not liable for damage due to potholes, Arnold's policy is to refer claims to Rural Mutual Insurance. She further noted that although Rural Insurance has denied payment for the claim, the Town Board still has the power to reimburse the complainant or disallow the claim. Mathies moved to deny the claim; 2<sup>nd</sup> Maxwell. Mathies recommended no longer referring such claims to Rural Insurance; instead, Town staff should inform the claimant that the Town has immunity from such claims, without objection. He further noted that Town action to deny the claim requires notification to the claimant by registered mail. Chair Geller stated that if a claimant pursues further action with Rural Insurance, then the Town Board should be notified. Motion carried by voice vote.
6. **Reports and Recommendations**
  - Public Works:
    - ii. Discussion with Possible Action Regarding Driveway Permit Applications for 1850 Hidden River Road and Riverside Road – Project Manager Barnes reported that the current field access for 1850 Hidden River Road crosses a ditch without a culvert. His recommendation is the installation of a culvert and the issuance of an access number. There are no sight line issues along this low-use gravel Town road. The Riverside Road location that has been requested currently has no field access point in this location. Barnes stated that he wanted to avoid an access point closer to an intersection with another Town road for safety purposes. At the proposed location, Barnes stated that sight lines are adequate with no traffic conflicts. The Public Works Committee has recommended approval of both field access points requested by the applicant Tom Duerst. Maxwell moved to approve field access per the standards outlined by Barnes for 1850 Hidden River Road and the location on Riverside Road; 2<sup>nd</sup> Mathies. Supervisor Maxwell asked whether there are engineering guidelines available for field road access; Barnes replied that there are not and that he makes the determination. Supervisor Mathies asked whether the access points would impact Town snow plowing; Barnes stated it would not. Motion carried by voice vote with Supervisor Duerst abstaining.
    - iii. Discussion of Draft Capital Improvement Plan (CIP) – Project Manager Barnes stated that he was hired, in part, to develop a long-term CIP to address roads, drainage, public works operations, and other expenses for maintaining the road rights-of-way. His draft CIP is for the period from 2020-2030; the ten-year period allows all roads to be addressed. Furthermore, this report will allow Barnes to support grant applications for road and bridge aid. Barnes stated that road maintenance and reconstruction is ranked by three factors: 1) the condition of the road (its PASER rating), 2) the volume of the traffic on the road, and 3) the type of road (primary, secondary, neighborhood, etc.). The potential for future development and cost sharing are also factors that Barnes has taken into consideration. Barnes then briefly explained the concept of Capital Preventive Maintenance (CPM); ideally, this approach will keep the bulk of the Town roads at a rating of 7 out of a 10 or higher. To achieve this goal, the focus will be upon seal coating roads rather than a hot-mix asphalt lift or reconstruction. Crack filling and wedging are necessary steps to bring roads up to a standard whereby seal coating will be an effective maintenance choice.

Chair Geller stated that he likes the fact that the ten-year term allows the Town to show residents when their road is likely to be addressed and what method will be used to address the current or future condition. Planner/Administrator Arnold stated that although the CIP has flexibility to accommodate unexpected changes or shortfalls or windfalls in a budget cycle, the document will provide a long-term plan for the Town to adhere to like a contract. Mathies asked whether the Town Supervisors should do an annual road tour. Arnold noted that Dane County Highway organized some tours in the past with other years being covered by Town staff. Chair Geller was supportive of Supervisors participating in a tour with Barnes so that they could share in his expertise. There was a brief discussion about a wing mower with a boom arm attachment for trimming brush in the rights-of-way more efficiently.
  - Financial Sustainability Committee – Supervisor Mathies reported the Committee met on July 11, 2019 to discuss funding sources and the preliminary Capital Improvement Plan with Project Manager Barnes. No consensus was reached regarding a local wheel tax.

