

TOWN OF WILSON  
SHEBOYGAN COUNTY, WISCONSIN  
**APPROVED MINUTES OF APRIL 28, 2010 SPECIAL TOWN BOARD MEETING**

**CALL TO ORDER & DECLARATION OF OPEN MEETING:**

Chair David Gartman called the Special Town Board meeting to order at 7:20 p.m., confirmed legal notice and posting with clerk and declared the meeting an open meeting.

**PRESENT:** Chair David Gartman, Supervisor Dale Sommer, Supervisor David Senkbeil, Clerk Cheryl Rostollan. **Also present:** Fred Goebel, Jim Kummer, Mary Ann Bergin, Rich Ternes, Guy Jones, Phyllis Summers, David Schleicher, Attorney John St. Peter, Steve Boll, Steve Westphal, Terry Johnson, Scott Anderson, Marko Zagar and Rick Meyer.

**CALL TO ORDER & DECLARATION OF OPEN MEETING:**

**Rezoning:** Motion by Gartman to approve rezoning request as described in legal descriptions in attachments and effective upon execution of a Development Agreement; second by Sommer; discussion; motion carried with no nay votes and no abstentions.

**Development Agreement** New draft of agreement was reviewed. Discussion between Town Board and Kohler Company including the latest comments received from Plan Commission Chair Doug Fuller, who was not available to attend this meeting. Only Outlot 1 would be dedicated to the town. The expectation is that sometime the sewer would be extended south therefore it is important to control Outlot 1. The lift station is located at the primary entrance to the development and the aesthetics of it are very important to Kohler Company. Discussion regarding Kohler Company's "approval in sole discretion" versus "right to review and approve, but approval cannot be unreasonably withheld", utility easements, different phases and timing of the project. Motion by Sommer to approve Development Agreement subject to town's legal counsel's confirmation that changes have been incorporated into the document; second by Senkbeil; motion carried with no nay votes and no abstentions.

**Preliminary Plat for Deerpark Subdivision** Motion by Senkbeil to accept Preliminary Plat for Deer Park Subdivision; second by Sommer; motion carried with no nay votes and no abstentions.

**Public Hearing to Create new Sanitary District Encompassing Deer Park Subdivision.** *Hearing opened at 8:55 p.m.* No parties were present to object or speak. Attorney St. Peter confirmed with town clerk, Kohler Company and AECOM that no objection letters have been received from WI Department of Commerce, WI Department of Natural Resources or Sheboygan County and verbally asked for their input or opposition. *Hearing closed at 8:57 p.m.*

**Creation of a new Sanitary District Encompassing Deer Park Subdivision:** Motion by Gartman to resolve that the Town Board does hereby find that the petition satisfied the requirements of WI Stat. 60.71(6)(b); further resolve that the Town Board does hereby order the creation of Sanitary District Number 3 of the Town of Wilson and does authorize and direct the town clerk and town attorney to take all necessary action consistent with the intent of this resolution.

Motion by Gartman to adjourn; second by Sommer; motion carried and meeting adjourned at 9:04 p.m.

Minutes submitted by: Cheryl Rostollan, Clerk