

TOWN OF WILSON
SHEBOYGAN COUNTY, WISCONSIN
APPROVED MINUTES OF APRIL 4, 2011 TOWN BOARD MEETING

CALL TO ORDER & DECLARATION OF OPEN MEETING:

Chair Gartman called the meeting to order at 6:12 p.m., confirmation of posting in accordance with open meeting law was confirmed with clerk and the meeting was declared an open meeting.

PRESENT: Chair David Gartman, Supervisor David Senkbeil, Supervisor Dale Sommer, Treasurer Laurie Pankratz, Clerk Cheryl Rostollan. Also present: Town Attorney John St. Peter, Road/Maintenance Supervisor Rick Meyer and interested parties.

PLEDGE OF ALLEGIANCE was recited.

PUBLIC COMMENT: None

APPOINTMENTS / NEW BUSINESS:

1. Clear Channel Outdoor Sign Permit Application – Chair Gartman solicited questions from Supervisor Sommer but he had none. had no questions
 - Exhibit #23 – shaded area shows what was rezoned in 1963 per legal description. Clear Channel sign is to the north of shaded area. St. Peter reiterated that Schneider property does not reflect applicant's property.
 - Chair Gartman clarified source document of Exhibit #4, 1959 Town of Wilson Zoning Book. Gartman read page 72 of the exhibit referencing that at the time of publication it notes Earl De Master as the clerk. Gartman also read the determinations of the 1955, 1957, 1959, 1961, 1963 Town of Wilson elections which indicate Clerk Earl DeMaster did not take office as the town clerk until 1963. Attorney Michael Whitcomb interpreted the book to be a codification of the existing zoning in place when he was in office. Gartman provided his interpretation, that the map is a planning map and that its intent was for planning purposes.
 - Exhibit #24 received by town board includes the determinations of the 1955, 1957, 1959, 1961 and 1963 Town of Wilson elections.
 - Chair Gartman cited 29.02(3)(i), which requires Mark Rausch explained the WI DOT's positions regarding changing from digital face and its position when changing a signs size. A size change requires WI DOT approval but, per Mr. Rauch, under 84.30 a sign may be changed to a digital face versus a static face. Gartman feels that our Sign Ordinance requires written documentation from the WI DOT.
 - Exhibit #25 – Amended Sign Permit Application (to digitize both the north and south face)
Discussion regarding whether a document should be provided from the WI DOT regarding its rules and regulations relating to updating to a digital face, whether the town's Board of Appeals ruling on rezoning in 1984 indicates whether the land was zoned HC in 1959, whether the amended Sign Permit Application should or would date back to the original application date to include both the north and south face of the sign. Attorney St. Peter confirmed whether Clear Channel is seeking an answer from the board on digitizing both sides of the sign. Attorney Whitcomb responded affirmatively and that he prefers that they would be voted on separately.
Motion by Sommer to approve only the face originally applied for by Clear Channel Outdoor, Inc. (not the opposite face) to a digital sign pending receipt of verification from WI DOT referred to in

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- 29.02(3)(i) second by Senkbeil; discussion-Gartman reviewed motion and explained why he will not support it; motion carried with Sommer and Senkbeil voting aye and with Gartman voting nay.
2. Drainage at Lake Aire/Lone Oak -/Roger Miller received our letter and responded. Matter is in process.
 3. Lake Aire 4 Developer's Agreement - St. Peter referred to December 17, 2010 letter from Crisbell Crisbell Snyder. St. Peter will request Attorney Gass' response by May 2, 2011.
 4. Black River Fire Department – Billing procedure/ordinance for associated costs related to fires. The town's intent is to bill for mutual aid, fuel, foam, water, fire rehab costs, excavating and also to update its current ordinance in place for billing for services/costs. Attorney St. Peter requested a list of everything we want to collect for and what we do not want to collect for. MABIS is fairly new, and our fire department and the town does not have a process in place. All fire departments in our county are looking at coming up with a mutual agreement or template to put in place. St. Peter can provide the template, but needs the basic information from us. Put on May 2, 2011 board meeting agenda.
 5. Review/discussion regarding CAD design for Maple Lane/Pheasant Ln/S. 16th St. – Greg Schnell appeared on behalf of the Sheboygan County Highway Department. Narrowing the road provides a \$6,750 reduction in the road reconstruction costs. Reviewed CAD design from Nahn. Lawn restoration is included in the county's estimate. Discussion included proposed road width, examples of road widths of present town roads, NR216, reporting of Prevailing Wage, parking issues on Pheasant Lane and additional roads in the town in need of repair or reconstruction.
 6. Sheboygan County Road Paving & Betterment estimate from Sheboygan County Highway Department for Maple Lane/S. 16th Street/Pheasant Lane - Motion by Gartman for the Town of Wilson to enter into the agreement with the Sheboygan County Highway Department, dated April 1, 2011, for their estimate for road reconstruction and road betterment per attachment of CAD Design from Nahn & Associates for Pheasant Lane, Maple Lane and S. 16th Street from CTH EE north to Sunnyside Ave., contingent upon approval from the City of Sheboygan to Sheboygan County Highway Department for their share; second by Senkbeil; motion carried with no nay votes and no abstentions.
 7. Town Hall rental agreement from Lucy Vue for May 14, 2011 graduation party – Cancellation received April 4, 2011, no action taken.
 8. Town Hall floor refinishing – Proposals provided by Rick Meyer. Gartman asked for accounting breakdown. No action taken.
 9. A & M Trees – charge for disposal of scrap wood products – No action taken.
 10. Town Hall rental policy for chairs – Motion by Sommer, second by Senkbeil to eliminate off-premise rental of town hall chairs; motion carried with no nay votes and no abstentions.
 11. Reissuance of liquor licenses (amending license names to match their WI Seller's Permits per WI Dept. of Revenue's request):
 - a. Class B Combination Retail License for Fermented Malt Beverages and Intoxicating Liquors –Felde & Felde (dba Boondocks), N2498 Sauk Trail Road, Oostburg;
 - b. Class B Combination Retail License for Fermented Malt Beverages and Intoxicating Liquors for Breaking Bread, LLC (dba Breaking Bread Banquets), 6451 S. Business Dr.;
 - c. Class B Retail License for Fermented Malt Beverages for Koenig's Corner Conservation Club Inc, 3824 Broadway Road, Sheboygan Falls;

