

Dear Barton Resident of Young America,

This letter is an opportunity to answer the concerns Ben Naylor presented to the Town Board on Tuesday May 21, 2024. When Ben spoke, I did not take notes during his comments. I felt listening to his concerns and comments were more important than notes to rebu at inaccuracies. This is an effort to address concerns stated and correct incorrect statements. The Town Board welcomes town residents to attend meetings and keep informed of the activities of the Town. I have tried to send to all who attended but may have missed some as we did not have a sign in sheet. Please feel free to share with them.

No Town funds were used to write, print, and send to you. The Town response is in blue under his speech contents. Thank you.

Good evening. Thank you for the opportunity to address the board. For those of you who haven't met me, my name is Ben Naylor. I'm the owner of Naylor's Custom Metal Cutting at 2940 Woodford Drive and a resident of the Town of Barton living at 3897 Beaver Dam Rd. To help ensure that I don't get off track due to the level of frustration I am feeling regarding this situation I have prepared a short speech. I ask that you hold any questions or comments you may have until the very end at which time I will gladly enter into an open discussion with you.

As I'm sure all of the members of this board are well aware by now, I am vehemently opposed to the 2-lane bridge that is now scheduled for construction on Woodford Drive in 2026. You're calling it a replacement bridge, and technically speaking it is, but the original bridge in question was constructed in the late 1800's for horses and wagons. There has NEVER been anything remotely close to a modern 2-lane bridge like the one you have arranged to be constructed at this location. Furthermore, the approaches to either side of the bridge are not suitable for a 2-lane bridge plus a sidewalk, especially on the west side on River Dr. The construction of this bridge is not only not wanted by the vast majority of the Town of Barton residents in the area, it will also obviously lead to additional infrastructure changes and future maintenance costs which will increase the financial burden to the taxpayers while bringing with it no desired benefit to the people it is purported to be helping. It is not a stretch of the imagination to believe that perhaps the board believes those future costs will be a burden for the City of West Bend to bear as this area will be their concern and not yours in the near future. **The replacement of the Woodford Steel Bridge is not being done as a prelude to annexation to the City of West Bend. That has never been a thought or discussion by the Town Board. The approved application was awarded at 100% of the funding. Maintenance of all Town road is a responsibility of the Town. Wisconsin State Statutes 82.08 address the construction and repair of Town bridges or culverts. Under State Statutes 990.01(12) Highway – includes all public ways and thoroughfares and all bridges. A bridge associated with a Town highway is considered a part of the Town highway, and repair of such bridge is akin to repair of the highway.**

The initial reason for my opposition to this was the obvious increased amount of traffic that it would bring. It may seem counterintuitive for a business owner to want less traffic passing by their business, but mine is not one that relies on retail/walk-in traffic. Yes, we do offer services to the public and sometimes those customers do walk in looking for our services, but we primarily do custom metal fabrication, the vast majority of which is done for other businesses. We already have an established client base that knows exactly where we are when they need us. **The traffic in Young America has increased**

due to GPS giving directions over the one lane Wooden Camel Back bridge. This is evident as the Town has had several incidents of damage done even though the road is weight posted and states no trucks. This bridge is historic. The Town wants to preserve it now and for the future. The idea is to close it to vehicular traffic and make it for recreational use only in the near future. It is the Town's belief that traffic will choose the fastest route, with the highest speed limit and least number of stops. Lighthouse bridge will be that choice as it is now.

Drastic increase in unwanted traffic aside, I like that we are located in what, for the moment, is still the Town of Barton. I say "for the moment" because, as I alluded to a moment ago, I doubt it will remain so for much longer if this bridge is constructed. It's obvious to me that by adding this bridge to our infrastructure you are "improving" the area in such a way that it would be primed and ready for annexation by the City of West Bend. Perhaps such expansion is inevitable over the course of decades, but that doesn't mean we have to encourage or invite it right now. I have been assured repeatedly that such a plan is not in the works but quite frankly such assertions fall on very skeptical ears. My reason for being skeptical is simple. You made zero effort to consult with any of your constituents who stand to be directly affected by this substantial change to our properties and local infrastructure. It seems as if you knew this would be a very unpopular decision and so you carried it out with as little public notice as possible. You should also know I have discussed this situation with many people. The majority of them share my concern that this has more to do with annexation than it does public safety. **As stated previously, the idea of the Town promoting annexation is incorrect and unrelated to the bridge replacement. No annexation is wanted or warranted.**

