

TOWN OF WILSON
SHEBOYGAN COUNTY, WISCONSIN
APPROVED MINUTES OF MARCH 7, 2016

CALL MEETING TO ORDER: Chair Ehmann called the Town of Wilson Board Meeting to order at 6:30 p.m. Posting in accordance with open meeting law was confirmed by affidavit of posting and the meeting was declared an open meeting.

ROLL CALL: Roll call was taken with the following members present: Town Board Chairman John Ehmann, Supervisor Dan Rostollan, Supervisor Nancy DesJardins, Supervisor Brian Hoffmann and Supervisor Tom Stoelb. **Also in attendance:** Town Clerk Georgene Lubach, Treasurer Julie Evans and Maintenance/ Road Supervisor Rick Meyer.

PLEDGE OF ALLEGIANCE: Was recited

PUBLIC COMMENT:

- **Claudia Brick, 314 Pioneer** – Speaking for the Friends of Black River Forest and concerns of the water situation the water and well situation in the Town they have been studying. This information will be forwarded to the Board and more information will be forwarded covering the aquifer and potential water crisis in this area if there was a golf course. Claudia offered to give a short presentation on the well and aquifer situation in the Town of Wilson at a future meeting.
- **Roger Miller, Plan Commission Chair** – Reported on agenda item #9 reviewed by the Plan Commission. The Plan Commission concluded this permitting process would be an administrative process and not a Plan Commission issue it does not relate to policy decision of use of land. This relates to agenda item #8 room tax for short term rentals of 30 days or less is contrary to the values and priorities stated in 20-year Comprehensive Plan.
- **Roger G. Miller, 5308 S. 12th St** - Believes the room tax is an illegal tax and implemented without the consent and desire or proper representation by the properties to be taxed. These properties do not exert additional expense and generally pay more than service demand exerted. His recommendation as a citizen is to rescind the tax and refund any amount the town has collected to. This tax could be defeated in litigation as our economy does not depend on tourism.

APPOINTMENTS / NEW & OLD BUSINESS:

1. **Approval of the draft minutes;**
 - a. Special Town Board meeting, February 15, 2016 - Motion by Stoelb second by DesJardins to approve the Town Board draft minutes for February 15, 2016, on voice vote all members present voted aye, motion carried
 - b. Town Board meeting, February 15, 2016
2. **New Liquor Licenses for period April 1, 2016 – June 30, 2016: Cherie L. Duby Agent, 2404 N. 22nds St, Sheboygan, WI 53083, Kwik Trip 139, 7002 Sauk Trail Road, Sheboygan, WI; Filed February 15, 2016.**
 - a. **Class “A” Beer License and “Class A” Liquor License; Filed 2/15/2016**
 - b. **Cigarette and Tobacco License**
Motion by Stoelb second by DesJardins to approve the Class “A” Beer and the “Class A” Liquor License for Cherie Duby agent Kwik Trip, Inc. dba Kwik Trip 139 and the Cigarette and Tobacco License. On voice vote all members present voted aye, motion carried.
3. **New Operator License Applications; 17 applications for Kwik Trip, period July 1, 2015 – June 30, 2016 - Motion by Stoelb, second by DesJardins to approve 14 of the Operator’s Licenses submitted by Kwik Trip Inc. for July 1, 2015 – June 30, 2016 as presented. Omitting Patty Berger, Dianna Hoenig and Barbara Peters and the exception of Nicole Meindl amending the license from “Renewal” to “New”. On voice vote all members present voted aye, motion carried.**
4. **Gregg Wagner, Wagner Excavating Snow Plow update** – Discussion of snow plow strategies, complaints and total salt usage for the town is 240 tons.
5. **Gregg Wagner, Lake Aire IV Expansion Construction for 2016** – Wagner would like to extend the end of Schinker Creek Road with the addition of Willow Creek Court. The present developer’s agreement expires July 5, 2016 which will need to be placed on a future agenda. The Town will need to contract with an engineer.
6. **Park and Forestry**
 - a. **Update on Schinker Creek Park playground equipment** – Greg Hopkins reported he met with Richard Lohr of Vandervart Concrete Products about the situation. Lohr offered to withdraw the cost of the concrete and reduce the \$40.12 finance charge to \$25.00 leaving the town to pay for the core tubes. Parks and Forestry

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recommendation to pay not pay any finance charges and pay different the core tubes and do no repair to the playground equipment. Hopkins explained the bent pipe with the scratches will not be repaired; it does not affect the structure integrity. Discussion continued concerning repairing the playground unit, the cost of \$4,307.13 for the manufacturer to repair, concerns that it is brand new the damage should be taken care of by Vandervart Concrete who caused the damage at installation. They are responsible for this damage, no settlement; it should be fixed to new condition. Motion by Hoffmann second by Rostollan to send a settlement letter to Richard Lohr of Vandervart Concrete Products along with the bill of \$4307.13 for the cost of the complete repair by the manufacturer for the damage. On roll call vote Rostollan – nay, Hoffmann – aye, DesJardins – nay, Stoelb – nay, Chair – nay, motion failed.

