

TOWN OF WILSON
SHEBOYGAN COUNTY, WISCONSIN
DRAFT MINUTES OF SEPTEMBER 7, 2011 TOWN BOARD MEETING

CALL TO ORDER & DECLARATION OF OPEN MEETING:

Meeting was called to order by Chair Gartman at 6:07, posting in accordance with open meeting law was confirmed with clerk and the meeting was declared an open meeting.

PRESENT: Chair David Gartman, Supervisor Michael Bergin, Supervisor Dale Sommer, Supervisor David Senkbeil, Supervisor Brian Hoffmann, Treasurer Laurie Pankratz, Road/Maintenance Supervisor Rick Meyer, Clerk Cheryl Rostollan and multiple interested parties.

PLEDGE OF ALLEGIANCE was recited.

PUBLIC COMMENT SESSION:

Motion by Sommer, second by Bergin to amend agenda and defer public comment for later; motion carried and public comment session deferred to later in meeting.

APPOINTMENTS / NEW BUSINESS: (Only comments from the public during the "Public Comment" portion of the meeting will be allowed. The public may not partake in discussions during any other portions of the meeting):

1. Approval of draft minutes – August 15, 2011 – deferred until later in meeting.
2. Establish a Utility District in Rammer Pond Estates and 1st Addition to Rammer Pond Estates Subdivision – deferred until after public hearing.
3. Rich and Becky Meinen, 4521 S. 15th Street, Sheboygan regarding drainage ditch on corner of Marvery and 15th Street – No action taken, Chuck Nahn from Nahn & Associates will be working on two other projects next week and Meyer and the board will seek his opinion.
4. Ron Horness, 718 Willow Drive, regarding right-of-way nonconformance – Horness provided additional documents to board and requested a variance to the Town's Chapter 54 Ordinance. No action taken, Chuck Nahn from Nahn & Associates will be working on two other projects next week and Meyer and the board will seek his opinion.

Action on Clear Channel Notice of Injury and Claim for Damages ("the Notice"):

The Chair will entertain a motion to reconvene in closed session pursuant to Wis. Stats. Section 19.85(1)(g) to confer with legal counsel concerning possible action upon the Notice. Upon completion of this session, the Board will reconvene in open session to further consider and take possible action upon the Notice.

Motion by Hoffmann to convene into closed session pursuant to Wis. Stats. Section 19.85(1)(g); second by Bergin; roll call vote taken with Bergin, Sommer, Gartman, Senkbeil and Hoffmann voting aye.

Motion by Senkbeil to convene back into open session; second by Sommer; motion carried by roll call vote with Bergin, Sommer, Gartman, Senkbeil and Hoffmann voting aye and no nay votes; meeting convened into open session at 6:35 p.m.

Motion by Sommer; second by Senkbeil to recess to Public Hearing at Town Hall; motion carried with no nay votes and no abstentions.

PUBLIC HEARING:

Public Hearing to Establish a Utility District in Rammer Pond Estates Subdivision – ***Town Board meeting will move from Town Office to Town Hall for hearing which will begin at 6:30 p.m.***

Public hearing called to order by Town Board Chair David Gartman at 6:15 p.m. Gartman explained the process-to-date. All town board members were present, the town treasurer and town clerk and many interested parties. The hearing was open for public comment and comments and questions were heard from:

- a) Vincent Korb, 5450 Wind Dancer Court, Sheboygan;
- b) Jim Huenink, 5736 Wind Dancer Court, Sheboygan;
- c) Tom Grams, 3028 Whispering Winds Drive, Sheboygan;

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- d) Bob Werner, 210 Bleyer Drive, Sheboygan (owns multiple parcels in Rammer Pond Estates subdivision);
- e) Mike Teunissen, 2910 Stahl Road, Sheboygan;

Discussion regarding original Development Agreement verbiage to cover maintenance issues, vandalism, coverage of lights under town's insurance policy, administrative costs, legal fees, the lack of street lights on Moening Road and Stahl Road.

Motion by Brian Hoffmann to close public hearing; second by Michael Bergin; motion carried and hearing closed at 7:12 p.m. and town board returned to town office and opened town board meeting at 7:17 p.m.

PUBLIC COMMENT SESSION:

