

TOWN OF WILSON
SHEBOYGAN COUNTY, WISCONSIN
APPROVED MINUTES OF JUNE 7, 2010 TOWN BOARD MEETING

CALL TO ORDER & DECLARATION OF OPEN MEETING:

Meeting was called to order by Chair Gartman at 5:31 p.m., Gartman confirmed with clerk public notice was done in accordance with WI Statutes and the meeting was declared an open meeting.

Closed session:

1. Development Agreement for the Kohler Deer Park Subdivision. Motion by Senkbeil to convene into closed session pursuant to WI Stat. 19.85(1)(e) for the purposes of deliberating or negotiating; second by Sommer; motion carried by roll call vote taken by the clerk with no nay votes and no abstentions and the meeting convened into closed session at 5:32 p.m.

The meeting convene into open session immediately following the closed session.

Motion by Gartman, second by Senkbeil to resume town board meeting in open session; motion carried with roll call vote taken by the clerk with no nay votes and no abstentions and the meeting convened into open session at 5:40 p.m.

PRESENT: Chair David Gartman, Supervisor Dale Sommer, Supervisor David Senkbeil, Treasurer Laurie Pankratz, Clerk Cheryl Rostollan. Also available: Town of Wilson Attorney John St. Peter, Marge Pearce, Mike Schnur, Mirium Schnur, Catherine Schnur, Ted Schonts (Alliant Energy), Dan Rostollan, James Van Ess, Jenny Heinzen, Edward Ritger, Scott Anderson (Kohler Company), Jeff Moser, Guy Jones, John Fagiold, Kathy Clayton, Pat Hartley (Alliant Energy, Jim Kummer, Roger Miller, Larry Kairys, Kory Wendlandt, Larry Hilbelink

PLEDGE OF ALLEGIANCE was recited.

PUBLIC COMMENT SESSION: Miriam Schnur, 4417 Lafayette Dr., regarding agenda item 5, Alliant Energy and the independent 3rd party for groundwater analysis. Schnur expressed her concerns about private wells, related associated health issues and her desire for testing to occur.

APPOINTMENTS / NEW BUSINESS:

2. Cathy Clayton, EPA and Frank Schultz, WI DNR – regarding processes and procedures for monitoring Alliant Energy's Conditional Use Permit for operating an Ash Disposal Site at 5400 Frontage Road, Sheboygan, WI – Not yet present, motion by Gartman to defer until they arrive; second by Sommer; motion unanimously carried.
3. Charles Martell regarding Conditional Use Permit Application for property located at 8716 Pine Woods Lane, Oostburg, WI, for installation and operation of 10kW Ventera Residential Wind Turbine mounted on a 110' Freestanding Lattice Tower with waiver of security fencing – Attorney Ed Richter of Random Lake spoke on behalf of Charles Martell and Kettleview Renewable Energy. Articles provided by Jim Buchholz of Kohler Andrae State Park and Randy Faller of Renewable Energy renewed and discussed. Items of concern include new regulations for the newly adopted State Statutes which are in the process of being created, close proximity of turbine to a state park and the potential effects on visitors and wildlife. Motion by Sommer to table this matter for 30 days until the town board has had a chance to review proposed site and receive more information on decibel levels, bird studies; motion died on the table without a second. Motion by Senkbeil to grant the Conditional Use Permit with the inclusion of a fence surrounding the turbine; second by Gartman; discussion included input from Jenny Heinzen, LTC Instructor; motion defeated with Senkbeil voting aye and Gartman and Sommer voting nay. Motion by Sommer to table this matter until August 2, 2010 meeting for the purpose of visiting site, getting information on the noise, bird studies and apparent contradiction between current law and new legislation adopted directing the PFC to regulate wind energy systems; second by Gartman; discussion – Randy Faller to be the contact person for a site visit, legal counsel will speak regarding the bird migration; motion carried with no nay votes and no abstentions.
- Cathy Clayton, EPA (Frank Schultz, WI DNR, not present) regarding processes and procedures for monitoring Alliant Energy's Conditional Use Permit for operation ash disposal site – Clayton provided her participation in the monitoring process and how she became involved. Approximately a year ago the EPA Region 5 hotline received a complaint,

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which is how they become involved. The EPA is in the process of collecting information. The EPA is still investigating the complaint. There are many agencies involved in this, the EPA is involved in investigating, not regulating. Clayton suggesting that Frank Schultz from the WI DNR would be the best party to work with for regulating the site.

