



**TOWN OF SAUKVILLE**  
**Ozaukee County**  
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Saukville, Wisconsin 53080  
Ph: 262-675-9217  
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Terry Hoffman, Chairman  
Walter H. Clarke, Clerk  
Kay Danielson, Treasurer

**TOWN BOARD MINUTES**  
**Tuesday, December 16, 2003**  
**7:00 p.m.**

**1. Call to Order**

Present: Chairman Hoffman, Supervisors Niehaus and Wollmer; Clerk Clarke, Treasurer Danielson, Constable Dickmann

**2. Pledge of Allegiance**

**3. Approval of the minutes of the November 18, 2003 Town Board Meeting and the November 25 Town Meeting and Special Board Meeting on the 2004 Budget.**

Hoffman pointed-out that the motion in item 9-c. of the November 18 minutes was incomplete without a second and vote. Clarke will correct. Niehaus moved to approve the November 18 minutes be approved as corrected; Wollmer seconded; motion carried unanimously. Hoffman then moved to approve the November 25 minutes; Niehaus seconded; motion carried unanimously.

**4. Discussion/action on possible land division of a 55 acre parcel and re-zone of 20 acre portion of the property at 1346 E. Hawthorne 08-001-09-002.00 brought by property owners, Amy & Stan Lubner.**

Hoffman reviewed the history of the proposal and indicated that the plan commission recommended it. Niehaus moved to approve; Wollmer seconded; motion carried unanimously.

**5. Discussion/action on proposed land division and re-zone dividing a 15.91 acre parcel zoned A-4 at 3600 Blue Goose Rd. tax key #08-017-11-002.00 owned by Jay & Rebecca Fisher.**

Hoffman indicated that the Plan Commission reviewed the proposal and they recommend approval. Hoffman moved to approve; Wollmer seconded; motion carried unanimously.

**6. Discussion/action on request for a conditional use permit for Mark Lubner, 1351 E. Hawthorne Road, (08-012-05-005.00) to erect and operate a wind-powered electric generator.**

Mr. Lubner challenged the condition that required the tower be three times its height from the property line. Hoffman pointed out that this requirement had been included in previous versions of the permit and was not objected to. Lubner then cited the requirements of communication towers as one time the height from structures. Hoffman stated that such towers do not have rotating parts and that the plan commission was using conditions applied by other nearby communities. He stated he has been shown no evidence by Lubner that the requirement is unreasonable and prefers to err on the side of caution. Wollmer agreed with Hoffman that the setback is reasonable for public safety. Niehaus also concurred that they were using requirements similar to other communities and would need

proof to the contrary. Lubner argued that the conditions would be reasonable for another brand of windmill, but the model he is erecting is overbuild and safe. Hoffman asked if these opinions were backed up by professional engineering assessment? Lubner said the building inspector thought it was safe. Wollmer reiterated his view that unless Lubner provided testimony by a professional engineer that the requirement was unreasonable, he would sustain the current requirements. Niehaus agreed that if presented with professional engineering advice, he would vote to lessen the setback requirement. Niehaus moved to table the matter until such time that evidence from a registered professional engineer was presented that a lesser setback would not be a safety threat to life or property; Hoffman seconded; motion carried unanimously. Lubner invited the board to view the windmill and the board expressed interest. Lubner will pursue professional advice.

**7. Public Safety Reports**

**a. Town Constable’s Report**

**• Possible dog kennel on E. Hawthorne Rd.**

Dickmann indicated that he found eight dogs and they agreed to get rid of three and have the others debarked. Niehaus expressed pleasure that the parties were working to alleviate the neighbors concerns.

**8. Roads Report**

**a. Resolution of fence across on Center Rd.**

Hoffman reported that the owner of the land agreed to leave the gate open in the winter to allow county snow plows to turn around.

**9. Recycling Report**

None

**10. Town Office Report**

Danielson commented on the repairs to the thermostat at the back entrance.

**11. Financial Reports**

**a. Treasurer’s account balances report**

Danielson presented the report, which is on file

**b. Clerk’s budget status report**

Clarke presented the report, which is on file.

