

**MEETING MINUTES OF  
TOWN OF SHEBOYGAN SANITARY DISTRICT NO. 3 (WATER)  
AND**

**TOWN OF SHEBOYGAN SANITARY DISTRICT NO. 2 (SEWER)**

**Date: Monday, September 18, 2017**

**Place: Town Hall, 1512 N. 40<sup>th</sup> St., Sheboygan, Wisconsin**

**Time: 4:00 p.m. – Sanitary District No. 3 Water Monthly Meeting**

**Time: To Follow San 3 Meeting – Sanitary Dist. No. 2 Sewer & Sanitary Dist. No. 3 Water Joint Meeting**

**Time: To Follow Joint Meeting – Sanitary District No. 2 Sewer Monthly Meeting**

A monthly meeting of the Town of Sheboygan Sanitary District No. 3 (Water) Commission began at 4:00 p.m. and a joint meeting of the Sanitary District No. 2 (Sewer) and Sanitary District No. 3 (Water) Commissions began at 4:12 p.m., following the Water District meeting. The Sanitary District No. 2 (Sewer) Commission continued on with their monthly meeting after the matters in Joint Session had been discussed at 4:56 p.m. on Monday, September 18, 2017 in open session at the Town of Sheboygan Town Hall, 1512 N. 40<sup>th</sup> St., Sheboygan, WI 53081, Sheboygan County.

Notice of the meeting was given to the public at least 24 hours prior to the meeting by posting in three (3) different places and forwarding to all news media who have requested the same.

Upon motions duly made and seconded, the following resolutions were unanimously adopted and made a part of these minutes by reference as if fully set forth herein.

**1. Call to Order**

The Town of Sheboygan Sanitary District No. 3 (Water) Commission monthly meeting is called to order by President Mark Flasher, Sanitary District No. 3 (Water) at 4:00 p.m. The following were also present at the meeting: Treasurer Jerry Hoepfner, Sanitary District No. 3 (Water); Secretary Spencer Lutzke, Sanitary District No. 3 (Water); Art Stewart, Sanitary Districts Alternate Commissioner; Attorney Michael Bauer; Engineer Tom Holtan; Director of Public Works William Blashka; Office Manager Darla Free and those persons on the attached list.

**2. Approval of the September 18, 2017 Monthly Bills**

“The Town of Sheboygan Sanitary District No. 3 (Water) Commission hereby approves the September 18, 2017 monthly bills as submitted per a motion by Commissioner Flasher and a second by Commissioner Lutzke.” Motion carried.

**3. Discussion/Action – Site for New Water Tower**

Commissioner Flasher states that he sent an e-mail to Jim Hapeman last week to find out if Franzen had any other questions or concerns; he hasn't heard back from him. He states that he'll try to call Mr. Hapeman; he doesn't want to bother him too much about it, but wants to stay on top of the issue. He asks if anyone thinks that there will be problems or issues. Engineer Holtan states probably; it probably won't be when signals are going to the towers, but will probably be when they are leaving the towers. Attorney Bauer states that the site currently has antennas on their tower; if we put up a new tower on the planned site, will it be the antennas or the tower that will cause the interference problems. Engineer Holtan states that it will be the tower. Commissioner Flasher states that we'd like to work this out so that they can continue to keep their antenna revenue. Attorney Bauer states that it gets complicated. Commissioner Flasher states that maybe something could be negotiated in the price when the land is purchased, depending on the length of their contracts; Franzen's people thought that the appraisals were good. Engineer Holtan states that we probably should do a drawing and show where the towers are, the elevations, and get the information to their providers. Commissioner Flasher states that we can go ahead with this. Attorney Bauer asks if the height of the tower has an impact on any of this. Engineer Holtan states that it's something we'll have to look into. DPW Blashka states that it depends which way the antennas are aiming. Commissioner Lutzke states that we'd like to lease out our tower space, like we currently do. Commissioner Hoepfner asks when we plan to move forward with the project. Commissioner Flasher states that it's going to be on an as-needed basis, based on our long term planning and development. Engineer Holtan states that the Comprehensive Water System Master Plan has it being needed between 2020 and 2030. Commissioner Flasher states that we'd want to create another loop; water goes down Hwy 42. Supervisor Schwinn states that water is on Cth Y. DPW Blashka states that it's not

all the way on Cth Y; it stops at Bender Rd. Commissioner Flasher states that if we build a new tower, we'll definitely add a loop. Commissioner Lutzke asks if there have been any recent inquiries into the vacant land west of the Hayssen building. Attorney Bauer states no. Supervisor Schwinn states that it was farmed this year. Attorney Bauer states that Engineer Holtan did a cost estimate to get the 99 acres served with water and sewer; it was expensive. Engineer Holtan states that the estimate didn't include the price of a new tower; the estimate for just the tower is \$1.3 million. DPW Blashka states that part of the area we're looking at is low. Engineer Holtan states that there's a wetland as well. Commissioner Flasher states that at this time we'll continue to follow-up with Mr. Hapeman; then when we're ready for the construction, we'll have the land. Engineer Holtan asks if he should move forward with the extension estimate. Commissioner Flasher states that we don't need it at this time.

