

**MINUTES OF THE MEETING OF THE  
TOWN OF SHEBOYGAN TOWN BOARD  
TUESDAY, January 19, 2016 @ 5:15 pm**

A Town of Sheboygan Town Board meeting was held on Tuesday, January 19, 2016 in open session at the Town of Sheboygan Town Hall, 1512 No. 40<sup>th</sup> Street, Sheboygan, Wisconsin 53081, Sheboygan County, Wisconsin.

The meeting was called to order by Town Chairman, Daniel W. Hein. The following were also present at the meeting: Supervisors Dan Olson and John Wagner, Michael Bauer, Public Works Director William Blashka and Clerk Cathy Conrad.

Notice of the meeting was given to the public at least 24 hours prior to the meeting by forwarding the complete agenda to the official Town newspaper, *The Sheboygan Press*, and to all news media who have requested the same, as well as posting in three (3) different places.

Upon motions duly made and seconded, the Town of Sheboygan Town Board unanimously adopted the attached resolutions unless noted otherwise and made a part of these minutes by reference.

There being no further business the meeting was adjourned.

**TOWN OF SHEBOYGAN TOWN BOARD**

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DANIEL W. HEIN, CHAIRMAN

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JOHN WAGNER, SUPERVISOR

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DANIEL OLSON, SUPERVISOR

**UPON MOTIONS DULY MADE AND SECONDED, THE FOLLOWING RESOLUTIONS WERE ADOPTED UNANIMOUSLY BY THE TOWN OF SHEBOYGAN TOWN BOARD IN OPEN SESSION (introductions were given)**

- 2) Pledge of Allegiance-The Chairman led those present in the Pledge of Allegiance.
- 3) Agenda-**Motion Wagner, second Olson to approve the agenda for January 19, 2016 as presented. Motion carried.**
- 4) Approval of the Minutes-**Motion Olson, second Wagner to approve the minutes of December 15, 2015 as presented. Motion carried.**
- 5) Sign Permit request from Hillcrest Builders for Mueller Fields Subdivision-Plan Commission recommends approval provided the sign not be located in any Sanitary District easement or drainage easement. **Motion Olson, second Wagner to concur with the Plan Commission and approve the sign permit for Hillcrest Builders/Mueller Fields Subdivision, as presented. Motion carried.**
- 6) Conditional Use Permit for Outlot 1 Green Meadows Subdivision-Atty. Bauer reviewed potential recommendations. Premier was present and showed a color rendering. Chris Slater of Premier stated they received approval from the County for construction. All will have a private entrance with one stall garage, 1000 sq. ft. units with a washer dryer, stove, refrigerator and rents between \$1,200 and \$1,400 per month and they are developing 1000 units throughout the state. The development is located on Outlot 1 in the far corner of the subdivision consisting of 48 units (4 buildings with 12 units each).  
**Motion Wagner, second Olson to concur with the Plan Commission with the following conditions:**
  - a) **Approval of Sanitary District 2 (sewer) and Sanitary District 3 (water);**
  - b) **Approval of stormwater drainage plans by the Town engineer;**
  - c) **Subject to review within one year of occupancy to evaluate a child play area and a dog area;**
  - d) **Subject to color renderings as submitted;**
  - e) **No outside storage;**
  - f) **Garbage/recycling receptacles to be enclosed;****Motion carried.**
- 7) Sheboygan Senior Community PILOT Agreement-Atty. Bauer was present on behalf of Sheboygan Senior Community. There was a glitch with the tax exempt forms not being filed by March 1, 2015. The tax bill was roughly \$22,600 and there was a separate PILOT Agreement where the Town was to be paid \$14,000. The Town has checked with the assessor and there is no way to remove the tax except for a payment and the only thing available to adjust is the PILOT Agreement. It was suggested to defer the PILOT Agreement until 2016 and the tax exempt forms would be filed. There will be shortage from the PILOT Agreement vs. the tax payment. **Motion Hein, second Wagner to defer the PILOT Agreement until 2016. Ayes-Hein, Wagner. Nay-Olson. Motion carried.**
- 8) Gottsacker Development/Springtime Ridge issues-DPW Blashka stated with the heavy wet snowfall first without frost prohibited snow removal. There is also a lot of erosion and the roads are not safe to plow. The final as-builts have not been received and there are no final occupancy permits for the second residence. Blashka has been in contact with Gottsacker along with the resident who live there. Blashka stated they only plowed as far as the first condo, but did go back after the frost was in the ground and much gravel was torn up. There is lots of erosion in the corner and if you get off too far you could be stuck pretty good. Gottsacker was going to his attorney to take Wagner to court. Blashka stated he contacted Wagner who met with Gottsacker's attorney in the end of October and has not heard anything since. Who is responsible? Atty. Bauer stated it is not a Town road as we have not accepted it and Gottsacker would be responsible for any damage. **Motion Wagner, second Olson that Gottsacker is responsible for the road until it is paved and accepted by the Town and Atty. Bauer will write the letter to the parties involved. Motion carried.**