Motion by Rostollan second by Stoelb to send a settlement payment to Vandervart Concrete Products in the amount of \$282.80 as payment in full for all charges and without finance charges, approving #1 and #2 in Richard Lohr's letter and voiding check on hold #18499. On roll call vote Stoelb – aye, DesJardins – aye, Rostollan – aye, Hoffmann – nay, Chair – aye, motion carried.

- b. **Conservancy Signage** – Recommendation by Park and Forestry, 2 round signs at entrance and 22 square signs at Jerving Conservancy, green on aluminum and the back of the sign to read "Private Property" about 100 feet apart depending on the site lines. Motion by Rostollan second by Hoffmann to approve the purchase and installation of two round signs at Jerving Conservancy at \$60 apiece and 22 square signs at \$12 at apiece for a total of \$364. On roll call vote all members present voted aye, motion carried.
7. **Sheboygan County deer carcass removal** – Motion by Hoffmann second by Rostollan to approve the deer carcass removal by the County starting January 2017. On voice all members present voted aye, motion carried.
8. **Room Tax Collection for Sleep Inn, discussion possible board motion** – Supervisor Rostollan clarified the Room Tax is not taxed against individual property owners the tax is levied against the occupants. The certified letter sent to Sleep Inn was not picked up. The board directed the Clerk to contact legal how legal would prefer the partial payment be returned and request for full payment made. Motion by Rostollan second by Hoffmann to return the check to Rattan Soni of Sleep Inn and request payment in full on voice vote all members present voted aye, motion carried.
9. **Permitting process for rentals less than 30 days** – Update on this issue was provided during public comment by PC Chair Roger Miller. Supervisor Hoffmann recommended we wait until after Sheboygan County Chamber presents at the next board meeting. Supervisor DesJardins shared the email from resident Marci Kerpe concerning Motion by DesJardins second by Hoffman to rescind the tax on rentals of less than 30 days. Discussion concerned this motion is not appropriate under this agenda item and should be discussed after Sheboygan Chamber presents and place on the next agenda, DesJardins withdrew motion.
10. **Discussion concerning a one-time burial at Flader Hill Cemetery** – Motion by Hoffmann second by Rostollan to approve the plot for burial for Richard Miller by voice vote all members present voted aye, motion carried.
11. **Review, discussion possible motion updating Chapter 21, increase of "Class B" fee and grammar correction** – Motion by Rostollan, second by Hoffmann to amend Chapter 21 grammar errors in Sections 21.04 (1)(a), Section 21.04 (1)(b), from Class "A" to "Class A" and Section 21.04 (4)(b) the annual fee from \$250 to \$100. On roll call vote all members present vote aye motion carried. The board directed the Clerk to research what other municipalities charge for "Class A" and "Class B" liquor and place this on the next agenda.
12. **Public Comment** - Chair Ehmann called for Public Comment and hearing none Public Comment was closed.
13. **Reports:**
 - a. **Maintenance Report** – Meyer updated the board on several ongoing projects.
 - b. **Treasurer** - Balance sheet, cash balances, activity reports and financial information were presented and an update on the Property Tax Settlement.
 - c. **Clerk** – Correspondence received was shared
 - d. **Town Board** – Supervisor Stoelb reported on the Ad Hoc Committee to study the Transfer Station, the next meeting will be held March 16, 2016 at 3:00 pm.
Supervisor DesJardins shared a video concerning a right-of-way drainage issue on N. Evergreen Drive. The board directed Maintenance Supervisor Rick Meyer to look further into it.
Supervisor Rostollan will be working with Rick Meyer to determine roads the town could vacate.
Chair Ehmann reported he will be meeting with Town's legal and Kohler attorneys.

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14. Disbursement Reports: Black River Fire Department, Town of Wilson First Responders, Town of Wilson
Checks on hold – No Checks on hold

Motion by DesJardins second by Rostollan to approve disbursements dated 3/07/2016 – check numbers 18636 – 18678, Black River Fire Dept. for \$819.04 check numbers 18636 – 18642, 18678, Town of Wilson for \$36,130.88, check numbers 18643 - 18677 for total disbursements \$36,949.92, on roll call vote, all members present voted aye, motion carried.

Motion by DesJardins second by Rostollan to approve the payroll disbursements dated 2/03/2016 for \$10,635.31 on roll call vote all members present voted aye, motion carried.

Motion by Rostollan second by Stoelb to approve the payroll disbursements dated 2/17/2016 for \$8,790.40 on roll call vote all members present voted aye, motion carried.

Motion by Rostollan second by DesJardins to approve the payroll disbursements dated 3/2/2016 for \$11,171.00 on roll call vote all members present voted aye, motion carried.

ADJOURN: Motion by, Stoelb second by Rostollan to adjourn at 9:41 p.m., all members present voted aye, motion carried.

Minutes Respectfully Submitted by: Georgene Lubach, Clerk