

TOWN OF WILSON
SHEBOYGAN COUNTY, WISCONSIN
APPROVED MINUTES OF OCTOBER 4, 2010 TOWN BOARD MEETING

CALL TO ORDER & DECLARATION OF OPEN MEETING:

Meeting was called to order by Chair David Gartman, legal posting was confirmed with clerk and meeting was declared an open meeting.

PLEDGE OF ALLEGIANCE was recited.

PRESENT: Chair David Gartman, Supervisor David Senkbeil, Supervisor Dale Sommer, Treasurer Laurie Pankratz, Clerk Cheryl Rostollan. **Also present:** Michael T. Bergin, Mary Ann Bergin, Dennis Schnur, Mike Schnur, Eric Sandvig, Michael Grieveldinger, Rich Valenta, Cathy Schnur, Chris Hatfield, Rick Meyer, John Michaels, Jon Niewalny, Dan Rostollan, Mark Rausch, Michael Whitcomb, Bob Werner, Jim Kummer.

APPROVAL OF DRAFT MINUTES:

1. September 20, 2010 Town Board Meeting - Motion by Sommer second by Senkbeil to approve as amended; motion carried with no nay votes and no abstentions.
2. September 23, 2010 Special Town Board Meeting – Motion by Senkbeil to accept minutes as printed; second by Gartman; motion carried with no nay votes and no abstentions.

PUBLIC COMMENT SESSION: None

APPOINTMENTS / NEW BUSINESS:

1. Proposals for expert 3rd party to assist in report monitoring associated with Conditional Use Permit for Ash Disposal Site at 5400 Frontage Road, Sheboygan – Chris Hatfield from Bonestroo answered questions from the Town Board and Attorney Paul Rosenfeldt, representing the Town, regarding EPA's and WI DNR's involvement-to-date and reports. Motion by Gartman to enter into agreement with Bonestroo as presented by Chris Hatfield in the amount of \$4,700.00 conditionally upon Alliant Energy providing intent to pay for cost in writing to the town within 10 days and with the work and report to be completed by Bonestroo by November 15, 2010; second by Senkbeil; motion carried with no nay votes and no abstentions.
2. Mark Rausch, Sign Permit Application for 4210 CTH J, Sheboygan Clear Channel Communications, 908 Silvernail Road, Pewaukee, WI – Michael Whitcomb, attorney representing Clear Channel Communications provided Clear Channel's documents as requested by the town Plan Commission, although he doesn't believe that it is necessary to do so to update a digital/LED sign. Exhibits provided as follows:

Exhibit #1: Single-page copy of the Town Ordinance Book supplied to them by the town clerk. It was enhanced. It came from the town ordinance book which codifies the town ordinances, which a large range of dates. Page 37 is enlarged, which shows that it was effective in February, 1955. The Town's Plan Commission had some concern that the 1955 document was not an official request.

Exhibit #2 – Land surveys on the subject parcel in chronological order (5 pages) documenting the location of the parcel since 1978 and 1979 upon which the billboard is located in relationship to the intersection in the darkened area to the zoning map effective 1955.

Exhibit #3 – Large plat of right-of-way from WI DOT, 4/3/1970 revision date, with overlay. Indicates where US Hwy 141 TOW was in 1970, it also shows the projection of where Hwy 43 would be coming through. It also shows the size of the commercially-zone portion in relationship to the intersection pictured in the black portion of the zoning map north of OK which was owned by the Schneiders, then Underhills. (The red "X" on the overlay indicates where the sign is located.)

Exhibit #4 – 1959 Town of Wilson Zoning Book (37 pages)

Exhibit #5 – January 9, 1978 Plan Commission and Town Board Minutes regarding re-zoning request from Underhills.

Exhibit #6 – Permit issued by the WI DOT for the sign.

TOWN OF WILSON
SHEBOYGAN COUNTY, WISCONSIN
APPROVED MINUTES OF OCTOBER 4, 2010 TOWN BOARD MEETING

Discussion regarding what the zoning was in 1955 and questions regarding when it re-zoned from Agricultural zoning to Highway Commercial zoning, WI DOT issuance of digital sign permits. Actual zoning of property in 1955 was questioned. Rausch suggested that some rural communities pre-zoned Highway Commercial zoning areas. Chair Gartman began viewing archived town board and town plan commission minutes previous to this meeting and would like to look further into the 1963 re-zoning request when Schneider owned the land prior to making a decision and reschedule for the November 1, 2010 town board meeting. Motion by Gartman to table the matter pending clarification of remaining issues (zoning/map); second by Senkbeil; motion carried with no abstentions and no nay votes. (6 official exhibits were marked.)