#### **4. Communication & Correspondence Received After Posting of Agenda**

Nothing submitted; no updates.

### **Sanitary District No. 2 (Sewer) and Sanitary District No. 3 (Water) Joint Agenda – Immediately Following Completion of Sanitary District No. 3 (Water) Monthly Meeting**

#### **5. Call to Order - Sanitary District No. 2 (Sewer)**

The Town of Sheboygan Sanitary District No. 3 (Water) and Sanitary District No. 2 (Sewer) Commissions monthly joint meeting is called to order at 4:12 p.m. by Commissioner Flasher and President Dave Griffin, Sanitary District No. 2 (Sewer). Treasurer Ken Katte, Sanitary District No. 2 (Sewer) and Secretary Dave Albright, Sanitary District No. 2 (Sewer) are also in attendance.

#### **6. Approval of the August 21, 2017 Monthly Meeting Minutes**

"The Town of Sheboygan Sanitary District No. 2 (Sewer) Commission hereby approves the August 21, 2017 monthly meeting minutes as presented per a motion by Commissioner Albright and a second by Commissioner Katte." Motion carried.

"The Town of Sheboygan Sanitary District No. 3 (Water) Commission hereby approves the August 21, 2017 monthly meeting minutes as presented per a motion by Commissioner Hoepfner and a second by Commissioner Lutzke." Motion carried.

#### **7. Discussion/Action – Parcels in the Town that are not in the Districts**

Commissioner Flasher states that we have summaries of the parcels in question; we have parcels in one District, but not the other; some are getting a District's service that are not in the District; there are multiple scenarios. Attorney Bauer asks if there are residents getting a bill for a service but aren't in that District. Commissioner Flasher states yes. He states that there are four parcels on South Taylor Dr. that get a sewer bill but aren't in the District; some of these have been purchased by Acuity; they get a non-District charge based off of our rates; there are properties on Indiana Ave. with a similar situation. Commissioner Hoepfner states that Acuity's already razed some of the properties they've bought on South Taylor Dr. Supervisor Schwinn states that some of these properties were part of what was Sanitary District No. 1; this was the original District, made up of seven properties; then it was changed to Sanitary District No. 2; Sanitary District No. 1 was dissolved into Sanitary District No. 2; maybe it got missed at that time. Commissioner Flasher states that Ms. Free made comments on some of the properties, like whether or not there was a main in the road, but the property wasn't in the District. He states that he feels we need to continue working with the spreadsheet; if people want to connect, we can bring them in at that time; it doesn't make sense to bring everyone in. DPW Blashka states that it won't work to bring everybody into the sewer District because you have to be able to serve them; it makes sense if you want to bring everybody into the water District because of fire protection. Commissioner Flasher states that if service is adjacent to a parcel, it's defined as "in front of"; once sewer is available in the street, you have to connect; we'll need more maps from the County to research some areas; then we'll meet with the Town Board. He states that the problem is when we are serving a parcel but they're not in the District; then they don't have to comply with the Districts' ordinances. Attorney Bauer states that a resident can petition to be annexed into a District, or the Town Board can be the petitioner. Supervisor Schwinn states that if there are about 70 properties who get sewer but aren't in the District, we could deal with these right away, the deal with the other issues later. Commissioner Flasher states that ultimately it will be a Town Board decision and asks if the Districts need to make a recommendation. Attorney Bauer states that you'll need a legal description and a map to annex into a District. Commissioner Flasher asks, from a water District standpoint, do they bring everybody in; some of these parcels will never get water, but they get fire

