

**MINUTES OF THE MEETING OF THE
TOWN OF SHEBOYGAN TOWN BOARD
TUESDAY, February 16, 2016 @ 5:15 pm**

A Town of Sheboygan Town Board meeting was held on Tuesday, February 16, 2016 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 Char Gumm, Dan Olson, James Schwinn and John Wagner, Attorney Michael Bauer, Public Works Director William Blashka and Treasurer Darla Free.

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

DANIEL OLSON, SUPERVISOR

JAMES SCHWINN, SUPERVISOR

JOHN WAGNER, SUPERVISOR

UPON MOTIONS DULY MADE AND SECONDED, THE FOLLOWING RESOLUTIONS WERE ADOPTED UNANIMOUSLY BY THE TOWN OF SHEBOYGAN TOWN BOARD IN OPEN SESSION

- 1) Chairman Hein calls the meeting to order and introductions of Board and Staff are made.
- 2) Pledge of Allegiance - The Chairman led those present in the Pledge of Allegiance.
- 3) Agenda - **Motion Wagner, second Gumm to approve the agenda for February 16, 2016 as presented. Motion carried.**
- 4) Approval of the Minutes - **Motion Olson, second Gumm to approve the minutes of January 19, 2016 as presented. Motion carried.**
- 5) **Discussion/Action – Resolution to Extend Conditional Use Permit for Sam’s Club, 4309 Cth J**
Introductions are made by Sam’s Club representatives. A Sam’s Club representative states that they were here in 2014 when they purchased the Menard’s building; it took some time to move forward, but now they’re ready; they are working with a contractor to raze the property and it’s contingent upon the weather, but they need to extend the date of the conditional use permit, it expires this March; there are a view changes to the original application; some landscape islands will be moved back and a canopy will be added; customers can make on-line orders and this canopy will accommodate pick-up; there is also a small area for propane tanks and it will be the same as what’s at the current Wal Mart; they will be losing some parking spaces; construction is expected to begin in 2017. Attorney Bauer states that their application is in the packet for approval. Supervisor Olson asks if it’s okay to make this approval without going back to the Plan Commission. Attorney Bauer states yes, because the original approval allowed for minor details to be changed. Engineer Holtan states that he doesn’t see any issues with the changes. Chairman Hein states that the Board and community are excited for the project to begin and asks if there are any further comments or questions. There is no further discussion.

Motion Olson, second Schwinn to approve the landscaping, parking and canopy changes and to extend the date of the Conditional Use Permit for Sam’s Club. Motion carried.

- 6) **Discussion/Action – Amendment to Conditional Use Permit for Wal Mart Store, 4433 Vanguard Drive Related to Exterior Color Change**
The Wal Mart representative states that Wal Mart is updating their branding to a blue and grey palette, but they won’t be painting the brick; she states that renderings have been submitted. Chairman Hein asks if there’s been any discussion regarding having inside access to their liquor department; right now there is only outside access. The Wal Mart rep states no, it’s not been discussed. Supervisor Gumm states that there are some liquor products sold inside the store. Chairman Hein states that the Board originally required the entrance to be separate, but now thinks it would be a good idea to add an entrance to the inside of the store, it would make it easier to make purchases; the outside access makes it difficult; if they entertain the idea, the Board would approve it. The Wal Mart rep states that she’ll take the idea back to Wal Mart; the remodeling budget is set now, but this could be done later on; the remodeling will start this April. Attorney Bauer states that these are minor changes, so they don’t have to go back to the Plan Commission.

Motion Gumm, second Wagner to approve the Amendment to the Conditional Use Permit for the Wal Mart Store related to the exterior color change. Motion carried.

- 7) **Discussion/Action – Approval of Audit with Schenck**
Attorney Bauer states that this is the standard governance letter from the auditors; it’s reviewed and approved yearly.

Motion Gumm, second Wagner to approve the Schenck & Associates Governance Letter as submitted. Motion carried.

8) Discussion/Action – Sale of Green Meadow Outlot 1

Attorney Bauer states that Green Meadow Outlot 1 is scheduled to close on February 29th pursuant to the Development Agreement with the Sanitary Districts, the Town allocation is \$117,638.11/61%, Sanitary Sewer is \$40,236.81/22% and Sanitary Water is \$31,092.08/17%; the Chairman and Clerk will need to sign all legal documents with this closing.

Motion Schwinn, second Gumm to approve the sale of Green Meadow Outlot 1 and approve the Chairman and Town Clerk to sign all legal documents pertaining to this closing. Motion carried.

9) Discussion/Action – Landfill Update

DPW Blashka states that there have been no issues or alarms. Supervisor Schwinn asks if there's been continued contact with the residents. DPW Blashka states that we'll make contact again in spring; they all have and can keep the monitoring meters in their homes; the De Sombres also have an exhaust system. Engineer Holtan states that, back in April and going forward, the DNR changed the required site monitoring from monthly to quarterly.