3. Dr. Mansoor Mirza regarding drainage at 2110 Sauk Trail Road - Mohamed Hamad requested additional assistance to corrected undesired drainage on property. No drainage easement was recorded in the town. Discussion regarding where the matter is at and what to do going forward. Hamad questioned whether he would have a problem if he chooses to further extend the drainage. Town board expressed no opinion and granted no permission for owner/renter to proceed forward.
4. Roger Wagner proposed an amendment to the Lake Aire 4 Developer's Agreement – Roger Wagner, Jim Wagner and Bob Werner appeared seeking to extend the Developer's Agreement, possibly 10 years. A letter of credit was posted with the town. Proposed course of action:
 - The Town Board is open to the concept of what needs to be done, but they want to do it well;
 - Owners/developers to provide a list of what has been completed and what has been left incomplete for the town board's review;
 - The town board/Attorney St. Peter will react to the list provided by the developers;
 - Documentation from WI DNR with determinations if the road should be built, or not. Bridge as determined by the board
 - Security, "Letter of Credit", needs to be extended to one year after targeted completion dates;
 - Identify default items;
 - Determine dates of completion;
 - Amendment to developers to be drafted by St. Peter, without "new" contingencies ;
5. Chuck Nahn, Maple Lane, Pheasant Lane and S. 16th Street Betterment, permits, drainage issues - Appointment/discussion/possible board action – Approximately 20% City/80% Town, on S. 16th Street it's 40% City/60% Town – The City is requesting "Plan Profile Sheets" with the town to pay for our percentage of the cost of Nahn providing the CAD. Gartman suggested that Nahn should provide data to the City for them to prepare their own "Plan Profile Sheets".
6. John Michaels, 6416 Lone Oak Drive, Sheboygan - Regarding right-of-way obstructions - Appointment/discussion/possible board action - 9/24/10 Mr. Michaels received a letter from the town referring to the road right-of-way; he did have draining rocks and pipes in the ditch. He took a few days off of work, as did his neighbor. He was hoping to see something similar done by Mr. Wagner. He needs to know, in writing, what he needs to do with regards to stormwater. Chuck Nahn, Civil Eng. Specializing in stormwater discharge provided options:
 - a. Restoring the grass condition;
 - b. "Let nature take its course;
 - i. Questioned wither dense vegetation was acceptable? – Answer from Nahn & Associates - Typically 6" to 12" range would allow the benefits of the water quality without the impediments;
 - c. Chair Gartman thanked Michaels for working with the town and he asked the board to approve the letter to recipients working directly with Chuck Nahn from Nahn & Assoc. Motion by Gartman to have Chuck Nahn from Nahn & Associates work with parties that have concerns and to work directly with the homeowners; second by Senkbeil; discussion – Nahn to identify recommendations if the right-of-way is left idle/timing of cutting; motion carried with no nay votes and no abstentions.
7. Rich Valenta, O & W Communications regarding office security regarding camera(s) and potentially defective motion sensor – Appointment/discussion/possible board action – Motion by Senkbeil to enter into contract RV1091TOW with option of lights with camera, not to exceed \$2,100 with a loop left on camera (audio recording is an option that the town may turn off and on); second by Gartman; motion carried with no abstentions and no nay votes.
8. Mark Gartman, regarding proposed survey for Flader Hill Cemetery – Appointment/discussion/possible board action – *Mark Gartman is not interested in survey, provide this report to Park & Forestry Commission.*

