



TOWN OF SAUKVILLE
Ozaukee County
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Terry Hoffman, Chairman
Walter H. Clarke, Clerk
Kay Danielson, Treasurer

TOWN BOARD MINUTES
Tuesday, June 15, 2004
7:00 p.m.

1. Call to Order

Present: Chairman Hoffman, Supervisors Niehaus and Wollmer, Clerk Clarke and Treasurer Danielson. Absent: Constable Dickmann Also present: Building Inspector/Zoning Administrator Roger Kison.

2. Pledge of Allegiance

3. Approval of the minutes of the May 18, 2004 Town Board Meeting.

Niehaus moved to approve the minutes as written; Wollmer seconded; motion carried unanimously.

4. Discussion/action on a new culvert ordinance.

Kison remarked that he has received questions regarding driveway culverts and distributed an excerpt from the Town of Cedarburg's ordinance concerning driveway drainage. After considering the problems that could be caused by improper drainage, Hoffman moved to refer the matter to the July Plan Commission; Niehaus seconded; motion carried unanimously.

5. Discussion/action on renewal of liquor licenses and bartender licenses for 2004-2005.

Clarke distributed a list of applicants, copy on file, and indicated that all were in order. He noted that ownership of the Hawthorne Hills food operation had changed hands, but all other liquor applicants were the same as the previous year. Niehaus moved to approve all applicants; Wollmer seconded; motion carried unanimously.

6. Discussion/action on possible Town support for efforts to keep rail service between Saukville and Kiel operating.

Clarke indicated he is still awaiting a draft resolution from the attorney representing the concerned interests supporting the continuation and will bring it to the board when and if available. Hoffman moved to table; Niehaus seconded; motion carried unanimously.

7. Discussion/action on cable franchise for Time Warner.

Hoffman reviewed a draft of the franchise ordinance prepared by Time Warner according to the issues previously raised by the board. Clarke recommended that the town attorney review the draft. Niehaus agreed to have the document reviewed by counsel. He then moved to approve the draft contingent on such a review; Wollmer seconded; motion carried unanimously.

8. Request by Mark Lubner to discuss the status of his application for a conditional use permit to erect and operate a wind-powered generator on his property at 1351 E. Hawthorne (08-001-05-005.00).

Hoffman reviewed the status of the proposal indicating that the conditional use permit had been reviewed by the Plan Commission and approved with conditions by the Town Board. He noted that Lubner objected to the setback from the property line of three times the height of the tower (240 feet) as the foundation had already been constructed closer. The board had asked Lubner to provide evidence that the setback was unreasonable by documentation by a certified engineer or other expert. Lubner then submitted a letter from a wind generator construction engineer saying that the blade weight and velocity

would not likely carry it beyond 50 feet from the tower. The tower foundation is 120 feet from the lot line. Lubner also asked the board to reconsider the condition that a paid expert inspect the generator annually. He asked the board to allow him to make his own inspections as he has a vested interest in maintaining the device in good condition. Niehaus recommended that the condition be changed to allow the town to order an expert inspection if it were deemed necessary by allow the annual inspection to be done by Lubner. Lubner also suggested that the board insert a condition requiring a fence around the base of the tower to prevent children and others from climbing the tower. Niehaus then moved to modify the conditional use permit to include the following:

- Reduce the setback to one times the tower height from the lot line.
- Remove the annual inspection requirement and insert the provision for the town to order a professional inspection at any time for cause.
- Require that a suitable fence be installed around the tower to prevent children and others from climbing the tower.

Wollmer seconded with the provision that Lubner submit an annual report of his personal inspection; motion carried unanimously.

9. Discussion/action on selection of a new Town Board Chair to replace Terry Hoffman.

Niehaus indicated that Jim Kadow had approached him expressing interest in this interim position. Niehaus stated that he believes that Kadow is well qualified through his long service on the Plan Commission and his long interest in town issues. Wollmer expressed his support for Kadow also due to his work on the Plan Commission and his long interest in town affairs. Clarke stated that he also would support the nomination citing Kadow's involvement with zoning issues, the most complex the town generally deals with, and his observed ability to make difficult decisions in a manner that is respectful to all involved. Niehaus added that Kadow is willing to put in the time required for the position and has an occupation that would allow flexibility. Niehaus then moved to appoint Kadow to the interim position of Town Chairman to fill the vacancy of Terry Hoffman effective July 1, 2004; Wollmer seconded. A roll call vote was called: Bill Niehaus, aye; Mike Wollmer, aye; Walter Clarke, aye. The motion carried unanimously. The board congratulated Kadow on his appointment.

10. Town Constable's Report

a. Rabbit waste problem.

Clarke explained the complaint received and will refer the matter to the Constable.

11. Roads Report

a. Discussion/action on annual road inspection and bid proposals.

Hoffman read a list of unit charges for various operations supplied by the Highway Department. They then discussed the issue of road aid from the county and state for the Knollwood repaving project. Hoffman moved to table the matter until July; Niehaus seconded; motion carried unanimously.

b. Discussion/action on roadside grass cutting.