9) Ordinance Amendments related to Sex Offender Ordinance 5.12-A number of citizen comments regarding sex offender's restriction of 2,000' feet from churches, school, etc. The proposed ordinance eliminates exception to the 2,000' restriction for family; and adds an additional residency restriction from Town of Sheboygan residents; along with notification if the Town receives a bulletin from the Sheriff's Department then the Town will send notices to residents within 200'. Chris TenDolle, stated he lives near White Oak and he has concerns of the map related to the sex offender 2000' restricted area. He stated an offender has moved into the area and the offender did not keep up his address. He would like this area to be part of the restricted area. He believes there is a home that houses juveniles in the area. TenDolle stated he will check further into this. **Motion Olson, second Wagner to adopt the amendment to Ordinance 5.12 as proposed. Motion carried**

10) Herb Koene, 5403 Wild Meadows Drive was present regarding notifications in Green Meadows Subdivision/Outlots 3 & 4 in Green Meadows Subdivision. Koene stated no one in his subdivision got a notice. Outlots 2 & Outlot 6 are within 200' of common land owned by all residents. Atty. Bauer stated that Green Meadows Real Estate is listed as the owner and the tax bill doesn't list an address for Green Meadows. Koene brought his tax bill showing he is part owner of the Outlots and feels this was negligence on the Town's part for not sending out a notice and there was no reasonable effort to get in contact with the property owners. Atty. Bauer stated that the Town would notify Green Meadows Subdivision owners if any changes are proposed for Outlot 5.

Tina Kriedler, 5110 Wild Meadow Drive said there is an error and this should be modified  
Shawn Moriarity stated he has had conversations with several residents and there is a consensus in the group to change Wild Meadow Drive at the north end to a cul de sac and he asked what the procedure is. He doesn't feel the street is sufficient to handle the traffic.

Atty. Bauer stated there are statutory procedures for vacating a public road and it would be very difficult to override. Anyone within 1,250' in either direction could object. There is a statutory procedure that must be followed. Olson stated that limiting traffic including fire, EMS, ambulance and feels emergency concerns are more important safety wise. Moriarity stated he did have an attorney check into this and there were several comments by Board members that they were concerned about related to the type of developments that would be going on to these parcels. He stated he was left with the impression that the Town's decision was paramount above residents concerns and every objection was addressed as though a conclusion were already made and a decision was made without concern.

11) Jim Schnur, 5447 Heatherfield Court was present regarding asking for additional funds for closing his ditch-Jim stated he would like additional coverage and he received \$7,350 and \$900 towards the extra manhole and he got a manhole for \$1,750 and put in an 8" pipe along the culvert and his contractor said to order the extra pipe and connections since Blashka couldn't do it, like he thought was going to be done. Additional costs of \$141 for materials. Then he had to move the manhole over and add an extension and this cost additional funds of \$300. Sukowaty expenses were \$115 per hour so he got billed \$500. Total project cost was approximately \$15,000. The Town engineer suggested pavers at \$50 per foot with \$7,350 and \$900 for the manhole for a total of \$8,250. Cathy Schnur called this inverse condemnation. DPS Blashka stated that while exercising valves part of the top of the hydrant broke and they fixed it in a few weeks. Cathy Schnur said they would go to Court then. **Motion Olson, second Wagner to deny any additional funds for closing the ditch. Motion carried.**

12) John Justinger, owner of property at 3114 Lisa Avenue was present to discuss water in the ditch from the neighbor. Justinger stated a property that was constructed north of his property and through the course of construction they elevated the land and the water is running into his property. There is so much water in the back area and into the house. Water used to pond a little bit but not this much. Mini storm sewers or a ditch would be Justinger's suggestion Mirsad stated that there was water before in the fall and in the spring there was water all the way to the house. On the south side of his property he dug up a ditch all the way to Lisa Avenue so the water can go into the pipes and he paid an excavator and they made a gradual slope. Justinger land is going lower and also Rogers's property. Tom Holtan has not looked at this property though he approved the drainage for Mirsad's property. He must wait until the snow is gone and the frost is out of the ground. Mrs. Mirsad stated that all the properties are higher than the Justinger parcel and this is a problem. There is a stormsewer inlet at Lisa and 38<sup>th</sup> Street and they will ditch going to the

west. The ditch has to be moved further away from the road. Once the new culvert is in this will be looked at.. and this property is low, but hopefully a simple solution can be resolved. This will be put on the agenda for May.

13) John Toerpe, 4123 Superior Avenue was present regarding the recycling charges and he asked the Board to take a second look at his parcels. The Town Board explained the recycling fee and advised that he could combine the lots which would eliminate one of the \$52.00 charges. Toerpe was referred to the Sheboygan County Treasurer for further information.