TOWN OF WILSON
SHEBOYGAN COUNTY, WISCONSIN
APPROVED MINUTES OF OCTOBER 4, 2010 TOWN BOARD MEETING

9. Letter of Support to Sheboygan County Law Committee in support of Agreement with Orange Cross Ambulance – 3 year contract renewal with same verbiage. Only issue of concern for Gartman is on page 8, number 3, regarding response times (compliance for them is that 90% of the time they will be under 25 minutes, they aren't required to call for mutual aid if over 25 minutes less than 10% of the time. Sommer also questioned number of ambulances – three are listed but the contract states that they have four ambulances.) *Further review needed by board, no action taken.* Chair Gartman called a Quality Assurance Meeting on Wed. night, October 6, 2010. Supervisors may submit questions to Gartman before Wednesday to his town mailbox. *Put on next agenda.*
10. Angelica Guerra, 1803 N. 10th Street, Sheboygan regarding Hall rental application for November 6, 2010 – Motion by Gartman to deny request as submitted due to policy in place prohibiting; second by Senkeil; motion carried with no nay votes and no abstentions.
11. Fire Study Commission Report
 - a. Request for soil borings to determine feasibility of future expansion at Black River Fire Station, 5536 Evergreen Dr. – No action, provide estimate for inclusion in 2011 budget.
 - b. Town of Wilson Agreement with Village of Oostburg for Fire Protection, propose for next year's budget?
12. Roads/building maintenance:
 - a. Lake Aire 4 Road Inspection (final cost/job expectations) – Information provided by Rick Meyer regarding potential grading, no action taken.
 - b. Town Hall – Handicap accessible adjustment(s) to building (Lift/elevator) – No further proposal received. We currently have three (3) proposals. This will require a State of WI approved plan.
 - c. Proposals for tiller attachment for composting at Maintenance Site – Proposals are still coming in, no action taken.
13. Complaints:
 - a. Judy Ketterling, regarding smell from mink farm on Sauk Trail Road – Discussion regarding WI Right-to-Farm Act. (information provided by Chair Gartman)
 - b. City of Sheboygan Ald. Rindfleisch/Aaron Gabrielse, 3706 S. 17th Place regarding smell from neighboring mink farm – Discussion, no action taken.
14. Request from Wilson Wildcats to hold a bake sale during the November 2nd Election – Motion by Sommer to approve the request from Town of Wilson Wildcats to hold a bake sale November 2, 2010 with the provision that they use the back door of the hall and do not enter until 6:30 a.m.; seconded and amended by Senkbeil to include any rules provided by the town clerk; amendment seconded by Sommer; motion carried with no nay votes and no abstentions.
15. 2011 Budget – Deferred to Thursday, October 7, 2010 at 6:00 p.m.
16. Uniform Rural Numbering System – Discussion, no action taken.
17. Reports
 - a) Treasurer – Written and verbal reports provided by Laurie Pankratz.
 - b) Clerk – Written and verbal reports provided by Cheryl Rostollan.
 - c) Constable - None
 - d) Plan Commission - None
 - e) Park & Forestry Commissioner - None
 - f) Wage, Salary & Benefits Commission - None
 - g) Long Range Planning Ad Hoc Committee - None
 - h) Black River Fire Department - None
 - i) First Responders - None
 - j) Maintenance: (Snowplowing/Roads/Maint. Site/Bldgs) – Written and verbal reports provided by Rick Meyer.
18. Disbursements:
 - a. Checks on hold - None
 - b. Black River Fire Department – Motion by Gartman to approved Black River Fire Department disbursements in the amount of \$1,199.28; second by Sommer; motion carried with no nay votes and no abstention.
 - c. Town of Wilson First Responders – None
 - d. Town of Wilson – Motion by Senkbeil to approve Town of Wilson disbursements dated October 4, 2010 in the amount of \$23,829.40; second by Sommer; motion carried with no nay votes and no abstentions.

OLD BUSINESS:

TOWN OF WILSON
SHEBOYGAN COUNTY, WISCONSIN
APPROVED MINUTES OF OCTOBER 4, 2010 TOWN BOARD MEETING

19. Fireworks Ordinance – No action taken.
20. Zoning Ordinance Chapter 50, Street Layout & Construction and Subdivision Ordinance – Recommended changes – No action taken.
21. Town of Wilson's hosting of October 14, 2010 Sheboygan County Town's Association Meeting – Discussion, per Sommer John Majerle offered to make a crock pot of meatballs for \$40, Chair Gartman suggested that the office staff could take care of this Friday afternoon. No action taken.

CORRESPONDENCE:

22. Recently enacted Sheboygan County Ordinances
23. Sheboygan County Highway Department regarding WI DOT "Complete Streets Workshops"

NOTICES:

- Thursday, October 7, 2010, 5:30 p.m., Town Office – Town of Wilson First Responder Board Meeting
- Monday, October 11, 2010, 7:00 p.m., Town Office – Plan Commission Meeting
- Wednesday, October 13, 2010, 6:00 p.m., Town Office – Plan Commission Hearing/Meeting & Town Board Meeting
- Thursday, October 14, 2010, 5:30 p.m., Town Office – Town of Wilson First Responder Meeting
- Monday, October 18, 2010, 5:30 p.m./6:00 p.m., Town Office – Sanitary Dist. #2 Commissioner Meeting/Town Board Meeting
- Wednesday, October 20, 2010, 6:30 p.m., Town Office – Park & Forestry Commission Meeting
- Thursday, October 21, 2010, 5:30 p.m., Town Office – Town of Wilson First Responder Meeting
- Monday, October 25, 2010, 6:30 p.m., Town Office – Long Range Planning Ad Hoc Team Meeting

AGENDA ITEMS FOR SUBSEQUENT MEETINGS:

ADJOURN:

Motion to adjourn by Sommer; second by Gartman; motion carried with no nay votes and no abstentions and meeting adjourned at 11:36 p.m.

Minutes submitted by: Cheryl Rostollan, Town Clerk