Hoffman moved to table; Wollmer seconded; motion carried unanimously.

12. Recycling Report

Clarke reported that the town received the recycling grant last month of about \$4,200.

13. Town Office Report

a. Web site problems

Clarke reported on the extended difficulties with the counties web site which wiped out the town's site. Repairs are under way.

14. Financial Reports**a. Treasurer's account balances report**

Danielson presented the treasurer's report, which is on file.

b. Clerk's budget status report

Clarke presented the clerk's budget report, which is on file. Clarke indicated that the Administrative Assistant Debra Walls had received a \$.50 per hour increase on her anniversary for her excellent performance.

c. Review and approval of claims

Clarke presented the following claims for review:

Date	Num	Name	Memo	Amount	Balance
6/9/2004	4495	Postmaster	Newsletter Postage	(158.40)	(158.40)
6/15/2004	4514	Clarke, Walter H.		(802.95)	(961.35)
6/15/2004	4515	Danielson, Kay		(360.97)	(1,322.32)
6/15/2004	4516	Dickmann, Mark R.		(76.95)	(1,399.27)
6/15/2004	4517	Frank, Victor		(23.09)	(1,422.36)
6/15/2004	4518	Golsteyn, Kathryn L		(23.09)	(1,445.45)
6/15/2004	4519	Hoffman, Terry M		(434.98)	(1,880.43)
6/15/2004	4520	Kadow, Jim		(23.09)	(1,903.52)
6/15/2004	4521	Niehaus, William		(309.37)	(2,212.89)
6/15/2004	4522	Pierson, Ginny		(23.08)	(2,235.97)
6/15/2004	4523	Rienartz, James		(23.09)	(2,259.06)
6/15/2004	4524	Rutkowski, Curtis		(23.08)	(2,282.14)
6/15/2004	4525	Smallish, Kathryn A		(23.09)	(2,305.23)
6/15/2004	4526	Walls, Debra		(671.74)	(2,976.97)
6/15/2004	4527	Wollmer, Michael G		(277.29)	(3,254.26)
6/15/2004	4529	Mac Carthy's	Refund of overpayment of liquor licenses	(65.00)	(3,319.26)
6/15/2004	4530	Danielson, Kay	Petty Cash	(33.84)	(3,353.10)
6/15/2004	4531	Internal Revenue Service	39-1128950	(505.00)	(3,858.10)
6/15/2004	4532	PEBSCO		(20.00)	(3,878.10)
6/15/2004	4533	Wisconsin Department of Revenue	568734	(91.53)	(3,969.63)
6/15/2004	4534	Arrow Disposal & Recycling	April	(1,200.00)	(5,169.63)

6/15/2004	4535	Bill's Mailing Service, Inc.	Newsletter	(53.17)	(5,222.80)
6/15/2004	4536	Boehlke Bottled Gas Corp.		(259.64)	(5,482.44)
6/15/2004	4537	CITIBANK USA		(40.39)	(5,522.83)
6/15/2004	4538	Fleet Capital Leasing	Copier lease	(139.00)	(5,661.83)
6/15/2004	4539	Fuchs, Snow, O'Connell & DeStefanis, S.C.		(37.50)	(5,699.33)
6/15/2004	4540	MCI	Phone	(89.07)	(5,788.40)
6/15/2004	4541	On Time Printing	Newsletter	(327.45)	(6,115.85)
6/15/2004	4542	Ozaukee County Clerk	April 6, 2004 election expenses	(171.30)	(6,287.15)
6/15/2004	4543	Ozaukee County Hwy Dept.	April 2004	(2,993.39)	(9,280.54)
6/15/2004	4544	Peters Assessment Service	Pmt 6 of 6	(1,350.00)	(10,630.54)
6/15/2004	4545	Port Publications	Publications	(216.12)	(10,846.66)
6/15/2004	4546	Race's Lawn Service		(70.00)	(10,916.66)
6/15/2004	4547	RK Construction & Inspection, LLC	May 2004	(715.16)	(11,631.82)
6/15/2004	4548	Sprint		(0.28)	(11,632.10)
6/15/2004	4549	We Energies		(121.16)	(11,753.26)
6/15/2004	4550	Wisconsin Towns Association	2004-2005 Dues	(490.00)	(12,243.26)

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

15. Correspondence

None

16. Items from the floor

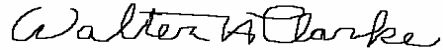
Hoffman thanked the board and citizens for the privilege of serving the town over the years.

Ginny Pierson thanked Hoffman for his years of service and then asked Kison how many dogs constituted a "kennel" which would require a permit? She said a neighbor moving in had four dogs and had asked her. Kison said he would have to check but was sure it was more than four.

Kate Smallish also thanked Hoffman for his contribution. Smallish asked the board for advice on a rut which was created by the County Highway Department mower which is now a mosquito breeding ground. Hoffman suggested that she contact the department and complain and they would likely take care of it.

17. Adjourn

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

A handwritten signature in cursive script that reads "Walter H. Clarke".

Walter H. Clarke, Town Clerk