14) Deputy Sean Pringle re: traffic safety enforcement team-Pringle gave a brief background and was present to discuss his project of traffic speed, crashes, alcohol, etc. Sheboygan County seemed to have a large problem and he is proposing a team of officers dedicated to traffic issues. Deputies in unmarked squads to address specific issues to reduce crashes and speed. The Town had 83 traffic complaints called in by the public. Sheboygan County has 11 fatalities a year, 285 speed related crashes and 92 alcohol related crashes which resulted in 5 of the fatalities. Also 103 people were hurt related to speed and alcohol. He is in the early stages of gathering data and talking to municipalities to address problem areas. Hein asked if there is a charge for this type of service. Pringle stated he is looking at how this could work and the minimum amount of staff. He is also looking at what the current resources are of adding additional staff over the entire county. He may do public awareness seminars and contract with Sheriff's Department for specific problems in specific areas. Costs are really not known at this time depending on what services the Town wants. Hein asked if there were any specific areas. Mueller Road is a high area, No. 31<sup>st</sup> Street, CTH Y, and the Interstate. The Town Board is receptive to this idea but costs will need to be reviewed.

15) Landfill Update-Blashka stated the silencer was put on and they will do final touchup in spring with the final paperwork and a final deposit is being held. Also to be reviewed will be turning off the monitoring unit at the residence in Mapledale.

16) Fire Alarm Ordinance & False Alarm Issues-In 2015 the Fire Department responded to fire alarms and no one was evacuating, especially in Mapledale. They looked at what other townships do and the purpose is to establish an ordinance where a tier system of false alarms that would go up in price, would put maintenance on the alarm system and contractors working on them. This proposal would create an ordinance and after 5 false alarms the parties would be billed. Also to consider is the monitoring alarm system as the City does. Police and Fire both have permits and they would have those for fire inspections. The goal is to have a system in place that informs residents and businesses that false alarms are important. Atty. Bauer will draft an ordinance for review. This item will be placed on the next agenda.

17) Compensation Form for Fire Dept. & EMS payments-EMS can print out their report per person from the Emergency Reporting System, as samples shows. These forms were acceptable for reports.

18) Approval of Fox Valley training-**Motion Wagner, second Olson to approve Junger, Maas, Harden to attend the Fox Valley training as presented. Motion carried.**

19) Approval of EMS Convention-**Motion Wagner, second Olson to approve the convention request of E. Gumm, Mike Burgard, Holly Knoener, Larry Krueger and Mollie Mechenich (5) to attend the EMS convention, as presented. Motion carried.**

20) Operators License for Angelyne Wagner, 724 Broughton Drive for Mobil Station. **Motion Wagner, second Olson to approve the operators license for Angelyne Wagner, 724 Broughton Drive for the Mobil Station on Vanguard Drive. Motion carried.**

21) Ordinance Officer Reports-Mark Heronymus found that some equipment was duplicated and will be returned. A light bar was obtained from the City Police Department and will be installed shortly. Car graphics are on hold for a short time. Silk screening for the patches are \$15.50 per patch with a minimum order of 25. He reported that traffic at Lincoln Erdmann for the Christmas Program in the morning and afternoon was a problem. It was suggested that Mark talk to the principal about this issue.

22) Transfer of \$25,556.98 to Public Protection & Safety from General Funds Undesignated-**Motion Wagner, second Olson to transfer funds to Public Protection & Safety from Undesignated General Funds due to the purchase of the Fire Department pick-up truck and the heating system. Motion carried.**

23) Sheboygan County Economic Development Fund 2016 Contribution-**Motion Olson, second Wagner to make a \$5,000 investment to the SCEDC. Motion carried.**

24) Approval of the Retail Coach Planning Agreement-Retail Coach, an economic development expert is going to put a retail plan together for the retail corridor. Changes were made and they will be in the area 1-21-16 & 1-22-16 to start. A \$5,625 payment will be due very soon. **Motion Olson, second Wagner to approve the Retail Coach planning agreement as presented. Motion carried.**

25) Radio Upgrade Project-Radio system will be operational in July and accepted in June. The bill will be payable in June/July paid with borrowed funds.

The Town Board did not go into Closed Session

26) Fire Department Matters-PGA monies for rental of the UTV was estimated at \$5,000-\$8,000 but the Town only ended up with \$3,800.

Firefighters who worked the PGA through the Haven Fire Department received a separate check from the Haven Department. One lump sum was issued for the guys to be paid. The Town Board stated they were upset that they did not get the \$5,000 as agreed on for the UTV.

Town Board was not aware that the Fire Department personnel got paid for working. 10 guys worked as Haven did not have the staff to fill the positions required by the PGA. Those positions were going to be paid for by the PGA no matter who was working, Haven or Town of Sheboygan. In the future the Town Board will require a contract for use of the UTV and in the future this must be run through the Town Board and the PGA rather than Haven. Heronymus asked if there is any recourse, this was not an enforceable contract.

27) Reports-**Motion Wagner, second Olson approve the reports as presented. Motion carried.**

28) Correspondence-Two e-mails were received from residents of the Town of Mosel regarding the development of Outlot 1. The lights from cars and the condition of the road were their concerns.

29) Adjourn-**Motion Wagner, second Olson to adjourn the meeting at 7:25 pm. Motion carried.**

Cathy Conrad, Town Clerk