- Jim Van Ess, 620 Indian Mound Road, Sheboygan – Regarding the Employee Handbook and its zero tolerance to accepting any items; Van Ess asked the board to change the verbiage to limit the dollar amount to \$20.00.
 - Jim Kummer, 5333 Meggers Rd, Sheboygan - Regarding a certified letter they received at their place of business from WP & L regarding testing their water.
 - Phil Mersberger, 9759 Middle Road, Oostburg – Regarding an article a few weeks ago in the Sheboygan Press about the City of Sheboygan annexing the Dog Park. Indian Mound Park was annexed to the City and now it is no longer a viable park. Gartman explained that this matter is about law enforcement, which will be discussed at a further meeting.
5. Town Board adoption of Town of Wilson Resolution 02-2011 Disallowing Claim of Clear Channel Outdoor, Inc. – Motion by Sommer to Disallow Claim and provide Clear Channel Outdoor, Inc. Notice of Disallowance in accordance with Town of Wilson Resolution 02-2011 Disallowing Claim of Clear Channel Outdoor, Inc. as drafted by legal counsel; second by Senkbeil; motion carried with roll call vote taken and Gartman, Hoffmann, Sommer, Bergin and Senkbeil voting aye.
 2. Establish a Utility District in Rammer Pond Estates and 1st Addition to Rammer Pond Estates Subdivision: Motion by Sommer to establish a Utility District in Rammer Pond Estates and 1st Addition to Rammer Pond Estates Subdivision for the purpose maintaining street lights; second by Senkbeil; discussion; motion amended by Sommer and seconded by Senkbeil to create a Utility District in Rammer Pond Estates Subdivision and 1st Addition to Rammer Pond Estates Subdivision, as prepared by Attorney Matthew Parmentier of Edgerton, St. Peter, Rosenfeldt, et al, for the purpose of paralleling all areas of use for a Utility District as described in the Developers Agreement; motion carried with no nay votes and no abstentions.
 6. Reports provided:
 - a. Treasurer
 - b. Clerk
 - c. Constables
 - d. Black River Fire Department – Draft 2012 BRFD Budget provided by Kory Wendlandt
 - e. Maintenance (Roads/Maintenance Site/Buildings)
 - f. Town Board – Chair Gartman is withdrawing his previous subcommittees and will individually task supervisors to work independently with staff.
 7. Maintenance/roads:
 - a. Proposal from Nahn & Associates for professional services for South 18th Street Drainage Improvements. No action taken, clerk to post meeting next week when Nahn is in town for town board's potential attendance and action.
 - b. Proposal from Nahn & Associates for professional services for independent review of Lone Oak/Lake Aire Drainage Problem - No action taken, clerk to post meeting next week when Nahn is in town for town board's potential attendance and action.
 - c. Implementation of Rural Numbering System – Motion by Hoffmann to hire Lange Enterprises, Inc. this calendar year to complete the Rural Numbering System sign project to be charged per sign, per pole for the project with the signs to be blue; second by Senkbeil; discussion – motion by Hoffmann and second by Senkbeil t amend

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motion to include attaching proposal from Lange & Associates, Inc. to contract; motion carried with no nay votes and no abstentions.

Motion by Senkbeil to take funds out of general funds to pay for Rural Numbering System; second by Gartman; motion failed with Gartman and Senkbeil voting aye and Bergin, Hoffmann and Sommer voting nay.

Motion by Hoffmann to pay for Rural Numbering System Signs with special assessments; second by Bergin; motion carried with Bergin, Hoffmann and Sommer voting aye and Gartman and Senkbeil voting nay.

Motion by Sommer that the cost of the summary sign be divided equally by the addresses on the sign; second by Hoffmann; motion carried with no nay votes and no abstentions.

- d. Fuel tanks for Maintenance Site – Meyer presented proposals. No action taken. Supervisor Hoffmann wants to have all figures in front of him prior to any decision-making. Chair Gartman recused himself from the table and discussion due to his presidency on the board of the parent company of Co-Energy Alliance.
- e. Quotes for Wood chipper – Meyer will check with Sheboygan County purchasing department to confirm the town's requirements to update any and all previous bids. No action taken.

Town clerk left the meeting at 9:15 p.m. due to illness.

8. 2011 Budget Amendment – No action taken. There are no Park Impact Fees. Sheboygan County Park Impact Fee Program has been discontinued for several years (this has been confirmed with Shawn Wesener per town chair.)
9. Review Plan Commission's draft amendments of C-2 Cemetery Zoning Ordinance setbacks. No action taken.
10. Park Impact Fees – No action taken.
11. Village of Oostburg, Regarding August 10, 2011 correspondence – No action taken.
12. Black River Fire Department & Village of Oostburg coverage areas and potential fire districts – No action taken.
13. Marshall's Western Shores, application for Operator's Permit for Kerri Skelton - No action taken.
14. Marshall's Western Shores, application for Operator's Permit for Christopher M. Bruegl – Motion by Senkbeil to approve issuance of Operator's License pending positive background check; second by Hoffmann; motion carried with no nay votes and no abstentions.
15. Review Town of Wilson's lines of credit – No action taken.
16. Disbursements:
 - a) Checks on hold – No check on hold.
 - b) Black River Fire Department – Motion by Senkbeil to approve \$1,160.00 disbursements for the Black River Fire Department pending the town treasurer's review and approval; second by Bergin; motion carried with no nay votes and no abstentions.
 - c) Town of Wilson First Responders – Motion by Senkbeil to approve \$165.25 disbursement for the Town of Wilson First Responders pending the town treasurer's review and approval; second by Hoffmann; motion carried with no nay votes and no abstentions.
 - d) Town of Wilson – Motion by Hoffmann to approve \$45,376.36 disbursements for the Town of Wilson pending the town treasurer's review and approval; second by Senkbeil; motion carried with no nay votes and no abstentions.

OLD BUSINESS:

17. Posting on town properties regarding banning entrance to anyone carrying concealed weapons – No action taken.
18. Acceptance of Lake Aire Addition No. 4 roads – No action taken.

Approval of Draft Minutes of August 15, 2011 – Motion by Bergin to approve; second by Sommer; motion carried with no nay votes and Hoffmann and Gartman abstaining.

NOTICES:

- September 8, 2011, 7:00 p.m. – Fire Partner's Meeting at Village of Oostburg Office, 927 Center Ave.
- September 12, 2011, 7:00 p.m. – Plan Commission Meeting
- September 15, 2011, 5:00 p.m. – Town of Wilson First Responder Meeting/Training
- September 19, 2011, 5:30 p.m. / 6:00 p.m. – Sanitary District No. 2 Mtg. / Town Board Mtg. at Town Office
- September 23, 2011, 4:00 p.m. – Special Town Board Meeting at Town Office

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- September 26, 2011, 6:30 p.m. – Long Range Planning Ad Hoc Team Meeting at Town Office

AGENDA ITEMS FOR SUBSEQUENT MEETINGS:

ADJOURN

Motion to adjourn by Sommer; second by Bergin; motion carried and meeting adjourned at 10:10 p.m.

Minutes submitted by: Cheryl Rostollan, Town of Wilson Clerk

UNOFFICIAL