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Motion by Sommer to grant re-issuance of licenses for 11(a), 11(b) and 11(c) as submitted; second by Senkbeil; motion carried with no nay votes and no abstentions.

12. Application for Operator's License for Jonathan Harmes for Handlebar, 5837 S. Business Drive – Motion by Senkbeil to grant Operator's License for Jonathan Ploetz pending approved background check by clerk; second by Sommer; motion carried with no nay votes and no abstentions.
13. Chair David Gartmen appointed of Advisory Committee for Employee Manual/Town Office Procedures and Internal Controls to consist of: Chair David Gartman, David Senkbeil, Dale Sommer, Doug Fuller, Georgene Lubach, Guy Jones, Brian Hoffmann, Michael Bergin, Dan Rostollan, Jim Kummer, Laurie Pankratz and Cheryl Rostollan.
14. Approval of draft minutes -
15. Reports:
 - a. Treasurer – Laurie Pankratz provided report including Cash Summary; in payables is a request for \$120 for day and a half conference regarding internal controls and annual \$40 fee to belong to Treasurer's Association. Roughly 582 dogs are licensed and based on last year's she's seeing approximately 77 dogs to be licensed yet, with the policy to be going door-to-door, treasurer explained kennel licensing and the \$25 fee per dog. Regular dog license fees were paid to treasurer, should she charge the \$25 per dog? 174.053 is WI Statute that pertains to licensing and date late payment fees apply.
 - b. Clerk – Report provided by Cheryl Rostollan.
 - c. Constable – Written reports provided by James Whipple and James Van Ess.
 - d. Plan Commission – No report.
 - e. Park & Forestry Commission – No report.
 - f. Wage, Salary & Benefits Commission – No report.
 - g. Long Range Planning Ad Hoc Committee – No report.
 - h. Black River Fire – No report.
 - i. First Responders – No report.
 - j. Maintenance – Report provided by Rick Meyer.
16. Disbursements:
 - k. Checks on hold – DeTroye Electric will be starting on finishing the job. Motion by Gartman to approve release of check 14847 pending an invoice from Northern Tool & Equipment; second by Senkbeil; motion carried with no nay votes and no abstentions.
 - l. Black River Fire Department – Motion by Gartman to approve disbursement pending review and approval of treasurer totaling \$2,693.55; second by Sommer; motion carried with no nay votes and no abstentions.
 - m. Town of Wilson First Responders – None.
 - n. Town of Wilson – Motion by Senkbeil to approve \$36,076.36 disbursements dated April 4, 2011, including treasurer's conference, annual dues and pending treasurer's review and approval; second by Sommer; motion carried with no nay votes and no abstentions.
 - o. Motion by Senkbeil to approve reimbursement to Jeffrey Cole, tax checking check number 3239 in the amount of \$4.00 for overpayment; second by Sommer; motion carried with no nay votes and no abstentions.

OLD BUSINESS:

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17. Bid notice for Fire Station Improvements relating to the 2010 Grant for exhaust system

CORRESPONDENCE:

- 18. Newsletter - EMC Insurance Companies
- 19. WISLINE SERIES entitled "How to Run the Annual Town Meeting"

NOTICES:

- o 4/5/2011, 7:00 am to 8:00 pm – Spring Election
- o 4/11/2011, 7:00 pm – Plan Commission Meeting at Town Office
- o 4/12/2011, 6:30 pm – Annual Town Meeting at Town Hall

AGENDA ITEMS FOR SUBSEQUENT MEETINGS:

- o Conditional Use Permit renewal for Alliant Ash Disposal Site on 5400 Frontage Road (4/18/2011 Agenda)
- o Rammer Pond Utility District (4/18/11 Agenda)
- o Fire Study Sub-committee Recommendations (4/18/2011 Agenda)
- o Park & Forestry (4/18/2011 Agenda)::
 - i. Letter of appreciation to Commissioner Marko Zagar (expired term)
 - ii. Appointment of Andy Van Stelle as Park & Forestry Commissioner
- o To be held for new 5-person town board (4/18/2011 Agenda)
 - i. Review meeting per diems, forms for reimbursement
 - ii. Staffing of office
 - iii. Office hours
- o Re-visit Stormwater Drainage Plan – Dale Sommer appointment with Plan Commission
- o Re-visit Cemetery Ordinance (set-backs from graves)
- o Re-appointment of Jim Kummer and June Spoerl to Plan Commission
- o Park & Forestry Commission – Appointment of Andy Van Stelle and

ADJOURN:

Motion to adjourn by Senkbeil; second by Gartman; motion carried and meeting adjourned 10:04 p.m.

Minutes submitted by: Cheryl Rostollan, Town Clerk