protection. Commissioner Griffin states that he gets sewer, but not water; if the District brings him in and then he wants water, the District would have to provide it. Supervisor Schwinn states that now the District asks if residents want a service and it has to be at least 50% of the people who'd want water or sewer. Commissioner Griffin states that if his well went dry and now he'd want Town water, wouldn't they have to provide it if he was brought into the District. Commissioner Flasher states that's why this is tough; there are people that have the same situation. Supervisor Schwinn states that the Tree Streets have no water, it's not even near the area, but they're in the water District; if they would need water, they'd have to annex to the City. Commissioner Flasher states that they can do this in parts, but then there will have to be public hearings each time. DPW Blashka states that the first thing should be bringing parcels into the District if they're getting the service; we need to get them in. Supervisor Schwinn states that the bulk of these are the manufactured homes. Attorney Bauer states that some of the Taylor Dr. properties may be annexed, or will be soon. Supervisor Schwinn states that the public hearing notice has to be published. Attorney Bauer states that the annexation statute reads that the property owner has to pay the expenses if they make the request; we have to follow the same policy; if the Districts are asking, they should pay. Commissioner Flasher states that we'll start with working with the properties that are already in the District. He asks if we can get a legal description from the County's website. Attorney Bauer states that they may be sketchy. Commissioner Flasher states that we're trying to define areas, not each parcel. Engineer Holtan states that if they're already platted, it's easy to describe. Attorney Bauer states that once a map goes to the County, their tax listing department has to determine the boundaries. Ms. Free states that each of the manufactured home lots, including the Concord vacant lots to the north, get an individual tax bill, but are only in the water District. Attorney Bauer states that these vacant lots should be brought in, too; if they connect in the future, then it's done. Commissioner Flasher asks if they should make a recommendation to the Town Board now regarding the Bettag/Woodland Rd property and the manufactured home lots; is this the way to proceed. Supervisor Schwinn asks if he's looking to get this done this year. Commissioner Griffin states that it would depend on the costs; he'd like an idea of the costs; it's not been budgeted for this year. Commissioner Flasher states that he'd like to continue developing the spreadsheets; the County doesn't always notify us when parcel numbers change; we'll try to look at the plat of the manufactured home park before next month's meeting; we need more maps with more layers from the County. Attorney Bauer states that it could be as easy as how the lots are listed; it's the "here's and there's" that could be the problem; he'll send the statute that regulates what needs to be followed. Commissioner Flasher states that he'll send the spreadsheets to the other Commissioners for their review and/or comments; Ms. Free has a few more to investigate; the master is on the Town public server, so you can work with your copy.

#### **8. Scheduling of Districts 2018 Budget Workshop**

Commissioner Flasher states that Sanitary District No. 3 can start their October meeting early and have their budget workshop at that time; he asks DPW Blashka to send the Commissioners the proposed budget; they can decide what time to start their meeting after they see what he's proposing. Commissioner Griffin states that Sanitary District No. 2 will have theirs after their monthly meeting matters are finished. DPW Blashka states that the only big purchase he's anticipating for sewer is a new flow meter at the Pigeon River lift station and also replacing the 1997 utility truck; the truck would be split between the Districts.

#### **9. Town of Sheboygan Plan Commission Update**

Commissioner Hoepfner states that there wasn't a September Plan Commission meeting.

#### **10. Operator's Report**

DPW Blashka states that there aren't any problems with the water District, everything's running fine. He states that he had to re-set the radio transmitter; all of the hydrants have been flushed and they're exercising the valves now; the weather's been dry so there's been more lawn watering.

DPW Blashka states that he's submitted the flow reports from the City for June and July; we've received the bill for the N 40<sup>th</sup> St sewer repair that was discovered during televising; there was a separation; the repair by the main lift station hasn't been done yet; it should be done by October; the Cth Y lift station was flushed and cleaned again; there was a bit of debris and he called the Rockline contact but she never called back; he left a message but no one showed up; there's a bucket of the debris in case they call or stop, but he'll call them again next time they need to clean the Cth Y lift station. Commissioner Flasher states that there was a report out of Europe that a community had a slug of debris that was longer than a football field; it was made up of mostly diapers and wipes. DPW Blashka states that this problem is everywhere. He states that Great Lakes will be back for more cleaning and televising, but he hasn't heard from them yet.

#### **11. Communication & Correspondence Received After Posting of Agenda**

Supervisor Schwinn states that Mr. Hersey's daughter was at the Town Hall last week, stating that her father no longer wants water and sewer extended to his garage on Koehn Ave., which was built without any permits; last week Mr. Hersey took out a siding permit for this garage. Attorney Bauer asks if Mr. Hersey built this garage, or was it there when he purchased the property. Supervisor Schwinn states that he doesn't know. Attorney Bauer states that this issue is on the Town Board's agenda for tomorrow night.

Commissioner Griffin states that Ms. Free was contacted by some bankers to see if the Districts were interested in making any new investments; the Federal Reserve is going to be easing their bonds, so we'll wait to see what happens.

#### **12. Pending Item List Review**

The pending item list is reviewed and updated accordingly. The list is part of the minutes' book for review and record retention purposes.

Commissioner Flasher states that he has the District's Ordinance manual at home, item 9; Sanitary District No. 2's is done and is on the website; Sanitary District No. 3 was going to start organizing there's when District No. 2 was done.

DPW Blashka states that they've popped about 50 manholes, item 33, because it was noted that they were holding flows back; we didn't see any problems.

#### **13. Adjourn – Sanitary District No. 3 (Water)**

"There being no further business, the Town of Sheboygan Sanitary District No. 3 (Water) Commission adjourns the meeting at 4:56 p.m. until Monday, October 16, 2017 at 4:00 p.m. or at a time to accommodate for the budget workshop per a motion by Commissioner Flasher and a second by Commissioner Hoepfner." Motion carried.