4. Deer Park Subdivision regarding Development Agreement/Plat/Sanitary Dist./Rezoning - Present status and process for future – Motion by Sommer to authorize execution of the Development Agreement with Kohler Company and a one (1) year extension; motion seconded by Senkbeil; motion carried with no nay votes and no abstentions. Kohler Company will reimburse the Town of Wilson for the professional and hearing fees incurred and to be incurred regarding the extension. The Town of Wilson is making no representations and warranties regarding Kohler Company's liability under the new Farmland Preservation Law.
5. Retaining of expert 3rd-party to conduct independent study to analyze groundwater test results provided by Alliant for Ash Disposal Site located at 5400 Frontage Road, Sheboygan – Review process and progress/discussion/possible board action – No proposals received, deferred until June 21, 2010 meeting.
6. Dissolution of Town Holding Tank Agreements, review and possible revision of Town of Wilson Resolution 01-2010 – Pankratz provided the progress-to-date and sought assistance from Attorney St. Peter. Discussion regarding present versus original property owners, the potential inability to locate original owners. St. Peter will take matter under consideration and provide recommendation.
7. Jeff Moser, 413 Wisconsin Ave., Sheboygan – Regarding Application for Town Hall Rental on 9/2/10 – 9/6/10 – Motion by Senkbeil to grant rental of town hall to Jim Moser for Sept. 2, 2010 through Sept. 6, 2010; second by Sommer; motion carried with no nay votes and no abstentions.
8. Chuck Nahn, Nahn & Associates – Regarding drainage design for S. 18th St., NR-216 Permit, Stormwater Mgmt. – Email from Nahn provided with proposed letters, put on next agenda.
9. Sheboygan County adoption of Chapter 36, Uniform Rural Numbering System - Town of Wilson adoption of signage – Defer until June 21, 2010
10. Proposed Amendment to Chapter 54 – Regulations on Use of Rights-of-Way – Motion by Senkbeil to include recommended changes from Chuck Nahn which includes “basement drain tile pipes, private drainage systems” to Chapter 54, Regulation on Use of Rights-of-Way; second by Gartman; motion carried with no nay votes and no abstentions.
11. Roads/building maintenance:
 - a. Motel Road drainage and pavement repair, Sheboygan County Highway Department estimate – Rick Meyer reported progress-to-date. No action taken.
 - b. Potential hiring of Adam Widder as a temporary part-time summer employee to fulfill vacant position – Motion by Gartman to approve Adam Widder, pending approval of background, physical and drug test; second by Sommer; motion carried with no nay votes and no abstentions.
 - c. Maple Ln., Pheasant Ln., S. 16th Street Betterment – Nahn & Assoc. will have a design ready for board review at June 21, 2010 meeting.
 - d. 2010/2011 Snow Plow Bid/Contract – Meyer is working with Bernie Rammer, Sheboygan County, will have something to us before our next meeting.
12. Renewal of contract with Grota Appraisals for professional services as Town Assessor – Motion by Sommer to hire Grota Appraisals for 2011 – 2013; second by Senkbeil; motion carried with no nay votes and no abstentions.
13. Complaint from Marcia Thiel regarding property located at 4918 S. 14th Street, Sheboygan, WI – Gartman will check if there are any noxious weeds and report back to the board.
14. Wage and Benefits for Deputy Clerk Janet Vinson – Deferred until June 21, 2010 meeting so that Vinson may attend.
15. Applications for renewal of licenses:
 - a. Majerle's Black River Grill, 5033 Evergreen Drive, Sheboygan - John Majerle (received 4/6/10):
 - i. Renewal of Class B beer and Class B liquor license
 - ii. Renewal of Operator's license: Nicole L. MajerleMotion by Senkbeil to approve Class B beer license and Class B liquor licence for Majerle's Black River Grill and Operator's license for Nicole L. Majerle; second by Gartman; motion carried with no nay votes and no

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abstentions.