- EMS Commission: Supervisor Duerst reported that although the new Fitchburg station can be occupied, there is no phone and no internet due to an oversight to install fiber optic cable. Fitchrona EMS received a \$30,000 grant from Epic to fund some capital expenses. A training mannequin was trimmed from this year's budget.
- Staff Report:
  - i. Clerk/Treasurer Monthly Report – Wright reported that he had extensive preparation for Open Book and Board of Review during this revaluation assessment year. He reviewed all 1,331 parcels contained in the three versions of the 2019 assessment roll prior to the Open Book meeting on July 16, 2019 where over 100 residents were in attendance. Thereafter, he reviewed all Open Book changes prior to Board of Review on August 1, 2019. Wright presented a report of these and other activities from the past month including the Report a Problem log.
  - ii. Project Manager Monthly Report – Barnes reported that the chip sealing program concluded this past Friday; this will be followed by some selective sweeping at intersections in a week or so. Although the cost were approximately \$8,000 less than the bid amount, the bid for Dane County to restore centerline striping is \$6,500 that was not part of the original street maintenance budget this year. He briefly reviewed the wedging on Fitchrona Road and Cross Country Road as well as the pulverization and HMAC paving on our section of Woods Road, which was completed earlier this year. Other scheduled tasks include the removal of select trees on Locust and Range Trail. A filtration system was installed for the water supply to the Town Hall and Public Works buildings and the water heater in the Town Hall was replaced under warranty. Two Public Works vehicles have been in for repairs in the past month. Barnes continues to meet with other regional representatives to seek solutions to problematic high water levels including the Goose Lake neighborhood; he also receives regular updates regarding the Fitchrona/Nesbitt roundabout. Barnes attended training last week in the Wisconsin DOT pavement rating system (PASER).
- Plan Commission (with arrival of Supervisor Enburg):
  - i. Discussion with Possible Action Regarding Updates to the Sample Development Agreement Including Road Acceptance Policies – Supervisor Maxwell reported that two subdivision developments have approved Concept Plans: Twin Rock and Prairie Circle. He noted that prior approvals have been for condominium plats; consequently, those developer agreements do not include road dedication to the public because they are private. Maxwell stated that he reviewed sample agreements adopted by the Towns of Bristol, Middleton, and Springdale. The projected and printed draft agreement for the Town of Verona includes new sections not included in developer agreements for condo plats. Maxwell referred to page 3 of the draft, Section 2.1.1 **Specifics for Construction**. Project Manager Barnes stated that soils will differ at each site, so a 12" subroad should be the standard starting point, but if the base is poor, it may require the addition of 6" of subbase. Maxwell then directed the group to page 4 of the draft document, Section 2.1.3 **Dedication and Acceptance of Improvements**. Planner/Administrator Arnold and Project Manager Barnes created a sample development agreement with road acceptance policies document dated August 1, 2019 to address this Section. This document includes three basic options as conditions for Town acceptance of roads. Supervisor Enburg voiced concern over the possibility that a development fails to proceed as planned; phasing could reduce the risk of Town liability for roads without improvements. Arnold stated that tracking multiple agreements for a staff as small as the Town of Verona's could prove problematic. Project Manager Barnes reported that the most common is a two-year maintenance bond and this is followed by a final inspection of roads prior to dedication to the public.

Maxwell presented a hypothetical situation using Twin Rock as an example for cost of maintenance after 30 years. Enburg stated that a developer may choose to lease unsold platted lots to an area farmer and the Town would thereby only receive taxes based upon Use Value (Note: First Grade Tillable soil is assessed at \$300 an acre); he again advocated for phased development to minimize the Town exposure to financial risk particularly since our available residential lot inventory is the highest it has ever been. Chair Geller felt that phasing makes greater sense in a City where density standards are lower. The developers for Twin Rocks who were present were allowed to voice their opinion: phasing would add considerably to the cost by requiring remobilization for paving contractors and the construction and demolition of temporary cul-de-sac bulbs. Project Manager Barnes noted that if Twin Rock roads were constructed and dedicated at one time, then plowing time would be greatly reduced and should be considered when deciding upon phasing in this circumstance where the road is a loop. The group returned to the draft document on page 5. There followed a discussion regarding making individual property owners responsible for maintenance of the ROW outside of the paving and shouldering areas. It was noted that the neighborhood agreement would preclude planting anything other than grass as well as restricting construction of improvements in these areas. Enburg questions who would be responsible for the ROW if a developer buys lots on speculation and they then don't sell. It was noted that if individual maintenance is required, the owner can be specially assessed by the Town if they fail to maintain. It was decided to leave the note in at this time. The group then reviewed Section 2.3 **Hours of Construction**. It was noted that hours of construction were not limited for condo developments for private roads; the proposed standard for roads to be dedicated to the public are Monday through Saturday from 7:00 AM until 7:00 PM in the current draft. There followed a brief discussion regarding other options and the difficulty enforcing hours. In order to enforce construction hours for house contractors, the Town of Verona Comprehensive Building Code would have to be amended. Without objection, additional options will be presented to the Board when the Development Agreement is presented for final approval. The group then reviewed page 6, Section 2.6 (a) **Approval of Contractors**. Chair Geller recommended striking the clause requiring prior approval by the Town Administrator; without objection. Maxwell moved to modify the draft with the edits discussed this evening prior to review by the Town attorney to be returned to the Town Board for their final review and possible approval; 2<sup>nd</sup> Duerst. The group decided that a motion was not necessary, only to take the steps outlined in the motion and to add this to a future agenda for discussion and possible approval. The authors of the motion agreed to rescind their motion.