Let me address the public safety angle first, which is your most commonly stated reason for constructing this bridge. You claim to have been unable to stop people from abusing the nearby wooden bridge by driving over it with excessive loads. Because of this, you want to close the wooden bridge to vehicular traffic and limit it to foot traffic only. You say that if you close the wooden bridge to vehicular traffic it would limit the emergency access to River Dr. which could possibly be flooded, potentially leaving people stranded. If you were thinking this argument through at all, you would know that the lightest emergency medical vehicle is an ambulance, the average weight of which is 7.5 to 9 tons according to Google, so already at least 50% over to nearly double the current posted weight limit of the wooden bridge. This means that for the past 30+ years the "upcoming" problem that you are pretending to be both creating by closing the wooden bridge and solving by building another one in place of the iron bridge has already existed as you define it, but has never really been a problem in the first place. If you truly believe that the wooden bridge is the problem, so why not focus your attention on it rather than replacing the iron one? The wooden bridge spans dry land, it's a shorter span, it's 50 feet higher in elevation than the level of the river so there's virtually no risk of it flooding, which by your own words is the only emergency happenstance you say you're preparing for by building a bridge over the river on lower ground. On top of that, there's serious talk of the railroad putting a passenger line in on their existing right of way under the wooden bridge . . . Perhaps if they do we can get them to pay for improvements to the wooden bridge because they sure as hell don't want a bridge falling in front of, or worse yet on top of, one their passenger trains. Not that I want to see this, because I like the old wood bridge, but it would be possible to build a very short concrete tunnel that meets the clearance requirements of the railway and then fill over it with earth. This would create a virtually maintenance free passage that would hold massive loads and barring its intentional removal it would be here long after everyone in this room has left this earth. **The one lane wooden bridge over the rails to trails walkway**

cannot be expanded or replaced due to the railway company still owning the rail bed. Any changes could be removed by the railway company. It is not a viable option. The bridge is historic and should be maintained and preserved.

This leads me to the lesser cited, yet I suspect more cogent reason for your focus on the replacement of the iron bridge. You think that by replacing it and rolling in the cost of removing the old one you are solving two problems at once. I'm sure there is some truth to that, but the insinuation that there's no other way to get the removal paid for unless you replace it is ridiculous. If that were true, then where's the new dam that should be just upriver from the bridge? . . . That's right, there isn't one because it was removed without being replaced, just like countless other pieces of obsolete infrastructure throughout our nation. Funding is available at times for such "clean up" operations. I have personally suggested alternative solutions to the Town Chair to this that I don't believe have even been investigated by the board in the slightest. Did you look into possibly selling it to a private party who would assume the responsibilities for moving it? What about simply removing the decking so that all that remains is the framework? Doing this would eliminate a substantial portion of the weight the load bearing structure of the bridge is supporting and eliminate the fluctuating snow load that it holds during the winter. It would also remove all hazardous materials on the bridge as the only chemicals present are those used to treat the wooden decking for preservation. Beyond that, if the decking were removed and the remaining framework were to fall into the river unexpectedly before it could be removed, it wouldn't block the flow of water nearly as much as it would if the decking were still attached. Yes, debris could eventually collect on it, but it wouldn't take much to drag the whole thing out of the water. If it helps, I would be willing to pay for and organize the removal of the decking. I'd even let you store it somewhere on my land, indefinitely, free of charge so that you could include it with the eventual sale of the bridge. I could get the job done myself in short order with equipment I already own, though I would welcome any assistance from the town or my neighbors that I could get.