- b. Friezer, Inc. dba Handlebar & Grill - Donna M. Bularz, Agent - 5837 S. Business Dr., Sheboygan (received 4/29/10):
- i. Renewal of Class B beer and Class B liquor license
 - ii. Renewal of Operator's licenses for: Tammy A. Leichtnam, Jodi L. Barthels, Erin Burg, Crystal M. Downs, Chantel Arndt, Cassandra Van Auken, Nicole Schmidt, Emilyn Legaspi
- Motion by Gartman to approve Class B beer license and Class B liquor license for Friezer, Inc. dba Handlebar & Grill and Operator's licenses for Tammy A. Leichtnam, Jodi L. Barthels, Erin Burg, Crystal M. Downs, Chantel Arndt, Cassandra Van Auken, Nicole Schmidt, Emilyn Legaspi; second by Sommer; motion carried with no nay votes and no abstentions.
- c. Riverdale Country Club, Inc., 5006/5008 S. 12th St., Sheboygan - Marsha Thiel, Chair (received 5/5/10):
- i. Renewal of Class B beer and Class B liquor license
 - ii. Renewal of Operator's licenses for: Kathy Richards, Brent Meyer, Kara Trina Thiel, Fred A. Sievers, Joshua Jay Pantel, Lynn Marver, Ashley Schoneman, Scott Wood
- Motion by Senkbeil to approve Class B beer license and Class B liquor license for Riverdale Country Club, Inc. and Operator's licenses for Kathy Richards, Brent Meyer, Kara Trina Thiel, Fred A. Sievers, Joshua Jay Pantel, Lynn Marver, Ashley Schoneman, Scott Wood; second by Sommer; motion carried with no nay votes and no abstentions.
- d. Conventure Corporation/Marshall's Western Shores 7002 Sauk Trail Road, Sheboygan - Carol Marshall-Horne, Agent (received 4/29/10):
- i. Renewal of Class A beer and Class A liquor license
 - ii. Renewal of Operator's licenses for: Sandra L. Maly, Cassandra Jo Puch, Jennifer M. Schneider, Leslie L. Mueller, Malissa M. Wood, Kelly Fleming, Ashley Strulkamp, William M. Pellowski, Tyler Brunnbauer, Tracey Moungey, Joshua Kraft, Lynn Marver, Seth Kristoff, Nicholas S. Martin
- Motion by Gartman to approve Class A beer license and Class B liquor license for Conventure Corp./Marshall's Western Shores and Operator's licenses for Sandra L. Maly, Cassandra Jo Puch, Jennifer M. Schneider, Leslie L. Mueller, Malissa M. Wood, Kelly Fleming, Ashley Strulkamp, William M. Pellowski, Tyler Brunnbauer, Tracey Moungey, Joshua Kraft, Lynn Marver, Seth Kristoff, Nicholas S. Martin; second by Sommer; motion carried with no nay votes and no abstentions.
- e. Breaking Bread Banquets, 6451 S. Business Drive, Sheboygan (received 5/5/10):
- i. Renewal of Class B beer and Class B liquor license
- Motion by Senkbeil to approve Class B beer and Class B liquor license to Breaking Bread Banquets; second by Gartman; motion carried with no nay votes and no abstentions.
- f. Emmanuel Corp./Judi's Place, 6727 S. Business Drive, Sheboygan - Judith Fergakakis, Member (received 5/5/10):
- i. Renewal of Class B beer license
- Motion by Sommer to approve Class B beer license for Emmanuel Corp./Judi's Place; second by Senkbeil; motion carried no nay votes and no abstentions.
- g. Boondocks, Gary and Connie Felde, N2498 Sauk Trail Road, Oostburg (received 5/4/10):
- i. Renewal of Class B beer license and Class B liquor license
 - ii. Renewal of Operator's licenses for: Gary L. Felde and Connie G. Felde
- Motion by Sommer to approve Class B beer license and Class B liquor license to Boondocks and Operator's licenses to Gary L. Felde and Connie G. Felde; second by Senkbeil; motion carried with no nay votes and no abstentions.
- h. Koenig's Corner Conservation Club, LLC, 3824 Broadway Road, Sheboygan Falls, Troy T. Miller, Agent (received 5/19/10):
- i. Renewal of Class B beer license
 - ii. Renewal of Operator's licenses for: Joseph Jenkins, Richard Bock, Alan Jenkins Sr, Alan Jenkins Jr, James Koenig, Jeff See, Dave Heiler, Dale Koenig, Harold Holt, Mike Koenig

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Motion by Sommer to approve Class B beer license to Koenig's Corner Conservation Club, LLC and Operator's licenses to Joseph Jenkins, Richard Bock, Alan Jenkins Sr, Alan Jenkins Jr, James Koenig, Jeff See, Dave Heiler, Dale Koenig, Harold Holt, Mike Koenig; second by Senkbeil; motion carried with no nay votes and no abstentions.

