

**MINUTES OF THE MEETING OF THE
TOWN OF SHEBOYGAN TOWN BOARD
TUESDAY, December 15, 2015 @ 5:15 pm**

A Town of Sheboygan Town Board meeting was held on Tuesday, December 15, 2015 in open session at the Town of Sheboygan Town Hall, 1512 No. 40th 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 James R. Schwinn, Dan Olson, John Wagner and Char Gumm, Atty. 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

DANIEL W. HEIN, CHAIRMAN

CHAR GUMM, SUPERVISOR

JAMES R. SCHWINN, SUPERVISOR

JOHN WAGNER, SUPERVISOR

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

- 2) Pledge of Allegiance-The Chairman led those present in the Pledge of Allegiance.
- 3) Agenda-**Motion Gumm, second Wagner to approve the agenda for December 15, 2015 as presented. Motion carried.**
- 4) Approval of the Minutes-**Motion Wagner, second Schwinn to approve the minutes of November 17, 2015 as presented. Motion carried.**
- 5) Rezoning of Alicia Reichgeld property at 3617 Erie Avenue-Atty. Bauer explained that a hearing was held at the Plan Commission meeting. **Motion Schwinn, second Gumm to approve the rezoning of Alicia Reichgeld for 3617 Erie Avenue, as recommended by the Plan Commission. Motion carried.**
- 6) Sign permit for Walmart, 4433 Vanguard Drive-Atty. Bauer explained that Plan Commission recommended approval. **Motion Wagner, second Schwinn to approve the sign permit for Walmart, 4433 Vanguard Drive, as recommended by the Plan Commission. Motion carried.**
- 7) Sign permit for Westgate Center, 3889 Enterprise Drive-Atty. Bauer stated that the Plan Commission recommended approval with the condition that only two panels be allowed. **Motion Gumm, second Wagner to approve the sign permit for Westgate Center, 3889 Enterprise Drive with the condition that it only be 2 panels, as recommended by the Plan Commission. Motion carried.**
- 8) Samantha Bastil concerns re: Sex Offender Ordinance 5.12 related to Country Meadows Drive-Atty. Bauer was present and stated that he discussed this matter with Atty. Bastil regarding our Sex Offender Ordinance 5.12 and the exceptions listed in the ordinance. Atty. Bauer read the exceptions. Bauer explained that the proposal is to eliminate the family exception to the ordinance. Also a concern to section 1 as well; which states that if they establish a residence before the ordinance was established. Baer stated that we could not enforce this. There is recent legislation introduced in congress and whatever gets past will be regulated by the State of Wisconsin and the Town ordinance would not be valid. The legislature is taking steps to increase the regulations.
A neighbor stated she is concerned about her 6 year old daughter who lives in the neighborhood. Bauer stated that this is one of the purposes of the law to give the neighbors more notice. The County gave notice to the Town and media and Heronymus stated that it is up to the media. It is highly probable that he would violate again. The probation agent can be contacted regarding his restrictions. A neighbor explained that young children wait for the buses at 6:50 am and she was concerned that her daughter is there alone and she must wait for other neighbors. Copies of the notice were distributed to the audience. Other municipalities have the same ordinance enacted with the same exceptions. Bauer stated that Town of Empire in FDL County as recently as this morning changed their ordinance that stated only Town residents could return. There were very few challenges and current legislation pending right now. Pending Legislation is taking authority away from the local authority. Legislation is senate bill 209. No one on the Board is in favor of letting them live here. Residents stated they are trying to restrict places where these offenders can live and they feel the Board is willing to remove the exception. The ordinance mirrors the City of Sheboygan and Sheboygan Falls. Residents feel the notices should be sent to the residents in the community. Bauer proposed that when notices are done for rezoning and conditional use permits we can notify property owners within 200' of this property. He asked if that was acceptable to the residents? There is no prior notice that is required by the State. Any change to the ordinance tonight would not affect Mr. Engl as he is grandfathered, however if he moved away he could not come back. The Town will keep a copy of the ordinance in his file. If his father passes away he wouldn't be grandfathered as he would not be in compliance. Establishing residency #1 is also an issue. One neighbor asked what she should tell her 9 and 10 year daughters. Bastil commented that there are 24,000 sex offenders in the State; 209 in the County of Sheboygan. There are sex offenders everywhere. Hein suggested that residents contact their legislators. Neighbor stated that he is now free to walk in a neighborhood where there are lots of children. Bauer stated that you are now aware of the issue. Does GPS monitor keep him off private properties? No

one was sure. The Board was asked if the bus company could pick up children on cul de sac. It was recommended she contact the School Transportation Group. Constables will be visible in the area more. It was suggested that a neighborhood watch group be set up to alert others as to the activity in the area. A Block Watch through the Sheriff's Dept. may also help. It was suggested that residents contact Agent Butzen regarding any issues. Call the agent during the day and Sheriff's Dept. after hours. It was also suggested was the residents take pictures of the activity.

