

**SAUKVILLE TOWN BOARD MEETING MINUTES
JULY 18, 1995**

Notice: The Public Hearing on the Tesker rezoning scheduled for 7:00 p.m. was postponed to the regular Town Board meeting in September at the request of Donald Tesker.

1. Call to Order

Chairman Gute called the meeting to order at 7:30 p.m.

2. Pledge of Allegiance

Gute led the Pledge of Allegiance

3. Roll Call

Present were Gute, Fellenz, and Opitz. Also attending were Clerk Clarke, and Treasurer Linden.

4. Approval of Minutes of June 20, 1995 Town Board Meeting.

Fellenz questioned why one of the Operator's (Bartender's) licenses was not yet issued. Clarke responded that, on information received from a citizen subsequent to the last Town Board meeting, he had asked the Sheriff to investigate this individual's background. The applicant was not truthful on his application and the Sheriff did not feel that his record was appropriate for issuance of a license. Clarke stated that he had sent a letter to the applicant indicating that should he choose to reveal his record to the Board honestly, then it would be their decision to issue. The applicant did not choose to reapply and his fee will be refunded. Fellenz moved to approve the minutes; Opitz seconded. Motion carried.

5. Public comment on agenda Items (15 min.)

Discussion continued on the bartender's license denial. Barbara Jobs, Town Clerk of Bayside, cited Wisconsin State law verifying that upon receipt of a truthful application, the decision to issue or deny is the Boards and not the sheriff's. She also opined that Clarke's refusal to issue the license was appropriate.

A citizen questioned why there was an opportunity to comment on agenda items, when the public may not yet understand them. Gute responded that he would attempt to give concerned citizens every opportunity to comment within reason. He also noted that there is a "floor" item late in the agenda.

A citizen asked where the Jay Fisher property was and Gute explained; Penny Horn questioned why a stream was diverted on her property years ago?

Ron Horn questioned agenda item 10. Gute read a letter from Town Attorney Christianson stating that the proposed change was procedural and could be changed by a majority of the Town Board. Al Heon questioned why the proposal was brought forth now and he opined it was to benefit the Tesker rezoning. Another citizen questioned why we're going to tamper with the zoning ordinance before a new land use plan and zoning ordinance is developed? Discussion ensued on hypothetical situations.

6. Change in design of culvert on Blue Goose Road on Jay Fisher property (To enhance a wetland) -- Armin Schwengel, Fish and Wildlife Service.

Mr. Schwengel stated that he proposed to put a water control device to keep water on the property all summer to enhance waterfowl habitat. Marvin Hoffman stated that the Board had

considered this previously and denied it because it could undermine the road bed. The Board asked Schwengel to check with the Highway Department and report back. Fellenz moved to table the issue; Opitz seconded; motion carried.

7. Building Inspectors Report- John Derler

A. Building Permits

Derler reported on six new homes so far this year. He also requested a closed session with the Town Board. Gute asked Derler to related the issue to him privately and said he would check with the Town Attorney on the appropriateness of a closed meeting.

Jim LaVelle asked about a building permit on Lakeland road and a temporary trailer. A permit has not yet been issued.

Clarke questioned whether the Town inspected for code compliance upon the sale of property. Derler responded that we do not because of liability.

A discussion ensued on a shooting range that may be operating without a conditional use permit. Gute responded that he had instructed Clarke to draft a letter asking the land owner to appear before the Plan Commission to discuss the matter.

B. House number costs.

Derler is ordering aluminum plaques and hasn't yet a price list.

8. Roads Report -- Jeff Opitz

A. Review/action bid for driveways on Singing Hill Rd. by Payne & Dolan.

Opitz stated that he had an oral commitment to complete the driveways for \$1400. He recommended that the Town pay for the work since it was occasioned by moving the road. Fellenz moved to accept the proposal for four driveways not to exceed \$1400 on a "one-time only" basis. Opitz seconded. Motion carried.

B. Weight limits on Town roads.

Opitz stated that there is a weight limit ordinance in effect and that we need to list changes and publish. He moved that Birchwood and Knollwood from Hwy. Y to Hwy. 33 be added to the listed roads to curb trucks taking a short cut. Fellenz seconded; motion carried.

C. Status of County Aids funding (\$25,000) for asphalt work.

Opitz indicated that the county will soon expend these funds on a time and material basis.

D. Status of safety of Hwy. I & Cedars Sauk intersection.

Opitz indicated that the County Safety Committee has not yet met to consider the matter.

E. Status of "invisible" stop sign on Lakeland north of Shady Lane.

Opitz stated that he's awaiting feedback from the County on this matter. It may simply be a matter of brush cutting.

Gute questioned the zealously of the County brush cutter on certain roads. Opitz responded that some roads haven't been thoroughly brushed since the drought of 1988. The Town pays time and materials. A citizen also questioned cutting of wildflowers next to gravel roads. Al Heon questioned a new road in the northeast portion of the Town serving an industrial park. A discussion of road ownership ensued. Additional citizens complained about extensive brushing.

9 Recycling Report- Jeff Opitz

A. Status of operations.

Opitz reported unauthorized dumping. He will put up a sign and prosecute offenders afterward. The fine is \$200.

