

TOWN OF WILSON
SHEBOYGAN COUNTY, WISCONSIN
APPROVED MINUTES OF MARCH 2, 2015

CALL TO ORDER & DECLARATION OF OPEN MEETING: Chair Gartman called the meeting to order at 6:53 p.m. Posting in accordance with open meeting law was confirmed and the meeting was declared an open meeting

ROLL CALL: Roll call was taken with the following members present: Town Board Chair David Gartman, Supervisor Dale Sommer, Supervisor David Senkbeil, Supervisor Dan Rostollan, and Supervisor Nancy DesJardins. **Also in attendance:** Town Interim Clerk Georgene Lubach, Treasurer Laurie Pankratz and Maintenance/Road Supervisor Rick Meyer.

PLEDGE OF ALLEGIANCE: was declared.

PUBLIC COMMENT SESSION: Chair Gartman called for public comment.

APPOINTMENTS / NEW & OLD BUSINESS:

Approval of Minutes; February 16, 2015 – Motion by Sommer, second by DesJardins to approve the draft minutes of February 16, 2015, on roll call vote all members present voted aye, Senkbeil abstained.

Chuck Nahn via Telephone Conference;

- a. **Proposal for South 13th Street Depressed Sumps - Town of Wilson/City of Sheboygan project** – Chuck working with Joe Bronoski of Abacus Engineers provided a background on a depressed sump. It is a 3 foot hole in the manhole that captures the sediment as it enters the manhole. Discussion continued on location and how many would be necessary the cost is approximately \$500 - \$800 per depressed sump. The town is under no requirements under the DNR Stormwater Discharge to install the depressed sump it would assist Stormwater pollution removing the heavy solids, traps sediments preventing to flow down the waterway. They will fill up with sediment and require a yearly maintenance. Installation would be only on the Town's right away, they are installed low enough, no problem with frost. Chuck and Joe Bronoski will check with the city if they will clean these depressed sumps when they maintain theirs and what the cost would be. They will also work on reducing the number of sumps from 8 down to 4. Joe will be meeting with the City on Wednesday with a preliminary design.
- b. **Old Park Road Drainage review/proposal** – Chuck Nahn reviewed the documentation from Ed Harvey from the County, the DNR design of culverts that were installed there he needs to do more research. When the snow is gone he will do a site visit, work with Ed Harvey to get more background information and the DNR. Review the model of the Black River to determine the critical elevations of where the flooding occurs. Chuck estimated 10 hours of his time and not to exceed, this includes research, the trip to the site, meet with the DNR, Ed Harvey and research if there is a Hydraulic model. Present was State Park Representative Carolyn Morgan Superintendent at Kohler Andrae State Park. Carolyn mentioned they had a DNR Engineer that did a survey of that area and he is willing to share his information with Chuck, Carolyn would be happy to meet with Chuck when he visits the site. Motion by Rostollan, second by Sommer to approve the agreement for professional services of Nahn and Associates to review the Old Park Road flooding problem and Project # TWI-013 for the amount to not exceed \$1,100. On roll call vote all members present voted aye, motion carried.

Discussion of conversation/notes between David Gartman and Kohler representatives. Explanation of why these conversations/meeting were not immediately discussed at Town Board meetings.

- a. **Meeting with Herbert Kohler at 5509 Moening Road in February 2014** – Chairman Gartman stated he received a phone call from Mr. Kohler, late February wanting to speak to the chair about the status of the proposed Tented Forest. When he arrived Mr. Kohler shared it was decided they were not going to continue with the Tented Forest and out of respect for the Town of Wilson he wanted to know how to proceed to terminate the Tented Forest. I suggested I would work with the Clerk and place this on the next agenda to discuss the status of the Tented Forest and we will go over the status of the predevelopment agreement account to close this out. Mr. Kohler shared they perhaps would pursue a golf course on that property what would be the procedure if we would? I researched the property zoning and suggested this would be the same procedure as the Tented Forest, submit a CUP application and the same procedure this would go before the Plan Commission. I made it clear there was no guarantee of support and it will be evaluated at the proper time. My concern was if they proceeded with the golf course a predevelopment agreement would need to be established

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first and this would go before the Town Board first before going to the Plan Commission. Chair Gartman quoted the Sheboygan Press article quoting the WTA Executive Director Mike Koles which provided an explanation that it is ok to contact the Chair in advance for a private meeting and contacting other Town Supervisors filling them in of the meeting could be a violation of the open meeting law.

- b. **Conversation with David Gartman and Michael Belot in December 2014** – Mr. Belot contacted the Chair reporting the property had vandalism, a tree burning, defacing of signs and tearing down of property (signs) and asked what a Constable could do. Chair Gartman informed him to contact the Sheriff Department, no action was needed from the board and no need to be placed on the agenda.
- c. **Disclosure of any other undisclosed conversations/meetings** – Chair Gartman shared I am not attending agencies meetings for any of the permits they need to receive, I do not attend them. I am waiting for them to come with their report and this will go to Planning.

Snow Plowing Report – Gregg Wagner, Wagner Excavating provided an update on the snow plowing, month of February total expenses \$12,185, total cost of \$38,686 (season is Nov. through March) salt usage through February 54.5 ton of salt has been used. Year to date including the County through January is \$39,339.78 and salt 177.5 tons. No complaints have been received.

Approval of "Notice of Unlicensed Dog" form and April mailing – Treasurer Pankratz shared that anyone who did not license their dog by March 31st is late and in the past a notice of unlicensed dogs, signed by the Town Board, was sent out to them the first week of April. Motion by Rostollan second by Senkbeil to approve the letter dated April 1, 2015 to go out to those who have not licensed their dogs for 2015 that were licensed in 2014, as presented. On roll call vote all members present voted aye, motion carried.