10) Discussion/Action – Draft Fire Alarm & False Alarm Ordinance

Attorney Bauer states that the submitted draft shouldn't be adopted until a system is in place; the draft states that the Fire Dept. will keep track of false alarm calls, they'll send an invoice and copy the Town staff; Town staff will keep track if the payment is made; if not, it will be placed on the tax roll. Ed Biederwolf states that the Fire Dept. currently keeps records of false alarms, but doesn't invoice for them. Attorney Bauer states that this isn't intended to be forfeiture, it is set up as a service charge; if it goes on the tax roll, there are no legal fees; if someone wants to dispute the charge, the process is to appeal to the Town Board. Supervisor Gumm states that she's concerned that they'll say it's a problem with the alarm service. Mr. Biederwolf states that's why they'll get a few false alarms for free; it's an incentive to have the alarms fixed. Chairman Hein states that this item should remain on the agenda for next month; he'd like the Fire Dept.'s recommendation on this matter.

11) Discussion/Action – Closing of Town Hall/Tuesday, April 5, 2016 & Tuesday, November 8, 2016 to Staff Elections

Motion Gumm, second Schwinn to approve closing of the Town Hall on Tuesday, April 5, 2016 & Tuesday, November 8, 2016 to staff elections. Motion carried.

12) Discussion/Action – Operator's Licenses for Hunter Voss, W4356 Stoney Lane, Plymouth for Superior Discount Liquor and Denise Paulish, 378 Clay Street for Pine Hills Country Club

Motion Wagner, second Gumm to approve an Operator's License for Hunter Voss, W4356 Stoney Lane, Plymouth for Superior Discount Liquor. Motion carried.

Motion Wagner, second Gumm to approve an Operator's License for Denise Paulish, 378 Clay Street for Pine Hills Country Club. Motion carried.

13) Discussion/Action – Ordinance Enforcement Officer Reports

Chairman Hein states that no Officers are here to report, but he'd like to comment that the Enforcement Officers are putting themselves out in the community and are working well; Officer Heronymus was active during the February 8th snow storm; he was on-site to assist the semi-truck accident on Hwy 42.

14) Reports: Financial Reports; Approval of Bills; Plan Commission Minutes

Chairman Hein states that there wasn't a January 2016 Plan Commission meeting.

Motion Wagner, second Gumm to approve the Town financial reports and the monthly bills. Motion carried.

15) Correspondence – Letter from Anthony Thiel, 5025 Wild Meadow Drive re: Outlot 5 Development
Chairman Hein acknowledges Mr. Thiel's letter and states that there's no date on the letter, but it was received by the Town on January 14, 2016. Mr. Thiel states that his letter might be premature, but after the re-zoning of Outlots 3 and 4, he wants to know why the Town is re-zoning Outlot 5. Attorney Bauer states that rather than condos, they're building town home apartments; it's a small distinction. Mr. Thiel states that he's concerned about green space; Premier is the developer of Outlots 3 and 4 and they are putting 48 apartments on Outlot 1; Premier said they'll have an employee on-site and the apartments will rent for \$1,200-\$1,400, but he's concerned that Premier keeps up the property and what kind of people they'll be renting to. Chairman Hein states that we haven't seen plans for Outlot 5 yet. Attorney Bauer states that we won't see plans until spring; it will depend on the wetlands. Mr. Thiel states that if Premier ever sells Outlot 1, someone else could build a hotel. Attorney Bauer states that as long as the land use stays the same, a hotel would not be consistent with the land use. Chairman Hein states that Premier said that if they go forward with Outlot 5, it will be the most expensive of the developments; rent in the range of \$1,800. Attorney Bauer states that they plan high end finishes and amenities; for baby boomers who are downsizing and young professionals. Mr. Thiel states that these apartments have all the living in the upstairs; baby boomers aren't going to want a home with stairs; he doesn't trust Premier to do what they say. Chairman Hein asks if he's heard any negative comments. Mr. Thiel states no, but most of the contractors aren't local. Chairman Hein states that he's heard Premier to be very reliable; you'll see as the buildings go up; we want everything done correctly, to be nice for the Town and the neighborhood. Mr. Thiel states that he doesn't want to have to see police patrolling the area; that's very scary; they like Outlot 6; it's very wet, but there are a lot of people who use it; a lot of deer and nature; it's progress but he'd like to see it stay natural. Chairman Hein tells Mr. Thiel that they'll have his letter for reference when Outlot 5 comes and all of the neighbors will get notified. Fire Chief Benzschawel states that he's been on the construction site for fire inspections and they're doing a lot of good work and the State is also watching.

Supervisor Olson states that he was contacted by a neighbor, complaining of at least five sightings of coyotes in Pine Hills Subdivision; they believe the coyotes are coming over from Pine Hills golf course; no one's been able to take pictures because they've only been sighted at night; there haven't been any incidents yet; he has talked to Pine Hills and they said they would allow us to bring someone in to shoot the coyotes; he told the neighbor that he'd bring the matter up to the Town Board. Chairman Hein asks if we can kill them. Supervisor Olson states yes, on the golf course property; we've done it before. Chairman Hein states that he has coyotes in his neighborhood, too; they've been sited throughout the Town.

16) Adjourn - **Motion Wagner, second Gumm to adjourn the meeting at 5:48 p.m. Motion carried.**

Darla L. Free, Treasurer