B. Status of fence proposal.

There was a discussion of a fence to stop access to the rear of Town Hall. Linden suggested that this be postponed until we see if the sign is effective and the Board agreed.

Linden reported a substantial increase in fees collected and stated that we are nearly breaking even.

10. Discussion/possible action on proposed change of Zoning Ordinance Section 10.6.

--Jeff Opitz

Opitz questioned whether a unanimous decision should be required to override the Plan Commission. He stated the ultimate decision should rest with elected, not appointed officials. Opitz moved to forward the proposal to the Plan Commission; Fellenz seconded; motion carried unanimously.

11. Discussion/action on revised Ordinance 95-1 "Ordinance Adopting a Fee Schedule for Building Permits, Electrical Permits and Plumbing Permits".

Clarke distributed the final copy of the ordinance. Fellenz moved to approve; Gute seconded; motion carried unanimously.

12. Treasures Report-Phyllis Linden

Linden presented the status of cash flow and account balances. She reported that the general fund is up to about two months' expenses, where it should be. Fellenz moved to approve the report; Gute seconded; motion carried.

13. Clerks Monthly Financial Report -- Walt Clarke

A. Budget

Clarke reported good experience on fee revenues. He warned that attorney fees and building expenses were over budget after six months. He also noted that roads' expenses were running well below budget.

Clarke also presented the claims listed below:

Date	Claim	Payee	Reason	Amount
7/18/95	615	County of Ozaukee	Printing	-81.68
7/18/95	616	Ozaukee County Highway De	June '95	-707.37
7/18/95	617	Donald G. Peters	Pmt. 6 of 6	-700.00
7/18/95	618	State Bank of Newburg	SS & Medicare WH	-656.59

Date	Claim	Payee	Reason	Amount
7/18/95	619	Phyllis V. Linden	Postage	-40.91
7/18/95	620	Steven Stoller	Return Oper. Fee	-10.00
7/18/95	621	PEBSCO	Deferred Comp.	-682.50
7/18/95	622	Ozaukee County Register o	Plat Maps	-68.00
7/18/95	623	O'Meara, Eckert, Poulos &	June '95	-506.00
7/18/95	624	Port Publications	Tesker Class 2	-20.63
7/18/95	625	UW-Extension	Lawyer's Conf. Gute	-50.00
7/18/95	626	Walter H. Clarke	postage, mileage, expense	-43.05
7/18/95	627	Stevlin's Hardware	Repair recycling lock	-39.50
7/18/95	628	Ozaukee County Treasurer	Aug 15 State Tax credit	-173323.96
7/18/95	629	Metro Title Service	Refund	-25.00
7/18/95	630	John Henry Derler	Bldg. Inspector	-620.00
TOTAL 7/1/95 - 7/31/95				-177575.19

Fellenz moved to approve the Clerk's Financial Report. Opitz seconded; motion carried.

B. Recommendation/action of computer/printer purchase.

Clarke presented a list of applications for the new computer and presented a recommended configuration. Citizens suggested upgrading the proposal in RAM memory and the printer to color printing, a telephone line, and dehumidifier.

Grace Lynn questioned access to 911 during recycling. Opitz will investigate whether Arrow has a cellular phone.

Fellenz moved to proceed with Clarke's proposal not to exceed \$3600. Gute seconded; motion carried unanimously.

14. Correspondence/Floor

A. Cancellation of letter of credit by Payne & Dolan.

Gute read a letter from Payne & Dolan canceling their letter of credit for the Lakeland asphalt plant in October. He also questioned the legality of their conditional use permit in that the property is zoned A-1 and M-1 is required. Linden will call the bank and try to discern their intentions. Fellenz moved to ask Payne & Dolan to appear before the next Plan Commission meeting; Gute seconded; motion carried.

B. Letter from Jim Hough regarding Century Cable TV.

Gute read a letter from Century Cable stating that it is not economic to serve the Town.

C. Letter to County Board Chairman protesting filling and excavation on floodplains.

Gute read his letter of protest to Leroy Bley urging the County Board to adopt an ordinance to protect floodplains

Also, Gute read a letter to Albin VandeBoom inviting him and his land use committee to meet with the Plan Commission at 7:00 p.m. August 8 to brief them on their past deliberations.

Floor:

Ron Horn questioned whether the BOG is being adequately monitored for water usage and well dewatering. Gute also stated that Mary Bell had met with him during office hours questioning the

same issue. *Clerk's Note; Counsel for the BOG called the morning after the meeting and volunteered to attend both the next Plan Commission and Town Board meeting to discuss citizens concerns. The Clerk has confirmed their place on these agendas.*

Mary LaVelle questioned Fellenz as to progress shielding lights at the BOG. Fellenz agreed to revisit this with the BOG staff. She suggested that lighting be considered in the master land use plan.

Gute encouraged the public to participate in upcoming meetings to select a planner. Roger Boll stated that he was insulted that the prior land use committee was not yet consulted. Gute stated that was the purpose of the upcoming meeting. Fellenz explained that the planner interviews were initial contacts only and did not overlap the prior work of Boll's committee.

15. Adjournment

Fellenz moved to adjourn; Opitz seconded; motion carried.

Walter H. Clarke, Clerk
Town of Saukville