



**TOWN OF SAUKVILLE**  
**Ozaukee County**  
3762 Lakeland Drive  
Saukville, Wisconsin 53080  
Ph: 262-675-9217  
Fax: 262-675-0604  
Terry Hoffman, Chairman  
Walter H. Clarke, Clerk  
Kay Danielson, Treasurer

**TOWN BOARD MINUTES**  
**Tuesday, January 20, 2004**  
**7:00 p.m.**

**PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the Saukville Town Board at 7:00 p.m. on Tuesday, January 20, 2004 at the Town Hall, 3762 Lakeland Rd. to consider the adoption of a proposed **non-metallic mining ordinance**. All individuals having an interest in this matter are invited to address the town board.

*Chairman Hoffman called public hearings to order. Donald Bloecher stated that he was pleased that the town was going to take jurisdiction over this matter. He questioned whether all the paperwork he had provided the county would be transferred to the town? Hoffman assured him that the town staff would transfer everything possible.*

NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the Saukville Town Board at 7:00 p.m. on Tuesday, January 20, 2004 at the Town Hall, 3762 Lakeland Rd. to consider the application by **Payne & Dolan** for a **conditional use permit** to extend their asphalt plant operations on Lakeland Drive. All individuals having an interest in this matter are invited to address the town board.

*There were no comments on this matter by the public.*

*Hoffman then moved to close the hearings; Niehaus seconded; motion carried unanimously.*

**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 December 16, 2003 Town Board Meeting, the December 29, 2003 Special Town Board meeting, and the January 6, 2004 Special Town Board Meeting.**

Hoffman moved to approve the December 16 minutes; Wollmer seconded; motion carried unanimously. Hoffman moved to approve the December 29 minutes; Niehaus seconded; motion carried unanimously. Hoffman move to approve the January 6 minutes; Wollmer seconded; motion carried unanimously.

**4. Presentation/discussion by We Energies regarding construction of 24" High Pressure pipeline along Cedar Sauk Rd.**

Mr. Roger Kirgues, representing We Energies, distributed information regarding the project and proceeded to discuss the project overview and schedule. The twenty-four inch gas pipeline will begin this spring and be completed late this year. It will extend about one half mile on the southern border of the town and be buried 4 or 5 feet below the ground. He answered several questions from the board concerning routes and rights of way and work hours. Hoffman then solicited questions from the audience. Mrs. Ruth Engeldinger questioned why the pipeline couldn't go under Cedar Sauk Rd. rather than alongside? Kirgues replied that the general directive is to stay off the roadway as much as possible. She objected to having the route run through her front yard with the location markers and above ground valves. She also objected to the land appraisal done by We Energies. Kirgues encouraged her to work with the right of way agent to negotiate a fair settlement for her property and an appropriate placement for the markers and valve. Niehaus questioned the procedure of condemnation and Kirgues explained that this would be a last resort. Mr. Todd Winter expressed concern that the easement agreement grants rights far in excess of that, which is required for the pipeline. He also stated that the appraisal was too low, in his opinion. He noted that the regulations concerning the valve placement allows some flexibility and is negotiable. He questioned why the pipeline didn't cross We Energies own fly ash dump lands across the street? Representatives from We Energies responded that the easement agreement was a standard document in use for years. Niehaus probed the representatives as to possible future utilities that could be installed on the easements but this did not get a specific response other than to say it would have to be approved by the PSCW.

**5. Presentation by Kevin Schafer from MMSD on water quality issues and incentives.**

Mr. Schafer summarized the progress made by MMSD in minimizing discharge to Lake Michigan. He encouraged cooperation in stopping non-point water pollution and urban runoff.

**6. Discussion/action on the petition by Amy and Stan Lubner to rezone 20 acres on Willow Road, tax key 08-012-15-002.00 from, A-2 to A-1.**

Niehaus moved to approve; Wollmer seconded; motion carried unanimously.

**7. Discussion/action on new non-metallic mining ordinance.**

Hoffman reviewed the history of the ordinance including review at four plan commission meeting, the town attorneys and planner, and the State of Wisconsin. Ozaukee County has been contacted and is cooperative in ceding control to the town. Hoffman moved to approve the ordinance; Niehaus seconded; motion carried unanimously.

**8. Discussion/action on Payne & Dolan conditional use permit.**

Hoffman reviewed the history of the permit, which was crafted jointly by the town and Payne and Dolan and recommended passage of the extension. Niehaus moved to approve the permit as drafted which would extend the asphalt and non-metallic mining operations until December 31, 2010 in three phases; Hoffman seconded; motion carried unanimously.

**9. Discussion/action on participation in gypsy moth spraying program.**

Hoffman reviewed a proposal by the county to spray a portion of the town to control gypsy moths. The cost of \$1,426 would be paid out of general funds. Niehaus questioned whether individual landowners had choice and just what was being sprayed? It was determined that the substance sprayed is a bacteria harmful only to the insect's larva and the damage done by the insect to trees is significant. Niehaus moved to approve the expenditure from general funds; Wollmer seconded; motion carried unanimously.

#### **10. Town Constable's Report**

Dickmann reported on stray dog matters and Hoffman noted improvement in cleaning junk from one property.

#### **11. Roads Report**

Clarke reported on a missing sign on Blue Goose and Hwy 33.

#### **12. Recycling Report**

Wollmer reported that the grant application has been completed and submitted.