Here's another idea, one that I have to credit to my father for. What if instead of seeking money for a bridge we don't want or need, you were to seek out a comparable amount of funding to purchase the Vogelsang field and have the current iron bridge moved to the park for restoration/preservation and enjoyment for decades to come? I'm sure for \$1.3M to \$1.5M you could buy the field, move the bridge, and still have plenty of money left over for the sorts of amenities one would expect to find at a park like that. Perhaps some bathrooms, a gazebo for events, a man-made water feature that the bridge could span with walking trails throughout. This would accomplish all of the same goals, actually preserve the bridge for future generations to enjoy, and not create as much of a future maintenance burden for the Town as the park could be closed in the winter. You wouldn't have to look any further than Lime Kiln Park in Grafton, a 30 minute ride from the bridge site, to see that a very similar plan making use of a nearly identical bridge has been successfully carried out by others. Taking such action would not only preserve a much-loved landmark very close to its current location, it would also restore our confidence in you as a board and help us believe your assertions that you aren't setting us up for annexation. It would be a win all around. You would get to create something of a legacy for yourselves, the bridge along with a nice park would be available for countless more senior pictures, weddings, geocaching and the like. Most importantly as far as I'm concerned, a more permanent boundary between the City and the Town will have been established. **A boundary does exist with the purchase of 2428 Salisbury Rd on December 20, 2007, for \$239,000. The Town did investigate grants for the Vogelsang property, none existed. That is why the idea of a trade/swap of properties came into being. No cash outlay for the Town, no tax dollars spent. A passive park is all the Town would want. The Town does not need more expenses or outlay of tax**

dollars. The removal cost of the bridge estimate is \$350,000 when done by the company that will eventually deconstruct the bridge. An inquiry was done to the County as to what the estimated cost to the Town would be if the Town deconstructed the bridge prior to the application being completed. The estimated cost was \$500,000. This would be tax dollars. While it may be interesting to have the bridge removed/sold to others what is the liability to the Town, to the property owners? What about the roads leading up to the bridge, what if they are damaged? What about the DNR involvement as it is over the Milwaukee River? This is not a simple pick up and move a bridge.

Setting the park suggestion aside, let's say we are actually required to remove the bridge if we don't replace it (an assertion that I have yet to see any proof of by the way). \$350,000 is a rough number that's been tossed out as an amount that it would take to have the bridge removed . . . seems a bit high to me but let's assume there's a ton of red tape and that figure is accurate. The market value of that house the Town spent our tax dollars on for Dick Bertram to live in for all those years is currently \$457,000 according to Zillow. Redfin, Realtor.com, and of course GIS show no value for it because it's government owned property that we're no longer collecting taxes on. Let's say we could get \$400,000 on a quick sale of our house that, let's face facts, if we're not going to put a park there we really shouldn't own in the first place . . . couldn't we use that money to have the iron bridge taken down and still have some left over. This would in a way be solving two problems at the same time as well, the first being the bridge we have to remove and the second being that we are a town that, lacking a park for a groundskeeper's residence, is for no good reason other than some questionable planning and/or failing to make good on said plans is also apparently a landlord with residential property. [The Park property on Salisbury was purchased with Park funds deposited by developers as they developed land/lots for an eventual park. The Town was instructed to use those funds. The property was purchased with those funds, not tax dollars. The purchase of this property was to stop the City of West Bend from running their sewer through Young America. The Town and City had a lawsuit that was eventually won by the Town of Barton. The purchase is a barrier to annexation as it is owned by a government entity.](#)

[The first tenant was a town employee, the rent was reduced as he was to maintain the property, cut the grass, remove snow etc. The second tenant was the Town chairman at that time, he also maintained as the first tenant. The second paid the same as the first tenant. The third tenant has the same requirements. The rent has been raised to \\$1,500. Per month. A competitive market analysis was done in August 2020. Rent was analyzed as well, so the rent was immediately changed to \\$1,000. Rent has continued to be raised. While no taxes are received from this property, rent is received, and repair and maintenance are minimal.](#)

