

**MINUTES OF THE MEETING OF THE
TOWN OF SHEBOYGAN TOWN BOARD
TUESDAY SEPTEMBER 21ST, 2021 AT 5:15 PM**

A Town of Sheboygan Town Board meeting was held on Tuesday, September 21st, 2021, at 5:15 pm in open session at the New Town Hall, 4020 Technology Parkway, Sheboygan, Wisconsin 53083, Sheboygan County, Wisconsin.

The meeting was called to order by Town Chairman Dan Hein. The following were also present at the meeting: Supervisors Jim Schwinn, Char Gumm, Brad Lambrecht, Attorney Michael Bauer, DPW/Engineer Tom Holtan, Deputy DPW Tod Holfeltz, Deputy Utilities Damian Nevers, Fire Chief Ed Biederwolf, EMS Captain Michael Brungraber, Deputy Chief Adam Cain, Ordinance Enforcement Officer Mark Heronymus and Clerk Peggy Fischer.

Notice of the meeting was given to the public at least 24 hours prior to the meeting by 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

JAMES R. SCHWINN, SUPERVISOR

CHAR GUMM, SUPERVISOR

BRAD LAMBRECHT, SUPERVISOR

ALEXANDRA NUGENT TIMOFEEVA, SUPERVISOR

Chairman Dan Hein called the meeting to order at 5:15 pm.

Pledge of Allegiance was said.

Approval of the Agenda. **Motion Gumm, second Lambrecht to approve the agenda for September 21st, 2021. Motion carried.**

Approval of the minutes from August 17th, 2021. **Motion Schwinn, second Gumm to approve the minutes from August 17th, 2021. Motion carried.**

Conditional Use Permit for Kellner Trust, Kurt and Ruby Kellner at N7164 Riverwoods Drive, Sheboygan to construct a 4 or 5-unit garage approximately 1,200 square feet. **Motion Lambrecht and second Gumm to approve the Conditional Use Permit for Kellner Trust, Kurt and Ruby Kellner at N7164 Riverwoods Drive, Sheboygan to construct a 4 or 5- unit garage approximately 1, 200 square feet. Motion carried.**

Atty. Bauer discussed the next three agenda items together: The Ordinance Creating Section 5.19, Planned Unit Development District, the rezoning of the five parcels of approx. 99 acres east of North 40th Street, rezoning two parcels of approx. 9.71 acres west of North 40th Street. Atty. Bauer shared the discussion that he and Chris Merklein, Vice President of Van Horn Development, LLC had with the Plan Commission and the residents present regarding a Planned Unit Development zoning and the rezoning and future development of the 99 acres East of North 40th Street and 9.71 acres West of North 40th Street. Both will be rezoned Planned Unit Development to allow for future development.

An Ordinance Creating Section 5.19, Planned Unit Development District of the Municipal Code of the Town of Sheboygan, Sheboygan County, WI. Per Atty. Bauer, there was a slight change to the wording regarding the Town Board determining what a minor change is. With this change, Atty. Bauer reported that the Plan Commission recommends approval to the Town Board. **Motion roll call vote; Hein "Aye", Gumm "Aye", Schwinn "Aye", and Lambrecht "Aye". Motion carried.**

Rezoning five parcels of approximately 99 acres East of North 40th Street and North of Highway 42 owned by the Town of Sheboygan from A-1 to Planned Unit Development for future development. Atty. Bauer reported that the Plan Commission recommends approval. **Motion roll call vote; Hein "Aye", Gumm "Aye", Schwinn "Aye", and Lambrecht "Aye". Motion carried.**

Rezoning two parcels of approximately 9.71 acres West of North 40th Street and North of Highway 42 owned by the Town of Sheboygan from B-3 and I-1 to PUD for future development. Atty. Bauer reported that the Plan Commission recommends approval. **Motion roll call vote; Hein "Aye", Gum "Aye", Schwinn "Aye", and Lambrecht "Aye". Motion carried.**

