

TOWN OF WILSON OF WILSON  
SHEBOYGAN COUNTY, WISCONSIN

APPROVED MINUTES OF SEPTEMBER 20, 2010 TOWN BOARD MEETING

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

Meeting called to order by Chair Gartman at 6:03 p.m., public notice requirements were confirmed by clerk and the meeting was declared an open meeting.

**PRESENT:** Chair David Gartman, Supervisor Dale Sommer, Supervisor David Senkbeil, Treasurer Laurie Pankratz, Clerk Cheryl Rostollan, Town Attorney Paul Rosenfeldt. **Also present:** Jim Kummer, Dan Rostollan, James Van Ess, Phil Mersberger, Kory Wendlandt, Rick Meyer, Mike Schnur, Ted Shonts, Mansoor Mirza, Roger G. Miller, Erik Sandvig.

**PLEDGE OF ALLEGIANCE** was recited.

**APPROVAL OF DRAFT MINUTES:**

- August 25, 2010 Special Meeting to Pick Bow Hunting Weeks in Balzer Woods – Motion by Senkbeil to approve with inclusion of all hunter's phone numbers; second by Sommer; motion carried with no nay votes and Gartman abstaining due to his absence at this meeting because he was at a County Heads of Government meeting.
- September 8, 2010 Town Board Meeting – Motion by Senkbeil to adopt September 8, 2010 Town Board minutes with amendment (noted; second by Gartman; motion carried with no nay votes and no abstentions.
- September 16, 2010 Special Town Board Meeting – Motion by Sommer to adopt minutes as printed; second by Senkbeil; motion carried with no nay vote and no abstentions.

**PUBLIC COMMENT:**

- Mike Schnur, 4417 Lafayette Drive, Sheboygan – The EPA still hasn't gotten a report back to them.
- Phil Mersberger, 9759 Middle Road, Oostburg – His comments are regarding #16 on agenda tonight. He is on the southern side of the Town of Wilson. Keeping in mind the response time and safety for residents and property until such time as the town can build a fire station that is equally available to all town residents.

**REPORTS:**

1. Treasurer: Cash Summary Report - Report of Intergovernmental Revenue, Estimated 2011 Shared Revenue & Expenditure Restraint Payments provided by Laurie Pankratz.
2. Clerk provided reports..
3. Constable Van Ess provided report (written & verbal).
4. Plan Commission – No report
5. Park & Forestry Commission – No report (let Jane Kettler know when the next newsletter will be mailed.)
6. Wage, Salary & Benefits Commission – No report.
7. Long Range Planning Ad Hoc Team – No report.
8. Black River Fire Department – No report.
9. Town of Wilson First Responders – No report.
10. Maintenance – Deferred

**APPOINTMENTS/NEW BUSINESS:**

11. Mark Gartman regarding proposed survey for Flader Hill Cemetery – Not present
12. Proposals for expert 3<sup>rd</sup>-party to assist in report monitoring associated with Conditional Use Permit for Ash Disposal Site at 5400 Frontage Road, Sheboygan - Ted Shonts introduced, Erik Sandvig, the new plant

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manager for the Edgewater Plant. Mark Hudson from Geo-Hydro, Inc. appeared by telephone. Attorney Paul Rosenfeldt asked Mark Hudson if he understands that the town is seeking a neutral party. Hudson responded that he did. Rosenfeldt asked Hudson if they'd be willing to put a "not to exceed" amount. Hudson agreed to put a not-to-exceed amount at his proposed fee of \$19,500. Senkbeil asked how it would benefit our town residents if they would only be analyzing the information provided from the samples prepared within the fence. Audience questions included Cathy Schnur regarding whether the town would be willing to monitor some of the resident's wells dependent on what the results are. Rosenfeldt feels that is premature at this point. Schnur asked about doing this at the same time Hudson is in this area. Hudson wouldn't recommend additional sampling until all of the existing data is analyzed. Mike Schnur asked what other types of chemicals Hudson would recommend testing - arsenic, miltiam, cadium, etc. Schnur asked if they would ever monitor for radium. Hudson replied that this would not be a silly question. Gartman asked if there was any leaching, would it be chemical leaching. No action taken. Contact Bonestroo to see if they can appear at our next meeting.