- Staff Report (continued):
  - iii. Administrator Planner/Monthly Report –

- Arnold noted that much of her work this past month has been captured in the Plan Commission report that has already been reviewed. Arnold, Barnes, and Chair Geller met with staff counterparts at the City of Verona recently for a quarterly meeting. There was a brief update on a planned Board retreat, senior services, and rental of the Town Hall Community Room. She presented a report generated from iWorQ building permit software prepared by Administrative Assistant Tammy Dresser. Supervisor Enburg requested a regular reporting of an inventory of residential lots in the Town available for new home construction. There was a brief report regarding citizen and safety concerns in Deer Haven.
  - Discussion with Possible Action Regarding Edits to the Employee Handbook – Arnold presented her research regarding paid holiday policies from the City of Verona and State of Wisconsin compared with the current policy for the Town. Based upon her research, she recommended removing the Friday before Easter Sunday as a paid holiday and replacing it with one paid personal day. Additionally, holidays currently associated with religious celebrations will now be listed by date instead. Mathies moved to accept the proposed revisions to the paid vacation dates, the elimination of one of those to be replaced with one paid personal day; 2<sup>nd</sup> Maxwell. Motion carried. Arnold stated that per a review of the revised handbook by Clerk/Treasurer Wright, some additional revisions are recommended. Specifically, there is a reference to a grievance policy that would involve the Town Finance Committee that Arnold recommends to be stricken. Enburg moved to empower Administrator Arnold to amend to the grievance policy as discussed; 2<sup>nd</sup> Maxwell. Motion carried. Maxwell questioned a reference on page 32 of the handbook to parties not being entitled to discovery (Appendix C Grievance Policy, 4 Hearing, d.). Arnold was uncertain of the meaning and will report back to the Board at a future meeting; without objection.
  - Town Chair: Chair Geller reported that representatives from the Wisconsin Department of Transportation met with the Rowleys regarding the realignment of State Highway 69 near Riverside Road. Geller and Supervisor Mathies held a listening session at the Town Hall on July 20, 2019; Geller wants to make this a regular event with a different supervisor present each session. Geller stated there will be a Capital Area Regional Planning Commission (CARPC) retreat this coming Friday. A Town Board retreat is scheduled for this coming Saturday from 8 AM until 10 AM. Geller briefly reviewed discussions regarding improving Country View Road including the engineering study underwritten by Epic Systems. The City had made a proposal for improving the road which is at the corporate boundary for the City and Town of Verona that would involve widening the road, adding bike paths, annexation, and billing the Town for a proportionate share of the work. Geller explained that rather than paying the city of Verona for a wider, rebuilt road, he would prefer instead to have the Town keep and maintain the road. The Board Supervisors concurred.
  - Supervisors: Enburg wanted to publicly commend Project Manager Barnes for his preparation of a 10-year CIP.
7. **Approval of Payment of Bills** – Enburg moved to approve payment of the bills as presented by Clerk/Treasurer Wright; 2<sup>nd</sup> by Duerst. Motion carried by voice vote.
8. **Adjourn** – Enburg moved to adjourn; 2<sup>nd</sup> Duerst. The meeting was adjourned at 9:04 PM.

Approved: September 3, 2019

Prepared by: John Wright, Clerk/Treasurer w/Amanda Arnold review