**c. Review and approval of claims**

Clarke presented the following claims for approval:

Date	Num	Name	Memo	Amount	Balance
12/3/2003	4247	Ozaukee County Treasurer	Managed Forest 20%	(661.02)	(661.02)
12/3/2003	4248	The Schroeder Group, S.C.	John Taylor Golf Assessment Challenge	(117.60)	(778.62)
12/3/2003	4249	Wisconsin Department of Revenue	Assessment fee for Mfg. Property	(65.71)	(844.33)

12/9/2003	4250	WI State Lab of Hygiene	Water test	(19.50)	(863.83)
12/12/2003	4251	Internal Revenue Service	39-1128950	(500.06)	(1,363.89)
12/12/2003	4252	Ozaukee County	Dog Licenses 2003	(1,019.00)	(2,382.89)
12/16/2003	4253	Best Heating & Air Conditioning Inc.	Inspection and new thermostat switch at entrance	(634.02)	(3,016.91)
12/16/2003	4254	Boehlke Bottled Gas Corp.		(373.07)	(3,389.98)
12/16/2003	4255	CITIBANK USA		(650.66)	(4,040.64)
12/16/2003	4256	Ozaukee County Hwy Dept.	October	(1,338.93)	(5,379.57)
12/16/2003	4257	Ozaukee County Treasurer	Tax Bill Postage	(326.63)	(5,706.20)
12/16/2003	4258	RK Construction & Inspection, LLC	November	(597.40)	(6,303.60)
12/16/2003	4259	PEBSCO		(20.00)	(6,323.60)
12/16/2003	4260	Wisconsin Department of Revenue	568734	(131.29)	(6,454.89)
12/16/2003	4261	Boehlke Bottled Gas Corp.		(836.69)	(7,291.58)
12/16/2003	4262	Fidlar Companies	2004 Accuvote Service Agreement	(275.00)	(7,566.58)
12/16/2003	4263	Fleet Capital Leasing	Copier lease	(139.00)	(7,705.58)
12/16/2003	4264	Fuchs, Snow, O'Connell & DeStefanis, S.C.		(1,787.50)	(9,493.08)
12/16/2003	4265	Marnett Business Center, Inc.	Maintenance	(14.02)	(9,507.10)
12/16/2003	4266	Port Publications	Publications	(44.25)	(9,551.35)
12/16/2003	4267	We Energies		(144.39)	(9,695.74)
12/16/2003	4268	Weldon V. Zufelt	Payne & Dolan Settlement	(743.75)	(10,439.49)
12/16/2003	4269	Wester Electric	Replace flag light &	(201.95)	(10,641.44)

			shield		
12/16/2003	4270	Postmaster	Newsletter	(37.00)	(10,678.44)
12/16/2003	4271	Danielson, Kay	Petty Cash	(50.80)	(10,729.24)
12/16/2003	4272	Arrow Disposal & Recycling	November	(1,200.00)	(11,929.24)
12/16/2003	4273	Karl Barthel		(142.31)	(12,071.55)
12/16/2003	4274	Clarke, Walter H.		(751.28)	(12,822.83)
12/16/2003	4275	Danielson, Kay		(360.97)	(13,183.80)
12/16/2003	4276	Dickmann, Mark R.		(76.95)	(13,260.75)
12/16/2003	4277	Golsteyn, Kathryn L		(23.09)	(13,283.84)
12/16/2003	4278	Hoffman, Terry M		(513.96)	(13,797.80)
12/16/2003	4279	Kadow, Jim		(23.09)	(13,820.89)
12/16/2003	4280	Niehaus, William		(309.37)	(14,130.26)
12/16/2003	4281	Smallish, Kathryn A		(23.08)	(14,153.34)
12/16/2003	4282	Walls, Debra		(650.64)	(14,803.98)
12/16/2003	4283	Wollmer, Michael G		(277.29)	(15,081.27)
12/16/2003	4284	Jack H. Washow	Tax refund	(310.75)	(15,392.02)

Hoffman moved to approve the financial reports and order all claims paid;  
Wollmer seconded; motion carried unanimously.

## 12. Correspondence

Hoffman reported the following items:

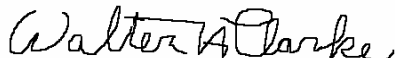
- Receipt of Blue Books from Rep. Gottlieb
- Receipt of letter from the County about participation in gypsy moth spraying
- Receipt of report on town hall water indicating the water was safe.
- Receipt of an email by Tim Hoven wishing to arrange a presentation of a proposal to improve wetlands to both the board and the WTA.
- Receipt from the County Highway Dept. notifying the town that they may be responsible for retroactive pay and benefits upon settlement of labor contract with their union.

## 13. Items from the floor

None

## 14. Adjourn

Hoffman moved to adjourn; Niehaus seconded; motion carried unanimously.



Walter H. Clarke, Town Clerk