13. Consider directive to Plan Commission to make recommendations to Town Board on amendment of Sign Ordinance to prohibit digital, variable and multiple message off-premise signs – Motion by Gartman to direct Plan Commission to make recommendations to Town Board for an amendment to Sign Ordinance to prohibit digital, variable and multiple message off—premise signs; second by Senkbeil; motion carried with no nay votes and no abstentions. Motion by Gartman to request Plan Commission to re-visit Sign Ordinance to clarify legal, non-conforming (grandfathered) uses; second by second by Senkbeil; motion carried with no nay votes an no abstentions.
14. Mohamed Amad & Dr. Mansoor Mirza, regarding drainage at 2110 Sauk Trail Road – Mohamed Amad would like to work with the town to correct the drainage problem. Gartman did not support the board's motion/action to continue the work on the drainage and therefore did not offer input to correct the owner's dissatisfaction. Sommer stated that he made the previous motion to extend the swale due to our road betterment project. Sommer believes that the prior owner filled the area with stones. Amad stated that there is now always water in the ditch. Sommer explained that this is a natural drainage-way, which why the previous owner put the stones in, to attempt to force the water to flow to his liking versus with the natural flow. Amad and Mirza explained that they did not have water standing like it does now before we did our Betterment project in that area. The former owner put ¾' stones, and the finer materials. When the county went in to do their excavating they came upon a lot of ¾' stone and the drainage flow is now clogged up. Amad feels that the problems should be solved by the town with a 2% slope to drain the storm system of the tile. If it is the tile drainage coming from the north, that's a lot coming through our property. The project was completed 3 wks ago and there's no absorbing at the bottom of the swale. The black top from the mosque parking lot also drains there. The town did not agree to take care of this all the way to the end of the property. Sommer requested Rick Meyer to have the county shoot the grade to see if it is cleaned out all the way to the end and whether the drainage problem would be corrected. Senkbeil walked the projected before the last change was made and found that it was wet all the way to the road. Table until feedback is received from Sheboygan County. Put on October 4, 2010 agenda. Mohammed will represent Dr. Mirza on October 4<sup>th</sup> as he will not be available.
15. Requested permission for Scout Troup to removed invasive Bayberry – Motion by Gartman to grant request as stated; second by Sommer; motion carried with no nay votes and no abstentions.
16. Town of Wilson Agreement with the Village of Oostburg for Fire Service - Senkbeil asked Mersberger to expand on 25% dollar amount. Mersberger feels that the town should not remove itself from the Oostburg contract until equal distance to all areas of the town from a fire station is obtained because then it could

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- depend upon Oosturg for MABIS. Response time from farther away is a concern; the safety of the residents and protection of the properties is the concern. Mersberger wants the contract to stay the same because nothing changes. Mersberger spoke with Keith Schachel & Ken Sonntag, who both stated that they attempted to make changes in the contract years ago and they "didn't get anywhere." Roger Miller recalled the Oostburg Fire Chief warning them when they first got on the town board that they would be probably buying a ladder truck and that we might want to be examining the current contract. Miller suggested ascertaining unit cost per fire for Black River Fire Department and the Village of Oostburg.
17. Proposed monument at the front left side of Shircel Road - Rick to work with Shircel Rd. with Senkbeil to double-check sign ordinance.
  18. Maintenance Report – Provided by Rick Meyer who reported on his recent contacts with Sheboygan County regarding composting at the Maintenance site and signage with xamples of parking limitations in the town office/hall parking lot. Gartman suggested putting "no overnight parking" in hall rental agreement. Check with town's association regarding verbiage to restrict parking in town parking areas. Winter Road Maintenance Seminar was very informational and Meyer also shared info with private contractor. O & W will set up a camera in the office hallway for a demo at the Oct. 4<sup>th</sup> mtg. Roadside mowing has been started.
    - a. Lake Aire 4 is completed except for that the road needs to be striped yet with walking lane. Vincent does not have line designated for walking/biking. Meyer still needs to see how the road looks after the next rain event. Gartman wants to review the Development Agreement before accepting the roads. The Lake Aire 4 Development Agreement should have been amended if roads are not all going to be completed. Would all roads be accepted?
    - b. Town Hall – foundation/drinage & basement repair – Meyer will be meeting with the town's building inspector and Steven Kissel tomorrow morning at 7:30 a.m.
    - c. Town Hall – Meyer has another proposal for a wheelchair lift and will probably have another one for the next meeting (just the lift, no structural changes).
    - d. Maple Ln., Pheasant Ln. & S. 16<sup>th</sup> St. Betterment – No action taken.
    - e. Request for roadside drainage improvement at 4610 Evergreen Dr. – This has been completed.
    - f. Ardis Potts, 5603 Driftwood Ln, Sheboygan reporting flooding problem at the end of the driveway – Sanville will check the next downhill manhole. Miller shared that only one compaction test was done by Miller Eng for Earthtec at the time the sanitary sewers were put in. Put this matter on SanitaryDistrict No. 1 Agenda.
    - g. Replacement of trash receptacles at fire station - Gartman recommends further study by Park & ForestryCommission with the matter to be brought back to the town board.
    - h. Zoning Ordinance Chapter 50, Street Layout & Construction and Subdivision Ordinance – recommended changes. Meyer to go back into the Woods Subdivision and Rammer Pond (recent subdivisions), also check what is in the Development Agreements. Many neighboring communities (Plymouth & City of Sheb Falls) are going to 12" base and 4" overlay.
  19. Final WI DNR report for Urban Nonpoint Source Pollution & Storm Water Management Planning Grant – No action taken.
  20. Disbursements:
    - a. Checks on hold – None
    - b. Black River Fire Department – Motion by Gartman to approve as printed; second by Sommer; motion carried with no nay votes and no abstentions.

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- c. Town of Wilson First Responders – Motion by Senkbeil to pay Town of Wilson First Responder disbursements in the amount of \$3675.41; second by Sommer; motion carried with no nay votes and Gartman abstaining due to Kim Gartman's reimbursement.
- d. Town of Wilson – Motion by Sommer to approve as printed; second by Senkbeil; motion carried with no nay votes and no abstentions.

21. Fireworks Ordinance – Discussion, no action taken.

**FUTURE AGENDA ITEM:**

- Proposals for Dog Park Landfill Monitoring.

**ADJOURN:**

Motion to adjourn by Gartman; second by Senkbeil; motion carried and meeting adjourned at 9:42 p.m.

Minutes submitted by: Cheryl Rostollan, Clerk