### **Sanitary District No. 2 (Sewer) Agenda - Immediately Following Completion of Joint Agenda**

#### **14. Approval of the September 18, 2017 Monthly Bills**

"The Town of Sheboygan Sanitary District No. 2 (Sewer) Commission hereby approves the September 18, 2017 monthly bills as submitted per a motion by Commissioner Albright and a second by Commissioner Katte." Motion carried.

Commissioner Griffin states that Aspen Trails Subdivision is almost done; we were billed for engineering in August and this month. Engineer Holtan states that they haven't done the as-builts yet. Attorney Bauer asks if the road is in, or is it still gravel. DPW Blashka states that the last time he checked, it was still gravel.

#### **15. Discussion/Action – Policy on Maintenance Obligation, The Preserve at Briarwood**

Attorney Bauer states that after the District's August meeting, he didn't have any information from Mr. Diener that the homeowners had paid their association fees required for maintenance of the sewer; the District can send any bills to Mr. Diener, now he has their money; if there's a homeowner that has an issue with their lateral, we'll work with that owner; there aren't any homeowners who want to be on the committee, but they already paid.

#### **16. Discussion/Action – CMOM Update/Capacity, Management, Operations & Maintenance Plan**

DPW Blashka states that there are no updates at this time.

#### **17. Discussion/Action – Non-Disposable Wipes Being Flushed into Sanitary Sewer System**

Commissioner Griffin states that we already discussed this item under Operator's Report; we have a sample available; we'll leave this item on the agenda for another month; we'll remove it if we don't hear back from the Rockline rep.

#### **18. Update – 2017 Televising Schedule**

DPW Blashka states that Great Lakes is wrapping up, they're nearly done; they said there were two small spots of concern; he advised them to get both repairs made. Commissioner Griffin asks if these repairs were from 2009 or 2010 televising because of the old seven year rotation plan. DPW Blashka states no, he thinks it's the

second time around for these areas. He states that he went back and looked at the first N 40<sup>th</sup> St televising report and it didn't show anything; the next televising report showed a slight crack; this was the third time and that's when they show the disconnection. He states that he likes to go back at the history to see if it was something that was missed. Commissioner Griffin states that hopefully we get the system televised earlier next year, but we did have a lot of rain this year.

**19. Discussion/Action – DNR Request to Spray for Invasive Phragmites at the Pigeon River Lift Station**

DPW Blashka states that we talked about a waiver; he told the DNR via e-mail that the District wanted this; he hasn't heard back. He states that he was also told that there were phragmites at the Eisner Ave. park; he asked the DNR where at the park because he looked and couldn't find any, but the rep didn't get back to him on this, either. Commissioner Albright states that they're having the same issue with the DNR about this; if you agree to let them spray now, you're locked into the three-year program. He states that he asked them the same questions the District did; the School District didn't sign an agreement either, but then he saw someone spraying by Pigeon River School, near Polarware by the railroad tracks; their concern was also that they'd get chemicals on someone else's property; they don't seem to know where they're spraying. Supervisor Schwinn states that Brown County burned their problem areas. Commissioner Albright asks if this is a DNR program, or is it really an Ozaukee County program. Attorney Bauer states that this a good point; for the purpose of the minutes, Ozaukee Land Conservation Trust got a grant from the DNR, but it's not being done by the DNR. Supervisor Schwinn states that at the meeting he attended, it was made clear that they had to be careful not to spray on other properties. Commissioner Albright states that the person he saw spraying by the railroad tracks had a utility truck with a tank and hose. Commissioner Griffin states that we are on the record requesting a waiver and they didn't answer us.

**20. Communication & Correspondence Received After Posting of Agenda**

Commissioner Griffin states that Ms. Free had e-mailed an invitation to attend the Sheboygan Area School District's groundbreaking of their new home in Green Meadow Subdivision. Attorney Bauer states that Chairman Hein attended; they have a new person in charge.

**21. Adjourn – Sanitary District No. 2 (Sewer)**

"There being no further business, the Town of Sheboygan Sanitary District No. 2 (Sewer) Commission adjourns the meeting at 5:12 p.m. until Monday, October 16, 2017, following the Sanitary District No. 3 (Water) monthly meeting per a motion by Commissioner Griffin and a second by Commissioner Albright." Motion carried.

**Town of Sheboygan Sanitary District No. 2 Sewer**

**David Griffin**, President  
**Ken Katte**, Treasurer  
**David Albright**, Secretary

**Town of Sheboygan Sanitary District No. 3 Water**

**Mark Flasher**, President  
**Jerome Hoepfner**, Treasurer  
**Spencer Lutzke**, Secretary

**Minutes approved on October 16, 2017**