- i. Renewal of soda licenses for: Koenig's Conservation Club, LLC, Caan Floral Company Inc., Judi's Place, Breaking Bread LLC, Majerle's Black River Grill, Inc, Boondocks, HM Hotels LLC, Motorville Inc., Thompson Marine, Inc., Marshall's Western Shores, Handlebar & Grill, Riverdale Country Club, Inc., Watson's Vending & Foodservice, Inc. – Motion by Senkbeil to approve soda licenses as printed; second by Sommer; motion carried with no nay votes and no abstentions.
 - j. Renewal of cigarette licenses for: Conventure Corp./Marshall's Western Shores, Handlebar & Grill – Motion by Sommer; second by Gartman to approve cigarette licenses to Conventure Corp./Marshall's Western Shores, Handlebar & Grill; motion carried with no nay votes and no abstentions.
16. Application for new Operator's license:
- e. Amy Greger, Handlebar & Grill, 5837 S. Business Dr., Sheboygan – Motion by Gartman to approve Operator's license to Amy Gregor pending approved background check; second by Sommer; motion carried with no nay votes and no abstentions.
 - f. Natani L. Church, Handlebar & Grill, 5837 S. Business Dr., Sheboygan - Motion by Senkbeil to approve Operator's license to Natani L. Church pending approved background check; second by Sommer; motion carried with no nay votes and no abstentions.
 - g. Paige Schneider, Riverdale Country Club, 5006/5008 S. 12th St., Sheboygan - Motion by Sommer to approve Operator's license to Paige Schneider pending approved background check; second by Senkbeil; motion carried with no nay votes and no abstentions.

REPORTS:

- 17. Treasurer – Written reports provided by Laurie Pankratz.
- 18. Clerk – No written reports provided.
- 19. Constable – Report provided by Jim Van Ess.
- 20. Plan Commission – No report.
- 21. Park & Forestry Commissioner – No report.
- 22. Wage, Salary & Benefits Commission- Written report provided.
- 23. Long Range Planning Ad Hoc Committee- Written report.
- 24. Black River Fire Department – Suggested keyless entry at fire station, put on next agenda.
- 25. First Responders – no report
- 26. Maintenance: (Snowplowing/Roads/Maint. Site/Bldgs) – Meyer provided reports on road and maintenance projects.

APPROVAL OF DRAFT MINUTES:

Motion by Senkbeil to approve draft minutes from May 26, 2010 Special Town Board Meeting for Serenity Farms Conditional Use Permit; second by Sommer; motion carried with no nay votes and one abstention from Gartman because he did not participate in this meeting.

DISBURSEMENTS:

- a. Payments on hold – none
- b. Town of Wilson First Responders – Motion by Gartman to approve as printed, second by Senkbeil; motion carried with no nay votes and no abstentions.
- c. Black River Fire Department – Motion by Senkbeil to approve as printed; second by Sommer; motion carried with no nay votes and no abstentions.
- d. Town of Wilson – Motion by Gartman to approve as printed; second by Senkbeil; motion carried with no nay votes and no abstentions.

UNFINISHED BUSINESS:

- 27. Flader Hill Town Cemetery - boundary issues – No action taken.

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28. Town of Wilson hosting of October 15, 2010 Sheboygan County Town's Association Meeting – Discussed holding the meeting at the hall and other potential options. Senkbeil will look into a lift for the stairs at the hall. Keep on future agendas.
29. Review/renewal of existing Conditional Use Permits:
 - a. Bill Reedy, 9334 S. Sandwood Lane, Oostburg – Guest quarters in detached garage – No action taken.
 - b. Mary Hilbelink, 6727 S. Business Drive, Sheboygan – Operation of an air strip – Letter provided from Larry Hilbelink and Bev Walber (co-landowners with Mary Hilbelink) requesting that the permit not be renewed – Motion by Sommer not to grant renewal of Conditional Use Permit due to letter provided by Larry Hilbelink and Bev Walber; second by Gartman; motion carried with no nay votes and no abstentions.
30. Complaint from Mike Cullen, 2055 Lake Court, regarding neighbor's disarray and garbage - No action taken
31. Complaint from Karen Doering, 3000 Whispering Winds regarding drainage – Discussed as-built culvert approvals and requiring current owners to match original drainage design. No action taken, research files.

CORRESPONDENCE:

32. 5/24/2010 Long Range Planning Meeting Report

NOTICES:

- 6/9/10, 6:30 pm–Wage, Salary & Benefits Commission; 6/14/10, 7:00 pm-Plan Commission; 6/21/10, 5:30 pm SD#2 & TB

AGENDA ITEMS FOR SUBSEQUENT MEETINGS:

- Town billing for fire calls, Ordinances for Cemetery and Wood Processing

ADJOURN

Motion to adjourn by Gartman; second by Senkbeil; motion carried with no nay votes and no abstentions and meeting adjourned at 10:28 p.m.

Minutes submitted by: Cheryl Rostollan, Clerk