

SAUKVILLE TOWN BOARD MEETING
December 19, 1995 7:30 p.m.
Saukville Town Hall 3762 Lakeland Road

TO: TOWN BOARD MEMBERS
FROM: Daniel B. Gute, Town Chairman

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Approval of minutes of November 21st, 1995 regular Town Board Meeting
Gute reviewed the minutes orally. Opitz moved to approve the minutes; Fellenz seconded; motion carried.
4. Approval of minutes November 28th, December 4th and December 12th 1995 Special Town Board Meetings.
Gute reviewed each set of minutes orally.
Opitz moved to approve the November 28th minutes; Fellenz seconded; motion carried.
Opitz moved to approve the December 4th minutes; Gute seconded; motion carried.
Fellenz moved to approve the December 12th minutes; Opitz seconded; motion carried.
5. Motion to adjourn to closed session pursuant to Section 19.85(1)(g) conferring with Town Attorney with respect to pending litigation and pursuant to Section 19.85(1)(c) to discuss hiring temporary part time clerical services in the wake of the resignation of the Town Treasurer. On Attorney's advice the Town Board has the authority to hire and pay such clerical help within the powers granted in Sects. 60.22 & 61.34 Wis. Stats. and pending appointment of a successor Treasurer under 17.25(1) Wis. Stats
Fellenz moved to adjourn to closed session; Opitz seconded; motion carried.
6. Motion to reconvene to open session pursuant to Section 19.85(2) to discuss and take action on items in closed session and to discuss and take action on remaining agenda items.
Fellenz moved to reconvene to open session; Opitz seconded; motion carried. Opitz moved to pay the Clerk \$10 per hour to temporarily assume the duties of former Treasurer Phyllis Linden; Fellenz seconded; motion carried.
7. Discussion on unanticipated postponement of Public Hearing on the Tesker rezoning petition until January 16, 1996.
Town Attorney DeStefanis explained that the paper of record, the Ozaukee Press mislaid the notice, and it was not possible to schedule as originally noticed for December 19th. A second alternative of holding the hearing on Thursday, December 21 at 7:00 p.m. was proposed, but applicant stated that this was not possible and counter-proposed 9:00 a.m. that same day. The Town Attorney advised that this was not appropriate for a public hearing and the hearing was rescheduled until the next regular Town Board meeting on January 16, 1996 at 7:00 p.m.
8. Discussion/action of letter from Mary LaVelle re: restrictions on dumping.
Gute read a letter from Mary LaVelle asking for action to resolve problems with the dump on Lakeland Road and dumping in general. She questioned whether the Building Inspector had inspected the salvage yard for compliance recently. Derler replied that he had not but would do so if supplied with the conditional use permit. Town Attorney DeStefanis addressed items 1 and 3 in the original letter: A "grand-fathered" dump could be considered a use which was legal prior to rezoning and was now non-conforming. Such use can generally continue if not expanded. He stated that recent public policy supported phasing out non-conforming uses over time, e.g. not allowing rebuilding after a fire. Other laws cannot be violated under the grand-fathered non-conforming use provisions. He also stated that new dumps would not be permitted under A-1 and A-2 without a conditional use permit.
9. Building Inspectors Report- John Derler
Derler reported on information he had obtained from the Wisconsin Town's Association regarding home burning of trash. Studies indicate that this is highly toxic. He stated that he believed that it was now legal to burn only clean wood by homeowners. He reported that no new homes were started in the prior month. One rec room and one pesticide mixing containment building were applied for.
10. Roads Report
Opitz indicated that there was nothing to report on roads.