Direction for action of Claim of Unclaimed Funds; Action to take if a relative/beneficiary etc. claims money for a deceased – Supervisor Rostollan shared a Transfer by Affidavit will eliminate liability of the Town, a copy of the death certificate and the next of kin will submit a form called Transfer by Affidavit which allows transfers under \$50,000, they will assume all liability. Motion by Rostollan second by Sommer in cases of claims filed by deceased representatives, next of kin or whoever that has authority to file to allow them to submit a completed Transfer by Affidavit form and a death certificate for purposes of allowing release of those funds. On roll call vote all members present voted aye, motion carried.

Sheboygan County invoice discussion possible action concerning the prevailing wage for Paradise Lane/Valley Court Paving – Supervisor Rostollan shared he spoke to Commissioner Schnell, he will file a formal complaint after he receives a copy of the DOT records and a copy of the County records and we should be allowed to submit an amended item. Mr. Schnell said they would cover the payment. Rostollan will bring this back on an agenda when he has more to report.

Town's Attorney Matt Parmentier may participate by telephone if requested by the Board for these topics.

Action to disallow Notice of Claim submitted by State Farm a/s/o Joel and Cathy Conrad regarding sewer backup at 1729 Andrae Circle. – This topic will be deferred to the April 6, 2015 Town Board Meeting.

Room Tax Ordinance (Chapter 17), discussion, possible board action – Motion by Rostollan, second by Senkbeil to adopt the Room Tax Chapter 17 as an Ordinance upon approval and published as required. Motion Amended by Rostollan, second by Senkbeil to be processed when we have a contract in place with Sheboygan County Chamber of Commerce. On discussion it was decided to amend the motion to include in this motion, Including the prior board approved motion made on May 19, 2014 concerning entering into the agreement with Sheboygan County Chamber of Commerce. All that would remain for us is to get the agreement signed. On roll call vote all members present voted aye, DesJardins – nay, motion carried.

The Town Board intends to convene into closed session pursuant to Wis. Stats. § 19.85(1)(c) for the purpose of considering employment, promotion, compensation or performance evaluation data for any public employee over which the Town has jurisdiction or exercises responsibility. This concerns matters relating to the Appointed Clerk

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and Appointed Treasurer contracts. - Motion by Rostollan second by Senkbeil to move into closed session. On voice vote all members present voted aye, motion carried. Motion by Sommer second by Senkbeil to move into open session. On roll call vote all members present voted aye, motion carried.

Possible action on matters described in paragraphs above – Proposed modifications; clerk and treasurer must complete all responsibilities during work week, the Town Board reserves to establish office hours from time to time. Current office hours are Monday, Tuesday, Wednesday, Thursday 8:00 am – 4:30 pm. The term of both contracts will be revised so that they co-inside with the State Statute of April 2017. Each contract will provide for two weeks of vacation per year for year the contract applies. Clerk and Treasurer cannot have vacation off at the same time. The exact wording will be smoothed out by legal in the contract. Motion by Senkbeil second by DesJardins to approve the clerk and treasurer contracts with those changes. On roll call vote Sommer – nay, Senkbeil – aye, DesJardins – aye, Rostollan – nay, Gartman – aye, motion carried 3 - 2. Town's Legal to provide documents for signature this week.

League of WI Municipalities; Local Government Storm Water Group; – The Board expressed no interest at this time.

Maintenance/Road Supervisor Rick Meyer; Register for Asphalt Road Maintenance course – Motion by Rostollan second by DesJardins to approve Rick's attendance at the March 11, 2015 conference on Asphalt Road Maintenance. On roll call vote all members present voted aye, motion carried.

Humidification proposals for Town Office – Rick spoke to several Heating and Cooling Companies, they declined to submit a bid. However they did mention they would not suggest extra cool air returns on a commercial building. It was agreed to work with Jim's Heating & Cooling who installed the two furnaces. Motion by Rostollan second by Senkbeil to approve the purchase and installation of two April Air 700 Humidifiers and Autotrac controls for the sum of \$1,179. 79.00 per the February 5, 2015 bid of Jim's Heating and Cooling, LLC. We do not intend to proceed with any modifications of the duct work cool air registers at this time. On roll call vote all members present voted aye, motion carried.

Reports:

Maintenance Report – Rick reported Dave Pantzlaiff will speak to the board at the next meeting concerning the county or private contractor to do the approaches and concrete work. Rick attended the Implements of Husbandry Class.

Treasurer – No Report

Clerk – No Report

Town Board – Suggested, look into a better conference phone, future agenda items should be forwarded to the Clerk

Disbursements:

Checks on Hold - None

Black River Fire Department - Motion by Senkbeil, second by Sommer to approve Black River Fire Department disbursements check numbers 17980 - 17983 for a total of \$254.77 On roll call vote, all members present voting aye, motion carried.

Town of Wilson First Responders – Motion by Senkbeil, second by DesJardins to approve Town of Wilson First Responders disbursements check numbers 17984-17985 and 18011 for a total of \$995.80. On roll call vote, all members present voting aye, motion carried

Town of Wilson – Motion by Senkbeil, second by Sommer to approve Town of Wilson disbursements check numbers 17986 - 18010 for a total of \$10,562.17. On roll call vote, all members present voting aye, motion carried

ADJOURN: Motion by Rostollan, second by Senkbeil, to adjourn at 9:30 pm. On voice vote all members present voting aye, motion carried.

Respectfully Submitted; Georgene Lubach, Interim Clerk