[As mentioned at the meeting, the Town does not want a park that is anything other than a passive park. A City public park is just south of this property. No need to duplicate or incur more costs for the Town.](#)

Now here's the part where I can't hide some of my frustration. When I emailed my request to speak to the board I had to ask twice if there were going to be time limits . . . Kris, you may be wishing right now that you had said "yes". All kidding aside, whether intentionally patronizing or just out of touch, Chairwoman Turner stated that the board would "listen to my concerns" . . . Please! You already know my concerns! I've sent several emails that you've all been carbon copied in on . . . hell I even contacted our state Senator and successfully invited him to visit the site where this ridiculous bridge is already scheduled to be constructed (that only took one well worded email by the way) . . . But you'll "listen to my concerns" . . . how gracious of you! Especially considering that many of the questions that I have already asked via email have gone completely ignored! To make matters worse Chairwoman Turner continued to say that the board "may respond" to my concerns. You, the members of our board, work

for the people! Of course you're not obligated to do whatever little thing a handful of people tell you to, but if we have questions or concerns then each and every one of you damn well better be prepared to at least respond, especially when someone takes the time out of their day to attend a meeting. To suggest that you might not even respond demonstrates a level of aloofness that is absolutely unacceptable for people in your positions of service. Even if you remain unwavering in your opinion . . . Say something! Justify your actions! That's nothing more than professional courtesy. Beyond that, if the majority of those of us who vote in your jurisdiction are opposed to a project that a handful of board members pushed through under the radar then that response damn well better be that you change course and do what majority of the people you have sworn to serve want you to do. Your positions on the board require you to follow the will of the people just like they require you to have certain meetings and fulfil certain obligations. Being on the board is not a permit for you to impose your will on your constituents. You are a town board, which is not only an administrative body, it is also a representative body, not an HOA! . **It is important for this board to respond to residents' calls and emails as soon as possible. It is disheartening to hear of Ben's accusations when his emails and visits to his property have been very timely. Two residents did call, and their concerns were listened to and not dismissed.**

In an email sent regarding Zoning dated May 8th there was a response in less than 10 minutes, he was informed he was on the agenda for the next Town board meeting, his response was to ask about permission to address the board and for how long and an opportunity for questions and answers. The Town did not respond to the questions immediately, as the Town contacted the Wisconsin Towns Association, regarding time limits and the other questions to make sure we did not deny Ben his constitutional rights at the meeting. His email was not dismissed or ignored.

On Thursday, May 16th, an email was received by the Town indicating his displeasure at not being informed of a meeting on May 13th. The immediate response(within an hour) from the Town was, the meeting was Board of Review and no other business was conducted as per State Department of Revenue regulations. He was given the date and time of the meeting he was scheduled to be on the agenda, as well as answering his questions about time allotment. Ben did not respond for 3 days and when he did, he asked for information on the recalls of the Town Board. An immediate response from the Town was to contact the Clerk via email or phone for that information. That information was given to him at the meeting on May 21st. Along with the website for more information on how to recall a Town Board. Ben's emails have been answered in a timely manner.

I already know based on my conversation with the Senator that the Town Board has the full authority to cancel this project at its discretion at any time. At this time we are requesting that you reconsider your decision to replace the Woodford bridge and submit the necessary documentation to the state to halt this action post haste. **The Town did reach out to Senator Feyen. The bridge was discussed. He did understand the concerns of the residents. He is aware of the issues Towns are experiencing as far as grants and money to assist Towns in the maintenance, repairs and replacement of roads and bridges. The availability of funds for bridges are unprecedented and of immense value to Towns. Senator Feyen did not recommend the Town to stop the replacement of the bridge.**

I mentioned earlier that I expect a response from each and every one of you, and I do, and I mean that on an individual level. To be fair, however, I don't expect an immediate response because I believe I'm giving you quite a bit to think about and you should have a reasonable amount of time to think it over.

My only question at this point is a tad lengthy, so please bear with me.

If you aren't already opposed to the construction of this bridge, what, if anything, would persuade each of you on an individual level to change your mind regarding the construction of the Woodford bridge