11. Recycling Report—handling of dumping fees in absence of Treasurer.
Clarke indicated that Opitz should deliver the funds to him the night of the Town Board for deposit in the bank.
12. Approval of Operator's Licenses for:
Lisa D. Streff, 3172 Riverside Drive, Saukville, WI
Cynthia A. Prom, 123 Devon St., Saukville, WI
Joe R. Leinfelder, 123 Devon St., Saukville, WI
Clarke indicated that the application were in order and the fees had been paid and that a search of the Ozaukee Public Access system revealed no criminal records. Gute moved to approve the above applications; Opitz seconded; motion carried.
13. Approval for transfer of Combination Class B Retailer's license and Soda Water Beverage License to Lisa D.Streff and Cynthia A. Prom from Arthur E. Wille, 3172 Riverside Dr.,Saukville, WI.
Clarke explained that such transfers were permissible without fee by State statute. Gute moved to approve; Opitz seconded; motion carried.
14. Approval of Holding Tank Agreement for a temporary holding tank during construction for Debra L. and Richard A. Habich on 5.75 acres of property at Hwy 57 and Beech La , Tax key 08-002-04-002.00.
Richard Habich stated that he wanted to begin construction in spring but needed a permit for a temporary holding tank until his home was completed and then a mound system would be constructed. Derler stated that this was permitted under State rules. Gute moved to approve; Opitz seconded; motion carried.
15. Discussion/action on SEWRPC zoning map update upon resignation of Treasurer.
Opitz moved to direct the Clerk to complete the update under the agreement approved in item 6 above; Gute seconded; motion carried.
16. Discussion/action on discussion between Saukville Village Administrator Chris Lear and Jack Fellenz on the Village's proposed solution to delinquent ambulance fees.
Fellenz discussed the request with Chris Lear and due to yearend vacations agreed to meet in January to negotiate an agreement to be reviewed by the Town Attorney. Gute noted that there may be funds available from the State covering unpaid fees. Clarke was directed to investigate.
17. Treasurer's Report
Clarke presented the Treasure's report as of November 30, 1995 which is on file/
18. Clerk's Report

A. Claims

Clarke presented the following claims for approval:

Num	Name	Memo	Amount	Balance
1068	Safety & Buildings Division	Boiler Inspection	(55.00)	(55.00)
1069	Lakeland Cartage & Lakeland Sales	Snowplowing 11/28	(45.00)	(100.00)
1070	Ozaukee County Hwy Dept.	November Charges	(8,125.81)	(8,225.81)
1071	Owens Office Products	Repair Copier	(102.00)	(8,327.81)
1072	Daniel B. Gute, M.D.	Payroll	(899.49)	(9,227.30)
1073	Jack R. Fellenz	Payroll	(512.58)	(9,739.88)
1074	James C. LaVelle	Payroll	(44.32)	(9,784.20)
1075	Jeff C. Opitz	Payroll	(479.29)	(10,263.49)
1076	Larry T. Beverung	Payroll	(73.88)	(10,337.37)
1077	Leroy J Wollner	Payroll	(73.88)	(10,411.25)
1078	Paul W. Lemke	Payroll	(59.10)	(10,470.35)
1079	Phyllis V. Linden	Payroll	(529.87)	(11,000.22)
1080	Terry M Hoffman	Payroll	(73.88)	(11,074.10)
1081	Walter H. Clarke	Payroll	(1,411.47)	(12,485.57)

1082	Walter H. Clarke	Supplies, Mileage, Postage	(151.53)	(12,637.10)
1083	Ameritech	414 675-9217 556 2	(52.89)	(12,689.99)
1084	Lakeland Cartage & Lakeland Sales	Salting 12-15-95	(150.00)	(12,839.99)

Fellenz moved to approve the claims; Opitz seconded; motion carried.

B. December Budget Report

Clarke presented the December 1995 Budget Report which is on file.

17. Correspondence/Floor

- A. Letter from Ron Horn proposing a resolution to appropriate \$2,000 to research and tabulate conditional use permits.

Gute introduced the proposed resolution from Ron Horn. The Board will address this in January.

- B. Discussion of handling to 1995 Tax Bills.

Gute explained that a group of volunteer helped mail the tax bills recently. The Ozaukee County Treasurer will collect the taxes.

- C. Items from floor

Gute read a letter from Walter Clarke enumerating the need for a Town Administrator.

Gute read a letter from Kitzke and Associates demanding copies of correspondence, minutes, and tape recordings of WGLB's attempt to gain a conditional use permit.

Fellenz asked if the weight limit signs on Town roads could be modified to exclude farm vehicles? Opitz responded that he had talked to the Highway Dept. and they were unsure if we could exclude a single class of enterprise. The Board asked the Clerk to put the matter on the January agenda.

Tony Lorge of 3775 Hwy I stated his opinion that snowmobiles should not be allowed on Center Road or any Town road. He questioned the Town's liability. He presented a copy of Wis. Stats. which he said outlawed such use of roads. The Board stated that if Mr. Lorge wanted further discussion, he should request to get on the agenda of a future meeting and members of the snowmobile organizations could also be on hand to present their side.

19. Adjournment

Fellenz moved to adjourn; Opitz seconded; motion carried.

Walter H. Clarke, Clerk