Resolution Authorizing the Issuance and Sale of \$1,900,000 General Obligation Promissory Notes, Series 2021C. Phil Cosson, Senior Municipal Advisor for Ehlers was present and discussed the Resolution Authorizing the Issuance and Sale of \$1,900,000 General Obligation Promissory Notes, 2021C. Cosson explained the process of sending out the documents to the bidders and shared the results with the Board. **Motion Schwinn, second Gumm to approve the Resolution Authorizing the Issuance and Sale of \$1,900,000 General Obligation Promissory Notes, Series 2021C. Motion carried.**

Post issuance compliance policy and procedures. Atty. Bauer explained the additional handout that was given to the Town Board regarding compliance procedures for general obligation promissory notes. This Post-Issuance Compliance Policy sets forth specific policies of the Town of Sheboygan, designed to monitor post-issuance compliance. After a brief conversation with the Town Accountant, Treasurer, Deputy Treasurer, and Clerk, the Treasurer or Deputy Treasurer shall be responsible for developing, maintaining and following written procedures and/or an Administrative Rule for monitoring post-issuance compliance. **Motion Gumm, second Lambrecht to approve the Post Issuance Policy and procedures. Motion carried.**

Alcohol Beverage License Application for Kulwinder Kaur, Ekam Café, 4914 Vanguard Road. Class “B” Beer and “Class C” Wine. **Motion Schwinn, second Gumm to approve the Class “B” Beer and “Class C” Wine license application for Kulwinder Kaur, Ekam Café, 4914 Vanguard Road, Sheboygan. Motion carried.**

Operator’s License for Isaiah Brulla, 2117A N. 12th Street, Sheboygan, WI 53081 for Kwik Trip. **Motion Schwinn, second Gumm to approve the Operators License for Isaiah Brulla for Kwik Trip. Motion carried.**

Discussion/Action – Transient Merchant Registration Forms for Dylan Bordonaro, 610 Estero Blvd., Ft. Myers Beach, FL 33931, Ticket sales at Quality Inn and Culvers on Hwy. 42 from September 21st-26th, 2021. Werner Nieder, 4240 Valley View Rd, Flat 2, Edina, MN. 55424, Ticket sales at Kwik Trip, 4220 Cty Rd. J from September 22nd-27th, 2021. Michael Morgan, 2517 Red Wing Way, Maryville, TN 37801, ticket sales at Quality Inn Hwy. 42, September 21-September 26, 2021. John Peterson, 5321 Arapanoe Lane, Ticket sales at Kwik Trip, 4220 Cty. Rd. J from September 22nd-27th, 2021. Blaine Nelson, 1444 Auburn Green Loop Winter Park, FL 32792, 4 Day USDA Frozen Meat Sale at Menards, 4825 Vanguard Drive. Dale Phenicie Jr. 13301 Royden Ct, Elliott City, MD, 21042, Ticket sales at Culver’s and Kwik Trip, Hwy. 42 from September 20th-September 27th, 2021. **Motion Gumm, second Lambrecht to approve the above listed applicants for Transient Merchant Registration permits. Motion carried.**

4020 Technology Parkway - New Town Hall:

Update of renovation re: Community Hall and Board Room. Director/Engineer Tom Holtan spoke about the progress of the Community Hall and said that the construction is on pace. Holtan asked about the addition of a canopy in the back for an additional \$58,000. This would be at the entrance of the building from the side parking area. This would be considered a change order and would need approval from the Town Board. **Motion Gumm, second Lambrecht to approve a change order for Cardinal Construction for an additional canopy on the northside of the building. Motion carried.**

Website design proposal and quote. The Town Board was given a handout regarding the website that the Director/Engineer and Clerk had determined to be the best fit for the Town of Sheboygan after reviewing numerous website designs and speaking with different representatives of other website design companies. The proposed company, Revize, LLC was chosen with option number three for software subscription, tech support, website hosting with an initial cost of \$7,050.00 and a monthly fee of \$2,400 for four years and a free website design at year four. **Motion Gumm, second Lambrecht to approve the Revize, LLC agreement with option three. Motion carried.**