Bauer suggested removing the exception, also notify property owners within 200' and only taking offenders that reside in Sheboygan County. This will be put on the next agenda with the changes.

The full report was provided to the Ordinance Enforcement Officer. If the Town removes exception 3 he could only live in the Town if he lived there 2 years before the arrest. Constable Cram stated that if there is an issue or a large gathering of children please page the constables and them and they will assist. Also don't be afraid to call 911. Neighbors feel that they have rights also. Must be diligent and watch out for each other.

8a) Certified Survey Map for Polar Ware Property located on No. 15th Street-The original map is not here and the Town asked that the right-of-way be dedicated that is adjacent to the parcel, as is the City right-of-way. **Motion Olson, second Wagner to approve with a correction to the subject of the road right-of-way dedication. Motion carried.** Part of this parcel is in the City and part is in the Town. Schwinn asked why this isn't all in the same municipality. All Board members agreed and signing will probably take place in the future.

9) Update on Dale Koepke property, 3416 CTH Y-Dale Koepke stated that Jack VanDerWeele has inspected the project and the plumbing inspector and electrical inspector will do their inspection soon. The garage is on a slab; the grainery building roof was painted; & the smaller buildings were removed. Mr. Koepke was found to be in compliance.

10) Traffic concerns on Wild Meadow Drive-Residents requested the entrance off Playbird be closed. No action taken.

11) Landfill Update-Tom Holtan stated that the silencer was received and will be installed and everything is complete. The Groundwater Monitoring report was reviewed.

12) Use of the Firehouse Park by flag football group-Blashka contacted the flag football group and they have responded. No action was taken.

13) Condition and Plowing of Playbird Road-Blashka found that in 1963 there was a written agreement and he will forward that to the Town of Mosel.

14) Appointment of Pollworkers through December 31, 2017-**Motion Gumm, second Wagner to appoint Pollworkers as listed, through December 31, 2017. Motion carried.**

15) Compensation Form for Fire Department and EMS payments-Ed Biederwolf showed Jim and John a form that they drafted for pay and they did not think that was descriptive enough. Dates and attendance should be documented on timesheets. This item will be put on next agenda.

16) Fire Alarm Ordinance and False Alarm Issues-Cram will bring in the County Ordinance and it was suggested that the City also be contacted for their ordinance. This will be put on the next agenda.

17) Fourth Amendment to Vacant Land Offer to Purchase Outlot 1, Green Meadows Subdivision-**Motion Schwinn, second Gumm to approve the Fourth Amendment to Vacant Land Offer to Purchase Outlot 1. Motion carried.**

18) ISO Insurance Public Protection Classification Program Survey results-Blashka stated that the ISO was in to check the water system, water capacity and water flows along with Fire Department equipment and this affects your homeowners insurance. The rating of 4 is very good.

- 19) Donation of \$200 from Town of Sheboygan Lion's Club for Ordinance Enforcement Officer's equip. A thank you was written for this donation.
- 20) Ordinance Enforcement Officer Reports-Heronymus stated they are out in the public and patrolling. Cram stated they need feedback from residents and officials. Cram reported that there are still some parking issues at Lincoln Erdmann.
- 21) Transfer of unused funds from Highway to Capital Outlay Salt Shed-Blashka explained that he is asking the Town Board to transfer \$100,000 from unused highway funds (due to the mild winter) to Capital Outlay Salt Shed. **Motion Gumm, second Wagner to approve the transfer of unused highway funds to Capital Outlay Salt Shed. Motion carried.**
- 22) Operator's licenses-**Motion Schwinn, second Gumm to approve the operator's licenses for Sandra J. Leske, 2832 Mill Road, Sheboygan for the Blind Horse and Courtney M. Naser, 2551 Roberts Ct, Altoona for the Mobil Station. Motion carried.**
- 23) Vacant Land Offer to Purchase for Green Meadows Outlot 5-Atty. Bauer explained the offer from the same developer to purchase Outlot 5 at \$5,000 per residential unit. This parcel is 24 acres but a lot is wetlands. They were planning on 64 units (\$320,000) but if they can't get that many the price would be reduced accordingly. The Town has 10 days to change their mind after the number of units has been determined. The developer's model is intended to target three different segments of the market. Outlot 1 is basic apartments; midlevel townhomes will be on Outlots 3 & 4 and Outlot 5 is the high end part of the market. These would all be rental units. If theTown approves the purchase agreement it then goes to the Plan Commission and Town Board. The timetable would be mid-year (July). This would require rezoning to R-4. **Motion Schwinn, second Olson to accept the vacant land offer to purchase for Green Meadows Outlot 5. Motion carried.**
- 24) Reports-**Motion Schwinn, second Gumm to approve the reports as presented. Motion carried.**
- 25) Correspondence-There was no correspondence listed..
- 26) Adjourn-**Motion Wagner, second Gumm to adjourn the meeting at 7:00 pm. Motion carried.**

Cathy Conrad, Town Clerk