#### **13. Town Office Report**

Clarke reported on a boiler pump problem which was recently resolved. He also reported that the ceiling in the central hall had be repaired and painted. Clarke reported that he had received a preliminary estimate for new carpeting in the hallway. Hoffman noted that we may have to wait until 2005 due to budget constraints.

#### **14. Financial Reports**

##### **a. Treasurer's account balances report**

Danielson gave 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
1/20/2004	4285	Postmaster	Newsletter	(37.00)	(37.00)
1/20/2004	4286	Jeffrey R. Kurz	Tax refund	(43.64)	(80.64)
1/20/2004	4287	John W. Holick	Tax refund	(90.24)	(170.88)
1/20/2004	4288	Martin S J Franzkowiak	Tax Refund	(33.36)	(204.24)
1/20/2004	4289	Ella Opitz	Tax refund	(35.83)	(240.07)
1/20/2004	4290	Nancy Sue Cain	Tax refund	(90.79)	(330.86)
1/20/2004	4291	David W. Anderson	Tax refund	(95.14)	(426.00)
1/20/2004	4292	Gary L. Klupper	Tax refund	(109.05)	(535.05)
1/20/2004	4293	John C. Tucker	Tax refund	(60.45)	(595.50)
1/20/2004	4294	Sonja M. Rabago	Tax refund	(45.34)	(640.84)
1/20/2004	4295	Postmaster	Newsletter	(37.00)	(677.84)
1/20/2004	4296	John C.	Tax Refund	(46.56)	(724.40)

		Scheibel			
1/20/2004	4297	Danielson, Kay	Petty Cash	(27.97)	(752.37)
1/20/2004	4298	Boehlke Bottled Gas Corp.		(297.29)	(1,049.66)
1/20/2004	4299	CITIBANK USA		(156.57)	(1,206.23)
1/20/2004	4300	Fleet Capital Leasing	Copier lease	(139.00)	(1,345.23)
1/20/2004	4301	Fuchs, Snow, O'Connell & DeStefanis, S.C.		(337.50)	(1,682.73)
1/20/2004	4302	J. Manuel & Associates, Inc.	Annual maintenance fee for tax/dog program	(350.00)	(2,032.73)
1/20/2004	4303	James Adams	Paint ceilings and clean gutters	(425.00)	(2,457.73)
1/20/2004	4304	Kenneth J Terbeek	Tax refund	(43.64)	(2,501.37)
1/20/2004	4305	Marnett Business Center, Inc.	Maintenance	(13.82)	(2,515.19)
1/20/2004	4306	Newburg Fire Department, Inc.	Payment 1 of 6	(58,058.44)	(60,573.63)
1/20/2004	4307	Ozaukee County Hwy Dept.	October	(3,569.59)	(64,143.22)
1/20/2004	4308	Port Publications		(66.22)	(64,209.44)
1/20/2004	4309	The Schroeder Group, S.C.	John Taylor Golf Assessment Challenge	(146.00)	(64,355.44)
1/20/2004	4310	We Energies		(173.57)	(64,529.01)
1/20/2004	4311	Weldon V. Zufelt	County/Payne & Dolan	(1,356.25)	(65,885.26)
1/20/2004	4312	Arrow Disposal & Recycling	December	(1,200.00)	(67,085.26)
1/20/2004	4313	Clarke, Walter H.		(751.28)	(67,836.54)
1/20/2004	4314	Dickmann, Mark R.		(76.95)	(67,913.49)
1/20/2004	4315	Golsteyn, Kathryn L		(23.09)	(67,936.58)
1/20/2004	4316	Hoffman, Terry M		(487.63)	(68,424.21)
1/20/2004	4317	Kadow, Jim		(23.09)	(68,447.30)
1/20/2004	4318	Niehaus,		(337.08)	(68,784.38)

		William			
1/20/2004	4319	Pierson, Ginny		(23.09)	(68,807.47)
1/20/2004	4320	Rutkowski, Curtis		(23.09)	(68,830.56)
1/20/2004	4321	Smallish, Kathryn A		(23.09)	(68,853.65)
1/20/2004	4322	Walls, Debra		(112.55)	(68,966.20)
1/20/2004	4323	Wollmer, Michael G		(301.68)	(69,267.88)
1/20/2004	4324	Danielson, Kay		(417.72)	(69,685.60)
1/20/2004	4325	Clarke, Jean D		(426.92)	(70,112.52)
1/20/2004	4326	Peters Assessment Service	Pmt 1 of 6	(1,350.00)	(71,462.52)

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

#### 15. Correspondence

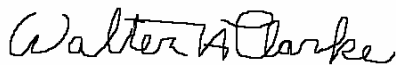
Hoffman acknowledged a report from the Eastern Shores Library System showing town residents to be major users of the service. Hoffman also noted a letter from the DOR stating that the town is now in compliance with respect to assessed valuation of property.

#### 16. Items from the floor

James Adams noted that Senator Feingold was holding a listening session in the village of Saukville on Saturday. Hoffman thanked Attorney Steve Castner for his efforts to resolve the Payne & Dolan lawsuit to the benefit of both parties. Niehaus expressed his pleasure with the agreement that will eventually return the quarry land to a natural state and public use. Castner acknowledged that the impetus for the settlement originated with the town and that Payne & Dolan was pleased that the issues were resolved to the mutual benefit of both parties and the public.

#### 17. Adjourn

Hoffman moved to adjourn; Niehaus seconded motion carried unanimously.



Walter H. Clarke, Town Clerk