Ordinance to reduce speed limit on Lakeshore Road from 45 mph to 35 mph. Chairperson Dan Hein spoke about the concern of residents in the area and about a recent traffic study and would like the Board to consider reducing the speed on Lakeshore Road. **Motion Lambrecht, second Schwinn to approve the Ordinance to reduce the speed limit on Lakeshore Road from 45 mph to 35 mph. Motion carried.**

Deborah Weber, 1342 N. 40th Street, regarding sump pump/drainage. Deborah Weber was present and spoke about the ongoing issues she has had with drainage at her home. Weber is asking that the Town Board take some responsibility and help with her ditch. Holtan would like to meet with the plumbers who have given her estimates at her residence. This will be revisited on the October 19th, 2021, agenda.

Review Advance Disposal n/k/a Waste Management of Wisconsin contract. Hein spoke about the ongoing issue with Waste Management. Hein is monitoring the issues and looking at getting other quotes.

DPW Report:

Change work hours for Department of Public Works. Holtan has asked to change the hours to the following: Department of Public works including Utilities work from 6 am to 4 pm Monday-Thursday and off on Fridays. Summer hours start the first full week in May. Winter hours would Start October 1st and would be 6:30 am -4 pm Monday-Thursday and 6:30 am -10:30 am on Fridays. **Motion Lambrecht, second Schwinn to change the employee handbook and approve the hours listed. Motion carried.**

Parking Lot Lights. Holtan explained to the Board that there are four lights on Sud Parkway that do not have power to them. Gian Sud owns them and has no interest in lighting them or fixing them. Holtan is proposing that the Town purchase three lights at the cost of approx. \$8400 and place on our property to light the road. Holtan will ask the school if they would contribute to the cost of purchasing the lights. **Motion Lambrecht, second Schwinn to approve the purchase of three lights for the entrance to the Town Hall and School. Motion carried.**

Parks Report. Parks Committee and Supervisor Char Gumm was present and spoke. Gumm reported that 60 trees are dead and need to be removed. Gumm is working with ROOTS, Rotary Club and Lions Club regarding the cost to replace the trees. The Lion's Club has donated \$5,000 for replacement costs of the trees and Gumm is asking the Board for approval to use Parks Capital Budget money for the remainder of the cost of the \$6,687 for trees and additional funds needed for tree wraps, straps, ties, and stakes. **Motion Lambrecht, second Schwinn to approve the use of Parks Capital Budget money for the remaining costs associated with replacing the trees at the Fire House Park. Motion carried.** Gumm also announced that on October 30th the Lions, Boy Scouts and volunteers will be planting the trees. If anyone is interested in helping.

Fire Department Report. Fire Chief Ed Biederwolf, EMS Captain Michael Brungraber and Deputy Chief Adam Cain were present to discuss the following:

Elkhart Lake Police Department offer to purchase the Town of Sheboygan Fire Department 2006 Ford e450 ambulance for \$18,000. Brungraber reported that there was an additional offer for \$20k and he asked Elkhart Lake Police Department if they were still interested at \$20k. Elkhart Lake was still interested and offered to purchase the ambulance for \$20,000. **Motion Schwinn, second Lambrecht to accept the offer from Elkhart Lake Police Department to purchase the 2006 Ford e450 from the Town of Sheboygan for \$20,000. Motion carried.**

Replacement vehicle quote for 21817 for the Fire Department/EMS. Cain submitted a quote from Ewald Automotive for a replacement vehicle for the Fire Department/EMS. The quote is for a 2022 Ford F250 for \$33,067 and additional upfit cost for an additional \$16,895. **Motion Schwinn, second Lambrecht to approve the purchase of a 2022 Ford F250 from Ewald Automotive for \$33,067 as a replacement vehicle for the Town of Sheboygan Fire Department/EMS. Motion carried.**

Proposal from A. Chappa Construction to provide labor and materials to install glass block per specifications for a cost of \$15,891.00. Painting not included. Tom Holtan reviewed the quotes and recommended approval of the quote received from A Chappa Construction. **Motion Lambrecht, second Schwinn to approve the quote for \$15,891.00 for labor and materials to install glass block per specs at the Fire Department. Motion carried.**

Accept resignation of Jerry Hoepfner from Sanitary District #3 and appoint Dave Albright as Sanitary District #3 Commissioner (Treasurer). **Motion Gumm, second Lambrecht to accept the resignation of Jerry Hoepfner from Sanitary District #3 and appoint Dave Albright as Sanitary District #3 Commissioner (Treasurer). Motion carried.**

Appoint Dave Albright to Plan Commission as Sanitary District #3 Representative. **Motion Lambrecht, second Schwinn to appoint Dave Albright to Plan Commission as Sanitary District #3 Representative. Motion carried.**

Van Horn/Town Development. Atty. Bauer was present to discuss the Van Horn Group/Town Development:

House and outbuildings. Van Horn would like to renovate the home and use as offices. An Inspector from Safebuilt met with Holtan at the home and it was determined that this can be done if the home is ADA compliant. The home, garage and Quonset hut will be sold to Van Horn for \$1 and the parcel will than be taxable and they will pay for utilities. Chris Merklien of Van Horn will mark a drawing to create a certified Survey Map of the area that they will purchase. The Town will be responsible for taking down the barn. This will be on next month's agenda for approval.

Access street to Town land located east and west of N. 40th Street. Holtan will be getting bids from engineering firms to design and prepare bid documents for infrastructure for Van Horn Development. This will be on next month's agenda.

The Town of Sheboygan has a right-of-way on Enterprise Dr. and need an additional 40 feet to create an access point for the Van Horn development. Atty. Bauer spoke with Brian Olson, Owner of Concept Motors regarding the purchase an additional 40 feet needed for \$1. This purchase would waive his rights, the Town would get a title report and Olson would get his mortgage removed. **Motion Schwinn, second Gumm to authorize acquisition of Enterprise Dr. right-of-way (Part of Parcel No. 59024-344925). Motion carried.**

2021 County & Municipal Redistricting Timeline. Clerk Fischer shared a handout regarding the 2021 County & Municipal Redistricting Timeline. The final plan will be on the next agenda as well as an amendment to the ordinance section 1.00 of the Town of Sheboygan Municipal Code Regulating Elections.

Correspondence and communication received after posting this agenda. None received.

Reports a. Financial Reports b. Approval of Bills c. Plan Commission d. Parks Committee. **Motion Gumm, second Schwinn to approve the reports and bills. Motion carried.**

Roll call vote to enter closed session: Hein "Aye", Schwinn "Aye", Lambrecht "Aye", and Gumm "Aye".

Closed Session the Town of Sheboygan Town Board may convene into Closed Session pursuant to Wis. Stat. § 19.85(1)(c) for the purpose of considering employment, promotion, compensation, or performance evaluations of any public employee over which the governmental body has jurisdiction or exercises responsibility regarding new employment offer(s).

Open Session the Town of Sheboygan Town Board will reconvene into Open Session to make decisions on Closed Session items. **Roll call vote in open session: Hein "Aye", Schwinn "Aye", Lambrecht "Aye", and Gumm "Aye".**

Motion Lambrecht, second Schwinn to approve the following raises as of September 9th, 2021: Bruce Schneider, Sanitary District, .45 per hour, Michelle Richards, Sanitary District \$3.00 per hour and Chris Steeb, Town \$2.00 per hour. Motion carried.

Motion Schwinn, second Gumm to approve an incentive package for \$2.00 per hour for EMS and EMS calls will be \$10 per call and will be over and above the \$400 bonus. Fire Department will receive \$10 per call and \$5 per call if you attempt to make the call, but the trucks have left the station before arrival and \$100 per month pay for Lieutenants and Captains. Motion carried.

Motion Gumm, second Schwinn to adjourn the meeting on September 19th, 2021, at 8:24 pm. Motion carried.

Peggy Fischer, Clerk